

MINUTES

MEMBER SERVICES COMMITTEE MEETING MARIN COUNTY EMPLOYEES' RETIREMENT ASSOCIATION

Retirement Board Conference Room
One McInnis Parkway, 1st Floor
San Rafael, CA

January 19, 2010 - 9 A.M.

CALL TO ORDER

Chair Wofford called the meeting to order at 9:07 A.M.

ROLL CALL

PRESENT: Phillips, Smith, Webb, Wofford

ABSENT: Hufford

MINUTES

It was M/S Smith/Webb to approve the October 15, 2009 Member Services Committee meeting Minutes as submitted. The motion passed by unanimous vote.

A. OPEN TIME FOR PUBLIC EXPRESSION

Chair Wofford introduced Maureen Lindelli and Theresa Mahoney, MCERA active members, who had questions as to benefit levels emanating from re-deposits of contributions they had each made at MCERA. The Chair offered the Committee's assistance to address the members' concerns and invited their commentary.

Ms. Mahoney stated that in 2000 she re-deposited her MCERA contributions with MCERA with interest for membership she had in MCERA as of 1976 and also purchased 4 years of federal service. She stated that she was assured in 2000 that she had bought back into retirement and medical benefits earned during the earlier period, but that she was told in July 2009 that her contributions were still calculated at her re-deposit date. She said she understands that she is properly in Tier I, but believes that her membership date for contribution purposes should be 1976. She also said she had hoped to get into Medical Plan 1 and stated that was told she would be in it; however, she found that she had been put into Medical Plan 3 instead. Her expectation was that as a Tier 1 member, she would have Medical Plan 1. Ms. Mahoney expressed her disappointment at being informed that the booklet data was incorrect and had been removed – she felt she had been “brushed off.”

Ms. Lindelli stated that she re-deposited 10 years of service upon being told she would be in Tier 1 and Medical Plan 1. The pre-retirement seminar clearly stated that upon re-deposit, her membership date would revert to her original date, which would be prior to 1980; however, she claimed that it was not moved back. She said that the Retirement Department requested that she address her concerns to County Counsel, and she questioned why the issue should go to counsel. She is upset because she is not able to plan her retirement.

Chair Wofford clarified that Tier relates to pension as opposed to medical benefit plans and asked Counsel Dunning to respond further.

Counsel Dunning provided a brief explanation of Gov. Code section 31652's requirement that, with limited exceptions, contribution rates of redepositors be set at the member's "age at the nearest birthday at the time of reentrance into the system". She explained that as a result of that requirement, neither Ms. Mahoney or Lindelli's contributions rates would have changed as a result of their redeposit. Counsel also noted that the rules under the 1937 Act that govern rights of redepositors to earlier retirement tiers do not govern medical benefits determinations, but that MCERA already had asked County Counsel for the County's position regarding redepositors' rights to now-closed medical benefit plans as a result of a redeposit and was waiting for a response to that request.

Chair Wofford said that the brochure Ms. Lindelli referred to was out of date and had been pulled from the web site. Trustee Smith said it is important for the County to understand the nuances and the array of members' questions. Counsel offered to assist relaying the members' concerns to County Counsel, and the members expressed their approval of this avenue. The Chair directed Counsel to proceed as proposed and it was agreed that the Committee would keep the members informed of the status. Trustee Webb noted that post-retirement benefits are not a vested right, and that he has been concerned about the issue for many years. He explained that the law is evolving and the Board may not take action not in conformance with the law.

Counsel inquired whether the members would not have redeposited their contributions had they known the current information presented. They stated that they still would have redeposited in order to re-enter Tier 1, but that retiree health benefits were very important to them too.

B. OLD BUSINESS

1. Consider and make recommendations to Board regarding options for seeking member feedback regarding MCERA services

Sydney Fowler, Communications Associate, reviewed options for forms for member feedback. Acting Retirement Administrator Tom Ford related that in his experience it is more productive to convene focus groups with eight to ten members of each subgroup. He said it is important to define what information you are seeking. Chair Wofford offered that she sensed the form would signify that the system cares about the members. Ms. Fowler agreed to continue working with Mr. Ford on the matter.

C. NEW BUSINESS

1. Discuss agenda topics for next meeting
Nothing to report.

There being no further business, the meeting was adjourned at 10 A.M.

Karen Wofford, Chair

Attest: Tom Ford, Acting Retirement Administrator