

# **VENTURA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION**

## **BOARD OF RETIREMENT**

### **DISABILITY MEETING**

**October 5, 2015**

### **MINUTES**

**DIRECTORS** Tracy Towner, Chair, Alternate Safety Employee Member  
**PRESENT:** William W. Wilson, Vice Chair, Public Member  
Steven Hintz, Treasurer-Tax Collector  
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** Joseph Henderson, Public Member  
**ABSENT:** Peter C. Foy, Public Member

**STAFF** Linda Webb, Retirement Administrator  
**PRESENT:** Henry Solis, Chief Financial Officer  
Lori Nemiroff, Assistant County Counsel  
Dan Gallagher, Chief Investment Officer  
Shalini Nunna, Retirement Benefits Manager  
Donna Edwards, Retirement Benefits Specialist  
Chantell Garcia, 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 October 5, 2015, to order at 9:01 a.m.

**II. APPROVAL OF AGENDA**

MOTION: Approve the agenda.

Moved by McCormick, seconded by Johnston.

Vote: Motion carried

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

No: -

Absent: Henderson, Foy

**III. APPROVAL OF MINUTES**

**A. Special Meeting of September 16, 2015.**

MOTION: Approve.

Moved by McCormick, seconded by Goulet.

Vote: Motion carried

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

No: -

Absent: Henderson, Foy

**B. Business Meeting of September 21, 2015.**

Trustee Goulet recommended amending the minutes to insert the missing word "he" in the first sentence under the item "XII. Staff Comment".

MOTION: Approve as amended.

Moved by Goulet, seconded by McCormick.

Vote: Motion carried

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

No: -

Absent: Henderson, Foy

**IV. RECEIVE AND FILE PENDING DISABILITY APPLICATION STATUS REPORT**

MOTION: Approve.

Moved by Wilson, seconded by Winter.

Vote: Motion carried

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

No: -

Absent: Henderson, Foy

**V. APPLICATIONS FOR DISABILITY RETIREMENT**

A. Application for Non-Service Connected Disability Retirement, Randall C. Dalton; Case No. 13-035

1. Recommendation from Staff to Consider Non-Service Connected Disability Retirement Application Dismissed, Without Prejudice
2. Excerpt from Disability Application Status Report
3. Hearing Notice served on September 24, 2015.

Paul Hilbun was present on behalf of County of Ventura Risk Management.

Mr. Hilbun stated that the applicant had failed to appear for his Noticed Deposition and that Risk Management was unable to reach the applicant to verify whether he still intended to pursue his application for Non-Service Connected Disability Retirement.

VCERA staff confirmed that they were also unable to make contact with the Applicant to verify his intentions to pursue the application, and recommended that the Board dismiss the application without prejudice. This would allow the Applicant to refile the application at a later date, provided he meets the criteria under Government Code section 31722.

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

MOTION: Dismiss the application for Non-Service Connected Disability Retirement, without prejudice.

Moved by Goulet, seconded by Wilson.

Vote: Motion carried

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

No: -

Absent: Henderson, Foy

- B. Application for Service Connected Disability Retirement, Karen Anderson;  
Case No. 11-021.

(Continued from the disability meeting of September 14, 2015)

1. Proposed Findings of Fact, Conclusions of Law, and Recommendation, submitted by Hearing Officer Kenneth A. Perea, dated March 18, 2015.
2. Hearing Decision Notice dated September 14, 2015.
3. Hearing Notice served on September 28, 2015.

Steve Roberson, Attorney at Law, was present on behalf of County of Ventura Risk Management.

Staff reported that the applicant's attorney, Steven Pingle, called on October 4, 2015 to inform VCERA staff that he could not attend the meeting due to illness. Mr. Pingle requested a continuance to the next disability meeting.

Staff recommended that the Board grant the continuance and inform Mr. Pingle that there will be no further continuances for this matter, as this was Mr. Pingle's fourth request for a continuance for this application to be considered by the Board. Staff further recommended providing Mr. Pingle with the following options for the rescheduled hearing: to appear in person, to appear by telephone, to arrange for another attorney to appear in his place, or to submit written argument in lieu of oral argument.

