



San Bernardino County Employees'
Retirement Association

BOARD OF RETIREMENT

Public live stream access: <https://sbcera.legistar.com/calendar.aspx>

Trustee in-person access: 348 W. Hospitality Lane, 1st Floor, San Bernardino, CA 92408

A video recording of this meeting can be found at: <https://sbcera.legistar.com/Calendar.aspx>

Meeting Minutes

Thursday, July 7, 2022

9:00 AM

Hybrid:
In person (Trustees only)/Online

Trustees Present:

NEAL WANER, Appointed Member (Chair)
MARC BRACCO, Safety Member (Vice-Chair)
JEAN-RENE BASLE, Appointed Member
LOUIS FIORINO, General Member
MICHAEL KENNEDY, Appointed Member
JANICE RUTHERFORD, Appointed Member
DAWN STAFFORD, Retired Member
VERE WILLIAMS, General Member
HARRY HATCH, Alternate Retired Member
JOHN JOHNSON, Alternate Ex-Officio Member

Others Present:

DEBBY CHERNEY, Chief Executive Officer
BARBARA HANNAH, Chief Counsel
STACEY BARNIER, Director of Human Resources and Risk Management
COLIN BISHOP, Chief of Member Services
DAVID LANTZER, Senior Staff Counsel
AMY MCINERNY, Chief Financial Officer
JOE MICHAEL, Chief Information Officer
DONALD PIERCE, Chief Investment Officer
ILIANA TORRES, Human Resources Specialist
ERIN CALICCHIO, Recorder
ELOY ALVAREZ, SEUI
SAM AUSTIN, NEPC
JEFFREY BOHNER, Member
ALVA CASTRO, Retirement Benefits Technician
CHRISTINA GOMEZ, Accounting Technician
LEIGHTON HENDERSON, Esq.
SONYA HOLMES, Disability Retirement Technician
LAURA KANCHY, Retirement Specialist
LAURIE LOFRANCO, Keenan and Associates
GREGORY LOUP, Member

LANCE MOHR, M.D.
SHOAIB NAQVI, M.D.
STACEY RICHARDS, SEIU
MICHAEL TAMONY, Communication Officer
NICHOLE VALENZUELA, Retirement Specialist
JEFFREY WAINSTEIN, M.D.

Absent:

ENSEN MASON, Treasurer
JARED NEWCOMER, Alternate Safety Member

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Board Chair Waner called the meeting to order at 9:02 AM and announced protocol regarding Public Comment. Board Chair Waner led the Pledge of Allegiance.

PUBLIC COMMENT

Alva Castro, Retirement Benefits Technician at SBCERA, Laura Kanchy, Retirement Specialist at SBCERA, Nichole Valenzuela, Retirement Specialist at SBCERA, Christina Gomez, Accounting Technician at SBCERA, Sonya Holmes, Disability Retirement Technician at SBCERA, Michael Tamony, Communications Officer at SBCERA, Stacey Richards with SEIU, and Eloy Alvarez with SEUI, provided Public Comment regarding the CEO's evaluation and the ongoing SEIU contract negotiations.

Trustee Bracco arrived at 9:05 AM.

Trustee Williams arrived at 9:10 AM.

CONSENT

A motion was made by Kennedy, seconded by Rutherford, to Approve the Consent Calendar. The motion carried by the following vote:

- Ayes:** 9 - Waner, Bracco, Rutherford, Basle, Fiorino, Kennedy, Stafford, Williams, and Johnson
1. Approve minutes of regular meeting conducted on June 2, 2022 [22-230](#)
 2. Pursuant to SBCERA Resolution No. 2021-7, find that the State of Emergency continues to directly impact the ability to meet safely in person and therefore continue conducting the SBCERA Board and Committee meetings in the month of July in a hybrid format. [22-238](#)
 3. Approve Service Retirements and Change Effective Date. [22-148](#)
 4. Approve the Service-Connected Disability Retirement application of Fernando G. Hernandez - San Bernardino County - Sheriff. [22-250](#)
 5. Approve the Service-Connected Disability Retirement application of William A. Reece - San Bernardino County - Sheriff. [22-240](#)
 6. Approve the 2022 Board of Retirement Election calendar and call an election on December 6, 2022 to elect one General Member, one Retired Member, and one Alternate Retired Member to the Board of Retirement, pursuant to SBCERA General Policy No. 006 (Board of Retirement Elections) and Government Code §31520.1 and §31520.5. [22-239](#)

