



Contra Costa County Employees'  
Retirement Association

**MINUTES**

**RETIREMENT BOARD MEETING MINUTES**

REGULAR MEETING  
March 11, 2020  
9:00 a.m.

Board Conference Room  
1200 Concord Avenue, Suite 350  
Concord, California

Present: Candace Andersen, Donald Finley, Scott Gordon, Jerry Holcombe, Louie Kroll, David MacDonald, John Phillips, William Pigeon, Todd Smithey and Russell Watts

Absent: Jay Kwon and Mike Sloan

Staff: Gail Strohl, Chief Executive Officer; Christina Dunn, Deputy Chief Executive Officer; Timothy Price, Chief Investment Officer; Karen Levy, General Counsel; Wrally Dutkiewicz, Compliance Officer; Anne Sommers, Administrative/HR Manager; Henry Gudino, Accounting Manager; Tim Hoppe, Retirement Services Manager; and Jasmine Lee, Member Services Manager

Outside Professional Support: Representing:

Harvey Leiderman	Reed Smith LLP
Robert Blink, MD	Self

**1. Pledge of Allegiance**

The Board, staff and audience joined in the *Pledge of Allegiance*.

**2. Recognition of Shannon Goss for 5 years of service**

Smithey recognized and congratulated Shannon Goss for her 5 years of service.

**3. Accept comments from the public**

No member of the public offered comment.

**4. Routine Items**

It was **M/S/C** to approve the routine items of the March 11, 2020 meeting. (Yes: Andersen, Finley, Gordon, Holcombe, MacDonald, Phillips and Smithey)

Watts was present for subsequent discussion and voting.

It was the consensus of the Board to move to Item 10.

**10. Board workshop regarding death during active membership and non-service connected disability**

Levy reviewed the general legal principles regarding disability retirement under the 1937 Act including the types of disability retirements, the requirement of competent medical evidence, and that the member has the burden of proof to show permanent incapacity.

Pigeon was present for subsequent discussion and voting.

Levy reviewed *Gorman v. Cranston*, 64 Cal.2d 441 (1966).

Kroll was present for subsequent discussion and voting.

Leiderman reviewed the Board's fiduciary role in ensuring that the correct benefits be paid to those eligible for them. Trustees are to exercise their collective judgment in making these determinations.

Finley was no longer present for subsequent discussion and voting.

It was the consensus of the Board to move to Item 5.

**CLOSED SESSION**

The Board moved into closed session pursuant to Govt. Code Section 54957 and 54956.9(d)(1).

The Board moved into open session.

5. There was no reportable action related to Govt. Code Section 54957.
6. It was **M/S/C** to accept the Medical Advisor's recommendation and grant the following disability benefits:
  - a. Siamak Nasseh – Service Connected (Yes: Andersen, Gordon, Holcombe, Kroll, MacDonald, Phillips, Pigeon, Smithey and Watts)
7. There was no reportable action related to Govt. Code Section 54956.9(d)(1). *Nowicki v. CCCERA, et al.*, Contra Costa County Superior Court, Case No. C17-01266.

**8. Presentation of disability retirement process**

This item was tabled to a future meeting.

**9. Presentation of semi-annual disability retirement report**

This item was tabled to a future meeting.

**11. Consider and take possible action on SACRS voting proxy form**

It was **M/S/C** to appoint David MacDonald as the Voting Delegate and Louie Kroll as the Alternate Voting Delegate to vote on behalf of CCCERA at the upcoming SACRS Conference. (Yes: Andersen, Gordon, Holcombe, Kroll, MacDonald, Phillips, Pigeon, Smithey and Watts)

**12. Consider and take possible action to amend the Audit Committee Charter as recommended by the Audit Committee**

It was **M/S/C** to amend the Audit Committee Charter as recommended by the Audit Committee. (Yes: Andersen, Gordon, Holcombe, Kroll, MacDonald, Phillips, Pigeon, Smithey and Watts)

**13. Presentation of the Contra Costa County Clerk-Recorder-Elections Department employer audit report**

Dutkiewicz presented the Contra Costa County Clerk-Recorder-Elections Department employer audit.

**14. Report out from Audit Committee Chair on February 26, 2020 Audit Committee meeting**

Phillips reported on the February 26, 2020 Audit Committee meeting.

**15. Consider authorizing the attendance of Board:**

- a. It was **M/S/C** to authorize the attendance of 1 Board member at the NCPERS Annual Conference & Exhibition (ACE), May 10-13, 2020, Las Vegas, NV. (Yes: Andersen, Gordon, Holcombe, Kroll, MacDonald, Phillips, Pigeon, Smithey and Watts)
- b. There was no action taken on this item. The IFEBP Trustee & Administrators Institute, June 29-July1 2020, San Francisco, CA.

**16. Miscellaneous**

- (a) Staff Report –

Price reported on the market volatility of CCCERA's portfolio during the coronavirus outbreak and noted the FFP structure allows for the flexibility that we are currently experiencing.

- (b) Outside Professionals' Report -

None

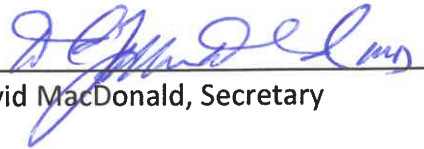
- (c) Trustees' comments –

Gordon asked that the meeting be adjourned in memory of Ken Dothée who passed away on March 2, 2020. He was a long-time public defender in Contra Costa County and a Martinez City Councilman. He was also a pioneering member of the Martinez Bocce Federation and a member of CCCERA.

It was **M/S/C** to adjourn the meeting in memory of Ken Dothée. (Yes: Andersen, Gordon, Holcombe, Kroll, MacDonald, Phillips, Pigeon, Smithey and Watts)



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Todd Smithey, Chairman



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David MacDonald, Secretary