

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, APRIL 6, 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

Herman Santos

ABSENT: Antonio Sanchez

Gina Zapanta

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

Michael Herrera, Senior Staff Counsel

Dr. Glenn Ehresmann, Medical Advisor

Cassandra Smith, Retiree Healthcare Director

Ted Granger, Interim Chief Financial Officer

Carly Ntoya, Ph.D., Human Resources Director

Richard Bendall, Chief Audit Executive

James Beasley, Supervising Administrative Assistant II

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

Eugenia Der, Senior Staff Counsel

Allison E. Barrett, Senior Staff Counsel

Jason Waller, Senior Staff Counsel

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 March 2, 2022

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

III. PUBLIC COMMENT

There were no requests from the public to speak.

IV. OTHER COMMUNICATIONS

A. For Information

1. February 2022 All Stars

Mr. Popowich announced the winners for the month of February: Selassie Burke, David Bayha, Alex Yin, and Vanessa Cruz. Web Watcher winner was Ha Sy.

2. Chief Executive Officer's Report
(Memo dated March 28, 2022)

Mr. Kreimann provided the Board with an update regarding the newly appointed Board of Investments Trustee Onyx Jones that will be joining the Board. Mr. Kreimann provided an update to the 2022 election calendar, March Madness update, and upcoming resources that will be made available for retiree applications.

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement
Service-Connected Disability Applications

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

<u>APPLICATION NO.</u>	<u>NAME</u>
655D	RICHARD A. MAIER, JR.
656D	DAVID V. MERTENS
657D*	COREY L. MORNING
658D	JOSE O. HUEZO
659D	ALEJANDRO COVIAN, JR.
660D*	MATTHEW K. SQUIRE
661D	JASON A. BRANDENBURG
662D**	BRIAN K. MORIGUCHI
663D	TYRONE J. BERRY
664D	DAVID K. BENTLEY
665D	ELIZABETH MOLINA

*Granted SCD – Employer Cannot Accommodate

**Granted SCD – Retroactive Employer Cannot Accommodate

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
666D*	DOUGLAS IKETANI
667D	STEPHEN A. O'NEAL
668D**	ANGEL A. RODRIGUEZ
669D	DAKOTA A. PALANCA
670D	JOSHUA D. DUBIN

Safety Fire, Lifeguards
Service-Connected Disability Applications

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

<u>APPLICATION NO.</u>	<u>NAME</u>
1458B	MARSHALL E. OLDHAM
1459B	STEVE W. FRANKLIN
1460B	MARK R. MIHALJEVICH
1461B	FRANKLIN L. WARD

*Granted SCD – Employer Cannot Accommodate

**Granted SCD – Retroactive

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Fire, Lifeguards (Continued)

Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
1462B	JOSE R. BARAJAS
1463B	RICHARD L. AMADOR
1464B*	MARK A. TOLBERT (DEC'D)
1465B	STERLING D. CALLAHAN

General Members

Service-Connected Disability Applications

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

<u>APPLICATION NO.</u>	<u>NAME</u>
2359C**	LORRAINE D. BUCK
2360C**	DEBORAH L. CONNAUGHTON
2361C	SALLY A. MOORE
2362C***	CATHERINA C. HARTMAN
2363C***	EBONY D. SMITH

*Granted SCD – Survivor Benefit

**Granted SCD – Retroactive Employer Cannot Accommodate

***Granted SCD – Employer Cannot Accommodate

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
2364C*	JULIA L. TIPTON
2365C	CHRISTIE L. RODRIGUES (This application was pulled by staff for further development)
2366C*	SHEILA A. FINLEY
2367C*	AKM M. ISLAM
2368C*	ROSALINDA MILLEMAN
2369C	AIDA MINASYAN-ZEITOUNIAN
2370C**	APRIL C. DAVIS
2371C	SCOTT R. GURNETT

General Members
Nonservice-Connected Disability Applications

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

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

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members (Continued)

Nonservice-Connected Disability Applications

APPLICATION NO.

