

VENTURA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION

BOARD OF RETIREMENT

DISABILITY MEETING

JANUARY 8, 2024

MINUTES

**TRUSTEES
PRESENT:**

Aaron Grass, Chair, Elected Safety Member
Jordan Roberts, Vice Chair, Elected General Member
Greg Bergman, Elected General Member
Taylor Dacus, Appointed Member
Arthur E. Goulet, Elected Retired Member
Sue Horgan, Treasurer-Tax Collector
Tommie E. Joe, Appointed Member
Kelly Long, Appointed Member
Anthony Rainey, Appointed Member
Donald Brodt, Alternate Appointed Member
Maeve Fox, Alternate Elected Retired Member

**TRUSTEES
ABSENT:**

**STAFF
PRESENT:**

Amy Herron, Retirement Administrator
Rick Santos, Interim Retirement Administrator/Consultant
Lori Nemiroff, General Counsel
Dan Gallagher, Chief Investment Officer
La Valda Marshall, Chief Financial Officer
Leah Oliver, Chief Technology Officer
Josiah Vencel, Public Information Officer
Erika Herincx, Retirement Benefits Manager
Brian Owen, Sr. Information Technology Specialist
Michael Sanchez, Sr. Information Technology Specialist
Chris Ayala, Program Assistant

PLACE:

Ventura County Employees' Retirement Association
Second Floor, Boardroom
1190 S. Victoria Avenue, Suite 200
Ventura, CA 93003

TIME:

9:00 a.m.

ITEM:

I. CALL TO ORDER

A. Roll Call.

Chair Grass called the Disability Meeting of January 8, 2024, to order at 9:00 a.m.

Roll Call:

Trustees Present: Greg Bergman, Donald Brodt, Taylor Dacus, Maeve Fox, Aaron Grass, Art Goulet, Sue Horgan, Tommie Joe, Kelly Long, Anthony Rainey, Jordan Roberts

Trustees Absent:

B. Oath of Office to be Administered to Greg Bergman, Taylor Dacus, and Maeve Fox.

Mr. Ayala explained that Trustees Grass and Goulet had been re-elected to the Board of Retirement and so they would also be taking the Oath of Office along with the other newly appointed and elected trustees on the agenda.

Mr. Ayala then administered the Oath of Office to Trustees Bergman, Dacus, Fox, Grass and Goulet.

II. APPROVAL OF AGENDA

MOTION: Approve.

Moved by Roberts, seconded by Goulet

Vote: Motion carried

Yes: Bergman, Dacus, Goulet, Horgan, Joe, Long, Rainey, Robert, Grass

No: -

Absent: -

Abstain: -

III. CONSENT AGENDA

Notice: Any item appearing on the Consent Agenda may be moved to the Regular Agenda at the request of any Trustee who would like to propose changes to or have discussion on the item.

A. Receive and File Pending Disability Application Status Report.

B. Approve Disability & Business Meeting Minutes of December 18, 2023.

C. Application for Service-connected Disability Retirement – O’Shea, Dennis; Case No. 22-001. (New Model) (Fire)

1. Staff Recommendation to Grant the Application for Service-connected Disability Retirement, dated December 29, 2023.

2. Supporting Documentation for Staff Recommendation.

3. Application for Service-connected Disability Retirement, filed by Applicant's Attorney, Michael Treger, dated January 11, 2022.
 4. Hearing Notice, dated December 29, 2023.
- D. Notice of Action by Chair to Expand Scope of Ad-Hoc Benefit and Compensation Committee.
1. Letter from Board Chair.

Chair Grass said that the Board would be pulling item D., "Notice of Action by Chair to Expand Scope of Ad-Hoc Benefit and Compensation Committee" from the agenda for discussion. He also noted that there was a typo on the last page of item B., "Approve Disability & Business Meeting Minutes of December 18, 2023", which indicated that the board meeting had adjourned at 3:04 a.m., and should be changed to 3:04 p.m.

MOTION: Approve Consent Agenda Items, A., B, and C, with an Amendment to Item B.

