

APPROVED - REVISED

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., THURSDAY, MAY 7, 2020

This meeting was conducted by the Board of Retirement by teleconference under the Governor's Executive Order No. N-29-20.

PRESENT: Herman Santos, Chair

Vivian H. Gray, Vice Chair

Gina Zapanta, Secretary (Joined at 9:40 a.m., departed at 11:15 a.m.)

Shawn R. Kehoe

Keith Knox

Wayne Moore

Ronald Okum

William Pryor (Alternate Safety)

Les Robbins

Thomas Walsh

ABSENT: JP Harris (Alternate Retired)

STAFF ADVISORS AND PARTICIPANTS

Santos H. Kreimann, Chief Executive Officer

John Popowich, Assistant Executive Officer

Steven P. Rice, Chief Counsel

STAFF ADVISORS AND PARTICIPANTS

Fern Billingsy, Senior Staff Counsel

Francis J. Boyd, Senior Staff Counsel

Dr. Vito Campese, Medical Advisor

Ricki Contreras, Division Manager
Disability Retirement Services

Bernie Buenaflor, Benefits Division Manager

Barry Lew, Legislative Affairs Officer

Anthony Roda, Federal Legislative Advocate
Williams & Jensen

Ted Granger, Interim Chief Financial Officer

I. CALL TO ORDER

The meeting was called to order by Mr. Santos at 9:30 a.m. in the Board Room of Gateway Plaza.

II. APPROVAL OF MINUTES

A. Approval of the Minutes of the Regular Meeting of April 9, 2020

Ms. Gray made a motion, Mr. Okum seconded, to approve the minutes of the regular meeting of April 9, 2020. The motion passed (roll call) with Messrs. Knox, Okum, Walsh, Moore, Robbins, Kehoe, Santos, Ms. Gray, and Ms. Zapanta voting yes.

III. PUBLIC COMMENT

Jennifer Avery provided a written comment to the Board regarding any

III. PUBLIC COMMENT (Continued)

incentives for early retirement. In addition, Robert Farrell provided a written comment to the Board regarding an investment transaction Baldwin Hills Crenshaw Plaza.

Furthermore, Jan R. Williams, Damien Goodmon, and Greg Akili also addressed the Board regarding the same transaction.

IV. OTHER COMMUNICATIONS

A. For Information

1. March 2020 All Stars

Mr. Popowich announced the eight winners for the month of March: Trina Sanders, Beatriz Daryaie, Inga Tadevosyan, Cindy Ortiz, Gabriel Tafoya, Ted Wright, Elda Villarroel, and Jennel Sarian for the Employee Recognition Program and Toneashia Tate was the winner for the Web Watcher. Penelope Huerta, Andrea Ellison, Regina Harris and Marilu Bretado were the winners of LACERA's RideShare Program.

2. Chief Executive Officer's Report
(Memo dated April 27, 2020)

Mr. Kreimann provided updates to the Member Service and Retiree Healthcare Call Centers; transitional plans in preparation for when it is declared safe to reopen; and member communications.

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement
Service-Connected Disability Applications

On a motion by Mr. Kehoe, seconded by Mr. Knox, 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. The motion passed (roll call) with Messrs. Knox, Okum, Walsh, Moore, Robbins, Kehoe, Santos, and Ms. Gray voting yes.

<u>APPLICATION NO.</u>	<u>NAME</u>
216D	MICHAEL E. TELLES
217D	PAUL L. JERNIGAN, JR.
218D	SCOTT A. ANGER
219D	TODD MCCRAVEN
220D	CORT D. BISHOP
221D	DERRICK A. THOMPSON
222D	MARK C. SALDECKE
223D	STEPHEN L. HERREL
224D*	JEFFREY J. HARDT
225D**	PATRICK B. DORSEY
226D	SALVADOR T. TOVAR

