

VENTURA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION

BOARD OF RETIREMENT

DISABILITY MEETING

JULY 12, 2021

MINUTES

**TRUSTEES
PRESENT:**

Mike Sedell, Chair, Public Member
Arthur E. Goulet, Vice-Chair, Retiree Member
Steven Hintz, Treasurer-Tax Collector
Jordan Roberts, General Employee Member
Cecilia Hernandez-Garcia, General Employee Member
Aaron Grass, Safety Employee Member
Tommie E. Joe, Public Member
Sim Tang-Paradis, Public Member
Robert Ashby, Alternate Safety Employee Member
Will Hoag, Alternate Retiree Member

**TRUSTEES
ABSENT:**

Kelly Long, Public Member

**STAFF
PRESENT:**

Linda Webb, Retirement Administrator
Lori Nemiroff, General Counsel
Henry Solis, Chief Financial Officer
Leah Oliver, Chief Technology Officer
Josiah Vencel, Retirement Benefits Manager
Brian Owen, Sr. Information Technology Specialist
Jess Angeles, Communications Officer
Chris Ayala, Program Assistant

PLACE:

In Accordance with the Governor's Executive Order N-29-20 (3), the Members of the Board will be participating via teleconference. Pursuant to Government Code §54954.3, members of the public, to the extent required by law, will have the opportunity to directly address the Board concerning the below mentioned business.

TIME:

9:00 a.m.

ITEM:

I. CALL TO ORDER

Chair Sedell called the Disability meeting of July 12, 2021, to order at 9:00 a.m.

II. APPROVAL OF AGENDA

MOTION: Approve.

Moved by Roberts seconded by Joe

Vote: Motion carried

Yes: Grass, Goulet, Hintz, Joe, Roberts, Tang-Paradis, Sedell

No: -

Absent: Hernandez-Garcia, Long

Abstain: -

III. APPROVAL OF MINUTES

A. Disability Meeting of June 7, 2021.

Ms. Webb noted that the June 7 minutes had been on the previous agenda, but approval had been inadvertently skipped.

MOTION: Approve.

Moved by Hintz seconded by Goulet

Vote: Motion carried

Yes: Grass, Goulet, Hernandez-Garcia, Hintz, Joe, Roberts, Tang-Paradis, Sedell

No: -

Absent: Long

Abstain: -

B. Business Meeting of June 21, 2021.

Trustee Goulet provided a correction to the minutes, noting it was actually Trustee Hoag who suggested the Board adjourn in memory of Mr. Harris.

Trustee Hintz left the meeting at 9:03 a.m., before the vote on the item.

MOTION: Approved Revised Minutes for Business Meeting of June 21, 2021.

Moved by Goulet seconded by Grass

Vote: Motion carried

Yes: Grass, Goulet, Hernandez-Garcia, Joe, Roberts, Tang-Paradis, Sedell

No: -

Absent: Hintz, Long

Abstain: -

IV. RECEIVE AND FILE PENDING DISABILITY APPLICATION STATUS REPORT

MOTION: Receive and File.

Moved by Goulet seconded by Roberts

Vote: Motion carried

Yes: Grass, Goulet, Hernandez-Garcia, Hintz, Joe, Roberts, Tang-Paradis, Sedell

No: -

Absent: Hintz, Long

Abstain: -

V. APPLICATIONS FOR DISABILITY RETIREMENT

A. Application for Service-connected Disability Retirement—Pugh, Chandra; Case No. 19-035.

1. Employer's Statement of Position, submitted by County of Ventura-Risk Management, in support of the Application for Service-connected Disability Retirement, dated June 1, 2021.
2. Supporting Documentation for Employer's Statement of Position.
3. Application for Service-connected Disability Retirement, filed by Thomas Wicke, Attorney for Applicant, dated December 16, 2019.
4. Hearing Notice, dated June 23, 2021.

Catherine Laveau was present on behalf of County of Ventura-Risk Management. Josiah Vencel was present on behalf of VCERA. Thomas Wicke, Attorney at Law, was present on behalf of applicant, Chandra Pugh, who was not present.

Mr. Wicke made a brief summary statement.

Ms. Catherine Laveau also made a brief summary statement.

Trustee Hintz returned to the meeting at 9:08 a.m., before the vote on the item.

MOTION: Approve the Application for Service-connected Disability Retirement.

Moved by Goulet seconded by Grass

Vote: Motion carried

Yes: Grass, Goulet, Hernandez-Garcia, Hintz, Joe, Roberts, Tang-Paradis, Sedell

No: -

Absent: Long

Abstain: -

B. Application for Nonservice-connected Disability Retirement—Clark, Jessica; Case No. 20-024.

1. Staff Recommendation to Grant the Application for Nonservice-connected Disability Retirement, dated July 6, 2021.

2. Supporting Documentation for Staff Recommendation.
3. Application for Nonservice-connected Disability Retirement, filed by Applicant, dated December 17, 2020.
4. Hearing Notice, dated July 7, 2021.

Ms. Webb noted that this was the first disability retirement case under VCERA's new model.

Josiah Vencel was present on behalf of VCERA. The applicant, Jessica Clark, was also present.

Mr. Vencel made a brief summary statement.

Ms. Clark declined to make a statement.

