

**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, FEBRUARY 2, 2022\*

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

PRESENT: William Pryor (Alternate Safety), Chair

Shawn R. Kehoe, Vice Chair

Alan Bernstein, Secretary

Vivian H. Gray

JP Harris (Alternate Retired)

Keith Knox

Wayne Moore

Les Robbins (Joined the meeting at 10:07 a.m.)

Antonio Sanchez

Herman Santos

Gina Zapanta (Joined the meeting at 9:05 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

Steven P. Rice, Chief Counsel

STAFF ADVISORS AND PARTICIPANTS (Continued)

Jon Grabel, Chief Investment Officer

Dr. Glenn Ehresmann, Medical Advisor

Ted Granger, Interim Chief Financial Officer

Carlos Barrios, Interim Benefits Division Manager

Bernie Buenaflor, Quality Assurance Division Manager

Carly Ntoya, Ph.D., Human Resources Director

Barry W. Lew, Legislative Affairs Officer

Fern M. Billingsy, Senior Staff Counsel

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

Jason Waller, Senior Staff Counsel

Klausner, Kaufman, Jensen & Levinson, Fiduciary Counsel  
Robert D. Klausner, Partner

I. CALL TO ORDER

The meeting was called to order virtually by Chair Pryor at 9:00 a.m.

II. APPROVAL OF MINUTES

A. Approval of the Disability Procedures and Services Committee Minutes of the Regular Meeting of August 12, 2021

Mr. Harris made a motion, Mr. Santos seconded, to approve the Disability Procedures and Services Committee minutes of the regular meeting of August 12, 2021. The motion passed (roll call) with Messrs. Knox, Santos, Sanchez Moore, Kehoe, Harris, Bernstein, and Ms. Gray voting yes. Ms. Zapanta was absent for the vote.

B. Approval of the Minutes of the Regular Meeting of January 5, 2022

Mr. Bernstein made a motion, Mr. Santos seconded, to approve the minutes of the regular meeting of January 5, 2022. The motion passed (roll call) with Messrs. Knox, Santos, Sanchez Moore, Kehoe, Harris, Bernstein, and Ms. Gray voting yes. Ms. Zapanta was absent for the vote.

III. PUBLIC COMMENT (Ms. Zapanta joined the meeting at 9:05 a.m.)

Attorney Jacob Kalinski addressed the Board regarding item XIII. A. 1.

IV. OTHER COMMUNICATIONS

A. For Information

1. December 2021 All Stars

Mr. Popowich announced the winners for the month of December: Debbie

Goldasich, Koreana Wong, and Inga Tadevosyan. Web Watcher winner was Elizabeth

IV. OTHER COMMUNICATIONS (Continued)

A. For Information

1. December 2021 All Stars

Tirado.

2. Chief Executive Officer's Report  
(Memo dated January 24, 2022)

Mr. Kreimann provided the Board with an update that the return to office plans is now tentatively scheduled for late March or early April on a hybrid basis. In addition, he shared that a tentative agreement has been reached with SEIU and is in the final stage of approval. Lastly, Mr. Kreimann thanked the Systems team for the work in in setting up WIFI capabilities throughout the organization.

IV. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Ms. Zapanta joined the meeting at 9:05 a.m.)  
Service-Connected Disability Applications

On a motion by Mr. Kehoe, seconded by Mr. Santos, 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, Santos, Sanchez, Moore, Kehoe, Harris, Bernstein, Ms. Gray and Ms. Zapanta voting yes. Mr. Robbins was absent for the vote.

APPLICATION NO.

NAME

611D\*

CASEY E. JOHNSON

\*Granted SCD – Employer Cannot Accommodate

IV. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)  
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
612D	GEORGE B. HOFSTETTER
613D	RODNEY A. WAGNER
614D	ANDREW E. ESCALONA
615D	PATRICIA CASAS
616D*	PETER M. JACKSON
617D	GREGORY J. KELLY
618D**	GREGORY P. NELSON
619D	RODNEY W. HUFF, II
620D	CELINA G. TALIENTO
621D	LOREN D. WORTHINGTON
622D*	TRESSA R. GUNNELS
623D	FRANK E. PARKS, JR.
624D	ALAN R. WETTERS
625D	MARK J. LANDRUM
626D	JELANI G. HARRISON
627D	DENA A. DORSEY
628D	FRANK A. ROTHE, JR.

\*Granted SCD – Employer Cannot Accommodate

\*\*Granted SCD – Retroactive Employer Cannot Accommodate

IV. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Fire, Lifeguards  
Service-Connected Disability Applications

On a motion by Mr. Pryor, seconded by Mr. Santos, 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, Santos, Sanchez, Moore, Pryor, Harris, Bernstein, Ms. Gray and Ms. Zapanta voting yes. Mr. Robbins was absent for the vote.

