APPROVED

MINUTES OF A REGULAR MEETING OF THE BOARD OF RETIREMENT LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION

300 N. LAKE AVENUE, SUITE 810, PASADENA, CA 91101

9:00 A.M., WEDNESDAY, JANUARY 4, 2023

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

TRUSTEES PRESENT:

Alan Bernstein, Vice Chair (In-Person)

Shawn R. Kehoe, Secretary (Teleconference)

Keith Knox (In-Person)

Vivian H. Gray (Teleconference)

Jason E. Green (Teleconference)

JP Harris (Alternate Retired) (Teleconference)

Antonio Sanchez (Teleconference)

Herman Santos (Teleconference)

TRUSTEES ABSENT:

Elizabeth Greenwood

Les Robbins, Chair

STAFF ADVISORS AND PARTICIPANTS

Santos H. Kreimann, Chief Executive Officer

Luis A. Lugo, Deputy Chief Executive Officer

Jonathan Grabel, Chief Investment Officer

STAFF ADVISORS AND PARTICIPANTS (Continued)

JJ Popowich, Assistant Executive Officer

Laura Guglielmo, Assistant Executive Officer

Steven P. Rice, Chief Counsel

Francis J. Boyd, Senior Staff Counsel

Fern Billingy, Senior Staff Counsel

Dr. Glenn Ehresmann, Medical Advisor

Ted Granger, Interim Chief Financial Officer

Barry W. Lew, Legislative Affairs Officer

Kathy Delino, Systems Interim Chief Information Technology Officer

Louis Gittens, Benefits Interim Division Manager

Carly Ntoya, Human Resources Director

Ricki Contreras, Disability Retirement 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

Shari McHugh, Legislative Advocate, McHugh Koepke & Associates

Naomi Padron, Legislative Advocate, McHugh Koepke & Associates

I. CALL TO ORDER

The meeting was called to order by Vice Chair Bernstein at 9:00 a.m. in the Board Room of Gateway Plaza.

II. RATIFICATION OF OFFICERS

A. Board Officers: 2023 Calendar Year

Recommendation as submitted by Santos H. Kreimann, Chief Executive Officer: That the Board ratify its slate of board officers who will serve their term in the 2023 calendar year: Les Robbins as Chair, Alan J. Bernstein as Vice Chair, and Shawn R. Kehoe as Secretary. (Memo dated December 19, 2022)

Trustee Santos made a motion, Trustee Knox seconded, to ratify its slate of board officers. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Knox, Okum, Sanchez, Santos

No: None

Absent: Greenwood, Harris

III. ELECTIONS OF COMMITTEE MEMBERS

Election of Trustees to Joint Organizational Governance Committee (1 Trustee) and Audit Committee (3 Trustees)

Trustee Knox nominated Trustee Okum to the position of Joint Organizational Governance Committee Member. Trustee Santos nominated Trustee Sanchez for the position. The motion nominating Trustee Okum passed by the following roll call vote:

Yes: Bernstein, Green, Harris, Knox, Okum

No: Gray, Sanchez, Santos

Absent: Greenwood

Trustee Kehoe, Trustee Sanchez, and Trustee Green were nominated to the position of Audit Committee Member by Trustee Okum, Trustee Knox, and Trustee Kehoe, respectively. Hearing no other nominations,

III. ELECTIONS OF COMMITTEE MEMBERS (Continued)

the nominations were closed. Trustee Bernstein announced that Messrs. Kehoe, Sanchez, and Green were elected to the position of Audit Committee Member for 2023.

IV. APPROVAL OF MINUTES

A. Approval of the Minutes of the Regular Meeting of December 7, 2022

Trustee Santos made a motion, Trustee Knox seconded, to approve the Minutes of the Regular Meeting of December 7, 2022. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Harris, Knox, Okum, Sanchez, Santos

No: None

Absent: Greenwood

V. PUBLIC COMMENT

There were no requests from the public to speak.

VI. EXECUTIVE UPDATE

A. LACERA All Stars

Mr. Popowich announced the winners for the month: Beatriz Daryaie, Percy Petrov, John Slattery, and Maria Calderon. The Rideshare winner was Elsy Gutierrez.

B. Awards

Human Resources Director, Dr. Ntoya, acknowledged the twenty-three Retirement Benefit Specialists who graduated from the training program led by lead trainers Dana Brooks and Mary Arenas.

