California Public Employees' Retirement System
P.O. Box 942702
Sacramento, CA 94229-2702
(888) CalPERS (or **888**-225-7377)
TTY: (877) 249-7442
www.calpers.ca.gov

Reference No.:
Circular Letter No.: 340-055-14
Distribution:
Special:

Circular Letter

November 3, 2014

TO: **MEMBERS OF THE BOARD, CANDIDATES, STATE AGENCIES, PUBLIC AGENCIES, COUNTY OFFICES OF EDUCATION, AND OTHER INTERESTED ORGANIZATIONS**

SUBJECT: **2014 STATE, SCHOOL, AND PUBLIC AGENCY MEMBER CERTIFIED ELECTION RESULTS FOR CALPERS BOARD OF ADMINISTRATION**

In accordance with the provisions of the Public Employees' Retirement Law, Government Code sections 20090(g)(2-4), 20095, and 20096, the Secretary of State's office certified on October 31, 2014 that:

Theresa L. Taylor, Principal Compliance Representative, for the Franchise Tax Board has been elected by the active State members of CalPERS to the office of Member, Board of Administration, CalPERS.

Priya Sara Mathur, Principal Financial Analyst, for the Bay Area Rapid Transit District has been reelected by the active public agency members of CalPERS to the office of Member, Board of Administration, CalPERS.

Mr. Rob Feckner, a Glazing Specialist with Napa Valley Unified School District, has been re-elected to the office of Member, Board of Administration, CalPERS. Mr. Feckner was the single, unopposed candidate, with a valid nomination petition and certificate of nomination acceptance in the School Member Board Election.

The new Board Members will serve a four-year term of office beginning January 16, 2015, and continuing through January 15, 2019.

Attached is the election certification of the official results from the Secretary of State and procedures for a Protest of an Election, as set forth in Section 554.9 of the Public Employees' Retirement Law.

Any questions regarding this information should be directed to Kimberly A. Malm, Chief, Operations Support Services Division, at (916) 795-3703.

ANNE STAUSBOLL
Chief Executive Officer

Attachments: Official Certified Election Results – State Member
Official Certified Election Results – School Member
Official Certified Election Results – Public Agency Member
California Code of Regulations, § 554.9
(Protest of an Election)

State of California

SECRETARY OF STATE

I, DEBRA BOWEN, Secretary of State of the State of California, hereby certify:

That, in accordance with the provisions of the "Public Employees' Retirement Law," specifically Government Code sections 20090, subdivision (g)(2), 20095, and 20096, and pursuant to the information and instructions set forth in the Notice of Election issued by the Board of Administration, California Public Employees' Retirement System, dated March 24, 2014, an election was held under the supervision of the Board to elect a representative from the active state membership of the System.

I further certify that, according to the official returns of said election on file in my office, a copy of which is attached,

Theresa L. Taylor

was elected to the office of Member, Board of Administration, California Public Employees' Retirement System, for the term beginning on the 16th day of January, 2015, for a four-year term (term expiring January 15, 2019).

IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of California this 31st day of October, 2014.

Debra Bowen

Debra Bowen
Secretary of State

OSP 10 119372

2014 CALPERS
BOARD OF ADMINISTRATION
STATE MEMBER BOARD ELECTION

OFFICIAL CERTIFIED RESULTS

CANDIDATES		TOTAL VALID VOTES	PERCENT OF VALID VOTES CAST
1	Theresa L. Taylor	12,888	54.70%
2	David Miller	8,728	37.04%
3	Iqbal S. Badwalz	1,946	8.26%
TOTALS		23,562	100.00%

Ballot Reconciliation	Total Ballots	Percent of Ballots Cast
Total Valid Ballots Counted	23,562	98.16%
Total Invalid Ballots (Blank and Over Votes)	167	0.70%
Total Invalid Envelopes (No signature or valid perjury statement on reverse side of envelope)	62	0.26%
Total Invalid Late Envelopes (Received after September 29 deadline)	188	0.78%
Total Miscellaneous Invalid Ballots (Ballot cards determined invalid)	24	0.01%
TOTAL BALLOTS RECEIVED	24,003	100.00%

(9.4% of ballots were returned based on the number of eligible members, 255,125)

State of California

SECRETARY OF STATE

I, DEBRA BOWEN, Secretary of State of the State of California, hereby certify:

That, in accordance with the provisions of the "Public Employees' Retirement Law," specifically Government Code sections 20090, subdivision (g)(3), 20095, and 20096, pursuant to the information and instructions set forth in the Notice of Election issued by the Board of Administration, California Public Employees' Retirement System, dated March 24, 2014, and Title 2, California Code of Regulations section 554.5, subdivision (b), a single unopposed candidate with a valid nominating petition and certification of nomination acceptance was designated the election winner as a representative from the active school membership of the System and the remaining election procedures cancelled.

I further certify that, according to the official returns of said election on file in my office,

Rob Feckner

was designated elected to the office of Member, Board of Administration, California Public Employees' Retirement System, for the term beginning on the 16th day of January, 2015, for a four-year term (term expiring January 15, 2019).

IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of California this 31st day of October, 2014.

Debra Bowen

Debra Bowen
Secretary of State

OSP 10 119372

State of California

SECRETARY OF STATE

I, DEBRA BOWEN, Secretary of State of the State of California, hereby certify:

That, in accordance with the provisions of the "Public Employees' Retirement Law," specifically Government Code sections 20090, subdivision (g)(4), 20095, and 20096, and pursuant to the information and instructions set forth in the Notice of Election issued by the Board of Administration, California Public Employees' Retirement System, dated March 24, 2014, an election was held under the supervision of the Board to elect a representative from the active public agency membership of the System.

