

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

**REGULAR MEETING
Monday, October 18, 2021
9:30 a.m.**

MINUTES

Chair Dewane called the meeting to order at 9:31 a.m.

Cammy Torres administered the Roll Call attendance.

Attendance was as follows:

Present via Zoom Video conference pursuant to Government Code § 54953, as amended by AB 361:

Shawn Dewane, Chair; Frank Eley, Vice-Chair, Richard Oates, Adele Tagaloa, Charles Packard, Chris Prevatt, Arthur Hidalgo, Jeremy Vallone, Shari Freidenrich, and Wayne Lindholm

Also Present via Zoom: Steve Delaney, Chief Executive Officer; Brenda Shott, Assistant CEO, Internal Operations; Suzanne Jenike, Assistant CEO, External Operations; Gina Ratto, General Counsel; Jenny Sadoski, Director of Information Technology, Anthony Beltran, Audio-Visual Technician; Cammy Torres; Recording Secretary

Guests: Harvey Leiderman

BOARD FINDINGS PURSUANT TO GOVERNMENT CODE § 54953, AS AMENDED BY AB 361

Presentation by Gina Ratto, General Counsel, OCERS

The Board is asked to make the following findings by the attached Resolution:

- (1) The Board has reconsidered the circumstances of the state of emergency resulting from the COVID-19 pandemic; and
- (2) The Board has determined that one or both of the following circumstances exist:
 - a. The state of emergency continues to directly impact the ability of the members of the Board to meet safely in person; and/or
 - b. State or local officials continue to impose or recommend measures to promote social distancing.

Ms. Ratto presented the Board Findings Pursuant to Government Code § 54953, as amended by AB 361.

MOTION by Packard, **seconded** by Eley to find, and adopt the Resolution to reflect, the following:

- (1) The Board reconsidered the circumstances of the state of emergency resulting from the COVID-19 pandemic; and
- (2) The Board determined that:
 - a. The state of emergency continues to directly impact the ability of the members of the Board to meet safely in person; and
 - b. State or local officials continue to impose or recommend measures to promote social distancing.

The motion passed **unanimously**.

CONSENT AGENDA

MOTION by Oates, **seconded** by Packard to approve recommendations on all of the following items on the Consent Agenda:

BENEFITS

C-1 OPTION 4 RETIREMENT ELECTION

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

- Francis Newcomb
- Marc Hale

ADMINISTRATION

C-2 BOARD MEETING MINUTES

Regular Board Meeting Minutes

August 16, 2021

Recommendation: Approve Minutes.

C-3 STRATEGIC PLANNING WORKSHOP MINUTES

Recommendation: Approve Minutes.

C-4 ORANGE COUNTY MOSQUITO AND VECTOR CONTROL DISTRICT’S UAAL TRIENNIAL RECALCULATION

Recommendation: Approve the results of the Recalculation of Orange County Mosquito and Vector Control District’s UAAL Obligation as of December 31, 2020 in the surplus amount of \$(915,479).

C-5 CYPRESS RECREATION AND PARKS DISTRICT’S UAAL TRIENNIAL RECALCULATION

Recommendation: Approve the results of the Recalculation of Cypress Recreation and Parks District’s UAAL Obligation as of December 31, 2020 in the amount of \$536,775.

The motion passed **unanimously**.

CONSENT ITEMS: DISABILITY/MEMBER BENEFITS AGENDA

OPEN SESSION

CONSENT ITEMS

MOTION by Eley, **seconded** by Tagaloa, to approve staff’s recommendation on all of the following items on the Disability/Member Benefits Consent Agenda:

DC-1: WILLIAM BAKER
Assistant Sheriff Orange Sheriff’s Department (Safety Member)

Recommendation: The Disability Committee recommends that the Board of Retirement:

- Grant service connected disability retirement.
- Set the effective date as January 17, 2020.

DC-2: CHRISTOPHER BROWN
Communications Coordinator II, Orange County Sheriff’s Department (General Member)

Recommendation: The Disability Committee recommends that the Board of Retirement:

- Grant non- service connected disability retirement.
- Set the effective date as August 5, 2020.

DC-3: GEOFFREY DALY
Environmental Specialist, Orange County Sanitation District (General Member)

Recommendation: The Disability Committee recommends that the Board of Retirement:

- Grant non-service connected disability retirement.
- Set the effective date as July 19, 2019.

