

**MercedCERA ADMINISTRATIVE RETIREMENT BOARD MINUTES
THURSDAY, JULY 8, 2021 – 8:15 A.M.
MERCED COUNTY EMPLOYEES' RETIREMENT ASSOCIATION**

**MERCED COUNTY ADMINISTRATION BUILDING
2222 M STREET, MERCED
LOS BANOS AND LIVINGSTON CONFERENCE ROOMS, BASEMENT
ZOOM CONFERENCE**

<https://us06web.zoom.us/j/93030195748?pwd=NGhFeGltSVhaSTlsK2JGWE83TVFydz09>

DIAL IN NUMBER: 669-900-6833, MEETING ID: 930 3019 5748, PASSCODE: 095484

(FOR USE ONLY IF ZOOM CONNECTION MALFUNCTIONS)

TELEPHONE NUMBER: 1-310-372-7549, CONFERENCE CODE: 975839

CALL TO ORDER - 8:15 A.M.

ROLL CALL

Board members present: Ryan Paskin, Scott Johnston, Al Peterson, Janey Cabral, Scott Silveira, Wendy Alvares, Michael Harris, Aaron Rosenberg, David Ness and Karen Adams (arrived at 8:18 A.M.). **Counsel:** Jeff Grant. **Staff:** Kristen Santos, Martha Sanchez, Alexis Curry, Michelle Lee, Mark Harman, Brenda Mojica and Sheri Villagrana.

APPROVAL OF MINUTES – June 24, 2021

The MercedCERA Board voted unanimously via roll call vote to approve the June 24, 2021 minutes.

Cabral/ Johnston U/A (8-0)

PUBLIC COMMENT

- **Mary McWatters- Is a retiree who retired in 2014 as part of the 'stay order group'. The county and state have stopped the Alameda Litigation, so why is MercedCERA still in litigation?**

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) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Govt. Code § 54956.9(d)(1))

Name of Case: CCC Deputy Sheriffs Assoc. v. CCCERA, et al, Case No. MSN12-1870 (AFSCME v. MercedCERA)

No action taken.

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. Culotta, Deborah	Sheriff	9 Yrs. Svc	Eff: 06/19/2021
b. Coughlin, Ernie	Animal Control	14 Yrs. Svc	Eff: 06/19/2021
c. Cervantes, Mary	Commerce Aviation	11 Yrs. Svc.	Eff: 06/30/2021
d. Slaughter, Frances	Courts	6 Yrs. Svc.	Eff: 07/03/2021
e. Joyner, Brenda	Hospital	6 Yrs. Svc.	Eff: 06/08/2021
f. Parras, Stacy	H.S.A.	6 Yrs. Svc.	Eff: 05/01/2020 NSCD
g. Elias, Robert	H.S.A.	5 Yrs. Svc.	Eff: 08/06/2018 NSCD

YTD fiscal year 2021/2022 retirees: 1

YTD fiscal year 2020/2021 retirees: 87

YTD fiscal year 2019/2020 retirees: 105

YTD fiscal year 2018/2019 retirees: 104

MONTHLY BUDGET REPORT: None Submitted Due to End of Year Closing.

The MercedCERA Board voted unanimously via roll call vote to approve the consent calendar.

Johnston/ Silveira U/A (9-0)

BOARD ACTION/DISCUSSION

1. Discussion and possible action to approve an updated implementation date for Resolution 2020-1 for those retirees who retired July 12, 2014 to August 2020 (known as the "Estoppel Group") with terminal pay – Ashley Dunning, Nossaman.

The MercedCERA Board voted unanimously via roll call vote to amend paragraph 1 of Res. 2020-1 effective date to first feasible retiree payroll date (no sooner than September 2021) to remove the terminal pay item from those who retired on or after July 12, 2014 with no adjustments for past periods.
Silveira/ Peterson U/A (9-0)

2. Discussion and possible action regarding implementation of Resolution 2020-1 for those retirees who retired with terminal pay between January 1, 2013 to July 12, 2014 (known as the "Stay Order Group") pursuant to a stay order issued in CCC Deputy Sheriffs Assoc. v. CCCERA, et al, Case No. MSN12-1870 (AFSCME v. MercedCERA) – Ashley Dunning, Nossaman.

The MercedCERA Board voted unanimously via roll call vote that this implementation of Resolution 2020-1 will not apply to the members who retired from January 1, 2013 to July 12, 2014 (known as the 'Stay Order Group'), until resolved either by litigation, in the courts or stipulated judgement.

Adams/ Silveira U/A (9-0)

3. Discussion and possible action to approve MercedCERA Board seats of Chair, Vice Chair and Secretary for Fiscal Year 2021-2022 – Chair.

The MercedCERA Board voted unanimously via roll call vote to nominate and maintain our current seats for the Chair, Vice Chair and Secretary. The Board voted to reelect Chair Paskin, Vice Chair Johnston and Secretary Peterson to remain in the Board seats for another year.

Silveira/Alvares U/A (9-0)

4. Discussion and possible action to approve the non-pensionable pay code MTP (Management Time Payout) for the Superior Court of Merced County– Staff.

The MercedCERA Board voted unanimously via roll call vote to approve the non-pensionable pay code of MTP (Management Time Payout) for the Superior Court of Merced County.

Cabral/Johnston U/A (9-0)

5. Review calendar of any training sessions and authorize expenditures for Trustees and Plan Administrator. Pursuant to Govt. Code § 31522.8 and MercedCERA's Trustees Education and Training Policy requirements. Examples of upcoming training and educational sessions:

- CALAPRS Principles for Trustees, September 28-30, 2021 (virtual).
- SACRS Fall Conference, November 9-12, 2021 (in person/virtual conference TBD).

No action taken.

INFORMATION ONLY

- **Trustee Cabral-** Thanked our current Chair, Vice Chair and Secretary.
- **Trustee Adams-** Wished she could be present in person at the meeting, but on vacation for her birthday. Thanked our current Chair, Vice Chair and Secretary.
- **Plan Administrator-** Wished Trustee Adams a happy birthday and thanked Martha and Mark for running the meeting.
- **Fiscal Manager-** Reminded trustees that their insurance checks are due.

MercedCERA UPCOMING BOARD MEETINGS



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

- July 22, 2021
- August 12, 2021

ADJOURNMENT

The meeting adjourned at 9:50 A.M.

Accepted By,

Trustee Name/Position	Signature	Date
Ryan Paskin/Chair		7/22/2021
Al Peterson/Secretary		07/22/2021

MercedCERA

July 08, 2021