

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, APRIL 5, 2023

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

TRUSTEES PRESENT:

Shawn R. Kehoe, Chair

Alan Bernstein, Vice Chair

Vivian H. Gray, Secretary

Jason E. Green

Elizabeth Greenwood (Joined the meeting at 10:03 a.m.)

JP Harris (Alternate Retired)

Keith Knox

Ronald Okum (Teleconference under AB 2449)

Les Robbins (Left the meeting at approximately 11 a.m.)

Herman Santos

TRUSTEES ABSENT:

Antonio Sanchez

STAFF ADVISORS AND PARTICIPANTS

Santos H. Kreimann, Chief Executive Officer

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STAFF ADVISORS AND PARTICIPANTS (Continued)

Luis A. Lugo, Deputy Chief Executive Officer

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

Louis Gittens, Benefits Interim Division Manager

Carly Ntoya, Human Resources Director

Ricki Contreras, Disability Retirement Services 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

Jenni Krengel, Buchalter - Tax Counsel

I. CALL TO ORDER

The meeting was called to order by Chair Kehoe at 9:04 a.m. in the Board Room of Gateway Plaza.

II. PLEDGE OF ALLEGIANCE

Mr. Robbins led the Trustees and staff in reciting the Pledge of Allegiance.

III. PROCEDURE FOR TELECONFERENCE MEETING ATTENDANCE UNDER AB 2449, California Government Code Section 54953 (f)

A. Just Cause

B. Action on Emergency Circumstance Requests

C. Statement of Persons Present at AB 2449 Teleconference Locations

A physical quorum was present at the noticed meeting location. There was one request received from Trustee Okum related to Just Cause (A) due to caregiving needs of a designated person. Trustee Okum confirmed that there were no individuals 18 years or older were present at the teleconference location. No requests were received for Emergency Circumstances (B).

IV. APPROVAL OF THE MINUTES

A. Approval of the Minutes of the Regular Meeting of March 1, 2023

Trustee Okum made a motion, Trustee Harris seconded, to approve the Minutes of the Regular Meeting of March 1, 2023. The motion passed by the following roll call vote:

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

Absent: Greenwood, Sanchez

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: Jackson Hsu, Maria Rowena Soriano, Aurelia Okafor-Smith, and Vanessa Cruz. The Web Watcher was Mercedes Medina Cruz.

In addition, BOR Executive Assistant Bonnie Nolley, was recognized for her 15 years of service with the County of Los Angeles.

B. Member Spotlight

Mr. Popowich recognized LACERA member, Ricardo Toscana.

C. Chief Executive Officer's Report

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

VII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement

Service-Connected Disability Applications

On a motion by Trustee Kehoe, seconded by Trustee Bernstein, 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

936D

GINA M. KOLOWSKI

937D

ERNIE P. KING

938D

CARLOS G. VERAMENDI

939D

DONALD A. LORD

940D

BRIAN F. CHRISTY

941D

RAYMOND M. SERNA

942D

DENISE M. MARTINEZ

943D

FRANK E. LA PIANA

944D

JOSE J. MUNOZ

945D

ROMAN L. CASTILLO

VII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
946D	RICHARD J. BAVOuset
947D	JOHN E. RACZ
948D	DAVID E. HOLWAGER, JR.
949D*	BARRY L. HALL
950D	CHRISTINE M. OSTRANDER
951D	KEVIN J. KELLEY
952D	KENNETH P. KUCHENBROD
953D	CHARLES J. KOVACH
954D	JOSEPH ESQUEDA
955D	LISA D. BUSSEY
956D	STEVE L. JAUCH
957D	LISA A. JOYCE
958D	CLIFFORD S. PRIVETERA
959D	JESSE C. MELGOZA
960D	PAUL N. COBLENTZ
961D	HECTOR M. MEZA
962D	RICHARD A. COBBS, JR. (Pulled by staff for further development)
963D	JOHN F. DAVOREN
964D	MICHAEL A. LUTHER
965D*	MATTHEW J. BURSON
966D*	STEVEN E. GROSS
967D**	MICHAEL T. COLEMAN
968D**	CLIPPER L. HACKETT
969D**	PAMELA D. MOORE
970D	SERGIO E. ELIAS
971D**	MARC B. KING

The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Kehoe, Knox, Okum, Robbins, Santos

Absent: Greenwood, Sanchez

*Granted SCD – Employer Cannot Accommodate

**Granted SCD - Retroactive

VII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Fire, Lifeguards

Service-Connected Disability Applications

On a motion by Trustee Green, seconded by Trustee 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.

