

**MINUTES**  
**OF THE**  
**BOARD OF FIRE AND POLICE PENSION COMMISSIONERS**  
**BOARD MEETING OF SEPTEMBER 4, 2008**

The Board of Fire and Police Pension Commissioners of the City of Los Angeles met in Room 800, 360 East Second Street, Los Angeles 90012 on Thursday, September 4, 2008.

COMMISSIONERS PRESENT: Sean Harrigan, President  
Mike Carter, Vice President  
George Aliano  
Sam Diannitto  
Steve Juarez (participated telephonically)

COMMISSIONER ABSENT: Elliott Broidy  
Don Keith  
Patricia Means  
Louis Moret

DEPARTMENT OF FIRE AND POLICE PENSIONS: Michael A. Perez, General Manager  
D. Edward Griffiths, Assistant General Manager  
Laura Guglielmo, Assistant General Manager  
Tom Lopez, Chief Investment Officer  
Barbara H. Nobregas, Commission Executive Assistant

CITY ATTORNEY'S OFFICE: Alan Manning, Assistant City Attorney  
John Blair, Deputy City Attorney

COURT REPORTER Diane L. Panicca, U. S. Legal Support

President Harrigan called the meeting to order at 9:10 a.m. All the above-listed Commissioners were present at the start of the meeting. President Harrigan reminded the Commissioners that the Board must maintain of quorum of five members at all times or the meeting will end.

1. **NEW BUSINESS**

President Harrigan asked if any Board Member made any expenditure to influence State legislative or administrative action to which their reply was negative.

2. **COMMUNICATIONS TO THE BOARD**

Miscellaneous correspondence from money managers, consultants, etc. - Received and Filed

3. **COMMITTEE REPORTS**

A. Benefits Committee

There was no report.

B. Governance Committee

Chair Diannitto stated that there are some Governance Committee recommendations on the agenda.

C. Ad Hoc Space Planning Committee

Chair Carter reported that LACERS agreed to terminate the contract and will set a time period. General Manager Perez provided an update on the space planning issue.

D. Audit Committee

General Manager Perez reported that a meeting is scheduled on Sept. 11th regarding the risk assessment and the draft audit plan. Accretive Solutions is supposed to come up with an Audit plan by today. If staff doesn't receive a viable plan, the meeting will be postponed.

4. **SPECIALIZED PRIVATE EQUITY PROGRAM REVIEW BY STEPSTONE**

Messrs. Jose Fernandez, Managing Director, Monty Brem, Chief Executive Officer, and Tom Keck, Chief Investment Officer, from Stepstone came before the Board to give a review of the Specialized Program. No Board action was taken.

5. **APPROVAL OF CONTRACT AMENDMENT WITH THE RESULTS GROUP**

Ms. Laura Guglielmo, Assistant General Manager came before the Board to report that the October date for the Board Retreat conflicts with NCPERS. There was no need to contact Mr. Allen Goldstein of the Results Group. The Board retreat may be pushed back to sometime in January. Commissioner Diannitto stated that Commissioner Means had concerns about the Results Group's pricing and the prices had been reduced.

**RESOLUTION 09031**

Commissioner Diannitto moved that the Board authorize the General Manager to negotiate and execute an amendment to contract no. 471 with The Results Group (TRG) to:

1. Prepare agendas and speakers for the educational retreat and seminars, facilitate the discussion and provide a written follow-up report at a cost not to exceed \$22,000; and
2. Provide consulting services to the General Manager related to strategic planning for an amount not to exceed \$2,500, which was seconded by Commissioner Carter and approved by the following vote: ayes, Commissioners Aliano, Carter, Diannitto, Jaurez and President Harrigan – 5; nays – none.

The following items were taken out of order.

9. GENERAL MANAGER'S REPORT

A. Benefits actions approved by General Manager on August 21, 2008

Pursuant to Resolution 04008, adopted by the Board of Fire & Police Pension Commissioners on August 7, 2003, the following benefit actions have been approved by the General Manager on August 21, 2008.

