

ICERS

IMPERIAL COUNTY EMPLOYEES' RETIREMENT SYSTEM

MINUTES REGULAR MEETING OF THE IMPERIAL COUNTY BOARD OF RETIREMENT

October 20, 2021
9:00 A.M.
1221 West State Street
ICERS' Building
El Centro, CA 92243

Chairman Jauregui summarized the current COVID 19 protocols.

OPEN SESSION

1. Open Session/Call to Order:

The meeting was called to order by Chairman Jauregui at 9:03 a.m.

A. Roll Call

MEMBERS PRESENT: Patricia Lizarraga

MEMBERS PRESENT VIA TELECONFERENCE: Karen Vogel, Suzanne Bermudez, Norma K. Jauregui, David H. Prince, Lizandro Escobosa

MEMBERS ARRIVING AFTER ROLL CALL, VIA ZOOM: Luis A. Plancarte, Jose Landeros, Thomas Garcia, AJ Gaddis

LEGAL REPRESENTATIVES VIA TELECONFERENCE: Christopher W. Waddell and Kristen Rogers

STAFF PRESENT: Scott W. Jarvis, Retirement Administrator, Regina Rodrigues, Assistant Retirement Administrator

CLERK OF THE RETIREMENT BOARD PRESENT: Kathleen L. Kubler, Retirement Specialist I

OTHERS PRESENT: Jose Manuel Gonzalez, Service Connected Disability Retirement Applicant, Luis A. Carrasco, Service Connected Disability Retirement Applicant

OTHERS PRESENT VIA TELECONFERENCE: Vivian W. Shultz, ICERS Disability Counsel, Rodolfo Aguayo, Director, Imperial County Human Resources Risk Management, Brenda Olivas-Neujahr, Manager, Imperial County Human Resources Risk Management, Shelly Smail, Assistant Imperial County Auditor-Controller, Mayra Widmann, Deputy County Executive Officer-Budget & Fiscal, Stephan Lobstein, Manager, Imperial County Fleet Services, Suzanne Bermudez as Assistant Imperial County Treasurer/Tax Collector

B. Pledge of Allegiance:

Chairman Jauregui led the meeting in the Pledge of Allegiance.

2. Discussion of the Agenda:

- A. Items to be pulled from the Action Calendar. None
- B. Items to be pulled from the Discussion Calendar. None
- C. Items to be pulled from the Consent Agenda. None
- D. Emergency/Necessity Items to be added. None
- E. Approval of the Agenda:

MOTION by Escobosa, Second by Prince to approve the Agenda was carried by a unanimous roll call vote of members present.

- F. Approval of the Consent Agenda:

MOTION by Lizarraga, Second by Vogel to approve the Consent Agenda was carried by a unanimous roll call vote of members present.

3. Public Comments:

This is the time for the public to address the Board concerning items that are not on this Agenda, but within the jurisdiction of the Board. Matters on the Action Calendar, Discussion Calendar, or Closed Session Agenda maybe addressed before or during consideration of the Agenda item. Speaking time is limited to three (3) minutes:

No public comments were made to address.

4. Convene to Closed Session:

Pursuant to California Law (Government Code §54963) a person may not disclose any confidential information that has been acquired by being present in a Closed Session. Unlawful disclosure of confidential information is a violation of California Law and could result in discipline and/or referral to the Grand Jury.

MOTION by Vogel, Second by Escobosa and carried unanimously by a roll call vote of members present, the board convened into Close Session.

Alternate Retiree Board Member AJ Gaddis joined the meeting via Zoom at 9:30 a.m.

Board Member Garcia joined the meeting via Zoom at 9:40 a.m.

Board Member Landeros joined meeting via Zoom at 9:50 a.m.

Board Member Plancarte joined the meeting via Zoom at 10:20 a.m.

5. A. Meeting closed pursuant to Government Code § 54957(b) to consider the employment status and evaluation of performance of an ICERS member or members as it concerns eligibility for disability retirement (two matters):

Chairman Jauregui allowed Closed Session Item 5.A.2 to be heard before Closed Session Item 5.A.1, to allow time to confirm Mr. Carrasco's intent to be present to comment on his application for Service-Connected Disability Retirement.

2. JOSE GONZALEZ
Application for Service-Connected Disability Retirement Proposed Findings of Fact and Recommended Decision for Board Action

Mr. Gonzalez was present to deliver oral argument to the board regarding his application for Service-Connected Disability Retirement.

Board Member Prince recused himself to the Waiting Room during deliberation and vote of Closed Session Item 5.A.1

1. LUIS CARRASCO
Application for Service-Connected Disability Retirement Proposed Findings of Fact and Recommended Decision for Board Action

Mr. Carrasco was present to deliver oral argument to the board regarding his application for Service-Connected Disability Retirement.