<u>APPLICATION NO.</u>	<u>NAME</u>
1589B	RAYMOND G. NUTT
1590B*	TAMARA J. HANNA
1591B	GREGORY T. WEBER
1592B	ROBERT J. SHICK
1593B	TIMOTHY P. BLOOM
1594B	DAVID KASTIGAR
1595B	ALLAN R. SMITH
1596B	DOUGLAS L. MATHIAS
1597B	JULIO C. MIRAMONTES
1598B	TODD E. GOMEZ
1599B	DEAN O. RIVERO
1600B	MATTHEW P. BOYAN
1601B	G. DEAN DORSEY
1602B	MICHAEL J. FUENTES
1603B	RUSSELL P. THOMPSON
1604B	SCOTT F. CLARK
1605B	RONALD G. MANDZOK
1606B	PAUL A. SCHIFANDO
1607B	VERONIE K. STEELE-SMALL

The motion passed by the following roll call vote:

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

Absent: Greenwood, Sanchez

*Granted SCD – Employer Cannot Accommodate

VII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members (Continued)

Service-Connected Disability Applications

On a motion by Trustee Santos, seconded by Trustee 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.

<u>APPLICATION NO.</u>	<u>NAME</u>
2509C*	MICHAEL J. ASHE
2510C*	ORITTA WILLIAMS STEEL
2511C**	VALERIE L. GONZALEZ
2512C***	ELIZABETH A. BROCK
2513C**	WAYNE B. BALLARD
2514C***	DOLORES R. OCHOA
2515C*	PATRICIA CRUZ
2516C**	AMBER L. LAMB
2517C	DANIEL J. SANTANA
2518C**	TARA M. HARDEN
2519C****	EDWINA R. PAMILTON
2520C*	DELISHA S. OWENS

The motion passed by the following roll call vote:

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

Absent: Greenwood, Sanchez

*Granted SCD – Salary Supplemental

**Granted SCD – Employer Cannot Accommodate

***Granted SCD – Retroactive

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

VIII. CONSENT ITEMS (Continued)

Trustee Bernstein made a motion, Trustee Santos seconded, to approve the following consent items including the revision to Item VII. C. reflecting Tienny P. Lieu withdrawing from her request for an appeal. The motion passed by the following roll call vote:

Yes: Bernstein, Knox, Gray, Kehoe, Robbins, Sanchez, Santos

Absent: Greenwood, Sanchez

- A. **Selection of Federal and State Legislative Advocates**
Recommendation as submitted by Les Robbins, Chair, Insurance, Benefits, and Legislative Committee: That the Board: 1. Approve the engagement of Williams & Jensen and Doucet Consulting Solutions as LACERA's federal legislative advocates; and 2. Approve the engagement of McHugh Koepke & Associates as LACERA's state legislative advocate. (Memo dated March 22, 2023)
- B. **Recommendation to Adopt Electronic Signature Policy**
Recommendation as submitted by Alan Bernstein, Chair, Operations Oversight Committee: That the Board adopt the proposed Electronic Signature Policy. (Memo dated March 28, 2023)
- C. **Appeals for the Board of Retirement's Meeting of April 5, 2023**
Recommendation as submitted by Ricki M. Contreras, Division Manager, Disability Retirement Services: That the Board grant the appeals and requests for administrative hearing received from the following applicants and direct the Disability Retirement Services Manager to refer each case to a referee: Timothy P. Finn, Italia M. Cutri, and Tienny P. Lieu. (Memo dated March 23, 2023)
- D. **Service Provider Invoice Approval Request – Perry Maloff, M.D.**
Recommendation as submitted by Ricki M. Contreras, Division Manager, Disability Retirement Services: That the Board approve the service provider invoice for Perry Maloff, M.D.
(Memo dated March 24, 2023 – Attachment Confidential)

VIII. CONSENT ITEMS (Continued)

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

Recommendation that the Board approve the service retirements and survivor benefit applications received as of February 21, 2023, along with any retirement rescissions and/or changes approved at last month's Board meeting. (Memo dated March 28, 2023)

IX. EXCLUDED FROM CONSENT ITEMS

There were no items excluded from Consent Items.