VI. EXECUTIVE UPDATE (Continued)

C. Chief Executive Officer's Report – January 2023

Mr. Lugo provided an update to the Board regarding the implementation of the OneMeeting platform that went live effective January 1, 2023. In addition, he provided an update on the recruitment process and open positions. Furthermore, Mr. Lugo highlighted the Satisfaction Survey results located on the CEO Report Dashboard that will be provided moving forward. Lastly, he announced that Interim Chief Informational Security Officer, Bob Schlotfelt, will be leaving LACERA effective January 4, 2023, and thanked him for his service.

VII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

<u>Safety Law Enforcement</u> <u>Service-Connected Disability Applications</u>

On a motion by Trustee Kehoe, seconded by Trustee Harris, 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.

APPLICATION NO.	NAME
861D 862D* 863D 864D 865D*	MYRNA J. PARINO DAREN J. DIVIAK VANESSA M. ALTAMIRANO CHRISTOPHER A. HILL BRADD A. MOLNER
866D	JOEL A. ULLOA
867D	JACOB S. GUBRAN
868D	ROBERT G. MAYBURY, JR.
869D	MARCO T. QUINTANA
870D	ALEXANDER O. AYALA
871D	JOEL A. GORDON
872D	JONATHAN L. MELVILLE
873D	CRAIG A. HATHAWAY
874D	FERNANDO A. VERDIN
875D	ALEXANDER TOYOS

^{*}Granted SCD – Employer Cannot Accommodate

VII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

<u>Safety Law Enforcement (Continued)</u> <u>Service-Connected Disability Applications</u>

APPLICATION NO.	<u>NAME</u>
876D	BRIAN D. GELLIS
877D	SCOTT S. HENNESSY
878D	LINDA MALDONADO
879D*	MICHAEL L. RANES
880D	FAYON D. TILLMAN
881D	MECHAELLE-ANN O. ALLEN
882D	CASEY C. DOWLING
883D	DINA M. BLACK
884D*	ERIKA ROBINSON
885D*	RICHARD J. SOTO
886D	WILLIAM T. ELDRIDGE
887D	MICHAEL B. LANG
888D**	IRMA T. CHEVALIER
889D**	SHELDON D. SHERMAN

The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Kehoe, Harris, Knox, Okum, Sanchez, Santos

No: None

^{*}Granted SCD - Retroactive

^{**}Granted SCD – Employer Cannot Accommodate

VII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

<u>Safety Fire, Lifeguards</u> <u>Service-Connected Disability Applications</u>

On a motion by Trustee Santos, seconded by Trustee Harris, 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.

APPLICATION NO.	<u>N</u>	NAME
1552B 1553B 1554B 1555B 1556B 1557B 1558B 1559B 1560B 1561B 1562B 1563B 1563B		MICHAEL R. REINEMAN OSE A. TOVAR TERRY R. BURNLEY DAVID E. SCANLAN OHN G. MANCHA DEAN G. DOUTY BUSTAF S. LYON ROBERT J. RODRIGUEZ BEN J. RUSSELL ROBERT C. OVERSTREET AKE P. CHING ROBERT A. APODACA PATRICK K. SCANLON
1565B*	J	OHN LARSON

The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Harris, Knox, Okum, Sanchez, Santos

No: None

^{*}Granted SCD - Retroactive

VII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR (Continued)

<u>General Members</u> Service-Connected Disability Applications

On a motion by Trustee Santos, seconded by Trustee 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.

APPLICATION NO.	<u>NAME</u>
2482C*	CHRISTIAN F. STROHMEIER
2483C	ROBERT L. BAKER, JR.
2484C	PULLED BY STAFF
2485C*	DEBRA J. MOORE
2486C	WANDA JIMENEZ
2487C**	LORRI A. BYRD
2488C***	SHINMEKA M. CLARK

The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Harris, Knox, Okum, Sanchez, Santos

No: None

^{*}Granted SCD Retroactive - Employer Cannot Accommodate

^{**}Granted SCD - Retroactive

^{***}Granted SCD – Salary Supplement

VII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR (Continued)

General Members

Nonservice-Connected Disability Applications

On a motion by Trustee Santos, seconded by Trustee 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.

