

APPROVED

MINUTES OF THE REGULAR MEETING OF THE BOARD OF RETIREMENT

LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION

300 N. LAKE AVENUE, SUITE 810, PASADENA, CA

9:00 A.M., WEDNESDAY, MAY 1, 2019

PRESENT: Alan Bernstein, Chair
Gina Zapanta-Murphy, Secretary
Vivian H. Gray
JP Harris (Alternate Retired)
Shawn R. Kehoe
Joseph Kelly
Ronald Okum
William Pryor (Alternate Safety)
Les Robbins, Vice Chair
Herman Santos
Thomas Walsh

STAFF ADVISORS AND PARTICIPANTS

Lou Lazatin, Chief Executive Officer
John Popowich, Assistant Executive Officer
Steven P. Rice, Chief Counsel
Dr. Vito Campese, Medical Advisor

STAFF ADVISORS AND PARTICIPANTS

Barry Lew, Legislative Affairs Officer

Ricki Contreras, Division Manager
Disability Retirement Services

Tamara Caldwell, Specialist Supervisor
Disability Retirement Services

Francis J. Boyd, Senior Staff Counsel

Harvey Leiderman, Fiduciary Counsel
Reed Smith LLP

I. CALL TO ORDER

The meeting was called to order by Mr. Bernstein at 9:00 a.m., in the Board Room of Gateway Plaza.

II. PLEDGE OF ALLEGIANCE

Ms. Gray led the Board Members and staff in reciting the Pledge of Allegiance.

III. APPROVAL OF MINUTES

A. Approval of the Minutes of the Regular Meeting of April 3, 2019

Mr. Okum made a motion, Mr. Kehoe seconded, to approve the minutes of the regular meeting of April 3, 2019. The motion passed unanimously by all members present.

B. Approval of the Minutes of the Regular Meeting of April 11, 2019

Mr. Robbins made a motion, Mr. Okum seconded, to approve the minutes of the regular meeting of April 11, 2019. The motion passed unanimously by all members present.

IV. OTHER COMMUNICATIONS

A. For Information

1. March 2019 All Stars

Mr. Popowich announced the eight winners for the month of March: James Beasley, Norma Minjarez, Ruby Minjares, Jay Lee, and Laura Garcia for the Employee Recognition Program. Tony Nguyen, Freddie Verzosa, Dale Johnson and Galina Dorfman were the winners of LACERA's RideShare Program.

2. Chief Executive Officer's Report (Memo dated April 22, 2019)

Ms. Lazatin shared that the Board of Supervisors approved the adjustments to the employee retirement contribution rates effective July 1, 2019. In addition, Ms. Lazatin thanked Member Services, Systems and Benefits for their efforts during March Madness. Lastly, she shared that the FY 19-20 Budget will be presented at the Budget Hearing scheduled for May 16, 2019, and will also be shared at the Joint Organizational Governance Committee.

V. PUBLIC COMMENT

There were not requests from the public to speak.

VI. CONSENT ITEMS

Mr. Robbins made a motion, Mr. Bernstein seconded, to approve Items A-F, and I-J. The motion passed unanimously by all members present.

A. Ratification of Service Retirement and Survivor Benefit Application Approvals.

VI. CONSENT ITEMS (Continued)

- B. Recommendation as submitted by Tamara Caldwell, Acting Division Manager, Disability Retirement Services: That the Board dismiss with prejudice the appeal of Lauren J. Hoyt for a service-connected disability retirement. (Memo dated April 19, 2019)
- C. Recommendation that the Board approve attendance of Board members at the Cyber Fraud Summit on May 2-3, 2019 in San Francisco, California and approve reimbursement of all travel costs incurred in accordance with LACERA's Education and Travel Policy. (Memo dated March 29, 2019)
(Placed on the agenda at the request of Mr. Kehoe)
- D. Recommendation as submitted by Les Robbins, Chair, Insurance, Benefits, and Legislative Committee: That the Board 1) Approve a visit with Congress by Board members and staff as designated by the Chair of the Board of Retirement during the week of May 20, 2019 on Washington, D.C.; and 2) Approve reimbursement of all travel costs incurred in accordance with LACERA's Education and Travel Policy. (Memo dated April 19, 2019)
- E. Recommendation as submitted by Les Robbins, Chair, Insurance, Benefits, and Legislative Committee: That the Board adopt a "Support" position on Assembly Bill 287, which relates to the annual audits of state and local retirement systems. (Memo dated April 19, 2019)
- F. Recommendation as submitted by Les Robbins, Chair, Insurance, Benefits, and Legislative Committee: That the Board adopt a "Support" position on Assembly Bill 664, which relates to disability retirement and peace officers. (Memo dated April 19, 2019)
- G. Recommendation as submitted by Alan Bernstein, Chair, Joint Organizational Governance Committee: That the Board approve the revised Joint Organizational Governance Committee Charter. (Memo dated April 17, 2019)

