



**Alameda County Employees' Retirement Association
BOARD OF RETIREMENT**

NOTICE and AGENDA

**THIS MEETING WILL BE CONDUCTED VIA TELECONFERENCE
[GOV'T CODE § 54953(e)]**

ACERA MISSION:

To provide ACERA members and employers with flexible, cost-effective, participant-oriented benefits through prudent investment management and superior member services.

**Thursday, August 18, 2022
2:00 p.m.**

ZOOM INSTRUCTIONS	BOARD OF RETIREMENT - MEMBERS	
<p>The public can view the Teleconference and comment via audio during the meeting. To join this Teleconference, please click on the link below. https://zoom.us/join Webinar ID: 879 6337 8479 Passcode: 699406 Call-In Number: 1 (669) 900-6833 US</p> <p>For help joining a Zoom meeting, see: https://support.zoom.us/hc/en-us/articles/201362193</p>	JAIME GODFREY	APPOINTED
	CHAIR	
	LIZ KOPPENHAVER	ELECTED RETIRED
	FIRST VICE-CHAIR	
	OPHELIA BASGAL	APPOINTED
	SECOND VICE-CHAIR	
	DALE AMARAL	ELECTED SAFETY
	KEITH CARSON	APPOINTED
	TARRELL GAMBLE	APPOINTED
HENRY LEVY	TREASURER	
KELLIE SIMON	ELECTED GENERAL	
GEORGE WOOD	ELECTED GENERAL	
NANCY REILLY	ALTERNATE RETIRED¹	
DARRYL WALKER	ALTERNATE SAFETY²	

¹ The Alternate Retired Member votes in the absence of the Elected Retired Member, or, if the Elected Retired Member is present, then votes if both Elected General Members, or the Safety Member and an Elected General Member, are absent.

² The Alternate Safety Member votes in the absence of the Elected Safety Member, either of the two Elected General Members, or both the Retired and Alternate Retired Members.

Note regarding accommodations: The Board of Retirement will provide reasonable accommodations for persons with special needs of accessibility who plan to attend Board meetings. Please contact ACERA at (510) 628-3000 to arrange for accommodation.

Note regarding public comments: Public comments are limited to four (4) minutes per person in total.

The order of agendized items is subject to change without notice. Board and Committee agendas and minutes, and all documents distributed to the Board or a Committee in connection with a public meeting (unless exempt from disclosure), are available online at www.acera.org.

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

4. CONSENT CALENDAR:

The Board will adopt the entire Consent Calendar by a single motion, unless one or more Board members remove one or more items from the Consent Calendar for separate discussion(s) and possible separate motion(s).

A. REPORT ON SERVICE RETIREMENTS:

Appendix A

B. LIST OF DEFERRED RETIREMENTS:

Appendix B

C. LIST OF DECEASED MEMBERS:

Appendix C

D. APPROVE REQUEST(S) FOR UP TO 130 BI-WEEKLY PAYMENTS TO RE-DEPOSIT CONTRIBUTIONS AND GAIN CREDIT:

None

E. APPROVE UNCONTESTED STAFF RECOMMENDATIONS ON DISABILITY RETIREMENTS AND DEATH BENEFITS:

Appendix E

F. APPROVE UNCONTESTED HEARING OFFICER RECOMMENDATIONS FOR DISABILITY RETIREMENTS AND DEATH BENEFITS:

None

G. APPROVE MINUTES of BOARD and COMMITTEE MEETINGS:

July 21, 2022 Minutes of the Regular Board Meeting

August 3, 2022 Operations Committee Minutes

August 3, 2022 Retirees Committee Minutes

August 3, 2022 Governance Committee Minutes

August 10, 2022 Investment Committee Minutes

H. MISCELLANEOUS:

- *Proposed Findings Regarding State of Emergency Pursuant to Gov't Code §54953(e)(3): **Staff Recommendation:** The Board finds that it has reconsidered the circumstances of the state of emergency and (1) the state of emergency continues to directly impact the ability of the members to meet safely in person, and (2) state or local officials continue to impose or recommend measures to promote social distancing.*

H. MISCELLANEOUS (Continued):

- *Quarterly Report on Member Underpayments and Overpayments*
- *2nd Quarter 2022 Call Center Report*
- *Approve Staff Recommendations regarding County of Alameda's New Pay Items/Codes:*
 - *One Time Special Payment – 718*
 - *Lead Responsibilities-Alameda County Behavioral Health Vocational Services Division – 42V*

-----End of Consent Calendar-----
(MOTION)

REGULAR CALENDAR
REPORTS AND ACTION ITEMS

5. DISABILITY, DEATH AND OTHER BENEFIT CLAIMS

- A. Member Joe Dutra's Claim for Retroactive MBRP Benefits.

This item will be addressed in Open Session (materials are included in the public agenda packet), but the Board may go into Closed Session to receive advice from counsel, per Gov't Code § 54956.9(d)(2).

6. COMMITTEE REPORTS, RECOMMENDATIONS AND MOTIONS:

- A. **Operations:** [See August 3, 2022 Operations Committee Agenda Packet for public materials related to the below listed items.]

1. Summary of August 3, 2022 Meeting.

- B. **Retirees:** [See August 3, 2022 Retirees Committee Agenda Packet for public materials related to the below listed items.]

1. Summary of August 3, 2022 Meeting.

2. Motion to approve including the diagnostic and preventive services waiver, and increasing the annual benefit maximum from \$1,000 to \$1,300 for the Premier and Non-Contracted providers.

3. Motion to continue the dental plan contributions for Plan Year 2023, which provides a monthly subsidy equal to the single-party dental plan coverage premium of \$51.24, an increase of 16.1% over the current rate, for the PPO plan and \$22.18 for the DeltaCare USA plan for retirees who are receiving ACERA allowances with ten or more years of ACERA service, are service connected disability retirees, or are non-service connected disability retirees as of January 31, 2014. This is a non-vested benefit funded by contributions from the ACERA employers to the 401(h) account. After contributions are made in accordance with the County Employees Retirement Law, ACERA treats an equal amount of Supplemental Retiree Benefit Reserve assets as employer contributions for pensions.

4. Motion to approve adding UV coating and polycarbonate lenses and increasing the frame allowance.
5. Motion to continue the vision plan contributions for Plan Year 2023, which provides a monthly subsidy equal to the single-party vision plan coverage premium of \$4.63, an increase of 16.6 % over the current rate, for retirees who are receiving ACERA allowances with ten or more years of ACERA service, are service connected disability retirees, or are non-service connected disability retirees as of January 31, 2014. This is a non-vested benefit funded by contributions from the ACERA employers to the 401(h) account. After contributions are made in accordance with the County Employees Retirement Law, ACERA treats an equal amount of Supplemental Retiree Benefit Reserve assets as employer contributions for pensions.

C. Governance: [See August 3, 2022 Governance Committee Agenda Packet for public materials related to the below listed items.]

1. Summary of August 3, 2022 Meeting.
2. Motion to adopt the Governance Committee’s recommended revisions to the *Board of Retirement Charter*.
3. Motion to adopt the Governance Committee’s recommended revisions to the *Board Policy Development Process*.
4. Motion to adopt the Governance Committee’s recommended revisions to the *Remote Access to Meetings Policy*.

D. Investment: [See August 10, 2022 Investment Committee Agenda Packet for public materials related to the below listed items.]

1. Summary of August 10, 2022 Meeting.

7. NEW BUSINESS:

- A. Report on renewal of Alameda County’s medical plan contracts for the 2023 Plan Year, to include information regarding renewal rates and plan coverage.

- Kathy Foster
- Ava Lavender

- B.** Motion to increase the 2023 Group Plan Monthly Medical Allowance (MMA) by 3.25% for eligible retirees in the group plans, in accordance with the substantive plan definition adopted under GASB 43 equal to 50% of the rate of health care inflation assumptions provided by ACERA’s actuary, which results in a MMA maximum of \$616.12 for the Plan Year 2023. The MMA contribution is a non-vested benefit subject to possible reduction or elimination if Board policies change or funds are unavailable. This benefit is funded by contributions from ACERA employers to the 401(h) account. After contributions are made, in accordance with the County Employees Retirement Law, ACERA treats an equal amount of Supplemental Retiree Benefit Reserve assets as employer contributions for pensions.
- C.** Motion to increase the 2023 Individual Plan Monthly Medical Allowance (MMA) by 3.25% for eligible qualified early (non-Medicare) retirees enrolled in individual plans through the Health Exchange, in accordance with the substantive plan definition adopted under GASB 43 equal to 50% of the rate of health care inflation assumptions provided by ACERA’s actuary, which results in a MMA maximum of \$616.12 for Plan Year 2023. The MMA contribution is a non-vested benefit subject to possible reduction or elimination if Board policies change or funds are unavailable. This benefit is funded by contributions from ACERA employers to the 401(h) account. After contributions are made, in accordance with the County Employees Retirement Law, ACERA treats an equal amount of Supplemental Retiree Benefit Reserve assets as employer contributions for pensions.
- D.** Motion to increase the 2023 Individual Plan Monthly Medical Allowance (MMA) by 3.25% for qualified Medicare eligible retirees enrolled in individual plans through the Medicare Exchange, in accordance with the substantive plan definition adopted under GASB 43 equal to 50% of the rate of healthcare inflation assumptions provided by ACERA’s actuary, which results in a MMA maximum of \$471.99 for Plan Year 2023. The MMA contribution is a non-vested benefit subject to possible reduction or elimination if Board policies change or funds are unavailable. This benefit is funded by contributions from ACERA employers to the 401(h) account. After contributions are made, in accordance with the County Employees Retirement Law, ACERA treats an equal amount of Supplemental Retiree Benefit Reserve assets as employer contributions for pensions.
- E.** Chief Executive Officer’s Report.

- 8. CONFERENCE/ORAL REPORTS**
- 9. ANNOUNCEMENTS**
- 10. BOARD INPUT**
- 11. ESTABLISHMENT OF NEXT MEETING:
Thursday, September 15, 2022 at 2:00 p.m.**
- 12. ADJOURNMENT**

**APPENDIX A
REPORT ON SERVICE RETIREMENTS**

AMENAGHAWON, Ifaluyi
Effective: 6/1/2022
Alameda Health System

LANUM, Georgia
Effective: 5/19/2022
Health Care Services Agency

BREWER, Beverly
Effective: 6/3/2022
Community Development Agency

MAREZ, Lee
Effective: 4/30/2022
Probation Department

CERF, Rosana
Effective: 5/28/2022
Alameda Health System

MATHEW, Raju
Effective: 5/28/2022
Health Care Services Agency

CERVANTEZ, Peggy
Effective: 5/28/2022
Sheriff's Department

MEDIRAN, Clipseo
Effective: 5/28/2022
General Services Agency

CHERRY, Bernice
Effective: 5/16/2022
Social Services Agency

NGUYEN, Tam
Effective: 4/1/2022
Public Works Agency

FARROW, Catherine
Effective: 6/21/2022
Community Development Agency

PERRY, Kristin
Effective: 5/16/2022
Social Services Agency

HERRERA, Elizabeth
Effective: 5/30/2022
Alameda Health System

REID, Shajauana
Effective: 5/28/2022
Social Services Agency

HOANG, Viet
Effective: 5/28/2022
Social Services Agency

RESENDES, Greg
Effective: 6/8/2022
Sheriff's Department

HORN, Darren
Effective: 5/28/2022
Probation Department

REYES, Betty
Effective: 6/11/2022
Probation Department

KAETZEL, Thomas
Effective: 7/2/2022
General Services Agency

REYES, Rolando
Effective: 6/1/2022
Alameda Health System

KATZ, Linda
Effective: 6/3/2022
County Administrator

RITTER, Penny
Effective: 7/1/2022
Sheriff's Department

LADNER, Michael
Effective: 5/28/2022
Sheriff's Department

ROTH, Nancy
Effective: 6/25/2022
Health Care Services Agency

**APPENDIX A
REPORT ON SERVICE RETIREMENTS**

SEYMAN, John
Effective: 4/28/2022
County Counsel

SUTTON, John
Effective: 6/11/2022
Health Care Services Agency

SUAREZ, Manuel
Effective: 6/1/2022
General Services Agency

TORRES, Leticia
Effective: 6/18/2022
Alameda Health System

WHITMORE, Sara
Effective: 5/28/2022
Public Defender

**APPENDIX B
LIST OF DEFERRED RETIREMENTS**

BAUMAN, Ryan
Sheriff's Department
Effective Date: 6/10/2022

GOMBODORJ, Baatar
Health Care Services Agency
Effective: 6/24/2022

BOER, Kristin
Health Care Services Agency
Effective: 6/24/2022

GREGG, Misty
District Attorney
Effective: 6/24/2022

BUSBY, Scott
Sheriff's Department
Effective: 6/25/2022

GUZMAN, Vivian
Alameda Health System
Effective: 5/10/2022

CHEUNG, Eugene
Alameda Health System
Effective: 6/6/2022

HOLLAND, Kenitra
District Attorney
Effective: 6/9/2022

EMOLE, Joy
Social Services Agency
Effective: 6/7/2022

HOPKINS-DICOCHEA, Mavia
Superior Court
Effective: 6/8/2022

ESGUERRA, Michelle
Superior Court
Effective: 6/7/2022

INTERIANO, Gloria
Alameda Health System
Effective: 6/10/2022

GALINDO, Emily
Sheriff's Department
Effective: 6/23/2022

JACKSON, Ramsey
Sheriff's Department
Effective: 6/9/2022

**APPENDIX B
LIST OF DEFERRED RETIREMENTS**

JOHNSON, Alysia
Social Services Agency
Effective: 6/10/2022

RENDON, Ryan
Probation Department
Effective: 6/16/2022

KANG, Samuel
Auditor-Controller
Effective: 6/20/2022

RIVERA, Beatrice
Alameda Health System
Effective: 5/25/2022

KHAN, Muhammad Uzair
Retirement (ACERA)
Effective: 6/24/2022

ROLLINS, Lindsey
Sheriff's Department
Effective: 5/25/2022

LEE, Aaron
Auditor-Controller
Effective: 6/7/2022

SEN, Trisha
Superior Court
Effective: 3/11/2022

LOPEZ, Miguel
Health Care Services Agency
Effective: 6/25/2022

SIMPSON, Tameka
Alameda Health System
Effective: 5/12/2022

MANALAC, Kaela Chanel
Alameda Health System
Effective: 6/12/2022

SMITH, Larry
Auditor-Controller
Effective: 6/10/2022

MANNING, Alisha
Probation Department
Effective: 5/27/2022

SPICER-WILSON, Stephanie
Department of Child Support Services
Effective: 5/31/2022

NGUYEN, Hung
Social Services Agency
Effective: 4/15/2022

SULLIVAN, Kirk
District Attorney
Effective: 6/17/2022

ODONOGHUE, Megan
Human Resource Services
Effective: 6/3/2022

THOMAS, Troy
District Attorney
Effective: 5/27/2022

PAULOS, Joshua
Health Care Services Agency
Effective: 6/24/2022

THORNBERRY, Theresa
Auditor-Controller
Effective: 6/21/2022

RAMIREZ, Evelin
Superior Court
Effective: 5/31/2022

TIMPANE, Colleen
Alameda Health System
Effective: 6/3/2022

REED, Hannah
County Counsel
Effective: 5/31/2022

TRAYNOR, Jessica
Zone 7
Effective: 6/17/2022

**APPENDIX B
LIST OF DEFERRED RETIREMENTS**

VINGUA, Vonnell
Alameda Health System
Effective: 6/17/2022

WASHINGTON, Daryl
Superior Court
Effective Date: 6/17/2022

VUONG, John
Alameda Health System
Effective: 6/10/2022

WIGGINS, Tasia
District Attorney
Effective: 6/10/2022

YANEZ, Guadalupe
Health Care Services Agency
Effective: 6/17/2022

**APPENDIX C
LIST OF DECEASED MEMBERS**

BARAKOS, Maria
Non-Mbr Survivor of Spiro Barakos
7/9/2022

HINDERLIE, Norma
Non-Mbr DRO of Thomas Hinderlie
7/4/2022

CRAIN, Johnny
Non-Mbr Survivor of Dorothy Crain
6/13/2022

JACKSON, Mary
Social Services Agency
7/9/2022

DYER, Evelyn
Non-Mbr Survivor of Glenn Dyer
6/12/2022

JAMES, Vera
Health Care Services Agency
6/19/2022

FISHER, Lynda
Alameda Health System
6/25/2022

KINNAIRD Lucy
Social Services Agency
7/16/2022

GOUVEIA, Gerald
Superior Court
7/18/2022

LUTZ, Carol
Non-Mbr Survivor of Donald Lutz
7/18/2022

HALLERT, Kathleen
Non-Mbr DRO of Richard Hallert
7/21/2022

MARSHALL, Wanda
Social Services Agency
5/11/2022

HANSON, Maxine
Social Services Agency
6/24/2022

MARTINEAU, Evan
Health Care Services Agency
7/23/2022

HARMEYER, Mary
Non-Mbr Survivor of Joseph Harmeyer
6/26/2022

MATSLER, David
Probation Department
7/10/2022

**APPENDIX C
LIST OF DECEASED MEMBERS**

MELVIN, Mary
Social Services Agency
7/7/2022

SMALLEY, Ronald
Public Works Agency
7/13/2022

MILLS, Anne
Superior Court
7/8/2022

SMALLWOOD, William
Public Works Agency
6/30/2022

MONTEMAYOR, Zenaida
Treasurer-Tax Collector
6/29/2022

TEJADA, Peter
Probation Department
6/23/2022

NEARY, Elizabeth
Health Care Services Agency
7/19/2022

WATKINS, Roslyn
Sheriff's Department
7/14/2022

SANTANA, Doris
Non-Mbr Survivor of Charles Santana
6/21/2022

WELLS, Douglas
Public Works Agency
7/7/2022

SHIRASAWA, Takeo
Health Care Services Agency
6/23/2022

WOODARD, Warren
Probation Department
6/6/2022

ZIEHN, Doris
Non-Mbr Survivor of Herbert Ziehn
6/26/2022

**APPENDIX E
APPROVE UNCONTESTED STAFF RECOMMENDATIONS ON
DISABILITY RETIREMENTS AND DEATH BENEFITS**

Name: Cervantez, Peggy
Type of Claim: Service-Connected

Staff's Recommendation:

Adopt the findings and conclusions and approve and adopt the recommendation contained in the Medical Advisor's report, including but not limited to, granting Ms. Cervantez's application for a service-connected disability, and waiving future annual medical examinations and questionnaires at this time.

APPENDIX E
APPROVE UNCONTESTED STAFF RECOMMENDATIONS ON
DISABILITY RETIREMENTS AND DEATH BENEFITS

Name: Guerrero, Susana
Type of Claim: Service-Connected

Staff’s Recommendation:

Adopt the findings and conclusions and approve and adopt the recommendation contained in the Medical Advisor’s report, including but not limited to, granting Ms. Guerrero’s application for a service-connected disability, and waiving future annual medical examinations and questionnaires at this time.

Based on the Medical Advisor’s and Staff’s review and determination of Ms. Guerrero’s ability to determine the permanency of her incapacity, to deny Ms. Guerrero’s request for an earlier effective date.

Name: Humphries, William
Type of Claim: Service-Connected

Staff’s Recommendation:

Adopt the findings and conclusions and approve and adopt the recommendation contained in the Medical Advisor’s report, including but not limited to, granting Mr. Humphries application for a service-connected disability, and waiving future annual medical examinations and questionnaires.

July 21, 2022
Minutes of the Regular Board Meeting
For approval under August 18, 2022
Board “Consent Calendar”



ALAMEDA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION
BOARD OF RETIREMENT
MINUTES

THIS MEETING WAS CONDUCTED VIA TELECONFERENCE WITH VIDEO

Thursday, July 21, 2022

Chair Jaime Godfrey called the meeting to order at 2:00 p.m.

Trustees Present: Ophelia Basgal
Keith Carson
Tarrell Gamble
Jaime Godfrey
Liz Koppenhaver
Henry Levy
Kellie Simon
George Wood
Nancy Reilly (*Alternate*)
Darryl Walker (*Alternate*) (*Arrived After Roll Call*)

Trustees Excused: Dale Amaral

Staff Present: Victoria Arruda, Human Resource Officer
Angela Bradford, Executive Secretary
Sandra Dueñas-Cuevas, Benefits Manager
Kathy Foster, Assistant Chief Executive Officer-Benefits
Erica Haywood, Fiscal Services Officer
Jessica Huffman, Benefits Manager
Harsh Jadhav, Chief of Internal Audit
Vijay Jagar, Retirement Chief Technology Officer, ACERA
Lisa Johnson, Assistant Chief Executive Officer-Operations
David Nelsen, Chief Executive Officer
Jeff Rieger, Chief Counsel
Betty Tse, Chief Investment Officer

PUBLIC INPUT

During CalPERS Chief Executive Officer Marcie Frost’s discussion, ACRE President Pete Albert inquired about private equity performance and the risks. Ms. Frost responded as a part of CalPERS due diligence, the CalPERS Private Equity Team reviews the history of and engages with all of its new Private Equity GPs (General Partners) and also receives Public Comment on its private equity investment decisions. Alameda County Active Member Cynthia Landry inquired whether or not CalPERS Long-Term Plan will be re-opened to new members. Ms. Frost responded that she could not comment on the CalPERS Long-Term Care issue at this time. Ms. Landry also asked for clarification regarding whether or not part-time employees can be in the CalPERS Pension Plan. Ms. Frost responded yes, depending on the number of hours worked, a part-time employee can accrue service credit. Mr. Albert and Ms. Landry thanked Ms. Frost for her attendance at today’s Board meeting.

During the CEO’s Report discussion, Ms. Landry inquired as to whether or not there was a bill in the legislature to buy back Military Service. Mr. Nelsen stated he was not aware of any bill regarding purchasing Military Service that may impact the ’37 Act Systems.