APPLICATION NO.	<u>NAME</u>
4416	XIOMARA A. KLAPP
4417	FLIZABETH M. VALDEZ

The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Harris, Knox, Okum, Sanchez, Santos

No: None

Absent: Greenwood

VIII. CONSENT ITEMS

Trustee Knox made a motion, Trustee Okum seconded, to approve consent items VIII. A through VIII. G, except Item VIII.C. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Harris, Knox, Okum, Sanchez, Santos

No: None

Absent: Greenwood

A. Approval of the Use of Teleconference Meeting

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

VIII. CONSENT ITEMS (Continued)

State of Emergency continues to directly impact the ability of each Board and its Committees to meet safely in person and that other public agencies still recommend social distancing such that each Board and its Committees shall hold teleconference meetings for the next 30 days as part of hybrid meetings also in person, so long as the State of Emergency remains in effect, and direct staff to comply with the agenda and public comment requirements of Section 54953(e)(3). Action taken by each Board will only apply to that Board and its Committees. (Memo dated December 21, 2022)

B. Ratification of Service Retirement and Survivor Benefit Application Approvals

Service retirements and survivor benefit applications received as of December 27, 2022, along with any retirement rescissions and/or changes approved at last month's Board meeting. (Memo dated December 27, 2022)

C. Federal Engagement: Visit with Congress

Recommendation as submitted by Les Robbins, Chair, Insurance, Benefits and Legislative Committee: That the Board 1) Approve a visit with Congress by Board trustees as designated by the Chair of the Board of Retirement and by staff as designated by the Chief Executive Officer during the week of January 22, 2023, in Washington, D.C.; and 2) Approve reimbursement of all travel costs incurred in accordance with LACERA's Trustee Travel Policy.

(Memo dated December 20, 2022)

This item was pulled and further discussed in Item IX.

D. Compensation Earnable and Pensionable Compensation

Recommendation as submitted by Fern M. Billingy, Senior Staff Counsel: 1) That the Board Adopt the Attached Resolutions, No. 2023-BR001, and No. 2023-BR002, specifying pay items as included and excluded from the definitions of "compensation earnable" and "pensionable compensation." 2) Instruct staff to coordinate with the County of Los Angeles to establish necessary reporting mechanism and procedures to permit LACERA to include or exclude these items when calculating final compensation.

(Memo dated December 19, 2022)

VIII. CONSENT ITEMS (Continued)

E. Consider Applications for LACERA Panel of Examining Physicians

Recommendation as submitted by Ricki M. Contreras, Division Manager, Disability Retirement Services: That the Board approve the Applications of Osep E. Armagan, M.D. – Orthopedic; Jesse Carr, M.D. – Psychiatry; Divakar Krishnareddy, M.D. – Orthopedic; Richard C. Rosenberg, M.D. – Orthopedic; and Gabor Vari, M.D. – Psychiatry to the LACERA Panel of Examining Physicians. (Memo dated December 22, 2022)

F. Dismiss with Prejudice the Appeal of Barbara C. Yu

Recommendation as submitted by Ricki M. Contreras, Division Manager, Disability Retirement Services: That the Board dismiss with prejudice Barbara C. Yu's appeal for a service-connected disability retirement. (Memo dated December 23, 2022)

G. Appeal for the Board of Retirement's Meeting of January 4, 2023
Recommendation as submitted by Ricki M. Contreras, Division Manager, Disability Retirement Services: That the Board grant the appeal and request for administrative hearing received from the following applicant and direct the Disability Retirement Services Manager to refer this case to a referee: Frances M. Govens. (Memo dated December 23, 2022)

IX. EXCLUDED FROM CONSENT ITEMS

Item VIII. C. was further discussed. Trustee Bernstein made a motion, Trustee Santos seconded, for the NCPERS Legislative Conference and the Federal Engagement to not count towards Trustee's conference limits. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Harris, Knox, Okum, Sanchez, Santos

No: None

X. NON-CONSENT ITEMS

A. AB 2449 Teleconference Meeting Procedures

Recommendation as submitted by Steven P. Rice, Chief Counsel: That the Board discuss and provide input on the implementation process for the AB 2449 teleconference meeting procedures that may be used in preparing a policy for consideration by the Board of Retirement at a future meeting. (Memo dated December 19, 2022)

