

**ORANGE COUNTY EMPLOYEES RETIREMENT SYSTEM  
BOARD OF RETIREMENT  
2223 E. WELLINGTON AVENUE, SUITE 100  
SANTA ANA, CALIFORNIA**

**REGULAR MEETING  
Monday, October 16, 2017  
9:00 a.m.**

**MINUTES**

Chair Ball called the meeting to order at 8:59 a.m.

Attendance was as follows:

Present: David Ball, Chair; Chris Prevatt, Vice Chair; Eric Gilbert, Chuck Packard, Russell Baldwin, Wayne Lindholm, Shawn Dewane, Roger Hilton; Frank Eley and Shari Freidenrich

Also Present: Steve Delaney, Chief Executive Officer; Brenda Shott, Assistant CEO, Finance and Internal Operations; Suzanne Jenike, Assistant CEO, External Operations; Molly Murphy, Chief Investment Officer; Jenny Sadoski, Director of Information Technology; Gina Ratto, General Counsel; Lee Fink, Deputy General Counsel; Anthony Beltran, Visual Technician; Megan Cortez; Disability Coordinator; Cammy Danciu, Recording Secretary.

Guests: Paul Angelo and Harvey Leiderman

*Mr. Hilton led the Pledge of Allegiance.*

*Mr. Dewane recognized all first responders for a job well done with fighting the Canyon Fire 2 that occurred in Anaheim Hills, Orange and Tustin, CA.*

**CONSENT AGENDA**

All matters on the Consent Agenda are to be approved by one action unless a Board Member or a member of the public requests separate action on a specific item.

Item C-13 was pulled for discussion.

*Mr. Packard and Mr. Gilbert arrived at 9:05a.m.*

*Ms. Freidenrich arrived at 9:07a.m.*

*Mr. Prevatt arrived at 9:12a.m.*

Following discussion, a **motion** was made by Mr. Hilton **seconded** by Mr. Eley to move the remainder of the consent calendar.

The motion carried **unanimously**.

<b>BENEFITS</b>
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**C-1 MATERIAL DISTRIBUTED**

Application Notices	October 15, 2017
Death Notices	October 15, 2017

**Recommendation:** Receive and file.

**C-2 OPTION 4 RETIREMENT ELECTION**

**Recommendation:** Grant election of retirement benefit payment, Option 4, based on Segal Consulting's actuarial report.

(1) Darren Sandberg

**C-3 RETIREE REQUEST TO BE REINSTATED – NIGEL BOURNE**

**Recommendation:** Reinstate Mr. Bourne as an active member under the provisions of Government Code Section 31680.4 and 31680.5.

<b>ADMINISTRATION</b>
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**C-4 BOARD MEETINGS AND COMMITTEE MEETINGS**

Board Meeting Minutes	August 21, 2017
Audit Committee Minutes	August 30, 2017
Governance Committee Minutes	September 5, 2017

**Recommendation:** Authorize meeting and approve minutes.

**C-5 CEO FUTURE AGENDAS AND 2017 OCERS BOARD WORK PLAN**

**Recommendation:** Receive and file.

**C-6 AUDIT COMMITTEE OUTCOMES FROM AUGUST 30, 2017 MEETING**

**Recommendation:**

The Audit Committee recommends that the Board of Retirement approves:

- (1) Receive and file the Audit of V3 Data Conversion and Key Reports.
- (2) Receive and file the Audit of OCERS' Reciprocity Process.

- (3) Receive and file the Annual Internal Control Self-Assessment by Management.
- (4) Receive and file the Status of Internal Audits and Audit Projects.

**C-7 GOVERNANCE COMMITTEE OUTCOMES FROM SEPTEMBER 5, 2017 MEETING**

**Recommendation:**

The Governance Committee recommends that the Board of Retirement adopt:

- (1) Revisions to the Annual Disclosure Policy as approved by the Committee; and
- (2) Revisions to the OCERS Rules of Parliamentary Procedure as approved by the Committee.

