

**VENTURA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION**

**BOARD OF RETIREMENT**

**DISABILITY MEETING**

**MARCH 9, 2020**

**AGENDA**

**PLACE:** Ventura County Government Center  
Hall of Administration Building, Multi-Purpose Room  
800 S. Victoria Avenue  
Ventura, CA 93009

**TIME:** 9:00 a.m.

*Members of the public may comment on any item under the Board's jurisdiction by filling out a speaker form and presenting it to the Clerk. Unless otherwise directed by the Chair, comments related to items on the agenda will be heard when the Board considers that item. Comments related to items not on the agenda will generally be heard at the time designated for Public Comment.*

**ITEM:**

- |   |                 |
|---|-----------------|
| <b>I. <u>CALL TO ORDER</u></b>  | Master Page No. |
| <b>II. <u>APPROVAL OF AGENDA</u></b>  | 1 – 3           |
| <b>III. <u>APPROVAL OF MINUTES</u></b>  |                 |
| A. Business Meeting of February 24, 2020.   | 4 – 12          |
| <b>IV. <u>RECEIVE AND FILE PENDING DISABILITY APPLICATION STATUS REPORT</u></b>   | 13 – 53         |
| <b>V. <u>APPLICATIONS FOR DISABILITY RETIREMENT</u></b>   |                 |
| A. Application for Service-connected Disability Retirement - McGugan, Steve J.;<br>Case No. 19-011.   | 54 – 131        |
| 1. Application for Service-connected Disability Retirement filed, February 25,<br>2019.   |                 |
| 2. Medical Analysis and Employer's Statement of Position, including Supporting<br>Medical Documentation, submitted by County of Ventura-Risk Management,<br>in support of the Application for Service-connected Disability Retirement,<br>dated January 27, 2020. |                 |
| 3. Hearing Notice, dated March 4, 2020.   |                 |

**V. APPLICATIONS FOR DISABILITY RETIREMENT (continued)**

- B. Application for Service-connected Disability Retirement - La Bellarti, John; Case No. 16-021. 132 – 413
  - 1. Application for Service-connected Disability Retirement, filed July 8, 2016.
  - 2. Medical Analysis and Employer’s Statement of Position, including Supporting Medical Documentation, submitted by County of Ventura-Risk Management, in support of the Application for Service-connected Disability Retirement, dated February 18, 2020.
  - 3. Hearing Notice, dated March 4, 2020.
  
- C. Application for Service-connected Disability Retirement and Disability Reassignment (Govt. Code section 31725.65) - Weaverling, Rebecca J.; Case No. 18-022. 414 – 569
  - 1. Application for Service-connected Disability Retirement, filed September 18, 2018.
  - 2. Medical Analysis and Employer’s Statement of Position, including Supporting Medical Documentation, submitted by County of Ventura-Risk Management, in support of the Application for Service-connected Disability Retirement, dated October 1, 2019.
  - 3. Supplemental Position to October 1, 2019 Employer’s Statement of Position, submitted by County of Ventura-Risk Management, received January 27, 2020.
  - 4. Independent Medical Evaluation Report of Dr. Steven Nagelberg, dated December 23, 2019.
  - 5. Hearing Notice, dated March 4, 2020.

**VI. OLD BUSINESS**

- A. Update on Office Remodel.

**VII. NEW BUSINESS**

- A. Review of 2019 Board Member Education Compliance.  
**RECOMMENDED ACTION: Approve.**
  - 1. Staff Letter. 570
  - 2. Board Education Compliance Report for 2019. 571

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**VII. NEW BUSINESS (continued)**

B. SACRS 2020 Spring Voting Proxy.

1. Staff Letter.

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**VIII. INFORMATIONAL**

A. State Association of County Retirement Systems (SACRS) Legislative Update – 573 – 574  
March 2020.

**IX. PUBLIC COMMENT**

**X. STAFF COMMENT**

**XI. BOARD MEMBER COMMENT**

**XII. ADJOURNMENT**

**VENTURA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION**

**BOARD OF RETIREMENT**

**BUSINESS MEETING**

**FEBRUARY 24, 2020**

**MINUTES**

**DIRECTORS** William W. Wilson, Chair, Public Member  
**PRESENT:** Arthur E. Goulet, Vice-Chair, Retiree Member  
Steve Bennett, Public Member  
Mike Sedell, Public Member  
Robert Ashby, Safety Employee Member  
Jordan Roberts, General Employee Member  
Will Hoag, Alternate Retiree Member