Moved by Sue Horgan seconded by Kelly Long

Yes: Grass, Goulet, Horgan, Joe, Long, Rainey, Bergman, Dacus, Roberts

No: -

Absent: -

Abstain: -

Chair Grass said that for item D., "Notice of Action by Chair to Expand Scope of Ad-Hoc Benefit and Compensation Committee", he would like to add VCERA's Chief Technology Officer (CTO) position to the Market-Based Study, since the Board was working to have the position added to the other 5 executive positions with district status.

Trustee Rainey said that he would like to have a classification study added into the Market-Based Study to help in determining why the compensation for certain positions was unique to the VCERA positions and would help to justify the compensation of certain positions.

Trustee Goulet said that he disagreed with that request because the classifications were established by law and so the Board was unable to change them, and those were the classifications that would be compared.

Chair Grass then said that the Board has discussed the issue in the past and that he believed that the classification study was included in the previous market-based study, even though it was not specified in that report. He suggested that they add the CTO position to the market-based study and that the report also clarify the position descriptions.

MOTION: Receive and File Consent Agenda Item D and Include the Chief Technology Officer to the Market-Based Study, along with Descriptions of the Classifications for the VCERA Employees.

Moved by Long, seconded by Roberts

Vote: Motion carried

Yes: Bergman, Dacus, Goulet, Horgan, Joe, Long, Rainey, Robert, Grass

No: -

Absent: -

Abstain: -

IV. **APPLICATIONS FOR DISABILITY RETIREMENT**

None.

V. **OLD BUSINESS**

A. Post-Retirement Health Insurance Premiums.
RECOMMENDED ACTION: Receive and File.

1. Letter from Chair of Finance Committee.

Trustee Goulet presented the agenda item to the Board, as the Chair of the Finance Committee. He also explained the potential actions that the Board could take on the item.

Trustee Long noted that the Finance Committee had brought the item to the Board with a recommendation to continue paying the Post-Retirement Health Insurance Premiums for the eligible employees that retire from VCERA. She then asked General Counsel if they could Receive and File the agenda item and then direct staff to continue to pay the premiums or to work with the County to solve the dilemma that was discovered.

Ms. Nemiroff said she believed they had two options, one was to receive and file the item and staff would continue the current practice, which was the last department or agency that the employee was employed with, before they retired, would pay for the entire benefit. The second option would be to adopt the recommendation that we continue to pay for the benefit, as VCERA had historically been doing, but either one would accomplish the same thing.

MOTION: Receive and File.

Moved by Horgan, seconded by Joe

Vote: Motion carried

Yes: Bergman, Dacus, Horgan, Joe, Long, Rainey, Robert, Grass

No: Goulet

Absent: -

Abstain: -

B. 2024 Board of Retirement Meeting Calendar Options.
RECOMMENDED ACTION: Approve.

1. Staff Letter from Retirement Administrator.
2. Calendar Option 1 – “Hybrid” (Current).
3. Calendar Option 2 – “Last Monday”.
4. Calendar Option 3 – “Two-Per-Month”.
5. Calendar Option 4 – “One-Per-Month”.

Ms. Herron presented the agenda item to the Board for their consideration.

Trustee Long said that it was her understanding that in the past the Board had been able to back date the payments for disability cases that were granted by the Board because it was essential that they paid the members, however, if they held their meetings only once a month, would it cause any problems.

Mr. Vencel replied that it would not pose a problem because under the current hybrid calendar it could take up to six weeks for disability cases to be brought to the Board, but if the meetings were held once a month, then it would only be four weeks between disability meetings. Also, the main question was if they could get them on payroll in the same month they were granted, and if they were approved early in the month, VCERA could put them on payroll that same month, however, if it was approved in the middle or end of the month and then the member would put on payroll the following month, but they would not be without pay.

Trustee Goulet said he would personally prefer two meetings a month with the option of canceling one of them if there was no business to conduct in the second meeting. He also felt that the hybrid calendar had worked well, since the Board always had the option of calling another meeting if necessary, and although he was sympathetic to the fact that staff needed time to get the agenda completed, he believed the Board meetings would run long whenever there was a combined meeting.

Trustee Joe said that although he was also sympathetic to staff, he would also prefer two meetings a month especially since it also took a lot of time for the Trustees to review the agenda materials.

