

---

**AC TRANSIT DISTRICT****Board of Directors**

Executive Summary

**DS Memo No. 09-274**

Meeting Date: October 28, 2009

**Committees:**Planning Committee External Affairs Committee Rider Complaint Committee **Board of Directors** Finance and Audit Committee Operations Committee Paratransit Committee **Financing Corporation** 

---

**SUBJECT:** Consider the Adoption of Resolution No. 09-059 Making Appointment of a Public Member Representative to the AC Transit Retirement Board.**RECOMMENDED ACTION:** Information Only     Briefing Item     Recommended Motion**Adopt Resolution No. 09-059 or continue the matter to a future Board meeting to conduct interviews and select a replacement.**

---

**Fiscal Impact:**

None

**Background/Discussion:**

In June, the District Secretary's Office was informed that one of the District Board's public member representative appointees on the Retirement Board, Mr. Richard Winnie, would be resigning at the end of October. On June 10<sup>th</sup> the Board of Directors authorized the commencement of a recruitment to fill the pending vacancy. The initial recruitment period was scheduled to close on September 15<sup>th</sup> at noon; however, due to the fact that only one application had been received, the Board approved a 30-day extension of the recruitment period though October 15<sup>th</sup> at noon and requested that the vacancy notice and application be redistributed to academic institutions.

Prior to the deadline, four (4) completed applications were received from the following candidates and are provided in Attachment 1 for review:

- Milton Hare (AC Transit Employee)
- Fabian John
- John Rennels, Jr.
- Joseph Shaposhnik

One additional application was received; however, it was received after the deadline and did not contain the required resume.

At this time, the Board may consider making an appointment from the list of candidates and adopt Resolution No. 09-059 (Attachment 3), or, alternatively, the Board may wish to

continue the matter to a future Board meeting in order to conduct interviews and render a decision on an appointment.

**Prior Relevant Board Actions/Policies:**

Ordinance No. 10: Establishing the Process for Making Appointments to the Retirement Board.

DS Memo No. 09-165: Authorizing commencement of a recruitment to fill a vacancy on the Retirement Board.

DS Memo No. 09-221: Update on the recruitment of a public member to serve on the Retirement Board.

**Attachments:**

Attachment 1: Applications

Attachment 2: Vacancy Notice

Attachment 3: Resolution No. 09-059

**Approved by: Linda A. Nemeroff, District Secretary**  
**Reviewed by: Kenneth C. Scheidig, General Counsel**  
**Prepared by: Linda A. Nemeroff, District Secretary**  
**Date Prepared: October 20, 2009**

RECEIVED

SEP 13 2009

DISTRICT SECRETARY'S  
OFFICE

**APPLICATION FOR APPOINTMENT  
TO THE AC TRANSIT DISTRICT RETIREMENT BOARD**

NAME: MILTON HARE

ADDRESS: 541 MAUD AV, SAN LEANDRO, CA 94577  
Number Street City Zip Code

TELEPHONE: (510) 847-5915 (510) 891-4755 work

Responses to the following may be provided in the space below or on an attached sheet.

I reside in the AC Transit District service area of:

- Alameda County
- Contra Costa County
- \_\_\_\_\_ (other)

- I can attend monthly meetings which are usually held on the second Monday
- I cannot attend monthly meetings

I want to serve on the AC Transit District Retirement Board because: See Attachment

1. I bring the following insights, knowledge, experience, and/or education to the Board:  
→
2. Following is a listing of the specific areas of interest I would best represent and reasons why:  
→
  - a. I am active in other groups and community activities. Some of them are:  
→
3. Following is other information that I believe is important for you to consider when reviewing my application.  
→

UNDER CALIFORNIA'S PUBLIC RECORDS ACT, COMPLETED APPLICATION FORMS ARE A PUBLIC DOCUMENT.

**APPLICATIONS ARE DUE**  
**NO LATER THAN 12:00 Noon on Tuesday, September 15, 2009.**  
Mail or fax to: District Secretary, AC Transit, 1600 Franklin Street, Oakland 94612  
Phone: (510) 891-7284; Fax: (510) 891-4705

Signature Milton Hare Date: 9-13-09

**Attachment to Application of Milton Hare for Appointment to the AC Transit District Retirement Board**

**I want to serve on the AC Transit District Retirement Board because:**

**1. I bring the following insights, knowledge, experience, and/or education to the Board:**

Answer: I am an active member of AFSCME Local 3916, a former president and a serving labor rep. I have represented a number of individuals in negotiations with the Retirement Board and with the District on matters that affected retiree status. I believe I enjoy a good relationship with Hugo Wildmann, the current Retirement System administrator; we have worked together over the years on several issues. Our relationship is based on mutual trust and respect. I have a good working knowledge of AC Transit, having worked in the Service Development area at AC Transit for the last seven years, for three years prior in the Grants Department, in both these capacities as a Senior Administrative Assistant, and initially, for five months, in HR as a Temporary HR Rep. I have made verbatim transcripts of Board hearings, committees and advisory committees on many occasions. I have served as a recording secretary for internal and external AC Transit committees for the last 10 years. I am familiar with the AC Transit budget. I can read and understand financial statements and audits. I have participated in negotiating amendments of the Retirement Agreement as an AFSCME representative. I am a trained AC Transit mediator. I am a graduate with a B.A. in History from UC Berkeley (1967). I have previously worked as a group facilitator, trainer and program evaluator for the State of California and the US National Institute of Health (NIH) and several of its grantee organizations and have consulted numerous entities in the public and private arena on administrative issues. In this capacity I have routinely prepared program evaluations and proposals for reorganization, some of these involving grant applications. At AC Transit I wrote three grants which were funded based on applications in 1999 and 2000 for the 376 bus line which still exists and was the first Welfare to Work bus project funded in the Bay Area (the original funding was internal); and, the first grant for our G.O. blue-bin recycling program to Alameda County Waste Management.

**2. Following is a listing of the specific areas of interest I would best represent and the reasons why:**

Answer: I am interested in serving on the Retirement Board as an impartial member who is nevertheless able to effectively convey to other members of the Board and to the public the special interests and concerns of AFSCME 3916 retirees and prospective retirees. On behalf of the public at large, I am interested in working proactively to assure that the AC Transit Retirement System is a fair, compassionate and ethical steward of its investments and its relationship with retirees and potential retirees. The substantial financial assets held by AC Transit's retirement system are actually public assets which contribute greatly to AC Transit's ability to attract, retain and fairly remunerate its distinguished retiring employees. For this reason alone, the AC Transit Retirement System, as a public asset, directly and greatly benefits the citizens of AC Transit's entire service area.

