

## ATTACHMENT 1

### RETIRED EMPLOYEES ASSOCIATION OF VENTURA COUNTY (REAVC) Minutes of the Board of Directors April 12, 2023, Special Board Meeting

The meeting was hosted by Roberta Griego at the Bella Vista Clubhouse on 1724 Tanager St. in Ventura and via Zoom

- **Call to Order and Roll Call**

President Pakala called the meeting to order at 10:10. Art Goulet and Retirement Administrator Linda Webb joined the meeting at 10:15. **Roll call confirmed the following Board members were present:** Reddy Pakala, Roberta Griego, Kenneth Cozzens, Paul Callaway, Nancy Settle, Colleen Bruns, Ben Emami, Lyn Krieger, Tom McEachern, Jacquie Richardson, Cindy Schneider, Kelly Shirk. Art Goulet attended a portion of the meeting through Zoom. **The following were absent:** Will Hoag, Anne Dana, Colleen House, and Maryellen Benedetto.

- **The Board discussed and considered possible actions regarding how VCERA intends to implement the Alameda decision about compensation earnable and pensionable compensation. Discussion items 1 and 2 on the Special Meeting Agenda of April 12, 2023-** Discussion began with a report from Reddy Pakala, the REAVC President. President Pakala reported that the REAVC Committee drafted a response to the VCERA Board about implementation of Alameda and PEPRA, for the REAVC Board's review. Revisions to the draft were to be made after the VCERA Retirement Administrator, Linda Webb, provided more information about proposed Board actions to be taken by VCERA. After the special meeting, the finalized letter was sent to the VCERA Retirement Administrator with copies to the VCERA Board Members, REAVC Board Members, County of Ventura Board of Supervisors and County CEO.

Linda Webb referenced the April 10, 2023, information sent from VCERA to retirees about the Alameda Decision and its impact on VCERA Members. Ms. Webb discussed straddling and the leave/vacation buydown, the PEPRA exclusions, and interpretations of the Alameda Decision. VCERA considers these items to require reductions to retiree pensions back to the date of the decisions. Ms. Webb indicated that she believed the VCERA Board did not intend to require retirees who retired since January 1, 2013, the effective date of PEPRA, to pay back what she described as overpayments already received. However, the VCERA resolution proposes to assess changes to pensions moving forward. Linda Webb said that this choice not to retroactively correct pensions was the only discretion the VCERA Board had in mitigating impacts to retirees. Linda is sensitive to and acknowledged that people made retirement decisions based on prior calculations. However, VCERA could not have known the impacts prior to the resolution of litigation. She indicated that the California Rule does not apply in this case, which drives the need to recalculate pensions for many retirees. Roberta Griego asked how many retirees would be impacted. Linda estimated 1300 to 1400 retirees would be impacted by the buydowns alone. Pay codes for many others show various in-kind items, overtime, call-out/back pay, etc., that are considered excluded and will also impact other retirees.

Reddy Pakala asked about buydowns outside of allowable amounts. Linda discussed that amounts earnable in a calendar year are allowable, excluded amounts are those cashed out that were not earned and payable in the period they were applied for original calculations. Nancy Settle asked for clarification about impacts to those whose pensions were calculated on unearned leave. Linda confirmed that the intent was not to retroactively apply corrections, but to recalculate for future application to pensions. In other words, Linda indicated that the past overpayments will be forgiven.

Jacquie Richardson indicated that according to the Alameda Decision retirement boards never had discretion to include in-kind benefits in pension calculations and that retirees are being held accountable for a mistake that they had nothing to do with. Linda replied that if people retired before July 30, 2020, then flex credit/in-kind benefits issues were not applicable.

After the conclusion of information provided by Linda Webb about the upcoming proposed Resolution of the Board of Retirement of Ventura County Employees' Retirement Association Regarding Alameda Implementation to Compensation Earnable and Pensionable Compensation, the REAVC Board reviewed and revised the draft letter dated April 12, 2023, to the VCERA Board. Ken Cozzens made a motion to accept the letter as amended and send it to the VCERA Board. Kelly Shirk seconded the motion. Reddy Pakala was not present, Art Goulet and Colleen Bruns abstained from voting. The letter was approved for distribution by the ten remaining Board members who were present.

- **The second agenda item for discussion and possible action concerned endorsing one of the two candidates on the ballot for the upcoming June 20, 2023, VCERA election for a Retired Member Representative to serve on the Board of Retirement for a 3-year term from January 2024 to December 2026.** Reddy Pakala began discussion by informing the Board that the REAVC By-laws do not prohibit endorsement of a candidate. He further stated that Art Goulet had given REAVC updates for over 13 years. Art requested REAVC member addresses for distribution of campaign materials. Reddy indicated that REAVC is unable to share retirees' email addresses for distribution of election materials. 1<sup>st</sup> Vice President Roberta Griego was concerned that both candidates were not interviewed by REAVC. Henry Solis was contacted by Past President Nancy Settle but did not attend the Special Meeting. Roberta informed the Board that REAVC should not endorse candidates. Roberta said that even if the Board chose to do so, it should not select either candidate without hearing from both. Roberta indicated that her views were not based on Art, as a candidate, but rather on the concept of politicizing REAVC by supporting a particular candidate. She believed such an endorsement would set a precedent and would change REAVC from being perceived as a neutral organization to being a political entity. Board member Ken Cozzens asked if an endorsement of one candidate could create a possible division of membership who supported one or the other. Art Goulet expressed that he should not be penalized because Candidate Solis chose not to attend the meeting. Board member Goulet also indicated that he would be disappointed if he was not endorsed. Board Member Kelly Shirk suggested providing a letter from REAVC to endorse Art. The election timeline in June does not allow for a candidate statement to be sent. Roberta Griego moved that an amendment be made to include an endorsement in the upcoming REAVC newsletter, but not to provide mailing addresses to any candidates. Tom McEachern seconded. The motion carried: 7 to 3. Kelly Shirk indicated that a forum for candidate review should be held in the future prior to endorsements. Reddy Pakala asked Art to provide endorsement language for the newsletter.
- **The meeting was adjourned at 12:47 p.m.**

Respectfully submitted by,



Dee Emami  
REAVC Executive Assistant

Reviewed and approved by,



Reddy Pakala  
REAVC President