MOTION: Approve the Application for Nonservice-connected Disability Retirement.

Moved by Roberts seconded by Tang-Paradis

Vote: Motion carried

Yes: Grass, Goulet, Hernandez-Garcia, Hintz, Joe, Roberts, Tang-Paradis, Sedell

No: -

Absent: Long

Abstain: -

VI. OLD BUSINESS

- A. None.

VII. NEW BUSINESS

- A. Recommendation to Approve Application for Reinstatement to Active Membership Pursuant to GC 31680 & 31680.5 – Roth, Michele A.

RECOMMENDED ACTION: Approve.

1. Staff Letter.
2. Request from Ms. Roth.
3. Offer of Employment.
4. Medical Clearance.

Ms. Webb made a brief introductory statement regarding the request for reinstatement to active VCERA membership from Ms. Michele A. Roth.

Trustee Goulet asked if he was correct in assuming that the next portion of Ms. Roth's service would be as a PEPR member.

Ms. Nemiroff replied no, because Ms. Roth was formerly a legacy member she would be reinstated into the legacy tier that was in effect on December 31, 2012.

MOTION: Approve Application for Reinstatement to Active Membership for Michele A. Roth.

Moved by Grass seconded by Hintz

Vote: Motion carried

Yes: Grass, Goulet, Hernandez-Garcia, Hintz, Joe, Roberts, Tang-Paradis, Sedell

No: -

Absent: Long

Abstain: -

B. Recommendation to Approve Payment for Waiver of Recourse, Fiduciary Liability Insurance, FY 2021/22.

RECOMMENDED ACTION: Approve.

1. Staff Letter.

2. Binder of Insurance.

Ms. Webb gave a short explanation of what the Waiver of Recourse was, and the nominal cost to the trustees for the insurance, as it could not be paid from VCERA assets.

Trustee Goulet said he had a concern regarding the insurance, noting he had not seen the policy. He asked whether or not a trustee would be covered by the policy if one of them intentionally violated the law.

Ms. Nemiroff said she preferred to thoroughly research the question before answering, so she would have to get back to him with the answer.

Trustee Goulet said that he was fine with Ms. Nemiroff's suggestion because he wanted a written opinion on that issue.

Chair Sedell agreed with this suggestion.

Ms. Nemiroff then said she may need to consult with Mr. Vorhis at Nossaman, LLP, as he was VCERA's insurance expert and had assisted VCERA with other insurance issues in the past.

MOTION: Approve.

Moved by Roberts seconded by Hintz

Vote: Motion carried

Yes: Grass, Goulet, Hernandez-Garcia, Hintz, Joe, Roberts, Tang-Paradis, Sedell

No: -

Absent: Long

Abstain: -

VIII. INFORMATIONAL

A. SACRS Legislative Update – July 2021.

Chair Sedell asked Trustee Goulet if he had comments on the Legislative Update from SACRS, given he was on SACRS Legislation Committee.

Trustee Goulet said he believed that the Board had received the latest update on AB 826 and the hearing for the Committee on Labor, Public Employment and Retirement was today.

IX. PUBLIC COMMENT

None.

X. STAFF COMMENT

Ms. Oliver announced that she had won the election for the West Coast District Director position on the Public Retirement Information Systems Management (PRISM) Board. She said it was also an excellent opportunity for VCERA because it gave the organization the opportunity to network and interact with I.T. professionals from other systems as well as build relationships throughout the industry. She thanked both the Board and Ms. Webb for their support in her running for the position.

Ms. Webb said that staff had returned to the office on a “staggered” schedule and the office was also open a few days a week for member appointments, while following all of the precautions and guidelines associated with COVID-19. Regarding the Alameda Decision, she had distributed the initial committee report on the bill sponsored by SEIU and supported by the County of Ventura that was specifically related to the “Flex Credit” issue. Lastly, staff was also working on the recruitment for the vacant Chief Operations Officer position and planned to provide an update on the recruitment at the next Board meeting.

XI. BOARD MEMBER COMMENT

Trustee Goulet noted that the Board had not received a recommendation on the advance payment discount that VCERA provides to the County for a lumpsum payment for employer contributions at the beginning of each fiscal year. Therefore, he was requesting a report with a recommendation on the discount rate that should be given to the County for the subsequent fiscal year.

Chair Sedell said that staff could put an item for Trustee Goulet’s request on a future agenda for the Board to consider.

Trustee Goulet then said that although staff did not need to place an item for it on agenda right away, it should be brought to the Board early enough, as it had the potential to impact the County’s budget.

Ms. Webb said staff would bring the report to the Board before the end of the calendar year.

MOTION: Adjourn the Disability Meeting of July 12, 2021.

Moved by Hintz seconded by Goulet

Vote: Motion carried

Yes: Grass, Goulet, Hernandez-Garcia, Joe, Roberts, Tang-Paradis, Sedell

No: -

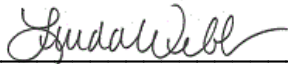
Absent: Hintz, Long

Abstain: -

XII. ADJOURNMENT

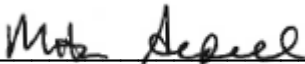
The Chair adjourned the meeting at 9:36 a.m.

Respectfully submitted,



LINDA WEBB, Retirement Administrator

Approved,



MIKE SEDELL, Chair