

**MCERA ADMINISTRATIVE & INVESTMENT RETIREMENT BOARD AGENDA  
THURSDAY, JULY 9, 2020  
MERCED COUNTY EMPLOYEES' RETIREMENT ASSOCIATION  
TELEPHONE NUMBER: 1-310-372-7549, CONFERENCE CODE: 975839**

**Important Notice Regarding SARS-COV-2**

**Based on guidance from the California Department of Public Health and the California Governor's Office, in order to minimize the spread of the SARS-COV-2 virus, MCERA's building will be closed to the public during MCERA Board meetings. Members of the MCERA Board will participate in this meeting offsite via conference call. Members of the public may listen to the meeting and offer public comment telephonically by calling into the telephone number provided above and entering the stated conference code. If you have any issues participating in the meeting telephonically or require reasonable accommodation for your participation, please contact MCERA staff at 209-726-2724.**

**Please turn your cell phone or other electronic device to non-audible mode or mute.**

**CALL TO ORDER: 8:15 A.M.**

- ROLL CALL.
- APPROVAL OF MINUTES – June 25, 2020.

**PUBLIC COMMENT**

Members of the public may comment on any item under the Board's jurisdiction. Matters presented under this item will not be discussed or acted upon by the Board at this time. For agenda items, the public may make comments at the time the item comes up for Board consideration. Persons addressing the Board will be limited to a maximum of five (5) minutes in total. Please state your name for the record.

**CLOSED SESSION**

As provided in the Ralph M. Brown Act, Government Code sections 54950 et seq., the Board may meet in closed session with members of its staff, county employees and its attorneys. These sessions are not open to the public and may not be attended by members of the public. The matters the Board will meet on in closed session are identified below. Any public reports of action taken in the closed session will be made in accordance with Government Code sections 54957.1.

**1. DISCUSSION AND POSSIBLE ACTION REGARDING INVESTMENTS IN RECOMMENDED FUNDS, ROLL CALL VOTE REQUIRED.**

(Govt. Code § 54956.81)

1. Discussion and possible action to adopt the recommendation of three Funds/Managers – Cliffwater.

**2. DISABILITY RETIREMENT APPLICATIONS: PERSONNEL EXCEPTION**

(Govt. Code § § 54957, 31532; Cal Const. art. I, § 1)

1. Informal Hearing
  - a. None
2. Formal Hearing
  - a. None

3. Disability update and possible action:
  - a. Aceves, Martin
  - b. Arroyo, Elizabeth
  - c. Cruz, Mary Kay
  - d. Cureton, Michael
  - e. Elias Jr., Robert C
  - f. Herrera, Yvonne
  - g. Jenkins, Robert L.
  - h. Leyro, Domingo
  - i. Parras, Stacy
  - j. Pitts, David
  - k. Salgado, Jose

**RETURN TO OPEN SESSION**

Report on any action taken in closed session.

**CONSENT CALENDAR**

Consent matters are expected to be routine and may be acted upon, without discussion, as one unit. If an item is taken off the Consent Calendar for discussion, it will be heard as the last item(s) of the Board Action/Discussion as appropriate.

**RETIREMENTS:** Pursuant to Govt. Code § 31663.25 or § 31672

All items of earnable compensation for service or disability retirements listed below are in compliance with the pay code schedule approved by the Board of Retirement. The retirement is authorized; however, administrative adjustments may be necessary to alter the amount due to: audit, late arrival of data, court order, etc.

a. Yates, Annamarie	Behavioral Health	19 Yrs. Svc.	Eff. 07/04/2020
b. Manuel, Isabel	Behavioral Health	20 Yrs. Svc.	Eff. 06/27/2020
c. Bettencourt, Leland	Human Resources	5 Yrs. Svc.	Eff. 07/01/2020
d. Linder, Fredrick	Admin Services	14 Yrs. Svc.	Eff. 07/06/2020
e. Valenzuela, Monica	HSA	26 Yrs. Svc.	Eff. 06//18/2020
f. Renoir, Corinne	Behavioral Health	15 Yrs. Svc.	Eff. 06/18/2020