**DIRECTORS** Steven Hintz, Treasurer-Tax Collector  
**ABSENT:** Craig Winter, General Employee Member

**STAFF** Linda Webb, Retirement Administrator  
**PRESENT:** Henry Solis, Chief Financial Officer  
Dan Gallagher, Chief Investment Officer  
Leah Oliver, Chief Technology Officer  
Lori Nemiroff, General Counsel  
Shalini Nunna, Retirement Benefits Manager  
Chris Ayala, Program Assistant

**PLACE:** Ventura County Government Center  
Hall of Administration Building, Multi-Purpose Room  
800 S. Victoria Avenue  
Ventura, CA 93009

**TIME:** 9:00 a.m.

**BOARD OF RETIREMENT  
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**ITEM:**

**I. CALL TO ORDER**

Chair Wilson called the Business Meeting of February 24, 2020 to order at 9:01 a.m.

**II. APPROVAL OF AGENDA**

Chair Wilson informed the Board that UBS was unable able to make their scheduled presentation, so it would be postponed to a later meeting.

MOTION: Approve as Amended.

Moved by Roberts, seconded by Sedell

Vote: Motion carried

Yes: Ashby, Goulet, Roberts, Sedell, Wilson

No: -

Absent: Bennett, Hintz, Winter

Abstain: -

**III. APPROVAL OF MINUTES**

A. Disability Meeting of February 10, 2020.

Trustee Goulet noted that all of the words in the motion at the bottom of Master Page 10 were capitalized, although the motion was correct.

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

MOTION: Approve.

Moved by Goulet, seconded by Ashby

Vote: Motion carried

Yes: Ashby, Goulet, Roberts, Sedell, Wilson

No: -

Absent: Bennett, Hintz, Winter

Abstain: -

**IV. CONSENT AGENDA**

A. Approve Regular and Deferred Retirements and Survivors Continuances for the Month of January 2020.

B. Receive and File Report of Checks Disbursed in January 2020.

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- C. Receive and File Statement of Fiduciary Net Position, Statement of Changes in Fiduciary Net Position, Schedule of Investments, Cash and Cash Equivalents, and Schedule of Investment Management Fees for the Period Ending December 31, 2019.

Ms. Webb informed the Board there were two typos in item IV.C. Investments, Cash, and Cash Equivalents statement was incorrectly dated, as December 30<sup>th</sup> rather than December 31<sup>st</sup> and the Schedule of Investment Management Fees statement referenced a period of “five months”, but instead it should be “six months”.

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

MOTION: Receive and File, with Corrections.

Moved by Goulet, seconded by Sedell

Vote: Motion carried

Yes: Ashby, Goulet, Roberts, Sedell, Wilson

No: -

Absent: Bennett, Hintz, Winter

Abstain: -

**V. INVESTMENT MANAGER PRESENTATIONS**

- A. Receive Annual Investment Presentation from Adams Street, Saguna Malhotra and Scott Hazen.

Trustee Bennett arrived during this presentation at 9:03 am.

Saguna Malhotra and Scott Hazen were present on behalf of Adams Street Partners to provide an organizational and investment performance update.

- B. Receive Annual Investment Presentation from UBS Real Estate, Mario Maturo and Mia Dennis.

This item was removed from the agenda during item II. “Approval of Agenda” and was postponed to a future board meeting.

**VI. INVESTMENT INFORMATION**

NEPC – Alan Martin.

VCERA – Dan Gallagher, Chief Investment Officer.

- A. \$25 Million Commitment to Pantheon Global Secondaries Fund VI, Kevin Dunwoodie and Iain Jones.

**RECOMMENDED ACTION: Approve.**

1. Staff Letter by C.I.O., Dan Gallagher.
2. Recommendation Memorandum from NEPC.

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3. Pantheon Presentation Material.