CONSENT CALENDAR
REPORTS AND ACTION ITEMS

REPORT ON SERVICE RETIREMENTS

Appendix A

LIST OF DEFERRED RETIREMENTS

Appendix B

LIST OF DECEASED MEMBERS

Appendix C

APPROVE REQUEST(S) FOR UP TO 130 BI-WEEKLY PAYMENTS TO RE-DEPOSIT CONTRIBUTIONS AND GAIN CREDIT

None

APPROVE UNCONTESTED STAFF RECOMMENDATIONS ON DISABILITY RETIREMENTS AND DEATH BENEFITS

Appendix E

APPROVE UNCONTESTED HEARING OFFICER RECOMMENDATIONS FOR DISABILITY RETIREMENTS AND DEATH BENEFITS

None

APPROVE MINUTES of BOARD and COMMITTEE MEETINGS

June 16, 2022 Minutes of the Regular Board Meeting

July 6, 2022 Retirees Committee Minutes

July 13, 2022 Investment Committee Minutes

MISCELLANEOUS

- *Proposed Findings Regarding State of Emergency Pursuant to Gov't Code § 54953(e)(3): **Staff Recommendation:** The Board finds that it has reconsidered the circumstances of the state of emergency and (1) the state of emergency continues to directly impact the ability of the members to meet safely in person, and (2) state or local officials continue to impose or recommend measures to promote social distancing.*
- *Operating Expenses and Budget Summary as of 05/31/22*

REPORT OUT OF JANUARY 20, 2022 CLOSED SESSION, ITEM 13(A):

- The Board of Retirement took action to invest \$330 million in the Morgan Stanley custom fund-of-hedge-funds vehicle Riverview Strategic Alpha LP, pending completion of legal and investment due diligence and successful contract negotiations. The motion carried 4 yes (Amaral, Simon, Reilly, Wood), 3 no (Gamble, Godfrey, Levy), and 0 abstentions. The investment transaction has closed.

22-40

It was moved by Ophelia Basgal and seconded by Keith Carson that the Board adopt the Consent Calendar. The motion carried 8 yes (Basgal, Carson, Gamble, Godfrey, Koppenhaver, Levy, Simon, Wood), 0 no, and 0 abstentions.

**REGULAR CALENDAR
REPORTS AND ACTION ITEMS**

DISABILITY AND DEATH BENEFIT CLAIMS

None.

COMMITTEE REPORTS, RECOMMENDATIONS AND MOTIONS

This month's Committee reports were presented in the following order:

Investment:

Tarrell Gamble gave an oral report stating that the Investment Committee met on July 13, 2022 and that Staff and Verus presented and interviewed the following candidates for ACERA's Emerging Markets Equity Manager – International Equities:

- Baillie Gifford and Company
- Wellington Management
- William Blair

Trustee Gamble stated that after an extensive interview of all three candidates and a question and answer session, the Committee recommended William Blair as ACERA's Emerging Markets Equity Manager for International Equities. At today's Board meeting, the following motion was made.

22-41

It was moved by Tarrell Gamble and seconded by Kellie Simon that the Board select William Blair as its Finalist for ACERA's Emerging Markets Equity Manager Search – International Equities, pending completion of legal and investment due diligence and successful contract negotiations. The motion carried 5 yes (*Basgal, Levy, Reilly, Simon, Wood*), 3 no (*Carson, Gamble, Godfrey*), and 0 abstentions. Trustees *Koppenhaver and Walker* were not present for the vote on the motion.

Staff reported on the following Information Item at the Investment Committee meeting: Total Fund Recessionary/Inflationary Impact Review 2022-2027.

Minutes of the meeting were approved as part of the Consent Calendar.

Retirees:

Liz Koppenhaver gave an oral report stating that the Retirees Committee met on July 6, 2022 and was presented with and discussed the 2023 Monthly Medical Allowance (MMA) Plans for: **1)** Group; **2)** Early Retiree Individual; and **3)** Medicare Eligible Retiree Individual. The Committee decided to postpone its decision to raise the costs of the MMA Plans until after Staff has received the actual cost of the MMA Plans. Therefore, adoption of the MMA Plans will be brought back to a future Board meeting for the Board's consideration.

Staff reported on the following Information Items at the Retirees Committee meeting: **1)** Report on Dental and Vision Plans Experience and Utilization; **2)** Report on Dental and Vision Plans Renewal Information for 2023; and **3)** Miscellaneous Updates, which included a discussion regarding renewing the Silver&Fit® Program.

Trustee Koppenhaver stated that anyone who is interested in the Retiree Member Lump Sum Death Benefit and the Active Death Equity Benefit (ADEB) should attend next month's Retirees Committee meeting.

Minutes of the meeting were approved as part of the Consent Calendar.

NEW BUSINESS:

Motion to Extend the Contract for Actuarial Services by Segal and to Issue a Request For Information (RFI) for External Actuarial Audit Services

CEO Dave Nelsen stated that at the June Actuarial Committee meeting, Staff discussed renewing Segal's contract with ACERA for actuarial services. Staff recommended to the Actuarial Committee the following three Options: 1) Issue a Request For Proposal (RFP) to engage an actuarial consultant; 2) Retain Segal and issue a Request For Information (RFI) for actuarial audit services to audit Segal's actuarial work; or 3) per the *Service Provider Policy*, the Board could directly retain an actuarial consultant. At the Actuarial Committee meeting, Trustees requested that Staff provide additional information on one of the three Options. Staff has provided the additional information and is now bringing the issue back to the Board for its consideration.

Mr. Nelsen reported that Segal's contract for actuarial services will expire at the end of December 2022 and that Staff recommends Option 2 because of the invaluable service Segal has provided to ACERA over its long-standing history and that Segal still offers an Unlimited Liability Waiver which ACERA would lose if the Board chooses to hire a different actuarial firm other than Segal.

Mr. Nelsen reported that Cheiron was ACERA's last actuarial auditor and stated that conducting periodic actuarial audits is a good business practice. It was noted that Alameda County's Actuary also examines both ACERA's Actuarial Valuation and ACERA's Actuarial Experience Study.

Assistant CEO of Operations Lisa Johnson reported that Staff located and contacted six actuarial audit firms to determine whether or not they would be interested in auditing Segal's actuarial work. However, only four firms responded, including Cheiron, indicating they would be interested in receiving ACERA's RFI. After Mr. Nelsen and Ms. Johnson responded to Trustees' questions/concerns, the following motion was made:

22-42

It was moved by Jaime Godfrey and seconded by Ophelia Basgal that the Board extend Segal's Contract for actuarial services and issue a Request For Information (RFI) for external actuarial audit services to audit Segal's actuarial work. The motion carried 9 yes (*Basgal, Carson, Gamble, Godfrey, Koppenhaver, Levy, Simon, Walker, Wood*), 0 no, and 0 abstentions.

Discussion with the California Public Employees' Retirement System's (CalPERS) CEO Marcie Frost

Mr. Nelsen introduced his long-time colleague CalPERS CEO Marcie Frost and provided a brief overview of Ms. Frost's experience. Ms. Frost attended today's Board meeting via Zoom.

Ms. Frost stated that CalPERS recently announced its fiscal year returns and reported on the following CalPERS Portfolios: 1) Capital Equity; 2) Private Equity and the CalPERS Board's new strategic asset allocation; 3) Real Assets; and 4) Private Debt. For detailed information regarding CalPERS Investment Portfolios, go to the CalPERS Website at: <https://www.calpers.ca.gov/page/investments>.

Ms. Frost announced that CalPERS hired Nicole Musicco as its new Chief Investment Officer in March 2022 and provided a brief overview of Ms. Musicco’s experience. Ms. Frost reported that Ms. Musicco presented her Strategic Plan to the CalPERS Board at its Board Off-Site.

Ms. Frost also reported on CalPERS’ view on its Environmental, Social and Governance (ESG) Program. Ms. Frost further reported that CalPERS Five-Year Strategic Plan received final approval by its Board on July 1, 2022 and that the Board is now focusing on its own Governance in the following areas: **1)** Meeting Frequency; **2)** Meeting Materials that includes a Trustee Dashboard, developed by CalPERS Information Technology Department, giving Trustees access to key information in preparation for Committee/Board meetings; **3)** Trustee Code of Conduct; and **4)** On-Boarding for on-going Board development/education that includes a January Education Day for Trustees to receive and discuss information for the upcoming year’s agenda items. CalPERS also hosts a January Stakeholders Day for Stakeholders to engage directly with the Board and/or Staff beyond Public Comment at Committee/Board meetings.

Ms. Frost responded to Trustees’ questions/concerns, about investment roles, delegation authority/transparency, Staff compensation, divestment, etc. The CalPERS Board will host a Workshop in November to discuss Staff compensation philosophy. CalPERS Staff also implemented an Office Hours Program that gives Trustees equal access to all the resources/meeting materials and to allow Trustees to ask Staff and/or the Consultants any questions/concerns they have, during the specified time-frame, prior to Committee/Board meetings.

Trustees requested that ACERA Staff develop and implement similar Programs like those at CalPERS. Ms. Frost will provide Mr. Nelsen with detailed information on the CalPERS Trustees Dashboard, January Education Day, Office Hours Program and any other topics of interest she discussed at today’s meeting. Trustees and Staff expressed their appreciation to Ms. Frost for her attendance and for her presentation on the topics.

David Nelsen, Chief Executive Officer’s Report

Chief Executive Officer Dave Nelsen presented his July 21, 2022 written CEO Report which provided an update on: **1)** Senior Management Recruitment; **2)** Committee and Board Action Items; **3)** Conference/Event Schedule; **4)** Other Items: **a)** COVID-19 Responses; **b)** Pension Administration System Project; **c)** Legislative Items; **d)** Strategic Planning; **e)** Other Items CalPERS CEO Marcie Frost, speaking on topics of interests; and **5)** Key Performance Indicators.

Mr. Nelsen provided an update on ACERA’s Strategic Plan stating that the Surveys have been distributed and the responses are currently being collated by Mosaic. Mr. Nelsen stated that Trustees who requested a follow-up interview, but did not receive one, should contact him. Mr. Nelsen announced that there will be three meetings in August for ACERA Key Executive Staff to develop the framework for the Board’s responses. Aside from the regular Board meeting on September 15, 2022, Staff will schedule an additional Board meeting in September 2022 for a Strategic Planning Session and key Consultants will attend.

Mr. Nelsen provided an update on SB 1328 regarding Russian divestment. Mr. Nelsen also provided an update on AB 2493 regarding compensation earnable for public safety employees and overpayments.

CONFERENCE/ORAL REPORTS

None.

ANNOUNCEMENTS

None.

BOARD INPUT

None.

CLOSED SESSION

Existing Litigation pursuant to Government Code Section 54956.9(d)(1):
Alameda Health System v. ACERA, San Francisco County Superior Court,
Case No. CGC-19-516795.

The Board reconvened into Open Session and the following Trustees returned:
Basgal, Godfrey, Koppenhaver, Levy, Simon, Reilly and Wood

Chair Godfrey stated that the Board took no reportable action on the *AHS v. ACERA* matter.

To view the July 21, 2022 Board meeting in its entirety, click on the link below:
<https://youtu.be/UveYWsERBqw>.

ADJOURNMENT

The meeting was adjourned at approximately 3:57 p.m.

Respectfully Submitted,



David Nelsen
Chief Executive Officer

08/18/22

Date Adopted

**APPENDIX A
REPORT ON SERVICE RETIREMENTS**

ALEXANDER, Renita
Effective: 4/30/2022
General Services Agency

GAVIOLA, Adelina
Effective: 4/1/2022
Social Services Agency

BAUZON, Madeleine
Effective: 5/16/2022
County Counsel

GONZALEZ, Rene
Effective: 4/30/2022
Sheriff's Department

BURGESS, Derek
Effective: 4/27/2022
Probation Department

HAILER, Janet
Effective: 5/2/2022
Health Care Services Agency

CANE, Steven
Effective: 4/30/2022
Sheriff's Department

HELTEN, Mark
Effective: 5/15/2022
Alameda Health System

CENTENO, Dolores
Effective: 4/16/2022
Assessor

HERSHBERGER, Grace
Effective: 10/16/2021
Social Services Agency

COLEMAN, Roslynn
Effective: 4/1/2022
Department of Child Support Services

KEENE, Karimah
Effective: 5/14/2022
Probation Department

CROSBY, Patrick
Effective: 4/1/2022
Community Development Agency

LASOTA, Lisa
Effective: 3/29/2022
Superior Court

DICKINSON, Dana
Effective: 5/5/2022
LARPD

LISMAN, Michael
Effective: 3/26/2022
Health Care Services Agency

FIGUEROA, Laura
Effective: 3/31/2022
Superior Court

LOVE FRAISER, Valarie
Effective: 4/16/2022
Social Services Agency

FORD, Maxine
Effective: 5/14/2022
Social Services Agency

MADIGAN Jr., Thomas
Effective: 4/1/2022
Sheriff's Department

FULCHER, Ramonda
Effective: 5/6/2022
Social Services Agency

MAPP, Debra
Effective: 5/2/2022
Alameda Health System

FULLER, Sandra
Effective: 5/15/2022
Probation Department

MC NEAL, Christopher
Effective: 5/6/2022
General Services Agency

**APPENDIX A
REPORT ON SERVICE RETIREMENTS**

MECCHI, Jeffrey
Effective: 4/4/2022
Sheriff's Department

REMMERT, Nancy
Effective: 3/22/2022
Superior Court

MEREGILLANO, Roel
Effective: 4/30/2022
Health Care Services Agency

RINGOT, Jane
Effective: 3/19/2022
Public Works Agency

MOGUL, Efrecinia
Effective: 4/30/2022
Treasurer-Tax Collector

RUEDA-YAMASHITA, Brenda
Effective: 5/14/2022
Health Care Services Agency

NIETO, Anna
Effective: 4/30/2022
Probation Department

SAKASHITA, Kimi
Effective: 5/6/2022
Health Care Services Agency

ONTIVEROS, Angelina
Effective: 4/30/2022
Social Services Agency

SAMATI, Joyce
Effective: 4/1/2022
Alameda Health System

ORTH, Carol
Effective: 3/31/2022
Auditor-Controller

SAMUEL, Annette
Effective: 4/16/2022
Health Care Services Agency

ORTIZ, Tomas
Effective: 4/16/2022
Alameda Health System

SARDENIA, Antonio
Effective: 4/1/2022
Alameda Health System

PANDORI, Mark
Effective: 5/20/2022
Health Care Services Agency

SCHULZ, Maureen
Effective: 4/30/2022
Social Services Agency

PHELPS, Thomas
Effective: 4/15/2022
Sheriff's Department

SINGH, Rajinder
Effective: 4/1/2022
Health Care Services Agency

PORTER, Amon
Effective: 4/1/2022
Social Services Agency

TAMAYO, Edmundo
Effective: 4/1/2022
Sheriff's Department

RASIAH, Mark
Effective: 5/1/2022
First 5

TSOU, Meiyen
Effective: 5/14/2022
Social Services Agency

APPENDIX A
REPORT ON SERVICE RETIREMENTS

UNO, Elizabeth
Effective: 5/8/2022
Health Care Services Agency

VELASQUEZ, Marcella
Effective: 3/1/2022
Social Services Agency

YOUN, Youngjoo
Effective: 5/14/2022
Social Services Agency

APPENDIX B
LIST OF DEFERRED RETIREMENTS

ANDERSON, Knute
Alameda Health System
Effective Date: 4/15/2022

CRUZ, Joseph Allan E.
County Administrator
Effective: 5/5/2022

BENNETT, Jennifer A.
Alameda Health System
Effective: 4/17/2022

DIZON-WILLIAMS, Eydie A.
County Administrator
Effective: 4/29/2022

BROTSKY, Jenna C.
Library
Effective: 5/21/2022

DOMINGO-DE JESUS, Christina V.
Alameda Health System
Effective: 5/6/2022

BUTLER, Janell S.
Alameda Health System
Effective: 4/18/2022

FIRL, Victoria Cho
Health Care Services Agency
Effective: 4/29/2022

CARDENAS, Christopher A.
Alameda Health System
Effective: 5/10/2022

FLORES, Diego P.
Public Defender
Effective: 5/27/2022

CHAVEZ, Andrea P.
Health Care Services Agency
Effective: 5/6/2022

JIMENEZ, Claudia
Alameda Health System
Effective: 5/8/2022

CLARK, Jacqueline A.
Social Services Agency
Effective: 4/8/2022

JORDAN, Monique
Superior Court
Effective: 5/13/2022

COLLIER, Robert D.
General Services Agency
Effective: 5/20/2022

LEONARD, Austin R.
Public Works Agency
Effective: 4/21/2022

**APPENDIX B
LIST OF DEFERRED RETIREMENTS**

MCELROY, Marquita M.
General Services Agency
Effective: 5/4/2022

SCIMIA, Daniel R.
Sheriff's Department
Effective: 4/22/2022

MCKNIGHT, Davina D.
Social Services Agency
Effective: 4/29/2022

SERRATO, Jessica M B
District Attorney
Effective: 5/13/2022

MEHN, Nyan T.
General Services Agency
Effective: 4/20/2022

STARKS, Kashari J.
District Attorney
Effective: 5/6/2022

MEHTA, Tarandeep
Alameda Health System
Effective: 5/5/2022

WEIR, Levie C.
Alameda Health System
Effective: 5/5/2022

MILLS, Megan Blair
Alameda Health System
Effective: 4/10/2022

WILLIAMS, Keiana D.
Sheriff's Department
Effective: 4/30/2022

**APPENDIX C
LIST OF DECEASED MEMBERS**

BALDWIN, John C.
District Attorney
5/24/2022

CAMPBELL, Rebecca
Alameda Health System
6/2/2022

BERNAVICH, Jeffery
Probation Department
6/11/2022

DILLON, Robert D.
Probation Department
6/18/2022

BROOKS, Vernon L.
Probation Department
5/12/2022

ENGH, Thomas
Probation Department
6/26/2022

BRYAN, Joyce
Non-Mbr Survivor of Gerald Bryan
6/2/2022

GARIBALDI, Verna
Non-Mbr Survivor of George Garibaldi
6/17/2022

BUICE, Sydney
Social Services Agency
5/28/2022

HARNDEN, Sharron
Sheriff's Department
6/3/2022

BYRNE, Deborah
Alameda Health System
6/1/2022

HOLIFIELD, Timothy
Alameda Health System
5/16/2022

**APPENDIX C
LIST OF DECEASED MEMBERS**

ORTEGA, Henry
Non-Mbr Survivor of Trinidad Ortega
6/3/2022

SPLAN, Beverly
Probation Department
5/27/2022

RITCHIE, Carlotta
Social Services Agency
5/24/2022

WONG, Judith
Non-Mbr Survivor of Hubert Wong
5/28/2022

SAAD, Wadie
Public Works Agency
6/9/2022

YOUNG, Marvin L.
Superior Court
6/3/2022

**APPENDIX E
APPROVE UNCONTESTED STAFF RECOMMENDATIONS ON
DISABILITY RETIREMENTS AND DEATH BENEFITS**

Name: Jones, Jenaiah
Type of Claim: Service-Connected

Staff's Recommendation:

Adopt the findings and conclusions and approve and adopt the recommendation contained in the Medical Advisor's report, including but not limited to, granting Ms. Jones' application for a service-connected disability, and waiving future annual medical examinations and questionnaires at this time.

Name: Macias, Brandi
Type of Claim: Service-Connected

Staff's Recommendation:

Adopt the findings and conclusions and approve and adopt the recommendation contained in the Medical Advisor's report, including but not limited to, granting Ms. Macias' application for a service-connected disability, and waiving future annual medical examinations and questionnaires at this time.

**APPENDIX E
APPROVE UNCONTESTED STAFF RECOMMENDATIONS ON
DISABILITY RETIREMENTS AND DEATH BENEFITS**

Name: Matthews-Douresseau, Ericka
Type of Claim: Service-Connected

Staff's Recommendation:

Adopt the findings and conclusions and approve and adopt the recommendation contained in the Medical Advisor's report, including but not limited to, granting Ms. Matthews-Douresseau application for a service-connected disability, and waiving future annual medical examinations and questionnaires at this time.

August 3, 2022
Operations Committee Minutes
For approval under August 18, 2022
Board “Consent Calendar”



**MINUTES OF AUGUST 3, 2022 OPERATIONS COMMITTEE MEETING
THIS MEETING WAS CONDUCTED VIA TELECONFERENCE WITH VIDEO**

To: Members of the Operations Committee

From: Ophelia Basgal, Chair

Subject: Summary of the August 3, 2022 Operations Committee Meeting

Committee Chair Ophelia Basgal called the August 3, 2022 Committee meeting to order at 9:31 a.m.

ACERA TRUSTEES, SENIOR MANAGERS AND PRESENTING STAFF IN ATTENDANCE

Committee members present were Ophelia Basgal, Henry Levy, and Kellie Simon. Also present were Dale Amaral, Tarrell Gamble, Jaime Godfrey, Liz Koppenhaver, George Wood and alternate member Darryl Walker.

Staff present were David Nelsen, Chief Executive Officer; Kathy Foster, Assistant Chief Executive Officer; Lisa Johnson, Assistant Chief Executive Officer; Jeff Rieger, Chief Counsel; Jessica Huffman, Benefits Manager; Sandra Dueñas-Cuevas, Benefits Manager; Betty Tse, Chief Investment Officer; Vijay Jagar, Chief Technology Officer; Harsh Jadhav, Chief of Internal Audit; and Erica Haywood, Fiscal Services Officer

PUBLIC INPUT

None

Action Items

None

INFORMATION ITEMS

1. Operating Expenses as of 06/30/2022

Staff provided the operating expenses as of June 30, 2022. As of June 30, 2022, actual expenses were \$919K under budget. Budget Surpluses noted were Staffing (\$614K under budget), Staff Development (\$31K under budget), Professional Fees (\$42K under budget), Office Expense (\$106K under budget), Member Services (\$2K under budget), Systems (\$58K under budget), and Board of Retirement (\$70K under budget).

2. Quarterly Financial Statements as of 06/30/2022

Staff presented the Unaudited Financial Statements for the period ending June 30, 2022.

3. Quarterly Cash Forecast Report

Staff presented the Cash Forecast Report for the period ending June 30, 2022.

4. Board Member Conference Expense Report as of 06/30/2022

Staff presented the Board Member Conference Expense Report as of 06/30/2022.

5. Senior Manager Conference and Training Expense Report as of 06/30/2022

Staff presented the Senior Manager and Training Expense Report as of 06/30/2022.

6. Mid-Year review of 2022 ACERA Operating Expense Budget

Staff presented the 2022 mid-year operating expense budget review as of June 30, 2022 and the end of the year forecast review as of December 31, 2022.

7. Findings to increase voter turnout for Board of Retirement Election

Staff presented report containing historical voting trends, past voter outreach, and ideas for future voter outreach.