NAME

4414*

ANDRES A. PEREZ

VI. CONSENT ITEMS

Mr. Kehoe made a motion, Mr. Robbins seconded, to approve Consent Items A-E. The motion passed unanimously (roll call) with Messrs. Santos, Knox, Moore, Kehoe, Robbins, Bernstein, and Ms. Gray voting yes. Ms. Zapanta and Mr. Sanchez were not present for the vote.

- 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 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. (Memo dated March 25, 2022)
- B. Ratification of Service Retirement and Survivor Benefit Application Approvals. (Memo dated March 30, 2022)
- C. Recommendation as submitted by Les Robbins, Chair, Insurance, Benefits and Legislative Committee: That the Board adopt the revised LACERA Legislative Policy. (Memo dated March 21, 2022)
- D. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board grant the appeals and requests for an administrative hearing for applicant Michael S. DeRuyter and Colette N. Chavez. (Memo dated March 18, 2022)

VI. CONSENT ITEMS (Continued)

- E. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board dismiss with prejudice Phillip D. Solano's appeal for a service-connected disability retirement. (Memo dated March 17, 2022)

VII. EXCLUDED FROM CONSENT ITEMS

There were no items excluded from the Consent Items.

VIII. NON-CONSENT ITEMS

- A. Recommendation as submitted by James C. Beasley, Jr., Supervising Administrative Assistant II: That the Board approve a Professional Services Agreement with Alliant Insurance Services Inc. to serve as LACERA's Insurance Broker. (Memo dated March 23, 2022)

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

Mr. Kehoe made a motion, Ms. Gray seconded, to approve staff's recommendation. The motion passed unanimously (roll call) with Messrs. Santos, Knox, Moore, Kehoe, Robbins, Bernstein, and Ms. Gray voting yes. Ms. Zapanta and Mr. Sanchez were not present for the vote.

- B. Recommendation that the Board approve attendance of Trustees at the Women's Alliance of Saxena White ~ First Annual Diversity Investing Symposium in Delray Beach, Florida on May 5, 2022, approve reimbursement of all travel costs incurred in accordance with LACERA's Trustee Education and Trustee Travel Policies, and grant an exception to the minimum of five hours per day education requirement given the half day schedule of the conference. (Memo dated March 25, 2022) (Placed on the agenda at the request of Ms. Vivian Gray)

Mr. Knox made a motion, Mr. Moore seconded, to approve staff's recommendation. The motion passed unanimously (roll call) with Messrs. Santos, Knox, Moore, Kehoe, Robbins, and Ms. Gray voting yes and Mr. Bernstein abstaining. Ms. Zapanta and Mr. Sanchez were not present for the vote.

IX. REPORTS

The following items were received and filed.

- A. For Information Only as submitted by Gina V. Sanchez, Chair, Audit Committee, regarding Internal Audit's 2022 Quality Assessment Report. (Memo dated March 28, 2022)
- B. For Information Only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated March 21, 2022)
- C. For Information Only as submitted by Barry W. Lew, Legislative Affairs Officer, regarding the Monthly Status Report on Legislation. (Memo dated March 24, 2022)
- D. For Information Only as submitted by Ted Granger, Interim Chief Financial Officer, regarding the following reports:
 - Monthly Trustee Travel and Education Reports for February 2022
(Public Memo dated March 16, 2022)
(Confidential Memo dated March 16, 2022 – Includes Anticipated Travel)
- E. For Information Only as submitted by Michael D. Herrera, Senior Staff Counsel, regarding Bruce Emerson, et al. v. LACERA (Case No. B309436). (Memo dated March 28, 2022) (Privileged and Confidential Attorney-Client Communication/Attorney Work Product)
- F. For Information Only as submitted by Steven P. Rice, Chief Counsel, regarding the March 2022 Fiduciary Counsel Contact and Billing Report. (Memo dated March 29, 2022) (Privileged and Confidential Attorney-Client Communication/Attorney Work Product)

X. ITEMS FOR STAFF REVIEW

The Board requested that the Investment Quiet List be placed on the monthly CEO Report.

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

The Board thanked staff for their work.