DISCONTINUED PENSIONS – TIER 1 – 2

May C. Parks	Fire Widow	Retired:	10-30-87	Died:	05-14-08
Eleanore J. Hommert	Police Widow	Retired:	07-21-97	Died:	07-27-08

DISCONTINUED PENSIONS – TIER 2 – 8

Lester D. Teeters	Fire Service	Retired:	07-12-81	Died:	06-20-08
Robert E. Kurtz	Police Service	Retired:	07-01-70	Died:	07-16-08
Rexie O. Fowler	Fire Widow	Retired:	06-27-05	Died:	07-17-08
Ethel M. Kelly	Fire Widow	Retired:	11-05-99	Died:	07-25-08
D. E. Applegarth	Police Widow	Retired:	09-19-93	Died:	01-13-07
M. Annette Daugherty	Police Widow	Retired:	06-06-98	Died:	07-02-08
Betty A. MacGregor	Police Widow	Retired:	06-21-03	Died:	06-17-08
Carlos T. Torres	Police Disability	Retired:	03-01-08	Died:	05-11-08

SERVICE PENSIONS – POLICE – TIER 5 – 2

Ronald P. Price	Engineer	Eff:	08-17-08	21 Years	342 Days
Angela K. Serratt	Detective I	Eff:	08-03-08	20 Years	290 Days

ELIGIBLE SURVIVING SPOUSE'S PENSION – TIER 2 – 2

<u>Name</u>	<u>Deceased Member</u>	<u>Member's Class</u>	<u>Effective Date</u>
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Lorraine C. Teeters	Lester D. Teeters	Fire Service	06-21-08
Mari M. Kurtz	Robert E. Kurtz	Police Service	07-17-08

ELIGIBLE SURVIVING SPOUSE'S PENSION – TIER 5 – 1

<u>Name</u>	<u>Deceased Member</u>	<u>Member's Class</u>	<u>Effective Date</u>
Deana Torres	Carlos T. Torres	Police Disability	05-12-08

REINSTATE SURVIVING CHILD'S PENSION – TIER 3 – 1

Pension reinstated payable to Nicholas M. Moore, Surviving Child of deceased Police Officer II Darryl L. Moore, effective August 1, 2008. Documentation has been submitted for full-time student status. There are three pending minors.

REINSTATE SURVIVING CHILD'S PENSION – TIER 4 – 1

Pension reinstated payable to Alicia M. Stavropoulos, Surviving Child of deceased Police Officer Anthony R. Stavropoulos, effective August 1, 2008. Documentation has been submitted for full-time student status. There is one remaining minor.

DECREASE SURVIVING SPOUSE'S PENSION – TIER 4 – 1

Decrease the pension payable to Margaret P. Stavropoulos, Surviving Spouse of deceased Police Officer Anthony R. Stavropoulos due to full-time student status by Alicia M. Stavropoulos, effective August 1, 2008. There is one remaining minor.

PARTIAL PAYMENT OF PENSION – TIER 2 – 2

In accordance with the City Attorney's advice, a designated proportion of the community property interest of the pension payable to Dennis R. Azevedo, Police Service Pensioner, is to be paid to his former spouse Deanna M. Azevedo, effective August 21, 2008. Ms. Azevedo will receive cost of living increases.

In accordance with the City Attorney's advice, a designated proportion of the community property interest of the pension payable to Melvin D. Sandvig, Police Service Pensioner, is to be paid to his former spouse Nancy L. Sandvig, effective August 1, 2008. Ms. Sandvig will receive cost of living increases.

PARTIAL PAYMENT OF PENSION – TIER 5 – 2

In accordance with the City Attorney's advice, a designated proportion of the community property interest of the pension payable to Thomas J. Kenyon, Fire Service Pensioner, is to be paid to his former spouse Helen M. Kenyon, effective August 24, 2008. Ms. Kenyon will receive cost of living increases.



In accordance with the City Attorney's advice, a designated proportion of the community property interest of the pension payable to Timothy J. McComb, Fire Service Pensioner, is to be paid to his former spouse Marilyn Buth, effective August 10, 2008. Ms. Buth will receive cost of living increases.

DESIGNATED PARTIAL PAYMENT OF PENSION – TIER 2 – 1

In accordance with the City Attorney's advice the designated proportion of the community property interest of the pension payable to Nicholas E. Fotiades, Police Service Pensioner which was paid to his deceased former spouse, Beverly K. Fotiades has been designated to her beneficiaries, Donald S. Fotiades, Todd M. Fotiades and Christopher E. Fotiades, effective March 9, 2008. Donald and Todd have signed an Authorization and Release to request their portion be returned to Nicholas E. Fotiades. Cost of living increases are included.