**C-8 QUIET PERIOD – NON-INVESTMENT CONTRACTS**

**Recommendation:** Receive and file.

**C-9 LEGISLATIVE UPDATE**

**Recommendation:** Receive and file.

**C-10 THIRD QUARTER 2017 EDUCATION AND TRAVEL EXPENSE REPORT**

**Recommendation:** Receive and file.

**C-11 SEPTEMBER 13-14, 2017 STRATEGIC WORKPLAN SUMMARY**

**Recommendation:** Receive and file.

**C-12 REPORT ON LOUISIANA ASSOCIATION OF RETIREMENT SYSTEM**

**Recommendation:** Receive and file.

**C-13 BOARD COMMUNICATIONS**

**Recommendation:** Receive and file.

**\*\*\*\*\* END OF CONSENT AGENDA \*\*\*\*\***

**INDIVIDUAL ITEMS AGENDA**

**I-1 INDIVIDUAL ACTION ON ANY ITEM TRAILED FROM THE CONSENT AGENDA**

Item C-13

Mr. Baldwin gave a brief summary of what he thought was the heart of the CALSTRS CIO article from the OCERS Board Communications memorandum.

Mr. Baldwin outlined three points:

1. CalPERS has increased their fund allocation to cash by 2.8 percent which in a fund their size is \$6 billion. OCERS staff should look into why they did this and if it should be something OCERS should do as well.
2. CalPERS partners with other funds in private equity investing, so as not to compete. They also have an allocation to infrastructure. This can lower fees as well as raise returns.
3. They have been ESG investing for decades and awareness of global warming as a risk and opportunity condition.

Following discussion, a **motion** was made by Mr. Baldwin **seconded** by Mr. Eley to approve item C-13 from the Consent Calendar.

The motion passes **unanimously**.

**I-2 HARASSMENT AND ABUSIVE CONDUCT PREVENTION TRAINING**

*Presentation by Oliver Yee, Partner, Liebert Cassidy Whitmore*

**Recommendation:** Receive and file.

OCERS' Trustee Education Policy requires Trustees to complete two hours of harassment prevention training every two years. (Gov. Code 12950.1) Harassment prevention is in addition to the 24 hour education requirement set forth in Gov. Code 31522.8.

The Board previously completed this training in May 2016. This session allowed the Board to be current with the education requirement. The training was presented by T. Oliver Yee from the law firm Liebert Cassidy Whitmore.

***The Board recessed for break at 10:13a.m.***

***The Board reconvened from break at 10:30a.m.***

Following discussion, a **motion** was made by Mr. Eley **seconded** by Mr. Lindholm to receive and file the Harassment and Abusive Conduct Prevention Training.

The motion carried **unanimously**.

**I-3 TRIENNIAL STUDY OF ACTUARIAL ASSUMPTIONS (CONTINUATION)**

*Presentation by Paul Angelo, Segal Consulting*

**Recommendation:** Take appropriate action.

Every three years OCERS engages the actuary to conduct an experience study. The current process involves comparing assumed to actual experience for the period of January 1, 2014 through December 31, 2016.

Mr. Angelo of Segal Consulting presented the final assumption options which will be used to set member and employer contribution rates first effective July 1, 2019.

***Mr. Eley excused himself at 1:28p.m.***

***Mr. Eley returned at 1:32p.m.***

Mr. Angelo first covered the demographic assumptions and recommended option B, Generational Approach - Headcount Weighted.

Mr. Hilton asked where the 20% margin came from as used in the other options.

Mr. Angelo stated the 20% number must be applied to static mortality tables in order to produce a cost that was comparable to generational mortality approach.

Mr. Hilton stated that there needs to be a different way to receive a better bigger pool for safety members. He doesn't believe that safety members live on average four years longer than general members.

Mr. Hilton stated he will have a "no" vote due to the small group size that is used when adjusting the tables for experience and the inaccuracy of the results from previous mortality tables used.