X. NON-CONSENT ITEMS

A. **Building a Better Tomorrow – LACERA Five Year Strategic Plan (2023-2028)**

Recommendation as submitted by Santos H. Kreimann, Chief Executive Officer: That the Board approve and adopt the LACERA Five Year Strategic Plan, revised values, and vision statement. (Presentation) (Memo dated March 30, 2023)

Trustee Santos made a motion, Trustee Gray seconded, to return to staff for additional changes. The motion passed by the following roll call vote:

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

Absent: Greenwood, Sanchez

(Item XV. and XVI. were held following this item)

B. **Vendor Recommendation: Pre-Paid Debit Card Services**

Recommendation as submitted by JJ Popowich, Assistant Executive Officer and Shonita Peterson, Retirement Benefit Specialist III: That the Board authorize staff to engage and contract with Conduent State & Local Solutions, Inc., to secure, construct, customize, and implement a pre-paid debit card service solution tailored to LACERA's business needs. (Presentation) (Memo dated March 7, 2023)

(Item X. B- XIV. were held following Executive Session)

X. NON-CONSENT ITEMS (Continued)

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

Yes: Knox, Gray, Green, Greenwood, Harris, Santos

Absent: Bernstein, Okum, Sanchez

C. **Application of Susan Frank for Reinstatement to Active Membership**

Recommendation as submitted by Louis Gittens, Benefits Division Interim Manager: That the Board 1) Determine, based upon medical evaluation conducted on November 5, 2019, that Susan Frank is not incapacitated for the duties assigned to her in the position of Senior Clinical Social Worker; and 2) Grant the application of Susan Frank for reinstatement to active membership. (Memo dated March 9, 2023)

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

Yes: Knox, Gray, Green, Greenwood, Harris, Santos

Absent: Bernstein, Okum, Sanchez

D. **Authorizing Signatures for Disability-Retirement Hearing Subpoenas**

Recommendation as submitted by Francis J. Boyd, Sr. Staff Counsel: That the Board authorize the Executive Board Assistant to place the Board Chair's or the Board Secretary's electronic signature on subpoenas issued in LACERA's disability-retirement appeal process. (Memo dated March 24, 2023)

Trustee Kehoe made a motion, Trustee Green seconded, to avail of option 2: Amend the Board Regulations to delegate the Board's subpoena powers to the retirement administrator (CEO). The motion passed by the following roll call vote:

Yes: Knox, Gray, Green, Greenwood, Harris, Santos

Absent: Bernstein, Okum, Sanchez

X. NON-CONSENT ITEMS (Continued)

E. **Interest on Delayed Collection of Contributions**

Recommendation as submitted by Louis Gittens, Interim Benefits Division Manager: That the Board waive interest due on the delayed collection of contributions as a result of delays in processing the Alameda Decision. (Memo dated March 21, 2023)

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

Yes: Knox, Gray, Harris, Green, Greenwood, Santos

Absent: Bernstein, Okum, Sanchez

F. **Interest on Survivor Overpayment**

Recommendation as submitted by Louis Gittens, Interim Benefits Division Manager: That the Board authorize staff to write off the interest in the amount of \$1,855.73 on the principal amount of \$73,578.77 that the non-member has already repaid. (Memo dated March 15, 2023)

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

Yes: Knox, Gray, Green, Greenwood, Harris, Santos

Absent: Bernstein, Okum, Sanchez

G. **SACRS Officer Elections**

Recommendation as submitted by Santos H. Kreimann, Chief Executive Officer: That the Board of Retirement provide the SACRS voting delegate direction on voting for the SACRS slate of officers. (Memo dated March 28, 2023)