TRUSTEE INPUT AND DIRECTION TO STAFF

None

FUTURE DISCUSSION ITEMS

September (*Presented at Board Meeting*)

- Operating Expenses as of 07/31/22

October

- Operating Expenses as of 08/31/22
- 2022 Board Elections Update
- Statement of Reserves as of 06/30/2022

ESTABLISHMENT OF NEXT MEETING DATE

The next meeting is scheduled for October 5, 2022 at 9:30 a.m.

MEETING ADJOURNED

The meeting adjourned at 10:17 a.m.

August 3, 2022
Retirees Committee Minutes
For approval under August 18, 2022
Board “Consent Calendar”



MINUTES OF AUGUST 3, 2022 RETIREES COMMITTEE MEETING

THIS MEETING WAS CONDUCTED VIA TELECONFERENCE WITH VIDEO

To: Members of the Retirees Committee

From: Liz Koppenhaver, Chair

Subject: Summary of the August 3, 2022 Retirees Committee Meeting

Committee Chair Liz Koppenhaver called the August 3, 2022 Committee meeting to order at 10:30 a.m.

ACERA TRUSTEES, SENIOR MANAGERS AND PRESENTING STAFF IN ATTENDANCE

Committee members present were Liz Koppenhaver, Henry Levy, Dale Amaral and Kellie Simon. Also present were Ophelia Basgal, Tarrell Gamble, Jaime Godfrey and George Wood.

Staff present were Sandra Dueñas-Cuevas, Benefits Manager; Kathy Foster, Assistant Chief Executive Officer; Erica Haywood, Fiscal Services Officer; Jessica Huffman, Benefits Manager; Harsh Jadhav, Chief of Internal Audit; Vijay Jagar, Chief Technology Officer; Lisa Johnson, Assistant Chief Executive Officer; David Nelsen, Chief Executive Officer; Ismael Piña, Assistant Benefits Manager; Jeff Rieger, Chief Counsel and Betty Tse, Chief Investment Officer.

PUBLIC INPUT

None.

INFORMATION ITEMS

Chair Koppenhaver moved the following information item to the top of the agenda at the request of Staff to provide for more complete background before considering the action items:

1. Review of Dental and Vision Plans Enhancements and Premiums for 2023

Staff and Segal provided information on the ACERA-sponsored dental and vision plans enhancement options and renewal premiums for Plan Year 2023.

ACTION ITEMS

1. Approval of Enhancements to Dental PPO Plan for 2023

Staff and Segal provided information on various benefit enhancement options to the Delta Dental PPO Plan for 2023. Staff recommended including the diagnostic and preventive services waiver, and increasing the annual benefit maximum from \$1,000 to \$1,300 for the Premier and Non-Contracted providers, which will result in a 16.1% premium increase over the current rate. Trustee Koppenhaver stated that both the Alameda County Retired Employees (ACRE) and Retired Employees of Alameda County, Inc. (REAC) retiree associations support increasing the dental plan benefit.

It was moved by Ophelia Basgal and seconded by Kellie Simon that the Committee recommend to the Board of Retirement a motion to approve including the diagnostic and preventive services waiver, and increasing the annual benefit maximum from \$1,000 to \$1,300 for the Premier and Non-Contracted providers.

The motion carried 8 yes (*Amaral, Basgal, Gamble, Godfrey, Koppenhaver, Levy, Simon, Wood*), 0 no, 0 abstentions.

2. Adoption of Dental Plan Contributions for 2023

Staff and Segal reported that based on the single retiree premium rates, the projected annual cost to provide this non-vested benefit for Plan Year 2023, including the recommended benefit enhancements for the PPO plan, is approximately \$5,315,478; an estimated annual increase of \$725,477 over the 2023 plan year.

It was moved by Jaime Godfrey and seconded by Kellie Simon that the Committee recommend to the Board of Retirement a motion to continue the dental plan contributions for Plan Year 2023, which provides a monthly subsidy equal to the single-party dental plan coverage premium of \$51.24, an increase of 16.1% over the current rate, for the PPO plan and \$22.18 for the DeltaCare USA plan for retirees who are receiving ACERA allowances with ten or more years of ACERA service, are service connected disability retirees, or are non-service connected disability retirees as of January 31, 2014. This is a non-vested benefit funded by contributions from the ACERA employers to the 401(h) account. After contributions are made in accordance with the County Employees Retirement Law, ACERA treats an equal amount of Supplemental Retiree Benefit Reserve assets as employer contributions for pensions.

The motion carried 8 yes (*Amaral, Basgal, Gamble, Godfrey, Koppenhaver, Levy, Simon, Wood*), 0 no, 0 abstentions.

3. Approval of Enhancements to Vision Plans for 2023

Staff and Segal provided information on various benefit enhancement options to the vision plan for 2023. Staff recommended adding UV coating and polycarbonate lenses, and increasing the frame allowance, which will result in a 16.6% premium increase over the current rate.

It was moved by Kellie Simon and seconded by Ophelia Basgal that the Committee recommend to the Board of Retirement a motion to approve adding UV coating and polycarbonate lenses and increasing the frame allowance.

The motion carried 8 yes (*Amaral, Basgal, Gamble, Godfrey, Koppenhaver, Levy, Simon, Wood*), 0 no, 0 abstentions.

4. Adoption of Vision Plan Contributions for 2023

Staff and Segal reported that based on the single retiree premium rate, the projected annual cost to provide this non-vested benefit for Plan Year 2023, including the recommended benefit enhancements, is approximately \$485,205; an estimated annual increase of \$69,165 over the 2023 plan year.

It was moved by Jaime Godfrey and seconded by Ophelia Basgal that the Committee recommend to the Board of Retirement a motion to continue the vision plan contributions for Plan Year 2023, which provides a monthly subsidy equal to the single-party vision plan coverage premium of \$4.63, an increase of 16.6 % over the current rate, for retirees who are receiving ACERA allowances with ten or more years of ACERA service, are service connected disability retirees, or are non-service connected disability retirees as of January 31, 2014. This is a non-vested benefit funded by contributions from the ACERA employers to the 401(h) account. After contributions are made in accordance with the County Employees Retirement Law, ACERA treats an equal amount of Supplemental Retiree Benefit Reserve assets as employer contributions for pensions.

The motion carried 8 yes (*Amaral, Basgal, Gamble, Godfrey, Koppenhaver, Levy, Simon, Wood*), 0 no, 0 abstentions.

INFORMATION ITEMS

2. Miscellaneous Updates

Staff reported that some retirees contacted ACERA with questions about a postcard they received from Empower with the County's logo requesting beneficiary information. Staff advised the retirees that the postcards were from Deferred Compensation, and to contact them to ensure the retiree's beneficiary information is up to date. Trustee Koppenhaver stated that she also received some calls from retirees regarding the postcards. The retirees thought it was a scam because it did not come from ACERA, so they did not reply to the postcard.

TRUSTEE REMARKS

Trustees Amaral and Koppenhaver expressed their heartfelt appreciation to Kathy Foster for all the assistance she has provided to them in dealing with members' benefit issues, in sometimes tragic situations, and for going far and beyond what was required in her role.

FUTURE DISCUSSION ITEMS

- Discussion Regarding Retired Member (Lump Sum) Death Benefit
- Discussion Regarding Active Death Equity Benefit (ADEB)

ESTABLISHMENT OF NEXT MEETING DATE

The next meeting is scheduled for September 7, 2022 at 10:30 a.m.

MEETING ADJOURNED

The meeting adjourned at 11:07 a.m.

August 3, 2022
Governance Committee Minutes
For approval under August 18, 2022
Board “Consent Calendar”



MINUTES OF THE AUGUST 3, 2022 GOVERNANCE COMMITTEE MEETING
THIS MEETING WAS CONDUCTED VIA TELECONFERENCE WITH VIDEO

To: Members of the Board of Retirement
From: George Wood, Governance Committee Chair

Governance Committee Chair, George Wood, called the meeting to order at 1:00 p.m. Committee Members present were George Wood, Kellie Simon, Dale Amaral, and Liz Koppenhaver. Other Board members present were Ophelia Basgal, Tarrell Gamble, Jaime Godfrey, Henry Levy, and Darryl Walker.

Senior staff present were Kathy Foster, Assistant Chief Executive Officer; Jessica Huffman, Benefits Manager; Harsh Jadhav, Chief of Internal Audit; Lisa Johnson, Assistant Chief Executive Officer; Vijay Jagar, Chief Technology Officer; David H. Nelsen, Chief Executive Officer; Jeff Rieger, Chief Counsel.

ACTION ITEMS

1. Review of the *Board of Retirement Charter*.

Chief Counsel Jeff Rieger presented the *Board of Retirement Charter*, spoke about the recommended revisions and answered questions from the Trustees.

A motion was made by Trustee Wood and seconded by Trustee Basgal that the Governance Committee recommend to the Board of Retirement that the *Board of Retirement Charter* continues to be necessary and appropriate and that the Board make the revisions to the *Board of Retirement Charter* shown in the redline included with the agenda packet. The motion was approved by a vote of 8 in favor (Amaral, Basgal, Gamble, Godfrey, Koppenhaver, Levy, Simon, Wood), 0 against, 0 abstaining.

2. Review of the *Board Policy Development Process*.

Chief Counsel Jeff Rieger presented the *Board Policy Development Process* and explained that only minor non-substantive revisions were recommended.

A motion was made by Trustee Wood and seconded by Trustee Amaral that the Governance Committee recommend to the Board of Retirement that the *Board Policy Development Process* continues to be necessary and appropriate and that the Board make the revisions to the *Board Policy Development Process* shown in the redline included with the agenda packet. The motion was approved by a vote of 8 in favor (Amaral, Basgal, Gamble, Godfrey, Koppenhaver, Levy, Simon, and Wood), 0 against, 0 abstaining.

3. Review of the *Remote Access to Meeting Policy*.

Chief Counsel Jeff Rieger presented the *Remote Access to Meeting Policy* and spoke about the recommended revisions and answered questions from the Trustees.

A motion was moved by Trustee Koppenhaver and seconded by Trustee Simon that the Governance Committee recommend to the Board of Retirement that the *Remote Access to Meeting Policy* continues to be necessary and appropriate and that the Board make the revisions to the *Remote Access to Meeting Policy* shown in the redline included with the agenda packet. The motion was approved by a vote of 7 in favor (Amaral, Basgal, Gamble, Koppenhaver, Levy, Simon, and Wood), 0 against, 0 abstaining.

4. Proposed Direction to Staff to Prepare a *Reciprocity Policy*

Chief Counsel Jeff Rieger presented a memorandum, spoke about how Staff identified a potential need for a *Reciprocity Policy* and requested direction from the Committee.

A motion was made by Trustee Wood and seconded by Trustee Simon to direct Staff to bring a *Reciprocity Policy* to the Operations Committee for review and possible recommended approval by the Board. The motion was approved by a vote of 7 in favor (Amaral, Basgal, Gamble, Koppenhaver, Levy, Simon, and Wood), 0 against, 0 abstaining.

ADJOURNMENT

- The meeting adjourned at 1:37 p.m.

**August 10, 2022
Investment Committee Minutes
For approval under August 18, 2022
Board “Consent Calendar”**

**The August 10, 2022 Investment
Committee Minutes will be
distributed under separate cover**

CONSENT CALENDAR


Quarterly Report on Member Under/Overpayments



MEMORANDUM TO THE BOARD OF RETIREMENT

DATE: August 18, 2022

TO: Members of the Board of Retirement

FROM: Jessica Huffman, Retirement Benefits Manager 

SUBJECT: **Quarterly Report on Member Underpayments and Overpayments**

Attached are the quarterly reports regarding member contributions and overpayments of retirement allowance due to death for the most current six-month period. The report regarding Staff errors contains the cases initially presented that have not yet been resolved, along with recently discovered errors. The information below provides more specifics in each of these categories.

Overpayments of Retirement Allowance Due to Death

This report provides any payments (including HRA (Health Reimbursement Arrangements) payments) made after the death of a retiree. In instances where a death is not reported timely, an overpayment occurs. For the six-month reporting period October 3, 2021 through March 19, 2022, 151 deaths occurred. There are eight overpayments due to unreported deaths to report at this time. Staff is actively attempting to collect on these overpayments.

Staff Errors

There are no staff errors to report.

Overpayments and Underpayments of Member Contributions

This report, which is for the period October 3, 2021 through March 19, 2022, shows discrepancies in member contribution amounts resulting in an underpayment or overpayment above the \$50 threshold, average time to resolve, and an explanation of the error type. For this reporting period, staff identified five members who underpaid their mandatory employee contributions and two member who overpaid their mandatory employee contributions. Staff reviewed and resolved each of the seven cases of incorrect payment. There were a total of 2,554 exceptions from all Participating Employers. The most common exception type was underpayments due to the Employers withholding retirement contributions based on the incorrect salary.

Attachments

Overpayments of Retirement Allowance Due to Unreported Death October 3, 2021 thru March 19, 2022

Benefit Type	Date of Death	Date ACERA Notified of Death	Last Check Issued	Net Receivable Owed	Staff's Comment
Service Retirement	9/12/2021	10/27/2021	9/30/2021	\$1,687.89	Staff initiated ACH Letter of Indemnity request with Wells Fargo but was unsuccessful at collecting. Two unsuccessful attempts have been made to collect the overpayment from the family. Staff will continue to attempt collection of overpayment.
Continuance	9/29/2021	11/21/2021	10/29/2021	\$2,002.46	Staff initiated ACH Letter of Indemnity request with Wells Fargo but was unsuccessful at collecting. Two unsuccessful attempts have been made to collect the overpayment from the family. Staff will continue to attempt collection of overpayment.
Service Retirement	11/16/2021	12/7/2021	11/30/2021	\$192.64	Staff initiated ACH Letter of Indemnity request with Wells Fargo but was unsuccessful at collecting. Two unsuccessful attempts have been made to collect the overpayment from the family. Staff will continue to attempt collection of overpayment.
Service Retirement	12/19/2021	1/28/2022	1/31/2022	\$1,135.33	Staff initiated ACH Letter of Indemnity request with Wells Fargo but was unsuccessful at collecting. Two unsuccessful attempts have been made to collect the overpayment from the family. Staff will continue to attempt collection of overpayment.
Service Retirement	1/15/2022	2/9/2022	1/31/2022	\$3,626.50	Staff initiated ACH Letter of Indemnity request with Wells Fargo but was unsuccessful at collecting. Two unsuccessful attempts have been made to collect the overpayment from the family. Staff will continue to attempt collection of overpayment.
Continuance	1/23/2022	2/13/2022	1/31/2022	\$832.75	Staff initiated ACH Letter of Indemnity request with Wells Fargo but was unsuccessful at collecting. Two unsuccessful attempts have been made to collect the overpayment from the family. Staff will continue to attempt collection of overpayment.

Overpayments of Retirement Allowance Due to Unreported Death – Continued

Page 2 of 2

Benefit Type	Date of Death	Date ACERA Notified of Death	Last Check Issued	Net Receivable Owed	Staff's Comment
Service Retirement	1/23/2022	3/4/2022	2/28/2022	\$3,212.44	Staff initiated ACH Letter of Indemnity request with Wells Fargo but was unsuccessful at collecting. Two unsuccessful attempts have been made to collect the overpayment from the family. Staff will continue to attempt collection of overpayment.
Service Retirement	2/13/2022	3/16/2022	2/28/2022	\$1,965.72	Staff initiated ACH Letter of Indemnity request with Wells Fargo but was unsuccessful at collecting. Two unsuccessful attempts have been made to collect the overpayment from the family. Staff will continue to attempt collection of overpayment.
Total Receivable				\$14,655.73	

**Active Members - Overpayments and Underpayments of Member Contributions
October 3, 2021 thru March 19, 2022**

Alameda County					
	Amount	Date Discovered/ Received	Date Completed	# of days to complete	Cause
Overpayments: 1	\$122.49	11/18/21	1/18/2021	1	Withheld Contribution Based on Incorrect Salary
Underpayments: 1	\$932.85	11/19/21	11/26/21	7	Withheld Contribution Based on Incorrect Salary
Summary	<p align="center">Most Common Exception Type: Withheld Contribution Based on Incorrect Salary Total Exceptions: 1,427 % Above Exceptions of Total Exceptions: 0.14 %</p>				

Alameda County Housing Authority					
	Amount	Date Discovered/ Received	Date Completed	# of days to complete	Cause
Overpayments:	No Overpayments to Report				
Underpayments:	No Underpayments to Report				
Summary	<p align="center">Most Common Exception Type: N/A Total Exceptions: 42 % Above Exceptions of Total Exceptions: 0.00%</p>				

Alameda Health Systems					
	Amount	Date Discovered/ Received	Date Completed	# of days to complete	Cause
Overpayments: 1	\$98.16	11/17/2021	11/17/2021	1	Withheld Contribution Based on Incorrect Salary
Underpayments: 1	\$33.62	11/18/2021	11/18/2021	1	Withheld Contribution Based on Incorrect Salary
Underpayments: 2	\$27.78	11/18/2021	11/18/2021	1	Withheld Contribution Based on Incorrect Salary
Underpayments: 3	\$28.79	11/30/2021	11/30/2021	1	Withheld Contribution Based on Incorrect Salary
Underpayments: 4	\$10.68	12/2/2021	12/2/2021	1	Withheld Contribution Based on Incorrect Salary
Summary	Most Common Exception Type: Withheld Contribution Based on Incorrect Salary Total Exceptions: 884 % Above Exceptions of Total Exceptions: 0.57%				

First 5 Alameda County					
	Amount	Date Discovered/ Received	Date Completed	# of days to complete	Cause
Overpayments	No Overpayments to Report				
Underpayments	No Underpayments to Report				
Summary	Most Common Exception Type: N/A Total Exceptions: 11 % Above Exceptions of Total Exceptions: 0.00%				

Livermore Area Recreation and Park District					
	Amount	Date Discovered/ Received	Date Completed	# of days to complete	Cause
Overpayments	No Overpayments to Report				
Underpayments	No Underpayments to Report				
Summary	Most Common Exception Type: N/A Total Exceptions: 3 % Above Exceptions of Total Exceptions: 0.00%				

Alameda County Superior Courts					
	Amount	Date Discovered/ Received	Date Completed	# of days to complete	Cause
Overpayments:	No Overpayments to Report				
Underpayments:	No Underpayments to Report				
Summary	Most Common Exception Type: N/A Total Exceptions: 187 % Above Exceptions of Total Exceptions: 0.00%				

CONSENT CALENDAR

2nd Quarter Call Center Report



MEMORANDUM TO THE BOARD OF RETIREMENT

DATE: August 18, 2022
TO: Members of the Board of Retirement
FROM: Ismael Piña, Assistant Benefits Manager
SUBJECT: **2nd Quarter 2022 Call Center Report**

Attached is the Service Level Report for the 2nd quarter of 2022. Our service levels exceeded our benchmark this past quarter. The team handled a total of 4,257 incoming calls this past quarter, 98.4% of which were answered within 60 seconds. The team also responded to a total of 208 member voicemails within 1 business day or less.

The matrix below provides the five highest call volume categories for Q1 2022 and Q2 2022.

Q1 2022 Highest Volume	Categories of Calls	Q1 2022 Highest Volume	Categories of Calls
31%	Retirement/Membership/ Job Status Change Related Q's	36%	Retiree Payroll Change Requests
26%	Retiree Payroll Change Requests	28%	Retirement/Membership/ Job Status Change Related Q's
21%	Health/Dental/ Vision related Q's	17%	Health/Dental/ Vision related Q's
17%	Award Letter/EFT Statement/1099R Requests	14%	Award Letter/EFT Statement/1099R Requests
5%	Service Purchase/Retirement Estimate Requests	5%	Service Purchase/Retirement Estimate Requests

Attachment

ACERA
YTD 2022 Member Services Service Level Report

Performance Indicators	January 2022 Member Services	February 2022 Member Services	March 2022 Member Services	April 2022 Member Services	May 2022 Member Services	June 2022 Member Services
KPI - Service Level (% of calls answered within 60 seconds)	98.20%	97.63%	97.46%	97.37%	98.84%	98.95%
Total Number of Call Offered	1562	1571	1940	1654	1389	1246
Call Center Agent Handled Calls	1556	1562	1931	1636	1383	1238
Number of Abandoned Calls	6	9	10	18	16	8
Average Hold Time Before Abandoned (minutes:seconds)	00:57	01:02	00:28	1:09	0:13	0:14
Abandoned Call Rate (Goal: 3% or less)	0.38%	0.57%	0.52%	1.0%	0.80%	0.60%
Average Talk Time (minutes:seconds)	05:23	05:03	04:55	4:34	4:46	4:48

Performance Indicators	July 2022 Member Services	August 2022 Member Services	September 2022 Member Services	October 2022 Member Services	November 2022 Member Services	December 2022 Member Services
KPI - Service Level (% of calls answered within 60 seconds)						
Total Number of Call Offered						
Call Center Agent Handled Calls						
Number of Abandoned Calls						
Average Hold Time Before Abandoned (minutes:seconds)						
Abandoned Call Rate (Goal: 3% or less)						
Average Talk Time (minutes:seconds)						

YTD 2022
Total Call Center Agent Handled Calls **9306**

CONSENT CALENDAR ITEM


- **Approve Staff Recommendations regarding County of Alameda's New Pay Items/Codes:**
 - **One Time Special Payment – 718**
 - **Lead Responsibilities-Alameda County Behavioral Health Vocational Services Division – 42V**



MEMORANDUM TO THE BOARD OF RETIREMENT

DATE: August 18, 2022

TO: Members of the Board of Retirement

FROM: Sandra Dueñas-Cuevas, Benefits Manager 

SUBJECT: **New Pay Item/Code: Approve as “Compensation Earnable” and Exclude from “Pensionable Compensation” – County of Alameda**

The County of Alameda (County) requested that new pay item/code One Time Special Payment – 718 be reviewed to determine whether it qualifies as “compensation earnable” and “pensionable compensation. This new pay item/code provides a one-time premium payment (“Heroes Pay”) of \$1,500 for employees in recognition of the challenges placed on essential workers during the COVID-19 pandemic. The employees eligible for this one-time payment are described below.