7. Approve the Staff Position Classifications pursuant to the approved FY 2022-23 Annual Budget and Approve the Updated SBCERA Represented and Unrepresented Salary Schedules. [22-272](#)
8. Approve Special Assignment Compensation in the amount of 7.5% of base salary for the Legal Secretary in the Legal Services Department, effective April 8, 2022 through July 30, 2022 or such sooner date as the CEO determines SAC pay is no longer appropriate. [22-274](#)
9. Approve and adopt updates to Education and Training Policy No. 003 (Trustee Travel and Expense). [22-233.1](#)
10. Approve and adopt updates to Education and Training Policy No. 004 (Gift of Food and Drink Policy). [22-234.1](#)
11. Rescind Benefits Policy No. 005 (Additional Retirement Credit (ARC) Under Government Code sections 31658 and 7522.46), as of January 1, 2023. [22-236.1](#)

ACTION ITEMS

12. Action on Deferred Items from Consent, if any. [22-260](#)

No Items deferred from Consent Calendar.
13. Approve the 2022 Asset Allocation Review. [22-197.1](#)

Pierce, staff, reviewed and Sam Austin of NEPC presented.

A motion was made by Stafford, seconded by Basle, that this agenda item be Approved. The motion carried by the following vote:
Ayes: 9 - Waner, Bracco, Rutherford, Basle, Fiorino, Kennedy, Stafford, Williams, and Johnson
14. Approve an agreement with Linea Solutions for end-to-end process training services related to the PensionGold Refresh Project, in an amount not to exceed \$197,400. [22-256](#)

Bishop and Michael, staff, reviewed.

A motion was made by Stafford, seconded by Kennedy, that this agenda item be Approved. The motion carried by the following vote:
Ayes: 9 - Waner, Bracco, Rutherford, Basle, Fiorino, Kennedy, Stafford, Williams, and Johnson
15. Approve and adopt updates to Actuary and Audit Policy No. 004 (Audit Committee Charter). [22-086.1](#)

McInerny, staff, reviewed. The Board discussed and suggested amendments.

A motion was made by Basle, seconded by Stafford, that this agenda item be Approved as amended. The motion carried by the following vote:

- Ayes:** 7 - Waner, Rutherford, Basle, Fiorino, Kennedy, Stafford, and Johnson
Nays: 2 - Bracco, and Williams
16. Approve and adopt updates to Actuary and Audit Policy No. 005 (Internal Audit Charter). [22-087.1](#)

McInerney, staff, reviewed.

A motion was made by Kennedy, seconded by Rutherford, that this agenda item be Approved. The motion carried by the following vote:

- Ayes:** 8 - Waner, Bracco, Rutherford, Basle, Fiorino, Kennedy, Stafford, and Johnson
Abstain: 1 - Williams

INFORMATION ITEMS

17. Informational Update on Keenan and Associates' Work on Employee Benefits Insurance Broker and Consulting Services. [22-270](#)

Barnier, staff, and Laurie LoFranco of Keenan and Associates presented.

RECEIVE AND FILE

18. Report on the Investment Committee meeting conducted June 9, 2022. [22-237](#)

Received and filed.

19. Report on the Administrative Committee meeting conducted on June 16, 2022. [22-241](#)

Received and filed.

20. Report on the Audit Committee meeting conducted on June 16, 2022. [22-247](#)

Received and filed.

CLOSED SESSION

Trustee Kennedy left the meeting at 2:51PM.