Mr. Rick Dostal from AOCDS was asked by President Tom Dominguez to read a letter into the record:

*Good afternoon Mr. Chairman and Board,*

*The actuary, Paul Angelo, presented three recommended options to the Board and all of which included changing to generational mortality. AOCDS does not agree with the recommendations, based on a lack of credible data on the new generational mortality rate table and because of the sporadic changes in these rates. We believe we should remain with static mortality tables, but with the most updated version, until generational tables are more accurate on life expectancy and give us a better long-terms prediction.*

*Of the three recommended options being presented to the OCERS Board of Directors, AOCDS recommends a three-year phase-in that gives the county and contract cities' better control of their budgets and reduces the impact to public safety. Public safety pensions are receiving the largest increases mostly due to new generational mortality tables and this will have the largest effect on police and fire services in these cities and the county. It's unfortunate that more contract cities are not present at the OCERS Board meeting to stress this point.*

*Sincerely,  
Tom Dominguez, President*

Following discussion, a **motion** was made by Mr. Prevatt **seconded** by Mr. Dewane to accept the recommendation for the use of the generational mortality –headcount weighted assumption along with the other recommended demographic assumptions.

The motion carried **8-1** with Mr. Hilton voting “No”.

Mr. Ball stated that the next part of the vote will deal with the Economic Assumptions.

Mr. Angelo recommends “Recommendation B”.

Current Assumptions (7.25% Return & 3.00% Inflation)	Recommendation A (7.00% Return & 3.00% Inflation)	Recommendation B (7.00% Return & 2.75% Inflation)	Recommendation C (6.75% Return & 2.75% Inflation)
<b>Impact on Average Employer Contributions</b>			
Change due to demographic assumptions	3.94%	3.94%	3.94%
Change due to economic assumptions	<u>4.00%</u>	<u>0.70%</u>	<u>4.08%</u>
Total change in employer rate	7.94%	4.64%	8.02%
Total estimated change in annual dollar amount (\$000s)	\$140,411	\$80,539	\$140,077
<b>Impact on Average Member Contributions</b>			
Change due to demographic assumptions	0.57%	0.57%	0.57%
Change due to economic assumptions	<u>1.04%</u>	<u>0.20%</u>	<u>1.02%</u>
Total change in member rate	1.61%	0.77%	1.59%
Total estimated change in annual dollar amount (\$000s)	\$28,559	\$13,232	\$27,567
<b>Impact on UAAL and Funded Percentage</b>			
Change in UAAL	\$1,404 million	\$763 million	\$1,385 million
Change in funded percentage	From 73.1% to 67.7%	From 73.1% to 70.1%	From 73.1% to 67.9%

Mr. Lindholm stated that he is concerned about the real rate of return and asked Molly Murphy to comment on the real rate of return.

Ms. Murphy stated that OCERS cannot predict the future. The best way to look at future predictions is to build a model and revisit, which in OCERS case is every three years, what is possible in the markets.

Following discussion, a **motion** was made by Mr. Prevatt **seconded** by Mr. Eley to approve Recommendation B submitted by Segal for the Economic Assumptions.

The motion carried **unanimously**.

Mr. Hilton asked if OCERS received any letters from the contract cities.

Mr. Delaney stated “No, there were no letters received from the contract cities.”

Mr. Angelo stated that Segal is agnostic regarding phasing in the costs of the new assumptions. Mr. Angelo stated that the County prefers two or three year phase-in and AOCDS stated a preference for a three year phase-in. Mr. Angelo also explained a new approach to phasing in costs related to a change in assumption. In the past, when OCERS has phased in costs related to a change in assumption, a phase in of the entire cost impact was done. This year he presented a new approach whereby only the cost of the UAAL impact is phased in and the cost impact on the Normal Cost portion of contributions is not.



