

**COUNTY OF SONOMA  
AGENDA ITEM  
SUMMARY REPORT**

**Clerk of the Board Use Only**  
**Meeting Date** / / **Held Until** / /  
**Agenda Item No:** \_\_\_\_\_ **Agenda Item No:** \_\_\_\_\_

**Department:** Retirement

( ) **4/5 Vote Required**

**Contact:**  
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**Phone:**  
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**Board Date:**  
06/02/2009

**Deadline for Board Action:**  
06/02/2009

**AGENDA SHORT TITLE:**

Amendment of the Sonoma County Employees' Retirement Association (SCERA) Bylaws.

**REQUESTED BOARD ACTION:**

Approval of Resolution amending the Sonoma County Employees' Retirement Association (SCERA) Bylaws.

**CURRENT FISCAL YEAR FINANCIAL IMPACT**

**EXPENDITURES**

**Estimated Cost** \$

**Amount Budgeted** \$

**Other Avail Approp.** \$  
(Explain below)

**Additional Requested:** \$

**Explanation (if required):**

**ADD'L FUNDS REQUIRING BOARD**

**Contingencies** \$  
(Fund Name:)

**Unanticipated Revenue** \$  
(Source:)

**Other Transfer(s)** \$  
(Source:)

**Add'l Funds Requested:** \$

**Prior Board Action(s):**

Periodic approval of amendments to SCERA Bylaws requested by the Retirement Board; last action September 28, 2004.

**Alternatives - Results of Non-Approval:**

The updated SCERA Bylaws will not be approved by the Board of Supervisors.

**Background:**

The policies and practices of conducting the business of the Sonoma County Employees' Retirement Association (SCERA) and its Board have evolved and changed over the years. The SCERA Bylaws were last amended in 2004.

The major focus of changes to the Bylaws are as follows:

- Text of governing law was quoted so when applicable code sections were changed, the Bylaws became outdated. Appropriate sections now reference citations of governing law so that continuing updates for legislative changes will be unnecessary.
- Additional detail on current administrative practices has been included.
- The schedule for the Retirement Board trustee election process was very tight with resulting limited opportunity for communication to members by the candidates. With the schedule change, additional time is now allowed between several phases of the election schedule.
- Several sections of the Bylaws became obsolete so they are now deleted.
- Terminology and titles have been updated for clarification.
- The Disability Section would benefit from the addition of due process rules, submission of evidence rules and dismissal of disability applications when appropriate. Therefore, additional detail regarding current administrative practices has been added to this section; details regarding hearing procedures as well a timing of submissions and language outlining appropriate actions for dismissal of an application were included.

**1.**

**Attachments:**

Board of Supervisors Resolution; Board of Retirement Resolution #85; Approved SCERA Bylaws; and Redline version reflecting additions and deletions effective 3/19/09 and 5/21/09; Briefing memo dated 12/30/08.

**On File With Clerk:**

**CLERK OF THE BOARD USE ONLY**

**Board Action** (If other than "Requested")

**Vote:**

**Background:**

The revised Bylaws were communicated and reviewed through a comprehensive process:

- 12/30/08 – a briefing memo with the review schedule, and the revised Bylaws were forwarded to the County, Superior Court, Valley of the Moon Fire Protection District (VOMFPD), Employee Organizations and the Sonoma County Association of Retired Employees (SCARE).
- 01/08/09, Disability Committee of the Board of Retirement – notice and introduction of the Bylaws occurred.
- 02/05/09, Disability Committee – reviewed amended Bylaws, discussed changes, and identified several topics for follow up.
- 03/12/09, Disability Committee – discussed information; recommended approval of amended Bylaws.
- 03/19/09, Board of Retirement – approved adoption of the SCERA Bylaws amendments (see attached copy of SCERA Bylaws).
- In connection with the review of the draft Board of Supervisors Agenda Item Transmittal packet in early April, the County reviewed the proposed bylaw changes and requested an addition in one area which has been incorporated into the bylaws and approved by the Retirement Board on May 21, 2009. The requested change was the addition of item IX.C.2. (final version) and IX.3.b) (redline version): *The Retirement Administrator will endeavor to gather all pertinent evidence from the employer and/or other sources in connection with the application.*

In the initial phase of review through 03/19/09, no comments were received from the County, VOMFPD, the Courts, labor unions or SCARE during any of our committee or Board reviews.

A complete redline version showing all the deletions and additions to the Bylaws is provided as well in this agenda material for reference. Additionally, the briefing memo dated 12/30/08 is attached for your awareness.