On July 12, 2022, the Board of Supervisors of the County of Alameda approved adding Subsection 3-12.107 to Article 3, Section 3-12 (Miscellaneous) of the County of Alameda Salary Ordinance. It states: “All County employees in full-time, part-time, services as needed, and temporary assignment pool (“TAP”) status (excluding elected officials, elected department heads, retired annuitants, volunteers, and employees working at the Zone 7 Water Agency), who were continuously employed in the pay period beginning May 30, 2021 through the pay period ending May 28, 2022 (“covered period”) and remain in active status during the pay period ending June 25, 2022, shall receive a one-time premium payment of \$1,500. In addition, employees in TAP status must work a minimum of 975- or 1040-hours for 75- or 80-hour classifications, respectively, within said covered period. This subsection shall sunset effective December 31, 2022 and be deleted from the Salary Ordinance upon the sunset date.”

Staff and Chief Counsel reviewed the required supporting documentation (attached) and made the determination that this pay item/code does not qualify as “pensionable compensation” under Government Code Section 7522.34 (for PEPPRA members). However, this pay item/code does qualify as “compensation earnable” under Government Code Section 31461 (for Legacy members).

“Pensionable compensation” is comprised of a member’s “normal monthly rate of pay or base pay” and it expressly does not include any one-time or ad hoc payments, or any bonus paid in addition to an employee’s normal monthly rate of pay or base pay. See Government Code Section 7522.34(a),(c)(3),(c)(10).

Government Code Section 31461(a) states that “compensation earnable” means “the average compensation as determined by the board, for the period under consideration upon the basis of the average number of days ordinarily worked by persons in the same grade or class of positions during the period, and at the same rate of pay.” In *Ventura County Deputy Sheriffs' Assn. v. Board of Retirement* (1997) 16 Cal.4th 483, the court held that ACERA must look to “the average pay of the individual retiring employee computed on the basis of the number of hours worked by other

New Pay Item/Code: Approve as “Compensation Earnable” and Exclude from “Pensionable Compensation” – County of Alameda (continued)

August 18, 2022

Page 2 of 2

employees in the same class and pay rate--that is the average monthly pay, excluding overtime, received by the retiring employee for the average number of days worked in a month by the other employees in the same job classification at the same base pay level.” *Id.* at 504. Thus, in general, cash payments, other than payments that fall under certain express exclusions are included in “compensation earnable.” The pay at issue here satisfies the basic definition of “compensation earnable” and it is not excluded by any of the express statutory exclusions.

The two relevant Government Code sections are attached for the Board of Retirement’s (Board) reference.

Staff informed the County that its determination will be included on the Board’s consent calendar for its August 18, 2022 meeting. If this item is not pulled from the consent calendar for discussion, then the Board will approve Staff’s determination to exclude pay item/code One Time Special Payment – 718 from “pensionable compensation” under Government Code Section 7522.34 (for PEPRA members) and include it as “compensation earnable” under Government Code Section 31461 (for Legacy members).

Attachments



ALAMEDA COUNTY
AUDITOR-CONTROLLER AGENCY
MELISSA WILK
 AUDITOR-CONTROLLER/CLERK-RECORDER

REQUEST FOR ACERA’S REVIEW OF A NEW PAY ITEM/CODE

Employer Name:	County of Alameda
Date of Request	07/14/22
Employer Department Submitting the Request	Auditor-Controller’s Agency
Contact Person/Employer (include title/position)	Stephanie Tsurumoto
Contact Person Telephone incl area code	(510) 272-6581
Contact Person Email address	stephanie.tsurumoto@acgov.org
Pay Item Name (and code Number)	718 OneTime Special Payment
Pay Item Effective Date per authorization:	
State if additional documentation is attached	Yes Board Letter

NOTE: The following information is required before ACERA can review and respond to the request. To meet ACERA’s requirements, please provide substantive responses below or on a separate paper and return , with this form, all of the supporting documentation prior to issuing (paying) the pay item to any employee who is an ACERA member.

1. State the job classification of employees eligible for the pay item (i.e. Job Code 0499-Nurse Practitioners II may receive this pay item)

RESPONSE #1: Full Time, Part Time, Services as Needed and TAP employees, excluding Elected Officials, Elected Department Heads, Retired Annuitants and Zone 7 Employees, who are active and continuously employed during the period of 5/30/21 through 5/28/22 and in active status effective 6/12/22. TAP employees must have worked 975 (7.5 hr positions)/1040 (8.0 hr positions) hours within said covered period.

2. State employment status of employees eligible to receive the pay item (i.e. full time employees, part time employees)

RESPONSE #2: Full Time, Part Time, SAN, TAP that meet the requirement as stated in question #1

3. State the number of members or employees who are eligible to receive the pay item (i.e. all members or employees in a job classification eligible to receive the pay item, or “not to exceed one employee”)

RESPONSE #3: Employees with active status and continuously employed from 5/30/21 through 5/28/22, and active status 6/12/22

4. State whether pay item is for overtime or regular base pay

RESPONSE #4: One Time Payment (Heros Pay)

5. State whether pay item is calculated as a fixed amount or percentage of the base pay



ALAMEDA COUNTY
AUDITOR-CONTROLLER AGENCY
MELISSA WILK
AUDITOR-CONTROLLER/CLERK-RECORDER

RESPONSE #5: Fixed Amount

6. State whether the pay item is paid one time (i.e. incentive pay, referral pay, bonus, award)

RESPONSE #6: Yes

7. State whether the pay item is an ad hoc payment (i.e, stipend, payment for attending a meeting during the working hours, payment for attending a meeting during non-working hours)

RESPONSE #7: No

8. State whether the pay item is a reimbursement (i.e., car allowance, housing allowance, uniform allowance, mileage payment, cell phone allowance)

RESPONSE #8: No

9. State regular working hours of the employees who will receive the pay item (i.e., 37.5 hour workweek employees, 40 hour workweek employees)

RESPONSE #9: 40.0/37.5 Hour Workweek as well as part time Workweek

10. State whether pay item is for work performed outside of the regular workweek (i.e., payment for work or services performed outside of the employee's 37.5 hour workweek, or outside the employee's 40 hour workweek)

RESPONSE #10: No

11. State whether the pay item if for deferred compensation

RESPONSE #11: No

12. State whether the pay item is for retro payments

RESPONSE #12: No

13. State whether the pay item is for accrued unused leaves (i.e., sick leave, annual leave, floating holiday, vacation, comp time)

RESPONSE #13: No

14. State whether the payment is compensation that had previously been provided in kind to the member by the employer or paid directly by the employer to a third party other than the retirement system for the benefit of the member or employee



ALAMEDA COUNTY
AUDITOR-CONTROLLER AGENCY
MELISSA WILK
AUDITOR-CONTROLLER/CLERK-RECORDER

RESPONSE #14: No

15. State whether the payment is severance or other payment in connection with or in anticipation of a separation from employment (and state if this payment is made while employee is working)

RESPONSE #15: No

16. State whether the pay item is paid in one lump sum or biweekly (or over some other time period-monthly, quarterly, annually)

RESPONSE #16: Lump Sum

17. State the basis for eligibility for the pay item (i.e., certification of completion of training program conducted by an accredited university, or employee assigned as supervisor of badge distribution)

RESPONSE #17:

*Human Resource Services - Second reading and adoption of a Salary Ordinance amendment to add new subsection 3-21.107 to Article 3, Section 3-21 (Miscellaneous) to provide a one-time premium payment (Heroes Pay) of \$1,500 for employees in full-time, part-time, service-as-needed, and temporary assignment pool (TAP) status (excluding elected officials; elected department heads; retired annuitants; volunteers; and employees working at the Zone 7 Water Agency) who were continuously employed in the pay period beginning 5/30/21 through the pay period ending 5/28/22 (covered period) and remain in active status during the pay period ending 6/25/22; in addition, employees in TAP status must work a minimum of 975- or 1040-hours, for 75- or 80-hour classifications, respectively, within said covered period; this new subsection shall sunset effective 12/31/22 and be deleted from the Salary Ordinance upon the sunset date - **Continued from 7/12/22 (Item #36.1)***

Article 3, Section 3-21 of the County of Alameda Salary Ordinance is hereby amended by the addition of subsection 3-21.107 as follows:

3-21.107 – All County employees in full-time; part-time; services-as-needed; and temporary assignment pool (“TAP”) status (excluding elected officials; elected department heads; retired annuitants; volunteers; and employees working at the Zone 7 Water Agency), who were continuously employed in the pay period beginning May 30, 2021 through the pay period ending May 28, 2022 (“covered period”) and remain in active status during the pay period ending June 25, 2022, shall receive a one-time premium payment of \$1,500. In addition, employees in TAP status must work a minimum of 975- or 1040- hours, for 75- or 80-hour classifications, respectively, within said covered period. This subsection shall sunset effective December 31, 2022 and be deleted from the Salary Ordinance upon the sunset date.



Lakeside Plaza Building
1401 Lakeside Drive, Suite 200
Oakland, CA 94612-4305
TDD: (510) 272-3703

Human Resource Services

July 12, 2022

Honorable Board of Supervisors
County of Alameda
1221 Oak Street, Suite 536
Oakland, California 94612-4305

SUBJECT: ADOPT A SALARY ORDINANCE AMENDMENT TO ADD NEW SUBSECTION 3-21.107 TO PROVIDE A ONE-TIME PAYMENT TO ELIGIBLE EMPLOYEES

Dear Board Members:

RECOMMENDATION:

Adopt a Salary Ordinance amendment to add new subsection 3-21.107 to Article 3, Section 3-21 (Miscellaneous) to provide a one-time premium payment (Heroes Pay) of \$1,500 for employees in full-time, part-time, service-as-needed, and temporary assignment pool ("TAP") status (excluding elected officials; elected department heads; retired annuitants; volunteers; and employees working at the Zone 7 Water Agency) who were continuously employed in the pay period beginning May 30, 2021 through the pay period ending May 28, 2022 ("covered period") and remain in active status during the pay period ending June 25, 2022. In addition, employees in TAP status must work a minimum of 975- or 1040- hours, for 75- or 80-hour classifications, respectively, within said covered period. This new subsection shall sunset effective December 31, 2022 and be deleted from the Salary Ordinance upon the sunset date.

DISCUSSION/SUMMARY:

At the onset of the COVID-19 pandemic, your Board took immediate actions to ensure County employees were able to balance their personal needs while continuing to fulfill our public service obligations. Specifically on March 24, 2020, your Board approved the following: 1) provided paid administrative leave for employees who were unable to work and impacted by the Shelter In Place Health Order; and 2) awarded administrative leave (COVAL) for each hour worked, up to a maximum of 128 hours (prorated maximum for employees who work less than a 40-hour regular work week), for the time period of March 17, 2020 through April 7, 2020. Throughout the pandemic, your Board continues to put the health and safety of employees at the forefront and expresses appreciation and gratitude to County employees for their ongoing dedicated public service. This said, the County is granting a one-time premium payment of \$1,500 to all employees as outlined in the Recommendation above.

FINANCING:

Funds are available from the Coronavirus State and Local Fiscal Recovery Funds under the American Rescue Plan Act of 2021 and in the 2022-2023 Approved Budget to cover the costs resulting from the recommendation.

VISION 2026 GOAL:

The Salary Ordinance amendments meet the 10x goal pathways of **Employment for All** in support of our shared vision of a **Prosperous and Vibrant Economy**.

Very truly yours,

DocuSigned by:

Margarita Zamora

24C63D8E07148B
Joe Angelo, Director

Human Resource Services

- c: CAO
- Auditor-Controller
- County Counsel
- Agency/Department Heads

SECOND READING - CONTINUED FROM 07/12/2022

Approved as to Form
DONNA ZIEGLER, County Counsel

By 
Kristy van Herick, Asst. County Counsel

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE 2021 – 2022 COUNTY OF ALAMEDA SALARY ORDINANCE

The Board of Supervisors of the County of Alameda ordains as follows:

SECTION I

Article 3, Section 3-21 of the County of Alameda Salary Ordinance is hereby amended by the addition of subsection 3-21.107 as follows:

3-21.107 – All County employees in full-time; part-time; services-as-needed; and temporary assignment pool (“TAP”) status (excluding elected officials; elected department heads; retired annuitants; volunteers; and employees working at the Zone 7 Water Agency), who were continuously employed in the pay period beginning May 30, 2021 through the pay period ending May 28, 2022 (“covered period”) and remain in active status during the pay period ending June 25, 2022, shall receive a one-time premium payment of \$1,500. In addition, employees in TAP status must work a minimum of 975- or 1040- hours, for 75- or 80-hour classifications, respectively, within said covered period. This subsection shall sunset effective December 31, 2022 and be deleted from the Salary Ordinance upon the sunset date.

SECTION II

This ordinance shall take effect immediately, and before the expiration of fifteen days after its passage, shall be published once with the names of the members voting for and against it in the Inter-City Express, a newspaper published the County of Alameda.

Gov. Code Sec. 31461. (a) "Compensation earnable" by a member means the average compensation as determined by the board, for the period under consideration upon the basis of the average number of days ordinarily worked by persons in the same grade or class of positions during the period, and at the same rate of pay. The computation for any absence shall be based on the compensation of the position held by the member at the beginning of the absence. Compensation, as defined in Section 31460, that has been deferred shall be deemed "compensation earnable" when earned, rather than when paid.

(b) "Compensation earnable" does not include, in any case, the following:

(1) Any compensation determined by the board to have been paid to enhance a member's retirement benefit under that system. That compensation may include:

(A) Compensation that had previously been provided in kind to the member by the employer or paid directly by the employer to a third party other than the retirement system for the benefit of the member, and which was converted to and received by the member in the form of a cash payment in the final average salary period.

(B) Any one-time or ad hoc payment made to a member, but not to all similarly situated members in the member's grade or class.

(C) Any payment that is made solely due to the termination of the member's employment, but is received by the member while employed, except those payments that do not exceed what is earned in each 12-month period during the final average salary period regardless of when reported or paid.

(2) Payments for unused vacation, annual leave, personal leave, sick leave, or compensatory time off, however denominated, whether paid in a lump sum or otherwise, in an amount that exceeds that which may be earned in each 12-month period during the final average salary period, regardless of when reported or paid.

(3) Payments for additional services rendered outside of normal working hours, whether paid in a lump sum or otherwise.

(4) Payments made at the termination of employment, except those payments that do not exceed what is earned in each 12-month period during the final average salary period, regardless of when reported or paid.

Gov. Code Sec. 7522.34. (a) "Pensionable compensation" of a new member of any public retirement system means the normal monthly rate of pay or base pay of the member paid in cash to similarly situated members of the same group or class of employment for services rendered on a full-time basis during normal working hours, pursuant to publicly available pay schedules.

(b) Compensation that has been deferred shall be deemed pensionable compensation when earned rather than when paid.

(c) "Pensionable compensation" does not include the following:

(1) Any compensation determined by the board to have been paid to increase a member's retirement benefit under that system.

(2) Compensation that had previously been provided in kind to the member by the employer or paid directly by the employer to a third party other than the retirement system for the benefit of the member and which was converted to and received by the member in the form of a cash payment.

(3) Any one-time or ad hoc payments made to a member.

(4) Severance or any other payment that is granted or awarded to a member in connection with or in anticipation of a separation from employment, but is received by the member while employed.

(5) Payments for unused vacation, annual leave, personal leave, sick leave, or compensatory time off, however denominated, whether paid in a lump sum or otherwise, regardless of when reported or paid.

(6) Payments for additional services rendered outside of normal working hours, whether paid in a lump sum or otherwise.

(7) Any employer-provided allowance, reimbursement, or payment, including, but not limited to, one made for housing, vehicle, or uniforms.

(8) Compensation for overtime work, other than as defined in Section 207(k) of Title 29 of the United States Code.

(9) Employer contributions to deferred compensation or defined contribution plans.

(10) Any bonus paid in addition to the compensation described in subdivision (a).

(11) Any other form of compensation a public retirement board determines is inconsistent with the requirements of subdivision (a).


(12) Any other form of compensation a public retirement board determines should not be pensionable compensation.



MEMORANDUM TO THE BOARD OF RETIREMENT

DATE: August 18, 2022

TO: Members of the Board of Retirement

FROM: Sandra Dueñas-Cuevas, Benefits Manager 

SUBJECT: **New Pay Item/Code: Approve as “Compensation Earnable” and Exclude from “Pensionable Compensation” – County of Alameda**

The County of Alameda (County) requested that new pay item/code Lead Responsibilities-Alameda County Behavioral Health Vocational Services Division – 42V be reviewed to determine whether it qualifies as “compensation earnable” and “pensionable compensation. This new pay item/code establishes a footnote provision for additional compensation of 5% of the base pay to be paid to an employee in the job classification of Program Specialist (Job Code 0305PA) when assigned the responsibilities described below.

On June 7, 2022, the Board of Supervisors of the County of Alameda approved adding Subsection 3-12.95 to Article 3, Section 3-12 of the County of Alameda Salary Ordinance. It states: “Effective June 12, 2022, not to exceed one (1) employee in Job Code 0305PA in the Health Care Services Agency, Alameda County Behavioral Health, Vocational Services Division, when assigned lead responsibilities for providing oversight, guidance, training, coaching and interpreting program policies to staff within the respective assigned program, shall receive an additional five percent (5%) compensation of the base pay. This footnote shall be reviewed on or before December 25, 2023.”

Staff and Chief Counsel reviewed the required supporting documentation (attached) and made the determination that because this pay item/code is for one employee, it does not qualify as “pensionable compensation” under Government Code Section 7522.34 (for PEPRAs members). However, this pay item/code does qualify as “compensation earnable” under Government Code Section 31461 (for Legacy members). The two relevant Government Code sections are attached for the Board of Retirement’s (Board) reference.

Staff informed the County that its determination will be included on the Board’s consent calendar for its August 18, 2022 meeting. If this item is not pulled from the consent calendar for discussion, then the Board will approve Staff’s determination to exclude pay item/code Lead Responsibilities-Alameda County Behavioral Health Vocational Services Division – 42V from “pensionable compensation” under Government Code Section 7522.34 (for PEPRAs members) and include it as “compensation earnable” under Government Code Section 31461 (for Legacy members).

Attachments



ALAMEDA COUNTY
AUDITOR-CONTROLLER AGENCY
MELISSA WILK
 AUDITOR-CONTROLLER/CLERK-RECORDER

REQUEST FOR ACERA’S REVIEW OF A NEW PAY ITEM/CODE

Employer Name:	County of Alameda
Date of Request	07/20/22
Employer Department Submitting the Request	Auditor-Controller’s Agency
Contact Person/Employer (include title/position)	Stephanie Tsurumoto
Contact Person Telephone incl area code	(510) 272-6581
Contact Person Email address	stephanie.tsurumoto@acgov.org
Pay Item Name (and code Number)	42V – Lead Resp-ACBH Voc.Svcs Divisn
Pay Item Effective Date per authorization:	6/12/2022
State if additional documentation is attached	Yes Board Letter

NOTE: The following information is required before ACERA can review and respond to the request. To meet ACERA’s requirements, please provide substantive responses below or on a separate paper and return , with this form, all of the supporting documentation prior to issuing (paying) the pay item to any employee who is an ACERA member.

1. State the job classification of employees eligible for the pay item (i.e. Job Code 0499-Nurse Practitioners II may receive this pay item)

RESPONSE #1: #0305 – Program Specialist

2. State employment status of employees eligible to receive the pay item (i.e. full time employees, part time employees)

RESPONSE #2: Full Time

3. State the number of members or employees who are eligible to receive the pay item (i.e. all members or employees in a job classification eligible to receive the pay item, or “not to exceed one employee”)

RESPONSE #3: Not to exceed one employee

4. State whether pay item is for overtime or regular base pay

RESPONSE #4: Regular Base Pay

5. State whether pay item is calculated as a fixed amount or percentage of the base pay

RESPONSE #5: Percentage, 5% of base pay

6. State whether the pay item is paid one time (i.e. incentive pay, referral pay, bonus, award)

RESPONSE #6: No



ALAMEDA COUNTY
AUDITOR-CONTROLLER AGENCY
MELISSA WILK
AUDITOR-CONTROLLER/CLERK-RECORDER

7. State whether the pay item is an ad hoc payment (i.e, stipend, payment for attending a meeting during the working hours, payment for attending a meeting during non-working hours)

RESPONSE #7: No

8. State whether the pay item is a reimbursement (i.e., car allowance, housing allowance, uniform allowance, mileage payment, cell phone allowance)

RESPONSE #8: No

9. State regular working hours of the employees who will receive the pay item (i.e., 37.5 hour workweek employees, 40 hour workweek employees)

RESPONSE #9: 40.0 Hour Workweek

10. State whether pay item is for work performed outside of the regular workweek (i.e., payment for work or services performed outside of the employee's 37.5 hour workweek, or outside the employee's 40 hour workweek)

RESPONSE #10: No

11. State whether the pay item if for deferred compensation

RESPONSE #11: No

12. State whether the pay item is for retro payments

RESPONSE #12: No

13. State whether the pay item is for accrued unused leaves (i.e., sick leave, annual leave, floating holiday, vacation, comp time)

RESPONSE #13: No

14. State whether the payment is compensation that had previously been provided in kind to the member by the employer or paid directly by the employer to a third party other than the retirement system for the benefit of the member or employee

RESPONSE #14: No

15. State whether the payment is severance or other payment in connection with or in anticipation of a separation from employment (and state if this payment is made while employee is working)

RESPONSE #15: No



ALAMEDA COUNTY
AUDITOR-CONTROLLER AGENCY
MELISSA WILK
AUDITOR-CONTROLLER/CLERK-RECORDER

16. State whether the pay item is paid in one lump sum or biweekly (or over some other time period-monthly, quarterly, annually)

RESPONSE #16: Bi Weekly

17. State the basis for eligibility for the pay item (i.e., certification of completion of training program conducted by an accredited university, or employee assigned as supervisor of badge distribution)

RESPONSE #17: Per Salary Ordinance Section 3-12.95

- i. Section 3-12. (Health Care Services Agency), by adding new subsection 3-12.95 to establish a footnote for one employee in the classification of Program Specialist (Job Code ("JC") #0305PA) who is assigned lead responsibilities within a work unit in the Health Care Services Agency, Alameda County Behavioral Health Vocational Services Division, to receive an additional five percent compensation of base pay effective 6/12/22;

Article 3, Section 3-12, of the County of Alameda Salary Ordinance is hereby amended, to include the following, effective on the dates indicated below:

3-12.95 – Effective June 12, 2022, not to exceed one (1) employee in Job Code 0305PA in the Health Care Services Agency, Alameda County Behavioral Health Vocational Services Division, when assigned lead responsibilities for providing oversight, guidance, training, coaching and interpreting program policies to staff within the respective assigned program, shall receive an additional five percent (5%) compensation of the base pay. This footnote shall be reviewed on or before December 25, 2023.