Ms. Herron added that there was a previous request or thought that staff may be able to provide the agenda materials to the Board 5 days before a Board meeting, to allow the Trustees more time to review the items, and she believed that if the Board were to move to a one meeting a month calendar, then staff may be able to accommodate that request, since it was very difficult to do when there were 2 meetings in a month.

MOTION: Approve Staff's Recommendation to Adopt the "One-Per-Month" Board Meeting Calendar.

Moved by Horgan, seconded by Rainey

Vote: Motion carried

Yes: Bergman, Dacus, Horgan, Long, Rainey, Robert, Grass

No: Goulet, Joe

Absent: -

Abstain: -

VI. NEW BUSINESS

A. Ratification of Appointment of Amy Herron to the Position of Retirement Administrator;
Report on Salary and Benefits Terms.

RECOMMENDED ACTION: Approve.

1. Letter from Board Chair.

Chair Grass presented the agenda item to the Board for their consideration.

Trustee Goulet noted that the letter from the Chair contained a typo stating that a General Salary Increase (GSI) of 4% would be included effective 2/24/23, but the GSI was actually scheduled for 12/24/23.

MOTION: Ratify Appointment of Ms. Herron to the Position of Retirement Administrator, Effective January 7, 2024, on the Approved Terms, as Amended for the Correction of the Effective Date of the GSI.

Moved by Horgan, seconded by Rainey

Vote: Motion carried

Yes: Bergman, Dacus, Goulet, Horgan, Joe, Long, Rainey, Robert, Grass

No: -

Absent: -

Abstain: -

B. Approval of Sole Source Selection of Human Resource Consultant.

RECOMMENDED ACTION: Approve.

1. Letter from Chair of the Ad Hoc Benefits & Compensation Committee.

Trustee Goulet presented the item to the Board as the Chair of the Ad Hoc Benefits & Compensation Committee.

MOTION: Approve Sole Search Selection of Ralph Anderson & Associates to Conduct a Market-Based Study for VCERA's 5 Executive Employees, Subject to Negotiations with the Ad Hoc Benefits & Compensation Committee and Final Approval and Authorization from the Board for the Retirement Administrator to Execute the Contract.

Moved by Goulet, seconded by Rainey

Vote: Motion carried

Yes: Bergman, Dacus, Goulet, Horgan, Joe, Long, Rainey, Robert, Grass

No: -

Absent: -

Abstain: -

C. Request for Three New Fixed-Term (FT) Full-Time Equivalent (FTE) Staff Positions to Backfill Existing Alameda Project FT Positions Filled with Promoted Existing Staff.

RECOMMENDED ACTION: Approve.

1. Staff Letter from Retirement Administrator.

Ms. Herron presented the agenda item to the Board for their consideration.

MOTION: Approve Staff's Recommendation to Approve Three New Fixed-Term, Full-Time Equivalent Staff Positions to Backfill Existing Alameda Project (FT) Positions Filled with Promoted Existing Staff.

Moved by Joe, seconded by Rainey

Vote: Motion carried

Yes: Bergman, Dacus, Goulet, Horgan, Joe, Long, Rainey, Robert, Grass

No: -

Absent: -

Abstain: -

- D. Update to VCERA Management Employees Resolution for 401(k) Contribution.
RECOMMENDED ACTION: Approve.

1. Staff Letter from Retirement Administrator.
2. Proposed VCERA Management Employees Resolution (Redline).
3. Proposed VCERA Management Employees Resolution (Clean).

Ms. Herron presented the agenda item to the Board for their consideration.

Trustee Goulet noted a typo in article 5 of section 503(c), which stated, "45 years and old", which he believed should say "older".

Ms. Nemiroff added that staff was proposing to put additional language in the resolution as section 1301(b) and move the existing (b) to (c). The staff letter stated that it was 1301(c), so just for the clarification, the new section would be 1301(b).

MOTION: Approve Staff's Recommendation to Approve Updated VCERA Management Employees Resolution, with Amendments.

Moved by Rainey, seconded by Roberts

Vote: Motion carried

Yes: Dacus, Goulet, Horgan, Joe, Long, Rainey, Robert, Grass

No: -

Absent: -

Abstain: Bergman

- E. Authorization for Retirement Administrator to Attend the CALAPRS General Assembly March 2-5, 2024 in Rancho Mirage, CA.
RECOMMENDED ACTION: Approve.

