

VENTURA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION

BOARD OF RETIREMENT

DISABILITY MEETING

April 6, 2015

MINUTES

DIRECTORS Tracy Towner, Chair, Alternate Safety Employee Member
PRESENT: William W. Wilson, Vice Chair, Public Member
Steven Hintz, Treasurer-Tax Collector
Peter C. Foy, Public Member
Joseph Henderson, Public Member
Mike Sedell, Public Member
Deanna McCormick, General Employee Member
Craig Winter, General Employee Member
Chris Johnston, Safety Employee Member
Arthur E. Goulet, Retiree Member
Will Hoag, Alternate Retiree Member

DIRECTORS None.
ABSENT:

STAFF Linda Webb, Retirement Administrator
PRESENT: Henry Solis, Chief Financial Officer
Lori Nemiroff, Assistant County Counsel
Julie Stallings, Chief Operations Officer
Vickie Williams, Retirement Benefits Manager
Donna Edwards, Retirement Benefits Specialist
Stephanie Caiazza, Program Assistant

PLACE: Ventura County Employees' Retirement Association
Second Floor Boardroom
1190 South Victoria Avenue
Ventura, CA 93003

TIME: 9:00 a.m.

ITEM:

I. CALL TO ORDER

Chair Towner called the Disability Meeting of April 6, 2015, to order at 9:00 a.m.

II. APPROVAL OF AGENDA

MOTION: Approve the Agenda.

Moved by Johnston, seconded by Henderson.

Vote: Motion carried

Yes: Goulet, Foy, Johnston, Sedell, Winter, Hintz, Henderson, McCormick,
Wilson

No: -

III. APPROVAL OF MINUTES

A. Business Meeting of March 16, 2015.

The following motion was made:

MOTION: Approve.

Moved by Henderson, seconded by Johnston.

Vote: Motion carried

Yes: Goulet, Foy, Johnston, Sedell, Winter, Hintz, Henderson, McCormick,
Wilson

No: -

B. Special Meeting of March 30, 2015.

Ms. Webb offered two corrections to the March 30, 2015 minutes under "New Business Item III.A.2. AB 1291 with Proposed Amendments". Ms. Webb recommended correcting the motion by replacing "co-sponsorship" with "formal approval", and removing the phrase "before submission to legislative counsel".

The following motion was made:

MOTION: Approve the minutes as amended.

Moved by Goulet, seconded by Henderson.

Vote: Motion carried

Yes: Goulet, Foy, Johnston, Sedell, Winter, Hintz, Henderson, McCormick,
Wilson

No: -

IV. RECEIVE AND FILE PENDING DISABILITY APPLICATION STATUS REPORT

MOTION: Approve.

Moved by Wilson, seconded by Henderson.

Vote: Motion carried

Yes: Goulet, Foy, Johnston, Sedell, Winter, Hintz, Henderson, McCormick,
Wilson

No: -

V. APPLICATIONS FOR DISABILITY RETIREMENT

A. Application for Service Connected Disability Retirement, Robert Ameche;
Case No. 12-034.

1. Application for Service Connected Disability Retirement and
Supporting Documentation.

2. Hearing Notice Served on March 16, 2015.

Paul Hilbun and Stephen D. Roberson, Attorney at Law, were present on
behalf of County of Ventura Risk Management. Michael Treger, Attorney at
Law, was present on behalf of the applicant.

Both parties declined to make a statement.

Trustee Goulet requested the name of the author of one of the documents
within the medical record, as it was not listed in the report.

After clarification from Risk Management, the following motion was made:

MOTION: Grant the applicant, Robert Ameche, a service connected
disability retirement.

Moved by Johnston, seconded by McCormick.

Vote: Motion carried

Yes: Goulet, Foy, Johnston, Sedell, Winter, Hintz, Henderson, McCormick,
Wilson

No: -

The parties agreed to waive preparations of Findings of Fact and
Conclusions of Law.

**B. Application for Service Connected Disability Retirement, Lawrence House;
Case No. 13-029.**

1. Application for Service Connected Disability Retirement and
Supporting Documentation.

2. Hearing Notice Served on March 24, 2015.

Paul Hilbun and Stephen D. Roberson, Attorney at Law, were present
on behalf of County of Ventura Risk Management. David G.
Schumaker, Attorney at Law, was present on behalf of the applicant.