Office of the Auditor-Controller
1221 Oak St., Suite 249
Oakland, CA 94612
Tel: (510) 272-6565
Fax: (510) 272-6502

Central Collections Division
1221 Oak St., Suite 220
Oakland, CA 94612
Tel: (510) 208-9900
Fax: (510) 208-9932

Clerk-Recorder's Office, Main
1106 Madison St., 1st Floor
Oakland, CA 94607
Tel: (510) 272-6362
Fax: (510) 208-9858

Clerk-Recorder's Office, Tri-Valley
7600 Dublin Blvd.
Dublin, CA 94568
Tel: (510) 272-6362
Fax: (510) 208-9858

SECOND READING - CONTINUED FROM 05/24/2022



AGENDA NO. 47 May 2 **REVISED**

Lakeside Plaza Building
1401 Lakeside Drive, Suite 200
Oakland, CA 94612-4305
TDD: (510) 272-3703

Human Resource Services

May 24, 2022

2nd needs 6/7/22
Ø - 2022 - 23

Honorable Board of Supervisors
County of Alameda
1221 Oak Street, Suite 536
Oakland, California 94612-4305

SUBJECT: ADOPT: 1) A SIDELETTER OF AGREEMENT WITH THE SERVICE EMPLOYEES INTERNATIONAL UNION ("SEIU") LOCAL 1021; AND 2) SALARY ORDINANCE AMENDMENTS TO ADD SUBSECTION 3-12.95; TO UPDATE SUBSECTION 3-17.15; AND TO EXTEND SUBSECTION 3-21.103

Dear Board Members:

RECOMMENDATIONS:

A. Adopt a Sideletter of Agreement ("SLA") between the Service Employees International Union ("SEIU") Local 1021 and the County of Alameda ("County") to add subsection 5.1. (Shop Steward/Elected Officers Extended Leave of Absence) in accordance with the provisions of Senate Bill ("SB 1085")/Government Code Section 3558.8.

B. Adopt Salary Ordinance amendments to amend Article 3:

*New
Add'l
Pay*

- i. Section 3-12. (Health Care Services Agency), by adding new subsection 3-12.95 to establish a footnote for one (1) employee in the classification of Program Specialist (Job Code ("JC") #0305PA), who is assigned lead responsibilities within a work unit in the Health Care Services Agency ("HCSA") Alameda County Behavioral Health ("ACBH") Vocational Services Division, to receive an additional five percent (5%) compensation of base pay effective June 12, 2022;
- ii. Section 3-17 (Sheriff's Department), by updating subsection 3-17.15, a footnote for one (1) employee in the classification of Emergency Services Dispatch Supervisor (JC #1887SM) when assigned the communications training supervisor function in the Alameda County Sheriff's Office ("ACSO") Emergency Services Dispatch Center, shall receive an additional five percent (5%) compensation of base pay effective June 12, 2022. In addition, a footnote for up to five (5) employees in the classification of Emergency Services Dispatcher II (JC #1885NM) when assigned the communications training officer function in ACSO Emergency Services Dispatch Center, shall receive an additional five percent (5%) compensation of base pay retroactive to February 6, 2022; and
- iii. Section 3-21 (Miscellaneous), by extending subsection 3-21.103, a footnote for additional compensation of 10% of the base pay for one (1) employee when authorized by the County Administrator and assigned overall countywide responsibility on workplace safety compliance and related duties and countywide special projects to July 8, 2023.

DISCUSSION/SUMMARY:

Effective January 1, 2019, Section 3558.8 was added to the Government Code requiring public employers to grant reasonable leaves of absence without loss of compensation or other benefits for the purpose of enabling employees to serve as stewards or officers of an exclusive representative. As a result of such legislation, SEIU Local 1021 requested to meet and confer to establish a provision within the 2015-2022 Memorandum of Understanding ("MOU") between the County

and SEIU Local 1021 (collectively herein as "the Parties") to allow such leave. The Parties met and conferred and reached agreement in March 2022 and signed a SLA (attached) codifying the process that SEIU Local 1021 must follow to request such leaves of absence for stewards or officers. Staff recommends your Board adopt the SLA that amends subsection 5.1. (Shop Steward/Elected Officers Extended Leave of Absence) of the MOU.

In addition, as a result of a reclassification study, staff recommends that your Board approve the creation of a new footnote for one (1) employee in the classification of Program Specialist (JC #0305PA), to receive an additional five percent (5%) compensation of base pay effective June 12, 2022, when assigned lead responsibilities within a work unit in the HCSA Alameda County Behavioral Health ("ACBH") Vocational Services Division. During the reclassification audit, it was determined that the employee is performing duties outside of the scope of their classification as a Program Specialist, specifically, the employee is functioning in a lead capacity providing oversight, guidance, training, coaching and interpretation/implementation of program policies and procedures within the unit. The ACBH will be reviewing their current organizational structure and staffing plan to determine a more appropriate and permanent solution, therefore the request for said footnote shall be temporary. The Director of Human Resource Services will review this footnote on or before December 25, 2023.

Furthermore, at the request of ACSO, staff concurs and recommends that your Board approve an amendment to subsection 3-17.15 of the Salary Ordinance to: 1) specify that one (1) employee in the classification of Emergency Services Dispatch Supervisor (JC #1887SM) will receive an additional five percent (5%) compensation of base pay when assigned the communications training supervisor function in ACSO Emergency Services Dispatch Center effective June 12, 2022; and 2) increase the number of eligible employees in the classification of Emergency Services Dispatcher II (JC #1885NM) from three (3) to five (5) to receive an additional five percent (5%) compensation of base pay when assigned the communications training officer function in ACSO Emergency Services Dispatch Center retroactive to February 6, 2022. The retroactive effective date for the latter is to appropriately compensate an employee who was assigned the communications training officer function since February 13, 2022. At that time, more than three (3) dispatcher trainees were hired which immediately required an additional training officer. The ACSO Office Emergency Dispatch Center has an ongoing operational need for additional training officers to provide new dispatcher trainees guidance and supervision during their probationary period. A newly-hired dispatcher trainee is required to go through rigorous training that can last up to two (2) years before the dispatcher trainee is able to function independently. Increasing the number of training officers will increase ACSO's ability to train multiple dispatcher trainees simultaneously. The County met and conferred with each of the respective Unions and reached agreement on the amended language to the Salary Ordinance.

Lastly, staff recommends amending Section 3-21 (Miscellaneous) of the Salary Ordinance by extending the termination of subsection 3-21.103 to July 8, 2023. On November 23, 2021, your Board approved the extension of subsection 3-21.103, a footnote which provides one (1) employee an additional 10% compensation of the base pay when authorized by the County Administrator and assigned the overall countywide responsibility to provide guidance to County Agencies/Departments on workplace safety compliance; track and ensure communication and coordination between County Agencies/Departments, County Risk Management Unit, and partner agencies sharing County facilities on workplace safety compliance; and perform other related duties and countywide special projects to June 26, 2022; however the County determined it has an ongoing need for the current incumbent to continue performing these added functions. Therefore, staff recommends that said footnote to be extended to July 8, 2023 and shall be deleted from the Salary Ordinance upon the sunset date

FINANCING:

Funds are available in the 2021-2022 Approved Budget and will be included in future years' requested budgets to cover the costs resulting from the applicable recommendation.

VISION 2026 GOAL:

Approved as to Form
DONNA ZIEGLER, County Counsel

By 
Kristy van Herick, Asst. County Counsel

O-2022-23

AN ORDINANCE AMENDING
CERTAIN PROVISIONS OF THE 2021 - 2022
COUNTY OF ALAMEDA SALARY ORDINANCE

The Board of Supervisors of the County of Alameda ordains as follows:

SECTION I

Article 3, Section 3-12, of the County of Alameda Salary Ordinance is hereby amended, to include the following, effective on the dates indicated below:

3-12.95 - Effective June 12, 2022, not to exceed one (1) employee in Job Code 0305PA in the Health Care Services Agency, Alameda County Behavioral Health, Vocational Services Division, when assigned lead responsibilities for providing oversight, guidance, training, coaching and interpreting program policies to staff within the respective assigned program, shall receive an additional five percent (5%) compensation of the base pay. This footnote shall be reviewed on or before December 25, 2023.

SECTION II

Article 3, Section 3-17, of the County of Alameda Salary Ordinance is hereby amended, to read as follows, effective on the dates indicated below:

3-17.15 - Effective June 12, 2022, ~~Not not to exceed one (1) person occupying a position under~~ employee in Job Code 1887, when assigned responsibility ~~the as a Communications~~ communications Training Training Supervisor supervisor function in the Alameda County Sheriff's Office ("ACSO"), Emergency Services Dispatch Center, and shall receive ~~be compensated~~ an additional five percent (5%) compensation of the base pay ~~three persons~~

Effective February 6, 2022, in addition, not to exceed five (5) employees in Job Code ~~occupying under job code~~ 1885 when assigned responsibility ~~as the Communications~~ communications Training Training Officers function in the ACSO Communications Dispatch Emergency Services Dispatch Center, shall ~~receive~~ receive ~~be compensated~~ an additional ~~five percent (5%) compensation~~ compensation of the base pay.

SECTION III

Article 3, Section 3-17, of the County of Alameda Salary Ordinance is hereby amended, to read as follows:

3-21.103 - Effective December 27, 2020, not to exceed one (1) employee when authorized by the County Administrator and assigned the overall countywide responsibility to provide guidance to County Agencies/Departments on workplace safety compliance; track and ensure communication and coordination between County Agencies/Departments, County Risk Management Unit, and partner agencies sharing County facilities on workplace safety compliance; and perform other related duties and countywide special projects, shall receive an additional 10% compensation of the base pay. This footnote will sunset on the earlier of ~~June 28, 2022~~ July 8, 2023, or when these duties are no longer assigned to the incumbent and shall be deleted from the Salary Ordinance upon the sunset date.

SECTION IV

This ordinance shall take effect immediately, and before the expiration of fifteen days after its passage, shall be published once with the names of the members voting for and against it in the Inter-City Express, a newspaper published in the County of Alameda.

Gov. Code Sec. 31461. (a) "Compensation earnable" by a member means the average compensation as determined by the board, for the period under consideration upon the basis of the average number of days ordinarily worked by persons in the same grade or class of positions during the period, and at the same rate of pay. The computation for any absence shall be based on the compensation of the position held by the member at the beginning of the absence. Compensation, as defined in Section 31460, that has been deferred shall be deemed "compensation earnable" when earned, rather than when paid.

(b) "Compensation earnable" does not include, in any case, the following:

(1) Any compensation determined by the board to have been paid to enhance a member's retirement benefit under that system. That compensation may include:

(A) Compensation that had previously been provided in kind to the member by the employer or paid directly by the employer to a third party other than the retirement system for the benefit of the member, and which was converted to and received by the member in the form of a cash payment in the final average salary period.

(B) Any one-time or ad hoc payment made to a member, but not to all similarly situated members in the member's grade or class.

(C) Any payment that is made solely due to the termination of the member's employment, but is received by the member while employed, except those payments that do not exceed what is earned in each 12-month period during the final average salary period regardless of when reported or paid.

(2) Payments for unused vacation, annual leave, personal leave, sick leave, or compensatory time off, however denominated, whether paid in a lump sum or otherwise, in an amount that exceeds that which may be earned in each 12-month period during the final average salary period, regardless of when reported or paid.

(3) Payments for additional services rendered outside of normal working hours, whether paid in a lump sum or otherwise.

(4) Payments made at the termination of employment, except those payments that do not exceed what is earned in each 12-month period during the final average salary period, regardless of when reported or paid.

Gov. Code Sec. 7522.34. (a) "Pensionable compensation" of a new member of any public retirement system means the normal monthly rate of pay or base pay of the member paid in cash to similarly situated members of the same group or class of employment for services rendered on a full-time basis during normal working hours, pursuant to publicly available pay schedules.

(b) Compensation that has been deferred shall be deemed pensionable compensation when earned rather than when paid.

(c) "Pensionable compensation" does not include the following:

(1) Any compensation determined by the board to have been paid to increase a member's retirement benefit under that system.

(2) Compensation that had previously been provided in kind to the member by the employer or paid directly by the employer to a third party other than the retirement system for the benefit of the member and which was converted to and received by the member in the form of a cash payment.

(3) Any one-time or ad hoc payments made to a member.

(4) Severance or any other payment that is granted or awarded to a member in connection with or in anticipation of a separation from employment, but is received by the member while employed.

(5) Payments for unused vacation, annual leave, personal leave, sick leave, or compensatory time off, however denominated, whether paid in a lump sum or otherwise, regardless of when reported or paid.

(6) Payments for additional services rendered outside of normal working hours, whether paid in a lump sum or otherwise.

(7) Any employer-provided allowance, reimbursement, or payment, including, but not limited to, one made for housing, vehicle, or uniforms.

(8) Compensation for overtime work, other than as defined in Section 207(k) of Title 29 of the United States Code.

(9) Employer contributions to deferred compensation or defined contribution plans.

(10) Any bonus paid in addition to the compensation described in subdivision (a).

(11) Any other form of compensation a public retirement board determines is inconsistent with the requirements of subdivision (a).


(12) Any other form of compensation a public retirement board determines should not be pensionable compensation.

5. DISABILITY, DEATH AND OTHER BENEFIT CLAIMS:

A. Member Joe Dutra's Claim for Retroactive MBRP Benefits.

This item will be addressed in Open Session (materials are included in the public agenda packet), but the Board may go into Closed Session to receive advice from counsel, per Gov't Code § 54956.9(d)(2).



To: Board of Retirement
From: Jeff Rieger, Chief Counsel 
Meeting: August 18, 2022
Subject: **Member Joe Dutra's Claim For Retroactive MBRP Benefits**

Pursuant to the Board's SRBR Policy, the Board has authorized a Medicare Part B Reimbursement Plan (MBRP) for eligible ACERA members. The current MBRP benefit is \$170.10 per month.

Retired ACERA member Joe Dutra began receiving MBRP payments in March 2022. He has requested retroactive payments dating back to when he first became Medicare eligible in September 2016. If the Board were to grant Mr. Dutra's request in full ACERA would owe him \$8,819.00.

Mr. Dutra's written claim is attached as Exhibit A. Pursuant to the Board's Administrative Hearings Policy, the CEO denied that claim. The CEO's denial, with enclosures, is attached as Exhibit B (confidential information has been redacted). Mr. Dutra appealed the CEO's denial to the Board pursuant to the Board's Administrative Hearing Policy.

Note: Several years ago, ACERA put into place enhanced procedures to proactively email and/or call members who have submitted MBRP applications without proof of Medicare Part B enrollment, to remind them that ACERA needs such proof for the MBRP benefits to commence. These enhanced procedures were implemented after Mr. Dutra submitted his application in July 2016, and there is no record he received any such courtesy reminders

The hearing on Mr. Dutra's appeal will proceed in open session pursuant to the Board's Administrative Hearing Policy (which is one of the enclosures with Exhibit B). Outside Counsel, Ashley Dunning, will be at the meeting to assist the Chair in presiding over the hearing and provide confidential advice to the Board in closed session if the Board wishes to receive confidential advice. Only the Trustees and Ms. Dunning will participate in any such closed session.

Exhibit A

May 9, 2022

Alameda County Retirement Board (ACERA)

Kathy Foster

Assistant Chief Executive Officer

475 14th Street

Oakland, CA 94612

Re: Medicare Supplement Plan (MBRP)

Dear: Ms. Foster:

Thank you for your email on 4-15-22, regarding my Part B Medicare Reimbursement plan (MBRP) situation. Per your response in that email regarding my situation, at this time I am requesting an appeal to the Alameda County Board of Retirement (ACERA) regarding me not having received the Medicare Supplement plan (MBRP) from ACERA, since 2006 until this year. I feel that I have grounds for an appeal due to circumstances that arose during the original handling of my application. I feel that my Part B supplemental (MBRP) should be reinstated retroactively back to the original application date due to the extenuating circumstances that occurred at that time in September of 2016 which I will list below.

On 9-16, I became Medicare eligible and qualified for Medicare. I forwarded the Medicare Supplemental Reimbursement Plan form to ACERA. On the form I checked the box that stated I was waiting for my part B. At that time I assumed that some special document was needed and would be sent to me regarding Part B to be completed and then forwarded to ACERA. After a

while, and not having received anything from Medicare or ACERA regarding Medicare part B, I assumed that I had not qualified for the part B or the ACERA (MBRP) supplement. I also thought that if there had been an issue with my original application being incomplete or any other issue with it that I would have been re-contacted by the ACERA staff to check on the status of my Part B and or notifying me of the incomplete application.

After conversing with fellow retirees in March of this year about the supplemental plan, I mentioned that apparently I had not qualified as I had never heard anything further from ACERA. It was suggested to me that I should have qualified and that I should check with ACERA as to what happened to my original application.

On 3-8-22 I spoke with ACERA technician "Adrianna" regarding the situation. I asked her why I had not qualified for the (MBRP) supplement back in 2016. "Adrianna" told me I had been qualified since 9-1-16 for the supplement reimbursement however the application appeared not to be complete. "Adrianna" went on to say that somehow the application had been lost or misplaced in the shuffle at ACERA. When I asked "Adrianna" why I had not been contacted before regarding the incomplete application back in September of 2006, "Adrianna" told me that she could not explain why no one from ACERA, had not re-contacted me regarding the incomplete (MBRP) reimbursement form that I had submitted. I was told by her to resubmit a new (MBRP) form including a copy of the Social Security card which now showed the part A and B on it which I subsequently did. "Adrianna" told she was not sure about the retroactive status but said she would check into it.

I asked "Adrianna" if I could speak to a supervisor regarding the situation and she told me she would forward my request to her supervisor for them to call me regarding this matter.

Subsequently I spoke with "Nelly" whom I understood to also be an ACERA technician regarding my concern with the way the original application had been lost or misplaced and that I had not been contacted by ACERA back in 2006. "Nelly" told me that she had found the original application that I had submitted in 2016 at ACERA and that it had not been lost or misplaced. When I asked "Nelly" why no one had contacted me regarding the incomplete application at the time it was submitted originally, "Nelly", said there are about 8,000 retirees and they didn't have time to do that. "Nelly" asked me to resubmit a new application for the Medicare supplement plan (MBRP) and to include a copy of my Social Security Card which I did a second time. "Nelly" subsequently emailed me a copy of the original (MBRP) form from 2016.

"Nelly" told me she wasn't sure about the retroactive status as well. I asked "Nelly" to have a supervisor contact me regarding the situation which she said she would do. As of this date I

have not heard from any supervisor from ACERA until I started this process and received an email from you Ms. Foster. I have asked to speak to a supervisor on three different occasions via telephone previously regarding this situation and after not receiving any response I finally gave up.

Had I been re-contacted by someone at ACERA regarding the incomplete Medicare Supplement Plan (MBRP) form in 2006, either by letter or telephone or any other form of communication, I would have immediately submitted the corrected form and a copy of the Medicare card in 2006. I feel that there are enough extenuating circumstances present regarding the original application submission for the (MBRP) in 2006 that justifies the retroactive reinstatement of my Medicare part B supplemental reimbursement plan (MBRP) back to the original application which was submitted in 2006.

Thank you for your assistance in this matter.

Sincerely


Joe F Dutra

Exhibit B



July 8, 2022

Joe F. Dutra



Re: CEO Denial of Appeal Regarding MBRP Benefits

Dear Mr. Dutra:

By this letter, I am denying your May 9, 2022 appeal of staff's decision that you are not eligible to receive Medicare Part B Reimbursement Plan (MBRP) payments for any months before ACERA received proof of your Medicare Part B enrollment. The bases for the denial are as follows:

- The Board of Retirement's Supplemental Retirement Benefits Reserve (SRBR) Policy states that eligibility for MBRP benefits "Requires proof of Medicare Part B enrollment to be provided to ACERA." A copy of the SRBR Policy is enclosed.
- Your 2016 MBRP application states: "**To qualify for MBRP, a retiree must ... Provide proof of enrollment in Medicare Part B (a copy of Medicare Part B card) ...**" It also states that a copy of your Medicare Part B card is "**REQUIRED.**" Your signed certification on that form states: "I understand ... there is **no retroactive payment** of this benefit." A copy of your 2016 application is enclosed.
- Based on a sign-in sheet, it appears that you attended a Medicare Transition Seminar on July 7, 2016 (the same day you submitted your MBRP application). A copy of that sign-in sheet is enclosed. The presentation you attended that day states: "To qualify for MBRP, a retiree must: ... Provide proof of enrollment in Medicare Part B ..." It also states: "**This is not a Retro Active Benefit.**" A copy of the slide with this information is enclosed.
- Similar information is posted on ACERA's website (<https://www.acera.org/mbrp>), is included in the annual Retiree Enrollment Guide that ACERA sent you every year since you retired in 2006 and is found in other ACERA documents you may have reviewed.

The above rules apply equally to all ACERA members and ACERA informed you of those rules on multiple occasions. Accordingly, I am denying your appeal.

You may appeal this denial to the Board of Retirement (Board), pursuant to the Board's Administrative Hearing Policy. A copy of that Policy is enclosed. Under that Policy, you have until **August 8, 2022** to appeal to the Board (the 30-day appeal period ends on a Sunday, so you will have 31 days). If you decide to appeal to the Board, you may send an email to me (dnelsen@acera.org) and ACERA's Chief Counsel Jeff Rieger (jrieger@acera.org) that states: "I am appealing the July 8, 2022 CEO denial of my claim to the Board of Retirement." Or, you can mail a letter with the same statement, addressed to me and Mr. Rieger, at 475 14th Street, Suite 1000, Oakland, CA 94612.

July 8, 2022
Page 2

If you appeal to the Board, Mr. Rieger will be your point of contact for further communications and he will provide you with further information. Your appeal will be heard at a public Board meeting with at least 30-day notice to you, unless you agree to less than 30-day notice. We can bring your appeal to the Board's public meeting on August 18, 2022 or September 15, 2022, depending on when we receive your written appeal and with due consideration given to your preferred date for the Board to hear this matter.

If you have any questions, please call Mr. Rieger at 510.628.3028.