MODIFIED PARTIAL PAYMENT OF PENSION – TIER 5 – 1

In accordance with the City Attorney's advice a designated proportion of the community property interest of the Surviving Spouse Pension payable to Margaret Ings, Surviving Spouse of Fire Service Pensioner Brian N. Ings, being withheld for Louise J. Bewley should be released to former spouse, Louise J. Bewle, effective August 1, 2008. Ms. Bewley will receive cost of living increases.

SERVICE PENSION/DROP – TIER 5 – 2

Fire

Michael A. Pinel	Engineer	Eff:	03-01-08	26 Years	306 Days
Edward Salas	Firefighter III	Eff:	03-01-08	30 Years	19 Days

DISCONTINUE DROP – TIER 2 – 1

Police

Charles P. Carlton	Retired:	10/05/03	Exit Close of:	08/30/08
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DISCONTINUE DROP – TIER 5 – 21

Fire

Michael B. Crandall	Retired:	09/01/03	Exit Close of:	08/31/08
Gilbert De La Vara	Retired:	08/24/03	Exit Close of:	08/22/08
James R. Finn	Retired:	09/07/03	Exit Close of:	08/30/08
Gregory Frazier	Retired:	08/24/03	Exit Close of:	08/23/08
Thomas J. Kenyon	Retired:	08/24/03	Exit Close of:	08/23/08
John W. Loyd	Retired:	09/01/03	Exit Close of:	08/31/08
Timothy J. McComb	Retired:	08/10/03	Exit Close of:	08/09/08
Fred L. Sevy	Retired:	08/24/03	Exit Close of:	08/23/08
Michael L. Walker	Retired:	09/07/03	Exit Close of:	08/31/08

Terry J. Waters	Retired:	09/07/03	Exit Close of:	08/30/08
James B. Westling	Retired:	08/08/04	Exit Close of:	08/31/08

Police

Charles Evans	Retired:	04/18/04	Exit Close of:	08/31/08
Keith R. Haight	Retired:	08/10/03	Exit Close of:	08/09/08
Richard C. McElroy	Retired:	01/01/04	Exit Close of:	08/31/08
Clarence E. Metcalfe	Retired:	04/29/07	Exit Close of:	07/31/08
Paul G. Partridge	Retired:	09/07/03	Exit Close of:	08/31/08
Michael S. Pupich	Retired:	09/07/03	Exit Close of:	08/31/08
David L. Rico, Jr.	Retired:	09/07/03	Exit Close of:	08/31/08
Gary A. Romo	Retired:	09/07/03	Exit Close of:	08/31/08
Kirk D. Smith	Retired:	08/24/03	Exit Close of:	08/23/08
Charles E. Spicer III	Retired:	09/07/03	Exit Close of:	08/31/08

DISCONTINUE DROP – CORRECTION - TIER 5 – 1

Fire

Glen A. Prine	Retired:	08/01/03	Exit Close of:	<b>07/31/08</b>
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**Correction to member's exit date.**

PENSION GRANTED – DISABILITY – TIER 3 – 1, August 7, 2008

<u>Name</u>	<u>Years</u>	<u>Days</u>
Stacy A. McCain	13	196

PENSION GRANTED – DISABILITY – TIER 5 – 3

<u>Name</u>	<u>Years</u>	<u>Days</u>
Robert E. Nowak	17	341
Bart D. Witherow	15	146
Yolanda D. Caterino-Clair	19	135

**B. Other business relating to Department operations**

General Manager Perez gave the following updates:

1. General Manager Perez turned the meeting over to Assistant City Attorney Alan Manning who introduced Deputy City Attorney Brian Cheng. General Manager Perez introduced new staff, Ms. Peggy Wu, from the Medical and Dental Section.
2. General Manager Perez reported that he and Commissioner Aliano made a presentation to a retired police officer group. The group had a variety of questions and one in particular was the re-marriage provision for retirees. The group was pleased to hear that it is a cost neutral item which will not result in additional costs to the Fund.
3. On September 18<sup>th</sup>, General Manager Perez will not be at the board meeting due to his responsibilities to the Deferred Compensation Board. He will be attending the annual conference, the National Association of Deferred Compensation. Commissioner Diannitto asked what happened to the LAFPP representative. Commissioner Carter reported that Mr. Kirk Stable represents the firefighters. General Manager Perez stated that the Administrative Code was changed and that a representative must be a member of deferred compensation program and be an elect member of the organization.
4. General Manager Perez reported that the Controller's Office initiated changes in the travel policy. He will work with the City Attorney's Office to resolve any issues and will report back to the Board. He then turned the meeting over to Commissioner Aliano.