This Item was placed in Excluded Consent Items for further discussion.

- H. Recommendation as submitted by Alan Bernstein, Chair, Joint Organizational Governance Committee: That the Board not adopt the proposed Joint Policy regarding External Communications of Board Members and maintain the current practice with respect to such communications without change. (Memo dated April 17, 2019)

VI. CONSENT ITEMS (Continued)

This Item was placed in Excluded Consent Items for further discussion.

- I. Recommendation as submitted by Shawn Kehoe, Chair, Operations Oversight Committee: That the Board approve the purchase of Wolters Kluwer's TyMetrix 360° KMS. (Memo dated April 23, 2019)
- J. Recommendation as submitted by Shawn Kehoe, Chair, Operations Oversight Committee: That the Board approve the Teleconference Meeting Policy. (Memo dated April 17, 2019)

VII. EXCLUDED CONSENT ITEMS

Mr. Rice was present and answered questions from the Board pertaining to Item

VI. G.

Ms. Gray made a motion, Mr. Santos seconded, to approve staff's recommendation with the added verbiage to include that a JOGC meeting will also be a meeting of both boards.

Mr. Pryor made a substitute motion, Ms. Gray seconded, to the Charter that any Board Member is able to attend and participate with full trustee authority as a Joint Organizational Governance Committee member. The makers of this motion withdrew their motion.

Mr. Kehoe made a substitute motion, Mr. Okum seconded, to approve staff's recommendation. The motion passed (roll call) with Messrs. Okum, Kehoe, Kelly, Robbins, Bernstein voting yes; and Messrs. Santos, Walsh, Ms. Zapanta-Murphy, and Ms. Gray voting no.

Mr. Rice was present and answered questions from the Board pertaining to Item

VI. H.

VII. EXCLUDED CONSENT ITEMS (Continued)

Mr. Kelly made a motion, Mr. Santos seconded, to not adopt the proposed Joint Policy regarding External Communications of Board Members.

Mr. Kehoe made a substitute motion, Mr. Harris seconded, to adopt the proposed Joint Policy regarding External Communications of Board Members, revising Section B. 1. 3. to include “on behalf of the Board”. The motion failed (roll call) with Messrs. Okum, Kehoe, Robbins, and Bernstein voting yes; and Messrs. Kelly, Santos, Walsh, Ms. Gray, and Mrs. Zapanta-Murphy voting no.

The original motion passed (roll call) with Messrs. Kelly, Santos, Walsh, Ms. Gray, and Mrs. Zapanta-Murphy voting yes; and Messrs. Okum, Kehoe, Kelly, and Bernstein voting no.

VIII. NON-CONSENT ITEMS

- A. Recommendation as submitted by Barry W. Lew, Legislative Affairs Officer: That the Board adopt a “Support” position on Senate Joint Resolution 3, which would request the Congress of the United States to enact, and the President to sign, legislation that would repeal the Windfall Elimination Provision and Government Pension Offset from the Social Security Act.
(Memo dated April 22, 2019)

Mr. Lew was present to answer questions from the Board.

Mr. Kehoe made a motion, Mr. Robbins seconded, to approve the recommendation. The motion passed unanimously by all members present.