**Cost to Phase-In Contribution Rate Impact  
Rec. B (7.00% / 2.75%) – Phase-in UAAL Impact Only**

Cumulative Cost Increase in UAAL Amortization			
Fiscal Year	Without Phase-in	With Two-year Phase-in	With Three-year Phase-in
2019/20	3.53%	1.77%	1.18%
2020/21	3.53%	3.65%	2.51%
2021/22 and later	3.53%	3.65%	3.77%

Cumulative Cost Increase (including Normal Cost impact = 1.11%)			
Fiscal Year	Without Phase-in	With Two-year Phase-in	With Three-year Phase-in
2019/20	4.64%	2.88%	2.29%
2020/21	4.64%	4.76%	3.62%
2021/22 and later	4.64%	4.76%	4.88%

A **motion** was made by Mr. Hilton **seconded** by Mr. Prevatt to approve the three year phase-in of just the UAAL portion of the cost impact, with a modification of the normal cost occurring in the next valuation.

Mr. Lindholm stated he would prefer a one year phase-in.

Mr. Ball asked when the demographic and economic date takes effect.

Mr. Angelo stated that there would be an eighteen month lag and that the date would be July 1, 2019.

Ms. Freidenrich supports a two year phase in but not a three year phase in.

A **substitute motion** was made by Ms. Freidenrich **seconded** by Mr. Lindholm for a two year phase-in for the UAAL portion of the cost impact only.

The motion **did not carry**.

The original **motion** by Mr. Hilton **seconded** by Mr. Prevatt for the three year phase-in of just the UAAL portion of the cost impact with the full modification of the normal cost happening in the next valuation **carried** 7-2 with Mr. Lindholm and Ms. Freidenrich voting "No".

***The Board recessed for break at 2:40p.m.***

***The Board reconvened for break at 2:53p.m.***

***Mr. Dewane excused himself for the day at 2:53p.m.***

**I-4 2018-2020 STRATEGIC PLAN**

*Presentation by Steve Delaney, Chief Executive Officer, OCERS*

**Recommendation:** Approve 2018-2020 Strategic Plan.

Mr. Delaney presented the new 2018-2020 Strategic Plan.

Mr. Delaney stated that there were no changes added to the Plan since the Strategic Planning workshop occurred on September 13-14, 2017.

A **motion** was made by Mr. Prevatt **seconded** by Mr. Lindholm to approve the 2018-2020 Strategic Plan as presented by staff.

The motion carried **unanimously**.

**I-5 2018 BUSINESS PLAN**

*Presentation by Steve Delaney, Chief Executive Officer, OCERS*

**Recommendation:** Approve 2018 Business Plan.

Mr. Delaney presented the 2018 Business Plan.

Mr. Delaney stated that there was one addition to the Plan since the Strategic Planning workshop occurred on September 13-14, 2017 which is Objective #6 under the *Business Plan Initiatives*: "Perform a comprehensive review of all employer pay items to determine pensionable attributes."

Mr. Delaney explained that under that goal, OCERS will conduct an extensive study of the component pieces of final average salary (FAS) and will ultimately produce a master document that will clarify every possible salary code being reported by employers and whether or not it is to be included in FAS.

A **motion** was made by Mr. Prevatt **seconded** by Mr. Ball to approve the 2018 Business Plan as presented by staff.

The motion carried **unanimously**.

***The Board adjourned into closed session for items E-1 and E-2 at 3:19p.m.***

***The Board reconvened from closed session at 3:34p.m.***

**I-6 PUBLIC RECORDS ACT – A REFRESHER**

*Presentation by Gina Ratto, General Counsel, and Robert Kinsler, Communications Manager, OCERS*

**Recommendation:** Receive and file.



The California Public Records Act (Act) was enacted by the State Legislature in 1968; and as an agency of local government, the Orange County Employees Retirement System is subject to the Act.

OCERS General Counsel, Gina Ratto, and Communications Manager Robert Kinsler, presented a brief summary of the provisions and basic requirements of the Act. Mr. Kinsler described OCERS' internal procedures for complying with the Act and statistical information regarding the number and types of requests OCERS receives.

***The Board recessed for break at 11:31a.m.***

***The Board reconvened from break at 11:32a.m.***

***The Board recessed for lunch at 12:23p.m.***

***The Board reconvened from lunch at 1:09p.m.***

After the scheduled lunch break, Mr. Kinsler and Ms. Ratto continued their Public Records Act presentation.

