



ALAMEDA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION
BOARD OF RETIREMENT
REVISED MINUTES

THIS MEETING WAS CONDUCTED IN-PERSON and VIA TELECONFERENCE WITH VIDEO

Thursday, July 15, 2021

Chair Dale Amaral called the meeting to order at 2:00 p.m.

Trustees Present: Dale Amaral
Ophelia Basgal
Tarrell Gamble (*Arrived After Roll Call*)
Jaime Godfrey
Liz Koppenhaver
Henry Levy
George Wood
Nancy Reilly (*Alternate*)

Trustees Excused: Keith Carson
Darryl Walker

Staff Present: Margo Allen, Fiscal Services Officer
Victoria Arruda, Human Resource Officer
Angela Bradford, Executive Secretary
Sandra Dueñas-Cuevas, Benefits Manager
Jessica Huffman, Benefits Manager
Harsh Jadhav, Chief of Internal Audit
Vijay Jagar, Retirement Chief Technology Officer, ACERA
David Nelsen, Chief Executive Officer
Jeff Rieger, Chief Counsel
Betty Tse, Chief Investment Officer

Staff Excused: Kathy Foster, Assistant Chief Executive Officer

PUBLIC INPUT

None.

**CONSENT CALENDAR
REPORTS AND ACTION ITEMS**

APPROVAL of APPLICATIONS FOR SERVICE RETIREMENT

Appendix A

APPROVAL of APPLICATIONS FOR RETIREMENT, DEFERRED

*Appendix B
Appendix B-1*

APPROVAL of APPLICATIONS FOR DEFERRED TRANSFER

None

LIST OF DECEASED MEMBERS

Appendix D

APPROVAL of REQUEST FOR 130 BI-WEEKLY PAYMENTS TO RE-DEPOSIT CONTRIBUTIONS AND GAIN CREDIT

Appendix E

APPROVAL of STAFF RECOMMENDATIONS (UNCONTESTED) FOR DISABILITY RETIREMENTS

Appendix F

APPROVAL of HEARING OFFICER RECOMMENDATIONS FOR DISABILITY RETIREMENTS

None

APPROVAL of BOARD and COMMITTEE MINUTES

*June 17, 2021 Actuarial Committee Minutes
June 17, 2021 Audit Committee Minutes
June 17, 2021 Minutes of the Regular Board Meeting
July 7, 2021 Retirees Committee Minutes*

MISCELLANEOUS MATTERS

Operating Expenses as of 05/31/21

1. *Approve Staff Recommendations regarding Alameda Health System's New Pay Items/Codes:
 - *AHD L6 Technologists Trainer 10% Maximum 80 Hours – 26Q*
 - *AHD L6 Technologists Trainer 5% Additional 40 Hours – 26R**
2. *Approve Staff Recommendation regarding Superior Court of California, County of Alameda's New Pay Item/Code COVID-19 Supplemental Paid Sick Leave – 367A*

21-50

It was moved by Jaime Godfrey and seconded by Henry Levy that the Board adopt the Consent Calendar. The motion carried 6 yes (*Amaral, Basgal, Godfrey, Koppenhaver, Levy, Wood*), 0 no, and 0 abstentions. *Trustee Gamble was not present for the vote on the motion.*

COMMITTEE REPORTS, RECOMMENDATIONS AND MOTIONS

In the interest of time, Board Chair Dale Amaral asked that the Committee action items be presented before the Closed Session items (5.A. and 5.B.).

This month's Committee reports were presented in the following order:

Retirees:

Liz Koppenhaver gave an oral report stating that the Retirees Committee met on July 7, 2021 and was presented with, reviewed information for, and discussed adoption of the 2022 Monthly Medical Allowance for Group Plans. Trustee Koppenhaver reported that ACERA and REAC's Boards support raising the amount of the Monthly Medical Allowance for retirees.