Mr. Roberson stated that he had no objection to staff's recommendation. He informed the Board that he would be unavailable on the date of the next disability meeting, but that he would be available to attend the following disability meeting on December 7, 2015.

MOTION: Continue this matter to the December 7, 2015 Disability Meeting. Direct staff to provide the parties with the four options listed above prior to the meeting, and inform the parties that the matter will be heard on December 7, 2015 without the further option of continuance.

Moved by Winter, seconded by Wilson.

Vote: Motion carried

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

No: -

Absent: Henderson, Foy

**VI. OLD BUSINESS**

- A. Chief Investment Officer Performance Evaluation Process  
*(materials will be on file with the Clerk and will be available prior to the meeting)*
- B. Update on Discussion of Reporting Relationships of VCERA Executive Management Staff to the Board and Retirement Administrator

The Board discussed engaging a business management consulting firm for analysis and recommendations for the organization of executive management staff and reviewed a proposal from Cortex.

MOTION: Table this matter to allow time for staff to request and acquire a more detailed description of the Cortex's proposed services and cost, to be provided for the Board's consideration at the October 19, 2015 business meeting.

Moved by Sedell, seconded by Johnston.

Vote: Motion carried

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

No: -

Absent: Henderson, Foy

**VII. NEW BUSINESS**

- A. Appointment of SACRS Voting Proxy for Fall 2015 Conference

MOTION: Appoint Trustee McCormick as voting delegate and Trustee Sedell as alternate voting delegate for the SACRS 2015 Fall Conference.

Moved by Goulet, seconded by Johnston.

Vote: Motion carried

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

No: -

Absent: Henderson, Foy

- B. SACRS 2016 Legislative Proposals - Consider and Take Possible Action to Provide Direction to Voting Delegates
  - 1. Summary of Proposals
    - a. District Status for 1937 Act County Employee Retirement

Systems (SACRS Board of Directors)

MOTION: Direct voting delegate to vote in support of this proposal.

Moved by Johnston, seconded by Goulet.

Vote: Motion carried

Yes: Hintz, Goulet, Johnston, Winter, McCormick

No: Sedell, Wilson

Absent: Henderson, Foy

b. Optional Employee Sworn Statements (SDCERA)

MOTION: Direct voting delegate to vote in support of this proposal.

Moved by Goulet, seconded by Johnston.

Vote: Motion carried

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

No: -

Absent: Henderson, Foy

c. Alternate Retiree Trustee Voting (Merced CERA)

MOTION: Direct voting delegate to vote in support of this proposal.

Moved by Johnston, seconded by Goulet.

Vote: Motion carried

Yes: Hintz, Goulet, Johnston, Winter, McCormick

No: Sedell, Wilson

Absent: Henderson, Foy

d. BOR Trustee Per Diem (SACRS Board of Directors)

Chair Towner clarified that this proposal refers to trustee compensation for Board meeting attendance.

MOTION: Direct voting delegate to vote in support of this proposal.

Moved by Johnston, seconded by Wilson.

Vote: Motion carried

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

No: -

Absent: Henderson, Foy

**VIII. PUBLIC COMMENT**

None.

**IX. STAFF COMMENT**

Mr. Gallagher informed the Board that Trustee Sedell and Trustee Hoag were scheduled to accompany him on the upcoming due diligence visits to Loomis Sayles, GMO, LLC, and HarbourVest, in Boston, MA.

Ms. Webb discussed plans for VCERA's future newsletter and requested feedback from the trustees regarding their preferred name choice for the newsletter among suggestions submitted by staff.

Ms. Webb updated the Board on the Pensionable Compensation Analysis response from stakeholders to date, and stated that the deadline for additional feedback was extended by one week, to October 9, 2015. Chair Towner requested that Ms. Webb remind the County of Ventura that VCERA needs to receive the County's response by the end of the week.

**X. BOARD MEMBER COMMENT**

Trustee Goulet reported that he'd been informed of widespread problems with the County's new financial management system and that the staff in the Auditor-Controller's office have not been cooperative with county departments and agencies in resolving problems.

XI. ADJOURNMENT

The meeting was adjourned at 9:50 a.m.

Respectfully submitted,



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LINDA WEBB, Retirement Administrator

Approved,



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TRACY TOWNER, Chairman