

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, FEBRUARY 1, 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:

Shawn R. Kehoe, Chair (Teleconference)

Alan Bernstein, Vice Chair (Teleconference)

Elizabeth Ginsberg, Alternate Ex-Officio Trustee (In-Person)

Vivian H. Gray, Secretary (Teleconference)

Jason E. Green (Teleconference)

Elizabeth Greenwood (Teleconference)

Ronald Okum (Teleconference)

Les Robbins (Teleconference)

Antonio Sanchez (Teleconference)

Herman Santos (In-Person)

TRUSTEES ABSENT:

JP Harris (Alternate Retired)

Keith Knox

STAFF ADVISORS AND PARTICIPANTS

Santos H. Kreimann, Chief Executive Officer

Luis A. Lugo, Deputy Chief Executive Officer

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STAFF ADVISORS AND PARTICIPANTS (Continued)

Jonathan Grabel, Chief Investment Officer

JJ Popowich, Assistant Executive Officer

Laura Guglielmo, Assistant Executive Officer

Steven P. Rice, Chief Counsel

Francis J. Boyd, 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

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: Revised Slate for 2023 Calendar Year (Chair & Vice Chair)**

Recommendation as submitted by Santos H. Kreimann, Chief Executive Officer: That the Board ratify the Chair and Vice Chair positions who will serve their term in the 2023 calendar year as the result of a vacancy: Shawn R. Kehoe as Chair and Alan J. Bernstein as Vice Chair. (Memo dated January 23, 2023)

Trustee Santos made a motion, Trustee Okum seconded, to ratify the Chair position. The motion passed by the following roll call vote:

Yes: Bernstein, Ginsberg, Gray, Green, Greenwood, Okum, Robbins, Sanchez, Santos

No: None

B. **Board Officers: Revised Slate for 2023 Calendar Year (Secretary)**

Recommendation as submitted by Santos H. Kreimann, Chief Executive Officer: That the Board ratify the Secretary position who will serve their term in the 2023 calendar year as the result of a vacancy: Vivian H. Gray as Secretary. (Memo dated January 23, 2023)

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

Yes: Bernstein, Ginsberg, Gray, Green, Greenwood, Okum, Robbins, Sanchez, Santos

No: None

III. APPROVAL OF MINUTES

A. Approval of the Minutes of the Regular Meeting of January 4, 2023

Trustee Santos made a motion, Trustee Greenwood seconded, to approve the Minutes of the Regular Meeting of January 4, 2023. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Harris, Okum, Sanchez, Santos, Ginsberg, Greenwood

No: None

IV. PUBLIC COMMENT

There were no requests from the public to speak.

V. EXECUTIVE UPDATE

A. LACERA All Stars

Mr. Popowich announced the winners for the month: Steven P. Rice, Eugenia Der, Linda El-Farra, and Marilu Bretado. The Rideshare winner was Regina Harris and Web Watcher was Valerie Calderon.

B. Chief Executive Officer's Report

Mr. Kreimann provided a brief presentation on the Chief Executive Officer's Report and answered questions from the Board.

VI. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement

Service-Connected Disability Applications

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

VI. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
890D	RENE VASQUEZ
891D	KEVIN C. CONNORS
892D	JOHN KHOUNTHAVONG
893D	DARYL L. WILLIAMS
894D	JOHN T. DEYOUNG
895D	MICHAEL H. RAFTER
896D	ELIOTT M. URIBE
897D	HAROLD W. MORROW
898D	CLIFFORD L. AULDRIDGE
899D	JAIME VELASCO
900D	BRETT M. BINDER
901D	MARC W. SCHULTZ
902D	TODD C. MOHR
903D	TODD P. WEBER
904D	LAURENCE E. ZIMMERMAN
905D	EDWARD D. O'NEIL
906D	CHRISTOPHER J. FERNANDEZ
907D*	DONALD R. GIFFORD
908D	ERIN M. OBRIEN-KAUL

The motion passed by the following roll call vote:

Yes: Bernstein, Ginsberg, Gray, Green, Greenwood, Okum, Robbins, Sanchez, Santos

No: None

Safety Fire, Lifeguards
Service-Connected Disability Applications

On a motion by Trustee Green, seconded by Trustee 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.

