

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., THURSDAY, FEBRUARY 11, 2021

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

PRESENT: Alan Bernstein, Chair

Vivian H. Gray, Vice Chair

Gina Zapanta, Secretary

JP Harris (Alternate Retired)

Shawn R. Kehoe

Keith Knox

Wayne Moore

Ronald Okum

William Pryor (Alternate Safety)

Les Robbins

Herman Santos

STAFF ADVISORS AND PARTICIPANTS

Santos H. Kreimann, Chief Executive Officer

John Popowich, Assistant Executive Officer

Steven P. Rice, Chief Counsel

Francis J. Boyd, Senior Staff Counsel

Vincent Lim, Disability Litigation Manager

STAFF ADVISORS AND PARTICIPANTS (Continued)

Allison E. Barrett, Senior Staff Counsel

Eugenia W. Der, Senior Staff Counsel

Jason E. Waller, Senior Staff Counsel

Ricki Contreras, Disability Retirement Services Manager

Tamara Caldwell, Disability Retirement Specialist Supervisor

Hernan Barrientos, Disability Retirement Specialist Supervisor

Kerri Wilson, Disability Retirement Specialist Supervisor

Ricardo Salinas, Disability Retirement Specialist Supervisor

Amabelle Delin, Disability Retirement Specialist

Michelle Yanes, Disability Retirement Specialist

Angie Guerrero, Disability Retirement Specialist

Mario Muro, Disability Retirement Specialist

Anna Kwan, Disability Retirement Specialist

I. CALL TO ORDER

The meeting was called to order virtually by Mr. Bernstein at 9:00 a.m.

II. APPROVAL OF MINUTES

A. Approval of the Minutes of the Regular Meeting of January 14, 2021

Mr. Okum made a motion, Mr. Knox seconded, to approve the minutes of the regular meeting of January 14, 2021. The

II. APPROVAL OF MINUTES (Continued)

motion passed (roll call) with Messrs. Knox, Bernstein, Okum, Moore, Kehoe, Robbins, Santos, Ms. Zapanta and Ms. Gray voting yes.

III. PUBLIC COMMENT

Linda Craft addressed the Board during Public Comment and provided a written comment regarding her disability retirement application.

IV. CHIEF EXECUTIVE OFFICER UPDATE
(For Information Purposes Only)

Mr. Kreimann provided a brief update regarding March Madness and the Saturday Call Center volume. In addition, he shared that the Deputy Chief Executive Officer job bulletin will be closing on February 16, 2021 and there has been a good response in interested candidates. Furthermore, the Employee Engagement Survey will also be closing and responses will be used for the development of future strategic initiatives. It was also shared that the BOR Board and Committee Chairs have received staff's schedule of items that will be addressed in 2021. Lastly, an update was provided regarding the OPEB Trust.

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement
Service-Connected Disability Applications

On a motion by Mr. Kehoe, 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. The motion passed (roll call) with Messrs. Knox, Bernstein, Okum,

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)
Service-Connected Disability Applications

Robbins, Moore, Kehoe, Santos, Ms. Gray and Ms. Zapanta voting yes.

<u>APPLICATION NO.</u>	<u>NAME</u>
386D	RUSSELL FERRIS
387D	RANDALL D. BORDERS
388D	JULIUS E. MONTGOMERY
389D	MICHAEL S. CADIZ
390D	ANA L. TAPIA
391D	ERNIE WASHINGTON
392D	MARSHA L. WILLIAMS
393D	ROBERT W. FERRELL
394D	DAVID J. MOSER
395D	MUAWIYA M. ABDEEN
396D	JOHN E. QUIROGA
397D	TROY J. JACKSON
398D	MICHAEL R. WILBER
399D*	AMBER J. LEIST (DEC'D)
400D	MARC P. BURRUSS
401D	MARK A. LOVITCH
402D	DAVID CORTINAS, JR.

*Granted SCD – Survivor Benefit

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
403D	BERNARD G. PATRICK
404D	ROBERT W. JAEGER
405D	BRADFORD A. SZARKOWSKI

Safety Fire, Lifeguards
Service-Connected Disability Applications

On a motion by Mr. Okum, seconded by Mr. Pryor, 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, Bernstein, Okum, Moore, Robbins, Pryor, Santos, Ms. Gray and Ms. Zapanta voting yes.

<u>APPLICATION NO.</u>	<u>NAME</u>
1321B	KEVIN B. FURLONG
1322B	CHRIS J. ADOMEIT
1323B	DAVID B. MOLNER
1324B	KEVIN T. SAUNDERS
1325B	STEPHEN P. HEREFORD
1326B	ANTONIO SOTO
1327B	CRAIG R. FLEETWOOD

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

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

<u>APPLICATION NO.</u>	<u>NAME</u>
1328B	RANDAL M. SWAIN
1329B	MARCO A. GONZALES
1330B	EDGAR F. VEGA
1331B*	BRIAN R. BORLAND
1332B	WARREN J. MESSINA

General Members
Service-Connected Disability Applications

On a motion by Mr. Okum, seconded by Mr. Knox, 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, Bernstein, Okum, Moore, Robbins, Kehoe, Santos, Ms. Gray and Ms. Zapanta voting yes.

