

**SANTA BARBARA COUNTY
EMPLOYEES' RETIREMENT SYSTEM**

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**Gregory E. Levin, CPA
Chief Executive Officer**



BOARD OF RETIREMENT

Chair-Frederick Tan
Vice Chair-Harry E. Hagen
Secretary-Michael Vidal
Trent Benedetti
Zandra Cholmondeley
Steve Lavagnino
Rob Adam Perry
Ted Sten
Xiaoli Zhang-King
Alternates
Gary Blair
Ryan Sullivan

**MINUTES OF THE BOARD OF RETIREMENT
SPECIAL MEETING (Government Code Section 54956)
January 13, 2021
Santa Barbara County Employees' Retirement System
Solstice Conference Room
130 Robin Hill Road, Suite 100
Goleta, California**

Pursuant to Executive Order of the Governor of the State of California suspending the Brown Act's requirement of in person public meetings, the Board meeting was held by remote video conference. CEO Greg Levin facilitated the meeting from the SBCERS conference room and trustees, staff, counsel and consultants participated in the meeting remotely from multiple locations. Members of the public were provided access to the meeting by a YouTube link and were provided multiple means to provide public comment.

Roll Call at 9:05 a.m.

Members Present: Benedetti, Cholmondeley, Hagen, Lavagnino, Perry, Sten, Tan, Vidal,
Zhang-King

Alternates Present: Blair, Sullivan

Counsel Present: Blakeboro, Leiderman, Krengel

Clerk Present: Couture

Pledge of Allegiance led by CEO.

BOARD

1. **Alameda Decision Implementation**—Gregory E. Levin, CPA CEO

Presentation by Gregory Levin, SBCERS CEO, Alan Blakeboro, SBCERS General Counsel, and Harvey Leiderman, Fiduciary Counsel and Jennifer Krengel, Tax Counsel,

both of the firm Reed Smith on Alameda County Deputy Sheriffs' Association v. Alameda County Employees' Retirement Association ruling from the California Supreme Court.

DISCUSSION: SBCERS CEO Gregory Levin presented the item and responded to questions from the Board. SBCERS General Counsel Alan Blakeboro and Fiduciary Counsel Harvey Leiderman were also present and responded to questions from the Board.

PUBLIC COMMENT: The following individuals were present for Public Comment and expressed their concerns regarding staff recommendations: Sheriff Bill Brown; Sheriff's Deputy Neil Gowing, Deputy Sheriffs' Association; retired Deputy Sheriff Paul Weirum; Commander Darin Fotheringham, Sheriff's Operations Support Division; Danny Carrillo, SEIU Local 721; and Laura Robinson, SEIU Local 620. A Public Comment from SBCERS member Peter Ysebrands was read into the record.

As to staff recommendation (a), no action was taken and the matter was deferred for future consideration.

As to staff recommendation (b):

MOTION: Create an ad hoc committee of the Board of Retirement to develop and recommend procedures for the implementation of any necessary corrections to retired or active member accounts and benefits and to make other recommendations as appropriate.

Motion: Sten

Second: Zhang-King

Approved by roll call vote.

Yes: Benedetti, Cholmondeley, Hagen, Lavagnino, Hagen, Perry, Sten, Tan, Zhang-King

As to staff recommendation (c):

MOTION: Adopt the following provisional standards for inclusion in compensation earnable of new earnings codes used to account for stand-by duty and, refer consideration of a policy on Approval of Plan Sponsor Earnings' Codes to the Board of Retirement Operations Committee in order to document a permanent standard for hours based earnings codes along with other procedural issues related to the approval of earnings codes.

Provisional Standard for Hours Based Compensation:

- I. Normal working schedule and any mandatory stand-by duty included in that schedule must be clearly defined in writing, including the number of stand-by duty hours normally scheduled for each job classification and associated earning code in an executed memorandum of understanding. Such hours

shall be the maximum hours includable in compensation earnable for a member of the class.

- II. The County must have documented time card procedures that direct employees to separately account for ad hoc, voluntary or assumed stand-by duty using an earning code that is recognizable as not included in compensation earnable and for which retirement contributions will not be collected.
- III. County scheduling procedures must allocate and track stand-by duty hours to all affected members of a class.

Motion: Lavagnino

Second: Cholmondeley

Approved by roll call vote.

Yes: Benedetti, Cholmondeley, Hagen, Lavagnino, Hagen, Perry, Sten, Tan, Zhang-King

Chair Tan appointed himself and Trustees Cholmondeley, Zhang-King, and Lavagnino as members of the Alameda Ad Hoc Committee.

The meeting adjourned at 10:33 a.m.

ATTEST:

Clerk

Chair

Secretary