

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, MAY 3, 2023

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

Teleconference Location for Trustees and the Public under California Government Code Section 54953(b)

Four Seasons Hotel: 300 South Doheny Drive, Los Angeles CA 90048

TRUSTEES PRESENT:

Shawn R. Kehoe, Chair

Alan Bernstein, Vice Chair

Vivian H. Gray, Secretary

Elizabeth Ginsberg (Alternate Ex-Officio for Keith Knox)

Jason E. Green

JP Harris (Alternate Retired)

Ronald Okum

Les Robbins

Antonio Sanchez

Herman Santos

TRUSTEES ABSENT:

Elizabeth Greenwood

Keith Knox

STAFF ADVISORS AND PARTICIPANTS

Santos H. Kreimann, Chief Executive Officer

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

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. Bernstein 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

No requests were received for Just Cause (A) or Emergency Circumstances (B).

IV. APPROVAL OF THE MINUTES

A. Approval of the Minutes of the Regular Meeting of April 5, 2023

Trustee Harris made a motion, Trustee Gray seconded, to approve the Minutes of the Regular Meeting of April 5, 2023. The motion passed by the following roll call vote:

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

Abstain: Sanchez

Absent: Greenwood

V. PUBLIC COMMENT

LACERA Member, Debra Zamudio, addressed the Board regarding LACERA's financial strength and commitment to member benefits.

VI. EXECUTIVE UPDATE

A. LACERA All Stars

Mr. Popowich announced the winners for the month: Tatiana Bayer, Wendy Bernabe, Janet Chan and Stephanie Kawai. There was no Web Watcher or Rideshare winners.

B. Member Spotlight

Mr. Popowich recognized LACERA member, Margarita Lien.

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.

<u>APPLICATION NO.</u>	<u>NAME</u>
972D	JEFFREY L. MOORE
973D	PATRICK W. GOLDEN
974D	THOMAS F. MARTIN
975D*	RICHARD C. ADAMS
976D	JAMES E. STILSON
977D	TIMOTHY L. STANLEY
978D	STEVEN D. LONG
979D	TERENCE K. HOLDEN
980D	JANET M. O’BRYAN
981D	TODD D. DEEDS
982D	MATTHEW J. BODELL
983D	ROBERT A. THOMAS

*Granted SCD Retroactive

VII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)

<u>APPLICATION NO.</u>	<u>NAME</u>
984D	SCOTT K. MILLER
985D	JOHN C. MOSQUERA
986D	JAMES R. DEXTER
987D	SANDLER B. NITZ
988D	DANIEL G. FINN
989D*	NANCY L. MCGAULEY
990D**	MICHAEL R. MITCHELL
991D	APRIL CARTER
992D	DENNIS R. DOMINGUEZ, JR.
993D	JOSEPH A. ROSALEZ
994D	TRACY H. WRIGHT
995D*	JONATHAN K. HOYT
996D	ROLAND K. SPEARS
997D*	RALPH E. SHELDON
998D	RAY A. DAVIDSON
999D*	LEO R. BAUER
1E	CHAD T. PERRIGO
2E**	PEDRO L. GUERRERO GONZALEZ
3E*	TERRY A. BURGIN, JR.
4E*	JOHN J. THORNE
5E***	ROMAN A. ROSEBOROUGH
6E****	SONIA RIVERA
7E	LA TONYA R. CLARK

The motion passed by the following roll call vote:

Yes: Bernstein, Ginsberg, Gray, Kehoe, Okum, Robbins, Sanchez, Santos

Absent: Greenwood

*Granted SCD – Employer Cannot Accommodate

**Granted SCD – Retroactive

***Granted SCD Retroactive – Employer Cannot Accommodate

****Granted SCD – Salary Supplemental

VII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Fire, Lifeguards
Service-Connected Disability Applications

On a motion by Trustee Green, seconded by Trustee Kehoe, 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>
1608B	THOMAS M. GARCIA
1609B	DAVID INMAN
1610B	MICHAEL M. MELLINGER
1611B	KEVIN P. POOLE
1612B	DENNIS R. CROSS
1613B	MICHAEL C. NOTHERN
1614B	DEREK MILLS
1615B	HUGO VALDIVIA
1616B	STANLEY T. BRAWER
1617B	SHANNAN L. PETTINGER
1618B	RICHARD A. ATWOOD
1619B*	DAVID R. RICHARDSON, JR.
1620B	MICHAEL W. HALVERSON

The motion passed by the following roll call vote:

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

Absent: Greenwood

*Granted SCD – Employer Cannot Accommodate

VII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members

Service-Connected Disability Applications

On a motion by Trustee Santos, seconded by Trustee Okum, 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>
2521C	MARIA CYNTIA P. MAKEL (BISHOP)
2522C	KAREN RIMOLA
2523C*	MARY I. NWODO
2524C*	EPHRAIM I. EKANEM
2525C	DARRYL L. EVERTS
2526C	LEAKHENA J. PEL
2527C**	MICHAEL C. HERNDON (DEC'D)
2528C***	IRENE I. CASALI
2529C	WILLIE ESPINAL
2530C****	BARBARA C. LEE

The motion passed by the following roll call vote:

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

Absent: Greenwood

*Granted SCD – Salary Supplement

**Granted SCD – Survivor Benefit

***Granted SCD Retroactive – Employer Cannot Accommodate

****Granted SCD - Retroactive

VIII. CONSENT ITEMS

Trustee Bernstein made a motion, Trustee Gray seconded, to approve the following consent items. The motion passed by the following roll call vote:

The motion passed by the following roll call vote:

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

Absent: Greenwood

A. **Compensation Earnable and Pensionable Compensation**

Recommendation as submitted by Fern Billingsy, Senior Staff Counsel: That the Board 1) Adopt the Resolutions, No. 2023-BR-003. and No. 2023-BR004, specifying pay items as included and excluded from the definitions of "compensation earnable" and "pensionable compensation." 2) Instruct staff to coordinate with the Auditor-Controller to establish necessary reporting mechanism and procedures to permit LACERA to include or exclude these items when calculating final compensation. (Memo dated April 19, 2023)

B. **Appeal for the Board of Retirement's Meeting of May 3, 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: Elsa Y. Cobian Labrada. (Memo dated April 19, 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 April 25, 2023, along with any retirement rescissions and/or changes approved at last month's Board meeting. (Memo dated April 25, 2023)

IX. EXCLUDED FROM CONSENT ITEMS

There were no items excluded from Consent Items.

X. NON-CONSENT ITEMS

A. **Ratification of Reciprocal Disability Retirements**

Recommendation as submitted by Louis Gittens, Interim Benefits Division Manager: That the Board approve the reciprocal disability retirement for the named deferred members who were found to be disabled by the current reciprocal agency or the performance of their duties and have met the burden of proof: Leah V. Theophile and David M. Murray. (Memo dated April 4, 2023)

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

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

Absent: Greenwood

XI. REPORTS

A. **Report of Compensation Earnable and Pensionable Compensation**

Fern M. Billingsy, Senior Staff Counsel
(For Information Only) (Memo dated April 24, 2023)

This item was received and filed.

B. **2023 Quarterly Reports of Paid Invoices**

Ricki M. Contreras, Division Manager
(For Information Only) (Memo dated April 19, 2023)
(Attachment to Memo is Confidential)

This item was received and filed.

C. **Application Processing Time Snapshot Reports**

Ricki M. Contreras, Division Manager
(For Information Only) (Memo dated April 24, 2023)

This item was received and filed.

XI. REPORTS (Continued)

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

Ted Granger, Interim Chief Financial Officer
(For Information Only) (Memos dated April 19, 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 April 21, 2023)

This item was received and filed.

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

Steven P. Rice, Chief Counsel
(For Information Only) (Memo dated April 24, 2023)
(Privileged and Confidential/Attorney-Client Communication/Attorney
Work Product)

This item was received and filed.

XII. ITEMS FOR STAFF REVIEW

There were no items for Items for Staff Review.

XIII. ITEMS FOR FUTURE AGENDAS

There were no items for Items for Future Agendas.

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

APPLICATION NO. & NAME AND BOARD ACTION

5310B – CARLTON C. CHAMBERS*

Trustee Gray made a motion, Trustee Bernstein seconded, to deny and find the applicant not permanently incapacitated.

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

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

Absent: Greenwood

5311B – ERICA RODRIGUEZ*

Trustee Bernstein made a motion, Trustee Kehoe seconded, to grant a nonservice-connected disability retirement without prejudice since the employer cannot accommodate pursuant to Government Code Section 31720.

The motion passed by the following roll call vote:

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

Absent: Greenwood, Sanchez

5312B - DEBORAH F. SOTO

Trustee Okum made a motion, Trustee Bernstein seconded, to grant a nonservice-connected disability retirement without prejudice since the employer cannot accommodate pursuant to Government Code Section 31720.

The motion passed by the following roll call vote:

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

Absent: Greenwood, Sanchez

*Applicant Present

XV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME AND BOARD ACTION

5313B – ROBERT BUERAS (DECEASED)*

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

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

Absent: Greenwood, Sanchez

5314B – JESUS A. RODRIGUEZ*

Trustee Kehoe made a motion, Trustee Okum seconded, to return to staff for additional information. The motion passed by the following roll call vote:

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

Absent: Greenwood, Sanchez

5304B – ALEJANDRO E. ESTELLA

Trustee Santos made a motion, Trustee Bernstein seconded, to deny a service-connected disability retirement and find the applicant ineligible for nonservice-connected disability retirement. The motion passed by the following roll call vote:

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

Absent: Greenwood, Sanchez

*Applicant/Survivor Present

XV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

B. Staff Recommendations

1. **E to D Application of Manuel F. Panga**

Recommendation as submitted by Ricki M. Contreras, Division Manager, Disability Retirement Services: That the Board reject the Application of Manuel F. Panga for processing.
(Memo dated March 29, 2023)

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

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

Absent: Greenwood, Sanchez

XVI. EXECUTIVE SESSION

A. **Potential Threats to Public Services or Facilities**

(Pursuant to Subdivision (a) of California Government Code Section 54957.5 (a))

Consultation with: LACERA Chief Executive Officer Santos H. Kreimann, Deputy Chief Executive Officer Luis Lugo, Interim Chief Information Security Officer Carmelo Marquez, and Other LACERA Staff

The Board took action to approve use of confidential trustee information security services. There is nothing to report at this time.

XVII. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 11:00 a.m.

Signature on File

VIVIAN GRAY, SECRETARY

Signature on File

SHAWN R. KEHOE, CHAIR