Ms. Murphy stated that there was a precedence set that OCERS is generous with public comments. She stated that the minutes provided on the website is sufficient information for the general public.

Ms. Freidenrich stated if there isn't an official document or written procedure, her preference is to guide requests to the website.

Mr. Delaney stated that OCERS is trying to balance between someone requesting a public record and request for public comment.

Mr. Hilton stated that we should have a policy for PRA Requests. He also suggested legislation should be proposed that could put reasonable limits on public record requests.

Ms. Ratto stated any proposed legislation will not be looked upon favourably at the Capitol. Her preference would be for SACRS to take the lead on creating legislation.

Chair Ball directed staff to return in six months to discuss what OCERS policy states regarding Public Records requests verses public comments.

Following discussion, a **motion** was made by Mr. Packard **seconded** by Mr. Baldwin to receive and file the Public Records Act – A Refresher.

The motion carried **unanimously**.

**\*\*\*\*\* END OF INDIVIDUAL ITEMS AGENDA \*\*\*\*\***

**DISABILITY APPLICATIONS/MEMBER APPEALS AGENDA**

11:30 A.M.

**NOTE: WHEN CONSIDERING DISABILITY RETIREMENT APPLICATIONS OR MEMBER APPEALS OF BENEFIT OR DISABILITY RETIREMENT DETERMINATIONS, THE BOARD MAY ADJOURN TO CLOSED SESSION TO DISCUSS MATTERS RELATING TO THE MEMBER'S APPLICATION OR APPEAL, PURSUANT TO GOVERNMENT CODE SECTIONS 54957 OR 54956.9. IF THE MATTER IS A DISABILITY APPLICATION UNDER SECTION 54957, THE MEMBER MAY REQUEST THAT THE DISCUSSION BE IN PUBLIC.**

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**DISABILITY INDIVIDUAL AGENDA**

Megan Cortez, Disability Coordinator, presented item D-1 along with the staff recommendation.

**D-1: Harold Abe**

Deputy Sheriff II, Orange County Sheriff's Department

Date of employee filed application for service connected disability retirement: 07/18/2016

**Recommendation: Grant service connected disability retirement with an effective date of July 18, 2016. (Safety Member)**

Following discussion, a **motion** was made by Mr. Hilton, **seconded** by Mr. Packard to grant service connected disability retirement with an effective date of July 18, 2016. The motion carried **9-0** with voting as follows:

<b><u>AYES</u></b>	<b><u>NAYS</u></b>	<b><u>ABSTAIN</u></b>	<b><u>ABSENT</u></b>
Mr. Baldwin			
Mr. Packard			
Mr. Prevatt			
Chair Ball			
Mr. Hilton			
Ms. Freidenrich			
Mr. Dewane			
Mr. Eley			
Mr. Lindholm			

Megan Cortez, Disability Coordinator, presented item D-2 along with the staff recommendation.

**D-2: Iona Aronovici**

Community Services Officer, Orange County Sheriff's Department

Date of employee filed application for service connected disability retirement: 03/10/2016

**Recommendation: Grant service connected disability retirement with an effective date of March 10, 2016. (General Member)**

Following discussion, a **motion** was made by Mr. Prevatt, **seconded** by Mr. Packard to grant service connected disability retirement with an effective date of March 10, 2016. The motion carried **9-0** with voting as follows:

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Mr. Baldwin			
Mr. Packard			
Mr. Prevatt			
Chair Ball			
Mr. Hilton			
Ms. Freidenrich			
Mr. Dewane			
Mr. Eley			
Mr. Lindholm			

Megan Cortez, Disability Coordinator, presented item D-3 along with the staff recommendation.