**A. I am active in other groups and community activities. Some of them are:**

Answer: I am an active member of my union's Social Justice and Charitable Projects Committee which conducts annual warm clothing drives and is actively involved in the D-3 Christmas Project and the Billy J. Givens Memorial Scholarship Program. Our committee also funds and prepares one meal a month at the Open Door Mission at Oak and 7<sup>th</sup> St. in Oakland. I am also currently the leader of an active and involved homeless ministry at my church, the Grand Avenue Seventh-day Adventist Church at 278 Grand. This ministry serves Oakland and has existed since 2004. The ministry's main program involves preparing and distributing every week 250 or more peanut butter and jelly sandwich lunches and water to homeless individuals in West and downtown Oakland, and, to undocumented workers on High Street between International and I-880. This basic ministry involves many sub-ministries – helpful activities directed at individuals we meet

**Attachment to Application of Milton Hare for Appointment to the AC Transit District Retirement Board**

**Continued:**

through our ministry. We distribute sandwiches all over Oakland, under bridges and at homeless campsites. We focus on reaching individuals who have given up looking for help. We establish long-term relationships and, when individuals are in crisis or are interested in moving off the street, we provide intensive assistance. This program is entirely volunteer-run. Because Grand Avenue SDA Church provides us space and storage, our overhead and labor costs are zero. The project is funded by substantial free-will donations on the order of \$2,000 a month. When possible, we involve those we are helping as helpers in our ministry. We also encourage everyone involved with our ministry to personally contribute money, food, clothing and time to resolving the difficulties faced by the specific individuals they are helping, that is, to go first to their own pocketbook and be willing to spend their own money on the needs of people they are helping before asking the program or the church to come up with additional resources.

**3. Following is other information that I believe is important for you to consider when reviewing my application.**

Answer: To my knowledge, the AC Transit Retirement Board does not currently have a representative who is represented by AFSCME Local 3916.

## **CURRICULUM VITA MILTON WM. HARE**

**Biography:** Born 12-17-44 at Melrose, Massachusetts. Married, with five adult children and three grandchildren. I currently live at 541 Maud Avenue, San Leandro, California with my wife Sandra Rogers-Hare who is employed as an elementary school principal in Concord. I have lived in San Leandro since early 1981. I have lived in the East Bay since 1964.

### **Formal Education and Educational Achievements:**

Pacific Union College (Journalism)	1961-1963
UCB (BA in History, emphasis on Pre-Colonial Africa)	1964-1967
UCB (withdrew from PhD History program with right to return)	1967-1968
Pacific Union College – Honorary Doctorate for work with the Homeless	2009

Formal enrollment in six other interest or professional courses in other colleges

### **Noteworthy Employment and Community Service:**

**Free Speech Movement:** I participated in the leadership of the Free Speech Movement at UC Berkeley in 1965; I organized and chaired Legal Central which recruited pro bono lawyers, arranged bail bonds, scheduled defendant meetings and court dates for about 800 students arrested for acts of civil disobedience that were ultimately successful in winning Constitutional reforms at the University of California.

**Civil Rights:** During the 1960s I was involved in the Civil Rights movement here in the Bay Area. Along with Paul Cobb I attended the Selma March in March 1965 with Oakland Post press credentials; Paul is now owner-publisher of the Oakland Post and I am a part-owner. Our photographs from this march have been featured on CNN.

**Deputy Probation Officer, Tulare County:** I served as a Deputy Probation Officer from January 1969 to March 1970 and was quickly assigned to a special subsidy unit responsible for supervision of small caseloads of repeat offenders. Officers in this unit were taught a variety of intervention techniques including the basics of drug treatment and prevention, small group dynamics, behavioral conditioning and conjoint family therapy. I supervised a small caseload of about 40 juvenile probationers who had special needs or were considered at risk for recidivism. In addition to routine supervision of probationers I established three ongoing counseling groups in high schools and routinely utilized family counseling techniques with troubled families.

### **Administrative Director, Salud Clinic Methadone Maintenance Clinic; Administrative Director, Herrick Berkeley Methadone Maintenance Clinic:**

I was recruited in March 1970 to be the second administrative director of the second licensed methadone maintenance program in California. In that capacity I participated in task force meetings with other methadone researchers and legislative study committees that were writing state regulations for

## **CURRICULUM VITA – MILTON HARE**

**Page 2 of 4**

methadone maintenance treatment. I was then recruited in September 1970 to assist in writing treatment protocols and grants for a start-up methadone program at the Herrick Berkeley Community Mental Health Center. I personally researched and wrote a protocol for the first short-term (two-year) methadone treatment program which shared program characteristics with drug-free group-based residential treatment. I recruited executive staff for this new type of methadone program from drug-free therapeutic communities and supervised the early phases of program operations. This drug program is still in operation, now called Bay Area Treatment Services (BATS).

**Consultant Trainer with Dr. Stephen Pittel:** From 1971 through 1972 I worked primarily with a psychologist named Steve Pittel as a group trainer designing and implementing a diagnostic tool for New York City Addiction Services Agency that assessed welfare recipient drug and alcohol treatment needs.

**Trainer-facilitator, National Institute of Drug Abuse (NIDA) Training Center (Mills College, California); Consultant, People's Clearinghouse:** In 1972 I was recruited as a trainer-facilitator in a NIDA-Office of Education-funded training institute that annually trained about 120 six-member community teams in the basics of drug treatment and prevention and skills needed to start small treatment or prevention programs. I personally taught workshops titled Introduction to Drug Pharmacology, Survey of Treatment Modalities and Basics of Community Organizing. After approximately one year working as a trainer I had become heavily involved in technical assistance to groups that I had trained. Several other trainers and I developed a consulting company called People's Clearinghouse that provided consulting services under contract to NIDA or through direct hire to the many cities and agencies we had trained. We served as a consultant team to community groups and health agencies establishing drug treatment facilities, writing grants, treatment protocols, and also evaluating existing treatment facilities for funding agencies such as the State of California and the State of Alaska. This work continued intermittently through 1978 and occasionally in later years during the eighties.

**Executive Director, GROUP, an Oakland-based Residential Treatment Program; Executive Director, CURA, a Fremont-based Residential Treatment Program:**

In 1974-75 I spent approximately eight months as director of GROUP, Inc., an established drug-free residential treatment program. I was hired to provide administrative stability to a successful and highly-committed residential treatment program that operated a 50-bed facility in West Oakland. During this period I began a long-term association with CURA, which still exists as a provider of residential treatment services in Fremont and Oakland. I served as Executive Director during a critical period in 1984-85 shortly after CURA lost Alameda County funding due to prior mismanagement. I helped stabilize the

## CURRICULUM VITA – MILTON HARE

Page 3 of 4

program, won new contracts from a variety of funding agencies and gained state licensing for this program.

**Tree Planter:** During the time I was consulting at sites across the United States in the 1970s I also idealized many of the values of the back-to-the-land movement. In late 1975 I established a rudimentary non-electrified hand-built homestead near the Smith River, Gasquet, California which was based on Ken Kern's book, The Owner-Built Home. Later in 1976 I joined a commune named the Magic Forest Farm in nearby Takilma, Oregon. Magic Forest founded and operated a medical clinic that still exists and is now the primary provider of medical services to the Illinois Valley area of Southern Oregon. I also joined an employee-owned tree planter's work collective (Green Side Up) which bid on Forest Service and Bureau of Land Management tree-planting and tree-thinning contracts and I worked several contracts as a tree planter, personally planting 400 to 500 trees a day with crews of twenty to thirty other tree planters.