*Granted SCD – Employer Cannot Accommodate

VI. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Fire, Lifeguards (Continued)

Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
1566B	KEIJI SETA
1567B	KENNETH W. DELLINGER, JR.
1568B	FRANK G. TRIPP
1569B	ANDREW S. MADLENER
1570B	THOMAS R. MERRILL
1571B	MICHAEL P. DMYTROWICZ
1572B	PATRICK V. VALERIO
1573B	GERARDO L. DELGADO
1574B	WILLIAM D. HALE, III
1575B	CHARLES A. MARTIN

The motion passed by the following roll call vote:

Yes: Bernstein, Ginsberg, Gray, Green, Greenwood, Okum, Robbins, Sanchez, Santos

No: None

General Members

Service-Connected Disability Applications

On a motion by Trustee Gray, seconded by Trustee Bernstein, 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.

<u>APPLICATION NO.</u>	<u>NAME</u>
2490C	MARCO A. SANDOVAL
2491C*	LIM KEN
2492C	LATONYA M. ALLEN
2493C	TRAVIS L. JONES
2494C**	JOHN L. HILL
2495C*	SUSAN S. ESGUERRA
2496C**	ANURA KIRIBATHGALAGE
2497C**	ANTONIO I. ACEVES
2498C*	JOHANA M. GOMEZ

*Granted SCD – Employer Cannot Accommodate

**Granted SCD Retroactive – Employer Cannot Accommodate

VI. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members (Continued)

Service-Connected Disability Applications

The motion passed by the following roll call vote:

Yes: Bernstein, Ginsberg, Gray, Green, Greenwood, Okum, Robbins, Sanchez, Santos

No: None

General Members

Nonservice-Connected Disability Applications

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

4418

NAME

ROBERT W. SCRIBNER

The motion passed by the following roll call vote:

Yes: Bernstein, Ginsberg, Gray, Green, Greenwood, Okum, Robbins, Sanchez, Santos

No: None

VII. CONSENT ITEMS

Trustee Bernstein made a motion, Trustee Santos seconded, to approve consent items VII. B through VII. D, except Item VII.A. The motion passed by the following roll call vote:

Yes: Bernstein, Ginsberg, Gray, Green, Greenwood, Okum, Robbins, Sanchez, Santos

No: None

VII. CONSENT ITEMS (Continued)

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 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 January 23, 2023)

B. **Approval of AB 2449 Teleconference Policy**

Recommendation as submitted by Steven P. Rice, Chief Counsel: That the Board approve the proposed AB 2449 Teleconference Policy. (Memo dated January 23, 2023)

C. **Ratification of Service Retirement and Survivor Benefit Application Approvals**

Recommendation that the Board approve the service retirements and survivor benefit applications received as of January 24, 2023, along with any retirement rescissions and/or changes approved at last month's Board meeting. (Memo dated January 24, 2023)

D. **Appeal for the Board of Retirement's Meeting of February 1, 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: Yesenia Valdez. (Memo dated January 19, 2023)

VIII. EXCLUDED FROM CONSENT ITEMS

Item VII. A. was pulled for further discussion. Mr. Rice was present and answered questions from the Board.

VIII. EXCLUDED FROM CONSENT ITEMS (Continued)

Trustee Bernstein made a motion, Trustee Santos seconded, to approve consent item VII.A. The motion passed by the following roll call vote:

Yes: Bernstein, Ginsberg, Gray, Green, Greenwood, Okum, Robbins, Sanchez, Santos

No: None

IX. NON-CONSENT ITEMS

A. **LACERA 2023 Election of Second and Eighth Members and Alternate Retired Member: Statement of Powers and Duties of Retirement Board Trustees**