Both parties declined to make a statement.

After discussion by the Board and Risk Management, the following
motion was made:

MOTION: Grant the applicant, Lawrence House, a service connected
disability retirement.

Moved by Hintz, seconded by Johnston.

Vote: Motion carried

Yes: Foy, Johnston, Sedell, Winter, Hintz, Henderson, McCormick,
Wilson

No: -

Abstain: Goulet

Trustee Goulet stated that he abstained from the vote on this
application because he found the report from Risk Management to be
deficient.

The parties agreed to waive preparations of Findings of Fact and
Conclusions of Law.

**C. Application for Service Connected Disability Retirement, Thomas Law;
Case No. 12-043.**

1. Application for Service Connected Disability Retirement and Supporting Documentation.
2. Hearing Notice Served on March 26, 2015.

Paul Hilbun and Derek Straatsma, Attorney at Law, were present on behalf of County of Ventura Risk Management. Michael Treger, Attorney at Law, was present on behalf of the applicant.

Both parties declined to make a statement.

The following motion was made:

MOTION: Grant the applicant, Thomas Law, a service connected disability retirement.

Moved by Johnston, seconded by Henderson.

Vote: Motion carried

Yes: Goulet, Foy, Johnston, Sedell, Winter, Hintz, Henderson, McCormick, Wilson

No: -

The parties agreed to waive preparations of Findings of Fact and Conclusions of Law.

- D. Application for Service Connected Disability Retirement, Jeffrey Norcott; Case No. 12-038.

1. Application for Service Connected Disability Retirement and Supporting Documentation.
2. Hearing Notice Served on March 16, 2015.

Paul Hilbun and John I. Gilman, Attorney at Law, were present on behalf of County of Ventura Risk Management. Michael Treger, Attorney at Law, was present on behalf of the applicant.

Mr. Treger requested that the Board adopt the Hearing Officer's recommendation. Risk Management declined to make a statement.

Trustee Goulet commented that reports stating that no reasonable accommodation could be found should include a written statement from the employee's department to support that claim.

After discussion by the Board and Risk Management, the following

motion was made:

MOTION: Grant the applicant, Jeffrey Norcott, a service connected disability retirement.

Moved by Goulet, seconded by Johnston.

Vote: Motion carried

Yes: Goulet, Foy, Johnston, Sedell, Winter, Hintz, Henderson, McCormick, Wilson

No: -

The parties agreed to waive preparations of Findings of Fact and Conclusions of Law.

- E. Application for Service Connected Disability Retirement, William Ackerman; Case No. 12-035.
1. Summary of Evidence, Findings of Fact, Conclusions of Law and Recommendation, Submitted by Hearing Officer Louis M. Zigman, Dated February 12, 2015.
 2. Hearing Notice Served on March 16, 2015.

Paul Hilbun and John I. Gilman, Attorney at Law, were present on behalf of County of Ventura Risk Management. Michael Treger, Attorney at Law, was present on behalf of the applicant.

Mr. Treger requested that the Board adopt the Hearing Officer's recommendation. Mr. Gilman stated that Risk Management had no objection.

After discussion by the Board, the following motion was made:

MOTION: Adopt the Hearing Officer's recommendation and grant the applicant, William Ackerman, a service connected disability retirement.

Moved by Johnston, seconded by McCormick.

Vote: Motion carried

Yes: Goulet, Foy, Johnston, Sedell, Winter, Hintz, Henderson, McCormick, Wilson

No: -

VI. OLD BUSINESS

- A. AB 1291 Report and Update from Chair, and Consideration of Approval to Submit Proposed Amendment to Legislative Counsel.

1. AB 1291 with Proposed Amendments

Chair Towner stated that the Ventura County Board of Supervisors did not take a formal position on the legislation.

After discussion by the Board, the following motion was made:

MOTION: Approve proposed changes to AB 1291 and approve expenses related to the Chair traveling to Sacramento to attend hearings or meetings as necessary to carry out the VCERA Board's interest in passage of the bill.