Mr. Gallagher informed the Board that this recommended commitment to Fund VI represented VCERA's third fund commitment to Pantheon's series of fund-of-funds of secondary investments. More than 40% of the proposed fund had been deployed thus far, and was generating strong early valuations, resulting in an attractive entry point for VCERA. The Board had previously committed to Pantheon Secondaries Funds IV and V, both of which have performed well.

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

MOTION: Approve an Allocation of \$25 Million to Pantheon's Global Secondaries Fund VI, and Direct Staff and Legal Counsel to Prepare the Necessary Legal Documents; and Authorize the Board Chair or Retirement Administrator, or in the Absence of the Board Chair and Retirement Administrator the Chief Investment Officer, to Approve and Execute the Required Documentation.

Moved by Bennett seconded by Sedell

Vote: Motion carried

Yes: Ashby, Bennett, Goulet, Roberts, Sedell, Wilson

No: -

Absent: Hintz, Winter

Abstain: -

The Board took a break at 9:51 a.m.

The Board returned from break at 10:10 a.m.

B. Quarterly Investment Performance Report for Period Ending December 31, 2019.

**RECOMMENDED ACTION: Receive and file.**

Trustee Bennett returned from break during the discussion of this agenda item at 10:15 a.m.

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

MOTION: Receive and File.

Moved by Sedell seconded by Bennett

Vote: Motion carried

Yes: Ashby, Bennett, Goulet, Roberts, Sedell, Wilson

No: -

Absent: Hintz, Winter

Abstain: -

C. Preliminary Performance Report Month Ending January 31, 2020.

**RECOMMENDED ACTION: Receive and file.**

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

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MOTION: Receive and File.

Moved by Bennett seconded by Goulet

Vote: Motion carried

Yes: Ashby, Bennett, Goulet, Roberts, Sedell, Wilson

No: -

Absent: Hintz, Winter

Abstain: -

D. NEPC 2020 Investment Outlook – Capital Market Assumptions.

**RECOMMENDED ACTION: Receive and file.**

After some discussion by the Board, staff, and consultant, the Board then continued to the next agenda item.

**VII. OLD BUSINESS**

A. Overview of Fees and Economics in Private Investments.

1. Staff letter by C.I.O., Dan Gallagher.
2. Presentation Deck.

Mr. Gallagher noted that the report on private equity fees and economics was a follow-up to Trustee Goulet's request for the information to benefit of the new VCERA Board members. Ms. Gallagher said the report was a high-level educational overview that included material presented at ILPA and CALPERS Board meetings.

**VIII. NEW BUSINESS**

A. Periodic Review of Appointment and Election of Trustees Policy.

**RECOMMENDED ACTION: Approve.**

1. Staff Letter.
2. Appointment and Election of Trustees Policy (Redline).

Ms. Webb reviewed staff's suggested edits, which focused mainly on clarifying terms and rules regarding candidate statements. She noted one change was to align with the practice of an electronic notice being sent to active members to announce an election.

Trustee Goulet noted that the term, "public member" was used as part of the suggested changes, but the members were appointed members, since they were appointed by the Board of Supervisors.

Ms. Nemiroff said that those Trustees were commonly referred to as public members, but it was not a legal term, and that staff could easily correct it to say, appointed members.

Trustee Goulet also noted that the updated policy also referred to an "alternate" member, instead of specifically referencing the category, such as alternate safety member, alternate retired member or alternate appointed member.



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Ms. Webb replied that the policy was broken up into different sections pertaining to the trustee category, so they were simply referred to as alternate members within those sections, but that staff could make them more specific within the given sections.

Trustee Goulet also pointed out that the policy said the alternate appointed member seat was permissive and there was no mandate for the Board of Supervisors to appoint an alternate appointed member, though the language in the policy also used the word "shall".

Ms. Webb replied that the language that Trustee Goulet was referencing was not a part of staff's suggested changes, but it was added when the option for an alternate member seat was created through legislation.