21. Review and determine the Service-Connected Disability Retirement application of Jeffrey Bohner - San Bernardino County - Sheriff. [21-172.1](#)

A motion was made by Bracco, seconded by Basle, to find that Jeffrey Bohner is permanently incapacitated for the performance of duties, therefore, granting a service-connected disability retirement. The motion failed by the following vote:

- Ayes:** 3 - Waner, Bracco, and Basle
Nays: 4 - Fiorino, Stafford, Williams, and Johnson
Absent: 1 - Kennedy
Abstain: 1 - Rutherford

A motion was made by Fiorino, seconded by Williams, to find that Jeffrey Bohner is not permanently incapacitated for the performance of duties and a disability retirement be denied. The motion carried by the following vote:

- Ayes:** 4 - Fiorino, Stafford, Williams, and Johnson
Nays: 3 - Waner, Bracco, and Basle
Absent: 1 - Kennedy
Abstain: 1 - Rutherford

Trustee Kennedy returned to the meeting at 3:31PM.

22. Review and determine the Service-Connected Disability Retirement application of Gregory C. Loup - San Bernardino County - Sheriff. [22-253](#)

A motion was made by Fiorino, seconded by Stafford, to find that Gregory C. Loup is not permanently incapacitated for the performance of duties; therefore, the disability retirement be denied. The motion carried by the following vote:

- Ayes:** 7 - Waner, Basle, Fiorino, Kennedy, Stafford, Williams, and Johnson
Nays: 2 - Bracco, and Rutherford

23. Review and determine the Service-Connected Disability Retirement application of Richard Zuchlewski - San Bernardino County - Sheriff. [22-254](#)

A motion was made by Bracco, seconded by Basle, that this agenda item be Continued to the BOARD OF RETIREMENT, meeting on 8/4/2022. The motion carried by the following vote:

- Ayes:** 8 - Waner, Bracco, Basle, Fiorino, Kennedy, Stafford, Williams, and Johnson
Absent: 1 - Rutherford

Other Closed Session Matters:

24. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION [22-269](#)
 Name of case: Service Employees International Union Local 721 v San Bernardino County Employees' Retirement Association (LA-CE-1578-M).

No reportable action was taken.

25. CONFERENCE WITH LABOR NEGOTIATORS (Government Code section 54957.6) [22-268](#)
 Agency designated representatives: Debby Cherney, Stacey Barnier
 Employee Organization: Service Employees International Union Local 721

No reportable action was taken.

26. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATION OF LITIGATION [22-251](#)

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9: One (1) case.

A motion was made by Basle, seconded by Fiorino, to direct staff to file an amicus brief. The motion carried by the following vote:

Ayes: 8 - Waner, Bracco, Rutherford, Basle, Fiorino, Stafford, Williams, and Johnson

Absent: 1 - Kennedy

Trustee Rutherford left the meeting at 4:05 PM.

OPEN SESSION

27. Report by Counsel on actions taken in Closed Session. [22-261](#)

Counsel reported on actions taken in Closed Session and stated that no reportable action was taken on Item No's. 24 and 25.

Trustee Bracco left the meeting at 4:08 PM.

EXECUTIVE REPORTS

28. Chief Executive Officer. [22-258](#)

Cherney, staff, reviewed.

29. Chief Counsel. [22-257](#)

Hannah, staff, reviewed.

30. Chief Investment Officer. [22-243](#)

Pierce, staff, reviewed.

TRUSTEE ATTENDANCE REPORTS

31. Report by the Trustees concerning conferences and other meetings attended (as specified by Education & Training Policy No. 003 - "Trustee Travel and Expense Policy"). [22-262](#)

Trustees Williams tabled his comments in the interest of time.

32. Report on June 2022 SACRS Board Meeting by Trustee Williams. [22-263](#)

Trustee Williams noted that his SACRS report was included in the Board packet.

SUGGESTIONS FOR FUTURE AGENDA ITEMS

No future agenda items were suggested.

ADJOURN

Chair Waner adjourned the meeting at 4:11 PM in memory of Cleofe Dizon, Shashi Thanki and Doug Boyd.

Respectfully submitted,

NEAL WANER, Board Chair

DEBBY CHERNEY, Board Secretary

DATED: _____