DC-4: SUSAN DOMINGUEZ
Sheriff’s Special Officer II, Orange County Sheriff’s Department (General Member)

Recommendation: The Disability Committee recommends that the Board of Retirement:

- Grant service connected disability retirement.
- Set the effective date as July 17, 2020.

DC-5: AUGUSTINE ESTRADA
Fire Apparatus Engineer, Orange County Fire Authority (Safety Member)

Recommendation: The Disability Committee recommends that the Board of Retirement:

- Deny service and non-service connected disability retirement without prejudice due to

the member's failure to cooperate.

DC-6: BRUCE FERM

Plumber Orange County Sheriff's Department (General Member)

Recommendation: The Disability Committee recommends that the Board of Retirement:

- Grant service connected disability retirement.
- Set the effective date as March 8, 2021.

DC-7: JUAN FLORES

Deputy Juvenile Correctional Officer II, Orange County Probation Department (Safety Member)

Recommendation: The Disability Committee recommends that the Board of Retirement:

- Grant service connected disability retirement.
- Set the effective date as July 31, 2020.

DC-8: CANDICE FORD

Social Worker II, Orange County Social Services Agency (General Member)

Recommendation: The Disability Committee recommends that the Board of Retirement:

- Deny service and non-service connected disability retirement without prejudice due to the member's failure to cooperate.

DC-9: NICHOLAS FREELAND

Deputy Juvenile Correctional Officer II, Orange County Probation Department (Safety Member)

Recommendation: The Disability Committee recommends that the Board of Retirement:

- Grant service connected disability retirement.
- Set the effective date as August 28, 2020.

DC-10: FERNANDO HERRERA

Facilities Worker/Builder, Orange County Sanitation District (General Member)

Recommendation: The Disability Committee recommends that the Board of Retirement:

- Deny service and non-service connected disability retirement without prejudice due to the member's failure to cooperate.

DC-11: DEBORAH KANG

Legal Secretary, Orange County Sheriff's Department (Safety Member)

Recommendation: The Disability Committee recommends that the Board of Retirement:

- Deny service connected disability retirement due to insufficient evidence of job causation.

DC-12: MINH TAM LUONG

Senior Public Health Nurse, Orange County Health Care Agency (General Member)

Recommendation: The Disability Committee recommends that the Board of Retirement:

- Grant non- service connected disability retirement.
- Set the effective date as April 26, 2019.

DC-13: DANNY MOORHOUSE

Fire Captain, Orange County Fire Authority (Safety Member)

Recommendation: The Disability Committee recommends that the Board of Retirement:

- Grant service connected disability retirement.
- Set the effective date as July 30, 2021

DC-14: JOHN MURRAY

Sergeant, Orange County Sheriff's Department (Safety Member)

Recommendation: The Disability Committee recommends that the Board of Retirement:

- Grant service connected disability retirement.
- Set the effective date as September 7, 2018.

DC-15: JAY MYERS

Sergeant, Orange County Sheriff's Department (Safety Member)

Recommendation: The Disability Committee recommends that the Board of Retirement:

- Grant service connected disability retirement.
- Set the effective date as July 5, 2019.

DC-16: RACHAEL RAMOS

Coach Operator, Orange County Transportation Authority (General Member)

Recommendation: The Disability Committee recommends that the Board of Retirement:

- Grant service connected disability retirement.
- Set the effective date as December 10, 2017.

DC-17: LAURA SCHUMANN

Office Technician, Orange County Social Services Agency (General Member)

Recommendation: The Disability Committee recommends that the Board of Retirement:

- Grant service connected disability retirement.
- Set the effective date as July 16, 2020.

The motion passed **unanimously**.

**DA-1: INDIVIDUAL ACTION ON ANY ITEM TRAILED FROM THE DISABILITY/MEMBER BENEFITS
CONSENT AGENDA**

N/A

CLOSED SESSION

The Board adjourned into closed session at 9:40 a.m.

DA-2: AMBER DRY SOL

Deputy Juvenile Correctional Officer II, Orange County Probation Department

Recommendation: Staff recommends the Board approve and adopt the findings and recommendations of the Referee/Hearing Officer as set forth in the Summary of Analysis of the Evidence and Issue, Proposed Findings of Fact Conclusions and Recommendation dated July 18, 2021 (Recommendation) wherein the Hearing Officer recommended that the Applicant, Amber Drysol, is entitled to a service-connected disability retirement.