Ms. Nemiroff noted section II, no. 2, of the policy stated, "At the option of the County Board of Supervisors, there shall also be an alternate member for the fourth, fifth, sixth and ninth members" which was a part of the existing policy, but if the Board wished staff could change the "shall" to say "may".

Trustee Goulet said that lastly, on page 2, no. 7, the term "Retirement Association" should say VCERA to match the rest of section 7.

Trustee Sedell said that most of the policy seemed as though it was reciting state law, which the Board was unable to change. He then asked where had the policy been modified so that it was now different from state law.

Ms. Webb replied that the policy had not change anything that was governed by state law.

Ms. Nemiroff said that staff had simply tried to make the policy more specific in areas that were silent in the state law.

Ms. Webb added that in staff review of policies from a dozen of the largest retirement systems, among the five that had policies, the language was were even more detailed in those areas.

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

**MOTION:** Approve the Amended Policy with Staff's and Trustee Goulet's Suggested Corrections.

Moved by Goulet, seconded by Ashby

Vote: Motion carried

Yes: Ashby, Bennett, Goulet, Roberts, Sedell, Wilson

No: -

Absent: Hintz, Winter

Abstain: -

B. Mid-Year Budget Update for FY 2019-20.

**RECOMMENDED ACTION: Receive and File.**

1. Staff Letter by C.F.O., Henry Solis.
2. Budget Summary.

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Mr. Solis provided a brief overview of the mid-year budget. He stated that overall year end projected expenditures would be approximately \$1.2 million under budget, inclusive of Contingency. Excluding the Contingency account, the overall savings would be about \$585,000. Savings are expected in all major expenditures: Salaries & Employee Benefits, Services & Supplies, Technology and Capital. He provided a summary of the major variances in expense categories within each major expenditure as outlined in the letter. In addition, Mr. Solis stated that the cost of the office remodel was within the overall expense budget category, and that only a small portion of the contingency for the office remodel is anticipated to be used.

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

MOTION: Receive and File.

Moved by Sedell, seconded by Bennett

Vote: Motion carried

Yes: Ashby, Bennett, Goulet, Roberts, Sedell, Wilson

No: -

Absent: Hintz, Winter

Abstain: -

Chair Wilson asked for a quick update on the status of the remodel.

Ms. Webb informed the Board that the remodel was essentially completed, except for the Board Room which was recently painted and carpeted. She said that staff was pleased with the outcome of the remodel, and Ms. Oliver and Mr. Vencel had done an outstanding job in overseeing the project, as well as the contracted project manager. Staff anticipated that Board meetings could return to VCERA's Board Room again in April.

C. Request for Authorization and Designation of Trustee On-Site Due Diligence Visit to Western Asset Management Company.

**RECOMMENDED ACTION: Approve.**

1. Staff Letter by C.I.O., Dan Gallagher.

Mr. Gallagher noted that it had been three years since the last due diligence visit to Western Asset Management Company's headquarters, and that a visit to that manager was next in line on the Board's approved on-site due diligence calendar.

Ms. Webb said that she had not yet attended a due diligence visit, believe this particular one would be a good opportunity, particularly given the close proximity and the lower cost.

Trustee Goulet asked staff how long the meeting with the investment manager would be.

Mr. Gallagher estimated the meeting would be about 3 to 4 hours.

Trustee Goulet indicated he might be interested in attending.

Chair Wilson also said that he might also like to attend.

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

MOTION: Approve the Recommendation to Authorize the Retirement Administrator, General Counsel; and Up to 2 Trustees to Attend the Due Diligence Visit with Western Asset Management Company Including any Corresponding Costs.

Moved by Sedell, seconded by Bennett

Vote: Motion carried

Yes: Ashby, Bennett, Goulet, Roberts, Sedell, Wilson

No: -

Absent: Hintz, Winter

Abstain: -

D. Request for Trustee Roberts to Attend the CALAPRS Principles of Pension Governance for Trustees, Pepperdine University, August 25 - 28, 2020.