* Granted SCD – Retroactive

** Granted SCD – Employer Cannot Accommodate

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
227D	PHILIP D. GEISLER
228D	JOSEPH B. O'CONNOR
229D	LAURA M. SOSA
230D*	ROBERT J. SOTO
231D**	SHAWN D. COHEN
232D	JAMES J. DONDIS
233D*	WILLIAM A. BROWN
234D	ROBERT J. MITTELBRUN

Safety Fire, Lifeguards
Service-Connected Disability Applications

On a motion by Mr. Pryor, seconded by Ms. Gray, the Board of Retirement made a motion to approve 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. The motion passed (roll call) with Messrs. Knox, Okum, Walsh, Moore, Robbins, Kehoe, Santos, Ms. Zapanta and Ms. Gray voting yes.

<u>APPLICATION NO.</u>	<u>NAME</u>
1231B	MATTHEW A. ARLEDGE

* Granted SCD – Employer Cannot Accommodate
** Granted SCD – Retroactive

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Fire, Lifeguards (Continued)

Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
1231B	MATTHEW A. ARLEDGE
1232B	SAMUEL L. GREEN
1233B	MICHAEL P. MIRELES
1234B	MITCHELL T. GILLESPIE
1235B	DAVID D. STILWELL
1236B*	ROBERT J. DENTON
1237B	LARRY E. TIETGEN
1238B	MICHAEL D. DINGILLO
1239B	MICHAEL E. MCCLANAHAN
1240B	ROBERT GUTIERREZ, JR.
1241B	OLIVER W. KING
1242B	STEVEN P. MUELLER

General Members

Service-Connected Disability Applications

On a motion by Ms. Gray, seconded by Mr. Moore, the Board of Retirement made a motion to approve 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

* Granted SCD – Retroactive

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members (Continued)

Service-Connected Disability Applications

the burden of proof. The motion passed (roll call) with Messrs. Knox, Okum, Walsh, Moore, Robbins, Kehoe, Santos, Ms. Zapanta and Ms. Gray voting yes.

<u>APPLICATION NO.</u>	<u>NAME</u>
2079C*	ALLEN D. NGO
2080C*	SANDRA R. HOLGUIN
2081C**	DONALD D. ROUNDTREE
2082C***	JOHN C. THOMPSON
2083C****	KARIN H. CAPODANNO
2084C*	STEVEN FLORES
2085C*	CORNELIA R. LINDO
2086C**	MARIE J. CHERY
2087C****	CLYDE A. DAWSON
2088C****	MARY D. ONTIVEROS
2089C***	ARDANA S. BONDS
2090C**	PAUL S. JOHNSON

* Granted SCD – Employer Cannot Accommodate

** Granted SCD – Retroactive

*** Granted SCD – Supplemental

**** Granted SCD – Retroactive Employer Cannot Accommodate

VI. CONSENT ITEMS

Mr. Moore made a motion, Mr. Kehoe seconded, to approve the following items. The motion passed (roll call) with Messrs. Knox, Okum, Walsh, Moore, Robbins, Kehoe, Santos, and Ms. Gray voting yes.

- A. Ratification of Service Retirement and Survivor Benefit Application Approvals. (Memo dated April 28, 2020)
- B. Recommendation as submitted by Fern M. Billingsy, Senior Staff Counsel: That the Board:
 - 1) Adopt the Resolution Nos. 2020-BR001 and 2020-BR002 specifying pay items as “compensation earnable” and “pensionable compensation;” and,
 - 2) Instruct staff to coordinate with the County of Los Angeles to establish necessary reporting mechanism and procedures to permit LACERA to include the qualifying items in the calculation of final compensation.(Memo dated April 22, 2020)
- C. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board grant the appeals and request for an administrative hearing for applicants Michael A. Lynd and Myrna A. Co. (Memo dated April 17, 2020)
- D. Recommendation as submitted by Thomas Walsh, Chair, Joint Organizational Governance Committee: That the Board approve issuance of the Request for Proposals for Fiduciary Counsel Legal Services. (Memo dated April 30, 2020)
- E. Recommendation as submitted by Thomas Walsh, Chair, Joint Organizational Governance Committee: That the Board approve issuance of the Request for Proposals for Media and Public Relations Consultant. (Memo dated April 30, 2020)