<u>APPLICATION NO.</u>	<u>NAME</u>
2170C**	RICKY COFFMAN
2171C*	DANNY E. JOHNSON
2172C***	DAVID B. WHITEMAN
2173C***	CYNTHIA D. TAYLOR

*Granted SCD – Retroactive

**Granted SCD – Employer Cannot Accommodate

***Granted SCD Retroactive – Employer Cannot Accommodate

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
2174 C	PAUL K. SMITH
2175C*	LETICIA YOUNG
2176C*	LIDIA CHAVEZ

General Members (Continued)
Nonservice-Connected Disability Applications

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

<u>APPLICATION NO.</u>	<u>NAME</u>
4397	JULIE S. NGOR
4398	EDMON F. LAPID
4399	LISA A. TAYLOR

VI. CONSENT ITEMS

- A. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board grant the appeal and request for an administrative hearing for applicant Daljit S. Arora. (Memo dated January 28, 2021)

*Granted SCD Retroactive – Employer Cannot Accommodate

VI. CONSENT ITEMS (Continued)

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

VII. REPORTS

A. For Information Only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated January 29, 2021)

Ms. Contreras was present to answer questions from the Board.

B. For Information Only as submitted by Francis J. Boyd, Senior Staff Counsel, and Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Physician Statement for Disability Requirement. (Memo dated January 29, 2021)

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

VIII. ITEMS FOR STAFF REVIEW

The Board requested that additional information regarding the OPEB Trust be provided to the Board at an upcoming meeting.

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

There was nothing to report.

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability

APPLICATION NO. & NAME

BOARD ACTION

5163B –DEBRA D. JONES*

Ms. Gray made a motion, Mr. Moore seconded, to refer back to staff for

*Applicant Present

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

additional information.

Mr. Bernstein made a substitute motion, Mr. Okum seconded, to deny a service-connected retirement without prejudice. The motion passed (roll call) with Messrs. Knox, Okum, Kehoe and Robbins voting yes; and Ms. Gray, Mr. Santos, Mr. Moore, and Ms. Zapanta voting no.

5164B- MARLENE J. GARCIA*

Mr. Bernstein made a motion, Mr. Okum seconded, to deny a service-connected disability retirement and find the applicant not permanently incapacitated. The motion passed with Messrs. Knox, Bernstein, Okum, Moore, Kehoe, Robbins, Santos, Ms. Gray and Ms. Zapanta voting yes.

5165B-SALVADOR M. ISAIS*

Mr. Kehoe made a motion, Ms. Gray seconded, to grant a service-connected disability retirement with a two-year review. The motion passed with Messrs. Bernstein, Okum, Moore, Kehoe, Robbins, Santos, and Ms. Gray voting yes; and Mr. Knox and Ms. Zapanta voting no.

5166B – ELIZABETH TREVOR

Mr. Okum made a motion, Mr. Kehoe seconded, to grant a nonservice-connected disability retirement pursuant to Government Code Section 31720. The motion passed with Messrs. Bernstein, Okum, Moore, Kehoe, Robbins, Santos, Ms. Gray and

*Applicant Present

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

Ms. Zapanta voting yes.

5122B – THANH M. LY

Mr. Kehoe made a motion, Mr. Robbins seconded, to grant a service-connected disability retirement pursuant to Government Code Section 31720 since the employer cannot accommodate. The motion passed with Messrs. Bernstein, Okum, Moore, Kehoe, Robbins, Santos, Ms. Gray and Ms. Zapanta voting yes.

5152B – LINDA J. CRAFT

Mr. Kehoe made a motion, Mr. Okum seconded, to grant a nonservice-connected disability retirement. The motion passed with Messrs. Knox, Bernstein, Okum, Moore, Kehoe, Robbins, Santos, Ms. Gray and Ms. Zapanta voting yes.

5158B – CHRISTOPHER JOY

Mr. Robbins made a motion, Mr. Santos seconded, to deny a service-connected disability retirement and find the applicant not permanently incapacitated. The motion passed with Messrs. Knox, Bernstein, Okum, Moore, Kehoe, Robbins, Santos, Ms. Gray and Ms. Zapanta voting yes.

B. Disability Retirement Appeals

APPLICATION NO. & NAME

BOARD ACTION

ILDA AVASAPIAN - Thomas J. Wicke for the Applicant
Jason E. Waller for the Respondent

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

B. Disability Retirement Appeals (Continued)

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

PATRICIA L. HALL-JACOBS – Danny T. Polhamus for the Applicant
Jason E. Waller for the Respondent

Mr. Robbins made a motion, Mr. Robbins seconded, to dismiss the disability retirement appeal with prejudice. The motion passed (roll call) with Messrs. Knox, Bernstein, Okum, Moore, Kehoe, Robbins, Santos, Ms. Gray and Ms. Zapanta voting yes.

C. Staff Recommendations

1. Recommendation as submitted by Jason E. Waller, Senior Staff Counsel: That the Board (1) find that David J. Chavez 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 (retroactive) in accordance with Government Code section 31724; and (3) that he is entitled to the option of an earlier effective date.
(Memo dated January 21, 2021)

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

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

C. Staff Recommendations (Continued)

2. For Information Only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the 2020 Quarterly Reports of Paid Invoices – 4th Quarter. (Memo dated January 28, 2021)

Ms. Contreras was present to answer questions from the Board.

Green Folder Information (Information provided to the Trustees prior to the meeting)

- 1) Chief Executive Officer Update: Long Term Care Carrier Ends Support for Monthly Payments – Impacting Small Number of LACERA Members’ Eligibility for \$3,000 Tax Credit (Memo dated February 9, 2021)

XI. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 10:45 a.m.

Signature on File

GINA ZAPANTA, SECRETARY

Signature on File

ALAN BERNSTEIN, CHAIR