**RECOMMENDED ACTION: Approve.**

1. Staff Letter.
2. General Course Overview.
3. 2019 Training Brochure.

MOTION: Approve

Moved by Goulet, seconded by Ashby

Vote: Motion carried

Yes: Ashby, Bennett, Goulet, Roberts, Sedell, Wilson

No: -

Absent: Hintz, Winter

Abstain: -

**IX. INFORMATIONAL**

A. Western Asset Management Company Notice.

Mr. Gallagher said that Legg Mason, the parent company of Western Asset Management Company (WAMCO), was being acquired by Franklin Templeton. Because of the outsized importance of WAMCO to the acquisition, he did not expect any negative impacts to WAMCO in the foreseeable future.

Mr. Martin agreed, saying he did not anticipate any negatives, though that it was a complicated transaction NEPC would be watching the transition closely.

Trustee Bennett left the meeting at 11:24 am.

**X. PUBLIC COMMENT**

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None.

**XI. STAFF COMMENT**

Ms. Webb said that staff would be finalizing the summary of Trustee education hours, asked if any trustees had attended any relevant training to provide the training information to staff know so it could be added before the summary was finalized and posted.

Mr. Gallagher said that Brookfield Infrastructure Fund IV had acquired an interest in Genessee & Wyoming which owns and operates a short-haul railroad line in Ventura County. Brookfield had offered a short, informal tour of the rail line to the Board, though only a maximum of four trustees could attend so that the number did not constitute a quorum. He asked the trustees interested to contact him.

**XII. BOARD MEMBER COMMENT**

None.

**XIII. ADJOURNMENT**

The meeting was adjourned at 11:34 a.m.

Respectfully submitted,



\_\_\_\_\_  
LINDA WEBB, Retirement Administrator

Approved,

\_\_\_\_\_  
WILLIAM W. WILSON, Chairman



March 09, 2020

Board of Retirement  
Ventura County Employees' Retirement Association  
1190 South Victoria Avenue, Suite 200  
Ventura, CA 93003

**SUBJECT: BOARD EDUCATION COMPLIANCE REPORT FOR 2019**

Dear Board Members:

Per Government Code Section 31522.8, the Board has an education policy that requires trustees to receive at least 24 hours of Board member education during the first two years after becoming a trustee, and during each subsequent two-year period. The code further requires the Board to maintain a record of compliance and to post the information annually on the website.

Provided is a summary of the Board's education compliance for 2019 with this information. Most Trustees have a current measurement period of January 1, 2019 through December 31, 2020, with a few exceptions.

**RECOMMENDED ACTION: RECEIVE AND FILE COMPLIANCE REPORT FOR 2019 AND AUTHORIZE STAFF TO POST TO WEBSITE IN COMPLIANCE WITH GOVERNMENT CODE SECTION 31522.8**

VCERA staff will be pleased to respond to any questions you may have on this matter at the March 9, 2020 disability meeting.

Sincerely,

Linda Webb  
Retirement Administrator



**VCERA Board of Retirement  
Annual Education Compliance Report  
Calendar Year 2019**

<b>Trustee Name</b>	<b>Board Position</b>	<b>Deadline to Complete 24 Education Hours</b>	<b>Education Hours Completed During Current Two-Year Period</b>	<b>Remaining Education Hours Required by Deadline</b>
Steven Hintz	Treasure (Ex Officio)	Dec. 31, 2020	15.50	8.50
Craig Winter	General Member 1	Dec. 31, 2020	0.00	24.00
Jordan Roberts	General Member 2	Oct. 21, 2021	20.50	3.50
William Wilson	Appointed Member 1	Dec. 31, 2020	2.50	22.50
Steve Bennett	Appointed Member 2	Dec. 31, 2020	2.50	22.50
Michael Sedell	Appointed Member 3	Dec. 31, 2020	40.50	0.00
Robert Ashby	Safety Member	Jul. 1, 2021	39.00	0.00
Arthur Goulet	Retired Member	Dec. 31, 2020	2.50	22.50
Wilbur Hoag	Alternate Retiree	Dec. 31, 2020	24.50	0.00

**Measurement Period Ends**

2020
  2021

Per Government Code Section 31522.8, and the Board of Retirement’s education policy, trustees are required to receive at least 24 hours of Board member education during the first two years after becoming a trustee, and during each subsequent two-year period.



