

MINUTES

**REGULAR BOARD MEETING
MARIN COUNTY EMPLOYEES' RETIREMENT ASSOCIATION (MCERA)**

**One McInnis Parkway, 1st Floor
Retirement Board Chambers
San Rafael, CA**

July 13, 2022 – 9:00 a.m.

This meeting was held via videoconference pursuant to MCERA Board of Retirement Resolution 2021/22-01, which invoked Government Code section 54953(e) for all MCERA Board and standing committee meetings through July 15, 2022. The public was able to listen to and observe the meeting and provide comment through Zoom.

CALL TO ORDER

Chair Silberstein called the meeting to order at 9:02 a.m.

ROLL CALL

PRESENT: Gladstern, Klein, Martinovich, Murphy, Silberstein, Tomlin, Werby, Jones (alternate retired), Poirier (alternate safety), Shaw (ex officio alternate)

ABSENT: Cooper

MINUTES

It was M/S Werby/Gladstern to approve the May 16-17, 2022 Strategic Workshop Meeting Minutes as submitted. The motion was approved by a vote of 8-0 as follows:

AYES: Gladstern, Klein, Martinovich, Murphy, Poirier, Silberstein, Tomlin, Werby

NOES: None

ABSTAIN: None

ABSENT: Cooper

It was M/S Gladstern/Werby to approve the June 8, 2022 Board Meeting Minutes as submitted. The motion was approved by a vote of 8-0 as follows:

AYES: Gladstern, Klein, Martinovich, Murphy, Poirier, Silberstein, Tomlin, Werby

NOES: None

ABSTAIN: None

ABSENT: Cooper

It was M/S Werby/Murphy to approve the June 15, 2022 Investment Committee Meeting Minutes as submitted. The motion was approved by a vote of 8-0 as follows:

AYES: Gladstern, Klein, Martinovich, Murphy, Poirier, Silberstein, Tomlin, Werby
NOES: None
ABSTAIN: None
ABSENT: Cooper

A..OPEN TIME FOR PUBLIC EXPRESSION

Note: The public may also address the Board regarding any agenda item when the Board considers the item.

Open time for public expression, from three to five minutes per speaker, on items not on the Board Agenda. While members of the public are welcome to address the Board during this time on matters within the Board’s jurisdiction, except as otherwise permitted by the Ralph M. Brown Act (Government Code Sections 54950 et seq.), no deliberation or action may be taken by the Board concerning a non-agenda item. Members of the Board may (1) briefly respond to statements made or questions posed by persons addressing the Board, (2) ask a question for clarification, or (3) provide a reference to staff for factual information.

No members of the public provided comment.

B..TOPIC OF GENERAL INTEREST

1. Reconsideration of State of Emergency conditions under Assembly Bill (AB) 361 (ACTION)
Reconsider and take possible action to invoke Government Code section 54953(e), and to extend MCERA Resolution 2021/22-01 Authorizing Teleconferencing for Board and Standing Committee Meetings through August 12, 2022, because at least one of the following circumstances exists:
 1. The State of Emergency proclaimed remains in effect and continues to directly impact the ability of the members to meet safely in person; or
 2. State or local officials continue to impose or recommend measures to promote social distancing.

Retirement Administrator Jeff Wickman stated the Board is to consider whether one or both conditions listed above exist to invoke Government Code section 54953(e), and to extend MCERA Resolution 2021/22-01 Authorizing Teleconferencing for Board and Standing Committee Meetings through August 12, 2022. The extension would allow the August 3 Audit Committee and August 10, 2022 Board meetings to be held remotely. The Board could also consider and discuss returning to in-person meetings while continuing to broadcast the meetings for the public. Trustee Gladstern advised caution as she is concerned that vaccines are not as effective on the new variant, and Trustee Murphy supported her view.

It was M/S Werby/Murphy to extend MCERA Resolution 2021/22-01 Authorizing Teleconferencing for Board and Standing Committee Meetings through August 12, 2022 because both of the circumstances listed above exist. The motion was approved by a vote of 8-0 as follows:

AYES: Gladstern, Klein, Martinovich, Murphy, Poirier, Silberstein, Tomlin, Werby
NOES: None
ABSTAIN: None
ABSENT: Cooper

C..BOARD OF RETIREMENT MATTERS

1. Administrator's Report

a. Administrator's Update

Mr. Wickman reported that Laurie Murphy, the Second Member, was elected as the sole candidate to a new 3-year term of office beginning November 1, 2022. Trustee Cooper and another candidate submitted nomination forms for the election of the Seventh Member and Alternate Safety Member positions. Ballots for the Seventh Member election will be due to the Registrar of Voters by the end of July.

