



**ALAMEDA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION
BOARD OF RETIREMENT
MINUTES**

Thursday, January 16, 2025

First Vice-Chair Kellie Simon called the meeting to order at 2:09 p.m.

Trustees Present: Ophelia Basgal (*Arrived After Roll Call*)
Keith Carson
Ross Clippinger
Tarrell Gamble
Henry Levy
Elizabeth Rogers
Kellie Simon
Steven Wilkinson
George Wood
Cynthia Baron (*Alternate*)

Trustees Excused: Kevin Bryant (*Alternate*)

Staff Present: Angela Bradford, Executive Secretary
Sandra Dueñas-Cuevas, Benefits Manager
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

Staff Excused: Victoria Arruda, Human Resource Officer
Carlos Barrios, Assistant Chief Executive Officer-Benefits

PUBLIC INPUT

None.

Kellie Simon opened the meeting by calling for nominations regarding the election of the Board Chair for 2025. Chief Counsel Jeff Rieger gave a brief explanation regarding ACERA's Board Officers Election Process.

25-01

Elizabeth Rogers and Tarrell Gamble nominated Kellie Blumin Simon to serve as the 2025 Board Chair. There were no further nominations.

Kellie Blumin Simon was elected as Chair of the Board of Retirement by a vote of 8 yes (Carson, Clippinger, Gamble, Levy, Rogers, Simon, Wilkinson, Wood), 0 no, and 0 abstentions. Trustee Ophelia Basgal was not present for the motion.

Newly elected Board Chair Kellie Simon called for nominations regarding the election of the Board First-Vice-Chair for 2025.

25-02

Elizabeth Rogers nominated Tarrell Gamble to serve as the 2025 Board First-Vice Chair. There were no further nominations.

Tarrell Gamble was elected as First Vice-Chair of the Board of Retirement by a vote of 8 yes (Carson, Clippinger, Gamble, Levy, Rogers, Simon, Wilkinson, Wood), 0 no, and 0 abstentions. Trustee Ophelia Basgal was not present for the motion.

Kellie Simon called for nominations regarding the election of the Board Second-Vice-Chair for 2025.

25-03

George Wood nominated Elizabeth Rogers to serve as the 2025 Board Second-Vice Chair. There were no further nominations.

Elizabeth Rogers was elected as Second Vice-Chair of the Board of Retirement by a vote of 8 yes (Carson, Clippinger, Gamble, Levy, Rogers, Simon, Wilkinson, Wood), 0 no, and 0 abstentions. Trustee Ophelia Basgal was not present for the motion.

The Board and Staff congratulated the newly elected Board Officers.

**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**

Appendix D

**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

December 19, 2024 Minutes of the Regular Board Meeting

December 19, 2024 Retirees Committee Minutes

January 8, 2025 Investment Committee Minutes

MISCELLANEOUS

- *Operating Expenses as of 11/30/24*
- *Approve Staff Recommendation regarding New Pay Item/Code from AHS: Missed Meal Penalty – 421*
- *Approve Staff Recommendation regarding New Pay Item/Code from AHS: Missed Break Penalty – 422*
- *Approve Staff Recommendation regarding Amendment to Pay Item/Code from County: Lead & Training Responsibility SCADA System – 40Y*

25-04

It was moved by Tarrell Gamble and seconded by George Wood that the Board adopt the Consent Calendar. The motion carried 8 yes (Carson, Clippinger, Gamble, Levy, Rogers, Simon, Wilkinson, Wood), 0 no, and 0 abstentions. Trustee Ophelia Basgal was not present for the motion.

REGULAR CALENDAR
REPORTS AND ACTION ITEMS

DISABILITY, DEATH AND OTHER BENEFIT CLAIMS

The Board adjourned into Closed Session to address this item, pursuant to Gov't Code § 54957(b):

Service-Connected Disability Retirement Application of Eric Williams, Deputy Probation Officer III, Alameda County Probation Department: Consideration of Hearing Officer's Proposed Findings of Fact and Recommended Decision, per Gov't Code § 31534.

The Board reconvened into Open Session and the following Trustees returned:
Baron, Basgal, Carson, Clippinger, Gamble, Levy, Rogers, Simon, Wilkinson and Wood

Mr. Rieger reported that the Board took the following action in Closed Session regarding the Eric Williams matter:

25-05

The Board voted to adopt the Hearing Officer's *Proposed Findings of Fact and Recommended Decision* to deny Mr. Eric Williams' application for a Service-Connected disability; but to grant Mr. Williams' application for a Non-Service-Connected disability. The motion carried 9 yes (*Basgal, Carson, Clippinger, Gamble, Levy, Rogers, Simon, Wilkinson, Wood*), 0 no, and 0 abstentions.

