

**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, DECEMBER 1, 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 (Left the meeting at 10:30 a.m.)

JP Harris (Alternate Retired)

Shawn R. Kehoe

Keith Knox

Wayne Moore

Ronald Okum

William Pryor (Alternate Safety)

Les Robbins

Herman Santos (Joined the meeting at 9:04 a.m.)

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

Ricki Contreras, Disability Retirement Services Division Manager

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

Segal Consulting  
Stephen Murphy  
Stephanie Messier

Joe Ackler, Ackler & Associates  
Naomi Padron, McHugh Koepke & Associates

Tony Roda, Williams & Jensen

Shane Doucet, Doucet Consulting Solutions

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

- A. Ratification of the Minutes of the Regular Meeting of October 6, 2021 (Red-Lined Revisions on Page 10)
- B. Approval of the Minutes of the Regular Meeting of November 3, 2021
- C. Approval of the Minutes of the Regular Meeting of November 17, 2021

Mr. Kehoe made a motion, Ms. Gray seconded, to approve the ratification of the minutes of the regular meeting of October 6, 2021, November 3, 2021, and November 17, 2021. The motion passed (roll call) with Messrs. Knox, Okum, Moore, Kehoe, Robbins, Bernstein, Ms. Gray and Ms. Zapanta voting yes. Mr. Santos was absent from the vote.

III. PUBLIC COMMENT

LACERA member, Janet Arik, provided a written comment regarding her disability retirement application (5217B).

#### IV. OTHER COMMUNICATIONS

##### A. For Information

##### 1. October 2021 All Stars

Mr. Popowich announced the winners for the month of October: Ana Ronquillo, Veronica Yi-Martinez, Michael Cordial, and Alisa Gavaller. The Web Watcher winner was Stephany Ortega.

##### 2. Chief Executive Officer's Report (Memo dated November 22, 2021) (Mr. Santos joined the meeting at 9:04 a.m.)

Mr. Kreimann shared that there has been an increase of retirement cases and staff anticipates a busy March Madness. Lastly, the Fulgent contract has been secured in preparation for the return to office in January.

#### V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

##### Safety Law Enforcement Service-Connected Disability Applications

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

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)  
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
563D*	CARLOS R. GIRARD
564D	DOUGLAS A. MCCULLOUGH
565D	ELWOOD W. CRANE
566D	DANIEL A. JORGENSEN
567D	MARTIN P. KLAUS
568D	ANDRES R. WASHINGTON
569D	DONALD W. KNIGHT
570D	RICK L. CLAYTON
571D	ROBERT C. HARRIS
572D	BRAD D. WYGANT
573D*	CESAR A. CISNEROS
574D	APRIL S. RUSSELL
575D*	RICHARD M. MARASCOLA, II
576D**	BRIAN R. CASTILLO (DEC'D)
577D	IGNACIO R. LUGO
578D	MICHAEL P. TREINEN (DEC'D)
579D	CHRISTOPHER J. ROMASH

\* Granted SCD – Employer Cannot Accommodate

\*\* 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>
580D	WILLIAM A. GONZALES
581D	RAMON L. GARCIA
582D	CRAIG E. LYZNICK

Safety Fire, Lifeguards  
Service-Connected Disability Applications

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

<u>APPLICATION NO.</u>	<u>NAME</u>
1417B*	DOUGLAS K. LACOUNT
1418B*	TIMOTHY F. CORLISS
1419B	WILLIAM R. BOLLER
1420B	BOB D. CORMACK
1421B	JAMES J. WRIGHT
1422B	RAFAEL M. SOLIS
1423B	THOMAS J. UTTERBACK

\*Granted SCD – Retroactive

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Fire, Lifeguards  
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
1424B*	DIRK J. CHAUSSE
1425B	CHRISTOPHER J. JUDD
1426B	MARK R. JIMENEZ
1427B	BRETT F. MEEHAN
1428B	MICHAEL A. DUBRON
1429B	WILLIAM G. HILL, JR.
1430B	ROBERT A. JONES
1431B*	MARTIN T. FORD

General Members  
Service-Connected Disability Applications

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

<u>APPLICATION NO.</u>	<u>NAME</u>
2306C**	MARQUITTA L. COOPER (VELASQUEZ)
2307C**	GARY R. GREEN

\*Granted SCD – Retroactive

\*\*Granted SCD – Salary Supplemental

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members

Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
2308C*	THEREASA F. BECK
2309C*	DIANA M. SANDOVAL
2310C**	HELEN C. MAJORS
2311C	RIPSIK PAPIKYAN
2312C***	CANDICE C. GLASGOW
2313C	TIMOTHY M. MILLER
2314C	HUNG Q. LUU
2315C****	NAYELY REYES-PANTOJA
2316C**	IVAN L. SAMARZICH
2317C	PHILIP G. VERENDIA
2318C**	LUPE S. BUTTERBAUGH