I further certify that, according to the official returns of said election on file in my office, a copy of which is attached,

Priya Sara Mathur

was elected to the office of Member, Board of Administration, California Public Employees' Retirement System, for the term beginning on the 16th day of January, 2015, for a four-year term (term expiring January 15, 2019).

IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of California this 31st day of October, 2014.

Debra Bowen

Debra Bowen
Secretary of State

OSP 10 119372

2014 CALPERS
BOARD OF ADMINISTRATION
PUBLIC AGENCY MEMBER ELECTION

OFFICIAL CERTIFIED RESULTS

CANDIDATES		TOTAL VALID VOTES	PERCENT OF VALID VOTES CAST
1	Priya Sara Mathur	9,299	56.20%
2	Leyne Milstein	7,246	43.80%
TOTALS		16,545	100.00%

Ballot Reconciliation	Total Ballots	Percent of Ballots Cast
Total Valid Ballots Counted	16,545	97.92%
Total Invalid Ballots (Blank and Over Votes)	188	1.19%
Total Invalid Envelopes (No signature or valid perjury statement on reverse side of envelope)	37	0.23%
Total Invalid Late Envelopes (Received after September 29 deadline)	92	0.58%
Total Miscellaneous Invalid Ballots (Ballot cards determined invalid)	13	0.08%
TOTAL BALLOTS RECEIVED	16,875	100.00%

(6.8% of ballots were returned based on the number of eligible members, 247,494)

§ 554.9. Protest of an Election

(a) The filing of a protest shall not delay the seating of an elected Board member. Such elected Board member shall take office, in accordance with the published election schedule, subject to the potential termination of such Board membership as a result of the protest. Any newly elected member, as the result of a protest, shall hold office for a period equal to the remainder of the term of the vacated office.

(b) Any party who is an active or retired member of CalPERS, eligible to vote in the applicable Board member election, may protest a runoff election, if any, or an election, if no runoff election is conducted. A protest shall be filed with the Election Coordinator at the Sacramento Office of CalPERS within ten working days following the mailing of the certified election results. A protest shall be in writing, shall be identified using the word "protest", shall specify the election, and shall state the grounds of the protest and suggested remedy.

(c) Upon receipt of a valid and timely protest, the Election Coordinator shall mail a copy of the request to all candidates for the same seat. The Board or its designee shall appoint an independent, neutral agent which shall designate a Protest Panel using the following process. The independent agent shall promptly submit simultaneously to each candidate for the same office that is subject of the protest an identical list of names of at least five persons chosen from its panel of arbitrators. Each candidate shall have seven days from the date the list is submitted in which to file an objection with the agent to any name, number the remaining names to indicate order of preference, and return the list to the agent. From among the persons for whom no objection has been filed, and in accordance with the designated order of preference, the agent shall invite members to serve on the Protest Panel. If every proposed panel member receives an objection, or if a panel member selected declines or is unable to act, or if any other reason the appointment cannot be made from the submitted list, the agent shall make the appointment from among other members of the agent's panel of arbitrators without the submission of any additional list. No Board member who is a candidate for election that is the subject of the protest may participate in the selection of the Protest Panel. The decision of the Protest Panel shall be final. The Protest Panel shall be comprised of no less than three people, all of whom are neither employed by CalPERS nor otherwise interested in the outcome of the election that is the subject of the protest. For purpose of the foregoing sentence only, membership in CalPERS does not, by itself, constitute an "interest in the outcome of the election." The Protest Panel shall consider written and/or oral arguments submitted by the protestor and any other interested party, including the Board's staff. Any oral proceedings shall be held in the City of Sacramento. The determination of the Protest Panel shall be rendered within 30 days of selection of the Panel and shall be final and binding on CalPERS and candidates for office. Other procedures, including those for receiving and considering arguments and factual allegations, shall be determined by the Protest Panel in its sole discretion. A protest shall only be granted upon a finding that Board-

adopted election procedures were not substantially followed and that, without this lack of substantial compliance, the election outcome would likely have been different.

NOTE: Authority cited: Section 20121, Government Code. Reference: Section 20121, Government Code; Duva, Calif. School Employees' Assoc. v. PERS., et al., 1993 Sacramento Superior Court Case No. 375842.

HISTORY:

1. New section filed 8-9-94; operative 9-8-94 (Register 94, No. 32).
2. Amendment of Note filed 8-24-98; operative 9-23-98 (Register 98, No. 35).
3. Amendment filed 11-30-2000 as an emergency; operative 11-30-2000 (Register 2000, No. 48). A Certificate of Compliance must be transmitted to OAL by 3-30-2001 or emergency language will be repealed by operation of law on the following day.
4. Change without regulatory effect correcting subsections (b) and (c) of 11-30-2000 emergency action filed 12-18-2000 pursuant to section 100, title 1, California Code of Regulations (Register 2000, No. 51).
5. Pursuant to the order of the Superior Court of California, Court of Sacramento, dated April 20, 2001, in California State Employees Association, Local 1000, SEIU, AFL-CIO, CLC v. Public Employees Retirement System, et al., No. 00CS01662, the emergency amendment filed 11-30-2000 has been invalidated and is unenforceable until adopted in full compliance with the Administrative Procedure Act. Reinstatement of section as it existed prior to 11-30-2000 emergency amendment (Register 2001, No. 22).
6. Amendment filed 8-2-2001; operative 9-1-2001 (Register 2001, No. 31).