YTD fiscal year 2019/2020 retirees: 106

YTD fiscal year 2018/2019 retirees: 101

YTD fiscal year 2017/2018 retirees: 082

**REFUND OF SERVICE PURCHASE:** None

**DEATH BENEFIT:** None

**MONTHLY BUDGET REPORT:** Due to year end, there is no monthly budget report.

**BOARD ACTION<sup>1</sup>/DISCUSSION**

Pursuant to Govt. Code § 31594 and MCERA’s Investment Objectives & Policy Statement due diligence analysis requirement:

1. Discussion and possible action on Legislative Report – Staff.
2. Review calendar of any training sessions and authorize expenditures for Trustees and

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<sup>1</sup> “Action” means that the Board may dispose of any item by any action, including but not limited to the following acts: approve, disapprove, authorize, modify, defer, table, take no action, or receive and file.

- Plan Administrator. Pursuant to Govt. Code § 31522.8 and MCERA's Trustees Education and Training Policy requirements. Examples of upcoming training and educational sessions:
- a. SACRS Public Pension Investment Management Program (via Zoom Webinar), July 28, 2020 to August 13, 2020.
  - b. CALAPRS Principles for Trustees, August 18, 25 and 26, 2020 (online).
  - c. Nossaman Fiduciary Forum September 30 – October 2, 2020 (virtual conference).

## **INFORMATION ONLY**

### **MCERA UPCOMING BOARD MEETINGS**

Please note: The MCERA Board Meeting and/or Education Day times and dates may be changed in accordance with the Ralph M. Brown Act by the MCERA Board as required.

- July 23, 2020
- August 13, 2020

## **ADJOURNMENT**

All supporting documentation is available for public review online at [www.co.merced.ca.us/retirement](http://www.co.merced.ca.us/retirement)

Any material related to an item on this Agenda submitted to the Merced County Employees' Retirement Association, after distribution of the Agenda packet is available for public inspection at [www.co.merced.ca.us/retirement](http://www.co.merced.ca.us/retirement)

Persons who require accommodation for a disability in order to review an agenda, or to participate in a meeting of the Merced County Employees' Retirement Association per the American Disabilities Act (ADA), may obtain assistance by requesting such accommodation by emailing the Merced County Employees' Association at [MCERA@co.merced.ca.us](mailto:MCERA@co.merced.ca.us), or telephonically by calling (209) 726-2724. Any such request for accommodation should be made at least 48 hours prior to the scheduled meeting for which assistance is requested.

**MCERA ADMINISTRATIVE RETIREMENT BOARD AGENDA**  
**THURSDAY, JUNE 25, 2020**  
**MERCED COUNTY EMPLOYEES' RETIREMENT ASSOCIATION**  
**TELEPHONE NUMBER: 1-310-372-7549, CONFERENCE CODE: 975839**

**CALL TO ORDER: 8:15 A.M.**

**Board Members Present:** Ryan Paskin, Scott Johnston, Al Peterson, David Ness (arrived at 8:20AM), Darlene Ingersoll, Scott Silveira, Michael Rhodes, Janey Cabral, Jason Goins, Kalisa Rochester. **Counsel:** Jeff Grant. **Staff:** Kristen Santos, Alexis Curry, Martha Sanchez, Mark Harman, Ninebra Maryoonani. **Absent:** Karen Adams.

APPROVAL OF MINUTES – June 11, 2020.