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

Yes: Knox, Gray, Green, Greenwood, Harris, Santos

Absent: Bernstein, Okum, Sanchez

XI. REPORTS

A. **Taxability of Trustee Travel Expenses for Board and Committee Meetings and Other Payments Made to Enable Trustees to Perform Their Duties**

Steven P. Rice, Chief Counsel

Jenni Kregel, Buchalter - Tax Counsel

(Memo dated March 28, 2023) (Attachment to Memo is Privileged and Confidential/Attorney-Client Communication/Attorney Work Product)

Mr. Rice and Ms. Kregel were present to address questions from the Board. This item was received and filed.

B. **2022 Audit Committee Annual Report**

Onyx Jones, Audit Committee Chair

Richard P. Bendall, Chief Audit Executive

(For Information Only) (Memo dated March 8, 2023)

This item was received and filed.

C. **Application Processing Time Snapshot Reports**

Ricki M. Contreras, Division Manager

(For Information Only) (Memo dated March 26, 2023)

This item was received and filed.

D. **Monthly Trustee Travel & Education Reports – February 2023**

Ted Granger, Interim Chief Financial Officer

(For Information Only) (Memos dated March 22, 2023)

Monthly Trustee Travel & Education Report

Comprehensive Monthly Trustee Travel & Education Report

(Confidential Memo – Includes Pending Travel)

This item was received and filed.

E. **Monthly Status Report on Legislation**

Barry W. Lew, Legislative Affairs Officer

(For Information Only) (Memo dated March 28, 2023)

This item was received and filed.

XI. REPORTS (Continued)

F. **March 2023 Fiduciary Counsel Contract and Billing Report**

Steven P. Rice, Chief Counsel

(For Information Only) (Memo dated March 28, 2023)

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

This item was received and filed.

XII. ITEMS FOR STAFF REVIEW

Trustee Kehoe requested that the SACRS General Member open seat be sent to the Board of Retirement and Board of Investments.

XIII. ITEMS FOR FUTURE AGENDAS

There were no requests.

XIV. GOOD OF THE ORDER
(For Information Purposes Only)

There was nothing to report.

XV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

- A. Applications for Disability (This item was held after Item X. A.) (Trustee Greenwood joined the meeting at 10:03 a.m.)

APPLICATION NO. & NAME AND BOARD ACTION

5302B – ANGELA HERRERA

Trustee Gray made a motion, Trustee Santos 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, Knox, Gray, Green, Greenwood, Okum, Robbins, Santos

Absent: Sanchez

XV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME AND BOARD ACTION

5303B – ANIK KHANBEKYAN

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

Yes: Bernstein, Knox, Gray, Green, Greenwood, Okum, Robbins, Santos

Absent: Sanchez

5304B – ALEJANDRO E. ESTELLA

This case was pulled by staff for further development.

5305B – SURENA M. WHITE

Trustee Kehoe made a motion, Trustee Bernstein seconded, to refer back to staff for a second opinion. The motion passed by the following roll call vote:

Yes: Bernstein, Knox, Gray, Green, Greenwood, Okum, Robbins, Santos

Absent: Sanchez

5306B – OFELIA SANTOYO-HURTADO

Trustee Kehoe made a motion, Trustee Bernstein 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, Knox, Gray, Green, Greenwood, Okum, Robbins, Santos

Absent: Sanchez

XV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

5307B – SEANNE S. TYSON*

Trustee Gray made a motion, Trustee Santos 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, Knox, Gray, Green, Greenwood, Okum, Robbins, Santos

Absent: Sanchez

5308B – GEORGE WILLIAMS

Trustee Gray made a motion, Trustee Bernstein seconded, to deny a service-connected disability retirement as ineligible pursuant to Government Code Section 31722. The motion passed by the following roll call vote:

Yes: Bernstein, Knox, Gray, Green, Greenwood, Okum, Robbins, Santos

Absent: Sanchez

5309B – MALAYSIA L. GANDY LOCKLIN

Trustee Gray made a motion, Trustee Robbins seconded, to grant a nonservice-connected disability retirement salary supplement with a two-year review pursuant to Government Code Sections 31720 and 31725.5. The motion passed by the following roll call vote:

Yes: Bernstein, Knox, Gray, Green, Greenwood, Okum, Robbins, Santos

Absent: Sanchez

2484C – HEMA PATEL

This case was pulled by staff for further development.