It was noted that ACERA's Outside Counsel Ashley Dunning of Nossaman was present during Closed Session.

COMMITTEE REPORTS, RECOMMENDATIONS AND MOTIONS

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

Investment:

George Wood reported that the Investment Committee met on January 8, 2025 and that there were no action items. The Committee was presented with and discussed the following Information Items: **1)** Review of Private Equity Policy; **2)** Annual Update for 2024 – ESG; **3)** Proposed Investment Committee Meeting WorkPlan for 2025; and **4)** CA Gov. Code § 7514.7 Information Report Update.

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

NEW BUSINESS:

Discussion and Possible Motion to Revise the Error Correction Policy Per the Redline in the Agenda Backup

Mr. Rieger referred to his January 16, 2025 memo and explained Staff’s proposed revisions to the *Error Correction Policy*. Mr. Rieger stated that the reason Staff is bringing a revised *Error Correction Policy* to the Board early is due to new legislation that impacts how ACERA deals with the correction of errors when disallowed compensation is reported to ACERA (and all 20 retirement systems). Mr. Rieger reported that after distribution of Staff’s initial proposed revisions, an issue arose regarding how interest is compounded when retirees/beneficiaries are required to pay back contributions through a repayment plan. The *Policy* currently reads: “Staff determines interest by using ACERA’s assumed annual effective rate of return compounded monthly...”. Mr. Rieger suggested that the *Policy* be amended where appropriate to read: “...interest is to be compounded based on the payment frequency...”, which is Staff’s current practice. Messrs. Rieger and Nelsen responded to Trustees questions.

25-06

It was moved by Tarrell Gamble and seconded by George Wood that the Board adopt the proposed revisions to the *Error Correction Policy*, as recommended by Staff, including the above-referenced amendment on how interest is to be compounded regarding retirees/beneficiaries’ repayment plans. The motion carried 9 yes (*Basgal, Carson, Clippinger, Gamble, Levy, Rogers, Simon, Wilkinson, Wood*), 0 no, and 0 abstentions.

Proposed 2025 Operations Committee Work Plan

Assistant Chief Executive Officer of Operations Lisa Johnson provided a brief overview of the 2025 Operations Committee Work Plan and announced the following proposed dates of the Operations Committee meetings for 2025: **1)** Wednesday, March 5th; **2)** Wednesday, June 18; and **3)** Thursday, November 20th (Budget Approval). It was noted that all the Operations Committee’s routine items will be presented at the Board meetings.

Motion to Approve the 2024 Discharge Request of Benefits Overpayments

Fiscal Services Officer Erica Haywood reported that for the 2024 Financial Reporting Period, ACERA had a total net uncollectable amount of \$29,969.45 in benefits overpayments for 32 accounts. After a brief explanation of how overpayments could occur, Ms. Haywood requested the Board’s approval to discharge the \$29,969.45, in accordance with the *Discharge of Benefits Overpayments Receivables Policy*. Mr. Nelsen reported that Staff has been able to recover overpayments most of the time. Trustee Ophelia Basgal requested that Staff track and report to the Board where Staff recovered the overpayment from (*e.g.*, beneficiary, bank, etc.). Mr. Rieger reported that Staff recovered a large overpayment recently and that Staff (Internal Audit) also conducts an Alive and Well Check, wherein Staff mails letters to its retired members who are 85 years old and over to determine if they are still living.

25-07

It was moved by Ross Clippinger and seconded by George Wood that the Board approve the 2024 discharge request of 32 benefit overpayments in the amount of \$29,969.45. The motion carried 9 yes (*Basgal, Carson, Clippinger, Gamble, Levy, Rogers, Simon, Wilkinson, Wood*), 0 no, and 0 abstentions.

Chief Executive Officer's Report

Mr. Nelsen presented his January 16, 2025 written CEO Report which provided an update on: **1) Committee and Board Action Items; 2) Other Items: a) Business Planning; b) Legislation; c) Status of the 1099-R Process; d) Budget; and 3) Key Performance Indicators.**

Mr. Nelsen reported that Staff is working on its 2025 Business Plan Initiatives which will be presented to the Board.

Mr. Nelsen reported that in his role and capacity as the President of the California Association of Public Retirement Systems (CALAPRS), he contacted the other Retirement Systems to let them know their organization is available to help those who were affected by the Los Angeles Wildfires in any way that they can. Mr. Nelsen reported that the Retirement Systems used zip codes to determine if retirees who receive paper checks were still receiving them in the wake of the Los Angeles Wildfires. To ensure ACERA members were receiving their paper warrants, checks and/or 1099-R, Staff also used the zip code method and for those who did not receive their paper warrant, check and/or 1099-R, Staff provided alternative delivery methods for those members.

CONFERENCE/ORAL REPORTS

None.