21-51

It was moved by Liz Koppenhaver and seconded by Ophelia Basgal that the Board increase the 2022 Group Plan Monthly Medical Allowance (MMA) by 3.125% for eligible retirees in the group plans, in accordance with the substantive plan definition adopted under GASB 43 equal to 50% of the rate of health care inflation assumptions provided by ACERA's actuary, which results in a MMA maximum of \$596.73 for the Plan Year 2022. The MMA contribution is a non-vested benefit subject to possible reduction or elimination if Board policies change or funds are unavailable. This benefit is funded by contributions from ACERA employers to the 401(h) account. After contributions are made, in accordance with the County Employees Retirement Law, ACERA treats an equal amount of Supplemental Retiree Benefit Reserve assets as employer contributions for pensions. The motion carried 7 yes (*Amaral, Basgal, Gamble, Godfrey, Koppenhaver, Levy, Wood*), 0 no, and 0 abstentions.

Trustee Koppenhaver further reported that the Committee was presented with, reviewed information for, and discussed adoption of 2022 Monthly Medical Allowance for Early Retiree Individual Plans.

21-52

It was moved by Liz Koppenhaver and seconded by Jaime Godfrey that the Board increase the 2022 Individual Plan Monthly Medical Allowance (MMA) by 3.125% for eligible qualified early (non-Medicare) retirees enrolled in individual plans through the Health Exchange, in accordance with the substantive plan definition adopted under GASB 43 equal to 50% of the rate of health care inflation assumptions provided by ACERA's actuary, which results in a MMA maximum of \$596.73 for Plan Year 2022. The MMA contribution is a non-vested benefit subject to possible reduction or elimination if Board policies change or funds are unavailable. This benefit is funded by contributions from ACERA employers to the 401(h) account. After contributions are made, in accordance with the County Employees Retirement Law, ACERA treats an equal amount of Supplemental Retiree Benefit Reserve assets as employer contributions for pensions. The motion carried 7 yes (*Amaral, Basgal, Gamble, Godfrey, Koppenhaver, Levy, Wood*), 0 no, and 0 abstentions.

Trustee Koppenhaver further reported that the Committee was presented with, reviewed information for, and discussed adoption of 2022 Monthly Medical Allowance for Medicare Eligible Retiree Individual Plans.

21-53

It was moved by Liz Koppenhaver and seconded by Ophelia Basgal that the Board increase the 2022 Individual Plan Monthly Medical Allowance (MMA) by 3.125% for qualified Medicare eligible retirees enrolled in individual plans through the Medicare Exchange, in accordance with the substantive plan definition adopted under GASB 43 equal to 50% of the rate of health care inflation assumptions provided by ACERA's actuary, which results in a MMA maximum of \$457.13 for Plan Year 2022. The MMA contribution is a non-vested benefit subject to possible reduction or elimination if Board policies change or funds are unavailable. This benefit is funded by contributions from ACERA employers to the 401(h) account. After contributions are made, in accordance with the County Employees Retirement Law, ACERA treats an equal amount of Supplemental Retiree Benefit Reserve assets as employer contributions for pensions. The motion carried 7 yes (*Amaral, Basgal, Gamble, Godfrey, Koppenhaver, Levy, Wood*), 0 no, and 0 abstentions.

Trustee Koppenhaver further reported that the Committee was presented with, reviewed information for, and discussed the following Information Items: *1) Report on Dental and Vision Plans Experience and Utilization; and 2) Miscellaneous Updates.*

Minutes of the meeting were approved as part of the Consent Calendar.

Investment:

George Wood gave an oral report stating that the Investment Committee met on July 14, 2021 and was presented with, reviewed information for, and discussed approval of an Updated Absolute Return Policy.

21-54

It was moved by George Wood and seconded by Liz Koppenhaver that the Board approve the Updated Absolute Return Policy The motion carried 6 yes (*Amaral, Basgal, Gamble, Godfrey, Koppenhaver, Wood*), 1 no (*Levy*), and 0 abstentions.

Trustee Wood further reported that the Committee was presented with, reviewed information for, and discussed the following Information Items: *1) Report on the Proposed Timeline, Search Criteria, and Evaluation Matrix for ACERA's Absolute Return (Custom Fund of Hedge Funds) Manager Search; and 2) Update on Implementing: a) The newly approved Asset Allocation; and b) The pre-fundings from Alameda County and LARPD.*

Minutes of the meeting will be presented to the Board for adoption on the Consent Calendar at the August 19, 2021 Board meeting.