March 9, 2020

Board of Retirement  
Ventura County Employees' Retirement Association  
1190 S. Victoria Avenue, Suite 200  
Ventura, CA 93003

**SUBJECT: SACRS VOTING DELEGATE FOR 2020 SPRING CONFERENCE**

Dear Board Members:

Staff recommends the appointment of a voting delegate and alternate voting delegate for the SACRS (State Association of County Retirement Systems) 2020 spring conference, scheduled for May 12 – 15, 2020 in San Diego.

As you are aware, each member system is expected to participate and vote at the SACRS Business Meeting on the last day of the conference. Staff will submit the voting proxy form to SACRS to reflect Board's direction.

Sincerely,



Linda Webb  
Retirement Administrator



EDELSTEIN GILBERT ROBSON & SMITH<sup>LLC</sup>

Donald B. Gilbert Michael R. Robson Trent E. Smith Jason D. Ikerd <sup>Associate</sup>

March 5, 2020

TO: State Association of County Retirement Systems

FROM: Mike Robson, Trent Smith, and Bridget McGowan, Edelstein Gilbert Robson & Smith, LLC

RE: **Legislative Update – March 2020**

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### **Overview**

The Legislature recently reached its first major legislative deadline of 2020, the bill introduction deadline on February 21. From January 6 to the February 21, over 2,200 bills were introduced between the Assembly and the Senate. A large proportion of the introduced bills are “spot bills,” which are bills that are introduced as placeholders until the author can finalize language to amend into the bill. These bills must be amended with more substantive language in the coming weeks before being referred to committee for a hearing.

All bills need to be in print for 30 days before being heard in a Committee so that the public and stakeholders have ample time to review the bills. Because of this, we will expect to see committee hearings start to ramp up at the end of March. Spot bills, however, can be amended with substantive language right up until they are set for committee, leaving a shorter window for review.

The Legislative Committee will begin the bill review process of the bills with substantive language. Led by the Committee’s co-chairs Eric Stern and Dave Nelsen, the Legislative Committee will read and analyze the bills that have been flagged for potential impact on CERL systems or indicate trends regarding retirement and pensions that could impact CERL systems down the road.

When the spot bills are amended with substantive language at the end of March, the Legislative Committee will complete another iteration of the bill review process and determine how or if any of the bills have an impact on SACRS members.

### **CERL Legislation**

**SB 783 (Committee on Labor, Public Employment and Retirement) – SACRS Sponsored Bill.** This cleanup bill makes technical changes to withdrawn employer liabilities, service purchase for parental leave, military leave, board approval of



retirements, 60-day advance application windows, reinstatement from retirement and lump sum payments for minimum age distribution.

This bill is in its second house and will likely be heard in the Spring.

**AB 2937 (Fong) - Nonservice-Connected Disability.** This bill would authorize a county board of supervisors to adopt a resolution that would remove the intemperate use of alcoholic liquor or drugs as a factor in the calculation of a nonservice-connected disability retirement allowance. The goal of the bill is to modernize the statute to reflect contemporary views of alcohol and drug addiction. If viewing alcohol and drug use from a disease perspective rather than a moral failure, the benefit limitation therefore would be discriminatory and financially punitive for that member.

The bill is authored by Assemblymember Vince Fong, a republican from the 34<sup>th</sup> Assembly District, which encompasses most of Kern County.

The bill was introduced on February 21.

### **Other Legislation**

The Legislature is focused on worker classification and independent contractors. Dozens of bills have been introduced on the subject this year, most of them from Republicans who are hostile towards AB 5 (Gonzalez) from last year. In summary, AB 5 codified the 2018 California Supreme Court “Dynamex Decision” and exempted industries who do not fall neatly under the court decision’s “ABC test” that classifies workers as employees or independent contractors. The goal was to ensure that workers are not being misclassified as independent contractors when they are operating like employees. We expect this issue to remain extremely contentious and dominate the conversation in the Legislature this year.

Also big on the legislative agenda is climate change. The Legislature is planning for the creation of climate resiliency bonds to mitigate the impacts of climate change on the state’s resources. If passed out of the Legislature, these would be placed on the ballot and considered by the public for a final vote.