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability

APPLICATION NO. & NAME

BOARD ACTION

5240B – VENNICE M. TERRELL, III*

Ms. Gray made a motion, Mr. Moore seconded, to grant a service-connected disability retirement. The motion passed unanimously (roll call) with Messrs. Santos, Knox, Moore, Kehoe, Robbins, Bernstein, and Ms. Gray voting yes. Ms. Zapanta and Mr. Sanchez were not present for the vote.

Mr. Bernstein made a motion, Mr. Kehoe seconded, to reconsider the motion. The motion passed unanimously (roll call) with Messrs. Santos, Knox, Moore, Kehoe, Robbins, Bernstein, and Ms. Gray voting yes. Ms. Zapanta and Mr. Sanchez were not present for the vote.

Ms. Gray made a motion, Mr. Moore seconded, to grant a service-connected disability retirement retroactive. The motion passed unanimously (roll call) with Messrs. Santos, Knox, Moore, Kehoe, Robbins, Bernstein, and Ms. Gray voting yes. Ms. Zapanta and Mr. Sanchez were not present for the vote.

5241B – BRIAN D. JORDAN*

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

*Applicant Present

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

5241B – BRIAN D. JORDAN (Continued)

Ms. Zapanta and Mr. Sanchez were not present for the vote.

5242B – ALVIN D. POFF, JR.

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

5243B – MARIA D. RIOS

Ms. Gray made a motion, Mr. Knox seconded, to grant a nonservice-connected disability retirement pursuant to Government Code Sections 31720 and 31724. The motion passed unanimously (roll call) with Messrs. Santos, Knox, Moore, Kehoe, Robbins, Bernstein, and Ms. Gray voting yes. Ms. Zapanta and Mr. Sanchez were not present for the vote.

5244B – BETHLY L. MILLS

Ms. Gray made a motion, Mr. Robbins 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, Knox, Moore, Kehoe, Robbins, Bernstein, and Ms. Gray voting yes. Ms. Zapanta and

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

5244B – BETHLY L. MILLS (Continued)

Mr. Sanchez were not present for the vote.

5245B – PAUL G. MURPHY

Mr. Knox made a motion, Mr. Moore seconded, to deny a service-connected disability retirement pursuant to Government Code Section 31722. The motion passed unanimously (roll call) with Messrs. Santos, Knox, Moore, Kehoe, Robbins, Bernstein, and Ms. Gray voting yes. Ms. Zapanta and Mr. Sanchez were not present for the vote.

5246B – JOSE DE JESUS LOPEZ

Mr. Knox made a motion, Mr. Kehoe 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, Knox, Moore, Kehoe, Robbins, and Bernstein voting yes; and Ms. Gray voting no. Ms. Zapanta and Mr. Sanchez were not present for the vote.

5137B – MARISOL MORALES

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

5193B – DREUSHON N. JONES (DEC'D) Ms. Gray made a motion, Mr. Kehoe seconded, to grant a service-connected disability retirement pursuant to Government Code sections 31720 and 31724. The motion passed (roll call) with Messrs. Santos, Moore, Kehoe, Robbins, Bernstein, and Ms. Gray voting yes; and Mr. Knox voting no. Ms. Zapanta and Mr. Sanchez were not present for the vote.

5195B – KENNETH M. BENNETT

Mr. Moore made a motion, Ms. Gray seconded, to grant a service-connected disability retirement. The motion failed (roll call) with Messrs. Moore, Kehoe, and Ms. Gray voting yes; and Messrs. Knox, Santos, Robbins, Bernstein voting no. Ms. Zapanta and Mr. Sanchez were not present for the vote.

Mr. Harris made a motion, Mr. Knox seconded, to grant a retroactive nonservice-connected disability retirement without prejudice and refer for a second opinion. The motion passed unanimously (roll call) with Messrs. Santos, Knox, Moore, Kehoe, Robbins, Bernstein, and Ms. Gray voting yes. Ms. Zapanta and Mr. Sanchez were not present for the vote.

XIII. ADJOURNMENT

There being no further business to come before the Board, the meeting was

adjourned at 11:14 a.m.

Signature on File

ALAN BERNSTEIN, SECRETARY

Signature on File

WILLIAM PRYOR, CHAIR