**D-3: Hyunjoo Cho**

Staff Nurse, Orange County Health Care Agency

Date of employee filed application for non-service connected disability retirement: 09/23/2016

**Recommendation: Grant non-service connected disability retirement with an effective date of September 7, 2012. (General Member)**

Following discussion, a **motion** was made by Mr. Baldwin, **seconded** by Mr. Packard to grant non-service connected disability retirement with an effective date of September 7, 2012. The motion carried **9-0** with voting as follows:

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Mr. Baldwin			
Mr. Packard			
Mr. Prevatt			
Chair Ball			
Mr. Hilton			
Ms. Freidenrich			
Mr. Dewane			
Mr. Eley			
Mr. Lindholm			

Megan Cortez, Disability Coordinator, presented item D-4 along with the staff recommendation.

**D-4: Roy Hendy**

Senior Mechanic, Orange County Sanitation District

Date of employer filed application for service and non-service connected disability retirement: 03/23/2016

Date of employee filed application for service connected disability retirement: 07/11/2016

**Recommendation: Grant service connected disability retirement with an effective date of March 23, 2016. (General Member)**

Following discussion, a **motion** was made by Mr. Prevatt, **seconded** by Mr. Packard to grant service connected disability retirement with an effective date of March 23, 2016. The motion carried **9-0** with voting as follows:

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Mr. Baldwin			
Mr. Packard			
Mr. Prevatt			
Chair Ball			
Mr. Hilton			
Ms. Freidenrich			
Mr. Dewane			
Mr. Eley			
Mr. Lindholm			

Megan Cortez, Disability Coordinator, presented item D-5 along with the staff recommendation.

**D-5: Vicki Vickers-Ledet**

Coach Operator, Orange County Transportation Authority

Date of employee filed application for service and non-service connected disability retirement:  
08/05/2016

**Recommendation: Grant service connected disability retirement with an effective date of August 5, 2016. (General Member)**

Following discussion, a **motion** was made by Mr. Prevatt, **seconded** by Mr. Packard to grant service connected disability retirement with an effective date of August 5, 2016. The motion carried **9-0** with voting as follows:

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Mr. Baldwin			
Mr. Packard			
Mr. Prevatt			
Chair Ball			
Mr. Hilton			
Ms. Freidenrich			
Mr. Dewane			
Mr. Eley			
Mr. Lindholm			

Megan Cortez, Disability Coordinator, presented item D-6 along with the staff recommendation.

**D-6: Wendy Young**

Occupational Therapist II, Orange County Health Care Agency

Date of employee filed application for non-service connected disability retirement: 08/10/2016

**Recommendation: Grant non-service connected disability retirement with an effective date of August 10, 2016. (General Member)**

Mr. Hilton stated for the record that this person did not request service connected disability.

Following discussion, a **motion** was made by Mr. Hilton, **seconded** by Mr. Packard to grant service connected disability retirement with an effective date of July 18, 2016. The motion carried **9-0** with voting as follows:

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Mr. Baldwin			
Mr. Packard			
Mr. Prevatt			
Chair Ball			
Mr. Hilton			
Ms. Freidenrich			
Mr. Dewane			
Mr. Eley			
Mr. Lindholm			

**D-7: Joseph Luth**

Fire Apparatus Engineer, Orange County Fire Authority

Date of employee filed application for service connected disability retirement: 07/25/2016

**Recommendation: Deny service connected disability retirement due to insufficient evidence of permanent incapacity. (Safety Member)**

Item D-7 was pulled at the request of the member

Megan Cortez, Disability Coordinator, presented item D-8 along with the staff recommendation.

**D-8: Rod Couey**

Retired Deputy Sheriff II, Orange County Sheriff's Department

Date of employer filed application for service and non-service connected disability retirement: 05/15/2013

Date of employee filed application for service connected disability retirement: 08/20/2013

**Recommendation: Staff recommends that the Board exercise its option under Government Code Section 31534(b) and require a summary of all evidence received by the Hearing Officer and take such action as is indicated. Deem the Hearing Officer's Proposed Findings of Fact and Recommended Decision the summary of all evidence required under Government Code Section 31534(b); schedule the matter for a final hearing on this matter at a future board meeting to be determined by staff after notice to and consultation with the Member at which both the Member and OCERS staff will be afforded the opportunity to be heard; and allow both the Member and OCERS staff to submit legal arguments in writing at least 15 days before that meeting.**

Mr. Fink summarized the findings of the Hearing Officer in this case.