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: 1221 State Street, El Centro, CA 92243

Agency Negotiators: Scott W. Jarvis, Retirement Administrator, ICERS and President/CEO/Treasurer, ICERS Corp

Regina Rodrigues, Vice President/Secretary ICERS Corp.

Negotiating Parties: ICERS Corp. and Horton, Knox, Carter and Foote, LLP

Under Negotiation: Price and terms of payment.

Board Member Garcia recused himself to the Waiting Room during discussion of Closed Session Item 5.C.

Closed Session (cont.)

C. ICERS PENDING LITIGATION

Upon advice of its legal counsel, the ICERS Board will recess to Closed Session pursuant to Government Code § 54956.9(a) to confer with its attorney regarding pending litigation which has been initiated formally and to which ICERS is a part.

IMPERIAL COUNTY SHERIFFS' ASSOCIATION, et al., v. County of Imperial; Imperial County Employees' Retirement System; Board of Administration of County Employees' Retirement System. Imperial County Superior Court Case No. ECU000786

OPEN SESSION

6. Announcement of Closed Session Action:

Board Counsel, Christopher Waddell reported on the following:

MOTION by Bermudez, Second by Escobosa to adopt the recommended decision and Findings of Fact by the Administrative Law Judge in the case of Jose Gonzalez, was carried unanimously by a roll call vote of members present.

MOTION by Vogel, Second by Lizarraga and carried unanimously by a roll call vote of members present, to refer the Recommended Decision and Findings of Fact in the matter of Luis Carrasco back to the Administrative Law Judge, with respect to the objections posited by ICERS Disability Counsel, Vivian W. Shultz.

The board took no action with respect to the real estate matter.

The board received a status report regarding the ICERS pending litigation.

BREAK AT 10:30, RECONVENED AT 10:40 A.M.

ACTION CALENDAR

7. Approval of the Minutes of the September 15, 2021, adjourned regularly scheduled meeting:

MOTION by Lizarraga, Second by Prince to approve the Minutes of the adjourned September 15, 2021, regularly scheduled board meeting was carried by a unanimous roll call vote of members present.

8. Approval of the Minutes of the October 6, 2021, adjourned special meeting:

MOTION by Garcia, Second by Bermudez to approve the Minutes of the October 6, 2021, adjourned Special Board Meeting was carried unanimously by a roll call vote of members present.

9. Presentation by Imperial County General Services Departments regarding different cost allocation services provided to ICERS:

Representatives from Imperial County Human Resources Risk Management, Auditor-Controller, Executive Office-Budget & Fiscal, Fleet Services and Treasurer/Tax Collector each provided a slide show presentation of services as allocated to ICERS and all other county departments.

10. Discussion/Action: The Board will discuss the ongoing Governance Policies and Bylaws revision project and will be asked to consider approving one revised Governance Policy as reviewed and approved by the Ad Hoc Governance Committee:

Co-Counsel, Kristen Rogers reported on the progress by the Ad Hoc Governance Committee to revise ICERS Polices and Bylaws for board action.

MOTION by Bermudez, Second by Garcia to adopt the revision to the Imperial County Employees' Retirement System Accessibility of Records Policy was carried unanimously by a roll call vote of members present.

DISCUSSION CALENDAR

11. Reports/Correspondence/Announcements:

A. Retirement Administrator:

1. Investment Graphs:

A. Market Value Graph of the Retirement System's Assets for September 30, 2021

B. Book vs. Market Graph – compares the Market Value of the System's assets to the Book Value of Assets for September 30, 2021

Mr. Jarvis provided the board with a summary of the activity and performance of the assets classes for the third quarter.

2. Retirement Board Vacancy:

Mr. Jarvis reported that the County Registrar of Voters has scheduled the election for the 10th Seat (Alternate Safety Member) to be held December 28, 2021.

Mr. Jarvis also officially welcomed Jose Landeros as newly appointed to the Retirement Board.

3. ICERS' Office Update:

Mr. Jarvis informed the board that interviews to fill the vacancy of the ICERS Administrative Assistant position will begin Thursday, October 21, 2021, with hope to hire the new employee by the early part of November.

Retirement Administrator: (cont.)

4. Imperial Valley Telecommunications Authority Board Meeting Update:

Mr. Jarvis informed the Board of the recent IVTA Committee meeting regarding revisions to its current cost model.

- 5. State Association of County Retirement Systems (SACRS) – Proposed Legislation for 2022:

Mr. Waddell reported on progress of the SACRS “Clean-up Bill” for 1937 Act provisions.

B. Board Members: None

C. ICERS Legal Counsel:

Legislative Review:

Mr. Waddell reported on matters pending consideration at the October recess of the Legislature.