<u>APPLICATION NO.</u>	<u>NAME</u>
1444B	MICHAEL K. WILSON
1445B	SALVADOR NARRO, JR.
1446B*	DEREK M. ALKONIS
1447B	SAM L. PADILLA
1448B	JOHN F. TOLMASOFF
1449B	CARLOS O. ARELLANES
1450B	RONALD H. KUSUMI

\*Granted SCD – Employer Cannot Accommodate

IV. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members

Service-Connected Disability Applications

On a motion by Ms. Gray, seconded by Mr. Santos, 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, Santos, Sanchez, Moore, Kehoe, Harris, Bernstein, Ms. Gray and Ms. Zapanta voting yes. Mr. Robbins was absent for the vote.

<u>APPLICATION NO.</u>	<u>NAME</u>
2329C	VENECIA M. BONWELL
2330C	DAVID W. CRAFT
2331C*	KEVIN P. THOMA
2332C*	DEBORAH RAMIREZ
2333C**	JACQUELINE P. JOHNSON
2334C***	TASANEE WAYNE
2335C*	OMAR QUIJADA
2336C	ALVIN SEGURA
2337C	EDGAR GARCIA
2338C**	LA TANYA C. NELSON
2339C***	MITRA RASHTI

\*Granted SCD – Salary Supplemental

\*\*Granted SCD – Employer Cannot Accommodate

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

IV. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members

Nonservice-Connected Disability Applications

On a motion by Mr. Santos, seconded by Mr. Bernstein, 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, Santos, Sanchez, Moore, Kehoe, Harris, Bernstein, Ms. Gray and Ms. Zapanta voting yes. Mr. Robbins was absent for the vote.

APPLICATION NO.

NAME

4411

EDGAR S. LAMPANO

V. CONSENT ITEMS

Mr. Bernstein made a motion, Ms. Gray seconded, to approve Consent Items A-G, except F. The motion passed (roll call) with Messrs. Knox, Santos, Sanchez, Moore, Kehoe, Harris, Bernstein, Ms. Gray and Ms. Zapanta voting yes. Mr. Robbins was absent for the vote.

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 and Board of Investments separately consider whether to find that the Governor's COVID-19 State of Emergency continues to directly impact the ability of each 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 each 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. Action taken by each Board will only apply to that Board and its Committees. (Memo dated January 24, 2022)

B. Ratification of Service Retirement and Survivor Benefit Application Approvals. (Memo dated January 25, 2022)



V. CONSENT ITEMS (Continued)

- 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 Janet Arik and Nina Arutyunyan. (Memo dated January 20, 2022)
- D. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board dismiss with prejudice Sarah E. Marks' appeal for a service-connected disability retirement. (Memo dated January 20, 2022)
- E. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board dismiss with prejudice the Appeal of C. Renae Walker-Jones for a service-connected disability retirement. (Memo dated January 27, 2022)
- F. Recommendation as submitted by the Joint Organizational Governance Committee: That the Board 1) Approve for implementation the recommended proposed classification and compensation changes for the existing Executive Secretary, LACERA; Secretary, LACERA; Senior Secretary, LACERA; and Management Secretary, LACERA classifications; and 2) Approve for implementation the recommended proposed classification and compensation changes for the creation of a new Senior Legal Secretary, LACERA classification. (Memo dated January 19, 2022)
- G. Recommendation as submitted by Shawn R. Kehoe, Chair, Operations Oversight Committee: That the Board approve the revised Administrative Appeals Procedures for Felony Forfeiture. (Memo dated January 24, 2022)

VII. EXCLUDED FROM CONSENT ITEMS

Item VI. F. was pulled from the Consent Items. Messrs. Kreimann, Grabel and Ms. Ntoya were present to answer questions from the Board.

Mr. Harris made a motion, Mr. Santos seconded, to approve staff's recommendation with the exception of the Senior Management Secretary for the Investment Office, which was returned to staff. The motion passed (roll call) with Messrs. Knox, Santos, Sanchez, Moore, Kehoe, Harris, Bernstein, Ms. Gray and Ms. Zapanta voting yes. Mr. Robbins was absent for the vote.

VIII. NON-CONSENT ITEMS

- A. Recommendation as submitted by Steven P. Rice, Chief Counsel: That the Board approve the attached document entitled “Powers and Duties of Retirement Board Trustees,” which will be included with the ballot materials for the 2022 election of the Seventh Member and Alternate Seventh Member of the Board of Retirement and posted on lacera.com. (Memo dated January 24, 2022)

Mr. Rice was present and answered questions from the Board.