Ms. Ratto stated that OCERS does not want to make a legal argument regarding OCERS disagreement with the findings of the Hearing Officer as that should be done at a separate meeting with the member or the member's attorney present and hear the member's legal arguments. Ms. Ratto recommends that the Board does not adopt this item due to the disagreement in the legal conclusion reached.

Following discussion, a **motion** was made by Mr. Eley, **seconded** by Mr. Baldwin that the Board exercise its option under Government Code Section 31534(b) and require a summary of all evidence received by the Hearing Officer and take such action as is indicated. Deem the Hearing Officer's Proposed Findings of Fact and Recommended Decision the summary of all evidence required under Government Code Section 31534(b); schedule the matter for a final hearing on this matter at a future board meeting to be determined by staff after notice to and consultation with the Member at which both the Member and OCERS staff will be afforded the opportunity to be heard; and allow both the Member and OCERS staff to submit legal arguments in writing at least 15 days before that meeting. The motion carried **9-0** with voting as follows:

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Mr. Baldwin			
Mr. Packard			
Mr. Prevatt			
Chair Ball			
Mr. Hilton			
Ms. Freidenrich			
Mr. Dewane			
Mr. Eley			
Mr. Lindholm			

**D-9: Rick Edgmon**

**Recommendation:** Affirm staff's determination that Mr. Edgmon should be required to repay the total amount of the benefits overpaid to him since he retired on November 11, 2005 in the approximate amount of \$237,107.79. Staff also recommends that OCERS forgo the collection of interest on the overpayment, and that Mr. Edgmon be given 20 years to repay the overpayment through monthly deductions to his retirement allowance.

*The Board adjourned into closed session at 12:08p.m.  
The Board reconvened into closed session at 12:22p.m.*

No reportable action taken on D-9.

Megan Cortez, Disability Coordinator, presented item D-10 along with the staff recommendation.

**D-10: Dana Ohanesian**

**Recommendation:** Affirm staff's determination to deny Mr. Ohanesian's request to have his 4.4 730 years of Plan B (1.667% @ 57.5) while at the Orange County Vector Control District (OCVCD) upgraded to Plan J (2.7% @ 55).

A **motion** was made by Mr. Prevatt, **seconded** by Mr. Packard to affirm staff's determination to deny Mr. Ohanesian's request to have his 4.4730 years of Plan B (1.667% @ 57.5) while at the Orange County Vector Control District (OCVCD) upgraded to Plan J (2.7% @ 55).

Mr. Dana Ohanesian, OC Clerk Recorder, addressed the Board and explained why he should be upgraded to Plan J (2.7% @ 55).

Mr. Fink stated that Mr. Ohanesian would have the right to an administrative review and go through those channels. Vector Control does not have a resolution to adopt the 2.7% @ 55. It's possible that Mr. Ohanesian received wrong info as there isn't an authorization from the plan sponsor to grant him this request.

Mr. Ball asked staff if they've asked Vector Control about the inconsistency that Mr. Ohanesian is suggesting.

Mr. Fink stated "no" as staff received information on Friday afternoon before Monday's Board Meeting.

Mr. Ball asked if Mr. Ohanesian if he would agree to delay this item one month and have staff look into this.

Mr. Ohanesian said yes.

Mr. Prevatt withdrew his motion.

Mr. Ball directed for this item to be delayed one month and have staff look into this more closely.

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**PUBLIC COMMENTS:** At this time members of the public may address the Board of Retirement regarding any items within the subject matter jurisdiction of the Board, provided that no action may be taken on non-agendized items unless authorized by law.

Mr. Stephen Wontrobaski, member of the public, commented negatively on the Sexual Harassment prevention that took place earlier in the day.

