

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, MARCH 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

Elizabeth B. Ginsberg, Alternate Ex-Officio

Vivian H. Gray

JP Harris (Alternate Retired)

Wayne Moore

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

Antonio Sanchez

Herman Santos

Gina Zapanta

(Joined the meeting at 9:13 a.m. and left the meeting at 11:31 a.m.)

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

Cassandra Smith, Retiree Healthcare Director

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

Jason Waller, Senior Staff Counsel

Segal Consulting

Stephen Murphy

Gutierrez, Preciado & House, LLP

Nohemi Ferguson

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 Minutes of the Regular Meeting of February 2, 2022

Mr. Harris made a motion, Mr. Santos seconded, to approve the minutes of the regular meeting of February 2, 2022. The motion passed (roll call) with Messrs. Santos, Sanchez Moore, Kehoe, Robbins, Bernstein, Ms. Ginsberg, and Ms. Gray voting yes. Ms. Zapanta was absent for the vote.

III. PUBLIC COMMENT

A written comment was received on behalf of applicant Cynthia Gonzales Medina.

IV. OTHER COMMUNICATIONS

A. For Information

1. January 2022 All Stars

Mr. Popowich announced the winners for the month of January: Phuong Reyes, Eddie Paz, Rosetta Chang, and Karina Diaz. Web Watcher winner was Karina Diaz.

2. Chief Executive Officer's Report
(Memo dated February 21, 2022)
(Ms. Zapanta joined the meeting at 9:13 a.m.)

Mr. Kreimann provided the Board with an update regarding the Call Center call volume; strategic planning efforts; the LACERA safety elections; return to office for staff; IT tenant migration; and the conflict in Ukraine.

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement
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. Santos, Sanchez, Moore, Kehoe, Robbins, Bernstein, Ms. Ginsberg, and Ms. Gray voting yes. Ms. Zapanta was absent for the vote.

<u>APPLICATION NO.</u>	<u>NAME</u>
629D	KATHRYN M. SIMPSON
630D	SHAWN R. MORENO
631D*	MICHAEL C. IRVING
632D	RANDY L. HASNAS
633D	GREGORY LYLES
634D	JEFFREY S. BRIGHT
635D	MICHAEL R. YOCUM
636D	MARK S. WESTERGAARD
637D**	VIRGINIA KENNEDY
638D	JOEL S. COHEN

*Granted SCD – Retroactive Employer Cannot Accommodate

**Granted SCD – Retroactive

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
639D	ROBERT G. GILLIS (PULLED AT THE REQUEST OF THE APPLICANT)
640D	EDWARD C. ROBLES
641D*	PAUL D. STAINTHORPE
642D	MARC B. KATZ
643D	JEFFREY H. HUTCHINSON
644D	JEFFREY M. SPELATZ
645D	YORY A. COLL
646D	MICHAEL J. ALPERIN
647D	JONATHAN S. ADAMSON
648D	STEVEN J. MCCAULEY
649D	STEVEN A. PEREZ
650D	SCOTT A. SCHNEIDER
651D**	LEOPOLD A. NOYOLA
652D	ALEXANDER J. GARCIA
653D	TYLER S. ALLEN
654D	MARION L. TUCKER

*Granted SCD – Employer Cannot Accommodate

**Granted SCD - Retroactive

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, Sanchez, Moore, Pryor, Robbins, Bernstein, Ms. Ginsberg, and Ms. Gray voting yes. Ms. Zapanta was absent for the vote.

<u>APPLICATION NO.</u>	<u>NAME</u>
1451B	DAVID R. MCCONNELL
1452B	DAVID O. MANN
1453B	BILLIE A. BIVENS
1454B*	GLENN E. SMITH
1455B	FREDERICK M. SANDOVAL
1456B	MARK C. PEREZ
1457B**	JONATHAN E. FLAGLER (DEC'D)

*Granted SCD – Retroactive

**Granted SCD – Survivor Benefit

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR
(Continued)

General Members

Service-Connected Disability Applications

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

APPLICATION NO.

NAME

2340C*	CYNTHIA J. BALDWIN
2341C**	DESIREE A. ESTRELLA
2342C**	DEBRA L. RAY
2343C***	ROBERT A. CALDERON
2344C****	BERTHA G. PERALTA (DEC'D)
2345C***	FELICIA R. HESS
2346C	JOSHUA E. WALUNGA
2347C**	MARIA M. MEJIA

*Granted SCD – Retroactive

**Granted SCD – Employer Cannot Accommodate

***Granted SCD – Salary Supplement

****Granted SCD – Survivor Benefit

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members (Continued)
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. Santos, Sanchez, Moore, Kehoe, Robbins, Bernstein, Ms. Ginsberg, Ms. Zapanta, and Ms. Gray voting yes.