Best Regards,

David Nelsen
ACERA Chief Executive Officer

Enclosures

cc: Jeff Rieger, ACERA Chief Counsel



Supplemental Retiree Benefit Reserve (SRBR) Policy

I. Purpose

The purpose of this policy is to set forth the Alameda County Employees' Retirement Association (ACERA) Board of Retirement's (the Board) overall strategy regarding management of the Supplemental Retiree Benefit Reserve (SRBR). The SRBR is a reserve established pursuant to Article 5.5 of the County Employees Retirement Law of 1937 (CERL). The CERL allows the sequential distributions of retirement earnings to employers, employees and retired members.

The Board has the sole and exclusive authority and discretion to distribute funds in the SRBR to provide benefits. The distribution of these funds shall be determined solely by the Board and shall be used only for the benefit of retired members and their beneficiaries.

All benefits funded by the SRBR are non-vested. They are individually reviewed annually for appropriateness, eligibility, and to ensure they can be adequately funded. Only the Retired Member Death Benefit is considered vested, per Government Code Section 31789.12, as long as there are funds available in the SRBR.

Through specific programs such as medical, dental and vision insurance, Medicare Part B reimbursement, supplemental cost-of-living adjustments and

death benefits, the Board may provide benefits to eligible retired members and their beneficiaries.

In designing and administering these programs, the Board may provide adequate funding, maximize the tax-efficiency of benefits to recipients in accordance with 401(h) regulations, provide participants' access to medical care, and minimize the impact of inflation on retirement allowances over time.

II. Program Objectives

- A. Through the achievement of long term investment goals, provide for the long-term consistent payment and adequate funding of all SRBR benefits.
- B. Annually assess, review, analyze and determine the ability to provide each benefit, at the discretion of the Board. Generally, benefits are subject to modification or elimination by the Board at any time with adequate notice. Should Objective A. not be met and the SRBR ever be depleted, benefits will cease.
- C. Determine eligibility for benefits, and make benefits available to eligible retired members. This does not mean that benefits will be distributed on a "per capita" basis, but simply that access to SRBR benefits will not be denied on the basis of protected status (e.g., race, sex, etc.) or place of residence.
- D. Determine and administer payments made on behalf of eligible retired members to ACERA medical insurance coverage programs on a basis that is proportional to service with ACERA. The maximum contribution will be paid to those retired members with 20 years or more of qualified ACERA service credit, and members awarded a service connected disability retirement.

- E. Structure dental and vision programs to minimize adverse selection through the mandatory enrollment of all eligible retired members.
- F. Structure supplemental cost-of-living programs so as to benefit those members who have suffered the greatest erosion of their purchasing power, in a manner that sustains the ability to do so projected into the future.
- G. Administer the SRBR program in accordance with the provisions of the applicable laws. Net earnings, account crediting, benefit costing and funding adequacy are to be determined according to law and using the same assumptions utilized by the Board for account administration and actuarial purposes or assumptions consistent with those activities.

III. Supplemental Cost-of-Living

ACERA provides two different cost-of-living (COLA) allowances: 1) the Basic COLA, which is based on statute and is paid from the pension fund; and 2) the Supplemental COLA, which is paid for from the SRBR. Any changes made to the Basic COLA, which require no further approval, shall be effective April 1 and payable with the warrant issued at the end of April.

In addition to the statutory Basic COLA, ACERA may pay a Supplemental COLA, which provides a supplemental monthly payment designed to preserve 85% of the purchasing power of ACERA retired members and beneficiaries as calculated by the actuary pursuant to the methodology described in Government Code Section 31870.

The Board shall review the ACERA COLA program each year and shall normally make any adjustments or recommendations at its February meeting.

IV. Implicit Subsidy

The Board believes that the ability of retired members to continue to participate in the County of Alameda (County)-sponsored medical benefit plans following retirement is a critical factor in maintaining a reasonable post-retirement quality of life.

The Board recognizes that continued retired member participation increases the cost to the plan sponsors and members. In times of fiscal difficulty, this additional cost may create pressures which may impact the participation of retired members in County-sponsored medical insurance plans.

The Board finds that the use of SRBR funds to support the ability of retired members to participate in the County-sponsored medical insurance plans is an appropriate use of the reserve benefiting retired members, dependents, and beneficiaries.

V. Current Benefit Guidelines

In allocating the funds available through the SRBR, the Board will be guided by the following program guidelines:

A. Medical Insurance Benefits

1. The Board shall review the ACERA retired member medical insurance program each year and shall, at the appropriate meeting, make any adjustments. Any change in medical insurance contribution amounts, out-of-area reimbursement amounts or Medicare Part B premium reimbursement amounts will be effective with the warrants issued at the end of the next January.

2. To the extent possible, all medical insurance benefits will be paid through a 401(h) account exchange with participating employers in order to minimize the tax consequences for ACERA members.
- B. Any Board changes to the current ACERA SRBR benefit levels will take into consideration the advice of ACERA's actuary, legal counsel, tax counsel, active and retired employees and their representatives, employers and/or consultants as may be advisable.
 - C. The Board retains the authority to add or delete programs or modify this Policy or these guidelines at any time, following public notice.

VI. Long Term Goal Funding Policy

It is the intent of the Board to closely monitor the expenditures and contributions to the SRBR.

The Board will monitor the long-term funding implications of all of the existing programs, which provide benefits outlined in this Policy and any others that may be appropriate.

In managing the relationship between assets and liabilities, the Board shall manage approved SRBR benefits with a goal towards meeting the projected liabilities of the fund over a 15-year period, as determined by the actuary. If it is reported that current SRBR programs, which provide benefits, will not sustain for 15 years, benefit adjustments may be made based on the amount of funds needed in order to attain a prolonged lifespan of the fund without causing undue harm to beneficiaries.

VII. Priority of Funding

In the event the Board, in its opinion, determines that the assets available in the SRBR are, at any point, insufficient to fund the projected liabilities of all of the benefits approved by the Board, then available SRBR assets shall be used to fund benefits in accordance with the following priorities:

A. Category I

First priority for funding shall be given to the following Category I benefits:

1. Retired Member Death Benefit
2. ACERA Monthly Medical Allowance
3. Supplemental Cost-of-Living Benefit
4. Medicare Part B Premium Reimbursement
5. Employer Reimbursement for Implicit Subsidy

If it becomes necessary to prioritize or allocate funds among Category I or Category II benefits, the Board shall make that determination when required.

B. Category II

Category II benefits shall be funded only when the Board, in its opinion, believes that adequate assets are available to fund the projected liabilities of all Category I benefits and additional assets remain to fund some or all of the following Category II benefits:

1. Dental Care Coverage Contribution
2. Vision Care Coverage Contribution

If it becomes necessary to prioritize or allocate funds among Category I or Category II benefits, the Board shall make that determination when required.

VIII. Policy Review

The Retirees Committee shall review the SRBR Policy at least every two years to ensure it remains relevant, accurate and appropriate.

Current Benefits

The following benefits have been approved by the Board provided that sufficient funds are available. This is a general description of the benefit elements including eligibility requirements for each benefit. If there is any conflict with the CERL or formal Board actions, the CERL or those actions prevail.

Category I

RETIRED MEMBER DEATH BENEFIT

Eligibility: Beneficiaries of ACERA retired members. There is no minimum ACERA service credit requirement for this benefit.

Benefit Amount: A one-time payment of \$1,000 will be paid upon the death of an ACERA retired member, if that member retired from ACERA as their last employer. If a reciprocal agency was the last employer and that agency pays less than a \$1,000 death benefit, ACERA will supplement that benefit at a level which ensures the reciprocal retired member will receive a \$1,000 death benefit when considering the amount of death benefit paid by all reciprocal retirement systems combined.

Effective Date: January 1, 2013¹

MONTHLY MEDICAL ALLOWANCE

Eligibility: Retired members with 10 or more years of ACERA service credit or members retired based on service connected disability benefits. See chart on page 9 for years of service structure.

¹The Board adopted Government Code Section 31789.12 in 1992

Benefit Amount: GROUP PLANS

A Monthly Medical Allowance (MMA) is paid towards a retired member's medical plan premium when enrolled in an ACERA-sponsored group medical plan. The MMA is based on an amount determined by the Board. The maximum MMA amount is limited to the single-party premium or one hundred percent (100%) of the MMA amount, whichever is lower, for a retired member with 20 or more years of ACERA service credit or a retired member receiving service connected disability benefits. The amount is prorated for retired members with less than 20 years of ACERA service credit. Plan premium costs that exceed the contribution are deducted from the retired member's monthly retirement allowance. Premium costs for enrolled dependents are deducted from the retired member's monthly allowance.

INDIVIDUAL PLANS FOR EARLY (NON-MEDICARE) RETIREES LIVING OUTSIDE THE HMO SERVICE AREA (Effective January 1, 2016)

A Monthly Medical Allowance (MMA) is provided to eligible retired members as reimbursement for medical plan costs when they are enrolled in an Individual Plan through the Health Exchange. The reimbursement is paid to the eligible retired member by the Exchange through a Health Reimbursement Account (HRA). The MMA is set as a monthly amount based on years of ACERA service credit. Reimbursements may be made for premiums, co-pays and deductibles.

In order to be eligible to receive this category of MMA, the retiree must live outside the ACERA-sponsored medical plan HMO service areas.

Retired members enrolled in the Health Exchange, who return to work for a participating employer, lose eligibility for reimbursements during the period of employment based on Federal regulations.

INDIVIDUAL PLANS FOR MEDICARE ELIGIBLE RETIREES

A Monthly Medical Allowance (MMA) is provided to eligible retired members as reimbursement for medical plan costs when they are enrolled in an Individual Plan through the Medicare Exchange. The reimbursement is paid to the eligible retired member by the Exchange through a Health Reimbursement Account (HRA). The MMA is set as a monthly amount based on years of ACERA service credit. Reimbursements may be made for premiums, co-pays and deductibles.

Retired members enrolled in the Medicare Exchange, who return to work for a participating employer, lose eligibility for reimbursements during the period of employment based on Federal regulations.

YEARS OF ACERA SERVICE CREDIT STRUCTURE FOR MMA

The chart below demonstrates the percentage of MMA provided to eligible retired members in group plans and individual plans. Service connected disability recipients are eligible for the 20 + years of ACERA service credit contribution level.

YEARS OF ACERA SERVICE CREDIT	CONTRIBUTION PERCENTAGE UP TO
20 +	100%
15 through 19	75%
10 through 14	50%
Under 10	0%

SUPPLEMENTAL COST-OF-LIVING BENEFIT

Eligibility: Retired members of ACERA or their surviving beneficiaries who are receiving an ACERA allowance, and whose purchasing power, as measured by the Consumer Price Index (CPI), has eroded by 15% or more as defined by the CERL. There is no minimum ACERA service credit requirement for this benefit.

Benefit Amount: As determined by the above formula.

Effective Date: April 1, 1999 for 1999 COLA Year
(To be paid with the warrant issued at the end of April)

MEDICARE PART B PREMIUM REIMBURSEMENT

Eligibility: Retired members with 10 years or more of ACERA service credit or members retired based on service connected disability who are enrolled in Medicare Part B.

Benefit Amount: Lowest Standard Medicare Part B premium amount

Effective Date: January 1, 1999
(Requires proof of Medicare Part B enrollment to be provided to ACERA)

EMPLOYER REIMBURSEMENT FOR IMPLICIT SUBSIDY

Eligibility: Any ACERA employer providing medical benefits coverage to ACERA retired members or beneficiaries through County-sponsored active employee medical benefit plans.

Benefit Amount: To be determined each year by the Board based on the cost of retired member participation and the availability of funding.

Effective Date: April 21, 2005

Funding Policy: In March of each year, ACERA staff shall independently verify the cost associated with retired member participation. The Board shall review the program in May and determine the amount, if any, of employer reimbursement based on the funding available and the overall SRBR program goals. Any reimbursement established by the Board shall be implemented as a credit against employer retirement contributions due ACERA.

Category II

DENTAL CARE COVERAGE CONTRIBUTION

Eligibility: Retired members of ACERA who are receiving ACERA allowances with ten or more years of ACERA service credit, members retired based on service connected disability, or members retired based on non-service connected disability with effective retirement dates on or before January 31, 2014.

Benefit Amount: Retired member-only Dental plan premium in accordance with the established 401(h) account mechanism.

Effective Date: February 1, 2014

VISION CARE COVERAGE CONTRIBUTION

Eligibility: Retired members of ACERA who are receiving ACERA allowances with ten or more years of ACERA service credit, members retired based on service connected disability, or members retired based on non-service connected disability with effective retirement dates on or before January 31, 2014.

Benefit Amount: Retired member-only Vision plan premium in accordance with the established 401(h) account mechanism.

Effective Date: February 1, 2014

Closed Benefit Plans

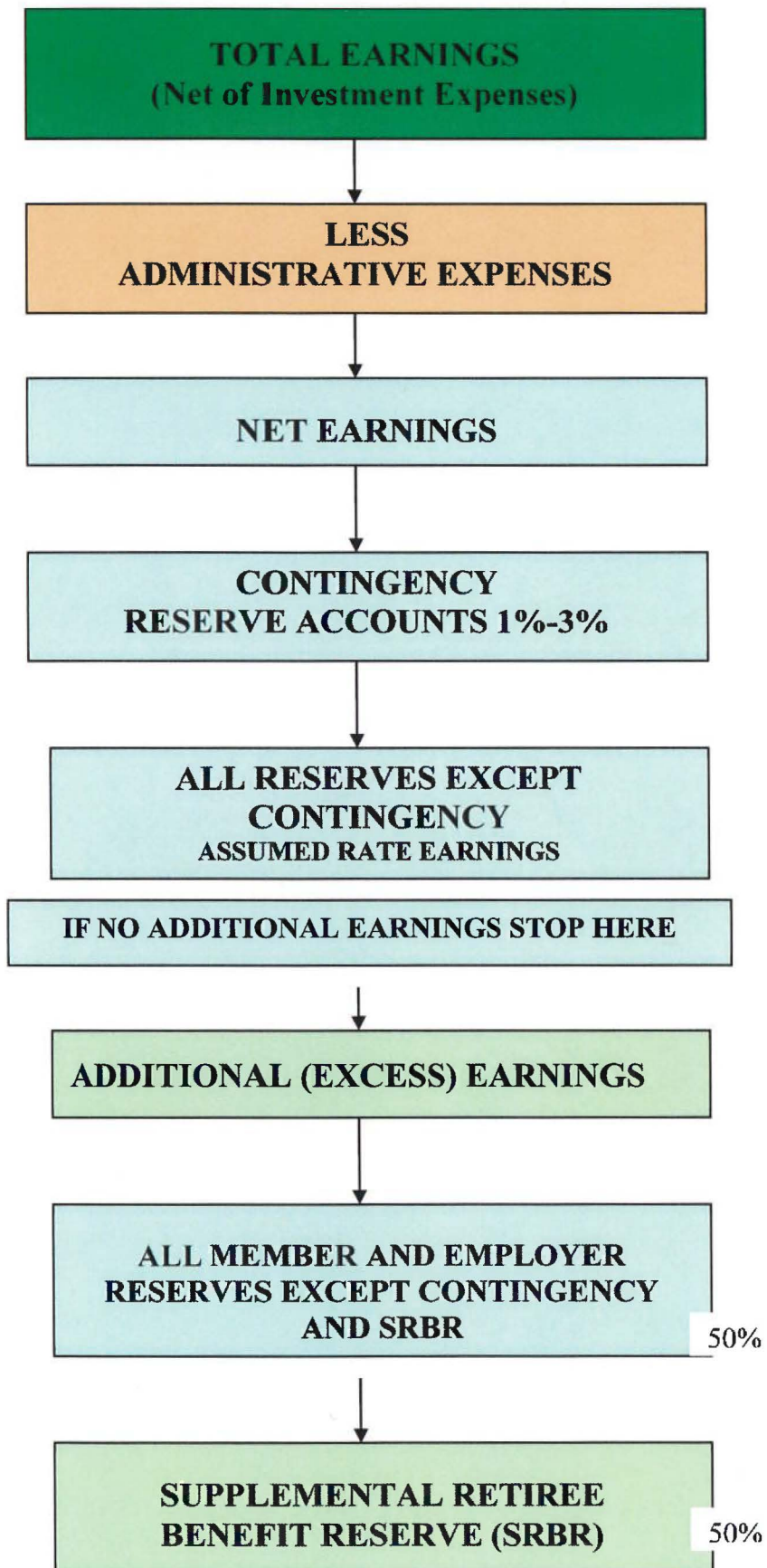
The following benefit plans are closed to new recipients.

- Emergency Subsidy – July 1, 1997 to March 1, 2001
- Health Equity Location Plan (HELP) – July 1, 1997 to March 1, 2001
- Retired Member Death Benefit – August 20, 1998 to December 31, 2012; benefit amount of \$5,000.
- Active Death Equity Benefit (ADEB) – July 1, 1999 to December 31, 2012
- Dental Care Coverage Contribution – February 1, 1999 to January 31, 2013 for retired members with less than ten years of ACERA service credit, unless a member retired based on service connected disability, or a member retired based on non-service connected disability with an effective retirement date on or before January 31, 2014.
- Vision Care Coverage Contribution – February 1, 1999 to January 31, 2013 for retired members with less than ten years of ACERA service credit, unless a member retired based on service connected disability, or a member retired based on non-service connected disability with an effective retirement date on or before January 31, 2014.

IX. Policy History

- A. The Board reviewed and affirmed this policy, with revisions, on October 21, 2021²

² Previous amendment dates all with revisions: September 16, 2010; May 19, 2011; September 20, 2012; February 21, 2013; September 19, 2013; April 17, 2014; September 17, 2015; and May 25, 2017; and affirmed without revisions October 17, 2019.





MEDICARE PART B REIMBURSEMENT PLAN (MBRP) APPLICATION

ALAMEDA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION
475 14th Street, Suite 1000 QIC 22901
Oakland, CA 94612-1900 FAX (510) 268-9574
www.ACERA.org (510) 628-3000 / 1-800-838-1932, Press 1

2016 JUL -7 PM 2: 21

The Medicare Part B Reimbursement Plan (MBRP) provides a reimbursement toward Medicare Part B premium, which is deducted from Social Security checks. Through ACERA, spouse and/or dependent costs for Medicare Part B are **not** eligible for reimbursement. If I drop my Medicare Part B, I understand I must notify ACERA immediately and understand all medical coverage through ACERA will be cancelled.

To qualify for MBRP, a retiree must:

- Have at least 10 years of ACERA service; **or** approval of a Service-Connected Disability Retirement;
- Provide proof of enrollment in Medicare Part B (a copy of Medicare Part B card) and **remain enrolled**; and,
- Complete and submit the MBRP Application.

(Please Print or Type)

Name: Job F Dutra Social Security No: XXX-XX-

Address: [REDACTED]

City: [REDACTED]

Home Phone Number: [REDACTED] Cell Phone Number: ()

Date of Birth: [REDACTED] E-mail Address:

Check the ones which apply:

- I have attached a photocopy of my Medicare Part B card. (REQUIRED)
- I have applied for my Medicare Part B and am awaiting arrival of my Medicare Card.
- I want to enroll in an ACERA sponsored Medicare medical plan:
- Name of Plan: Kaiser Senior Advantage Plan
- I am currently **NOT** enrolled in an ACERA sponsored medical plan.

I certify that I am enrolled in Medicare Part B. I understand the MBRP is not a vested benefit and there is no retroactive payment of this benefit. This benefit could be modified or deleted by the Board of Retirement at any time.

[Signature] OR

Member Signature *Power of Attorney Signature Date

RETURN THIS FORM AND DOCUMENTATION TO ACERA

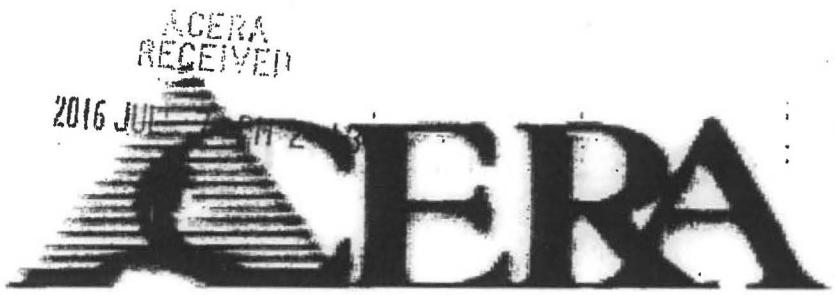
* Must have Power of Attorney documentation in member's file or submission with this form.

ACERA USE ONLY	
Input By:	Date:
Verified By:	Date:
Out of Area: <input type="checkbox"/> YES <input type="checkbox"/> NO	

Medicare Transition Seminar Sign In Sheet

July 7, 2016

Small vertical text on the left side of the stamp area, possibly a date or time stamp.



Small vertical text on the right side of the stamp area.

Last Name	First Name	Signature	Guest(Y/N)	Email Address
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10. Dutra	Joe			
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ALAMEDA COUNTY EMPLOYEES'
RETIREMENT ASSOCIATION

*MEDICARE TRANSITION
SEMINAR
2016*

*Presented By:
Ismael Pina and Special Guest Yolanda Smith*

ACERA's - Medicare Part B Plan (non-vested benefit)

- MBRP is a Medicare reimbursement plan adopted by the Board of Retirement that annually authorizes reimbursement of Medicare Part B to qualified retired members only. The monthly reimbursement amount for 2016 is \$104.90.
- This non-vested benefit is not available for dependents, nor will it reimburse dependent costs.
- To qualify for MBRP, a retiree must:
 - Have 10+ years ACERA service credit or service-connected disability
 - Provide proof of enrollment in Medicare Part B; and remain enrolled;
 - Enroll in the MBRP (commencement of payments begins on enrollment into MBRP, not on the effective date of eligibility for Medicare Part B
- **This is not a Retro Active Benefit**
- **Enrollment is not automatic**
- **Eligible members MUST Apply to receive this Reimbursement**



Administrative Hearing Policy

I. Purpose

This policy provides a procedure for the Board to review ACERA Staff decisions, except for disability matters. Hearings on disability matters are governed by the Disability Retirement Procedures. The objective of this policy is to ensure a fair and efficient consideration of member, survivor and beneficiary matters.