Moved by Wilson, seconded by Foy.

Vote: Motion carried

Yes: Foy, Johnston, Sedell, Winter, Hintz, Henderson, McCormick,
Wilson

No: -

Abstain: Goulet

- B. Distribution of SACRS Board of Directors Final Voting Slate 2015-16

1. Staff Letter
2. SACRS Board of Directors Elections 2015-16 – Final Ballot

The following motion was made:

MOTION: Approve San Joaquin CERA and Sacramento CERS proposed 2015-16 slate.

Moved by Wilson. Motion failed for lack of a second.

After discussion by the Board, the following motion was made:

MOTION: Approve SACRS Nominating Committee recommended 2015-16 slate.

Moved by McCormick, seconded by Johnston.

Vote: Motion carried

Yes: Goulet, Foy, Johnston, Sedell, Winter, Hintz, Henderson,
McCormick, Wilson

No: -

VII. CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code section 54956.9) PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d)(1): NAME OF CASE: *LANQUIST ET AL. v. VENTURA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION*; 2d Civil No. B251179 (Super. Ct. No. 56-2011-404515-CU-WM-VTA)

VIII. NEW BUSINESS

- A. Appointment of Chief Investment Officer

Chair Towner announced that Mr. Dan Gallagher accepted the position of Chief Investment Officer, subject to confirmation by the Board of Retirement and final negotiation of salary and benefits.

Staff distributed a revised version of the letter outlining the benefits of the position with the following corrections: the Cafeteria Plan was corrected to the 2015 rate of \$297 per pay period; the Auto Allowance was removed because it was not applicable; and the CEBS Certification pay was corrected to 3.5% of base salary.

After discussion by the Board, the following motion was made:

MOTION: Confirm the appointment of Mr. Gallagher to the position of Chief Investment Officer; approve a base salary at a bi-weekly rate of \$5,576.92 (\$145,000 annually) with revised listed benefits; and approve the scheduling of an employee performance evaluation on Mr. Gallagher's 6th, 12th, and 24th month anniversary dates, at which times the Board will consider granting merit based increases.

Moved by Goulet, seconded by Henderson.

Vote: Motion carried

Yes: Goulet, Foy, Johnston, Sedell, Winter, Hintz, Henderson, McCormick,
Wilson

No: -

- B. 26th Annual Southern California Public Retirement Seminar Report, Submitted by Trustee McCormick

The following motion was made:

MOTION: Receive and file.

Moved by Goulet, seconded by Hintz.

Vote: Motion carried

Yes: Goulet, Foy, Johnston, Sedell, Winter, Hintz, Henderson, McCormick,
Wilson

No: -

IX. INFORMATIONAL

- A. SACRS Spring Conference Agenda; May 12 – 15, 2015; Anaheim, CA.
- B. CALAPRS Principles of Pension Management for Trustees 2015; August 25 – 28, 2015; Pepperdine University in Malibu, CA.
- C. GMO Roundtable Discussion; April 22, 2015; Beverly Hills, CA.
- D. Opal Financial Group Annual Investment Trends Summit; September 28-30, 2015; Santa Barbara, CA.
- E. PIMCO 2015 Alternatives Investor Day; April 29-30, 2015; Newport Beach, CA.
- F. Letter from SACRS Affiliate Chair Michael Bowman.
- G. Letter to SACRS System Trustees Regarding SACRS Affiliate Committee.

X. PUBLIC COMMENT

None.

XI. STAFF COMMENT

Ms. Webb requested that the Board submit any suggestions that they may have for improvements to the VCERA website. These recommendations will be incorporated into a future proposal.

XII. BOARD MEMBER COMMENT

Chair Towner informed the Board that the Business Meeting of April 20, 2015 will likely be a long meeting.

XIII. ADJOURNMENT

Upon completion of all other items on the agenda, the Board adjourned into Closed Session at 9:42 a.m. Upon returning to open session, Chair Towner announced that the Board had taken no reportable action. The meeting was adjourned at 11:00 a.m.

Respectfully submitted,



LINDA WEBB, Retirement Administrator

Approved,



TRACY TOWNER, Chairman