<u>APPLICATION NO.</u>	<u>NAME</u>
2348C	2S2021R
2349C	SUSAN K. ROBBINS
2350C*	KAREN M. BEVANS
2351C**	TRACEY L. EVANS LYNCH
2352C*	TANIA DURAN
2353C**	NARJES GHAFOORI
2354C***	ADRIAN REYES
2355C****	JOSHUA N. CASTANON
2356C	FREDERICK NEAL
2357C*****	GUI H. ZHONG
2358C*****	WENDELL J. HILL

*Granted SCD – Salary Supplemental

**Granted SCD – Retroactive Employer Cannot Accommodate

***Granted SCD – With 2 Year Review Employer Cannot Accommodate

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

*****Granted SCD – Employer Cannot Accommodate

*****Granted SCD - Retroactive

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR
(Continued)

General Members

Nonservice-Connected Disability Applications

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

APPLICATION NO.

NAME

4412*

VINA ISABEL M. REJUSO

4413

CYNTHIA M. GONZALES MEDINA

VI. CONSENT ITEMS

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

- A. Ratification of Service Retirement and Survivor Benefit Application Approvals. (Memo dated February 22, 2022)

VI. CONSENT ITEMS (Continued)

- B. Recommendation as submitted by Alan Bernstein, Chair, Operations Oversight Committee: That the Board approve to utilize and contract with Prime Government Solutions, Inc. (“PrimeGov”) for the management of both Boards and all Committee meetings, including agenda management, livestreaming, recordings, online archives, and a public interface solution, with an indefinite retention period for archiving the audio and visual recordings. (Memo dated February 2, 2022)
- C. 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 Daphane H. Poingsett. (Memo dated February 18, 2022)
- D. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board dismiss with prejudice Alejandro Salinas’ appeal for a service-connected disability retirement. (Memo dated February 22, 2022)

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, 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, the City of Pasadena, and other agencies still recommend social distancing such that each Board and its Committees shall hold teleconference meetings for the next 30 days, subject to continuation of the State of Emergency, 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. and Report on COVID State of Emergency and Measures to Promote Social Distancing (Memo dated February 22, 2022)

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

VIII. NON-CONSENT ITEMS (Continued)

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

- B. Recommendation as submitted by Cassandra Smith, Retiree Healthcare Director: That the Board 1) Approve the fiscal year 2022-2023 rate renewal proposal and mandatory contractual changes, listed by carrier; and 2) Maintain LACERA's administrative fee at \$8 per member, per plan, per month. (Memo dated February 23, 2022)

Mr. Kreimann, Ms. Smith Mr. Murphy from Segal Consulting, and Mr. Rice were present and answered questions from the Board.

Mr. Kehoe made a motion, Ms. Gray seconded, to approve 1) the fiscal year 2022-2023 rate renewal proposal and mandatory contractual changes, listed by carrier; and 2) approve LACERA's administrative fee at \$10 per member, per plan, per month. The motion passed (roll call) with Messrs. Santos, Moore, Kehoe, Bernstein, Ms. Gray and Ms. Zapanta voting yes, and Messrs. Robbins, Sanchez, and Ms. Ginsberg voting no.

- C. Recommendation that the Board approve per Trustee Travel Policy Section III. A. Trustee Vivian Gray's attendance at the SACRS 2021 Fall Conference based on total cost of attendance exceeding the \$2,000 pre-approved limit by \$65.50. (Placed on the agenda at the request of Trustee Vivian Gray) (Memo dated February 17, 2022)

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

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 February 16, 2022)
- B. For Information Only as submitted by Ted Granger, Interim Chief Financial Officer, regarding the Semi-Annual Interest Crediting for Reserves as of December 31, 2021 (Unaudited). (Memo dated January 20, 2022)
- C. For Information Only as submitted by Ted Granger, Interim Chief Financial Officer, regarding the following reports:
 - Monthly Trustee Travel and Education Reports for January 2022
(Public Memo dated February 15, 2022)
(Confidential Memo dated February 15, 2022 – Includes Anticipated Travel)
 - Quarterly Trustee Travel and Education Reports - 2nd Quarter of FY 2022
(Memo dated February 15, 2022)
- D. For Information Only as submitted by Steven P. Rice, Chief Counsel, regarding the February 2022 Fiduciary Counsel Contact and Billing Report. (Memo dated February 22, 2022) (Privileged and Confidential Attorney-Client Communication/Attorney Work Product)

X. ITEMS FOR STAFF REVIEW

The Board requested a supplemental report regarding the Investment positions and hiring status be provided to the Board of Investments meeting scheduled on March 9, 2022.

XI. GOOD OF THE ORDER

(For information purposes only)

The Board thanked staff for all their hard work.

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability

APPLICATION NO. & NAME

BOARD ACTION

5231B – MICHAEL S. DERUYTER

Mr. Kehoe made a motion, Ms. Gray seconded, to deny a service-connected disability retirement and find the applicant not eligible for a disability retirement. The motion passed unanimously (roll call) with Messrs. Santos, Sanchez, Moore, Kehoe, Robbins, Bernstein, Ms. Ginsberg, Ms. Gray and Ms. Zapanta voting yes.

