

**BOARD OF RETIREMENT
FRESNO COUNTY EMPLOYEES' RETIREMENT ASSOCIATION**

"Our mission is to administer the retirement benefits for the members and beneficiaries in a prudent, accurate, timely and cost-effective manner, while administering fund assets in a manner that achieves investment and funding objectives within prudent levels of risk."

September 20, 2017

**REGULAR MEETING
ACTION SUMMARY MINUTES**

[AN AUDIO RECORDING OF THE OPEN SESSION DISCUSSION ITEMS CAN BE FOUND ON OUR WEBSITE AT
WWW.FCERA.ORG](http://WWW.FCERA.ORG)

Trustees Present:

Laura P. Basua
Oscar Garcia
Mary Ann Rogozinski, Alternate

Dr. Rauden Coburn, III
Eulalio Gomez

Robert Dowell
Nathan Magsig

Trustees Absent:

Gregory Baxter

Steven Jolly

Staff and Service Providers Present:

Donald Kendig, Retirement Administrator
Doris Rentschler, Assistant Retirement Administrator
Elizabeth Avalos, Executive Assistant
Kenneth Price, Board Counsel
Craig Armstrong, Board Counsel
Maria Baker, Communications Officer
Matthew Gonzalez, Retirement Specialist
Virginia Meza, Retirement Specialist
Brian Decker, Colliers International

Members of the Public that Addressed the Board:

Donna Vilorio, FCERA Member
Angelita Kroger, FCERA Member
Juan Espinoza, FCERA Member
Deedra Williams, FCERA Member
Charlotte Trent, FCERA Member

1. CALL TO ORDER

Chair Coburn called the meeting to order at 8:32 AM.

2. **PLEDGE OF ALLEGIANCE**

Recited.

3. **PUBLIC COMMENT**

None.

4. **CONSENT AGENDA**

A MOTION WAS MADE BY TRUSTEE GARCIA, SECONDED BY TRUSTEE GOMEZ, TO APPROVE/ACCEPT CONSENT ITEMS 4.A. THROUGH 4.C. AS PRESENTED. VOTE: UNANIMOUS. ABSENT: BAXTER, JOLLY.

- A. Receipt and Filing of the Business Expense Account Statement for August 2017 – **RECEIVED AND FILED**
- B. Receipt and Filing of Educational Attendance Report: Verus Client Summit – **RECEIVED AND FILED**
- C. Receipt and filing of New Logo Design – **RECEIVED AND FILED**

5. **MINUTES**

- A. Consideration of the August 2, 2017 Retirement Board Regular Meeting Minutes

PRESENTED AND DISCUSSED. AN OPPORTUNITY WAS PROVIDED FOR PUBLIC COMMENT. A MOTION WAS MADE BY TRUSTEE GARCIA, SECONDED BY TRUSTEE BASUA, TO APPROVE ITEM 5.A. AS PRESENTED. VOTE: YES – BASUA, DOWELL, GARCIA, GOMEZ, MAGSIG. ABSTAIN: COBURN. ABSENT: BAXTER, JOLLY.

- B. Consideration of the September 6, 2017 Retirement Board Regular Meeting Minutes – APPROPRIATE ACTION

PRESENTED AND DISCUSSED. AN OPPORTUNITY WAS PROVIDED FOR PUBLIC COMMENT. A MOTION WAS MADE BY TRUSTEE DOWELL, SECONDED BY TRUSTEE GARCIA, TO APPROVE ITEM 5.B. AS PRESENTED. VOTE: YES – COBURN, DOWELL, GARCIA, GOMEZ, MAGSIG. ABSTAIN: BASUA. ABSENT: BAXTER, JOLLY.

6. **DISCUSSION**

- A. Consideration of Statement of Work by Fresno County Facilities Services for FCERA Offices located at Palm Bluffs

PRESENTED AND DISCUSSED. AN OPPORTUNITY WAS PROVIDED FOR PUBLIC COMMENT. A MOTION WAS MADE BY TRUSTEE DOWELL, SECONDED BY TRUSTEE GOMEZ, TO APPROVE THE STATEMENT OF WORK FOR THE INSTALLATION OF HIRSH BADGE READERS FOR THE DOORS AT THE NEW FCERA OFFICE BUILDINGS AS PRESENTED. VOTE: UNANIMOUS. ABSENT – BAXTER, JOLLY.