**Motion to approve the June 11, 2020 meeting minutes.**

**Silveira/Peterson U/A (7-0)**

**PUBLIC COMMENT**

**No Comment.**

**BOARD ACTION/DISCUSSION**

1. Discussion and possible action on monthly performance for May 2020 by Meketa with possible action on any managers/funds – Meketa Group.  
**No action taken.**
2. Discussion and possible action on quarterly reporting by Cliffwater with possible action on any managers/funds – Cliffwater.  
**No action taken.**
3. Discussion and possible action to adopt MCERA Interest Crediting recommendation as of June 30, 2020 – Staff.  
**Action to approve staff recommendation for Interest Crediting as of June 30, 2020.**  
**Ness/Ingersoll UN (8-0)**
4. Discussion and possible action to appoint MCERA Board of Retirement Chair, Vice Chair and Secretary beginning July 1, 2020 – Chair.  
**Action was approved to nominate Chair as Trustee Paskin, Vice Chair as Trustee Johnston and Secretary as Al Peterson.**  
**Ingersoll/Ness UN (8-0)**
5. Discussion and possible action on SACRS Board of Directors Elections – Staff.  
**Action was approved to delegate Plan Administrator, Kristie Santos as the SACRS Voting Proxy.**  
**Silveira/Ingersoll UN (8-0)**
6. Discussion of SACRS Legislative Report – staff.  
**No action Taken.**

**INFORMATION ONLY**

- **Trustee Ingersoll would like to thank those nominated to Retirement Board seats.**
- **Trustee Silveira would like to thank Trustee Ingersoll and Child Support Services for the use of the Child Support Training Room.**

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- **Plan Administrator will be on vacation for the July 9<sup>th</sup> meeting.**

**ADJOURNMENT**

The meeting adjourned at 9:21AM

Respectfully submitted,

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Ryan Paskin, Chair

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Al Peterson, Secretary

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Date

## Legislative Review of Proposed Legislation for 1937 Act Systems

2019-2020 Session

June 26, 2020

### State Legislation

**AB 992, Mullin.** Relating to local government.

*Re: Amends section 54952.2 of the Government Code.*

Status: Referred to Com on GOV. & F.

The Ralph M. Brown Act generally requires that the meetings of legislative bodies of local agencies be conducted openly. That act defines “meeting” for purposes of the act and Prohibits a majority of members of a legislative body, outside a meeting authorized by the act, from using a series of communications of any kind to discuss, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.

This bill would provide that the prohibition described above does not apply to the participation, as defined, in an internet-based social media platform, as defined, by a majority of the members of a legislative body, provided that a majority of the members do not discuss among themselves, as defined, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest. This bill would make legislative findings to that effect.

**AB 1945, Salas.** Emergency services: first responders.

*Re: Adds section 8562 to the Government Code.*

Status: In Senate. Referred to Com. on L., P.E. & R. on June 23, 2020.

Under existing law, the *California Emergency Services Act*, the Governor is authorized to proclaim a state of emergency, as defined, under specified circumstances. The California Emergency Services Act also authorizes the governing body of a city, county, city and county, or an official designated by ordinance adopted by that governing body, to proclaim a local emergency, as defined.

This bill would, for purposes of the *California Emergency Services Act*, define “first responder” as an employee of the state or a local public agency who provides emergency response services, including a peace officer, firefighter, paramedic, emergency medical technician, public safety dispatcher, public safety telecommunicator, emergency response communication employee. The bill would provide that the definition of first responder described above does not confer a right to, or entitlement upon, an employee or prospective employee to obtain a retirement benefit formula for an employment classification that is not included in, or is expressly excluded from, that formula, as specified. The bill would prohibit an employer from offering, or indicating an ability to offer to an employee or prospective employee a retirement benefit formula for an employment classification that is not included in, or is expressly excluded from, that formula because of the definition of “first responder.”

**AB 2226, Voepel and Brough.** Personal income taxes: exclusion: retirement pay.

*Re: Ads and repeal section 17132.9 of the Revenue and Taxation Code.*

Status: In Com. on REV. & Tax. Hearing postponed by Committee on March 16, 2020.

The Personal Income Tax Law imposes a tax on individual taxpayers measured by the taxpayer’s taxable income for the taxable year, but excludes certain items of income from the computation of tax, including an exclusion for combat-related special compensation.

This bill, for taxable years beginning on or after January 1, 2021, and before January 1, 2031, would exclude from gross income specified amounts of retirement pay received by a taxpayer from the federal government for service performed in the uniformed services, as defined, during the taxable year.