Recommendation as submitted by Steven P. Rice, Chief Counsel: That the Board approve the document entitled "Powers and Duties of Retirement Board Trustees," which will be included with the ballot materials for the 2023 election of the Second, Eighth, and Alternate Retired Members of the Board of Retirement and posted on lacera.com. (Memo dated January 23, 2023)

Trustee Robbins made a motion, Trustee Greenwood seconded, to approve staff recommendation. The motion passed by the following roll call vote:

Yes: Bernstein, Ginsberg, Gray, Green, Greenwood, Okum, Robbins, Sanchez, Santos

No: None

B. **Legal Recruiting Services**

Recommendation as submitted by Santos H. Kreimann, Chief Executive Officer: That the Board approve payment for Legal Recruiting Services rendered by a successful bidder(s) in response to a Request for Quotation. The staff has estimated recruitment cost to be approximately \$309,000. (Memo dated January 18, 2023)

IX. NON-CONSENT ITEMS (Continued)

Trustee Greenwood made a motion, Trustee Sanchez seconded, to approve staff recommendation. The motion passed by the following roll call vote:

Yes: Bernstein, Ginsberg, Gray, Green, Greenwood, Okum, Robbins, Sanchez, Santos

No: None

C. **Retirement Election Submission Policy**

Recommendation as submitted by Louis Gittens, Interim Benefits Division Manager: That the Board approve the Retirement Election Submission Policy. (Memo dated January 20, 2023)

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

Yes: Bernstein, Gray, Green, Robbins, Okum, Sanchez, Santos, Ginsberg, Greenwood

No: None

D. **Cost-of-Living Adjustments Effective April 1, 2023**

Recommendation as submitted by Ted Granger, Interim Chief Financial Officer: That the Board, For the year ended December 2022, determine the Consumer Price Index changed by 4.9% (or when rounded to the nearest one-half of 1.0% as the COLA benefit rules require, 5.0%: the LACERA 2023 COLA Award), and approve cost-of-living adjustments to retirement allowances 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, 2023 in accordance with applicable California Government Code Sections. (Memo dated January 24, 2023)

Trustee Okum made a motion, Trustee Santos seconded, to approve staff recommendation. The motion passed by the following roll call vote:

IX. NON-CONSENT ITEMS (Continued)

Yes: Bernstein, Ginsberg, Gray, Green, Greenwood, Okum, Robbins, Sanchez, Santos

No: None

X. REPORTS

A. **2023 General Member, Retired Member, and Retired Alternate Trustee Election Update**

JJ Popowich, Assistant Executive Officer
(Verbal Presentation) (Memo dated January 24, 2023)

Mr. Popowich provided a verbal a presentation and addressed questions from the Board. This item was received and filed.

B. **Application Processing Time Snapshot Reports**

Ricki M. Contreras, Division Manager
(For Information Only) (Memo dated January 20, 2023)

This item was received and filed.

C. **Trustee Travel & Education Reports – December 2022**

Ted Granger, Interim Chief Financial Officer
(For Information Only)
Monthly Trustee Travel & Education Report – December 2022
(Memo dated January 19, 2023)
Comprehensive Monthly Trustee Travel & Education Report –
December 2022 (Confidential memo dated January 19, 2023 –
Includes Pending Travel)

This item was received and filed.

D. **2022 Quarterly Reports of Paid Invoices 4th Quarter – October 1, 2022 to December 31, 2022**

Ricki Contreras, Disability Retirement Services Division Manager
(For Information Only) (Memo dated January 19, 2023)

This item was received and filed.

X. REPORTS (Continued)

E. **January 2023 Fiduciary Counsel Contract and Billing Report**

Steven P. Rice, Chief Counsel

(For Information Only) (Memo dated January 23, 2023)

(Privileged and Confidential/Attorney-Client Communication/Attorney Work Product)

This item was received and filed.

XI. 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 agenda item at a future meeting.)

Trustee Bernstein requested that the requirements for AB 2449 be communicated to the Board as updates are made available.

XII. 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.)

Trustee Ginsberg and Trustee Santos requested that we revisit the Board of Retirement Board Officer Rotation Policy and seniority list as it pertains to the 2023 Board Officers.