The Board of Supervisors will be considering eight applicants for appointment to the vacant Fifth Member seat on the Board in the next few months.

Materials for the Retirement Administrator's Annual Performance Evaluation will be sent to the Board after today's meeting. The evaluation will take place at the August Board meeting in Closed Session.

b. Staffing Update

Mr. Wickman announced the hiring of Anya Bakerink as MCERA's new Chief Financial Officer. Ms. Bakerink comes from the County of Marin's Department of Finance where she served as Tax Division Manager. Trustee Martinovich said MCERA is in good hands with Ms. Bakerink joining the team and she and Trustee Shaw congratulated Ms. Bakerink on her new position.

Christina Martinez has been hired as Retirement Benefits Technician. Ms. Martinez also comes to MCERA from the County of Marin Department of Finance.

c. Facility Use Report

No facility use in the period.

d. Future Meetings

- August 3, 2022 Audit Committee
- August 10, 2022 Board
- August 17, 2022 Finance and Risk Management Committee

2. Trustee Comments

a. Educational Training: Reports by Trustees and Staff

Mr. Wickman reported attending the SACRS Board of Directors meeting in Sonoma. One of the items SACRS will be offering in the future is on-demand education for trustees through

the SACRS web site. This will help trustees with achieving their required 24 hours of training every two years.

b. Other Comments

No other comments.

Chair Silberstein directed deliberations to **Agenda Item E.1, Russia/Belarus Divestment Legislation.**

E. NEW BUSINESS

1. Russia/Belarus Divestment Legislation (ACTION)

Consider and take possible action regarding divestment legislation

Mr. Wickman presented information on Senate Bill (SB) 1328. The Bill was introduced on February 18, 2022 and was last amended on May 19, 2022. The bill was scheduled to be heard by the Assembly Committee on Public Employment and Retirement on June 22 but was pulled from the agenda by the Committee and as a result will no longer be considered in 2022.

SB 1328 would prohibit new, additional, or renewed “investments” in (1) any “prohibited company,” (2) any company that the United States government has designated “as complicit in the aggressor countries’ war against Ukraine,” or (3) any company that “supplies military equipment to the aggressor countries.” SB 1328 would also require county retirement systems to “liquidate any existing investments” in such companies “in a manner consistent with the board’s fiduciary responsibilities as described in Section 17 of Article XVI of the California Constitution.”

Three MCERA managers, Western Asset Management, Artisan Partners and Fidelity Institutional Asset Management, hold related positions that could be implicated. The bill did not make it through the mid-term session and will not be considered this year. Mr. Wickman noted that only one of the identified holdings is in a separate account that would allow MCERA to direct the manager to liquidate the position. For the pooled investments the only option would be to sell the entire investment, which would be problematic in that the position may represent a very small percentage of the total portfolio. Organizations that have written letters of opposition to the legislation include the State Association of County Retirement Systems (SACRS), California Public Employees’ Retirement System (CalPERS), and California State Teachers’ Retirement System (CalSTRS).

Mr. Wickman stated staff recommends not making any decision to oppose the bill at this time. Trustee Silberstein suggested letting the sponsor of the legislation know the Board’s position. With Trustees Gladstern and Klein supporting this view, Mr. Wickman will work with Chair Silberstein on how to best communicate the Board’s position to the Bill sponsor.

Chair Silberstein directed deliberations to **Agenda Item D.1, Disability Consent Agenda.**

D. DISABILITY CONSENT AGENDA (TIME CERTAIN: 9:30 a.m.) (ACTION)

Any item that a Board member requests be pulled from the Disability Consent Agenda will be considered in Closed Session under the authority of Government Code section 54957(b), unless the applicant specifically waives confidentiality and requests that their application be considered in Open Session.

1. Lori Marziano Service-Connected County of Marin

Adopt Administrative Recommendation to adopt Administrative Law Judge’s proposed findings of fact and recommended decision to grant service-connected disability retirement application.

Trustee Poirier recused himself from this agenda item and left the meeting because he knows a family member of the applicant and has discussed the case with them.

It was M/S Gladstern/Klein to adopt the Administrative Recommendation to adopt the Administrative Law Judge’s proposed findings of fact and recommended decision to grant Lori Marziano’s service-connected disability retirement application with an effective date of July 12, 2011. The motion was approved by a vote of 7-0 as follows:

- AYES: Gladstern, Klein, Martinovich, Murphy, Silberstein, Tomlin, Werby
NOES: None
ABSTAIN: Poirier
ABSENT: Cooper

Trustee Poirier rejoined the meeting at 9:41 a.m.