Trustee Knox made a motion, Trustee Santos seconded, to implement the process using Option Two (first come, first served), with oversight by the Chair to address ADA issues and resolve other concerns and conflicts that may arise. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Harris, Knox, Okum, Sanchez, Santos

No: None

Absent: Greenwood

B. Reimbursement of Trustee Accommodation Expenses

Recommendation as submitted by Santos H. Kreimann, Chief Executive Officer: That the Board consider whether to allow reimbursement of hotel accommodation expenses for travel to scheduled Board or Committee meeting to Trustees who reside more than two to three hours, or other time and distance, from the regular place of the meetings in Pasadena, California. (Memo dated December 20, 2022)

Trustee Santos made a motion, Trustee Gray seconded, to identify Board and Committees meetings as Administrative Meetings under the Trustee Travel Policy. The motion passed by the following roll call vote:

Yes: Gray, Green, Okum, Sanchez, Santos

No: Bernstein, Harris, Knox

X. NON-CONSENT ITEMS (Continued)

C. Retirement Date Adjustment

Recommendation as submitted by Louis Gittens, Interim Benefits Division Manager and Allan Cochran, Member Services Division Manager: That the Board of Retirement approve the adjustment of Former Supervisor Sheila Kuehl's date of retirement to December 6, 2022. (Memo dated December 20, 2022)

Trustee Bernstein made a motion, Trustee Harris seconded, to approve staff's recommendation. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Harris, Knox, Okum, Sanchez, Santos

No: None

Absent: Greenwood

XI. REPORTS

A. State Legislative Update

Shari McHugh, Legislative Advocate, McHugh Koepke & Associates Naomi Padron, Legislative Advocate, McHugh Koepke & Associates (Presentation) (Memo dated December 22, 2022)

Legislative Advocates, Shari McHugh and Naomi Padron provided the Board with a presentation and answered questions. The item was received and filed.

B. Application Processing Time Snapshot Reports

Ricki M. Contreras, Division Manager (For Information Only) (Memo Dated December 22, 2022)

The item was received and filed.

C. Trustee Travel & Education Reports – November 2022

Ted Granger, Interim Chief Financial Officer Monthly Trustee Travel & Education Report – November 2022 (For Information Only) (Memo dated December 21, 2022)

XI. REPORTS (Continued)

Comprehensive Monthly Trustee Travel & Education Report – November 2022 (Confidential memo dated December 21, 2022 – Includes Pending Travel)

The item was received and filed.

D. December 2022 Fiduciary Counsel Report

Steven P. Rice, Chief Counsel (For Information Only) (Memo dated December 20, 2022) (Privileged and Confidential/Attorney-Client Communication/Attorney Work Product)

The item was received and filed.

XII. ITEMS FOR STAFF REVIEW

(This item summarizes requests and suggestions by individual trustees during the meeting for consideration by staff. These requests and suggestions do not constitute approval or formal action by the Board, which can only be made separately by motion on an agendized item at a future meeting.)

There was nothing to report.

XIII. ITEMS FOR FUTURE AGENDAS

(This item provides an opportunity for trustees to identify items to be included on a future agenda as permitted under the Board's Regulations.)

There was nothing to report.

XIV. GOOD OF THE ORDER

(For Information Purposes Only)

Trustees congratulated the 2023 Board Officers and wished Trustee Robbins a speedy recovery.

A. Applications for Disability

APPLICATION NO. & NAME AND BOARD ACTION

5284B – CHARLES CANCHOLA

Trustee Knox made a motion, Trustee Bernstein seconded, to grant a nonservice-connected disability retirement pursuant to Government Code Section 31720. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Harris, Knox, Okum, Sanchez, Santos

No: None

Absent: Greenwood

5285B - GENIEVE R. ATKINSON

Trustee Okum made a motion, Trustee Knox seconded, to deny a service-connected disability retirement without prejudice. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Harris, Knox, Okum, Sanchez, Santos

No: None

Absent: Greenwood

5286B - JAMES T. RUSSELL

Trustee Knox made a motion, Trustee Harris seconded, to find that the applicant had good cause to amend his application. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Harris, Knox, Okum, Sanchez, Santos

A. Applications for Disability (Continued)

APPLICATION NO. & NAME AND BOARD ACTION

5286B – JAMES T. RUSSELL (Continued)