Commissioner Aliano welcomed back Ms. Susan Liem from active duty stationed in Bagdad. General Manager Perez congratulated Mr. Anthony Torres on earning a Certified Employee Benefits Specialist designation. Commissioner Diannitto asked for the status of the report from Wyatt of the separate and consolidated investment plan. General Manager Perez did get the opinion back and forwarded it to the CAO's Office.

#### 10. CONSIDERATION OF FUTURE AGENDA ITEMS

There were no items referred for consideration.

#### 11. PUBLIC COMMENTS

There were no public comments.

#### 12. CONSENT ITEMS

##### A. Approval of Travel

1. APPROVAL OF TRAVEL AUTHORITY – COUNCIL OF INSTITUTIONAL INVESTORS – 2008 FALL MEETING – OCTOBER 4-7, 2008, CHICAGO, ILLINOIS

2. APPROVAL OF TRAVEL AUTHORITY–NCPERS – PUBLIC SAFETY EMPLOYEES  
PENSION & BENEFITS CONFERENCE – OCTOBER 12-15, 2008, PALM SPRINGS, CA

B. Approval of Minutes

1. Minutes of the Special Board Meeting of November 1, 2007
2. Minutes of the Regular Board Meeting of November 1, 2007

C. Finding of Facts – Tier 3 –1

1. Brian Bassler

D. Finding of Facts – Tier 5 – 2

1. Bart D. Witherow
2. Robert E. Nowak

MOTION

Commissioner Diannitto moved that the Board approve the consent items, which was seconded by Commissioner Carter and approved by the following vote: ayes, Commissioners Aliano, Carter, Diannitto, Juarez, and President Harrigan – 5; nays – none.

6. CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9: REGARDING REPORT ON EXISTING LITIGATION: MITCHELL GROBESON V. BOARD OF PENSION COMMISSIONERS FOR THE CITY OF LOS ANGELES, CASE NO. BS 049 282 AND POSSIBLE BOARD ACTION

The Board met in closed session.

7. CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957(b)(1): GOVERNANCE COMMITTEE REPORT TO BOARD ON GENERAL MANAGER'S PERFORMANCE EVALUATION AND MERIT PAY AND POSSIBLE BOARD ACTION

The Board met in closed session.

Upon reconvening the meeting in open session, President Harrigan stated the Board met in closed session to confer with the City Attorney regarding the existing litigation. The Board provided the City Attorney's Office authorization to appeal. Regarding item no. 8, the Board made a recommendation by unanimous vote.

8. GOVERNANCE COMMITTEE REPORT ON MERIT PAY PERCENTAGE FOR GENERAL MANAGER AND POSSIBLE BOARD ACTION

The Board approved the recommendation without further discussion.



RESOLUTION 09033

Commissioner Diannitto moved that the Board provide the General Manager a merit pay increase of 5%, effective July 1, 2008, which was seconded by Commissioner Juarez and approved by the following vote: ayes, Commissioners Aliano, Carter, Diannitto, Juarez, and President Harrigan – 5; nays – none.

13. DISABILITY CASE

DISABILITY CLAIM – NEW – TIER 5 – 1

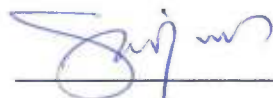
Joseph F. Napolitano

(P)

Police Officer III (Retired)

Prior benefit action of May 18, 2006 granting a service pension is rescinded and a service connected disability pension is granted at the service pension rate of 53.0740% with no foreseeable purpose for review. Motion made by Commissioner Diannitto, seconded by Commissioner Carter and adopted by the following vote: ayes, Commissioners Aliano, Carter, Diannitto, Juarez and President Harrigan – 5; nays, none. Lieutenant Raymond Maltez, Medical Liaison, Los Angeles Police Department, testified regarding Mr. Napolitano. Mr. Napolitano was present and represented by his attorney, Thomas J. Wicke. (JB)

The meeting adjourned at 11:20 a.m.



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President

  
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Secretary