**Rogershare Transcribers:** My wife and I were married in 1979 and soon established a spousal proprietorship, a court reporter's transcribing service. I operated this business full-time until 1998 and part-time until 2006. Over the years, this company evolved into a legal service that primarily transcribed taped proceedings – focus groups, oral histories, tape-recorded judicial proceedings, expert witness testimony, sermons, class lectures and grand jury proceedings. For five years, beginning in 1999, I also served as a contract minute taker for the City of San Leandro Board of Zoning Adjustments and Planning Commission.

**Senior Administrative Assistant, AC Transit, Oakland, California:** In 1998 I was employed by AC Transit, the public transit district that provides bus transit to the East Bay as well as transbay bridge service across the Dumbarton, San Mateo and Oakland-San Francisco Bay Bridges. I have worked in four departments, Human Resources, Grants Administration, Accessible Services (for the disabled) and Capital Project Implementation in the Research and Planning Group. While in the Grants Department I was allowed to write several grants as a training exercise. One of the grants I wrote resulted in two years of funding for Line 376, a pioneering welfare to work project. I also wrote two mini-grants that resulted in the funding for the blue barrels and recycling baskets used in our white paper recycling project. In my current capacity I provide routine logistic support to 16 individual transit planners and related staff and managers in three separate departments and I also routinely prepare transcripts and meeting notes for all sorts of study groups, standing committees and occasionally for Board of Directors meetings.

**AC Transit Mediation Program:** I am a trained mediator, credentialed by AC Transit to serve as a mediator in disputes between employees. I have served



## CURRICULUM VITA – MILTON HARE

Page 4 of 4

as co-mediator in one mediation and have informally mediated a number of other disputes.

**AFSCME Local 3916 Union Representative:** In 2002 I successfully ran for president of our local management union because I felt the existing union leadership was not routinely responding to members' needs, in particular those of injured workers. After one two-year term in which I implemented major reforms, I chose not to run for reelection since other qualified members were willing to seek election as President. In 2007 I accepted an interim appointment as the Information Systems Union Rep. I have since developed strong ties with both management and labor in the IS Department, using mediation techniques to strengthen communication in the department and avoid the need for management disciplinary actions.

**Adventist Homeless Action Team:** I am currently the Treasurer of Adventist Homeless Action Team, a nonprofit 501(c)(3) entity that helps churches organize ministries on behalf of the homeless and poor. Our funding, by design, comes from members, not foundations. Our goal is to provide low-cost, sustainable ministry opportunities for church members and others. Volunteer participation is open to all, regardless of faith. We currently sponsor activities with the Market Street, Elmhurst and Grand Avenue Seventh-day Adventist Churches in Oakland and the Filipino-American Seventh-day Adventist Church in Oakland. We have also mobilized Pacific Union College in Napa County to assist and initiate a variety of urban ministries. I am personally working out of the Grand Avenue Seventh-day Adventist Church. I schedule about thirty hours of activity a week directly related to this ministry. I have assisted the Grand in organizing two sandwich ministries, 80 lunches weekly to a day laborer community around High and International in Oakland, and, 160 lunches weekly in two separate vans to a traditional homeless community in West Oakland. We also have a crew of people who are responsible for making homeless people feel at home when they visit our church. These ministries result in ongoing contacts with many homeless individuals who we individually assist in any way we can.

RECEIVED

SEP 14 2009

DISTRICT SECRETARY'S OFFICE

APPLICATION FOR APPOINTMENT TO THE AC TRANSIT DISTRICT RETIREMENT BOARD

NAME: Fabian John

ADDRESS: 855 folsom St #512 San Francisco 94107

TELEPHONE: (925) 8581164

Responses to the following may be provided in the space below or on an attached sheet.

I reside in the AC Transit District service area of:

- Alameda County
Contra Costa County
San Francisco (other)

- I can attend monthly meetings which are usually held on the second Monday
I cannot attend monthly meetings

I want to serve on the AC Transit District Retirement Board because:

- 1. I bring the following insights, knowledge, experience, and/or education to the Board: Please See letter
2. Following is a listing of the specific areas of interest I would best represent and reasons why:
a. I am active in other groups and community activities. Some of them are:
3. Following is other information that I believe is important for you to consider when reviewing my application.

UNDER CALIFORNIA'S PUBLIC RECORDS ACT, COMPLETED APPLICATION FORMS ARE A PUBLIC DOCUMENT.

APPLICATIONS ARE DUE NO LATER THAN 12:00 Noon on Tuesday, September 15, 2009. Mail or fax to: District Secretary, AC Transit, 1600 Franklin Street, Oakland 94612 Phone: (510) 891-7284; Fax: (510) 891-4705

Signature [Handwritten Signature] Date: 9/16/09

# FABIAN E. JOHN

---

855 Folsom St #512 • San Francisco, CA 94107  
Fabian.john@vzw.blackberry.net • 925-858-1164

## AREA OF EXPERTISE:

- ECONOMIC MODELING
- HEDGING AND MONETIZATION STRATEGIES
- RISK BUDGETING
- PORTFOLIO MANAGEMENT
- PASSIVE & ACTIVE MANAGEMENT
- INVESTMENT MANAGER SELECTION
- FINANCIAL PLANNING
- TACTICAL ASSET ALLOCATION
- HEDGE FUND SELECTION
- MONTE CARLO SIMULATION

## Education:

- UNIVERSITY OF PENNSYLVANIA WHARTON SCHOOL OF FINANCE-PHILADELPHIA, PA
  - Certified Investment Management Analyst (2006)
- SAINT MARY'S COLLEGE OF CALIFORNIA- MORAGA, CA
  - Bachelor of Science in Economics (1999)
  - Activities: Four year letterman in football, 1995-1999

## PROFESSIONAL EXPERIENCE:

UBS FINANCIAL – San Francisco, CA (January/2006 to Present)

### Vice President of Investments-Financial Advisor

- Conduct in-depth reviews of clients' financial circumstances and future goals.
- Review accounts on a regular basis to ensure compliance with internal and external policies, guidelines, rules, and regulations.
- Perform hedging, financial modeling, financial analysis, and risk tolerance assessment to advise high net worth clients on best option investment strategies meeting their specific need.
- Create custom portfolios that incorporate strategic and tactical asset allocation.
- Ensure client retention by providing strategic investment recommendations based on evaluation of analyst reports covering fixed income and equity markets.
- Devise and execute business development strategies to attract and acquire new clients.

*Continued...*

## FINANCIAL ADVISOR

MORGAN STANLEY – San Jose, CA (October 2001 to January 2006)

- Conducts Financial Needs Analysis and recommends appropriate product to meet client needs.
- Delivers informational sales presentation to potential clients and assists throughout completion of application process while strengthening client relationship.
- Grew client base year over year, adding approximately 75 new ultra high net worth clients to the firm.

