

AGENDA

A SPECIAL MEETING OF THE BOARD OF RETIREMENT

LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION

300 N. LAKE AVENUE, SUITE 810, PASADENA, CA

9:00 A.M., WEDNESDAY, MAY 3, 2017

*The Board may take action on any item on the agenda,
and agenda items may be taken out of order.*

- I. CALL TO ORDER
 - II. PLEDGE OF ALLEGIANCE
 - III. MOMENT OF SILENCE IN REMEMBRANCE OF BOARD MEMBER
YVES CHERY
 - IV. NON-CONSENT AGENDA
 - A. Recommendation as submitted by Gregg Rademacher, Chief Executive Officer:
That the Board:
 1. Direct and approve a special election for the Second Member position on the Board of Retirement to be held on August 1, 2017 concurrently with the currently scheduled election for the position, as a single election to fill both the vacancy for the remaining term ending December 31, 2017 and the new term beginning January 1, 2018, or to provide such other direction as the Board deems appropriate with respect to the vacancy in the Second Member position; and
 2. Direct staff to cause the County of Los Angeles Board of Supervisors to take such action as may be necessary to implement the Board's direction.
- (Memo dated May 1, 2017)
- V. ADJOURNMENT

May 3, 2017

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May 1, 2017

TO: Each Member
Board of Retirement

FROM: Gregg Rademacher 
Chief Executive Officer

FOR: May 3, 2017 Special Board of Retirement Meeting

SUBJECT: **SPECIAL ELECTION TO FILL VACANCY IN SECOND MEMBER OF BOARD OF RETIREMENT**

RECOMMENDATION

That the Board of Retirement:

1. Direct and approve a special election for the Second Member position on the Board of Retirement to be held on August 1, 2017 concurrently with the currently scheduled election for the position, as a single election to fill both the vacancy for the remaining term ending December 31, 2017 and the new term beginning January 1, 2018, or to provide such other direction as the Board deems appropriate with respect to the vacancy in the Second Member position; and
2. Direct staff to request the County of Los Angeles Board of Supervisors to take such action as may be necessary to implement the Board's direction.

LEGAL AUTHORITY

Government Code Section 31523(a) in the County Employees Retirement Law of 1937 (CERL) provides that, in the event of a vacancy in one of the elected member seats, "the board shall cause an election to fill the vacancy to be held at the earliest possible date." Section 31523(a) further provides that the vacancy "shall be filled for the duration of the current term except that, if the remaining portion of the current term is six months or less on the date of the election, a single election may be held to fill the vacancy for the remainder of the current term and to fill the position for the succeeding term."

Under Section 31520.1(b) of CERL, the Alternative Seventh Member fills the Second Member seat until the vacancy can be filled.

DISCUSSION

With Yves Chery's passing, the Board is required under Section 31523(a) to cause an election to be held "at the earliest possible date." The current term of the Second Member

seat will expire in the normal course on December 31, 2017. An election is currently set for August 1, 2017 to fill the seat beginning on January 1, 2018 for a new three-year term. Since the time between the election (August 1, 2017) and the end of the current term (December 31, 2017) is less than six months, the Board has the power under Section 31523(a) to hold a single election to fill both the remaining portion of the current term and the new term. LACERA Board elections are managed by the County of Los Angeles pursuant to resolution of the Board of Supervisors. The Board of Supervisors acted on April 4, 2017, before Mr. Chery's passing, to establish the election process for the new term of the Second Member seat. Any change in this process will likewise require action by the Board of Supervisors.

LACERA staff has conferred with County staff regarding this issue. LACERA and County staff agree that it would be efficient to hold a single election for the remaining portion of the current term and the new term. This may require change in some of the deadlines associated with the August 1, 2017 election. However, it appears that the election date itself can be retained.

If a special election takes place on August 1, 2017, the results will be declared official in mid-September and the new member would be able to take office in time for the October 2017 Board meetings. Until the vacancy is filled, Mr. Pryor, as the Alternate Seventh Member, will fill the Second Member seat.

CONCLUSION

Accordingly, staff recommends that the Board of Retirement:

1. Direct and approve a special election for the Second Member position on the Board of Retirement to be held on August 1, 2017 concurrently with the currently scheduled election for the position, as a single election to fill both the vacancy for the remaining term ending December 31, 2017 and the new term beginning January 1, 2018, or to provide such other direction as the Board deems appropriate with respect to the vacancy in the Second Member position; and
2. Direct staff to request the County of Los Angeles Board of Supervisors to take such action as may be necessary to implement the Board's direction.

GR:sr:nm
05 01 2017 Special Meeting Board

c. Robert Hill
John Popowich
Steven P. Rice
Cynthia Martinez