No: None

Absent: Greenwood

Trustee Harris made a motion, Trustee Knox seconded, to grant a service-connected disability retirement retroactive since the employer cannot accommodate. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Harris, Knox, Okum, Sanchez, Santos

No: None

Absent: Greenwood

5287B - JEFF VICTOROFF

Trustee Knox made a motion, Trustee Okum seconded, to grant a service-connected disability retirement pursuant to Government Code Section 31720. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Harris, Knox, Okum, Sanchez, Santos

No: None

A. Applications for Disability (Continued)

APPLICATION NO. & NAME AND BOARD ACTION

5288B – TERISA L. CARVER

Trustee Kehoe made a motion, Trustee Knox seconded, to find that the applicant had good cause to amend her application. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Kehoe, Harris, Knox, Okum, Sanchez, Santos

No: None

Absent: Greenwood

Trustee Kehoe made a motion, Trustee Okum seconded, to grant a service-connected disability retirement retroactive since the employer cannot accommodate. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Harris, Knox, Okum, Sanchez, Santos

No: None

Absent: Greenwood

5289B - PRISCILLA D. BILLET

Trustee Harris made a motion, Trustee Okum seconded, to grant a nonservice-connected disability retirement pursuant to Government Code Section 31720. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Harris, Knox, Okum, Sanchez, Santos

A. Applications for Disability (Continued)

APPLICATION NO. & NAME AND BOARD ACTION

5289B - PRISCILLA D. BILLET (Continued)

No: None

Absent: Greenwood

5290B - SARAH K. COTA

Trustee Okum made a motion, Trustee Knox seconded, to deny a service-connected disability retirement and find the applicant not permanently incapacitated. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Harris, Knox, Okum, Sanchez, Santos

No: None

Absent: Greenwood

364D – MICHELLE L. PANKOW

Trustee Kehoe made a motion, Trustee Harris seconded, to grant a service-connected disability retirement without additional review. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Kehoe, Harris, Knox, Okum, Sanchez, Santos

No: None

B. Disability Retirement Appeals

APPLICATION NO. & NAME AND BOARD ACTION

SHONTE D. MCBRIDE – Anna Batanero for applicant Eugenia W. Der for the Respondent

Trustee Bernstein made a motion, Trustee Gray seconded, to deny a service-connected disability retirement and grant a nonservice-connected disability retirement. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Harris, Knox, Okum, Sanchez, Santos

No: None

Absent: Greenwood

C. Staff Recommendations

1. Bethly Mills – Recommendation to Dismiss Application

Recommendation as submitted by Jason Waller, Senior Staff Counsel, Disability Litigation: That the Board, pursuant to Government Code section 31720, 1) determine that Bethly Mills is not incapacitated from her duties as a Nursing Attendant I, based upon Dr. Kenneth Scheffels' July 9, 2021, medical evaluation and the Department of Health Services' confirmation they can accommodate Ms. Mills' work restrictions, and 2) dismiss her Application for Service-Connected Disability Retirement without Prejudice, as she is currently working her usual and customary job duties. (Memo dated December 19, 2022)

Trustee Kehoe made a motion, Trustee Knox seconded, to approve staff's recommendation. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Harris, Knox, Okum, Sanchez, Santos

C. Staff Recommendations (Continued)

No: None

Absent: Greenwood

2. Service Provider Invoice Approval Request – Robert A. Moore, M.D.

Recommendation as submitted by Ricki M. Contreras, Division Manager, Disability Retirement Services: That the Board approve the service provider invoice for Robert A. Moore, M.D. (Memo dated December 23, 2022)

Trustee Kehoe made a motion, Trustee Knox seconded, to approve staff's recommendation. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Harris, Knox, Okum, Sanchez, Santos

No: None

Absent: Greenwood

3. Service Provider Invoice Approval Request – Seymour Levine, M.D.

Recommendation as submitted by Ricki M. Contreras, Division Manager, Disability Retirement Services: That the Board approve the service provider invoice for Seymour Levine, M.D.

(Memo dated December 23, 2022)

Trustee Knox made a motion, Trustee Harris seconded, to approve staff's recommendation. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Harris, Knox, Okum, Sanchez, Santos

No: None

C. Staff Recommendations (Continued)

Absent: Greenwood

XVI. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 11:01 a.m.

Signature on File

SHAWN KEHOE, SECRETARY

Signature on File

LES ROBBINS, CHAIR