## PROFESSIONAL LICENSES:

- LIFE INSURANCE
- SERIES 7 GENERAL SECURITIES REGISTERED REP, 2001
- Series 31 Managed Futures and Commodities
- SERIES 63 UNIFORM SECURITIES AGENT STATE LAW EXAM, 2001
- SERIES 65 UNIFORM INVESTMENT ADVISOR LAW EXAM, 2002

## PROFESSIONAL AFFILIATIONS:

- Investment Management Consultant Association (IMCA)

AC Transit Board:

I am a financial advisor and Certified Investment Management Analyst (CIMA®) with UBS Financial. My clients have come to expect custom strategies focusing on creating, protecting, and passing on of wealth. I believe my following responsibilities make me a great candidate for the AC Transit District Retirement Board:

- Responsible for reviewing and monitoring hundreds of investment managers on an on-going basis
- Deep understanding of global equity markets (this allows the determination of where risk and return may lie)
- Ability to create custom benchmarks to hold active managers/hedge funds accountable to the client/pension
- Deciphering when to use active vs. passive management

Although my responsibilities are primarily market based, sometimes I am called upon to help clients with non market related questions such as retirement planning. This could include, for example, reviewing all retirement documents and investment options and providing my clients with the tools to make an informed decision.

The aspect of my job that I enjoy most is the amount of responsibility that families place on me. Although I will not be interacting with the 1100 retirees or beneficiaries if I am selected, it would be a great honor to me to potentially improve their financial lives.

My expertise of the market paired with my thorough knowledge of retirement planning make me a distinctive and qualified applicant for the position on your board. I am prepared to step in and immediately begin to provide insight as a financial professional and learn the intricacies of the retirement board.

To whom it may concern:

I am applying for the upcoming vacant position on the AC Transit District Retirement Board.

I want to serve on the AC Transit District Retirement Board because:

**1) I bring the following insights, knowledge, experience, and or education to the Board:**

- a. BS in Economics from Saint Mary's College.
- b. Certified Investment Management Analyst from The University of Pennsylvania Wharton School of Finance.
- c. Responsible for reviewing and monitoring hundreds of investment managers on an on-going basis.
- d. Deep understanding of global equity markets (this allows the determination of where risk and return may lie)
- e. Personally manage over 200,000,000 in client assets.
- f. Ability to create custom benchmarks to hold active managers/hedge funds accountable to the client/pension.

**2) Following is a listing of the specific areas of interest I would best represent and reason why:**

- a. NA

**3) Following is other information that I believe is important for you to consider when reviewing my application.**

- a. The aspect of my job that I enjoy most is the amount of responsibility that families place on me. Although I will not be interacting with the 1100 retirees or beneficiaries if I am selected, it would be a great honor to me to potentially improve their financial lives.
- b. My expertise of the market paired with my thorough knowledge of retirement planning make me a distinctive and qualified applicant for the position on your board. I am prepared to step in and immediately begin to provide insight as a financial professional and learn the intricacies of the retirement board.

RECEIVED

OCT 14 2009

DISTRICT SECRETARY'S OFFICE

APPLICATION FOR APPOINTMENT TO THE AC TRANSIT DISTRICT RETIREMENT BOARD

NAME: John H. Rennels, Jr., CRA, CRC

ADDRESS: 43374 Banda Terrace, Fremont, CA 94539-5660
Number Street City Zip Code

TELEPHONE: (510) 490-5352 (residence) (510) 464-6893 (office)

Responses to the following may be provided in the space below or on an attached sheet.

I reside in the AC Transit District service area of:

- Alameda County
Contra Costa County
(other)

- I can attend monthly meetings which are usually held on the second Monday
I cannot attend monthly meetings

I want to serve on the AC Transit District Retirement Board because:

- 1. I bring the following insights, knowledge, experience, and/or education to the Board: PLEASE SEE ATTACHED
2. Following is a listing of the specific areas of interest I would best represent and reasons why: PLEASE SEE ATTACHED
a. I am active in other groups and community activities. Some of them are: PLEASE SEE ATTACHED
3. Following is other information that I believe is important for you to consider when reviewing my application. PLEASE SEE ATTACHED

UNDER CALIFORNIA'S PUBLIC RECORDS ACT, COMPLETED APPLICATION FORMS ARE A PUBLIC DOCUMENT.

APPLICATIONS ARE DUE

NO LATER THAN 12:00 Noon on Thursday, October 15, 2009.

Mail or fax to: District Secretary, AC Transit, 1600 Franklin Street, Oakland 94612
Phone: (510) 891-7284; Fax: (510) 891-4705

Signature

Handwritten signature of John H. Rennels, Jr., CRA, CRC

Date:

October 14, 2009

**JOHN H. RENNELS, JR., CRA, CRC**

**APPLICATION FOR APPOINTMENT  
TO THE TRANSIT DISTRICT RETIEMENT BOARD**

**I want to serve on the AC Transit District Retirement Board because:**

**1. I bring the following insights, knowledge, experience, and/or education to the board:**

- I was a Trustee of the San Francisco Bay Area Rapid Transit District (BART) – Investment Plans Committee (IPC) for 12 years. The IPC has fiduciary responsibility for both the Money Purchase Pension Plan (401-A) and the Deferred Compensation Plan (457). During my tenure on the IPC, the total plan assets were in excess of \$500 million dollars and with over 4,600 participants.
- As a Trustee of the BART Plans, I was actively involved in the solicitation, interview and selection process of the Plans' legal counsel, third party administrator, investment advisor, and auditor, as well as 10 fund managers who provided 14 core investment options and 5 additional Life Strategy series of options. During that period, I was also an active participant, along with our investment advisor, in the monthly review and monitoring of all fund managers.
- During my tenure on the IPC, I was instrumental in advocating for an annual participants' investment education and retirement forum, initiating web-based services with daily valuations for Plan participants and securing a permanent IPC staff member to assist BART personnel with various Plan activities. Additionally, I also advocated reducing the potential of significant liability to the Plans and market rate risk to Plan participants by replacing the largest investment option in a GNMA pool of mortgages with a stable value fund which included an insurance wrap. The transition was seamless and the Investment Plans and its participants obtained a secure investment option with significantly reduced market rate risk.
- Passion and knowledge are two additional qualifications that I will bring to the AC Transit Retirement Board. I have always been interested in investments and have taken the initiative to secure the appropriate education in retirement plan administration. The following is a list of relevant certifications and educational programs which I have successfully completed to develop and maintain my knowledge in the area of retirement plan administration:
  - o Certified Retirement Administrator (CRA) and Certified Retirement Counselor (CRC) designations from the International Foundation for Retirement Education (INFRE) – Certifications are current;
  - o Completed the Workshop on Money Management Fundamentals Program at the University of Pennsylvania- Wharton School of Business through the International Foundation of Employee Benefit Plans (IFEFP) (2002);
  - o Completed the Principles of Pension Management at the Stanford Graduate School of Business through the California Association of Public Retirement Systems (CALAPRS) (1999);
  - o Completed the Program on Negotiations for Senior Executives at Harvard University (1997).



