

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

July 27, 2021

FROM

**DEBORAH CHERNEY, Chief Executive Officer,
San Bernardino County Employees' Retirement Association**

SUBJECT

Amended Board of Retirement By-Laws

RECOMMENDATION(S)

Approve and adopt amended Board of Retirement By-Laws as approved by the Board of Retirement on June 3, 2021.

(Presenter: Deborah Cherney, Chief Executive Officer, 885-7980)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Improve County Government Operations.

FINANCIAL IMPACT

There is no financial impact associated with this item.

BACKGROUND INFORMATION

Government Code Section 31525 requires the Board of Supervisors to approve the San Bernardino County Employees' Retirement Association (SBCERA) By-Laws.

The current SBCERA By-Laws were approved by the Board of Retirement on February 7, 2019, and by the Board of Supervisors on April 16, 2019 (Item No. 45). This item includes several amendments to the current SBCERA By-Laws.

The revisions update the SBCERA By-Laws provisions contained in Article III – Membership, and other changes for the purpose of administrative clean up, as detailed below.

1. Article III –

- a. Section 1 - Sworn Statement.** This section was amended to provide the employer's ability to transmit an Employee's Sworn Statement regarding membership with the Board of Retirement. This will reduce the timeframe in receiving the information of the employee and will allow for SBCERA to update its records with member information in its pension administration system.
- b. Section 2 - Employees who qualify as members of SBCERA – Regular Members.** This list is updated to define the term "regular position" which provides a definition to ensure that persons eligible for SBCERA membership are included.
- c. Section 3 – Excluded from Membership.** This section was updated to clarify the definition of persons who qualify to be members, as well as define those who do not qualify as members under a fixed term contract.

- d. Section 8 – Retired Members.** The proposed amendment incorporates the statutory language of Government Code section 31670 in regard to providing the SBCERA Chief Executive Officer authority to retire members which will ensure that there is no delay in a member's retirement status.
- e. Section 9 – Use of Electronic Signature.** This section allows SBCERA to implement and begin to accept electronic signatures in order to improve and streamline customer service.
- f. Miscellaneous Non-Substantive Changes.** There are non-substantive changes incorporated, specifically the addition of SBCERA's participating employer Superior Court, changes in subsection titles and addition of a definition of Full Standard Hours to assist with the interpretation of determining the exclusion of a person from membership.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by Board of Retirement (Deborah Cherney, Chief Executive Officer and Barbara M. A. Hannah, Chief Counsel, 885-7980) on June 15, 2021; County Counsel (Cynthia O'Neill, Principal Assistant County Counsel, 387-5397) on July 14, 2021; and County Finance (Matthew Erickson, County Chief Financial Officer, 387-5423) on July 14, 2021.

**Amended Board of Retirement By-Laws
July 27, 2021**

Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Dawn Rowe Seconded: Col. Paul Cook (Ret.)

Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: July 27, 2021



cc: File- Retirement w/by-laws
LA 07/30/2021