CONSENT AGENDA

- 12. BUDGET:

Approval of the following Budget claims for the 2021 - 2022 fiscal year, to include Board Members in attendance at the 10/20/2021 meeting; Administrative Budget Expense Summary; and Treasurer’s Cash Account Summary per Govt. Code 31580.2 & 31521:

A. Administrative Budgets

B. Treasurer’s Cash

- 13. Administrative Agenda:

A. Enrollment of New Employee Member to ICERS: (14)

<u>General Members</u>	<u>Department</u>	<u>Date</u>
Aguirre, Fernando	Social Services	09/10/2021
Armenta, Jessica N.	Social Services	09/10/2021
Carranza, Sergio	Public Health	09/10/2021
Ortiz, Nadine	Behavioral Health	09/10/2021
Sebastian, Anna L.	District Attorney	09/10/2021
Beltran, Paola	Behavioral Health	09/24/2021
Buckner, Blanca E.	Behavioral Health	09/24/2021
Cervantes, Andrea	Behavioral Health	09/24/2021
Coronado, Cintya	Public Health	09/24/2021
Estrada, Brenda	Behavioral Health	09/24/2021
Goraya, Jasneet K.	Public Health	09/24/2021
Ramos, Stephany Alejandra	Behavioral Health	09/24/2021
Reyna, Fabiola	Public Health	09/24/2021

Enrollment of New Employee Members to ICERS (cont.)

<u>Safety Members</u>	<u>Department</u>	<u>Date</u>
Beltran, Israel	Juvenile Hall	09/10/2021

B. Terminations: (5)

<u>General Members</u>	<u>Department</u>	<u>Term Date</u>
Coria, Cesia	Behavioral Health	08/03/2021
Coria, Karla	Behavioral Health	08/05/2021
Adame Rodriguez, Monica	Behavioral Health	08/05/2021
Tapia, Audrie	ICTC	08/12/2021
Yancy, Lorisa	Social Services	05/07/2021

C. Service Retirement:

1. Avila, Irene	General Member
Department:	Behavioral Health
Effective Date:	08/05/2021
Service:	22.675731 Years
Sick Leave:	<u>0.007505</u> Years
Total:	22.683236 Years

D. Make-Up Buyback:

1. Aleman, Delia D.	General Member
Department:	Behavioral Health
Service:	1.347356 Year
2. Arias, Francisca I.	General Member
Department:	Public Administrator
Service:	1.564303 Year
3. Ortiz-Diaz, Anna M.	General Member
Department:	Public Health
Service:	0.503966 Year
4. Acuna, Judy A.	Safety Member
Department:	District Attorney
Service:	0.061538 Year

E. Medical Leave Buyback:

1. Avila, Irene F.	General Member
Department:	Behavioral Health
Service:	0.699038 Year
2. De La Torre, Socorro	General Member
Department:	Social Services
Service:	0.655649 Year

Administrative Agenda: (cont.)

F. Deferred / Inter System:

1. Sandez, Edthmyr	General Member
Department:	Treasurer/Tax Collector

- | | | |
|----|---|------------------------|
| | Effective Date: | 02/12/2021 |
| | Service: | 2.426082 Years |
| | Sick Leave: | <u>0.079788</u> Years |
| | Total: | 2.505870 Years |
| 2. | Robb, Gabriela Moreno | General Member |
| | Department: | Planning & Development |
| | Effective Date: | 03/20/2021 |
| | Service: | 4.055769 Years |
| | Sick Leave: | <u>0.049130</u> Years |
| | Total: | 4.104899 Years |
| G. | Non-Vested: | |
| 1. | La Belle, Danielle | General Member |
| | Department: | Social Services |
| | Effective: | 08/07/2021 |
| | Service: | 0.176923 Years |
| | Sick Leave: | <u>0.008981</u> Years |
| | Total: | 0.185904 Years |
| 2. | Ramirez, Alice G. | General Member |
| | Department: | Social Services |
| | Effective Date: | 08/07/2021 |
| | Service: | 4.176923 Years |
| | Sick Leave: | <u>0.060024</u> Years |
| | Total: | 4.236947 Years |
| H. | 60% Continuance of Service Retirement Allowance,
per Govt. Code Section 31760 & Death Benefit: | |
| 1. | Beyer, Cheryl | General Member |
| | Deceased: | 08/30/2021 |
| 2. | Carter, Harold D. | Safety Member |
| | Deceased: | 09/08/2021 |
| I. | Final Payment of Survivor Service Retirement Allowance: | |
| | Margaret Garrie | General Member |
| | Deceased: | 09/06/2021 |

Administrative Agenda: (cont.)

- J. Member Services Statistics: (1attachment)

OTHER ITEMS

14. Special Training:

ICERS' Previously Approved Training (1 attachment)

15. **ADJOURNMENT:**

The meeting was adjourned at 11:56 a.m. to the next regularly scheduled meeting of November 17, 2021.

NORMA K. JAUREGUI, Chairman

DAVID H. PRINCE, Secretary