



**Tulare County Employees'
Retirement Association
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

EDDIE VALERO
District Four

DENNIS TOWNSEND
District Five

AGENDA DATE: March 26, 2019

Public Hearing Required	Yes	<input type="checkbox"/>	No	x	N/A	<input type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	No	x	N/A	<input type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	No	x	N/A	<input type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	No	x	N/A	<input type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	No	x	N/A	<input type="checkbox"/>
Electronic file(s) has been sent	Yes	<input type="checkbox"/>	No	x	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	No	x	N/A	<input type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	No	x	N/A	<input type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	x	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>

CONTACT PERSON: Dave Kehler PHONE: 713-2900

SUBJECT: Adoption of California Government Code Section 31522.3.

REQUEST(S):
That the Board of Supervisors:

Adopt a resolution making the language of California Government Code Section 31522.3 applicable to Tulare County and the Tulare County Employees' Retirement Association (TCERA) giving the Board of Retirement authority over Assistant Retirement Administrator and Chief Investment Officer staff serving TCERA.

SUMMARY:
The Tulare County Employees' Retirement Association is one of twenty systems in the State covered by the County Employees Retirement Law of 1937 (the '37 Act). Some provisions of the '37 Act are permissive in nature and only apply to a specific plan if approved by that county's Board of Supervisors or through legislative action. California Government Code Section 31522.3 is one such section and allows each plan's Board of Retirement authority for the hiring, direction, and dismissal of the retirement plans' Assistant Retirement Administrator and Chief Investment Officer (where the plan has such staff). Section 31522.3 has recently been revised to permit this authority to the Board of Retirement following the passage of a resolution by majority vote of the county's Board of Supervisors making the section applicable in that county.

SUBJECT: Adoption of California Government Code Section 31522.3

DATE: March 26, 2019

The recent changes to G.C. Section 31522.3 (effective January 1, 2019) resulted from Senate Bill 1270 that was sponsored by TCERA and the State Association of County Retirement Systems (SACRS). Senate Bill 1270 was authored by former State Senator Andy Vidak and allows for the adoption of G.C. Section 31522.3 by a county's Board of Supervisors rather than through legislative action. In previous meetings held between the Board of Supervisors and the Retirement Board it was noted that the TCERA Board already has authority over the Retirement Administrator position in accordance with G.C. Section 31522.2. The Board of Retirement requests additional authority over the two subordinate positions named in Section 31522.3 as necessary for the Retirement Board to properly fulfill its fiduciary responsibilities related to administration of the plan and in the investment of Plan assets.

FISCAL IMPACT/FINANCING:

No impact on the County budget. Salary ranges for TCERA staff are, and would continue to be, determined by Tulare County's Human Resources and Development Department and approved by the Board of Supervisors.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

N/A

ADMINISTRATIVE SIGN-OFF:



Name: David Kehler

Title: Retirement Administrator

Cc: Auditor/Controller
County Counsel
County Administrative Office (2)

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

**IN THE MATTER OF ADOPTION OF
CALIFORNIA GOVERNMENT CODE
SECTION 31522.3**

**RESOLUTION NO. _____
AGREEMENT NO. _____**

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

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Adopted a resolution making the language of California Government Code Section 31522.3 applicable to Tulare County and the Tulare County Employees' Retirement Association (TCERA) giving the Board of Retirement authority over Assistant Retirement Administrator and Chief Investment Officer staff serving TCERA.