2. Future Meetings
Consider and discuss agenda items for future meetings.

No discussion.

E. OTHER INFORMATION

1. Training Calendar (ACTION)

Mr. Wickman presented the monthly Training Calendar. Updates include a Private Equity for Trustees course sponsored by the Institutional Limited Partners Association (ILPA), the new location for the CalAPRS Principles of Pension Governance for Trustees course, and the Nossaman Public Pensions and Investments Fiduciaries’ Forum. For 2023 updates include the Monterey, California location for the CalAPRS General Assembly and the Spring SACRS Conference in San Diego.

It was M/S Murphy/Gladstern to approve the Training Calendar as submitted. The motion was approved by a vote of 8-0 as follows:

AYES: Gladstern, Klein, Martinovich, Murphy, Poirier, Silberstein, Tomlin, Werby
 NOES: None
 ABSTAIN: None
 ABSENT: Cooper

F..CONSENT CALENDAR (ACTION)

The monthly Consent Calendar was presented for consideration by the Board.

It was M/S Werby/Gladstern to approve the Consent Calendar as submitted.

Trustee Gladstern asked about the large refund of contributions. Mr. Wickman replied that the member was advised he would be giving up rights to a future pension benefit if they withdrew the contributions. The member signed the form acknowledging this fact. Trustee Werby asked if refunds of contribution are factored into funding policy and Mr. Wickman replied that one of the actuarial assumptions is the number of terminations and withdrawals that will occur in a year.

The motion was approved by a vote of 8-0 as follows:

AYES: Gladstern, Klein, Martinovich, Murphy, Poirier, Silberstein, Tomlin, Werby
 NOES: None
 ABSTAIN: None
 ABSENT: Cooper

CONSENT CALENDAR

MCERA BOARD MEETING, WEDNESDAY, JULY 13, 2022

JUNE 2022

RETURN OF CONTRIBUTIONS		
Jaishree Chandrasekar	Refund of Contributions (termination)	\$ 4,888.88
Crystal Nielsen-Ramirez	Refund of Contributions (termination)	\$ 7,009.37
Catherine Pfister	Refund of Contributions (termination)	\$ 29,091.61
Justin Schraeder	Partial Refund of Contributions (age change)	\$ 16,148.07
Andrew Swain	Refund of Contributions (termination)	\$124,543.43

BUYBACKS	
John Aitchison	\$ 12,960.31
Jennifer Black	\$ 3,300.02
Kerline Gilles-Ngnitang	\$ 9,686.25
Icela Gonzalez	\$ 3,259.91
Alfredo Limeta	\$ 13,728.43
Jon Montgomery	\$ 10,243.61

Marc Oncina	\$ 6,400.69
Rashida Skaar	\$ 5,149.08
Cynthia Smith	\$ 1,235.74
Laurie Soderstrom	\$ 12,050.33
Emily Stickel	\$ 529.00
Thomas Wong	\$ 11,035.02

NEW RETIREES

Ben Berto	County of Marin - Community Development
Barbara Douglas-White	Marin City Community Services District
Donald Donlon	County of Marin - Finance
Joseph Duong	County of Marin - Health & Human Services
Lisa Goldfien	City of San Rafael
Bernadette Helson	County of Marin - Health & Human Services
Konrad Knudsen	County of Marin - Health & Human Services
Margie Roberts	County of Marin - Finance

DECEASED RETIREES

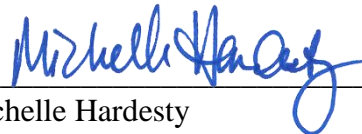
Anneliese Brandt	County of Marin - Probation
Danilo Briones	County of Marin - Finance
Patricia Calhoon	County of Marin - Health & Human Services
Elizabeth Fegan	County of Marin - Probation
Robert Hess	City of San Rafael
Karen Hope	County of Marin - Health & Human Services
Robert Klein	County of Marin - Sheriff/Coroner
Jan Linder	Marin Superior Court
Lance Mannerter	County of Marin - Sheriff/Coroner
Patricia Ruth	County of Marin - District Attorney

There being no further business, Chair Silberstein adjourned the meeting at 9:47 a.m.



Jeff Wickman
Retirement Administrator

On behalf of:
Steve Silberstein, Board Chair



Michelle Hardesty
Assistant Retirement Administrator

On behalf of:
Laurie Murphy, Secretary