ANNOUNCEMENTS

Ms. Johnson announced that there were some technical issues regarding the Actuarial Committee meetings that were canceled from the Master Calendar and that some of those meetings may not have been canceled/removed from the Trustees' calendars. Ms. Johnson announced that there is no Actuarial Committee meeting scheduled for Thursday, February 20, 2025 and asked that the Trustees manually delete/remove that meeting, and all other Actuarial Committee meetings, from their calendars except for the following: **1) Thursday, April 17th; 2) Thursday, May 22nd; and 3) Wednesday, June 18th.**

Trustee Simon announced that Trustee Basgal will continue compensation negotiation discussion with Mr. Nelsen regarding the Public Employee Evaluation (Chief Executive Officer) Process.

BOARD INPUT

Trustee Simon reported that Trustee Levy wanted to review and evaluate ACERA’s process on how Trustees are selected regarding which Trustees can attend the Milken Conference, and other Conferences. This item will be brought back to the next Board meeting, along with the *Board Travel Policy* and/or the *Board Education Policy* for the Board’s consideration.

Mr. Rieger announced that there will probably only be two Governance Committee meetings this year and that he will work with the Governance Committee Chair to schedule the meetings.

CLOSED SESSION

(See Motion No. **25-05** Above).

To view the January 16, 2025 Board meeting in its entirety, click on the link below:
<https://youtu.be/z24g5y9Kjkk>.

ADJOURNMENT

The meeting was adjourned at approximately 3:33 p.m.

