

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, JUNE 1, 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 (Joined the meeting at 9:23 a.m.)

Alan Bernstein, Secretary (Joined the meeting at 10:16 a.m.)

Vivian H. Gray

JP Harris (Alternate Retired)

Keith Knox

Wayne Moore (Left the meeting at 10:00 a.m.)

Les Robbins

Antonio Sanchez

Herman Santos

ABSENT: 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

Dr. Glenn Ehresmann, Medical Advisor

Cassandra Smith, Retiree Healthcare Director

Ted Granger, Interim Chief Financial Officer

Carly Ntoya, Ph.D., Human Resources Director

Carlos Barrios, Interim Benefits Manager

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 May 5, 2022

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

III. PUBLIC COMMENT

There were no requests from the public to speak.

IV. OTHER COMMUNICATIONS

A. For Information

1. April 2022 All Stars

Mr. Popowich announced the winners for the month of April: Edson Yu, Ian Duggan, Sarah Scott, and Frank Staten, Rideshare winner was James Beasley, and the Web Watcher was Jeff Shevlowitz.

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

Mr. Kreimann provided the Board with an update on the strategic planning efforts and staff's return to the office via a hybrid work schedule. Furthermore, he shared that the Board Chairs and Vice Chairs will be meeting to discuss the timing of a hybrid return for Trustees based on the request shared at the May Board of Investments meeting.

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement
Service-Connected Disability Applications

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

<u>APPLICATION NO.</u>	<u>NAME</u>
695D	MICHAEL H. BERBIAR
696D *	PAUL W. HARDY
697D	ALBERT J. VITA
698D	KYLE C. SWORD
699D	JOSHUA M. RANDENBERG
700D	JOHN B. MUNDELL
701D	MARK A. GITTENS
702D	GEORGE GUERRA
703D	ANGEL FONSECA
704D	SHAWN C. HORNING
705D	ANTHONY F. DIVITA

*Granted SCD – 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>
706D	MICHAEL R. WRIGHT
707D	DENNIS J. MISSEL
708D	DANNY CHAVEZ
709D	ANGELA E. GASKIN
710D *	JAMIE J. ARAKAWA (DEC'D)
711D	MICHAEL A. SELLERS
712D	SALVADOR V. ESCOBEDO
713D**	ROBERT J. SCHIAVONE
714D	JODILYN E. WOLFE
715D	ISAIAS MARIN, JR.
716D	RODOLFO G. CORTEZ
717D	DAVID W. JOHNSON
718D	RAYMOND LAM
719D	ROBERT J. GRAY
720D	DAVID FLORES
721D	ARMANDO R. HERNANDEZ, JR.

*Granted SCD – Survivor Benefit

**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>
722D	CATHERINE R. BENNETT
723D	BRYAN E. RILEY
724D	JESUS M. RODRIGUEZ, JR.
725D	RONNIE L. MANIER
726D*	ENRIQUE CARRILLO
727D	MICHAEL M. HARDING
728D	FERNANDO ANAYA
729D	KELLY A. SIMON

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. Knox, Santos, Sanchez, Moore, Robbins, Pryor, and Ms. Gray voting yes. Messrs. Kehoe, Bernstein and Ms. Zapanta were absent for the vote.

<u>APPLICATION NO.</u>	<u>NAME</u>
1477B	LEWIS R. CURRIER

*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>
1478B	NINO A. VANILLO
1479B*	LARRY SOTELO
1480B	DAVID J. PACHECO
1481B	JOHN R. PRICE II
1482B	THOMAS J. MAY
1483B	PHILIP D. SCHNEIDER
1484B	ROBERT A. FUNKE

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, Santos, Sanchez, Moore, Robbins, Pryor, and Ms. Gray voting yes. Messrs. Kehoe, Bernstein and Ms. Zapanta were absent for the vote.

<u>APPLICATION NO.</u>	<u>NAME</u>
2386C*	GUS P. KOWAL

*Granted SCD – Retroactive

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
2387C*	PRISCILLA D. ALOG
2388C*	EMMA ZESATI
2389C	TERRY KUO
2390C	GLADYS E. MADDIN
2391C**	DAVID E. LEE
2392C**	JONNIE L. COLLINS
2393C**	TAMMIE S. BAHAM
2394C*	LATANIA G. WILSON
2395C***	MYSHAUNA M. ALEXANDER
2396C*	ANNETTE BRYANT
2397C	MARK H. BORGESON
2398C*	STEPHANIE GONZALEZ
2399C**	DORA HERRERA-RODRIGUEZ

*Granted SCD – Salary Supplement

**Granted SCD – Employer Cannot Accommodate

***Granted SCD – Salary Supplement Since Employer Cannot Accommodate

VI. CONSENT ITEMS

(Mr. Kehoe joined the meeting at 9:23 a.m.)

