



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: SBCERS
Department No.: 810
For Agenda Of: October 20, 2020
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Gregory E. Levin, CPA, CEO
Director(s)
Contact Info: (805) 568-2585

SUBJECT: Approval of Amended Bylaws of SBCERS Board of Retirement

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

- a. That the Board of Supervisors adopt the Resolution in Attachment A approving amended Bylaws of the Santa Barbara County Employees' Retirement System Board of Retirement.
- b. Determine that the above action is an organizational or administrative activity of the government that will not result in direct or indirect physical changes in the environment and is therefore not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the CEQA Guidelines.

Summary Text:

In accordance with best practices for governance, the Board of Retirement periodically reviews the Bylaws. During the 2018 review cycle, the following items were addressed by the Board of Retirement:

- Bylaw 501: Reflects that Board officers may be reelected to subsequent terms.
- Bylaw 600: Deletes reference to closed session occurring prior to the Board's regular 9:00 meeting time.
- Bylaw 604: Amendment to reflect actual practice.
- Bylaw 605: Addition noting the practice of posting minutes on the SBCERS website.
- Bylaw 606: Addition of reference to the Board's Records Retention Policy

- Bylaw 609: Addition of specific reference to retiree alternate as a recipient of attendance compensation.
- Bylaw 704: Addition noting the practice of posting minutes on the SBCERS website.
- Bylaw 705: Revision to delete authority of Operations Committee to initiate investigation without direction of Board of Retirement.

During the 2020 review cycle, the following items were addressed by the Board of Retirement:

- Face Page: Updates the Amendment History to show the most recent date of adoption.
- Bylaw 606: The words "until destroyed" are deleted to reflect 2019 amendments to the Board's Record Retention policy mandating that such recordings be maintained indefinitely without destruction.
- Bylaw 702: Corrects "reelected" to state "reappointment," since committee members are appointed rather than elected.
- Bylaw 704: Deletes the word "and" included in the 2018 revisions in error.

Background:

Government Code Section 31525 provides that the Board of Retirement may make regulations consistent with the County Employees Retirement Law of 1937 and said regulations become effective when approved by the Board of Supervisors. Board of Retirement regulations are incorporated into the Bylaws of SBCERS which, accordingly, require Board of Supervisor's approval.

At its July 25, 2018 meeting, the Board of Retirement considered and adopted revisions to its Bylaws (which have historically been considered to be its "regulations"). Once revised, the Bylaws were not immediately submitted to the Board of Supervisors for ratification. In May 2020, staff sought to present the July 2018 revised version of the Bylaws to the Board of Supervisors for ratification. However, in the course of preparing the agenda item, it was noted that further minor revisions were necessary to correct typographical errors and to reflect subsequent revision of the Operations Committee Charter that resulted in one of the 2018 revisions no longer accurately reflecting System policy. Further amendments were taken to the Board of Retirement which were adopted on June 24, 2020 (Attachment B).

The Bylaws attached contain both the 2018 revisions and 2020 revisions adopted by the Board of Retirement.

Performance Measure:

N/A

Contract Renewals and Performance Outcomes:

N/A

Fiscal and Facilities Impacts:

Budgeted: N/A

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State			
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ -

Narrative: N/A

Key Contract Risks:

N/A

Staffing Impacts:

Legal Positions: N/A **FTEs:** N/A

Special Instructions:

Return a copy of the adopted Resolution to SBCERS for its files.

Attachments:

- Attachment A: Resolution Approving Amended Bylaws of the SBCERS Board of Retirement
- Attachment B: SBCERS Board of Retirement Bylaws 2020
- Attachment C: SBCERS Board of Retirement Bylaws 2020 Redline

Authored by:

Greg Levin, CEO, SBCERS

cc:

- Mona Miyasato, County Executive Officer
- Michael C. Ghizzoni, County Counsel
- Betsy Schaffer, Auditor-Controller