**2. Following is a listing of the specific areas of interest I would best represent and reasons why:**

- My father was a banker in my hometown of Carmel, California for over 40 years. I saw that he gave back to the community by being elected City Treasurer for over 12 years. My 12 years in banking, along with my 12 years as a Trustee of a public pension plan reflects my interest in being an objective, honest and capable steward of other people's financial obligations and assets. Additionally, while I was in branch banking, and before I went into administration and corporate banking, I was President of the local chapter of the American Institute of Banking (AIB) and taught several classes, including "Principals of Bank Operations" and the "Fundamentals of Credit". One of the three "C's" of credit is character. It is an attribute that has stayed with me throughout my 38 years of business. Now, more than ever, integrity and ethics are critical attributes for any individual who seeks the public's trust as a fiduciary in the administration of retirement benefits. I have an interest in helping to maintain the outstanding reputation of the AC Transit District's Retirement Board and the Plan which they oversee.
- My keen interest in prudent pension and retirement plan administration is with a deep respect for established policies and procedures. I believe they should be administered fairly, equitably and with integrity in conjunction with established public policy and a respect for confidentiality where appropriate.
- a. **I am active in other groups and community activities. Some of them are:**
  - Member – Stanford Graduate School of Business Alumni Association and former President of the East Bay Chapter of the Alumni Association
  - Member – Olive Hyde Art Guild
  - Member - San Francisco Planning + Urban Research Association (SPUR)
  - Member – Urban Land Institute (ULI)
  - Former Board Member – Fremont Chamber of Commerce
  - Former Charter Member – Warm Springs Rotary Club

**3. Following is other information that I believe is important for you to consider when reviewing my application.**

- I have been a resident of Fremont for over 30 years.
- I take my financial obligations seriously, and as such, my credit record is impeccable. I have never filed bankruptcy, nor have I ever been sued.
- I have no conflict of interest and annually filed the FPPC Form 700 throughout the 12 years as a Trustee of the BART Investment Plans
- Finally, I believe a Trustee of a retirement plan should not provide individual investment or retirement advice to plan participants. As such, I have always deferred from giving such counsel to participants.

**John H. Rennels, Jr., CRA, CRC**  
**43374 Banda Terrace, Fremont, CA 94539-5660**  
**(510)490-5352**

**Professional Experience:**

- Principal Property Development Officer  
San Francisco Bay Area Rapid Transit District (BART)  
Property Development Department  
1992 – Present
- President & Chief Executive Officer  
Brewpub On-The-Green, Brewery & Sports Cafe  
1987 – 1991
- Chief Executive Officer  
SportsMed Medical Clinic & Related Enterprises  
1982 – 1987
- Various Positions of Increasing Responsibility  
Bank of America NT & SA  
1971 – 1982

**Education:**

- Stanford University – Graduate School of Business  
Executive Program  
1987
- California State University – Chico  
B. S. Business Administration with Honors  
1971

**Professional Associations:**

- Certified Retirement Administrator (CRA) & Certified Retirement Counselor (CRC) -  
International Foundation for Retirement Education (INFRE)
- Stanford Graduate School of Business Alumni Association  
Former President, East Bay Chapter
- San Francisco Planning + Urban Research Association (SPUR)
- Urban Land Institute (ULI)

**Personal:**

- Married to Janet Hast

RECEIVED

OCT 26 2009

DISTRICT SECRETARY'S  
OFFICE

AC transit retirement board

October 23, 2009

cc:Board of Directors

Dr. Michal Foriest Settles  
413 St. Joseph Avenue  
Half Moon Bay, California 94019

AC Transit Board of Directors  
C/o Ms. Linda A. Nemeroff, CMC  
District Secretary  
1600 Franklin Street  
Oakland, CA 94612

Dear AC Transit Board of Directors:

RE: Appointment of John H. Rennels, Jr. to the AC Transit District Retirement Board

I am writing this letter to support the selection of John Rennels to the AC Transit District Retirement Board. From 1984-1995 I was a manager with AC Transit District (Director of Training, Assistant General Manager of Administration/Assistant to the General Manager), therefore I am a current beneficiary of the AC Transit retirement defined benefit plan. It is important to me and other future retirees that the Retirement Board maintains its commitment to select trained and very competent board members. The purpose of this letter is to provide my strong recommendation in favor of John's application for the open position of retirement board member.

Since leaving AC Transit in 1995 I joined San Francisco Bay Area Rapid Transit District (BART) as the Department Manager of Human Resources, one of my many responsibilities was to chair the BART Investment Plans Committee (IPC) which was valued at \$½ billion prior to my early retirement. I believe I am particularly well suited to assess John Rennels' qualifications to seek the appointment to the AC Transit District Retirement Board.

I am familiar with the responsibilities of the Trustees for the AC Transit District Retirement Board and believe John is uniquely qualified to assume such a fiduciary position. John's background and expertise include the following: banking, astute financial skills along with many years of negotiating expertise. These skills and others were invaluable to the BART Investment Plans' success during his 12 years on the IPC.

John's attention to detail and tenacity were instrumental in saving the Plans (401a and 457) hundreds of thousands of dollars, both in fees that one fund manager attempted to charge the Plans and in identifying additional funds in an audit report that were incorrectly labeled and were, in fact, available for Plan administration expenses. John's collaborative approach to problem solving was instrumental in the IPC's ultimate decision to liquidate its GNMA fund and to replace it with a more secure and less volatile Stable Value Fund.

Board of Directors Meeting

Date: 10/28/09

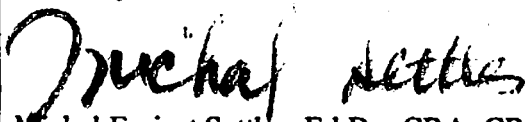
Item No: 12

I continue my interest in retirement management thereby attending conferences and meetings throughout the United States serving as program chair, speaker and/or moderator on retirement and investment related issues. As well as maintaining my Certified Retirement Administrator & Counselor (CRA & CRC) accreditation from the International Foundation for Retirement Education (INFRE), and, as such, I know what is required to maintain that certification on an annual basis. John's commitment to maintaining his knowledge in this field is evidenced by his continued CRA/CRC certifications. This reflects his personal interest and commitment to the integrity and professionalism of pension plan administration.

Finally, I have known John for over fifteen years and have uniformly known him to be a very principal-centered and ethical individual. I believe his extensive experiences as a trustee of a public pension plan, along with his professional and educational background will be an invaluable asset to the AC Transit Retirement Board.

Thank you for your time and I wish you the best as you undertake this assessment and selection process. If any member of the Board wishes to discuss John's qualifications with me directly I will make myself available for such talks. I can be reached at 650 712 4481.

Sincerely,

A handwritten signature in black ink that reads "Michal Settles". The signature is written in a cursive, flowing style.

Michal Foriest Settles, Ed.D. , CRA; CRC  
Business Professor, San Francisco City College

Cc: AC Transit Retirement Plan Board Members

### APPLICATION FOR APPOINTMENT TO THE AC TRANSIT DISTRICT RETIREMENT BOARD

**RECEIVED**  
SEP 08 2009  
DISTRICT SECRETARY'S  
OFFICE

NAME: Joseph Shaposhnik  
ADDRESS: P.O. Box 280703 Northridge 91328  
Number Street City Zip Code  
TELEPHONE: (617) 378-8824 ( )

Responses to the following may be provided in the space below or on an attached sheet.

