

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, OCTOBER 6, 2021

This meeting was conducted by the Board of Retirement by teleconference under
California Government Code Section 54953(e).

PRESENT: Alan Bernstein, Chair

Vivian H. Gray, Vice Chair

Gina Zapanta, Secretary

JP Harris (Alternate Retired)

Elizabeth B. Ginsberg (Chief Deputy to Keith Knox)

Shawn R. Kehoe

Wayne Moore

Ronald Okum

William Pryor (Alternate Safety)

Les Robbins

Herman Santos

ABSENT: Keith Knox

STAFF ADVISORS AND PARTICIPANTS

Santos H. Kreimann, Chief Executive Officer

Luis A. Lugo, Deputy Chief Executive Officer

JJ Popowich, Assistant Executive Officer

Laura Guglielmo, Assistant Executive Officer

STAFF ADVISORS AND PARTICIPANTS (Continued)

Steven P. Rice, Chief Counsel

Jon Grabel, Chief Investment Officer

Dr. Glenn Ehresmann, Medical Advisor

Allan Cochran, Member Services Division Manager

Carlos Barrios, Benefits Division Manager

Ted Granger, Interim Chief Financial Officer

Carly Ntoya, Ph.D., Human Resources Director

Barry W. Lew, Legislative Affairs Officer

Francis J. Boyd, Senior Staff Counsel

Tamara Caldwell, Disability Retirement Specialist Supervisor

Vickie Neely, Disability Retirement Specialist Supervisor

Kerri Wilson, Disability Retirement Specialist Supervisor

Hernan Barrientos, Disability Retirement Specialist Supervisor

Ricardo Salinas, Disability Retirement Specialist Supervisor

Vincent Lim, Disability Litigation Manager

Allison E. Barrett, Senior Staff Counsel

Eugenia W. Der, Senior Staff Counsel

Jason E. Waller, Senior Staff Counsel

James Beasley, Supervising Assistant, Administrative Division

Jolene Williams, Kaercher Campbell & Associates Insurance Brokerage

Penni Campbell, Kaercher Campbell & Associates Insurance Brokerage

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 September 1, 2021

Ms. Gray made a motion, Mr. Okum seconded, to approve the minutes of the regular meeting of September 1, 2021. The motion passed (roll call) with Messrs. Santos, Moore, Okum, Kehoe, Robbins, Bernstein, Ms. Ginsberg, Ms. Zapanta and Ms. Gray voting yes.

III. PUBLIC COMMENT

There were no requests from the public to speak.

IV. OTHER COMMUNICATIONS

A. For Information

1. August 2021 All Stars

Mr. Popowich announced the winners for the month of August: Angela Ward and Paola Johns. The Rideshare winner was Liping Li and the Web Watcher winner was Persian Petrov.

2. Chief Executive Officer's Report
(Memo dated September 20, 2021)

Mr. Kreimann provided an update to the Board regarding the positions that were approved by the LA County Board of Supervisors and those that were rejected. In addition, Mr. Kreimann gave an update to the Strategic Planning Consultant RFP extension that was extended until October 15, 2021.

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement
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. Santos, Moore, Okum, Kehoe, Robbins, Bernstein, Ms. Ginsberg, Ms. Zapanta and Ms. Gray voting yes.

<u>APPLICATION NO.</u>	<u>NAME</u>
540D	JAVIER PENA
541D*	JAMES L. WILSON
542D	FLOYD T. CALER, III
543D	MARCELO J. SAMPEDRO
544D	JEFFREY F. HAMIL
545D	DALE W. RYKEN
546D	EDWARD J. MCDONALD
547D	ALBERT H. RODRIGUEZ
548D**	KEVIN L. BEGGS
549D*	MICHAEL J. HARTLEY

*Granted SCD – Retroactive

**Granted SCD – Employer Cannot Accommodate

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR
(Continued)

Safety Fire, Lifeguards
Service-Connected Disability Applications

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

<u>APPLICATION NO.</u>	<u>NAME</u>
1398B	CHRIS LANC
1399B	COREY D. MILLS
1400B	DONALD E. TRYON
1401B	JOHN B. OWENS
1402B	TODD A. RIBERA
1403B	JOHN D. DINGER
1404B	EDWIN ST. ANDREW, III
1405B	PATRICK S. WILSON
1406B	ERIC A. KUCK
1407B	JAY P. COLVIN
1408B	MARIO L. GONZALES

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR
(Continued)

General Members

Service-Connected Disability Applications

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

<u>APPLICATION NO.</u>	<u>NAME</u>
2277C*	DOMINIC R. VENTI
2278C**	TANISHA L. ARCENEUX
2279C*	GENE S. BOONE
2280C***	KIMBERLY A. BEYER
2281C**	LAURA M. WALTERS
2282C*	DANNY J. OVERTON
2283C	MARIAM PAKSHYAN
2284C***	ALLISON E. REESE
2285C	DAVID S. SMITH
2286C	SHEILA R. LA BOMME
2287C*	JESSIE W. COMER

*Granted SCD – Employer Cannot Accommodate

**Granted SCD – Retroactive Employer Cannot Accommodate

***Granted SCD – Salary Supplement

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
2288C	CHINYERE C. MAYO
2289C*	FRANCESCA RECART-NAVARRO
2290C**	MARK E. EVANS

VI. CONSENT ITEMS

Mr. Okum made a motion, Mr. Robbins seconded, to approve Consent Items A-D. The motion passed (roll call) with Messrs. Santos, Moore, Okum, Kehoe, Robbins, Bernstein, Ms. Ginsberg, Ms. Zapanta and Ms. Gray voting yes.