VI. CONSENT ITEMS

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

\* Granted SCD Retroactive – Employer Cannot Accommodate

\*\* Granted SCD – Employer Cannot Accommodate

\*\*\* Granted SCD – Salary Supplemental Employer Cannot Accommodate

\*\*\*\* Granted SCD – Salary Supplemental



VI. CONSENT ITEMS (Continued)

- 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 November 22, 2021)
- B. Ratification of Service Retirement and Survivor Benefit Application Approvals. (Memo dated November 22, 2021)
- C. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board grant the appeals and requests for an administrative hearing for applicants Aramis P. Almaguer and Nicholas A. Torsak. (Memo dated November 16, 2021)
- D. Recommendation as submitted by Shawn Kehoe, Chair, Joint Organizational Governance Committee: That the Board adopt the FY 2021-22 Mid-Year Budget Amendments for the LACERA Administrative Budget.  
(Memo dated November 24, 2021)

VII. EXCLUDED FROM CONSENT ITEMS

There were no items excluded from Consent Items.

VIII. NON-CONSENT ITEMS

- A. Recommendation as submitted by Santos H. Kreimann, Chief Executive Officer: That the Board discuss and approve their preferred meeting schedule for the BOR Administrative, Disability and Committee meetings.  
(Memo dated November 2, 2021)

Mr. Kehoe made a motion, Mr. Knox seconded, to approve beginning February 2022, on a permanent basis, combine its Administrative and Disability meetings (Board meeting) to the first Wednesday of the month, move its Insurance, Benefits, and

VIII. NON-CONSENT ITEMS (Continued)

Legislative Committee (IBLC) meeting to be held prior to the Board meeting, the Operations Oversight Committee (OOC) meeting to be held after the Board meeting and direct the Disability Procedures and Services Committee items to the full Board. The motion passed (roll call) with Messrs. Knox, Okum, Moore, Kehoe, Harris, Bernstein, Santos, Ms. Gray and Ms. Zapanta voting yes. Mr. Robbins was absent from the vote.

- B. Recommendation as submitted by Santos H. Kreimann, Chief Executive Officer: That the Board review the 2022 meeting calendar and consider rescheduling meeting dates that conflict with a holiday and/or the potential of a lack of quorum. (Memo dated November 16, 2021)

Mr. Bernstein made a motion, Mr. Santos seconded, to approve moving the May meeting to Thursday, May 5, 2022. The motion passed (roll call) with Messrs. Knox, Okum, Moore, Kehoe, Harris, Bernstein, Santos, Ms. Gray and Ms. Zapanta voting yes. Mr. Robbins was absent from the vote.

- C. Recommendation as submitted by Barry W. Lew, Legislative Affairs Officer: That the Board discuss whether a trustee of the Board of Retirement can serve as a Chair while concurrently service as the Chair of the Board of Investments. (Memo dated November 22, 2021)

Mr. Knox made a motion, Mr. Harris seconded, that a trustee who opts to serve as Chair of the Board of Investments cannot opt to serve as Chair of the Board of Retirement. The motion passed (roll call) with Messrs. Knox, Okum, Moore, Robbins, Bernstein, Santos, Ms. Gray and Ms. Zapanta voting yes, and Mr. Kehoe voting no.

VIII. NON-CONSENT ITEMS (Continued)

- D. Recommendation as submitted by Francis J. Boyd, Senior Staff Counsel: That the Board adopt the proposed recommendations to update LACERA's Procedures for Disability Retirement Hearings. (Memo dated November 17, 2021)

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

IX. REPORTS

- A. Presentation as submitted by Joe Ackler of Ackler & Associates, Naomi Padron of McHugh Koepke & Associates, Tony Roda of Williams & Jensen, and Shane Doucet of Doucet Consulting Solutions regarding State and Federal Legislative Updates. (Memo and presentation dated November 16, 2021)

Joe Ackler, Naomi Padron, Tony Roda and Shane Doucet provided a presentation and answered questions from the Board. The memo and presentation materials were received and filed.

The following items were received and filed.  
(Ms. Zapanta left the meeting at 10:30 a.m.)