I reside in the AC Transit District service area of:

- Alameda County
- Contra Costa County
- Los Angeles (other)

- I can attend monthly meetings which are usually held on the second Monday
- I cannot attend monthly meetings

I want to serve on the AC Transit District Retirement Board because:

1. I bring the following insights, knowledge, experience, and/or education to the Board:
2. Following is a listing of the specific areas of interest I would best represent and reasons why:
  - a. I am active in other groups and community activities. Some of them are
3. Following is other information that I believe is important for you to consider when reviewing my application

UNDER CALIFORNIA'S PUBLIC RECORDS ACT, COMPLETED APPLICATION FORMS ARE A PUBLIC DOCUMENT.

**APPLICATIONS ARE DUE**  
**NO LATER THAN 12:00 Noon on Tuesday, September 15, 2009.**  
Mail or fax to: District Secretary, AC Transit, 1600 Franklin Street, Oakland 94612  
Phone: (510) 891-7284; Fax: (510) 891-4705

Signature Joseph Shaposhnik Date: 9/7/09

# Joseph Shaposhnik

PO BOX 280703,  
Northridge, CA 91328  
(617) 378-8824  
[JosephShaposhnik@gmail.com](mailto:JosephShaposhnik@gmail.com)

## EDUCATION

---

**University of California, Los Angeles – Anderson School of Management**  
*Masters of Business Administration, Finance*

Los Angeles, CA  
June 2011

**University of California, Berkeley – Haas School of Business**  
*Bachelors of Science, Business Administration*

Berkeley, CA  
May 2005

## EXPERIENCE

---

**Jewish Educational Trade School**  
*Instructor/Mentor*

Los Angeles, CA  
11/08 – 6/09

- ◆ Developed and led a business and personal course for teenagers with challenges
- ◆ Provided one on one tutoring to students preparing for standardized test exam (GED)
- ◆ Mentored and provided educational and career guidance to individual students

**Fidelity Management & Research Company**  
*Research Associate –Technology/Interactive Entertainment*  
*Directed \$4.5 Billion of Capital*

Boston, MA  
8/05 – 8/08

- ◆ Responsible for evaluating, forming an investment recommendations and monitoring over thirty-five small, medium and large capitalization companies in the technology and entertainment industries for all of Fidelity's US portfolio managers
- ◆ Evaluation process included a thorough examination of the industry, detailed company by company financial analysis and modeling, visits to company headquarters and facilities and multiple conversations with top management (CEO/CFO)
- ◆ Crafted investment reports with buy/sell recommendations, based on this analysis, and presented them to over forty of Fidelity's fund manager in one on one meetings and telephone conversations
- ◆ Worked closely with fund managers to keep them updated on relevant news relating to the investments and changes to my investment recommendations
- ◆ Worked closely with top managements (CEO/CFO) to monitor Fidelity's investments and to provide recommendations on strategic corporate decisions and capital structure as the representative of a large shareholder
- ◆ Developed deep and lasting relationships with top fund managers at Fidelity and at other major investment companies

**Microsoft Corporation**  
*Financial Analyst Intern*

Redmond, WA  
6/04 – 8/04

- ◆ Conducted an industry benchmarking analysis for CEO and Board of Directors review
- ◆ Performed a comprehensive analysis of Microsoft's Financial Planning process
- ◆ Led the development and redesign of the Microsoft Corporate Planning intranet site

**Citigroup – Private Bank Division**  
*Investment Specialist Intern*

Los Angeles, CA  
5/03 – 7/03

- ◆ Evaluated mutual fund and hedge fund management and performance for potential investment by accredited clients
- ◆ Evaluation included analysis of relevant portfolio metrics including relative performance, standard deviation and correlation.
- ◆ Analyzed the investment teams, the investment processes and financial positions of potential investment managers

**Morgan Stanley Dean Witter**  
*Portfolio Analyst*

Berkeley, CA  
2/02 – 1/04

- ◆ Studied client portfolio asset allocations and worked with senior partner to determine ways in to optimize the allocation
- ◆ Analyzed, via fundamental methods, individual securities for possible inclusion in client equity portfolios
- ◆ Summarized pertinent investment research for distribution to clients

## ADDITIONAL INFORMATION

---

- ◆ Level II Candidate, Chartered Financial Analyst (CFA) Program

AC Transit District  
1600 Franklin Street  
Oakland, CA 94612  
Attn: AC Transit Board

September 8, 2009

RE: Alameda Contra Costa Transit District Retirement Board

Dear AC Transit Board Members:

Pursuant to the Notice of Vacancy issued on July 9, 2009, I hereby announce my interest in filling the vacancy on the Alameda Contra Costa Transit District Retirement Board ("Retirement Board"). Below please find the responses requested in the Application for Appointment to the AC Transit District Retirement Board. If you need any additional information do not hesitate to contact me using the information provided below. Thank you for your consideration in this matter.

Name: Joseph Shaposhnik

Address: P.O. Box 280703, Northridge, CA 91328

Telephone: (617) 378-8824

I reside in the AC Transit Service District of: Los Angeles County (Other)

I can attend monthly meetings usually held on the second Monday.

---

**I want to serve on the AC Transit District Retirement Board because:**

**1. I bring the following insight, knowledge, experience, and/or education to the Board:**

Evaluation and Monitoring of Investment Managers

I worked for Fidelity Management and Research Company where I was responsible for analyzing public companies (up to \$20 billion in market capitalization) and providing investment recommendations to over fifty of the company's portfolio managers. When I left the company in the summer of 2008 Fidelity's fund managers had \$4.5 billion of capital invested in the companies that I recommended.

My analysis of public companies involved a thorough evaluation of financial statements, building detailed financial models, and discussing business strategy with top corporate executives. Throughout the research process, and most prominently after I formed an investment recommendation on a given security, I would work closely with many portfolio managers to evaluate and monitor the investments.

My primary responsibility, ensuring that Fidelity's funds owned my best investment ideas, required me to not only form a close working relationship with the fund managers but it also required that I assess each fund's strategy, performance history, risk tolerance, volatility, and turnover. These metrics, which serve to summarize portfolio risk and return, are some of the very same metrics that I would use to assess external investment managers for the retirement fund's assets. As part of Fidelity's US Equity research team I also spent a great deal of time interacting with and studying fund managers and analysts from other firms. Over the years, I have built a solid understanding of the strategies and track records of the other major players in the investment management industry.

I was closely mentored by two highly respected portfolio managers Harry Lange (Fidelity Magellan Fund) and Will Danoff (Fidelity Contra Fund - 3rd largest mutual fund in America). They not only guided my investment strategy but they taught me how the best managers remain consistent, steadfast, and successful in tumultuous markets and in uncertain times. I would be happy to provide you with a letter of recommendation from either one of them.