5232B – ANGELA M. SORRELS

Ms. Gray made a motion, Mr. Santos seconded, to deny a service-connected disability retirement and find the applicant not eligible for a disability retirement. The motion passed unanimously (roll call) with Messrs. Santos, Sanchez, Moore, Kehoe, Robbins, Bernstein, Ms. Ginsberg, Ms. Gray and Ms. Zapanta voting yes.

5233B – DAWN M. CROSS

Mr. Pryor made a motion, Mr. Harris seconded, to grant a nonservice-connected disability retirement pursuant to Government Code Section 31720 since the employer cannot accommodate. The motion passed unanimously (roll call) with Messrs. Santos, Sanchez, Moore, Kehoe, Robbins, Bernstein, Ms. Ginsberg, Ms. Gray and Ms. Zapanta voting yes.

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

5234B – COLETTE N. CHAVEZ

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

5235B – ERIC JOHNSON (DEC'D)

Mr. Kehoe made a motion, Mr. Bernstein seconded, to return to staff for additional information. The motion passed unanimously (roll call) with Messrs. Santos, Sanchez, Moore, Kehoe, Harris, Bernstein, Ms. Ginsberg, Ms. Gray and Ms. Zapanta voting yes. Mr. Robbins was not present for the vote.

5236B – GALE PAULEY

Ms. Gray made a motion, Mr. Harris seconded, to grant a nonservice-connected disability retirement pursuant to Government Code Section 31720 since the employer cannot accommodate. The motion passed unanimously (roll call) with Messrs. Santos, Sanchez, Moore, Kehoe, Harris, Bernstein, Ms. Ginsberg, Ms. Gray and Ms. Zapanta voting yes. Mr. Robbins was not present for the vote.

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

5237B – MARIO J. NAVARRO

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

(Ms. Zapanta left the meeting at 11:31 a.m.)

5239B – PATRICK S. MEYER

Mr. Pryor made a motion, Ms. Gray seconded, to grant a service-connected disability retirement. The motion passed unanimously (roll call) with Messrs. Santos, Sanchez, Moore, Pryor, Robbins, Bernstein, Ms. Ginsberg, and Ms. Gray voting yes. Ms. Zapanta was absent from the vote.

The motion to reconsider passed unanimously (roll call) with Messrs. Santos, Sanchez, Moore, Pryor, Robbins, Bernstein, Ms. Ginsberg, and Ms. Gray voting yes. Ms. Zapanta was absent from the vote.

Mr. Santos made a motion, Ms. Gray seconded, to grant a service-connected disability retirement retroactive. The motion passed unanimously (roll call) with Messrs. Santos, Sanchez, Moore, Pryor, Robbins, Bernstein, Ms. Ginsberg, and Ms. Gray voting yes. Ms. Zapanta was absent from the vote.

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

5206B – PATRICK J. JORDAN

Mr. Santos made a motion, Ms. Gray seconded, to grant a service-connected disability retirement pursuant to Government Code Section 31720 since the employer cannot accommodate. The motion passed unanimously (roll call) with Messrs. Santos, Sanchez, Moore, Pryor, Robbins, Bernstein, Ms. Ginsberg, and Ms. Gray voting yes. Ms. Zapanta was absent from the vote.

5193B – DREUSHON N. JONES (DEC'D)

Mr. Pryor made a motion, Mr. Bernstein seconded, to grant a nonservice-connected disability retirement without prejudice. The motion failed (roll call) with Messrs. Sanchez, Robbins, Bernstein, and Ms. Ginsberg voting yes, and Messrs. Santos, Moore, Kehoe and Ms. Gray voting no.

Ms. Gray made a motion, Mr. Kehoe seconded, to grant a service-connected disability retirement. The motion failed (roll call) with Messrs. Santos, Moore, Kehoe and Ms. Gray voting yes, and Messrs. Sanchez, Robbins, Bernstein, and Ms. Ginsberg voting no.

B. Staff Recommendations

1. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board approve the service provider invoice for Raffi Mesrobian, M.D. (Memo dated February 22, 2022)

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

B. Staff Recommendations (continued)

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

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. Joshua Smalley
Los Angeles County Civil Service Commission, No. 21-2

The Board took action, which was not required to be reported out at the meeting and will be reported out at later date in accordance with the Brown Act.

Subsequently, it became appropriate to make a report out. Mr. Robbins made a motion, Mr. Pryor seconded, to approve a settlement with Joshua Smalley of his Civil Service Commission case and all other matters concerning his employment. The motion passed unanimously 8-0 by all members present (roll call), with Messrs. Santos, Sanchez, Moore, Pryor, Robbins, Bernstein, Ms. Ginsberg, and Ms. Gray voting yes. Ms. Zapanta was absent from the vote. The settlement agreement was fully negotiated and executed on March 9, 2022.

March 2, 2022

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XIV. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 12:19 p.m.

Signature on File

ALAN BERNSTEIN, SECRETARY

Signature on File

WILLIAM PRYOR, CHAIR