

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

**REGULAR MEETING  
Monday, November 15, 2021  
9:30 a.m.**

**MINUTES**

Mr. Delaney announced that due to Chair Dewane and Vice Chair Eley's absence from the board meeting, and at their request, that immediate past Chair Packard lead the meeting.

Pro-tem Chair Mr. Packard called the meeting to order at 9:33 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:

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

**CONSENT AGENDA**

**MOTION** by Mr. Lindholm, **seconded** by Mr. Oates 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.

- None

**ADMINISTRATION**

**C-2 BOARD MEETING MINUTES**

Regular Board Meeting Minutes

October 18, 2021

**Recommendation:** Approve minutes.

**C-3 BOARD FINDINGS PURSUANT TO GOVERNMENT CODE § 54953, AS AMENDED BY AB 361, AND ADOPTION OF BOARD RESOLUTION 2021-02**

**Recommendation:** That the Board (1) make the following findings pursuant to Government Code section 54953, as amended by AB 361;

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

and

(2) Adopt Board of Retirement Resolution 2021-02 to reflect such findings.

**C-4 GOVERNANCE COMMITTEE OUTCOMES FROM COMMITTEE MEETING HELD ON OCTOBER 28, 2021**

**Recommendation:** The Governance Committee recommends the Board adopt all of the following as presented:

- (1) Revisions to the Procurement and Contracting Policy
- (2) Revisions to the Write Off Policy
- (3) Revisions to the Overpaid and Underpaid Plan Benefits Policy
- (4) Revisions to the Overpaid and Underpaid Plan Contributions Policy
- (5) A new Records Management Policy to replace the existing Records Retention Policy
- (6) A new OCERS Administrative Procedure – Years of Service Credit Calculation

**C-5 2021 MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN OCERS AND THE COUNTY OF ORANGE REGARDING INTERNAL REVENUE CODE SECTION 415(M) REPLACEMENT BENEFIT PLAN**

**Recommendation:** Adopt an updated Memorandum of Understanding between OCERS and the County of Orange governing the County Replacement Benefit Plan applicable to OCERS members /payees that are otherwise capped by Internal Revenue Code section 415(b).

**C-6 PROPOSED 2022 REGULAR BOARD AND OTHER MEETING SCHEDULE**

**Recommendation:** Approve the Proposed 2022 Regular Board and Other Meeting Schedule.

The motion passed **unanimously**.

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**CONSENT ITEMS: DISABILITY/MEMBER BENEFITS AGENDA**

**OPEN SESSION**

**CONSENT ITEMS**

Ms. Jenike announced that item DC-8 was pulled from the agenda.

**MOTION** by Lindholm, **seconded** by Tagaloa, to approve staff’s recommendation on all of the following items on the Disability/Member Benefits Consent Agenda excluding item DC-8:

**DC-1: CHRISTOPHER BROWN**  
Communications Coordinator II, Orange County Sheriff’s Department (General Member)

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

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

**DC-2: LIDIA CARMONA**  
Social Worker II, Orange County Social Services Agency (General Member)

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

- Grant non-service connected disability retirement.
- Set the effective as October 22, 2010.

**DC-3: MANUEL DeBACA**  
Firefighter, 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 March 26, 2021.

**DC-4: TIMOTHY DUFFY**  
Emergency Transport Technician, Orange County Fire Authority (General Member)

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

- Grant service connected disability retirement.
- Set the effective date as February 2, 2018.

**DC-5: CASEY GONZALES**  
Operations and Maintenance, 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-6: JOHN LAMB**  
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 November 6, 2020.

**DC-7: CHARLES LEGG**  
Fire Apparatus Engineer, 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 January 15, 2021.

**DC-8: MINH TAM LUONG**  
Senior Public Health Nurse, Orange County Health Care Agency (General Member)

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

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

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

**DC-9: KELLY LUPRO**  
Administrative Manager II, 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 as March 29, 2019.

**DC-10: WILLIAM MATTERN**  
Battalion Chief, 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 March 26, 2021.

**DC-11: CHRISTINA WATSON**  
Deputy Sheriff II, 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 January 15, 2021.

The motion passed **unanimously**.

**CLOSED SESSION**

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

**DA-2: VINCENT SARDELLA**

Instrumentation Technician II, Orange County Sanitation District

**Recommendation:** The Board approve and adopt the findings and recommendations of the Referee/Hearing Officer as set forth in the Summary of Evidence, Findings of Fact, Conclusions of Law, and Recommendations dated October 4, 2021 (Recommendation) wherein the Hearing Officer recommended that the Board find the application for disability retirement filed by Applicant, Vincent Sardella was not timely, as he did not prove he was physically or mentally incapacitated to perform his job duties between January 8, 2015 and July 16, 2015, as required by Government Code section 31722.