IX. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement

Service-Connected Disability Applications

On a motion by Mr. Kehoe, seconded by Mr. Bernstein, the Board of Retirement approved a service-connected disability retirement for the following named employees who were found to be disabled for the performance of their duties and have met the burden of proof:

<u>APPLICATION NO.</u>	<u>NAME</u>
8D	GRANT R. GAZELEY
9D*	DAVID M. LOOMIS
10D	GREGORY A. CARR
11D	JOSE A. LUCIANO, JR.
12D*	KANZO OGURI
13D	MIGUEL A. CERVANTES
14D*	PAULINE D. ROMERO
15D	ROBERT L. LYONS, JR.
16D	ANITA A. LIMBRICK
17D	TAMARA A. ALEXANDER
18D	THOMAS A. CLEMENTE
19D	LOUIE R. MARQUEZ
20D	JEFFREY A. RISSER

*Granted SCD – Employer Cannot Accommodate

IX. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
21D	ANTOINETTE MARTINEZ
22D	NICHOLAS A. CABRERA
23D	MARVIN G. BOOZER
24D	DAVID HALM
25D	DOUGLAS E. PRECIADO

Safety Fire, Lifeguards
Service-Connected Disability Applications

On a motion by Mr. Pryor, seconded by Mr. Okum, the Board of Retirement approved a service-connected disability retirement for the following named employees who were found to be disabled for the performance of their duties and have met the burden of proof:

<u>APPLICATION NO.</u>	<u>NAME</u>
1102B	RICHARD K. MCCONE
1103B	TED M. BORGES
1104B	JON D. MERAMBLE
1105B	JOHNNY D. HANNAH
1106B	LUIS R. CHAVEZ
1107B	JERRY A. TARANGO

IX. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Fire, Lifeguards (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
1108B	JAMES E. JENKINS
1109B	JONATHAN E. ANDICOCHEA
1110B	JEFFREY A. MYERS
1111B	JAVIER L. ACOSTA
1112B*	BYRON D. PREWETT
1113B	TOM MAGALLANES
1114B	JOHN H. WILLIAMS, JR.

General Members
Service-Connected Disability Applications

On a motion by Mr. Santos, seconded by Mr. Bernstein, the Board of Retirement approved a service-connected disability retirement for the following named employees who were found to be disabled for the performance of their duties and have met the burden of proof:

<u>APPLICATION NO.</u>	<u>NAME</u>
2952B**	ELLEN M. GOUDLOCK
2953B*	JEANETTE M. PEREZ
2954B	JOSE SANDOVAL

*Granted SCD – Employer Cannot Accommodate

**Granted SCD – Retroactive Employer Cannot Accommodate

IX. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members

Nonservice-Connected Disability Applications

On a motion by Mr. Santos, seconded by Mr. Kehoe, the Board of Retirement approved a nonservice-connected disability retirement for the following named employees who were found to be disabled for the performance of their duties and have met the burden of proof:

<u>APPLICATION NO.</u>	<u>NAME</u>
4382*	ROBBIN G. PROUTT
4383*	LINDA M. BRAWLEY
4384	ANNA M. SONG

X. REPORTS

The following Items were received and filed.

- A. For Information Only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated April 16, 2019)
- B. For Information Only as submitted by the Audit Committee and Richard Bendall, Chief Audit Executive, regarding the Corporate Credit Card Audit Report. (Memo dated April 19, 2019)
- C. For Information Only as submitted by Barry W. Lew, Legislative Affairs Officer, regarding the Monthly Status Report on Legislation. (Memo dated April 20, 2019)
- D. For Information Only as submitted by Lou Lazatin, Chief Executive Officer, and Steven P. Rice, Chief Counsel, regarding the Final Procedures and Schedule for 2019 Board Elections. (Memo dated April 16, 2019)

X. REPORTS (Continued)

- E. For Information Only as submitted by Steven P. Rice, Chief Counsel, regarding the April 2019 Fiduciary Counsel Contact and Billing Report. (Memo dated April 22, 2019) (Privileged and Confidential Attorney-Client Communication/Attorney Work Product)

XI. ITEMS FOR STAFF REVIEW

The Board requested that the lacera.com redesign project be provided to the Operations Oversight Committee. In addition, the Board requested changes to the CEO member snapshot of the report. Lastly, the Board requested that the Code of Ethical Conduct be revised to include that when a Board Member speaks and/or writes in a public forum that they are doing so on their own accord and not speaking and/or writing on behalf of LACERA.