REGULAR CALENDAR
REPORTS AND ACTION ITEMS

DISABILITIES, CURRENT AND CONTINUING RECOMMENDATIONS AND MOTIONS

The Board adjourned into Closed Session to discuss the following Disability matter:

Possible Motion on Claim for Service-Connected Disability Retirement.

This was addressed in Closed Session, per Gov't Code § 54957(b):

Dennis Teichera, Deputy Sheriff II, Sheriff's Office
Non-Service-Connected Disability Effective: May 28, 2021

The Board reconvened into Open Session and the following Trustees returned:
Amaral, Basgal, Gamble, Godfrey, Koppenhaver, Levy and Wood

After discussion, the Board passed the following motion:

21-55

It was moved by Dale Amaral and Seconded by Liz Koppenhaver to refer the Dennis Teichera Disability matter to a Hearing Officer. The motion carried 7 yes (*Amaral, Basgal, Gamble, Godfrey, Koppenhaver, Levy, Wood*), 0 no, and 0 abstentions.

Possible Motion on Claim for Service-Connected Surviving Spouse Allowance.

Deceased Member: Oscar Rocha
Surviving Spouse: Carol Maureen Ennor
Non-Service-Connected Surviving Spouse Allowance Effective: July 24, 2020

At the request of Counsel for Carol Maureen Ennor, this matter was postponed until the August 19, 2021 Board meeting. Assistant County Counsel Scott Feudale concurred.

NEW BUSINESS:

David Nelsen, Chief Executive Officer's Report

Chief Executive Officer Dave Nelsen presented his July 15, 2021, written CEO Report which provided an update on: **1)** Committee and Board Action Items; **2)** Conference/Event Schedule **3)** Other Items, which included updates on: **a)** COVID-19 Responses; **b)** Pension Administration System Project; **c)** County's Additional Contributions; **d)** Repeal of Governor's Emergency Orders; and **e)** Key Performance Indicators.

Mr. Nelsen reported that Assembly Bill 826 (Bill) was recently introduced by SEIU and is supported by Ventura County. The Bill, which relates to the implementation of the Alameda decision and Ventura County, would allow Retirement Systems that did not initially implement PEPRA until the conclusion of the *DSA* lawsuit to continue reporting compensation that was deemed legally non-reportable as “compensation earnable.” Mr. Nelsen stated that the Bill is problematic and informed the Board that the SACRS Legislative Committee will be discussing the Bill. Mr. Nelsen will keep the Board apprised of the status, as the Board’s input may be required, along with other Retirement Systems, regarding whether or not the Board will support the Bill.

Trustees inquired about the re-opening of ACERA’s Offices in light of the new Delta Variant. Mr. Nelsen reported that ACERA’s Offices are open for limited hours, by appointment only, on Tuesdays and Thursdays and that ACERA is meeting all the County and Public Safety and Health protocols. However, very few members have not taken advantage of ACERA’s in-person appointments.

Mr. Nelsen informed the Board that the Trustees can still participate virtually at Committee and/or Board meetings until September 30, 2021, which is when the Governor is expected to reinstate the regular *Brown Act* restrictions. Mr. Nelsen reminded the Board that when the *Brown Act* restrictions are lifted, Trustees who would like to continue to meet remotely will be required to post Committee/Board agendas where the Trustee is physically located and must allow public access to the Trustee’s location. Mr. Nelsen will keep the Board apprised of the status regarding whether or not the *Brown Act* restrictions will be lifted.

CONFERENCE/ORAL REPORTS

None.

ANNOUNCEMENTS

None.

BOARD INPUT

None.

CLOSED SESSION

- A. Conference With Legal Counsel--Existing Litigation (Gov’t Code § 54956.9(d)(1)):

Alameda County Deputy Sheriff’s Association v. Alameda County Employees’ Retirement Association, Contra Costa County Superior Court, Case No. MSN12-1870.

The Board reconvened into Open Session and the following Trustees returned:
Amaral, Basgal, Godfrey, Koppenhaver, Levy, Reilly and Wood

Chair Amaral stated the Board took no reportable action on the *ACDSA* matter.