DA-3: CRISTINA RUPP

Clinical Social Worker II, Orange County Healthcare Agency

Recommendation: Staff recommends the Board approve and adopt the findings and recommendations of the Hearing Officer as set forth in the Findings and Decision in an OCERS Service Connected Disability Retirement Case dated July 17, 2021 (Recommendation) wherein the Hearing Officer recommended that the Applicant, Cristina Rupp, be denied service-connected disability retirement.

OPEN SESSION

The Board reconvened into open session at 9:48 a.m.

REPORT OF ACTIONS TAKEN IN CLOSED SESSION

Ms. Jenike reported the following:

DA-2: AMBER DRY SOL

Deputy Juvenile Correctional Officer II, Orange County Probation Department

Recommendation: Staff recommends the Board approve and adopt the findings and recommendations of the Referee/Hearing Officer as set forth in the Summary of Analysis of the Evidence and Issue, Proposed Findings of Fact Conclusions and Recommendation dated July 18, 2021 (Recommendation) wherein the Hearing Officer recommended that the Applicant, Amber Drysol, is entitled to a service-connected disability retirement.

MOTION by Eley, **seconded** by Lindholm, to approve and adopt the findings and recommendations of the Referee/Hearing Officer as set forth in the Summary of Analysis of the Evidence and Issue, Proposed Findings of Fact Conclusions and Recommendation dated July 18, 2021 (Recommendation) wherein the Hearing Officer recommended that the Applicant, Amber Drysol, is entitled to a service-connected disability retirement.

The motion passed **unanimously**.

DA-3: CRISTINA RUPP

Clinical Social Worker II, Orange County Healthcare Agency

Recommendation: Staff recommends the Board approve and adopt the findings and recommendations of the Hearing Officer as set forth in the Findings and Decision in an OCERS Service Connected Disability Retirement Case dated July 17, 2021 (Recommendation) wherein the Hearing Officer recommended that the Applicant, Cristina Rupp, be denied service-connected disability retirement.

MOTION by Lindholm, **seconded** by Tagaloa, to approve and adopt the findings and recommendations of the Hearing Officer as set forth in the Findings and Decision in an OCERS Service Connected Disability Retirement Case dated July 17, 2021 (Recommendation) wherein the Hearing Officer recommended that the Applicant, Cristina Rupp, be denied service-connected disability retirement.

The motion passed **unanimously**.

DA-4: JEFFREY MANCHESTER

Deputy Sheriff II, Orange County Sheriff’s Department

Recommendation: Staff recommends that:

- (1) The Board review and determine the Request for Administrative Review of CEO Determination filed by OCERS member, Jeffrey Manchester (Applicant), at the Board’s meeting on October 18, 2021; and
- (2) The Board affirm that OCERS’ Staff correctly calculated the Applicant’s final average salary in accordance with the law and OCERS’ policies and procedures.

This item has been **pulled** from the agenda.

ACTION ITEMS:

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

N/A

A-2 OCERS 2022-2024 STRATEGIC PLAN

Presentation by Steve Delaney, Chief Executive Officer

Recommendation: Approve OCERS 2022-2024 Strategic Plan.

Mr. Delaney presented and briefly discussed the OCERS 2022-2024 Strategic Plan.

MOTION by Lindholm, **seconded** by Tagaloa, to approve OCERS 2022-2024 Strategic Plan.

The motion passed **unanimously**.

A-3 OCERS 2022 BUSINESS PLAN

Presentation by Steve Delaney, Chief Executive Officer and Brenda Shott, Assistant CEO, Finance and Internal Operations

Recommendation: Approve OCERS 2022 Business Plan.

Ms. Shott presented and briefly discussed the OCERS 2022 Business Plan.

MOTION by Oates, **seconded** by Packard, to approve OCERS 2022 Business Plan.

The motion passed **unanimously**.

A-4 VOTING DIRECTION FOR SACRS BUSINESS MEETING

Presentation by Gina Ratto, General Counsel, OCERS

Recommendation: Give voting direction to OCERS' delegates for November 12, 2021 SACRS business meeting.

Ms. Freidenrich asked if OCERS is consistent with other systems regarding sick leave service credit.

Ms. Ratto confirmed yes, it is consistent with other systems.

MOTION by Eley, **seconded** by Prevatt, to direct OCERS' delegates to vote in favor of the SACRS proposed legislation (described in the attachment to the Board memo) at the November 12, 2021 SACRS business meeting.

The motion passed **unanimously**.