The most distinguishing characteristic of my application is my experience in evaluating and monitoring fund managers from a qualitative perspective (consistency and clarity of investment strategy) and from a quantitative perspective (stock investments, standard deviation, correlation, turnover, alpha and beta) at the highest level in the investment industry. While some qualified candidates may have experience in evaluating managers as outsiders, by looking at metrics and reading about manager strategies, I bring a strong knowledge of portfolio management and assessment along with the knowledge that can only be gleaned by working closely with distinguished investment managers over an extended period of time.

#### Asset Allocation – Theory and Practice

I have studied academic research on optimal asset allocations for pension funds as well as actively evaluated the asset allocations of individual investors and pension funds of small businesses as an analyst at Morgan Stanley.

More recently I had the opportunity to refine my knowledge of asset allocation for pension funds by learning directly from portfolio managers at Fidelity responsible for managing retirement portfolios for these specific clients. I grew to learn how successful pension fund managers organize their portfolios to be cushioned in the event of a market decline and to be prudently positioned when positive growth resumed.

Through my academic studies as well as my professional endeavors I have become familiar with prudent asset allocation plans for pension funds and the statistical methods that measure portfolio risk, levels of diversification, covariance and correlation.

#### Familiarity With the Issues Facing the Retirement Board

In connection with this appointment, I have carefully studied the issues that face the Retirement Board. I have reviewed the actuarial reports, meeting minutes, the performance of the Board's investment strategy and attended the Retirement Board meeting on July 26, 2009.



Based on my review I believe that four key issues face the Retirement Board:

1. Challenges Related to Achieving the Stated Actuarial Required Rate of Return:

Based on the actuarial projections, the pension fund (the “Fund”) must produce a 7.7% return on assets in order to keep pace with the assumed contribution from AC Transit and the projected distributions to its beneficiaries. Because of last year’s investment performance (which will raise the required rate of return in future periods) and the Fund’s current investment allocation, I believe that it will be difficult for the pension fund to generate the annual compounded required rate of return over the long term.

In order to achieve the required rate of return, moderate changes to the portfolio’s asset allocation will need to be studied and acted upon.

2. Defining the Purpose of Fixed Income Securities In the Investment Strategy:

Last year’s pension fund performance, which was dragged down by a double-digit loss in the fixed income portion of the portfolio, has caused the Retirement Board to reevaluate the investment managers that are entrusted to invest the fixed income assets.

Investment managers are paid to generate returns in excess of what investors would receive had they invested in a passively managed vehicle, such as an index fund. More often than not investment managers take on significant risks in hopes of generating returns in excess of an index fund.

While the Retirement Board is rightly reviewing the fixed income asset allocation, I believe that the Retirement Board should also review the purpose of incorporating a fixed income element into the pension fund portfolio. At the present time, the Fund is positioned to attempt to generate excess returns from both the equity and fixed portions of the fund. Given the uncertainty and volatility of equity returns it may be appropriate to consider a policy that seeks to generate excess return from the equity allocation while utilizing the fixed income investments as a buffer against a market decline.

3. Re-Positioning the Fund To Perform In An Inflationary Environment:

Over the last fifteen years inflation and inflationary expectations have been so benign that fiduciaries and portfolio managers have not had to incorporate investments that would provide support in an inflationary environment. More recently, however, many economists and investment professionals have come to believe that the next 15 years are likely to exhibit much higher levels of inflation.

While there is no clear correlation between stock prices and inflation (historical data is mixed) there is no doubt that fixed income securities suffer greatly at least at the start of an inflationary period.

In order to protect the portfolio over the long term from this uncertainty and risk, the Retirement Board may consider adding investments that will provide protection in an inflationary environment.

4. Hiring A New Investment Advisor:

The Retirement Board has decided to seek out a new investment advisor. I believe that given my experience working with many portfolio managers at Fidelity Management and Research and my experience with evaluating portfolios and manager in past jobs, I will make a unique contribution to the evaluation of an investment advisor for the Retirement Board.

Fiduciary Duty of Retirement Fund Board Member

As a member of Fidelity's investment team I was keenly aware that my research and investment recommendations impacted the lives of our fund customers, mostly regular Americans investing for the future. I took my duty, in part as a fiduciary, very seriously. I understand that as a board member I will be responsible for evaluating investment managers and investment plans, interpreting the retirement plans on behalf of current and future retirees, and reviewing the qualifications of retirees among other important duties. As I did at Fidelity I stand ready and willing to do the work that is necessary to make sure that my fiduciary duties as a board member are met.

I maintained strict confidentiality regarding all aspects of my investment research and Fidelity's trading patterns involving my stock recommendations. As a member of the Retirement Board I will maintain this high level of confidentiality when reviewing medical and personal records of AC Transit personnel.

Academic Background

I graduated from the University of California, Berkeley's Haas School of Business with a Bachelors of Science degree in Business Administration. At the Haas School I studied advanced accounting, macroeconomics, finance and behavioral finance among other areas.

I performed academic research for Professor Terrance Odean the foremost researcher on behavioral finance as an undergraduate at the school.

Through my academic studies at the Haas School of Business, the Chartered Financial Analyst program and my professional endeavors, I have become familiar with prudent asset allocation plans for pension funds as well as the statistical methods used to evaluate and monitor investment managers and portfolios of invested assets (portfolio risk, levels of diversification, covariance, correlation etc.)

**2. Following is a listing of the specific areas of interest I would best represent and reasons why:**

**a. I am active in other groups and community activities. Some of them are:**

I am passionate about ensuring that the hard working employees of AC Transit receive the benefits that they have worked so hard to earn. I will work diligently to ensure that we make the most informed investment decisions for our beneficiaries, for AC Transit and for our riders.

For the last several months my community service efforts have been focused on helping teenagers with challenges.

Currently, I am an instructor at the Jewish Educational Trade School. The School invites teenagers with challenges to become part of a program that provides them with an education, a trade, and the inspiration to pursue a life filled with purpose.

At the school I aim to inspire the teenagers in my classes to believe that, despite their personal challenges, they have the tools within themselves to be successful in business and in life. With a curriculum that I developed, we review the basics skills involved in financial planning and entrepreneurship.

Additionally, I assist individual students preparing for the General Education Development exam and assist them in shaping educational and professional goals.

**3. Following is other information that I believe is important for you to consider when reviewing my application.**

From an early age I have worked on behalf of individual investors and institutions that represent individual investors. As a teenager I established and operated an investment club that educated students in the principles of savings and prudent investing. After graduating from UC Berkeley, I joined Fidelity Management and Research where I analyzed individual companies and provided investment recommendations to professionals who manage pools of funds for individuals. I care genuinely about individuals.

As a former resident of Berkeley and an avid user of AC Transit, I care deeply about the ridership and the community of partners that drive the organization. As a board member, I would employ my knowledge of finance and work tirelessly to ensure that the employees of AC Transit have a pension fund that helps to support their retirement goals.