- B. For Information Only as submitted by Barry W. Lew, Legislative Affairs Officer, regarding the 2021 Year-End Legislative Report. (Memo dated November 18, 2021)
- C. For Information Only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated November 23, 2021)
- D. For Information Only as submitted by Francis J. Boyd, Senior Staff Counsel, regarding Government Code Section 7523: Disability Retirement COVID-19 Presumption Sunset Clause. (Memo dated November 22, 2021)

Mr. Boyd provided a brief comment and answered questions from the Board.

IX. REPORTS (Continued)

E. For Information Only as submitted by Ted Granger, Interim Chief Financial Officer, regarding the Semi-Annual Interest Crediting for Reserves as of June 30, 2021 (Audited). (Memo dated October 29, 2021)

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

Monthly Travel and Education Reports for October 2021

(Public Memo dated November 17, 2021)

(Confidential Memo dated November 17, 2021 – Includes Anticipated Travel)

1<sup>st</sup> Quarterly Travel and Education Reports

(Memo dated November 17, 2021)

G. For Information Only as submitted by Steven P. Rice, Chief Counsel, regarding the Fiduciary Counsel Annual Self-Assessments. (Memo dated November 22, 2021/Attachments are Privileged and Confidential Attorney-Client Communications/Attorney Work Product)

H. For Information Only as submitted by Steven P. Rice, Chief Counsel, regarding the November 2021 Fiduciary Counsel Contact and Billing Report. (Memo dated November 22, 2021) (Privileged and Confidential Attorney-Client Communication/Attorney Work Product)

X. ITEMS FOR STAFF REVIEW

The Board requested information on Investment Office recruitments.

XI. GOOD OF THE ORDER

(For information purposes only)

The Board and staff thanked Mr. Okum on his service on the Board.

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability

APPLICATION NO. & NAME

BOARD ACTION

5217B – JANET ARIK\*

Mr. Pryor made a motion, Mr. Knox 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. Pryor, Knox, Okum, Harris, Bernstein voting yes, and Messrs. Santos, Moore and Ms. Gray voting no. Messrs. Robbins, Kehoe and Ms. Zapanta were absent from the vote.

5218B – MARIA Y. SEGURA

Mr. Okum made a motion, Mr. Bernstein seconded, to deny a service-connected disability retirement pursuant to Government Code Section 31722. The motion passed (roll call) with Messrs. Pryor, Knox, Santos, Okum, Moore, Harris, Bernstein, and Ms. Gray voting yes. Messrs. Robbins, Kehoe and Ms. Zapanta were absent from the vote.

5219B – JENNY WONG

Ms. Gray made a motion, Mr. Pryor seconded, to grant a nonservice-connected disability retirement salary supplemental pursuant to Government Code Section 31720 and 31725.5. The motion passed (roll call) with Messrs. Pryor, Knox, Santos, Okum, Moore, Harris, Bernstein, and Ms. Gray voting yes. Messrs. Robbins, Kehoe and Ms. Zapanta were absent from the vote.

\*Applicant Present

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

<u>APPLICATION NO. &amp; NAME</u>	<u>BOARD ACTION</u>
5220B – MARICELA MORENO	Mr. Knox made a motion, Mr. Pryor seconded, to grant a nonservice-connected disability retirement pursuant to Government Code Section 31720. The motion passed (roll call) with Messrs. Pryor, Knox, Santos, Okum, Moore, Robbins, Bernstein, and Ms. Gray voting yes. Mr. Kehoe and Ms. Zapanta were absent from the vote.
5195B – KENNETH M. BENNETT	Pulled by staff for further development.

B. Disability Retirement Appeals

<u>APPLICATION NO. &amp; NAME</u>	<u>BOARD ACTION</u>
CHARITY D. HOWARD – Kelvin K. Lee for the Applicant Allison E. Barrett for the Respondent	Ms. Gray made a motion, Mr. Harris seconded, to move the oral argument to a future meeting. The motion passed (roll call) with Messrs. Santos, Moore, Pryor, Robbins, Bernstein, Knox, Okum, and Ms. Gray voting yes. Ms. Zapanta and Mr. Kehoe were absent from the vote.

XIII. EXECUTIVE SESSION

- A. Conference with Labor Negotiators  
(Pursuant to California Government Code Section 54957.6)  
Agency designated representatives: Carly Ntoya, Santos H. Kreimann, Luis A. Lugo, JJ Popowich and Laura Guglielmo  
  
Employee Organization: SEIU Local 721

There was nothing to report.

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

1. Correction Memo – Maria Y. Segura (5218B) – Nonconsent Calendar on Page 1  
(Supplemental Memo dated November 30, 2021)

XIV. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 11:51 a.m.

*Signature on File*

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GINA ZAPANTA, SECRETARY

*Signature on File*

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ALAN BERNSTEIN, CHAIR