ADJOURNMENT

The meeting adjourned at approximately 3:38 p.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "David Nelsen". The signature is written in black ink and is positioned above a horizontal line.

David Nelsen
Chief Executive Officer

8/19/21

Date Adopted

**APPENDIX A
APPLICATION FOR SERVICE RETIREMENT**

BADGER, Sharla
Effective: 5/28/2021
Dept. of Child Support Services

LOEPER, Gerald
Effective: 4/20/2021
General Services Agency

BENNETT, Carmelyne
Effective: 5/1/2021
Social Services Agency

MANAOIS, Julia
Effective: 5/15/2021
Treasurer-Tax Collector

CARLSON, Kelly
Effective: 4/1/2021
Alameda Health System

MORGAN, Dana
Effective: 4/1/2021
Social Services Agency

COLLINS, Ashantaki
Effective: 4/1/2021
Social Services Agency

MOTTASHED, Mark
Effective: 4/17/2021
Sheriff's Office

DOHRMANN, Gerald
Effective: 3/31/2021
Superior Court

NASH, Mary
Effective: 2/25/2021
Public Defender

HUI, Patricia
Effective: 11/1/2020
Social Services Agency

NAVA, Patricia
Effective: 5/1/2021
Superior Court

HYATT, Dianne
Effective: 5/22/2021
Superior Court

PAGILARI, Anthony
Effective: 3/28/2021
Sheriff's Office

JONES, Yolanda
Effective: 4/1/2021
Social Services Agency

PIERCE-JONES, Rhian
Effective: 5/1/2021
Assessor

JUAN, Dowel
Effective: 4/29/2021
Alameda Health System

PROANO, Carol
Effective: 6/1/2021
Superior Court

LABOGIN, Gloryann
Effective: 5/1/2021
Superior Court

RATCLIFFE-GRAHAM, Brenda
Effective: 4/29/2021
Social Services Agency

LANGDON, Theresa
Effective: 5/15/2021
Sheriff's Office

REEVES, Leslie
Effective: 5/15/2021
Superior Court

**APPENDIX A
APPLICATION FOR SERVICE RETIREMENT**

REITER, ROBERT
Effective: 4/20/2021
County Counsel

ROLLERSON, Velma
Effective: 5/1/2021
Social Services Agency

ROBERTS, Rosemarie
Effective: 5/8/2021
Alameda Health System

RUSSELL-CHEMA, Natalie
Effective: 5/1/2021
Social Services Agency

RODRIGUES, Joseph
Effective: 4/25/2021
Social Services Agency

SANGSTER, Nicole
Effective: 4/1/2021
Probation Department

SCHLAGETER, Katherine
Effective: 4/1/2021
Health Care Services Agency

TRAN, Tin
Effective: 3/27/2021
Superior Court

SIMPSON, Laura
Effective: 3/27/2021
Community Development Agency

ULLOA, Mario
Effective: 3/27/2021
Alameda Health System

SMITH, Valarie
Effective: 5/10/2021
Superior Court

WILLIAMS, Eric
Effective: 5/14/2021
Probation Department

**APPENDIX B
APPLICATION FOR DEFERRED RETIREMENT**

ALEXANDER, Michael G.
Health Care Services Agency
Effective Date: 5/28/2021

DUKE, Heather
Alameda Health System
Effective: 6/2/2021

BLACK, Teresa A.
Alameda Health System
Effective: 6/1/2021

FIGUEROA, Michelle F. F.
Probation Department
Effective: 6/9/2021

BREWER, Beverly
Housing Authority
Effective: 5/21/2021

MURPHY, Monica F.
Social Services Agency
Effective: 6/11/2021

**APPENDIX B-1
APPLICATION FOR NON-VESTED DEFFERED**

BODNAR, Troy J.
Alameda Health System
Effective Date: 5/15/2021

DAYAL, Komal K.
Superior Court
Effective: 6/4/2021

CABACUNGAN, Mayanne C.
Alameda Health System
Effective: 5/17/2021

FICENEC, Caroline K.
Superior Court
Effective: 4/30/2021

CALDER, Maria C.
Superior Court
Effective: 5/20/2021

GALLAY, Amelia M. J.
Superior Court
Effective: 6/4/2021

MURPHY, William J.
District Attorney
Effective: 5/4/2021

**APPENDIX D
LIST OF DECEASED MEMBERS**

ADAMS, Cora
Social Services Agency
6/16/2021

EKBLAD, Robert
Alameda Health System
6/27/2021

BIVINGS, Gerald
General Services Agency