A-5 PERSONNEL COMMITTEE OUTCOMES FROM COMMITTEE MEETING HELD ON SEPTEMBER 15, 2021

Presentation Steve Delaney, Chief Executive Officer, OCERS

Recommendation: The Personnel Committee recommends the Board of Retirement approve the following items related to the 2022 Staffing Plan at the October 18, 2021 Board meeting:

1. Add two (2) Information Technology Managers to the IT department (Est. cost \$214,000 each or \$428,000)
2. Add a total of ten (10) new positions to the Member Services department (Est. total cost \$1,230,672).
 - a. Two (2) Benefit Analysts - Payroll and QA \$303,362
 - b. Two (2) Retirement Supervisors - QA \$254,566
 - c. Four (4) Senior Retirement Program Specialist (Sr. RPS) - QA \$455,744
 - d. Two (2) Retirement Program Specialist (RPS) - Call Center \$217,000

The costs above include salary and a 55% fringe benefits load factor. The total annual cost related to increasing the OCERS headcount from 96 to 108 for the positions listed above is \$1,658,672.

Mr. Delaney presented the additional staffing requests.

Mr. Prevatt, Chair of the Personnel Committee, discussed the amount of work and collaboration that was conducted by the Personnel Committee on this topic.

Ms. Freidenrich discussed her concerns regarding the transferring of positions.

Mr. Prevatt stated that any position reallocation would first go through the Personnel Committee for approval as well as the full Board for final approval.

MOTION by Packard, **seconded** by Prevatt, to approve the items related to the 2022 Staffing Plan.

The motion passed **unanimously**.

The Board recessed for break at 10:37 a.m.

The Board reconvened from break at 10:55 a.m.

Presentations

I-1 STATE OF OCERS

Presentation by Steve Delaney, Chief Executive Officer, OCERS

Mr. Delaney presented the annual State of OCERS.

Ms. Freidenrich congratulated OCERS

I-2 COVID-19 UPDATE

Presentation by Steve Delaney, Chief Executive Officer, OCERS

Mr. Delaney informed the Board that OCERS plans to bring staff back in person in January of 2022 for at least three days a week.

RECONSIDERATION OF BOARD ACTION ADOPTING RESOLUTION REGARDING AB 361

After Board discussion, a **MOTION** by Freidenrich, **seconded** by Prevatt, was made to reconsider the Board Findings Pursuant to Government Code § 54953, as amended by AB 361, and the Resolution adopted to reflect those findings, as approved at the beginning of the Board meeting.

The motion passed **unanimously**.

MOTION by Prevatt, **seconded** by Dewane, to revise the findings and Resolution adopted by the Board at the beginning of the meeting to specify that the Board's findings are on behalf of itself as well as on behalf of the Board's committees, and to approve and adopt revisions to the Resolution to reflect the amended findings.

The motion passed **unanimously**.

Written Reports

No written reports were pulled for discussion.

R-1 MEMBER MATERIALS DISTRIBUTED

Written Report

Application Notices

October 18, 2021

Death Notices

October 18, 2021

R-2 COMMITTEE MEETING MINUTES

- 02-09-2021 Building Committee Meeting Minutes
- 06-04-2021 Audit Committee Meeting Minutes
- 06-09-2021 Personnel Committee Meeting Minutes

R-3 CEO FUTURE AGENDAS AND 2021 OCERS BOARD WORK PLAN

Written Report

R-4 QUIET PERIOD – NON-INVESTMENT CONTRACTS

Written Report

R-5 BOARD COMMUNICATIONS

Written Report

R-6 LEGISLATIVE UPDATE

Written Report

R-7 THIRD QUARTER 2021 TRAVEL AND TRAINING EXPENSE REPORT

Written Report

R-8 GENERAL MEMBER ELECTION UPDATE

Written Report

R-9 BUSINESS CONTINUITY AND DISASTER RECOVERY PLAN EXERCISE EXECUTIVE SUMMARY

Written Report

R-10 UPDATE ON THE CITY OF SAN JUAN CAPISTRANO'S TRANSITION OF WATER AND SEWER SERVICES

Written Report

BOARD MEMBER COMMENTS

CHIEF EXECUTIVE OFFICER/STAFF COMMENTS

COUNSEL COMMENTS

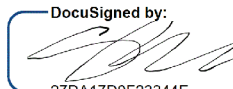
The meeting **ADJOURNED** at 11:40 am.

Submitted by:

DocuSigned by:

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Steve Delaney
Secretary to the Board

Approved by:

DocuSigned by:

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Shawn Dewane
Chairman