- A. Ratification of Service Retirement and Survivor Benefit Application Approvals. (Memo dated September 28, 2021)
- B. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board grant the appeals and request for an administrative hearing for applicant Camille Padilla and Alejandro Salinas. (Memo dated September 23, 2021)
- C. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board dismiss with prejudice Frank D. Dominguez's appeal for a service-connected disability retirement. (Memo dated September 21, 2021)
- D. Recommendation as submitted by Shawn R. Kehoe, Chair, Operations Oversight Committee: That the Board authorize staff to issue a Request for Proposal for software and consulting services to procure, configure, customize, and implement an enterprise Case Management System, which remains an important strategic initiative for LACERA's operational Divisions. (Memo dated September 22, 2021)

*Granted SCD – Salary Supplement

**Granted SCD – Employer Cannot Accommodate

VII. EXCLUDED FROM CONSENT ITEMS

There were no items excluded from Consent Items.

VIII. NON-CONSENT ITEMS

- A. Recommendation as submitted by Steven P. Rice, Chief Counsel: That the Board approves that, under AB 361 and Government Code Section 54953(e)(3) of the Brown Act, the Board of Retirement consider whether to find that the Governor's COVID-19 State of Emergency continues to directly impact the ability of the Board and its Committees to meet safely in person and that the County of Los Angeles and other agencies still recommend social distancing such that the Board and its Committees shall hold teleconference meetings for the next 30 days, and if so, direct staff to comply with the agenda and public comment requirements of the statute.
(Memo dated September 27, 2021)

Ms. Gray made a motion, Mr. Kehoe seconded, to approve staff's recommendation and to add this item to the Consent agenda moving forward. The motion passed (roll call) with Messrs. Santos, Moore, Okum, Kehoe, Robbins, Bernstein, Ms. Ginsberg and Ms. Gray voting yes. Ms. Zapanta was not present for the vote.

- B. Recommendation as submitted by James C. Beasley, Jr., Supervising Administrative Assistant II: That the Board approve the purchase of Cyber Liability Insurance effective October 9, 2021, with insurance carriers Tokio Marine HHC, Brit/Ambridge (London), Miller/Hamilton (London), and Accredited Specialty Insurance Company at a total cost of \$484,132.
(Memo dated September 22, 2021)

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

VIII. REPORTS

- A. For Discussion Purposes as submitted by Alan J. Bernstein, Board of Retirement Chair and Keith Knox, Board of Investments Chair, that the Boards provide feedback and approve the key terms that will serve as a template and basis for creating a policy to implement the selection of board officers through a seniority-based system; and direct the Chief Executive Officer and staff to prepare a final policy for implementation prior to the selection of board officers by January 2022.
(Memo dated September 28, 2021)

Messrs. Lew and Rice were present and answered questions from the Board.

The Board provided staff with direction. The Item was received and filed.

- B. For Information Only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated September 23, 2021)

This Item was received and filed.

- C. For Information Only as submitted by Barry W. Lew, Legislative Affairs Officer, regarding Monthly Status Report on Legislation.
(Memo dated September 27, 2021)

This Item was received and filed.

- D. For Information Only as submitted by Ted Granger, Interim Chief Financial Officer, regarding the following reports:

Monthly Travel and Education Reports for August 2021

(Public Memo dated September 22, 2021)

(Confidential Memo dated September 22, 2021 – Includes Anticipated Travel)

This Item was received and filed.

- E. For Information Only as submitted by Steven P. Rice, Chief Counsel, regarding the September 2021 Fiduciary Counsel Contact and Billing Report. (Memo dated September 24, 2021) (Privileged and Confidential Attorney-Client Communication/Attorney Work Product)

This Item was received and filed.

X. ITEMS FOR STAFF REVIEW

There was nothing to report.

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

There was nothing to report.

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability

APPLICATION NO. & NAME

BOARD ACTION

5208B – ARAKS M. ZARGARIAN

Mr. Okum made a motion, Mr. Pryor seconded, to deny a service-connected disability retirement and find the applicant not permanently incapacitated since the employer can accommodate. The motion passed (roll call) with Messrs. Santos, Moore, Okum, Kehoe, Robbins, Bernstein, Ms. Ginsberg, Ms. Zapanta and Ms. Gray voting yes.