VI. CONSENT ITEMS (Continued)

- F. Recommendation as submitted by Thomas Walsh, Chair, Joint Organizational Governance Committee: That the Board of Retirement revise its Charter to recognize the ability of the Chair of the Board to make meeting date changes when LACERA may not safely conduct regular operation because there is a declared state of emergency or governmental directive or when there is a natural disaster or other extraordinary circumstances.
(Memo dated April 30, 2020)

VII. EXCLUDED CONSENT ITEMS

There were no items excluded from Consent Items.

VIII. NON-CONSENT ITEMS

- A. Recommendation as submitted by Bernie Buenafior, Benefits Division Manager: That the Board designate the use of uniform actuarially determined factors based on retirement age 66 for General Plan members and retirement age 57 for Safety Plan members in the calculation of costs based on the March 31, 2020, revision of Board of Retirement Regulation V.
(Memo dated April 29, 2020)

Mr. Moore made a motion, Ms. Gray seconded, to approve staff's recommendation. The motion passed (roll call) with Messrs. Knox, Okum, Walsh, Moore, Robbins, Kehoe, Santos and Ms. Gray voting yes.

IX. REPORTS

- A. For Information Only as submitted by Barry W. Lew, Legislative Affairs Officer and Anthony Roda, Williams & Jensen, regarding the Federal Update on Coronavirus-related Legislation. (Memo dated April 28, 2020)

Mr. Lew and Mr. Roda of Williams & Jensen provided the Board with an update.

IX. REPORTS (Continued)

- B. For Information Only as submitted by Barry W. Lew, Legislative Affairs Officer, regarding the Monthly Status Report on Legislation. (Memo dated April 28, 2020)

Mr. Lew provided the Board with an update.

- C. For Information Only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated April 24, 2020)

This item was received and filed.

- D. For Information Only as submitted by Ted Granger, Interim Chief Financial Officer, regarding the Monthly Education and Travel Report for March 2020. (Public Memo dated April 20, 2020) (Confidential Memo dated April 24, 2020 – Includes Anticipated Travel)

This item was received and filed.

- E. For Information Only as submitted by Steven P. Rice, Chief Counsel, regarding the April 2020 Fiduciary Counsel Contact and Billing Report. (Memo dated April 28, 2020) (Privileged and Confidential Attorney-Client Communication/Attorney Work Product)

This item was received and filed.

- F. Presentation by Dr. Vito M. Campese, MD, regarding Stress and Cardiovascular Diseases.

Dr. Campese provided a presentation and answered questions from the Board.

X. ITEMS FOR STAFF REVIEW

The Board requested that LACERA's Legislative Affairs Officer work with other organizations on providing additional information on the economic benefits of pensions.

Lastly, information was requested from LACERA's Federal Legislative Advocate on

X. ITEMS FOR STAFF REVIEW (Continued)

whether COVID-19 related costs will be treated in relation to insurance benefits caps and whether it will be counted or backed out.

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

The Chair thanked Ms. Zapanta for her contribution in supporting essential workers.

(Ms. Zapanta exited the meeting at 11:15 a.m) (Mr. Knox withdrew from the meeting momentarily at 11 a.m.)

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability

APPLICATION NO. & NAME

BOARD ACTION

5133B – MICHAEL D. BROWN

Ms. Gray made a motion, Mr. Moore seconded, to grant a service-connected disability retirement pursuant to Government Code Sections 31720 and 31725.65. The motion passed (roll call) with Messrs. Kehoe, Santos, Walsh, Moore, Ms. Gray voting yes; and Mr. Okum voting no. Mr. Knox was not present for the vote and Mr. Robbins was not available for the vote due to technical difficulties.