B. State Association of County Retirement Systems (SACRS) Items

1. Spring Conference Information - **RECEIVED AND FILED**
2. Voting Proxy

PRESENTED AND DISCUSSED. AN OPPORTUNITY WAS PROVIDED FOR PUBLIC COMMENT. A MOTION WAS MADE BY TRUSTEE MAGSIG, SECONDED BY TRUSTEE DOWELL, TO APPOINT DR. RAUDEN COBURN AS VOTING DELEGATE AND DONALD KENDIG AS ALTERNATE VOTING DELEGATE TO VOTE ON BEHALF OF THE FRESNO COUNTY RETIREMENT SYSTEM AT THE UPCOMING SACRS CONFERENCE. VOTE: UNANIMOUS. ABSENT – BAXTER, JOLLY.

7. FCERA REALTY GROUP, LLC – CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to subdivision (d) of Government Code section 54956.9. Number of Cases: 1
- B. CONFERENCE WITH REAL PROPERTY NEGOTIATIONS (pursuant to G.C. §54956.8)

Property: 7766 N. Palm Ave. Fresno, CA 93711
 Agency Negotiators: Donald Kendig, Kenneth Price, and Brian Decker
 Under Negotiation: Lease

FCERA REALTY GROUP, LLC – CLOSED SESSION REPORT

- 7.A. No reportable action.
- 7.b. No reportable action.

8. FCERA REALTY GROUP, LLC – OPEN SESSION

- A. Consideration of Lease Agreement with Dwight W. Sievert MD, Inc. a California Corporation: Lease Negotiators - Donald Kendig, Kenneth Price, and Brian Decker

PRESENTED AND DISCUSSED. AN OPPORTUNITY WAS PROVIDED FOR PUBLIC COMMENT. A TERM SHEET WAS PROVIDED BY COUNSEL FOR THE BOARD'S REFERENCE. A MOTION WAS MADE BY TRUSTEE GOMEZ, SECONDED BY TRUSTEE DOWELL, TO APPROVE A LEASE AGREEMENT WITH DWIGHT W. SEIVERT MD, INC., A CALIFORNIA CORPORATION DELEGATING IMMATERIAL TERMS TO STAFF, LEGAL COUNSEL, AND BROKER. VOTE: UNANIMOUS. ABSENT – BAXTER, JOLLY.

9. CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to subdivision (d) of Government Code section 54956.9. Number of Cases: 1
- B. CONFERENCE WITH REAL PROPERTY NEGOTIATIONS (pursuant to G.C. §54956.8)

Property: 1111 H Street, Fresno, CA 93721
 Agency Negotiators: Donald Kendig, Kenneth Price
 Under Negotiation: Sale

C. DISABILITY RETIREMENT APPLICATIONS – PERSONNEL EXCEPTION (pursuant to G.C. §54957)

- | | |
|----------------------|----------------------|
| 1. Donna Vilorio | 6. Homero Montalvo |
| 2. Angelita Kroger | 7. Valentin Gonzales |
| 3. Laurie Ann Miller | 8. Deedra Williams |
| 4. Christine Knapp | 9. Charlotte Trent |
| 5. Juan Espinoza | |

10. ORAL REPORTS

A. Report out of Closed Session

9.A. No reportable action.

9.B. No reportable action.

9.C.1. VILORIA - **A MOTION WAS MADE BY TRUSTEE MAGSIG, SECONDED BY TRUSTEE GOMEZ, TO GRANT THE APPLICANT NON-SERVICE CONNECTED DISABILITY BENEFITS. VOTE: UNANIMOUS. ABSENT: BAXTER, JOLLY.**

9.C.2. KROGER - **A MOTION WAS MADE BY TRUSTEE GOMEZ, SECONDED BY TRUSTEE BASUA, TO GRANT THE APPLICANT NON-SERVICE CONNECTED DISABILITY BENEFITS. VOTE: UNANIMOUS. ABSENT: BAXTER, JOLLY.**

9.C.3. MILLER - **A MOTION WAS MADE BY TRUSTEE MAGSIG, SECONDED BY TRUSTEE GOMEZ, TO GRANT THE APPLICANT NON-SERVICE CONNECTED DISABILITY BENEFITS. VOTE: UNANIMOUS. ABSENT: BAXTER, JOLLY.**