XIII. GOOD OF THE ORDER

(For Information Purposes Only)

Trustees congratulated the new Board officers.

XIV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability

APPLICATION NO. & NAME AND BOARD ACTION

5291B – ALADDINCHKEANGTIP TUNGMEAS

Trustee Okum made a motion, Trustee Ginsberg seconded, to grant a nonservice-connected disability retirement pursuant to

XIV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME AND BOARD ACTION

Government Code Section 31720. The motion passed by the following roll call vote:

Yes: Bernstein, Ginsberg, Gray, Green, Greenwood, Okum, Robbins, Sanchez, Santos

No: None

5292B – RAYMOND M. DELGADO

Trustee Santos made a motion, Trustee Robbins seconded, to deny a service-connected disability retirement. The motion passed by the following roll call vote:

Yes: Bernstein, Ginsberg, Gray, Green, Greenwood, Okum, Robbins, Sanchez, Santos

No: None

5293B – SEDA K. TUM

Trustee Okum made a motion, Trustee Gray 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, Ginsberg, Gray, Green, Greenwood, Okum, Robbins, Sanchez, Santos

No: None

XIV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME AND BOARD ACTION

5294B – LOISMARIE A. GARCIA

Trustee Greenwood made a motion, Trustee Bernstein seconded, to grant a service-connected disability retirement retroactive since employer cannot accommodate pursuant to Government Code Sections 31720 and 31724. The motion passed by the following roll call vote:

Yes: Bernstein, Ginsberg, Gray, Green, Greenwood, Okum, Robbins, Sanchez, Santos

No: None

5295B – TIMOTHY H. DEL CANO

Trustee Okum made a motion, Trustee Greenwood seconded, to grant a service-connected disability retirement since employer cannot accommodate pursuant to Government Code Section 31720. The motion passed by the following roll call vote:

Yes: Bernstein, Ginsberg, Gray, Green, Greenwood, Okum, Robbins, Sanchez, Santos

No: None

5296B – GREGORY R. JENKINS, JR.*

Trustee Gray made a motion, Trustee Santos seconded, to grant a service-connected disability retirement salary supplement pursuant to Government Code Sections 31720 and 31725.65, based on the opinion of LACERA's medical advisor. The motion passed by the following roll call vote:

Yes: Bernstein, Ginsberg, Gray, Green, Greenwood, Okum, Robbins, Sanchez, Santos

No: None

*Applicant Present

XIV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME AND BOARD ACTION

5297B – ALLAN B. AMADOR (DECEASED)

Trustee Bernstein made a motion, Trustee Santos seconded, to return to staff for further development. The motion passed by the following roll call vote:

Yes: Bernstein, Ginsberg, Greenwood, Okum, Robbins, Sanchez, Santos

No: Gray, Green

5186B – TIMOTHY P. FINN*

Trustee Santos made a motion, Trustee Okum seconded, to grant a nonservice-connected disability retirement retroactive pursuant to Government Code Sections 31720 and 31724. The motion passed by the following roll call vote:

Yes: Bernstein, Ginsberg, Gray, Green, Greenwood, Okum, Robbins, Sanchez, Santos

No: None

B. Staff Recommendations

1. **Service Provider Invoice Approval Request – Stuart Fischer, M.D. c/o Los Alamitos Cardiovascular**

Recommendation as submitted by Ricki M. Contreras, Division Manager, Disability Retirement Services: That the Board approve the service provider invoice for Stuart Fischer, M.D. c/o Los Alamitos Cardiovascular. (Memo dated January 23, 2023)

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

*Applicant Attorney Present

XIV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

B. Staff Recommendations (Continued)

Yes: Bernstein, Ginsberg, Gray, Green, Greenwood, Okum, Robbins, Sanchez, Santos

No: None

XV. ADJOURNMENT

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

Signature on File

VIVIAN GRAY, SECRETARY

Signature on File

SHAWN R. KEHOE, CHAIR