Mr. Robbins made a motion, Mr. Kehoe seconded, to approve Consent Items A-G. The motion passed unanimously (roll call) with Messrs. Knox, Santos, Sanchez, Moore, Kehoe and Robbins and Ms. Gray voting yes. Mr. Bernstein and Ms. Zapanta were absent 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 May 24, 2022)
- B. Ratification of Service Retirement and Survivor Benefit Application Approvals. (Memo dated May 25, 2022)
- C. Recommendation as submitted by Herman B. Santos, Chair, Joint Organizational Governance Committee: That the Board approve the revised LACERA Budget Policy and review it annually as a companion to the adoption of the Administrative, Retiree Healthcare Benefits Program and Other Post- Employment Benefits Trust Budgets. (Memo dated May 20, 2022)
- D. Recommendation as submitted by Herman B. Santos, Chair, Joint Organizational Governance Committee: That the Board adopt the LACERA Fiscal Year 2022-2023 Administrative, Retiree Healthcare Benefits Program and Other Post-Employment Benefits Trust Budgets. (Memo dated May 20, 2022)

VI. CONSENT ITEMS (Continued)

- E. Recommendation as submitted by Les Robbins, Chair, Insurance, Benefits and Legislative Committee: That the Board adopt a “Support” position on Assembly Bill 1971, which would make various administrative amendments to the County Employees Retirement Law of 1937. (Memo dated May 20, 2022)
- F. 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 Brian D. Jordan, Maria D. Rios, Paul G. Murphy, Jose De Jesus Lopez, and Ressie L. Ducut. (Memo dated May 20, 2022)
- G. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board dismiss with prejudice Sheila R. La Bomme’s appeal of the service-connected disability retirement. (Memo dated May 24, 2022)

VII. EXCLUDED FROM CONSENT ITEMS

There were no items excluded from the Consent Items.

VIII. REPORTS

- A. Presentation by Legislative Advocates, Shari McHugh and Naomi Padron of McHugh Koepke & Associates, regarding the State Legislative Update. (Memo dated May 20, 2022)

Ms. McHugh and Ms. Padron gave a presentation and answered questions from the Board. The presentation was received and filed.

- B. Presentation by Frank Boyd, Senior Staff Counsel, regarding the Board of Retirement’s Role as Trier of Fact in Disability Retirement Applications. (Presentation dated June 1, 2022) (Mr. Moore left the meeting at 10 a.m.)

Mr. Boyd gave a presentation and answered questions from the Board.

The presentation was received and filed.

VIII. REPORTS (Continued)

The following items were received and filed.

- C. For Information Only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated May 24, 2022)
- D. For Information Only as submitted by Barry W. Lew, Legislative Affairs Officer, regarding the Monthly Status Report on Legislation. (Memo dated May 20, 2022)
- E. For Information Only as submitted by Ted Granger, Interim Chief Financial Officer, regarding the following reports:
 - 3rd Quarter Trustee Travel and Education Reports
(Memo dated May 17, 2022)
 - Monthly Trustee Travel and Education Reports for April 2022
(Public Memo dated May 16, 2022)
(Confidential Memo dated May 16, 2022 – Includes Anticipated Travel)
- F. For Information Only as submitted by Steven P. Rice, Chief Counsel, regarding the May 2022 Fiduciary Counsel Contact and Billing Report. (Memo dated May 23, 2022) (Privileged and Confidential Attorney-Client Communication/Attorney Work Product)

IX. ITEMS FOR STAFF REVIEW

The Board requested that the topic of employee salary negotiations be agendaized for a future meeting.

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

(Mr. Bernstein joined the meeting at 10:16 a.m.)

APPLICATION NO. & NAME

BOARD ACTION

5255B – TODD J. DOW

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

5256B – THOMAS M. SHANNON

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

5257B – MICHAEL J. FOURNIER (DEC'D)*

Ms. Gray made a motion, Mr. Pryor seconded, to deny a service-connected death survivor benefit. The motion passed unanimously (roll call) with Messrs. Knox, Santos, Sanchez, Robbins, Pryor, Bernstein, and Ms. Gray voting yes. Messrs. Moore, Kehoe and Ms. Zapanta were absent from the vote.

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

<u>APPLICATION NO. & NAME</u>	<u>BOARD ACTION</u>
5258B – SHANNON K. EBERLY	Mr. Harris made a motion, Mr. Knox seconded, to grant a nonservice-connected disability retirement salary supplement pursuant to Government Code Sections 31720 and 31725.5. The motion passed unanimously (roll call) with Messrs. Knox, Santos, Sanchez, Robbins, Kehoe, Bernstein, and Ms. Gray voting yes. Mr. Moore and Ms. Zapanta were absent from the vote.
5186B – TIMOTHY P. FINN*	Mr. Kehoe made a motion, Mr. Knox seconded, to grant a nonservice-connected disability retirement without prejudice pursuant to Government Code Sections 31720 and 31724. Mr. Pryor made a substitute motion, Ms. Gray seconded, to refer back to staff for further development. The motion passed unanimously (roll call) with Messrs. Knox, Santos, Sanchez, Robbins, Pryor, Bernstein, and Ms. Gray voting yes. Messrs. Moore, Kehoe and Ms. Zapanta were absent from the vote.
5251B – DANA NGO	Mr. Harris made a motion, Ms. Gray seconded, to grant a nonservice-connected disability retirement pursuant to Government Code Sections 31720 and 31724. The motion passed unanimously (roll call) with Messrs. Knox, Santos, Sanchez, Robbins, Kehoe, Bernstein, and Ms. Gray voting yes. Mr. Moore and Ms. Zapanta were absent from the vote.

* Applicant's Attorney Present

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME BOARD ACTION

5224B – DAVID B. CAMPS (DEC'D)*

Mr. Kehoe made a motion, Ms. Gray seconded, to grant a service-connected death survivor benefit. The motion passed unanimously (roll call) with Messrs. Knox, Santos, Sanchez, Robbins, Kehoe, Bernstein, and Ms. Gray voting yes. Mr. Moore and Ms. Zapanta were absent from the vote.

B. Staff Recommendations

1. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board reject the Application of Nicholas A. Moreno for processing. (Memo dated May 19, 2022)

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

XIII. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 10:57 a.m.

* Applicant's Attorney Present

Signature on File

ALAN BERNSTEIN, SECRETARY

Signature on File

WILLIAM PRYOR, CHAIR