9.C.4. KNAPP - **A MOTION WAS MADE BY TRUSTEE MAGSIG, SECONDED BY TRUSTEE GOMEZ, TO GRANT THE APPLICANT SERVICE CONNECTED DISABILITY BENEFITS. VOTE: UNANIMOUS. ABSENT: BAXTER, JOLLY.**

9.C.5. ESPINOZA - **A MOTION WAS MADE BY TRUSTEE GOMEZ, SECONDED BY TRUSTEE BASUA, TO GRANT THE APPLICANT SERVICE CONNECTED DISABILITY BENEFITS. VOTE: UNANIMOUS. ABSENT: BAXTER, JOLLY.**

9.C.6. MONTALVO - **A MOTION WAS MADE BY TRUSTEE GOMEZ, SECONDED BY TRUSTEE MAGSIG, TO GRANT THE APPLICANT SERVICE CONNECTED DISABILITY BENEFITS. VOTE: UNANIMOUS. ABSENT: BAXTER, JOLLY.**

9.C.7. GONZALES - **A MOTION WAS MADE BY TRUSTEE MAGSING, SECONDED BY TRUSTEE GOMEZ, TO GRANT THE APPLICANT SERVICE CONNECTED DISABILITY BENEFITS. VOTE: UNANIMOUS. ABSENT: BAXTER, JOLLY.**

9.C.8. WILLIAMS - **A MOTION WAS MADE BY TRUSTEE GOMEZ, SECONDED BY TRUSTEE BASUA, TO GRANT THE APPLICANT SERVICE CONNECTED DISABILITY BENEFITS. VOTE: YES – BASUA, GOMEZ. NO – COBURN, DOWELL, GARCIA, MAGSIG. ABSENT: BAXTER, JOLLY. MOTION FAILED.**

WILLIAMS - A MOTION WAS MADE BY TRUSTEE MAGSIG, SECONDED BY TRUSTEE GARCIA, TO GRANT THE APPLICANT NON-SERVICE CONNECTED DISABILITY BENEFITS. VOTE: YES – BASUA, COBURN, DOWELL, GARCIA, MAGSIG. NO – GOMEZ. ABSENT: BAXTER, JOLLY. MOTION PASSED.

9.C.9. TRENT - **A MOTION WAS MADE BY TRUSTEE DOWELL, SECONDED BY TRUSTEE MAGSIG, TO DENY THE APPLICANT SERVICE CONNECTED DISABILITY BENEFITS SUBJECT TO THE APPLICANT'S RIGHT TO REQUEST A HEARING IN ACCORDANCE WITH THE HEARINGS POLICY. VOTE: YES – BASUA, DOWELL, GARCIA, GOMEZ, MAGSIG. NO – COBURN. ABSENT: BAXTER, JOLLY. MOTION PASSED.**

TRENT - A MOTION WAS MADE BY TRUSTEE DOWELL, SECONDED BY TRUSTEE BASUA, TO GRANT THE APPLICANT NON-SERVICE CONNECTED DISABILITY BENEFITS. VOTE: YES – BASUA, DOWELL. NO - COBURN, GARCIA, GOMEZ, MAGSIG. ABSENT: BAXTER, JOLLY. MOTION FAILED.

B. FCERA Administration

1. Staff distributed a cost analysis on the estimated lease returns for Building E at Palm Bluffs.
2. The first meeting in the new offices at Palm Bluff will be December 6, 2017 with a dedication scheduled for December 13, 2017. The October meetings will be held at our current location [1111 H Street] and the November 1-2, 2017 Off-site meeting will be held at the Wonder Valley Ranch in Sanger CA.
3. Staff gave a brief update on the latest move dates noting that October 2, 2017 will be the first day at the new offices.

C. Board Counsel

Counsel had nothing to report.

D. Committee Reports

1. A Personnel Committee meeting will be held immediately following this meeting.
2. A Disability Committee meeting is scheduled for December 25, 2017 in the FCERA Boardroom.
3. An Audit Committee meeting is scheduled for December 6, 2017 immediately following the Regular meeting.

E. Board Members

The Trustees had nothing to report.

There being no further business, the meeting adjourned at 11:57 AM.

Donald C. Kendig, CPA
Secretary to the Board