**BOARD MEMBER COMMENTS**

N/A

**CHIEF EXECUTIVE OFFICER/STAFF COMMENTS**

N/A

**COUNSEL COMMENTS**

N/A



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**CLOSED SESSION ITEMS**

*Mr. Lindholm recused himself at 3:19p.m.*

- E-1 CONFERENCE REGARDING LITIGATION THAT HAS BEEN INITIATED**  
**(Government Code section 54956.9(d)(1) Jeffrey Gross v. OCERS, et. al.,**  
**California Superior Court, Orange County (Case No. 30-2107-00944959)**  
Adjourn pursuant to Government Code section 54956.9(d)(1)

**Recommendation:** Take appropriate action.

The Board voted unanimously today to accept the defense and indemnification of Steve Delaney, Suzanne Jenike, Cynthia Hockless and Megan Cortez in the Orange County Superior Court case of Jeffrey Gross v. OCERS.

- E-2 CONFERENCE REGARDING LITIGATION THAT HAS BEEN INITIATED**  
**(GOVERNMENT CODE SECTION 54956.9(d)(1)) O.C. Department of Education v. OCERS, CA**  
**Superior Court, Orange County, (Case No. 30-2016-00836897)**  
Adjourn pursuant to Government Code Section 54956.9(d)(1).

**Recommendation:** Take appropriate action.

The Board authorized Reed Smith to pursue collection of admin costs and expenses in relations to the case O.C. Department of Education.

**ADJOURNMENT: (IN MEMORY OF THE ACTIVE MEMBERS, RETIRED MEMBERS, AND SURVIVING SPOUSES WHO PASSED AWAY THIS PAST MONTH)**

**Active Members**

Buckley, Edmund  
Chavez, Rolando  
Vonada, Tracy

**Retired Members**

Barnes, Jesse  
Batory, Janice  
Beltran, Renee  
Black, Mardel  
Blaul, Mary

Bradley, Teresa  
Brandenberger, William  
Campbell, Douglas  
Chamberlain, John  
Chang, Sun  
Cifulleli, Judy  
Day, Glen  
Derech, Audie  
Forsyth, Richard  
Gonzales, Ceferino  
Gonzalez, Maria  
Hallstrom, Don  
Hamer, Margaret  
Hanes, Barbara  
Hardiman, Sara  
Haskins, Willie  
Hope, Carla  
Jaggers, Charline  
Jones, Mary  
Kahn, Donald  
Kaloian, Patricia  
Keller, David  
Lahn, Patricia  
Lee, Janice  
Lichliter, Sandra  
Lonzo, David  
Mc Coy, Michael  
McKay, Rosemary  
Mcrae, Charlene  
Nakamura, Marlene  
Pfeifer, Ronald  
Puma, Rudolph  
Ramsey, Ralph  
Ramsey, Roy  
Riggs, Robert  
Schermerhorn, Josephine  
Sterrett, Shirley  
Stinson, Cornel  
Trieu, Cuong  
Villa, Carla  
Weaver, Molly  
White, Dennis  
Wilson, Blanche

**Surviving Spouses**

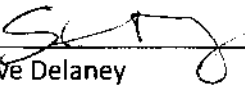
Anderson, Colleen  
Coverdale, Daniel  
Crum, Fumi  
Dudley, Renate  
Dunham, Nancy

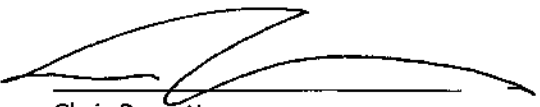
Field, Winifred  
Fields, John  
Gray, Wilhemina  
La Nier, Clarence  
Liekhus, Frances  
Palmer Eiko  
Ressel, Alice  
Steelman, Lee  
Thomas, Sharon

There being no further business to bring before the Board, the meeting adjourned at 3:43p.m.

Submitted by:

Approved by:

  
\_\_\_\_\_  
Steve Delaney  
Secretary to the Board

  
\_\_\_\_\_  
Chris Prevatt  
Vice Chairman