My closest family and friends have lived in Oakland and Berkeley for over twenty years. I am fully committed and available to fulfill, as well as extend beyond, all of the responsibilities and time requirements of an AC Transit Retirement Board member. I do not expect or foresee anything that will reduce the amount of time that I can give and my schedule will be constructed with my Board responsibilities as a priority.



**NOTICE THAT APPLICATIONS ARE BEING ACCEPTED  
TO FILL A MID-TERM VACANCY ON THE AC TRANSIT DISTRICT  
RETIREMENT BOARD  
DEADLINE EXTENDED**

Applications are being accepted from individuals who are interested in volunteering to serve on the AC Transit District Retirement Board. There is one vacancy for a public member whose term will expire on March 31, 2011. Applications will be accepted until **12:00 Noon, Thursday, October 15, 2009**. The appointment will be made by the District's Board of Directors.

The AC Transit Retirement Board oversees a non-contributory defined benefit plan with assets of approximately \$250 million. There are roughly 1,100 retirees or beneficiaries currently receiving benefits from the Plan.

There is no compensation for attendance at meetings or for time engaged in Retirement Board issues. Related expenses for conferences or education may be reimbursed upon approval of the Retirement Board.

The AC Transit Retirement Board consists of five members. Two are selected by ATU, the District's largest union. One additional employee member (non-ATU) and two public members are appointed by the District's publicly-elected Board of Directors.

The AC Transit Retirement Board is responsible to:

- Interpret the Retirement Plan on behalf of current and future beneficiaries;
- Select legal counsel to provide guidance to the Retirement Board and staff and to handle legal matters;
- Retain and monitor investment consultant(s) and advisors;
- Retain and monitor fund managers to manage the Plan assets;
- Retain an actuary to help determine how much money needs to be contributed by the District annually to the Plan;
- Set investment strategies, determine appropriate risk levels, and establish asset allocation policies for Plan assets;
- Authorize payments of approved expenses;
- Oversee auditing of the Plan funds;
- Contract with a custodial bank(s) to hold the assets;
- Select and evaluate staff to administer the Plan on a "day-to-day" basis;
- Terminate contracts when appropriate;
- Determine if applicants are qualified to receive benefits, including granting or denying applications for disability retirements;
- Reviewing ongoing qualifications for retirees on disability status; and
- Advise the AC Transit District Board of Directors on issues relating to the Plan.

(over)

**Essential Qualifications** for applicants include:

- No conflict of interest in any investments or issues facing the Retirement Board;  
*NOTE: the successful candidate will be required to file a Statement of Economic Interest (FPPC Form 700) regarding potential conflicts of interest, within 30 days after assuming duties as a member of the Retirement Board, and annually thereafter.*
- Understanding of fiduciary responsibilities of the Retirement Board;
- Ability to maintain strict confidentiality regarding certain matters brought before the Retirement Board, including medical and/or personnel records; and
- Ability to commit to attendance at a minimum of one Retirement Board meeting per month (generally 9:00 a.m. to 1:00 p.m. on the second Monday of each month) and occasional special meetings as necessary.

**Other Desirable Qualifications** for applicants include:

- Experience or knowledge in some or all of the following areas:
  - Investment, accounting, finance or actuarial study, preferably related to public retirement systems;
  - Public employee benefits administration;
  - Disability benefits, administration, evaluation of qualifications;
  - Comprehending and interpreting retirement plan documents;
  - Understanding of the California Open Meeting Law;
- Reside within the boundaries of the District (not a requirement); and
- Ability to attend occasional conferences or other meetings, paid for by the Retirement Plan, to obtain/maintain training and education on retirement or fiduciary issues.

**Selection Process and Term of Office**

Completed and signed applications, including resume, must be received no later than **12:00 Noon on Thursday, October 15, 2009**. Selection of members shall be made by the District's Board of Directors as soon as possible after the close of the recruitment period. Once designated and appointed by resolution of the District Board of Directors, the appointee shall serve for the remainder of a two year term ending on March 31, 2011.

Applications may be obtained from:

**AC Transit**  
**District Secretary's Office**  
1600 Franklin Street, 10th Floor  
Oakland, CA 94612  
(510) 891-4851  
TDD (800) 448-9790

or on the web at:  
[www.actransit.org](http://www.actransit.org)

**ALAMEDA-CONTRA COSTA TRANSIT DISTRICT  
RESOLUTION NO. 09-059**

**A RESOLUTION APPOINTING A PUBLIC MEMBER REPRESENTATIVE  
TO THE ALAMEDA-CONTRA COSTA TRANSIT DISTRICT  
RETIREMENT BOARD**

**WHEREAS**, the Alameda-Contra Costa Transit District Board of Directors (the District) is authorized by Public Utilities Codes Section 25301 and 25361 to establish a retirement system and a retirement board; and

**WHEREAS**, the District has created a retirement system and a five member retirement board, two of whom are selected from the public; and

**WHEREAS**, on February 11, 2009, the Board of Directors appointed Richard Winnie, for a two-year term, as a public member representative on the Retirement Board; and

**WHEREAS**, Mr. Winnie has tendered his resignation from the Retirement Board effective October 31, 2009; and

**WHEREAS**, on June 10, 2009, the Board of Directors directed the District Secretary to commence a recruitment for an appointment to fill the remainder of Mr. Winnie's two year term expiring on March 31, 2011; and

**WHEREAS**, Ordinance No. 10, Section 5 sets forth the procedures for appointing the public member representative when a vacancy occurs, as follows:

“ Section 5. If a vacancy occurs in any of the positions on the Retirement Board identified in Section 2, they shall be replaced as soon as possible using the same process identified in this Ordinance for their original selection. Except for Retirement Board members selected by ATU, Local 192, the District Board of Directors may designate a replacement on an interim basis pending a recruitment of a permanent replacement. In making an interim replacement, the District Board of Directors whenever possible shall select individuals who meet the desired qualifications established by regular members of the Retirement Board.” ; and

**WHEREAS**, the Board has reviewed and considered the qualifying applications for the public member representative and is prepared to make its selection from those candidates.

**NOW THEREFORE**, the Alameda-Contra Costa Transit District Board of Directors does resolve as follows:

**Section 1.** In accordance with Section 5 of Ordinance No. 10, appoints \_\_\_\_\_ to be the public member representative to the Retirement Board.

**Section 2.** The individual identified in Section 1 of this Resolution shall serve the remainder of a two-year term expiring on March 31, 2011.

**Section 3.** This resolution shall become effective immediately upon its passage by four affirmative votes of the Board of Directors.

**PASSED AND ADOPTED** this 28th day of October 2009.

\_\_\_\_\_  
Ryan "Rocky" Fernandez, President

Attest:

\_\_\_\_\_  
Linda A. Nemeroff, District Secretary

I, Linda A. Nemeroff, District Secretary for the Alameda-Contra Costa Transit District, certify that the foregoing Resolution was passed and adopted at a Regular Meeting of the Board of Directors held on the 28<sup>th</sup> day of October 2009, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Linda A. Nemeroff, District Secretary

Approved as to form:

\_\_\_\_\_  
Kenneth C. Scheidig, General Counsel