II. Definitions

- A. Applicant: A member, survivor, or beneficiary of ACERA.
- B. Board: The ACERA Board of Retirement.
- C. Day: Calendar day.
- D. Hearing: The presentation of sworn testimony, other evidence, and legal argument before the Board or Hearing Officer.
- E. Hearing Officer: Person who conducts an administrative hearing on issues related to a matter referred to that person and who provides Findings of Law and Fact to the Board and a Proposed Recommendation. Government Code section 31533 provides who may be a Hearing Officer.
- F. CEO: Chief Executive Officer of ACERA.

III. Guidelines and Procedures

- A. Filing a Timely Appeal
 - i. An applicant may appeal ACERA staff's decision in writing to the CEO within 30 calendar days of the date of staff's notification to the applicant of the decision. The

CEO will respond in writing with a decision either supporting the position taken by ACERA staff or modifying or overturning that decision.

2. The Board delegates to the CEO full authority to make all initial determinations regarding claims by applicants and participating employers. The CEO will consult with appropriate advisers as the CEO deems necessary.
3. If the applicant does not agree with the decision of the CEO, the applicant may appeal the decision in writing to the Board within 30 calendar days of the date on the CEO's notification to the applicant of the decision.
4. Appeals to the Board from administrative decisions will ordinarily be placed on the Board's agenda for open session at a regularly scheduled Board meeting. The CEO may place the matter on the Board's closed session agenda if the matters to be discussed are protected from public disclosure pursuant to the Brown Act.
5. Failure to file a timely appeal will constitute a waiver of the right to have the appeal heard, although the CEO may allow an untimely appeal to proceed to the Board for good cause, in the CEO's sole discretion.

B. Date and Notice of Hearing:

1. The Board may hear the matter directly or refer it to a Hearing Officer for a recommendation to the Board for final decision. (Govt. C. 31533).
2. If the Board hears the matter directly, the hearing shall be set by the office of the CEO at the earliest mutually agreeable date and the office of the CEO shall deliver by US mail and email (if available), a notice of hearing to the applicant and all other parties at least 30 days before the hearing, unless the parties agree to a shorter notice period. ACERA shall provide a copy of this hearing policy and any applicable regulations regarding the administrative hearings.
3. When the Board hears a matter directly, the Board may alter or truncate the procedures described in this Policy when it determines that doing so is in the interests of justice and efficiency.

C. Appointment of Hearing Officer

1. If the Board refers the matter to a Hearing Officer, the process will be as follows:
 - a. The Board will refer the matter to the Legal Department for assignment of a Hearing Officer from a rotating list of approved Hearing Officers.
 - b. The Legal Department will provide the first name on the rotating list to the parties.
 - c. Either party may challenge a Hearing Officer for cause by filing a written objection with the Legal Department with 10 calendar days of the date of the notice of the list. A challenge for cause is an allegation that the Hearing Officer cannot be fair and impartial. The Legal Department shall review the challenge for cause and, if sustained, select another name from the list of Hearing Officers and advise the parties accordingly. If circumstances giving rise to a challenge for cause arise or are discovered after appointment of the Hearing Officer, and the Hearing Officer does not recuse him or herself, the party challenging the Hearing Officer may make a record of the circumstances and present them to the Board as part of a hearing before the Board pursuant to section F(1)(b)(4) below.
2. The Hearing Officer will set the date of the hearing in conjunction with the schedules of the parties.

D. Conduct of Hearing

1. The Board Chair or Hearing Officer shall preside over the hearing.
2. The Chair or Hearing Officer shall make all rulings necessary for fair and efficient proceedings, including the admissibility of evidence, conduct of witnesses and parties and scheduling.
3. Parties (including ACERA Staff) and their counsel are prohibited from having communications with Board members or Hearing Officers regarding matters related to the hearing without the presence or knowledge of the other party.

E. Hearing Process

1. All parties are entitled to representation by an attorney licensed to practice in the State of California at any hearing at the sole expense of that party. Once ACERA has notice that an attorney is representing an applicant, all notices and other papers shall be served on the attorney.
2. The party seeking relief from ACERA has the burden of proof and shall present their case first, followed by ACERA staff. In all cases, the presentation may include:
 - a. Opening statement;
 - b. Testimony of witnesses and presentation of documentary evidence;
 - c. Cross examination of witnesses;
 - d. Rebuttal evidence;
 - e. Closing statements
3. Both ACERA staff and the applicant are entitled to submit written evidence or argument to the Board or Hearing Officer. Each side will provide copies of the materials proposed to be offered at the hearing to the other side at least 10 days before the hearing is held.
4. Evidence
 - a. Witnesses must testify under oath or affirmation administered by the Hearing Officer or the Board Chair.
 - b. Each party is responsible for obtaining those subpoenas it deems necessary for the presentation of its evidence at hearing. All subpoenas are to be issued in accordance with Government Code section 31535.
 - c. The hearing need not be conducted accordingly to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs regardless of the existence of any common law or statutory

rule which might make improper the admission of such evidence over objection in civil actions. The rules of privilege shall be effective to the extent that they are otherwise required by statute to be recognized at the hearing.

- d. The Hearing Officer or Board Chair has discretion to admit relevant and reliable evidence to or exclude irrelevant or repetitious evidence.
- e. The record shall be closed to new evidence at the conclusion of the final day if hearing unless each party stipulates to leave the record open.

F. Board Consideration and Action

- i. Hearing Officer Findings of Fact, Conclusion of Law and Recommended Decision
 - a. Following a hearing by a Hearing Officer, the Hearing Officer shall transmit to the Board written proposed findings of fact, conclusions of law, and recommendations.
 - b. Upon receiving proposed findings of fact and recommendations, the Board may do one of the following:
 - 1) Approve and adopt the proposed findings and recommendations; or
 - 2) Require a transcript or summary of all the testimony, plus all other evidence received by the referee. Upon receipt thereof the Board shall take such action in its opinion is indicated by such evidence; or
 - 3) Refer the matter back to the hearing office with instructions for further proceedings; or
 - 4) Set the matter for hearing before the Board. At such hearing, the Board shall hear and decide the matter as if it had not been referred to the Hearing Officer.
 - c. Staff will notify the applicant in writing of the Board's determination within 10 days of the hearing.

2. Board Hearing

- a. Following the hearing, the Board will deliberate and vote on the matter and instruct staff to notify the applicant in writing of the Board's determination within 10 days. The determination may, but need not, include a statement of decision.
- b. A Board member who did not attend all portions of a Board hearing may not participate in the Board's deliberations and vote, unless all the following conditions are met:
 - 1) A quorum of members who attended the full hearing is not available;
 - 2) The member has read the transcript (or listened to the audio recording) of that portion of the hearing during which he or she was not in attendance; and
 - 3) The member has stated on the record that he or she has undertaken and completed such review.

G. Review of the Board's Decision: The Board has exercised its discretion to establish the procedures outlined in this Policy. The procedures outlined in this Policy are not required by law. Board decisions made pursuant to this Policy are reviewable by ordinary mandamus under Code of Civil Procedure section 1085.

IV. Policy Review

The Operations Committee shall review this policy at least every three (3) years to ensure that it remains relevant and appropriate.

V. Policy History

The Board adopted this policy on July 19, 2018¹.

The Board reviewed and affirmed this policy, with revisions on September 17, 2020.

¹ The Board adopted the Administrative Hearing Policy on July 19, 2018. The Board adopted the Administrative Appeals Procedures on September 17, 2015. The Board reviewed and affirmed the Administrative Appeals, with revisions, May 19, 2016.

NEW BUSINESS

- 7.A. Report on renewal of Alameda County's medical plan contracts for the 2023 Plan Year, to include information regarding renewal rates and plan coverage.**


**- Kathy Foster
- Ava Lavender**



MEMORANDUM TO THE BOARD OF RETIREMENT

DATE: August 18, 2022

TO: Members of the Board of Retirement

FROM: Kathy Foster, Assistant Chief Executive Officer 

SUBJECT: **ACERA-Sponsored Medical Plans and Premiums for Plan Year 2023**

Provided below is a summary of the Plan Year 2023 medical renewal group plan rates from our carriers; Kaiser Permanente and UnitedHealthcare (UHC). The County of Alameda (County) will review the attached presentation regarding the 2023 Plan Year renewal rates.

Level of Coverage	2022 Rates & % Increase/ (Decrease)	2023 Rates & % Increase/ (Decrease)	2023 Difference	20 + MMA (\$616.12) Retiree Out-of-Pocket
<i>Kaiser HMO</i>	4.00%	7.81 %		
Retiree Only	\$843.16	\$909.02	\$65.86	\$292.90
Retiree + One Dep	\$1,686.32	\$1,818.06	\$131.74	\$1,201.94
Retiree + Two/More Deps	\$2,386.22	\$2,572.56	\$186.34	\$1,956.44
<i>UHC HMO – Signature Value</i>	2.93%	8.81%		
Retiree Only	\$1,184.32	\$1,288.66	\$104.34	\$672.54
Retiree + One Dep	\$2,368.56	\$2,577.22	\$208.66	\$1,961.10
Retiree + Two/More Deps	\$3,351.46	\$3,646.74	\$295.28	\$3,030.62
<i>UHC HMO – Signature Value Advantage</i>	2.93%	8.81%		
Retiree Only	\$781.42	\$850.26	\$68.84	\$234.14
Retiree + One Dep	\$1,562.70	\$1,700.38	\$137.68	\$1,084.26
Retiree + Two/More Deps	\$2,211.18	\$2,406.00	\$194.82	\$1,789.88
<i>Kaiser Sr. Advantage</i>	(9.9%)	(8.02%)		
Retiree Only	\$344.44	\$316.81	(\$27.63)	\$0.00
Retiree + One Dep	\$688.88	\$633.62	(\$55.26)	\$17.50

2023 Premium Rates for Individual Medical Plans through Via Benefits

The 2023 individual plans Medicare premium rates will not be available until early October. The Medicare plans and rates go through a Centers for Medicare and Medicaid Services (CMS)

ACERA-Sponsored Medical Plans and Premiums for Plan Year 2023

August 18, 2022

Page 2 of 2

approval process before they are released. The 2023 premiums for individual Early Retiree plans will be available around the same time in October.

Attachment

ACERA ANNUAL BENEFIT RENEWAL PRESENTATION

BOARD OF RETIREMENT

Overview of Plan Year 2023

Rates and Benefits

August 18, 2022

Ava Lavender

HR Division Manager, Benefits

Ryan Olson, FSA, FCA, MAAA

Korn Ferry Senior Principal



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Executive Summary

The purpose of this presentation is to present rates and plan design changes to the ACERA Retirees Committee resulting from the Plan Year 2023 renewal negotiations between the County of Alameda and its medical vendors, Kaiser and UHC

- The overall blended (i.e., for actives, subgroups and early retirees) rate increase was **7.81% for Kaiser**. The rate increase for **UHC was 9.0% for SV and 8.0% for SVA**, which is substantially *lower than UHC's initial renewal rate increase of 27.16% (page 4)*. Based on information provided by Kaiser and UHC, the blended increase was primarily attributed to higher claim activity for actives in 2021 compared to historical norms, particularly for inpatient and outpatient services as well as for large claims.
- **This continues to make the UHC SVA the lowest cost plan.**
- There are no plan design changes in CY 2023 for the commercial medical plans offered by Kaiser and UHC
- The Kaiser Senior Advantage plan **rate decreased by 8.0%** (page 7). Kaiser has offered 3 rider options for ACERA to consider, including the hearing aid benefit as requested (page 8).



County of Alameda 2023 Plan Year – Blended Rate Increases by Carrier (Actives, Subgroups and Early Retirees)



KAISER PERMANENTE®



7.81% (HMO)

9.0% (SV)

8.0% (SVA)

**Blended
Rate
Increases**

Kaiser's renewal called for a blended 7.81% rate increase

To demonstrate their continued partnership with the County and ACERA, UHC made underwriting concessions to offer the 9.0% increase on SV and 8.0% on SVA. This was down from an initial overall rate increase of 27.16%.

11.48%
(County)

-11.40%
(ACERA)

Actives: 6,326

Early Retirees:
917

10.94%
(County)

-3.43%
(ACERA)

Actives: 1,095

Early Retirees:
90

8.59%
(County)

-15.43%
(ACERA)

Actives: 347

Early Retirees:
74

**Unblended
Rate
Increases**



County of Alameda

2023 Plan Year – Kaiser HMO Pre-65 Retiree Rates

	Current Enrollment	2022 Monthly Premium	2023 Monthly Premium	Increase
Employee Only	774	\$ 843.16	\$ 909.02	7.81%
Employee + 1	105	\$ 1,686.32	\$ 1,818.06	7.81%
Employee + Family	38	\$ 2,386.22	\$ 2,572.56	7.81%
Monthly Total	917	\$ 920,346	\$ 992,235	7.81%

These rates include the Surcharge Buy-out (SBO). ACERA has 153 members over 65 that continue to create the need for the SBO.

County of Alameda

2023 Plan Year – UHC HMO Pre-65 Retiree Rates

Signature Value (SV) Network

	Current Enrollment	2022 Monthly Premium	2023 Monthly Premium	Increase
Employee Only	74	\$ 1,184.32	\$ 1,290.92	9.00%
Employee + 1	13	\$ 2,368.56	\$ 2,581.72	9.00%
Employee + Family	3	\$ 3,351.46	\$ 3,653.08	9.00%
Monthly Total	90	\$ 128,485	\$ 140,050	9.00%

Signature Value Advantage (SVA) Network

	Current Enrollment	2022 Monthly Premium	2023 Monthly Premium	Increase
Employee Only	49	\$ 781.42	\$ 843.94	8.00%
Employee + 1	16	\$ 1,562.70	\$ 1,687.72	8.00%
Employee + Family	9	\$ 2,211.18	\$ 2,388.08	8.00%
Monthly Total	74	\$ 83,193	\$ 89,849	8.00%

These rates represent a 34.6% reduction from those for the full-network HMO option

County of Alameda

2023 Plan Year – Kaiser Senior Advantage Rates

The Kaiser Senior Advantage (KPSA) rates have a decrease of 8.0%. This rate decrease assumes the Silver and Fit benefit will continue to be included in the KPSA.

The KPSA Out-of-Pocket maximum is decreasing in 2023 to align with all KPSA plans in all markets from \$1,500 per calendar year to \$1,000 per calendar year.

	2022 Monthly Premium	2023 Monthly Premium	Increase
Employee (Medicare)	\$ 344.44	\$ 316.81	-8.0%
Employee (Medicare) + Spouse (Medicare)	\$ 688.88	\$ 633.62	-8.0%
Employee (Medicare) + Spouse (Medicare) + Child (Non-Medicare)	\$ 1,388.78	\$ 1,388.12	0.0%

These rates include the Surcharge Buy-out

This rate is the sum of the 2-Party Medicare rate (\$633.62) and the difference between the Pre-65 2-Party and Family rates on page 5 (i.e., \$754.50, or \$2572.56 - \$1818.06)

County of Alameda

2023 Plan Year – Kaiser Senior Advantage Rider Options

Kaiser is offering the Silver & Fit benefit in the base renewal, which equates to a charge of \$2.80 PMPM. Below is a summary of the utilization of the benefit in 2022:

Year	Fitness Center		Home Fitness Kits		Web Registrants	
	Member Count	Visit Count	Unique Members With Kits	Total Kits	New	Active
2022	247	2,632	198	198	537	537

Additionally, Kaiser has offered ACERA additional options available as riders for the Medicare plans this year if you would like to add them for an additional cost.

1. **Over-the-Counter (OTC) Benefit:** \$1.74 PMPM (renewal: -8.0% to -7.5%)
 - Includes a \$70 quarterly benefit limit for OTC products
2. **Transportation Rider:** \$5.25 PMPM (renewal: -8.0% to -6.5%)
 - Routine & post-discharge transportation coverage up to 24 one-way trips per year to medically-related appointments
 - 50-mile radius per trip

ACERA KPSA	W/ Silver & Fit		No Silver & Fit	
Formula Rate Action	\$ 316.81	-8.0%	\$ 314.01	-8.8%
Current KPSA + OTC	\$ 318.55	-7.5%	\$ 315.75	-8.3%
Current KPSA + Transportation	\$ 322.06	-6.5%	\$ 319.26	-7.3%

County of Alameda

2023 Plan Year – Hearing Aid Benefit Rider Options

As requested, Kaiser has offered the following Hearing Aid Benefit options to the HMO Pre-65 Retiree Plan as well as the KPSA Plan. The rates shown in the table below represent the increase to the renewal for each tier on the HMO Pre-65 plan and to the PMPM for the KPSA plan. The increase would apply to all enrollees in the plan.

Hearing Aid Benefit - Retirees Only		HMO Pre-65 Retiree Plan			KPSA PMPM
		EE	EE+1	EE+2+	
\$1,000 Allowance	Per ear every 36 months	\$0.72	\$1.44	\$2.04	\$0.71
\$2,000 Allowance	Per ear every 36 months	\$1.48	\$2.96	\$4.20	\$1.44
\$2,500 Allowance	Per ear every 36 months	\$1.86	\$3.72	\$5.26	\$1.80
\$3,000 Allowance	Per ear every 36 months	\$2.20	\$4.40	\$6.22	\$2.14

County of Alameda

2023 Plan Year – Pre-65 Retiree HMO Rates

Blended vs. ACERA Unblended

Kaiser HMO	Current Enrollment	Blended Monthly Premium	Unblended ACERA Monthly Premium	Difference (\$)	Difference (%)
Employee Only	774	\$ 909.02	\$ 1,156.40	\$ 247.38	27.21%
Employee + 1	105	\$ 1,818.06	\$ 2,312.80	\$ 494.74	27.21%
Employee + Family	38	\$ 2,572.56	\$ 3,272.60	\$ 700.04	27.21%
Monthly Total	917	\$ 992,235	\$ 1,262,256	\$ 270,021	27.21%

UHC HMO - SV Network	Current Enrollment	Blended Monthly Premium	Unblended ACERA Monthly Premium	Difference (\$)	Difference (%)
Employee Only	74	\$ 1,290.92	\$ 1,839.82	\$ 548.90	42.52%
Employee + 1	13	\$ 2,581.72	\$ 3,679.46	\$ 1,097.74	42.52%
Employee + Family	3	\$ 3,653.08	\$ 5,206.38	\$ 1,553.30	42.52%
Monthly Total	90	\$ 140,050	\$ 199,599	\$ 59,549	42.52%

UHC HMO - SVA Network	Current Enrollment	Blended Monthly Premium	Unblended ACERA Monthly Premium	Difference (\$)	Difference (%)
Employee Only	49	\$ 843.94	\$ 1,063.00	\$ 219.06	25.96%
Employee + 1	16	\$ 1,687.72	\$ 2,125.78	\$ 438.06	25.96%
Employee + Family	9	\$ 2,388.08	\$ 3,007.94	\$ 619.86	25.96%
Monthly Total	74	\$ 89,849	\$ 113,171	\$ 23,322	25.96%

County of Alameda

2023 Plan Year – Pre-65 Retiree HMO Rates

2022 vs. 2023 ACERA Unblended

Kaiser HMO	Current Enrollment	Unblended 2022 Monthly Premium	Unblended 2023 Monthly Premium	Increase (\$)	Increase (%)
Employee Only	774	\$ 1,305.22	\$ 1,156.40	\$ (148.82)	-11.40%
Employee + 1	105	\$ 2,610.44	\$ 2,312.80	\$ (297.64)	-11.40%
Employee + Family	38	\$ 3,693.90	\$ 3,272.60	\$ (421.30)	-11.41%
Monthly Total	917	\$ 1,424,705	\$ 1,262,256	\$ (162,448)	-11.40%

UHC HMO - SV Network	Current Enrollment	Unblended 2022 Monthly Premium	Unblended 2023 Monthly Premium	Increase (\$)	Increase (%)
Employee Only	74	\$ 1,905.08	\$ 1,839.82	\$ (65.26)	-3.43%
Employee + 1	13	\$ 3,810.06	\$ 3,679.46	\$ (130.60)	-3.43%
Employee + Family	3	\$ 5,391.14	\$ 5,206.38	\$ (184.76)	-3.43%
Monthly Total	90	\$ 206,680	\$ 199,599	\$ (7,081)	-3.43%

UHC HMO - SVA Network	Current Enrollment	Unblended 2022 Monthly Premium	Unblended 2023 Monthly Premium	Increase (\$)	Increase (%)
Employee Only	49	\$ 1,257.00	\$ 1,063.00	\$ (194.00)	-15.43%
Employee + 1	16	\$ 2,513.74	\$ 2,125.78	\$ (387.96)	-15.43%
Employee + Family	9	\$ 3,556.86	\$ 3,007.94	\$ (548.92)	-15.43%
Monthly Total	74	\$ 133,825	\$ 113,171	\$ (20,654)	-15.43%

Low-income Premium Subsidy Amounts (Part D) – 2023

Percentage of Maximum Subsidy Amount	2023 Subsidy Amount
100%	\$38.86
75%	\$29.15
50%	\$19.43
25%	\$9.72

Source: [Regional Rates Benchmarks 2023 \(cms.gov\)](https://www.cms.gov)

Questions



THANK YOU




Human Resource Services
Employee Benefits Center



MEMORANDUM TO THE BOARD OF RETIREMENT

DATE: August 18, 2022

TO: Members of the Board of Retirement

FROM: Kathy Foster, Assistant Chief Executive Officer 

SUBJECT: **Monthly Medical Allowance for 2023**

At the July 6, 2022 Retirees Committee meeting, Staff provided the attached information regarding the Monthly Medical Allowance (MMA) for 2023. Staff recommended increasing the 2023 MMA by 3.25% for eligible retirees, in accordance with the substantive plan definition adopted under GASB 43 equal to 50% of the rate of health care inflation assumptions provided by ACERA's actuary, which results in a MMA maximum of the following for the Plan Year 2023:

- Group plans – \$616.12
- Early (non-Medicare) retiree individual plans – \$616.12
- Medicare eligible retiree individual plans – \$471.99

Trustees decided to defer a decision on Staff's recommendations for the three action items until the 2023 medical renewal group plan rates from our carriers were provided to ACERA by the County of Alameda.