**SB 749, Durazo.** California Public Records Act.

*Re: Adds section 6254.34 to the Government Code.*

Status: In Assembly, ordered to inactive file on request of Assembly Member Calderon.

The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. Existing law provides that nothing in the act requires the disclosure of corporate proprietary information including trade secrets, among other things.

This bill would provide specified records of private industry employer that are prepared, owned, used, or retained by a public agency are not trade secrets and are public records, including certain records relating to employment terms and conditions of employees

working for a private industry employer pursuant to a contract with a public agency, records of compliance with local, state, or federal domestic content requirements, and records of a private industry employer's compliance with job creation, job quality, or job retention obligations contained in a contract or agreement with a state or local agency.

**SB 783, Committee on Labor.** County Employees' Retirement Law of 1937.

*Re: Amends section 31465, 31627.1, 31627.2, and 31631.5 of the Government Code.*

Status: In Assembly. Referred to Com. on P.E. & R. on May 16, 2019.

This is a SACRS sponsored bill that would correct several erroneous or obsolete cross-references within the CERL.

**SB 931, Wieckowski.** Local government meetings: agenda and documents.

*Re: Amends section 54954.1 of the Government Code.*

Status: Amended March 2, 2020. Re-referred to Com. on GOV. & F.

The California Existing law, the Ralph M. Brown Act, requires meetings of the legislative body of a local agency to be open and public and also requires regular and special meetings of the legislative body to be held within the boundaries of the territory over which the local agency exercises jurisdiction, with specified exceptions. Existing law authorizes a person to request that a copy of an agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person.

This bill would require, if the local agency has an internet website, a legislative body or its designee to email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the items be delivered by email. The bill would require, where the local agency determines it is technologically infeasible to send a copy of all documents constituting the agenda packet or a website link containing the documents by electronic mail or by other electronic means, the legislative body or its designee to send by electronic mail a copy of the agenda or a website link to the agenda and mail a copy of all other documents constituting the agenda packet in accordance with the mailing requirements. By requiring local agencies to comply with these provisions, this bill would impose a state-mandated local program.



## CALIFORNIA LEGISLATIVE CALENDAR:

### 2020:

- Jan. 1 Statutes take effect  
Jan. 6 Legislature reconvenes  
Jan. 10 Budget must be submitted by Governor  
Jan. 24 Last day to submit bill requests to the Office of Legislative Counsel  
Feb. 21 Last day for bills to be introduced  
Apr. 2 Spring Recess begins upon adjournment Apr. 1  
Legislature reconvenes from Spring Recess  
Apr. 24 Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house  
May 1 Last day for policy committees to hear and report to the Floor non-fiscal bills introduced in their house  
May 8 Last day for policy committees to meet prior to June 1  
May 15 Last day for fiscal committees to hear and report to the Floor bills introduced in their house. Last day for fiscal committees to meet prior to June 3  
May 26 – May 29 Floor session only. No committee may meet for any purpose except for Rules Committee and Conference Committees  
May 29 Last day for each house to pass bills introduced in that house  
Jun. 15 Budget Bill must be passed by midnight  
Jun. 26 Last day for policy committees to hear and report fiscal bills to fiscal committees  
Jul. 2 Last day for policy committees to meet and report bills Summer Recess begins on adjournment, provided Budget Bill has been passed  
Aug. 3 Legislature reconvenes from Summer Recess  
Aug. 14 Last day for fiscal committees to meet and report bills  
Aug. 17- 31 Floor session only. No committee may meet for any purpose except Rules Committee, and Conference Committees  
Aug. 21 Last day to amend bills on the Floor  
Aug. 31 Last day for each house to pass bills Final Recess begins on adjournment  
Sep. 30 Last day for Governor to sign or veto bills passed by the Legislature before Sept. 1 and in the Governor's possession on or after Sept. 1 noon

### 2021:

- Jan. 1 Statutes take effect