

**Minutes of the Meeting of the Board of Directors
Retired Employees of Alameda County
Monday May 11, 2020, 9:30 A.M.**

Zoom Video Conferencing Board Meeting

Mary Miller, Acting President of the Board, called the meeting to order at 9:30 A.M.

Roll Call: Mary Miller, Marian Breitbart, Renaye Johnson, Connie Land, Mike Smart, Liz Koppenhaver, Rosalie Masuda and Suman Sharma were present. Nancy Reilly, REAC member and ACERA alternate retired board member, Mike Fara, ACERA Staff Representative, and Pete Albert, ACRE President were also present during the Video Conference.

Minutes: The April 13, 2020 Board meeting was cancelled.

Announcements: No announcements were reported.

Reports

ACERA: Mike Fara provided an update on how Covid-19 is impacting ACERA. ACERA's top priority is the health and wellbeing of its members, its employees, and its families. ACERA recognizes that many of its members are those who are most at risk from COVID-19. ACERA has therefore made a number of changes to help ensure member safety, while at the same time continuing to meet member need.

Due to limited staff resources during the public health shelter in place order, ACERA is taking calls during the limited hours of 8:30 am – 5:00 pm on Tuesdays and Thursdays only. Outside of those business hours, callers may leave a voicemail or send an email. Most of the ACERA staff is now working from home.

ACERA's office will be closed to the public March 17th through the end of the public health order to shelter in place. As a result, one-on-one Ready-to-Retire counseling appointments are only available via phone. Appointments will be prioritized by date of retirement. ACERA continues to process applications and members will continue to receive their pension checks on time.

All ACERA seminars, New-Employee, Mid-Career, Pre-Retirement, and Medicare Transition, will be held as Webinars. ACERA is also working on consolidating many of the forms it uses in order to reduce the number of forms retirees must complete, eliminate duplication, and make them available online. Mike also mentioned that Delta Dental has added a new phone application feature. ACERA anticipates sending out detailed information on the new feature in 2-3 weeks.

Liz provided a brief update on the 2012 "Vested Rights" lawsuit. On May 5, 2020, California's Supreme Court heard oral arguments in litigation that started in 2012 over changes to the state pension law affecting "legacy members" of ACERA and two other county retirement systems. Legacy members are generally those members who have entry dates into ACERA membership prior to January 1, 2013, which was the effective date of the California Public Employees' Pension Reform Act (PEPRA). The lawsuit relates only to legacy members who retired on or after January 1, 2013.

Laws that passed in 2012 (at the same time as PEPRA) ordered county retirement boards to stop counting certain cash received during service and at termination of employment in a legacy member's benefit calculation. The items which were no longer to be counted were some cash-outs of accumulated leave, "on-call" and "standby" pay, and other one-time payments made during the final compensation period. ACERA was prepared to follow the new law starting January 1, 2013, but the trial court stopped ACERA from following the new law for employees retiring on or before July 11, 2014, after which ACERA began following the new law, with minor exception for "on-call" and "standby" pay items.

Most of the Justices' questions related to the state of the law before the 2013 change and the scope of the "California Rule," which historically has protected public pensions from reduction after a public employee begins working. The Supreme Court will issue a ruling within the next 90 days, although the process could be further extended if any party files a petition for rehearing after the opinion is issued. In the meantime, there are no changes ACERA has to make and ACERA will continue to follow its current practices for calculating benefits.

Treasurer's Report: Mary presented the March 2020 Treasurer's Report. Receipts totaled \$9,509.67 and Disbursements were \$4,882.40. Connie motioned that the March 2020 Treasurer's report be approved as submitted. Suman seconded the motion and the motion was approved.

Mary also presented the April 2020 Treasurer's Report. Receipts totaled \$8,438.13 and Disbursements were \$3,672.27. Mary reported that she still has the one outstanding check for 211.00, which has not yet been cashed. Red Arrow Printing, which publishes the REAC News, received two payments in April 2020, one payment for April 2020 and one payment for January 2020. (Red Arrow submitted the January 2020 billing invoice late.) Connie motioned that the April 2020 Treasurer's report be approved as submitted. Suman seconded the motion and the motion was approved.

Covid-19, at least for the duration, will require the Board to begin using Zoom video conferencing for all meetings. Liz moved that Mary be allowed sufficient funds to open a Zoom account. Connie seconded the motion and the motion was approved.

CRCEA: The CRCEA 2020 Spring Conference, which was to be held April 6th thru April 8th in Visalia, California, was cancelled.

SACRS: The SACRS 2020 Spring Conference, which was to be held May 12th thru May 15th in San Diego, California, was cancelled. Pete reported that sessions would be available on line.

Retirement Board: There was no additional information to report.

Investment Committee: The April 8th and May 13th 2020 Investment Committee meetings were cancelled.

Health Care: There was no additional information to report.

Activities: Rosalie expressed concern regarding REAC's 2020 Fall Luncheon, which is normally held immediately following the October Board meeting, which this year would be October 12, 2020. At this point in time, she normally begins to secure a location for the Fall Luncheon, including making a down payment.

Since COVID-19 may continue, at least for the foreseeable future, to require social distancing and prohibit buffet type luncheons, she is hesitant to secure a place and make a down payment. She wanted to know if the Board thought we should wait a bit more, and risk not having a suitable location, or to begin to secure a location now. After some discussion, the Board decided to wait a bit more. The issue will be discussed again at the June 2020 Board meeting.

Membership and Recruitment: Connie reported that as of April 30, 2020 membership stood at 3,940 members.

REAC News: The next REAC News will include information regarding COVID-19, the REAC Board elections, the “Vested Rights” lawsuit, future access to REAC Board meetings, and the new Delta Dental option.

New Business: Election of REAC Officers

Paul reported that Mary Miller has agreed to serve another term as REAC Board President, Marian Breitbart has agreed to serve another term as REAC Board Vice President, Suman Sharma has agreed to serve in the position of REAC Board Treasurer, and that Paul Reeves has agreed to serve another term as REAC Board Secretary. Paul asked the Board if anyone else on the Board would also like to run for one of those officer positions. No one volunteered. Paul called for a vote. Renaye moved that Mary, Marian, Suman and Paul be elected to serve in the positions noted above, Mike seconded the motion and the motion was approved.

Administrative Staff Position:

Mary reported that three retirees have submitted applications for the new Administrative Staff position. The interview board will consist of Mary, Connie, Paul, and Nancy. The interviews will take place on Monday, May 18th, and will be conducted using Zoom Video Conferencing. Once the interviews have been completed, a recommendation concerning the selection will be sent to the entire REAC Board for approval.

Old Business: Revision to the REAC Governance Manual – Article X, Section 5. The board previously voted to include a language change in that section of the Governance Manual which directly referenced “Stipends”. Paul reported that the change has been made and that copies of that change will be sent to the Board via email.

For the Good of the Order: There was nothing new to report.

Meeting adjourned at 11:50 a.m.

Respectfully submitted by Paul Reeves, Board Secretary

Next Meeting: June 8, 2020, 9:30 a.m. (Monday)
Zoom Video Conferencing