Respectfully Submitted,



David Nelsen
Chief Executive Officer

02/20/25

Date Adopted

APPENDIX A
REPORT ON SERVICE RETIREMENTS

ADAMS, Lisette
Effective: 10/12/2024
Sheriff's Office

GARCIA, Ana
Effective: 10/1/2024
Alameda Health System

AUSTIN, Allison
Effective: 10/22/2024
Alameda Health System

GOGNA, Anthony C.
Effective: 10/15/2024
Sheriff's Office

BAUTISTA, Rolando
Effective: 10/1/2024
Alameda Health System

GOLDE, Matthew R.
Effective: 10/26/2024
District Attorney

BERNART, Kathy
Effective: 11/18/2024
Superior Court

GONZALGO, Neil L.
Effective: 10/26/2024
Sheriff's Office

BINDER, Kevin
Effective: 10/12/2024
Alameda Health System

HENNESSEY, Mary
Effective: 10/12/2024
Social Services Agency

BOYINGTON, Brian S.
Effective: 10/13/2024
Sheriff's Office

HINES, Zendolyn
Effective: 10/12/2024
Social Services Agency

BROWN, Donna
Effective: 10/26/2024
County Administrator's Office

KIM, Young
Effective: 10/2/2024
Alameda Health System

CHANG, Priscilla
Effective: 10/26/2024
Alameda County Health

MC GROARTY, Mirian
Effective: 10/1/2024
Alameda Health System

DANIELS, Leonard
Effective: 10/12/2024
Alameda Health System

MENNUTI, Michael
Effective: 10/3/2024
General Services Agency

DEBBS, Louis
Effective: 10/12/2024
Alameda Health System

NIETO, Michael
Effective: 10/29/2024
District Attorney

ELIAS, Youseef
Effective: 10/12/2024
Public Defender

PERRY, Mark A.
Effective: 9/28/2024
Sheriff's Office

**APPENDIX A
REPORT ON SERVICE RETIREMENTS**

PLUNKETT, Steven
Effective: 10/12/2024
Alameda County Health

TAYLOR, Alisa
Effective: 10/12/2024
Superior Court

RYAN, Melissa
Effective: 10/12/2024
Social Services Agency

THOMAS, Tojo
Effective: 10/12/2024
Probation

SAVANT, Dominic A.
Effective: 11/1/2024
Alameda Health System

TORRES CURTIS, Gloria E.
Effective: 11/9/2024
Child Support Services

**APPENDIX B
LIST OF DEFERRED RETIREMENTS**

JOHNS, Jim
Alameda Health System
Effective Date: 10/7/2024

PENA-GAVINO, Salvador
General Services Agency
Effective: 9/27/2024

LOY, Nicholas
General Services Agency
Effective: 9/13/2024

PIEDADE, Chastity
Alameda County Health
Effective: 10/10/2024

MACLAREN, Hanan
Alameda Health System
Effective: 10/9/2024

PROUTY, Jenny
Alameda Health System
Effective: 9/30/2024

MATA, Carmen
Alameda Health System
Effective: 9/20/2024

SILVIA, Michele
Superior Court
Effective: 10/11/2024

MCCLENDON, Christina
Social Services Agency
Effective: 10/9/2024

THIRUMALAI, Ramanujan
Human Resource Services
Effective: 10/11/2024

MERRIWEATHER, Santana
Social Services Agency
Effective: 9/3/2024

VIKHLIANTSEVA, Natalia
Alameda Health System
Effective: 10/16/2024

APPENDIX C
LIST OF DECEASED MEMBERS

ADAMS, John H.
District Attorney
12/12/2024

LATIFI, Farhad
Social Services Agency
12/2/2024

ALLEN, Jackie W.
Public Works Agency
11/28/2024

LITTLE, Douglas R.
Public Works Agency
12/7/2024

ALVAREZ, Madelyn
Non-Member DRO Recipient of
Rafael Alvarez
12/8/2024

LOZANO, Louis
Sheriff's Office
11/26/2024

BAILLIE, Nancy
Survivor of Alvin Baillie
12/11/2024

MARUYAMA, Alice
Survivor of Michael Maruyama
12/10/2024

BRAY, Sallie M.
Superior Court
11/11/2024

RHONE, Alice
Alameda County Health
12/14/2024

CAMPBELL, Etoile S.
Social Services Agency
12/10/2024

RICHARD, Dorothy
Alameda Health System
12/11/2024

COMPTON, Russell
Survivor of Sara Compton
12/4/2024

SANCHEZ, Larry
Social Services Agency
12/3/2024

EVANS, Roy
Survivor of Doris Evans
11/25/2024

SMITH, Richard
Auditor-Controller
12/8/2024

GARCIA, Debra L.
Social Services Agency
12/3/2024

STANCIL, Doris L.
Social Services Agency
2/27/2023

HADNOT, Norma J.
Alameda Health System
12/20/2024

STOCKBRIDGE, Kenneth
Sheriff's Office
11/28/2024

HOLLOWAY, Betty J.
Alameda County Health
11/30/2024

TATEO, Sonja M.
Probation
12/8/2024

**APPENDIX C
LIST OF DECEASED MEMBERS**

TAYLOR, Barbara A.
Sheriff's Office
12/3/2024

WITHERSPOON, Linda
Alameda Health System
12/14/2024

WITTKOPP, Elfriede
Sheriff's Office
7/20/2024

**APPENDIX D
REQUEST FOR 130 BI-WEEKLY PAYMENTS
TO RE-DEPOSIT CONTRIBUTIONS AND GAIN CREDIT**

BARBERINI, Julie
Government Code § 31641.5 Part Time & Days Prior

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

Name: Guardia, Bryan
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. Guardia's application for a service-connected disability, and waiving annual medical examinations and questionnaires at this time.

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Name: Hesselein, Derrick
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, denying Mr. Hesselein's application for a service-connected disability.

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

Name: Hopkins, Darian
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. Hopkins' application for a service-connected disability, and waiving annual medical examinations and questionnaires.

Name: Hughes, Tonya
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. Hughes' application for a service-connected disability, and waiving annual medical examinations and questionnaires.

Name: McMann, Chris
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. McMann's application for a service-connected disability, and waiving annual medical examinations and questionnaires at this time.

Based on the Medical Advisor's finding regarding Mr. McMann's ability to ascertain the permanency of his incapacity on or before the date following the day for which he last received regular compensation, to deny Mr. McMann's request for an earlier effective date.

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

Name: **Martinez, Kenneth**
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, denying Mr. Martinez’s application for a service-connected disability, granting him a non-service-connected disability and waiving annual medical examinations and questionnaires.

Name: **Newsome, Tristan**
Type of Claim: Service-Connected

The Board granted Mr. Newsome a service-connected disability on July 18, 2024, but postponed its decision regarding his request for an earlier effective date.

Staff’s Recommendations:

Based on the Medical Advisor’s finding regarding Mr. Newsome’s ability to ascertain the permanency of his incapacity on or before the date following the day for which he last received regular compensation, to deny Mr. Newsome’s request for an earlier effective date.

Name: **Sullivan, Stephanie**
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. Sullivan’s application for a service-connected disability, and waiving annual medical examinations and questionnaires at this time.

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

Name: (McKinsey) Swafford, Paula
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. Swafford’s application for a service-connected disability, and waiving annual medical examinations and questionnaires at this time.

Based on Ms. Swafford’s ability to ascertain the permanency of her incapacity on or before the date following the day for which she last received regular compensation, to deny Ms. Swafford’s request for an earlier effective date.

Name: Thompson, Gail
Type of Claim: Non-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. Thompson’s application for a non-service-connected disability, and waiving annual medical examinations and questionnaires.

Based on the Medical Advisor’s finding regarding Ms. Thompson’s inability to ascertain the permanency of her incapacity until after the date following the day for which she last received regular compensation, to grant Ms. Thompson’s request for an earlier effective date.