5134B – STEVEN L. BERMAN (DECD)* (Mr. Knox joined the meeting at 11:32 a.m.)

*Applicant's Survivor Present

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

Ms. Gray made a motion, Mr. Okum seconded, to grant a nonservice-connected disability retirement pursuant to Government Code Section 31724. The motion passed (roll call) with Messrs. Kehoe, Santos, Walsh, Okum, Moore, Ms. Gray voting yes; Mr. Knox abstaining and Mr. Robbins voting no.

5135B – GARY T. TSE

Mr. Kehoe made a motion, Ms. Gray seconded, to refer back to staff for additional information. The makers of the motion amended the motion for a service connected disability retirement based on LACERA's Medical Advisors opinion. The motion passed (roll call) with Messrs. Kehoe, Knox, Pryor, Santos, Walsh, Okum, Moore, Ms. Gray voting yes. Mr. Robbins not available to vote due to technical difficulties.

5136B – KATHLEEN AUSTIN

Ms. Gray made a motion, Mr. Pryor seconded, to refer back to staff for additional information. The motion passed (roll call) with Messrs. Kehoe, Knox, Santos, Walsh, Okum, Robbins Moore, and Ms. Gray voting yes.

5137B – MARISOL MORALES

Mr. Okum made a motion, Ms. Gray seconded, to grant a nonservice-connected disability pursuant to Government Code Section 317230

since the employer cannot accommodate. The motion passed (roll call) with

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

Messrs. Kehoe, Knox, Robbins, Santos, Walsh, Okum, Moore, Ms. Gray voting yes.

5117B – FRANCISCO J. SOL

Ms. Gray made a motion, Mr. Kehoe seconded, to grant a service-connected disability pursuant to Government Code Section 31720. The motion passed (roll call) with Messrs. Kehoe, Knox, Robbins, Santos, Walsh, Okum, Moore, Ms. Gray voting yes.

6877A – SUNDAY ALEKHUOGIE

Mr. Okum made a motion, Ms. Gray seconded, to grant a service-connected disability pursuant to Government Code Section 31720. The motion passed (roll call) with Messrs. Kehoe, Pryor, Knox, Santos, Walsh, Okum, Moore, and Ms. Gray voting yes. Mr. Robbins was not available to vote due to technical difficulties.

761C – ADAM R. PRUITT

Ms. Gray made a motion, Mr. Kehoe seconded, to grant the service-connected disability to continue. The motion passed (roll call) with Messrs. Kehoe, Knox, Robbins, Santos, Walsh, Okum, Moore, and Ms. Gray voting yes.

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

B. Disability Retirement Appeals

APPLICATION NO. & NAME

BOARD ACTION

PHYLLIS K. HOLLOWAY (DEC'D) -

James M. Malkin for the respondent
Allison E. Barrett for the applicant

Mr. Kehoe made a motion, Ms. Gray seconded, to refer back to staff for additional information. The motion passed (roll call) with Messrs. Knox, Okum, Santos, Walsh, Moore, Kehoe, Robbins, and Ms. Gray voting yes.

C. Staff Recommendations

1. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board adopt the Proposed Findings of Fact and Conclusions of Law granting service-connected disability retirement survivor benefits to the Estate of El-Doris Greenwood pursuant to Government Code Section 31787. (Memo dated April 22, 2020)

Mr. Kehoe made a motion, Mr. Robbins seconded, to approve the staff's recommendation. The motion passed (roll call) with Messrs. Knox, Okum, Kehoe, Robbins, Santos, Walsh, Moore, and Ms. Gray voting yes.

2. For Information Only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the 2020 Quarterly Reports of Paid Invoices – 1st Quarter. (Memo dated April 21, 2020)

This Item was received and filed.

May 7, 2020

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XIII. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 12:15 p.m.

Signature on File

GINA ZAPANTA, SECRETARY

Signature on File

HERMAN SANTOS, CHAIR