**OPEN SESSION**

The Board reconvened into open session at 9:51 a.m.

**REPORT OF ACTIONS TAKEN IN CLOSED SESSION**

Mrs. Ratto reported that the Board unanimously approved staff recommendation for item DA-2.

**DA-2: VINCENT SARDELLA**

Instrumentation Technician II, Orange County Sanitation District

**Recommendation:** The Board approve and adopt the findings and recommendations of the Referee/Hearing Officer as set forth in the Summary of Evidence, Findings of Fact, Conclusions of Law, and Recommendations dated October 4, 2021 (Recommendation) wherein the Hearing Officer recommended that the Board find the application for disability retirement filed by Applicant, Vincent Sardella was not timely, as he did not prove he was physically or mentally incapacitated to perform his job duties between January 8, 2015 and July 16, 2015, as required by Government Code section 31722.

**ACTION ITEMS:**

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

N/A

**A-2 OCERS' PROPOSED ADMINISTRATIVE BUDGET FOR FISCAL YEAR 2022**

*Presentation by Brenda Shott, Assistant CEO, Internal Operations*

**Recommendation:** Adopt the Proposed Administrative Budget for Fiscal Year 2022 in the amount of \$33,100,984 which includes:

- a. Personnel costs in the amount of \$19,262,569
- b. Services and supplies in the amount of \$13,528,415
- c. Capital expenditures in the amount of \$310,000

Mr. Delaney provided brief opening remarks and turned the item over to Ms. Shott for an in-depth presentation on the Administrative Budget for Fiscal Year 2022.

**MOTION** by Packard, **seconded** by Oates, to approve and adopt the Proposed Administrative Budget for Fiscal Year 2022 in the amount of \$33,100,984.

The motion passed **unanimously**.

**A-3 COMPENSATION OF THE CHIEF EXECUTIVE OFFICER**

**Recommendation:** Take appropriate action.

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

The Board recessed for break at 11:05 a.m.

The Board reconvened from break at 11:20 a.m.

**INFORMATIONAL ITEMS**

Each of the following informational items will be presented to the Board for discussion.

**Presentations**

**I-1 ANNUAL EMPLOYER REPORT**

*Presentation by Suzanne Jenike, Assistant CEO of External Operations, OCERS*

Ms. Jenike presented the Annual Employer Report.

**I-2 COVID-19 UPDATE**

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

Mr. Delaney presented the COVID-19 update. He informed the Board that OCERS staff continue to work remotely until the end of the year. Mr. Delaney mentioned that the plan is to have a hybrid schedule for OCERS staff beginning January 2022. Mr. Delaney further stated that OCERS remains closed to the public.

**Written Reports**

No written reports were pulled for discussion.

**R-1 MEMBER MATERIALS DISTRIBUTED**

Written Report

Application Notices  
Death Notices

November 15, 2021  
November 15, 2021

**R-2 COMMITTEE MEETING MINUTES**

- Governance Committee Minutes – March 19, 2021

**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 THIRD QUARTER 2021 BUDGET TO ACTUALS REPORT**

Written Report

**R-7 THIRD QUARTER UNAUDITED FINANCIAL STATEMENTS FOR THE NINE MONTHS ENDED  
SEPTEMBER 30, 2021**

Written Report

**R-8 GENERAL MEMBER ELECTION UPDATE**

Written Report

**R-9 PUBLIC PENSION COORDINATING COUNCIL (PPCC) STANDARDS AWARD FOR FUNDING AND  
ADMINISTRATION 2021**

Written Report

**BOARD MEMBER COMMENTS**

N/A

**CHIEF EXECUTIVE OFFICER/STAFF COMMENTS**

Mr. Delaney updated the Board about Vision 2030 regarding Artificial Intelligence (AI).

Ms. Jenike announced the December Board materials associated to a member appeal will be shared on Friday, November 19 due to the voluminous nature of the agenda documents.

Harvey Leiderman gave an update on the *Alameda* court case.

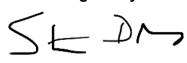
**COUNSEL COMMENTS**

N/A

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The meeting **ADJOURNED** at 11:46 am.

Submitted by:

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Steve Delaney  
Secretary to the Board

Approved by:

DocuSigned by:  
  
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Shawn Dewane  
Chairman