1. Staff Letter from Retirement Administrator.
2. CALAPRS General Assembly Program.
3. CALAPRS General Assembly 2023 Registration & Topics.

Ms. Herron presented the agenda item to the Board for their consideration.

Trustee Horgan commented that this agenda item probably could have been put on the Consent Agenda.

MOTION: Approve Authorization for Retirement Administrator to Attend the CALAPRS General Assembly March 2-5, 2024 in Rancho Mirage, CA.

Moved by Goulet, seconded by Joe

Vote: Motion carried

Yes: Bergman, Dacus, Goulet, Horgan, Joe, Long, Rainey, Robert, Grass

No: -

Absent: -
Abstain: -

F. Annual Appointment of Ad Hoc Personnel Review Committee for 2024.
RECOMMENDED ACTION: Authorize.

1. Staff Letter from Retirement Administrator.
2. VCERA Senior Manager's Performance Evaluation Policy.

Chair Grass said that Trustees Joe and Brodt had already indicated to him that they were interested in being appointed to the Ad Hoc Personnel Review Committee for 2024, and therefore, he just needed one more trustee to volunteer.

Trustee Dacus stated that he would also like to volunteer to join the committee.

Chair Grass then appointed Trustees Joe, Brodt and Dacus to the Ad Hoc Personnel Review Committee for 2024 and would also appoint Trustee Joe as the chair of that committee, since he had previously served on the committee a couple of years ago.

VII. INFORMATIONAL

None.

VIII. PUBLIC COMMENT

None.

IX. STAFF COMMENT

Mr. Ayala informed the Board that the election notices for the Board of Retirement's Alternate Safety Member Election were sent out to the safety members in the Fire Suppression group, according to the Board's *Appointment & Election of Trustees Policy*.

Ms. Herron said that VCERA had recently hired a new Retirement Benefits Manager, Erika Herincx, who had started today. Staff was also currently working on filling some Fixed-Term positions as well as a few other positions that were previously approved by the Board (including the Investment Officer and the Public Information Officer), and the recruitment for VCERA's COO position would also be opening soon.

Mr. Santos provided an update to the Board on the status of getting legislation to have the CTO position changed to a VCERA position, with district status.

Ms. Herron also updated the Board on the Safe Harbor Service Credit Purchase (SCP) issue regarding the request made to the County to obtain a tax qualification letter from the IRS so that SCPs could be made during active employment, rather than employees having to wait until termination to refund their Safe Harbor account and then purchase the time with VCERA before retiring (which could cause a delay of one to two months between termination and retirement). The County requested an actuarial study. VCERA offered to pay for the study, but the County's Supplemental Retirement Plan (SRP) Committee was unable to authorize payment for it, so they will be going to the County Board of Supervisors to request funding.

X. BOARD MEMBER COMMENT

Trustee Horgan thanked Chair Grass, Mr. Santos, and Mrs. Herron for streamlining the agenda, which were good changes that would make them more efficient and effective as a board.

Trustee Brodt welcomed New Trustees Bergman, Dacus, and Fox to the Board, and for their willingness to serve. He also congratulated Ms. Herron on her appointment as the new Retirement Administrator. He then asked if staff could provide a new contact list to the Board members, since there has been a lot of transition on the Board recently. He also asked if staff could reach out to the County to inform them that according to the Board's actions today, VCERA planned to continue to pay for the Post-Retirement Health Insurance Premiums for its employees that retire.

Trustee Roberts also thanked the new trustees for their willingness to serve on the Board, since it was nice to see a full board.

Trustee Long commented that although there was a lot going on last year with the Alameda Decision and their staffing needs, including the recruitment for the Retirement Administrator, she believed that VCERA was continuing to move forward. She also wanted to thank staff for their work and Chair Grass for his leadership.

XI. ADJOURNMENT

The Chair adjourned the meeting at 10:13 a.m.

Respectfully submitted,



AMY HERRON, Retirement Administrator

Approved,



AARON GRASS, Chair