Mr. Kehoe made a motion, Mr. Santos seconded, to approve staff’s recommendation with the exception of leaving the hours as it currently is stated (i.e., 120-140 hours per month). The motion passed (roll call) with Messrs. Santos, Sanchez, Moore, Kehoe, Bernstein, and Ms. Gray voting yes and Messrs. Knox, Harris and Ms. Zapanta voting no. Mr. Robbins was absent for the vote.

- B. Recommendation as submitted by Laura Guglielmo, Assistant Executive Officer: That the Board approve the engagement of KH Consulting Group as the Strategic Planning consultant and authorize the Chief Executive Officer or his designee to negotiate a final agreement that includes the role of the Board of Investments within its scope. (Memo dated January 21, 2022)

Ms. Guglielmo was present and answered questions from the Board.

Mr. Santos made a motion, Mr. Harris seconded, to approve staff’s recommendation. The motion passed (roll call) with Messrs. Knox, Santos, Sanchez, Moore, Kehoe, Harris, Bernstein, Ms. Gray and Ms. Zapanta voting yes. Mr. Robbins was absent for the vote.

- C. Recommendation as submitted by JJ Popowich, Assistant Executive Officer: That the Board authorize staff to continue to research, discuss and prepare a report for consideration by the Board regarding the request from two outside public districts, within the County of Los Angeles, who are seeking to provide LACERA retirement benefits to their respective employees. This authorization includes an authorization to seek a formal request from the

VIII. NON-CONSENT ITEMS (Continued)

district's Boards and an agreement between LACERA and the potential districts, for said districts to bear all costs associated with studying their request. (Memo dated January 18, 2022)

Messrs. Popowich and Kreimann were present and addressed questions from the

Board.

Mr. Santos made a motion, Mr. Kehoe seconded, to approve staff's recommendation and provided direction. The motion passed (roll call) with Messrs. Knox, Santos, Sanchez, Moore, Kehoe, Harris, Bernstein, Ms. Gray and Ms. Zapanta voting yes. Mr. Robbins was absent for the vote.

- D. Recommendation as submitted by Ted Granger, Interim Chief Financial Officer: That the Board determine for the year ended December 2021, the Consumer Price Index changed by 6.6% (or when rounded to the nearest one-half of 1.0% as the COLA benefit rules require, 6.5%: the LACERA 2022 COLA Award), and approve cost-of-living adjustment and respective COLA Accumulation changes for retired LACERA members and beneficiaries, based on retirement plan and date of retirement or death, to become effective April 1, 2022 in accordance with applicable California Government Code Sections. (Memo dated January 19, 2022)

Mr. Granger was present and answered questions from the Board.

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

- E. Recommendation as submitted by Ted Granger, Interim Chief Financial Officer: That the Board determine the Consumer Price Index changed by 8.1% for the last two calendar years ended December 2021 and adjust the compensation for the review and analysis of disability retirement cases to a maximum of \$135 per day, to be prorated for less than eight hours in a single day at the hourly rate of \$16.88, effective April 1, 2022. (Memo dated January 19, 2022)

### VIII. NON-CONSENT ITEMS (Continued)

Mr. Granger was present and answered questions from the Board.

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

- F. Recommendation as submitted by Carly Ntoya, Ph.D., Human Resources Director: That the Board approve 1) Staff to issue a Request for Proposal (RFP) for Executive Search Services; and 2) That the Board approve recruitment payment for Executive Search Services rendered by a successful bidder(s) in response to a Request for Proposals. The staff has estimated recruitment cost to be \$294,000, although amount may be higher, if such external recruitment resources are used for hiring Investment positions. (Memo dated January 19, 2022)

Ms. Ntoya was present and answered questions from the Board.

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

### IX. 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 January 19, 2022)
- B. For Information Only as submitted by Fern M. Billingsy, Senior Staff Counsel, regarding the Report of Pensionable Compensation and Compensation Earnable Items. (Memo dated January 21, 2022)

IX. REPORTS (Continued)

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

Monthly Travel and Education Reports for December 2021

(Public Memo dated January 19, 2022)

(Confidential Memo dated January 19, 2022 – Includes Anticipated Travel)

- D. For Information Only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the 2021 4<sup>th</sup> Quarter Reports of Paid Invoices. (Confidential Memo dated January 14, 2022)

- E. For Information Only as submitted by Steven P. Rice, Chief Counsel, regarding the January 2022 Fiduciary Counsel Contact and Billing Report. (Memo dated December 27, 2021) (Privileged and Confidential Attorney-Client Communication/Attorney Work Product)

X. ITEMS FOR STAFF REVIEW

There were no items to report.