XII. GOOD OF THE ORDER
(For information purposes only)

Mrs. Zapanta-Murphy shared her experience in attending the Retiree Healthcare Dementia event and thanked the team for their hard work on organizing the event. Several Board members shared their thoughts and importance of having a Board culture of inclusion and that each Board member's informed vote counts.

Mr. Kehoe shared his experience in attending the Milken Conference and encouraged other Board members to attend.

Mr. Kelly shared that he will be retiring mid-July and thanked staff for their help in assisting with his retirement.

Ms. Lazatin shared that she along with several Board members and staff will be

XII. GOOD OF THE ORDER (Continued)

attending the SACRS Spring Conference on May 7-10, 2019, as well as the IFEBP Conference and the visit to Congress at the end of the month.

XIII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability

APPLICATION NO. & NAME

BOARD ACTION

5067B – BILLY B. JOHNSON (DEC'D)

Mr. Pryor made a motion, Ms. Gray seconded, to refer to staff for further development. The motion passed unanimously by all Board members present.

5068B – RICHARD VASQUEZ

Mr. Kehoe made a motion, Mr. Bernstein seconded, to grant a nonservice-connected disability retirement pursuant to Government Code Section 31720. The motion passed unanimously by all Board members present.

5069B – ARMANDO R. COBOS

Mr. Kehoe made a motion, Mr. Robbins seconded, to deny a service-connected disability retirement and ineligible for a nonservice connected disability. The motion passed unanimously by all Board members present.

5064B – MONIQUE C. PIERSON

Mr. Kehoe made a motion, Mr. Okum seconded, to deny a service-connected disability retirement since the employer can accommodate. The motion passed unanimously by all Board members present.

XIII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

B. Staff Recommendations

Mr. Kehoe made a motion, Mr. Robbins seconded, to approve Items B. 1-3. The motion passed unanimously by all Board members present.

1. Recommendation as submitted by Allison E. Barrett, Senior Staff Counsel: That the Board find 1) That Georgita Criner delayed filing her application for disability retirement because she was unable to ascertain the permanency of her incapacity until the day following her last day of regular compensation; 2) That her application be deemed filed on the day after her last day of regular compensation in accordance with Government Code Section 31724; and 3) That she is entitled to the option of an earlier effective date. (Letter dated April 15, 2019)
2. Recommendation as submitted by Jason E. Waller, Senior Staff Counsel: That the Board find 1) That Kathleen Daly delayed filing her application for disability retirement because she was unable to ascertain the permanency of her incapacity; 2) That her application is deemed filed on the day after her last day of regular compensation in accordance with Government Code Section 31724; and 3) That she is entitled to the option of an earlier effective date. (Letter dated April 15, 2019)
3. Recommendation as submitted by Eugenia W. Der, Senior Staff Counsel: That the Board find 1) That Leo Godfrey delayed filing his application for disability retirement because he was unable to ascertain the permanency of his incapacity; 2) That his application is deemed filed on the day after the last day of regular compensation in accordance with Government Code Section 31724; and 3) That he is entitled to the option of an earlier effective date. (Letter dated April 18, 2019)
4. Recommendation as submitted by JJ Popowich, Assistant Executive Officer: That the Board approve the service provider invoices for Winet Patrick Gayer Creighton & Hanes. (Memo dated April 18, 2019)

Mr. Kelly made a motion, Mr. Harris seconded, to approve staff's recommendation. The motion passed

XIII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

B. Staff Recommendations (Continued)

unanimously by all Board members present.

5. For Information Only as submitted by Tamara Caldwell, Acting Manager, Disability Retirement Services Division regarding the 2019 Quarterly Reports of Paid Invoices. (Memo dated April 8, 2019)

XIV. EXECUTIVE SESSION

- A. Public Employee Performance Evaluation
(Pursuant to Paragraph (1) of Subdivision (b) of California Government Code Section 54957)
Title: Chief Executive Officer

The Board met in Executive Session with counsel pursuant to Paragraph (4) of Subdivision (d) of California Government Code Section 54956.9. There was nothing to report.

XV. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 1:47 p.m.

Signature on File

GINA ZAPANTA-MURPHY, SECRETARY

Signature on File

ALAN BERNSTEIN, CHAIR