



BOARD OF RETIREMENT

Staff Report

File #: 19-1211

Agenda Date: 12/3/2020

Agenda #: 20.

FROM: Barbara Hannah, Chief Counsel

SUBJECT: Amend Resolution No. 2020-8 re Appeals Process for Benefits Determinations Arising out of the Alameda Supreme Court Decision

RECOMMENDATION:

Amend Resolution No. 2020-8 re Appeals Process for Benefits Determinations Arising out of the Alameda Supreme Court Decision.

BACKGROUND:

On October 1, 2020, the Board adopted Resolution 2020-8, approving a process for benefits appeals for SBCERA retirees who were affected by the implementation of the Alameda Supreme Court decision. As part of the Resolution, the Board authorized the Chief Executive Officer (CEO) to grant one 30-day extension to a member requesting an extension. In several instances, the members have requested additional time beyond the 30-day extension. However, the original Resolution is silent as to what should occur in the event the member has requested an extension beyond the already granted 30-day extension. Recently, the Board has approved and/or ratified such extensions. However, there are times in which time is of the essence for the member to receive a response regarding the approval of his or her request, especially when the Board is not scheduled to meet for weeks or the agenda may have already been posted where it is too late to add an item. Therefore, Chief Counsel recommends that it is the best interest to amend the Resolution to include a good cause clause, which would allow the CEO to grant an extension beyond the initial 30 day extension in the event good cause exists. A redlined amended Resolution 2020-8.01 is attached, incorporating this revision and non-substantive changes.

BUDGET IMPACT:

None.

STRATEGIC PLANNING GOAL/OBJECTIVE:

Operational Excellence & Efficiency

STAFF CONTACT:

Barbara Hannah

ATTACHMENTS:

Exhibit A: [Proposed] Amended Resolution 2020-8.01 Appeals Process for Benefit Determination Arising out of the Alameda Supreme Court Decision