5/20/2021

HARRISON, Arrealia
Alameda Health System
6/18/2021

BROOKS, Ronald
Non-Mbr Survivor of Louise Brooks
5/8/2021

HUNT, Hilton
General Services Agency
6/20/2021

DOPPELT-DIXON, Lolita
Superior Court
5/27/2021

JAVIER, Corazon
Alameda Health System
6/7/2021

DOWNING JR., Woodrow
Alameda County Fire Department
6/4/2021

MACCOUN, Betty
Non-Mbr Survivor of John MacCoun
5/13/2021

**APPENDIX D
LIST OF DECEASED MEMBERS**

MILES, Patrick
Sheriff's Office
4/30/2021

STEINER, Yvonne
Probation Department
2/3/2021

REES, Helen
Auditor-Controller
5/10/2021

SUTTER, John
District Attorney
5/10/2021

RION, Mary
Alameda Health System
5/19/2021

SWANSON, Geraldine
Alameda Health System
1/26/2021

ROGERS, James
Probation Department
2/5/2021

TACHET, Michael
Alameda Health System
5/21/2021

ROSE, Elaine
Social Services Agency
5/25/2021

TANAKA, Eddy
Probation Department
5/29/2021

RUCKER, Marie
Social Services Agency
5/24/2021

TUNGOHAN, Leonito
Superior Court
11/20/2020

SAFRENO, Maria
Non-Mbr Survivor of Mal Safreno
2/13/2021

VIHONSKY, John
Public Defender
5/31/2021

SMITH, Phillip
General Services Agency
3/15/2021

VONKRAKAU, Elaine
Social Services Agency
6/10/2021

SPALDING, Robert
Probation Department
1/31/2021

WILLIAMS, Mary
Alameda Health System
5/18/2021

STANLEY-KENNEDY, Joyce
Social Services Agency
5/21/2021

YOUNG, Barbara
Non-Mbr Survivor of Roosevelt Young
6/10/2021

APPENDIX F
APPLICATION FOR DISABILITY RETIREMENT

Name: Algere, Tachia
Type of Claim: Annual Review for SCD (Granted on 3/21/19)

Staff's Recommendation:

Adopt the findings and conclusions and approve and adopt the recommendation contained in the Medical Advisor's report to continue the allowance for Ms. Algere's service-connected disability and to waive future annual medical examinations and questionnaires at this time.

Name: Armstrong, Russell
Type of Claim: Service-Connected

Staff's Recommendation:

Adopt the findings and conclusions and approve and adopt the recommendation contained in the Medical Advisor's report, including but not limited to, granting Mr. Armstrong's application for a service-connected disability, and waiving future annual medical examinations and questionnaires at this time.

Name: Campbell, Rebecca
Type of Claim: Non-Service Connected

Staff's Recommendation:

Adopt the findings and conclusions and approve and adopt the recommendation contained in the Medical Advisor's report, including but not limited to, granting Ms. Campbell's application for a non-service connected disability, and waiving future annual medical examinations and questionnaires at this time.

Name: McCort, Jeffrey
Type of Claim: Service-Connected

Staff's Recommendation:

Adopt the findings and conclusions and approve and adopt the recommendation contained in the Medical Advisor's report, including but not limited to, granting Mr. McCort's application for a service-connected disability, and waiving future annual medical examinations and questionnaires at this time.

**APPENDIX F
APPLICATION FOR DISABILITY RETIREMENT**

Name: **Tulley, Jeanette**
Type of Claim: Annual Review for SCD (Granted on 4/16/19)

Staff's Recommendation:

Adopt the findings and conclusions and approve and adopt the recommendation contained in the Medical Advisor's report to continue the allowance for Ms. Tulley's service-connected disability and to waive future annual medical examinations and questionnaires at this time.