Attachment



MEMORANDUM TO THE RETIREES COMMITTEE

DATE: July 6, 2022

TO: Members of the Retirees Committee

FROM: Kathy Foster, Assistant Chief Executive Officer *KFoster*

SUBJECT: **Monthly Medical Allowance for 2023**

Last month, Staff provided information regarding the Monthly Medical Allowance (MMA) for 2023. Staff provided the cost impacts to the MMA as a result of leaving the amount at the current rate or increasing the MMA by 3.25% for 2023. These amounts are summarized below. Attached is a chart with current plan premiums and enrollment numbers, a chart with assumptions using premium increases, and a chart with both premium and MMA increases, which were also provided last month.

GROUP PLANS COSTS

Plan Year	20+ Years MMA	Annual Cost Summary	
2022	\$596.73	Current premiums and MMA:	\$23,944,946
2023	\$596.73	Increase in premiums only:	\$24,929,389
2023	\$616.12	Increase in premiums and MMA:	\$25,215,319

INDIVIDUAL PLAN COSTS – Early (Non-Medicare) Retirees Living Outside ACERA’s HMO Service Area

Years of Service Category	Number of Members	Monthly MMA Amount	Annual MMA Amount	Maximum Annual MMA Amount
10 - 14 Years	32	\$ 298.37	\$ 3,580.44	\$ 114,574.08
15 - 19 Years	46	\$ 447.55	\$ 5,370.60	\$ 247,047.60
20 + Years	252	\$ 596.73	\$ 7,160.76	\$ 1,804,511.52
Totals	330			\$ 2,166,133.20
Totals with 3.25% Increase	330			\$ 2,236,515.60

INDIVIDUAL PLAN COSTS – Medicare Eligible Retirees

Years of Service Category	Number of Members	Monthly MMA Amount	Annual MMA Amount	Maximum Annual MMA Amount
10 - 14 Years	196	\$ 228.57	\$ 2,742.84	\$ 537,596.64
15 - 19 Years	208	\$ 342.85	\$ 4,114.20	\$ 855,753.60
20 + Years	965	\$ 457.13	\$ 5,485.56	\$ 5,293,565.40
Totals	1,369			\$ 6,686,915.64
Totals with 3.25% Increase	1,369			\$ 6,904,275.24

According to the numbers compiled above, ACERA’s current total estimated annual costs are \$32,797,995. This estimated annual cost assumes all those enrolled in the Health and Medicare Exchange will use their full Health Reimbursement Account balances. If premiums increase and the MMA is increased, the total estimated annual cost would be \$34,356,110. The total estimated increase would be \$1,558,115 (\$984,443 due to group plans premium increase and \$573,672 due to MMA increase).

Discussion and Recommendations

Last month, some points to consider in making a decision to increase the MMA or to leave it the same amount for 2023 were discussed as follows:

- The Supplemental Retiree Benefit Reserve (SRBR) is projected to have a current lifespan of 23 years, based on the preliminary report from Segal, ACERA’s Actuary.
- In 2021, \$254,739,718 was credited to the SRBR (includes interest credited at the assumed rate of return of 3.5000% for regular earnings, and at the rate of 10.6810% for excess earnings).
- The Implicit Subsidy for 2022 is estimated to be about \$2,388,000 higher than the cost for 2021.
- Annual payee numbers are increasing by about 3% on average.
- ACERA’s overall SRBR costs increased by 1.43% in 2021 compared to a 3.77% increase in 2020.

At the June 16, 2022 Actuarial Committee meeting, Segal provided a Risk Assessment report, which included projections of SRBR assets and sufficiency periods under various hypothetical market return scenarios for 2022. Based on the information provided, assuming the fund would earn a market return of 7.0% in 2022, it is projected that the SRBR assets would increase from \$1,135 million as of December 31, 2021 to about \$1,316 million as of December 31, 2022, with approximately \$157 million of excess earnings expected to be credited to the SRBR in 2022. Under this scenario, the terminal year for Other Post-Employment Benefits (OPEB) is projected to increase from 2045 (i.e., 23 full years and 1 partial year) as of December 31, 2021 to 2050 (i.e., 27 full years and 1 partial year) as of December 31, 2022. In addition, the terminal year for non-OPEB benefits is projected to increase from 2043 (i.e., 21 full years and 1 partial year) as of December 31, 2021 to 2045 (i.e., 22 full years and 1 partial year) as of December 31, 2021.

Assuming the fund were to earn 0% in 2022, the terminal year for the OPEB benefits would still be expected to increase to 2048 (i.e., 25 full years and 1 partial year). The terminal year for the non-OPEB benefits would still be expected to increase to 2044 (i.e., 21 full years and 1 partial year),

Based on the analysis and information provided, Staff's recommendation is to increase the MMA for 2023 by 3.25%.

Recommendation Number One

Staff recommends that the Retirees Committee recommend to the Board of Retirement (Board) a motion to increase the 2023 Group Plan Monthly Medical Allowance (MMA) by 3.25% for eligible retirees in the group plans, in accordance with the substantive plan definition adopted under GASB 43 equal to 50% of the rate of health care inflation assumptions provided by ACERA's actuary, which results in a MMA maximum of \$616.12 for the Plan Year 2023. The MMA contribution is a non-vested benefit subject to possible reduction or elimination if Board policies change or funds are unavailable. This benefit is funded by contributions from ACERA employers to the 401(h) account. After contributions are made, in accordance with the County Employees Retirement Law, ACERA treats an equal amount of Supplemental Retiree Benefit Reserve assets as employer contributions for pensions.

Recommendation Number Two

Staff recommends that the Retirees Committee recommend to the Board of Retirement (Board) a motion to increase the 2023 Individual Plan Monthly Medical Allowance (MMA) by 3.25% for eligible qualified early (non-Medicare) retirees enrolled in individual plans through the Health Exchange, in accordance with the substantive plan definition adopted under GASB 43 equal to 50% of the rate of health care inflation assumptions provided by ACERA's actuary, which results in a MMA maximum of \$616.12 for Plan Year 2023. The MMA contribution is a non-vested benefit subject to possible reduction or elimination if Board policies change or funds are unavailable. This benefit is funded by contributions from ACERA employers to the 401(h) account. After contributions are made, in accordance with the County Employees Retirement Law, ACERA treats an equal amount of Supplemental Retiree Benefit Reserve assets as employer contributions for pensions.

Recommendation Number Three

Staff recommends that the Retirees Committee recommend to the Board of Retirement (Board) a motion to increase the 2023 Individual Plan Monthly Medical Allowance (MMA) by 3.25% for qualified Medicare eligible retirees enrolled in individual plans through the Medicare Exchange, in accordance with the substantive plan definition adopted under GASB 43 equal to 50% of the rate of health care inflation assumptions provided by ACERA's actuary, which results in a MMA maximum of \$471.99 for Plan Year 2023. The MMA contribution is a non-vested benefit subject to possible reduction or elimination if Board policies change or funds are unavailable. This benefit is funded by contributions from ACERA employers to the 401(h) account. After contributions are made, in accordance with the County Employees Retirement Law, ACERA treats an equal amount of Supplemental Retiree Benefit Reserve assets as employer contributions for pensions.

ACERA
Out-of-Pocket Expenses for Retirees in Group Plans - PLAN YEAR 2022

Current Premiums and MMA

Plan	Years of Service	Under 10 Years	10 - 14 Years	15 - 19 Years	20 + Years	Total Enrolled
	2022 MMA	\$ -	\$ 298.37	\$ 447.55	\$ 596.73	
Early Retirees Plans						
Kaiser Permanente HMO (Early Retirees)	Projected # Enrolled (2022 plan year)	1	45	68	781	895
	Total Premium (2022)	\$ 843.16	\$ 843.16	\$ 843.16	\$ 843.16	
	Projected Subsidy Paid by ACERA	\$ -	\$ 298.37	\$ 447.55	\$ 596.73	
	Projected Premium Paid by Retiree	\$ 843.16	\$ 544.79	\$ 395.61	\$ 246.43	
UnitedHealthcare SignatureValue HMO (Early Retirees)	Projected # Enrolled (2022 plan year)	2	2	6	72	82
	Total Premium (2022)	\$ 1,184.32	\$ 1,184.32	\$ 1,184.32	\$ 1,184.32	
	Projected Subsidy Paid by ACERA	\$ -	\$ 298.37	\$ 447.55	\$ 596.73	
	Projected Premium Paid by Retiree	\$ 1,184.32	\$ 885.95	\$ 736.77	\$ 587.59	
UnitedHealthcare SignatureValue Advantage HMO (Early Retirees)	Projected # Enrolled (2022 plan year)	0	4	6	54	64
	Total Premium (2022)	\$ 781.42	\$ 781.42	\$ 781.42	\$ 781.42	
	Projected Subsidy Paid by ACERA	\$ -	\$ 298.37	\$ 447.55	\$ 596.73	
	Projected Premium Paid by Retiree	\$ 781.42	\$ 483.05	\$ 333.87	\$ 184.69	
Total Plan Enrollees (Early Retirees)						1041
Kaiser Senior Advantage Medicare Plan						
Kaiser Senior Advantage	Projected # Enrolled (2022 plan year)	34	473	554	3110	4171
	Total Premium (2022)	\$ 344.44	\$ 344.44	\$ 344.44	\$ 344.44	
	Projected Subsidy Paid by ACERA	\$ -	\$ 298.37	\$ 344.44	\$ 344.44	
	Projected Premium Paid by Retiree	\$ 344.44	\$ 46.07	0.00	0.00	
Total Kaiser Senior Advantage Medicare Plan Enrollees						4171

Total Projected Annual Cost: \$23,944,946

ACERA
Out-of-Pocket Expenses for Retirees in Group Plans - PLAN YEAR 2023

Assumes 0% Increase to MMA and Projected Increase to Premiums

Plan	Years of Service	Under 10 Years	10 - 14 Years	15 - 19 Years	20 + Years	Total Enrolled
	Projected (2023) MMA	\$ -	\$ 298.37	\$ 447.55	\$ 596.73	
Early Retirees Plans						
Kaiser Permanente HMO (Early Retirees) <i>Assumes 7.5% Increase</i>	Projected # Enrolled (2022 plan year)	1	45	68	781	895
	Total Premium (2023)	\$ 906.40	\$ 906.40	\$ 906.40	\$ 906.40	
	Projected Subsidy Paid by ACERA	\$ -	\$ 298.37	\$ 447.55	\$ 596.73	
	Projected Premium Paid by Retiree	\$ 906.40	\$ 608.03	\$ 458.85	\$ 309.67	
UnitedHealthcare SignatureValue HMO (Early Retirees) <i>Assumes 7.5% Increase</i>	Projected # Enrolled (2022 plan year)	2	2	6	72	82
	Total Premium (2023)	\$ 1,273.14	\$ 1,273.14	\$ 1,273.14	\$ 1,273.14	
	Projected Subsidy Paid by ACERA	\$ -	\$ 298.37	\$ 447.55	\$ 596.73	
	Projected Premium Paid by Retiree	\$ 1,273.14	\$ 974.77	\$ 825.59	\$ 676.41	
UnitedHealthcare SignatureValue Advantage HMO (Early Retirees) <i>Assumes 7.5% Increase</i>	Projected # Enrolled (2022 plan year)	0	4	6	54	64
	Total Premium (2023)	\$ 840.03	\$ 840.03	\$ 840.03	\$ 840.03	
	Projected Subsidy Paid by ACERA	\$ -	\$ 298.37	\$ 447.55	\$ 596.73	
	Projected Premium Paid by Retiree	\$ 840.03	\$ 541.66	\$ 392.48	\$ 243.30	
Total Plan Enrollees (Early Retirees)						1041
Kaiser Senior Advantage Medicare Plan						
Kaiser Senior Advantage <i>Assumes 6.5% Increase</i>	Projected # Enrolled (2022 plan year)	34	473	554	3110	4171
	Total Premium (2023)	\$ 366.83	\$ 366.83	\$ 366.83	\$ 366.83	
	Projected Subsidy Paid by ACERA	\$ -	\$ 298.37	\$ 366.83	\$ 366.83	
	Projected Premium Paid by Retiree	\$ 366.83	\$ 68.46	0.00	0.00	
Total Kaiser Senior Advantage Medicare Plan Enrollees						4171

Total Projected Annual Cost: \$24,929,389

ACERA
Out-of-Pocket Expenses for Retirees in Group Plans - PLAN YEAR 2023

Assumes 3.25% Increase to MMA and Projected Increase to Premiums

Plan	Years of Service	Under 10 Years	10 - 14 Years	15 - 19 Years	20 + Years	Total Enrolled
	Projected (2023) MMA	\$ -	\$ 308.06	\$ 462.09	\$ 616.12	
Early Retirees Plans						
Kaiser Permanente HMO (Early Retirees) <i>Assumes 7.5% Increase</i>	Projected # Enrolled (2022 plan year)	1	45	68	781	895
	Total Premium (2023)	\$ 906.40	\$ 906.40	\$ 906.40	\$ 906.40	
	Projected Subsidy Paid by ACERA	\$ -	\$ 308.06	\$ 462.09	\$ 616.12	
	Projected Premium Paid by Retiree	\$ 906.40	\$ 598.34	\$ 444.31	\$ 290.28	
UnitedHealthcare SignatureValue HMO (Early Retirees) <i>Assumes 7.5% Increase</i>	Projected # Enrolled (2022 plan year)	2	2	6	72	82
	Total Premium (2023)	\$ 1,273.14	\$ 1,273.14	\$ 1,273.14	\$ 1,273.14	
	Projected Subsidy Paid by ACERA	\$ -	\$ 308.06	\$ 462.09	\$ 616.12	
	Projected Premium Paid by Retiree	\$ 1,273.14	\$ 965.08	\$ 811.05	\$ 657.02	
UnitedHealthcare SignatureValue Advantage HMO (Early Retirees) <i>Assumes 7.5% Increase</i>	Projected # Enrolled (2022 plan year)	0	4	6	54	64
	Total Premium (2023)	\$ 840.03	\$ 840.03	\$ 840.03	\$ 840.03	
	Projected Subsidy Paid by ACERA	\$ -	\$ 308.06	\$ 462.09	\$ 616.12	
	Projected Premium Paid by Retiree	\$ 840.03	\$ 531.97	\$ 377.94	\$ 223.91	
Total Plan Enrollees (Early Retirees)						1041
Kaiser Senior Advantage Medicare Plan						
Kaiser Senior Advantage <i>Assumes 6.5% Increase</i>	Projected # Enrolled (2022 plan year)	34	473	554	3110	4171
	Total Premium (2023)	\$ 366.83	\$ 366.83	\$ 366.83	\$ 366.83	
	Projected Subsidy Paid by ACERA	\$ -	\$ 308.06	\$ 366.83	\$ 366.83	
	Projected Premium Paid by Retiree	\$ 366.83	\$ 58.77	0.00	0.00	
Total Kaiser Senior Advantage Medicare Plan Enrollees						4171

Total Projected Annual Cost: \$25,215,319

NEW BUSINESS

- 7.B. Motion to increase the 2023 Group Plan Monthly Medical Allowance (MMA) by 3.25% for eligible retirees in the group plans, in accordance with the substantive plan definition adopted under GASB 43 equal to 50% of the rate of health care inflation assumptions provided by ACERA's actuary, which results in a MMA maximum of \$616.12 for the Plan Year 2023. The MMA contribution is a non-vested benefit subject to possible reduction or elimination if Board policies change or funds are unavailable. This benefit is funded by contributions from ACERA employers to the 401(h) account. After contributions are made, in accordance with the County Employees Retirement Law, ACERA treats an equal amount of Supplemental Retiree Benefit Reserve assets as employer contributions for pensions.**

NEW BUSINESS

- 7.C. Motion to increase the 2023 Individual Plan Monthly Medical Allowance (MMA) by 3.25% for eligible qualified early (non-Medicare) retirees enrolled in individual plans through the Health Exchange, in accordance with the substantive plan definition adopted under GASB 43 equal to 50% of the rate of health care inflation assumptions provided by ACERA's actuary, which results in a MMA maximum of \$616.12 for Plan Year 2023. The MMA contribution is a non-vested benefit subject to possible reduction or elimination if Board policies change or funds are unavailable. This benefit is funded by contributions from ACERA employers to the 401(h) account. After contributions are made, in accordance with the County Employees Retirement Law, ACERA treats an equal amount of Supplemental Retiree Benefit Reserve assets as employer contributions for pensions.**

NEW BUSINESS

- 7.D. Motion to increase the 2023 Individual Plan Monthly Medical Allowance (MMA) by 3.25% for qualified Medicare eligible retirees enrolled in individual plans through the Medicare Exchange, in accordance with the substantive plan definition adopted under GASB 43 equal to 50% of the rate of healthcare inflation assumptions provided by ACERA's actuary, which results in a MMA maximum of \$471.99 for Plan Year 2023. The MMA contribution is a non-vested benefit subject to possible reduction or elimination if Board policies change or funds are unavailable. This benefit is funded by contributions from ACERA employers to the 401(h) account. After contributions are made, in accordance with the County Employees Retirement Law, ACERA treats an equal amount of Supplemental Retiree Benefit Reserve assets as employer contributions for pensions.**

NEW BUSINESS

7.E. Chief Executive Officer's Report.



*Office of the Chief Executive Officer
Office of Administration*

DATE: August 18, 2022
TO: Members of the Board of Retirement
FROM: Dave Nelsen, Chief Executive Officer *DN*
SUBJECT: **Chief Executive Officer's Report**

Senior Manager Recruitment

We conducted interviews for the Assistant CEO for Benefits position. There were several top candidates interviewed and the process is nearing completion.

Committee/Board Action Items

ASSIGNED FOLLOW-UP ITEMS

Follow-Up Board Item	Assigned Senior Leader	Estimated Completion Date	Completion Date	Notes
Develop ACERA Re-Opening Plan.	Dave Nelsen	April 2022	On-going	The general guidelines of the Plan have been developed and implemented. We are responding to changes as necessary based on new information.
Board Strategic Planning	Dave Nelsen	Summer and Fall 2022		Beginning in May we will begin a Strategic Planning process with the Board.

Conference/Event Schedule

I will be presenting and moderating at the CALAPRS Principles for Trustees training from Mon, Aug 29th thru Thur, Sep 1st. at Tiburon, CA.

Other Items

COVID-19 Responses

We have concluded the Meet and Confer meetings with our Unions regarding our plan to re-open. On August 22nd we will open the building to walk in visitors on Tuesday and Thursday. Next month, we will expand this to Tuesday through Thursday. If everything progresses and we see no new rise in COVID threats, the plan is to be open to the public Monday through Friday for regular hours in October. At this time, masks and social distancing are still required in County Offices for employees and the public. Our customers are continuing to use alternative means of service, and feedback has been generally positive that their service needs continue to be met. We will continue to monitor the information available and consult with the County regarding plans to phase in our re-opening.

As I have mentioned previously, our Post-COVID Staffing Plan for the organization will include remote work as a team member's work requirements allow. We are not planning to mandate a set number of days in the office for all team members, such as Monday, Wednesday and Friday. Alternatively, we will allow eligible team members to work from home to the extent their work allows, based upon classification. Some will need to be on-site more or less than others. While this may create greater challenges in building effective teams, I believe the benefits to work-life balance, recruitment and retention will make the challenges worthwhile. Leaders will need to be more intentional with the time spent in the office, and more creative in promoting collaboration and teamwork.

Pension Administration System Update

The project is continuing to work through its phases. We have completed the third deliverable, out of five. This deliverable was related to Benefit Calculations. We are now working on the next deliverable. There were some delays due to changes related to legal clarifications and the Board decision on straddling, and the project now has an estimated completion date of June of 2024. We continue to work with the other employers on the new transmittal file layout. Additionally, we are working our On-Base enhancements and integration into the PAS Project schedule.

Legislative Items

SB 1328 would require Russian divestment for California pension systems, including CERL systems. This bill was amended to remove much of the troubling and vague language. It has passed the Senate, but it hasn't moved in the Assembly. It is unlikely this bill will pass.

AB 2493 addresses the situation where earnings for public safety employees were reported as pensionable in error, through no fault of the member. In those situations, the employer would be required to pay for any overpayments of retirement benefits, as well as provide a lump sum payment that represents 20% of the present value of the lifetime benefit that was taken away. This is similar to a bill affecting only CalPERS that was passed last year. Some of the problematic administrative issues with the bill have been amended out, but a version of this has passed through two Senate Committees and is on Third Reading on the Senate Floor. It is likely a version of this bill will pass the legislature and go to the Governor's desk for signature.

Several organizations came out against this bill, including CSAC, as well as several CERL systems.

AB 2449 authorizes, until January 1, 2026, members of a legislative body of a local agency to use teleconferencing without noticing each teleconference location or making it publicly accessible, provided at least a quorum of the members of the body participates in person at a singular physical location. Under this exception, the bill would authorize a member to participate remotely under specified circumstances, including participating remotely for just cause or due to emergency circumstances, and limit the number of times a member could do so to two instances per year. The emergency circumstances basis for remote participation would be contingent on a request to, and action by, the legislative body. The bill would define terms for purposes of these teleconferencing provisions. This bill has passed out of the Senate Committees and is on Third Reading on the Senate Floor.

Strategic Planning Update

The surveys of Trustees, employers, team members, members and retirees are completed. We have scheduled three sessions with Senior Leaders in August and early September to flush out some strategic initiatives for the Trustees to review and provide comment during our Special Board meeting on October 14th. This meeting will include a panel discussion on future risks and opportunities with our investment and actuarial advisors. All that input will then be incorporated into the draft plan for Trustees to review and adopt in November and December.

Key Performance Indicators

Below are the high level performance indicators for ACERA, with the latest scores included:

Scorecard KPI	2022 Performance Goal
PRUDENT INVESTMENT PRACTICES	
Portfolio Performance vs. Policy Benchmark	<i>Annualized 10-year return will meet or exceed Policy benchmark at the total fund level</i> June of 2022: We were -.02% short of the benchmark.
EFFECTIVE PLAN ADMINISTRATION	
Actual Spent vs. Approved Budget	<i>On budget or 10% below 2022 approved budget</i> As of end of June 2022: 8% under budget.
COMPREHENSIVE ORGANIZATION DEVELOPMENT	
Employee Engagement Survey Results	<i>80% of responses in top two rating boxes on the question: "Is ACERA a great place to work?"</i> As of the latest survey (October of 2021): 72.7%.
SUPERIOR CUSTOMER SERVICE	
Service Excellence Survey	<i>80% of responses in top two rating boxes on the question: "Did ACERA meet or exceed my expectations for my customer service experience?"</i> For 2nd Quarter of 2022: 100%