XI. GOOD OF THE ORDER

(For information purposes only)

Trustees and staff congratulated Trustee Zapanta on her new baby boy, Elias.

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

- A. Applications for Disability

APPLICATION NO. & NAME

BOARD ACTION

5230B – SYNTOSHIA L. CUNNINGHAM\*

Mr. Kehoe made a motion, Mr. Santos seconded, to refer back to staff for further development. The motion passed (roll call) with Messrs. Knox, Santos, Sanchez, Moore, Kehoe, Harris, Bernstein, Ms. Gray and Ms. Zapanta voting yes. Mr. Robbins was absent for the vote.

\*Applicant Present

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

5225B – LIONEL E. BERRY, III\*

Mr. Harris made a motion, Mr. Knox seconded, to deny a service-connected disability retirement and find that the applicant is not permanently incapacitated.

Mr. Santos made a motion, Ms. Gray seconded, to grant a service-connected disability retirement based on LACERA's medical advisor opinion. The motion passed (roll call) with Messrs. Knox, Santos, Sanchez, Moore, Pryor, Harris, Bernstein, Ms. Gray and Ms. Zapanta voting yes. Mr. Robbins was absent for the vote.

5177B – MICHAEL J. WEBER\*

Mr. Harris made a motion, Mr. Santos seconded, to grant a service-connected disability retirement pursuant to Government Code Section 31720. The motion passed (roll call) with Messrs. Knox, Santos, Sanchez, Moore, Kehoe, Harris, Bernstein, Ms. Gray and Ms. Zapanta voting yes. Mr. Robbins was absent for the vote.

B. Disability Retirement Appeals

(Mr. Robbins joined the meeting at 10:17 a.m.)

APPLICATION NO. & NAME

BOARD ACTION

CHARITY D. HOWARD – Kelvin K. Lee for Applicant  
Allison E. Barrett for the Respondent

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

APPLICATION NO. & NAME

BOARD ACTION

CHARITY D. HOWARD (Continued)

Mr. Harris made a motion, Mr. Kehoe seconded, to deny a service-connected disability retirement and find the applicant not permanently incapacitated. The motion passed (roll call) with Messrs. Knox, Santos, Sanchez, Kehoe, Harris, Bernstein, Ms. Gray and Ms. Zapanta voting yes and Mr. Moore voting no. Mr. Robbins was absent for the vote.

CYNTHIA A. CAMPBELL – Thomas Wicke for Applicant  
Jason E. Waller for the Respondent

Mr. Kehoe made a motion, Mr. Bernstein seconded, to deny a service-connected disability retirement and grant a nonservice-connected disability retirement.

Mr. Kehoe made a motion, Mr. Moore seconded, to request a copy of the transcript of the testimony and evidence reviewed by the referee. The motion passed (roll call) with Messrs. Santos, Sanchez, Moore, Kehoe, Robbins, Bernstein, Ms. Gray and Ms. Zapanta voting yes and Mr. Knox voting no.

C. Staff Recommendations

1. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board instruct staff to close Manuel Carvajal's (Deceased) Application for Disability Retirement. (Memo dated January 24, 2022)

Ms. Gray made a motion, Mr. Santos seconded, to approve staff's recommendation. The motion passed (roll call) with Messrs. Knox, Santos, Sanchez,

## XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

### C. Staff Recommendations (Continued)

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

2. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board approve the service provider invoice for Referee Joseph L. Stine.  
(Memo dated January 18, 2022)

Mr. Robbins made a motion, Mr. Knox seconded, to approve staff's recommendation. The motion passed (roll call) with Messrs. Knox, Santos, Sanchez, Moore, Kehoe, Robbins, Bernstein, Ms. Gray and Ms. Zapanta 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. Administrative Appeal of Tod Hipsher

Tod Hipsher vs. LACERA et al.

Los Angeles County Superior Court Case No. BS153372

The Board met in Executive Session and on a motion by Mr. Santos, seconded by Mr. Harris, the Board voted to approve settlement of Tod Hipsher's felony forfeiture appeal and litigation, adjusting his benefits based on an assumed date of first commission of a job-related felony of May 22, 2011, adjusting pension benefits and contributions and healthcare benefits retroactively and prospectively based on that date, with necessary payments to or on behalf of Mr. Hipsher, and paying attorney's fees to Mr. Hipsher's counsel. The motion passed (roll call), with Messrs. Knox, Kehoe, Santos, Sanchez, Moore, Robbins, Bernstein, and Mses. Gray and Zapanta voting yes.



February 2, 2022

Page 17

XIV. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 11:20 a.m.

*Signature on File*

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ALAN BERNSTEIN, SECRETARY

*Signature on File*

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WILLIAM PRYOR, CHAIR