5209B – NICHOLAS A. TORSACK

Ms. Gray made a motion, Mr. Okum seconded, to deny a service-connected disability and grant a nonservice-connected disability retirement retroactive pursuant to Government Code Sections 31720 and 31724. The motion passed (roll call) with Messrs. Santos, Moore, Okum, Kehoe, Robbins, Bernstein, Ms. Ginsberg, Ms. Zapanta and Ms. Gray voting yes.

5210B – GLORIA NEZAHUALCOYOTL

Ms. Gray made a motion, Mr. Kehoe seconded, to grant a service-connected disability retirement retroactive. The motion passed (roll call) with Messrs. Santos, Moore, Okum, Kehoe,

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME BOARD ACTION

5210B – GLORIA NEZAHUALCOYOTL (Continued)

Robbins, Bernstein, Ms. Ginsberg, Ms. Zapanta and Ms. Gray voting yes.

5173B – AZNIV HANESOGHLIAN*

Mr. Robbins made a motion, Mr. Okum seconded, to deny a service-connected disability retirement and find that the applicant is not permanently incapacitated since the employer can accommodate. The motion passed (roll call) with Messrs. Santos, Moore, Kehoe, Robbins, Bernstein, Okum, Ms. Ginsberg, Ms. Zapanta and Ms. Gray voting yes.

B. Disability Retirement Appeals

APPLICATION NO. & NAME BOARD ACTION

CRANDLON R. MCGINNIS - Thomas J. Wicke for the Applicant
Eugenia Der for the Respondent

Mr. Kehoe made a motion, Mr. Robbins seconded, to deny a service-connected disability retirement and find the applicant not permanently incapacitated. Ms. Gray made a substitute motion, Mr. Kehoe seconded, to review the transcript and evidence received by the referee. The motion passed (roll call) with Messrs. Santos, Moore, Kehoe, Robbins, Bernstein, Ms. Ginsberg, Ms. Zapanta and Ms. Gray voting yes. Mr. Okum was not present for the vote.

*Applicant Present

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION
(Continued)

C. Staff Recommendations

1. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board approve the service provider invoice for Elizabeth Moreno.
(Memo dated September 21, 2021)

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

XIII. EXECUTIVE SESSION

- A. Conference with Legal Counsel – Existing Litigation
(Pursuant to Paragraph (1) of Subdivision (d) of California Government Code Section 54956.9)

1. Ramos v. LACERA

The Board met in Executive Session pursuant to California Government Code Section 54956.9. On a motion by Mr. Harris, seconded by Mr. Santos, the Board approved to 1) Pay Oscar Ramos' court costs in the amount of \$622.12; and 2) Pay Oscar Ramos' attorney fees in the amount of \$12,450.00. The motion passed 8-0 (roll call), with Messrs. Bernstein, Santos, Kehoe, Robbins, Moore, and Mses. Gray, Zapanta, and Ginsberg voting yes. Trustee Okum was absent.

1. Edward V. Marquez v. LACERA

There was nothing to report.

XIII. EXECUTIVE SESSION (Continued)

B. Conference with Legal Counsel – Anticipated Litigation
Significant Exposure to Litigation (Pursuant to Paragraph (2) of Subdivision (d)
of California Government Code Section 54956.9)

1. Administrative Appeal of Michele Jordan

There was nothing to report.

C. Conference with Legal Counsel – Initiation of Litigation
(Pursuant to Paragraph (4) of Subdivision (d) of Section 54956.9)

Number of Cases: 1

The Board met in Executive Session pursuant to Government Code Section 54956.9. On a motion by Mr. Kehoe, seconded by Mr. Santos, to authorize staff to file a lawsuit against the County of Los Angeles and the Board of Supervisors of the County of Los Angeles to obtain an order that, under the California Constitution and applicable statutory law, LACERA's governing Board of Retirement and Board of Investments have sole authority and duty to appoint and to set the classifications and compensation of all of LACERA's personnel and the County and Board of Supervisors shall, consistent with their ministerial duty, incorporate such personnel and compensation decision into the County's salary ordinance, including the positions, classifications, and salaries requested by LACERA on the agenda of the October 5, 2021 Board of Supervisors meeting. Messrs. Kehoe, Moore, Robbins, and Santos, Meses. Ginsberg, Gray, and Zapanta voted yes, and Mr. Bernstein voted no. Mr. Okum was absent. The lawsuit was filed in Los Angeles Superior Court on October 18, 2021, as Case No. 21STCP03475.

October 6, 2021

Page 14

XIII. EXECUTIVE SESSION (Continued)

The Board took other action not yet subject to report.

XIV. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 12:10 p.m.

Supplemental Information (Information provided to the Trustees prior to the meeting)

1. Conference with Legal Counsel – Anticipated Litigation
(Confidential Supplemental Memo dated August 30, 2021)
(Pursuant to California Government Code Section 54956.9)

Signature on File

GINA ZAPANTA, SECRETARY

Signature on File

ALAN BERNSTEIN, CHAIR