*Applicant Present

XV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

5235B – ERIC JOHNSON (DECEASED)

Trustee Kehoe made a motion, Trustee Bernstein seconded, to grant a service-connected disability survivor benefit pursuant to Government Code Sections 31720, 31787 and 31720.7. The motion passed by the following roll call vote:

Yes: Bernstein, Knox, Gray, Kehoe, Robbins, Sanchez, Santos, Greenwood

Absent: Sanchez, Green

5297B – ALLAN B. AMADOR (DECEASED)

Trustee Santos made a motion, Trustee Okum seconded, to deny a service-connected disability survivor benefit.

Trustee Green made a substitute motion, Trustee Kehoe seconded to grant a service-connected disability survivor benefit. The motion failed by the following roll call vote:

Yes: Gray, Green, Greenwood

No: Bernstein, Knox, Okum, Robbins, Santos

Absent: Sanchez

The motion to deny a service-connected disability survivor benefit passed by the following roll call vote:

Yes: Bernstein, Knox, Okum, Robbins, Santos

No: Gray, Green, Greenwood

Absent: Sanchez

XV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

B. Disability Retirement Appeals

APPLICATION NO. & NAME AND BOARD ACTION

KEVIN TOBIA – Thomas J. Wicke for Applicant
Jason E. Waller for the Respondent

Trustee Bernstein made a motion, Trustee Knox seconded, to deny a service-connected disability retirement and find the applicant not permanently incapacitated.

Trustee Greenwood made a motion, Trustee Santos seconded, to return to staff for further information.

The motion passed by the following roll call vote:

Yes: Bernstein, Knox, Gray, Green, Greenwood, Okum,
Robbins, Santos

Absent: Sanchez

C. Staff Recommendations

1. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board instruct staff to close Sheila Luckenbach's (Deceased) application for disability retirement. (Memo dated March 22, 2023)

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

Yes: Bernstein, Knox, Gray, Green, Greenwood, Robbins,
Okum, Santos,

Absent: Sanchez

XVI. EXECUTIVE SESSION

- A. Conference with Legal Counsel - Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of Government Code Section 54956.9)

1. One Matter

Steven P. Rice, Chief Counsel
(Memo dated March 30, 2023)

Nothing was required to be reported at or immediately after the meeting. However, subsequently, it became appropriate, under California Government Code Section 54957.1(a)(3)(B) of the Brown Act, to make a further report out of action taken by the Board on this item. Mr. Santos made a motion, seconded by Mr. Kehoe, to approve staff's recommendation to approve a resolution of LACERA's claims against Smartsheet, which has now been completed.

Yes: Bernstein, Knox, Gray, Green, Greenwood, Robbins, Okum, Santos

Absent: Sanchez

- B. Conference with Legal Counsel - Anticipated Litigation (Pursuant to Paragraph (2) of Subdivision (d) of California Government Code Section 54956.9)

1. One Matter

Steven P. Rice, Chief Counsel
(Memo dated March 28, 2023)

There was nothing to report.

2. One Matter

Jasmine K. Bath, Senior Staff Counsel
(Memo dated March 24, 2023)

There was nothing to report. The Board took action, which was not reportable. In open session, after this item was heard, Chief Counsel stated, under the Brown Act, that the item related to the employment claim of Kimberly Hines.

XVI. EXECUTIVE SESSION

(Trustees Bernstein and Robbins left the meeting at approximately 11 a.m.)

XVII. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 12:45 p.m.



Signature on File

VIVIAN GRAY, SECRETARY

Signature on File

SHAWN R. KEHOE, CHAIR