

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, JUNE 7, 2023

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

TRUSTEES PRESENT:

Shawn R. Kehoe, Chair

Alan Bernstein, Vice Chair

Vivian H. Gray, Secretary

Jason E. Green (Joined the meeting at 9:08 a.m.)

JP Harris (Alternate Retired)

Keith Knox

Ronald Okum

Les Robbins

Antonio Sanchez (Joined the meeting at 10:02 a.m.)

Herman Santos

TRUSTEES ABSENT:

Elizabeth Greenwood

STAFF ADVISORS AND PARTICIPANTS

Santos H. Kreimann, Chief Executive Officer

Luis A. Lugo, Deputy Chief Executive Officer

STAFF ADVISORS AND PARTICIPANTS

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

Robert Klausner, Fiduciary Counsel

Klausner, Kaufman, Jensen & Levinson

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

Ms. Gray 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 (A) Just Cause or (B) Emergency Circumstances.

IV. APPROVAL OF THE MINUTES

A. Approval of the Minutes of the Regular Meeting of May 3, 2023

Trustee Robbins made a motion, Trustee Gray seconded, to approve the Minutes of the Regular Meeting of May 3, 2023. The motion passed by the following roll call vote:

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

Absent: Greenwood, Sanchez, Green

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: Alex Ochoa, Roy Mercado, Valery Ptacek, and Arturo Guzman. The Web Watcher Winner was

V. EXECUTIVE UPDATE (Continued)

Maria Manlutac. Lastly, Aurelia Okafor-Smith was recognized for her excellent service she provided to a LACERA member.

B. Member Spotlight

Mr. Popowich recognized LACERA member, Borina Nou Garcia.

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.

VI. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Trustee Green joined the meeting at 9:08 a.m.)
Service-Connected Disability Applications

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.

<u>APPLICATION NO.</u>	<u>NAME</u>
8E	EDWARD M. HIGASHI
9E	PATRICK E. MORRIS
10E	MIKE J. SYLVIA
11E	BRIAN EDWARDS
12E	TIMOTHY P. COOLEY
13E	SCOTT A. HOGLUND
14E	JOSE L. MEJIA
15E	GARY H. CHAN
16E	KENNETH A. PRICE
17E	JAMES R. WOLFOPE
18E	MICHAEL K. BAKER
19E	TREVOR L. BANKS
20E	RONALD K. WILLIAMS
21E	DAVID K. MCCABE
22E	JERRY S. SABA
23E*	TIMOTHY VANDER LEEK

*Granted SCD – Employer Cannot Accommodate

VII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
24E	JAMES K. MAXEY
25E	WILLIAM R. CORDERO
26E*	SONJA M. BRACKEN
27E*	DONALD P. SUBLER
28E*	PHYLLIS L. ANTUNA
29E*	RONALD C. BOTTOMLEY
30E	DANIEL M. ALEMAN
31E	PAUL R. PARKHURST
32E	ADAM B. CASTRO
33E**	KEVIN B. GREER
34E	STEPHANIE A. REBER
35E***	STEVE J. LIM (DECEASED)
36E**	JOHN S. CUEVAS
37E*	MARK G. MOFFETT
38E	ROBERT C. HILL, JR.
39E	MEREDITH E. LAWSON
40E	HECTOR D. PEREZ
41E	JEFFREY R. KOCH
42E***	CHRISTOPHER M. BRACKS (DECEASED)
43E	ANDREW M. LYONS

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

***Granted SCD – Survivor Benefit

VII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR
(Continued)

Safety Fire, Lifeguards
Service-Connected Disability Applications

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

<u>APPLICATION NO.</u>	<u>NAME</u>
1621B	HECTOR M. RODARTE
1622B	HOWARD A. FERGUSON
1623B	TIMOTHY C. KOCH
1624B	BRETT J. IRVING
1625B	JOHN D. PALOZZI
1626B	STACEY T. RIOS
1627B	MICHAEL C. WARREN
1628B	GREG A. DAHLMEIER
1629B	JOSE D. BARRIOS, JR.
1630B	LISA C. RHEINHEIMER (Pulled by staff for further development)
1631B	DANNY J. AUGUSTA

The motion passed by the following roll call vote:

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

Absent: Greenwood, Sanchez

VII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR
(Continued)

General Members

Service-Connected Disability Applications

On a motion by Trustee Santos, seconded by Trustee Harris, 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>
2531C	JOSHUA X. SANCHEZ
2532C	EDDIE W. SMITH
2533C*	FLOR M. SCHROEPFER
2534C	TERRY J. OSBORNE
2535C*	PERLA O. GOMEZ
2536C*	GERHARD TRIPPEL
2537C**	THERESA HENDERSON
2538C	JEFFREY STINSON
2539C***	ALFRICA M. MEADOR-MILLER
2540C**	MELVIN C. PINKNEY
2541C*	CYNTHIA Y. CANIER
2542C	WENDY D. RICHARDS
2543C**	ERICKA BARLOW
2544C	AMALIA B. GUTIERREZ
2545C****	D. VOUGHN BRYANT
2546C	ALICIA CASS
2547C****	RUTH J. GLICKFELD
2548C***	JORGE A. PEREZ, JR.

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

**Granted SCD – Retroactive

***Granted SCD – Salary Supplement

****Granted SCD Retroactive – Employer Cannot Accommodate

VII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR
(Continued)

General Members

Nonservice-Connected Disability Applications

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

<u>APPLICATION NO.</u>	<u>NAME</u>
4420*	2F2022G

The motion passed by the following roll call vote:

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

Absent: Greenwood, Sanchez

VIII. CONSENT ITEMS

A. **Compensation Earnable and Pensionable Compensation**

Recommendation as submitted by Fern Billigy, Senior Staff Counsel: That the Board 1) Adopt the Resolutions, No. 2023-BR005, and No. 2023-BR006, specifying pay items as included and excluded from the definitions of "compensation earnable" and "pensionable compensation"; and 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 May 10, 2023)

Ms. Billigy was present to answer questions from the Board.

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

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

Absent: Greenwood, Sanchez

*Granted NSCD - Retroactive

VIII. CONSENT ITEMS (Continued)

Trustee Santos made a motion, Trustee Harris seconded, to approve consent items B-D. The motion passed by the following roll call vote:

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

Absent: Greenwood, Sanchez

B. Assembly Bill 1020 – Disability Retirement

Recommendation as submitted by Les Robbins, Chair, Insurance, Benefits, and Legislative Committee: That the Board adopt a “Neutral” position on Assembly Bill 1020, which would expand the number of service-connected presumptions related to disability retirement, with recommended clarifications. (Memo dated May 23, 2023)

C. Appeal for the Board of Retirement’s Meeting of June 7, 2023

Recommendation as submitted by Ricki M. Contreras, Division Manager, Disability Retirement Services: That the Board of Retirement 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: Ofelia Santoyo-Hurtado and Malaysia L. Gandy Locklin. (Memo dated May 24, 2023)

D. Ratification of Service Retirement and Survivor Benefit Application Approvals

Recommendation that the Board approve the service retirements and survivor benefit applications received as of May 30, 2023, along with any retirement rescissions and/or changes approved at last month’s Board meeting. (Memo dated May 30, 2023)

IX. EXCLUDED FROM CONSENT ITEMS

Item VIII. A. was pulled and further discussed.

X. NON-CONSENT ITEMS

A. LACERA Budget Policy (Annual Review)

Recommendation as submitted by Herman B, Santos, Chair, Joint Organizational Governance Committee: That the Board review and

X. NON-CONSENT ITEMS (Continued)

approve the revised LACERA Budget Policy, attached as a companion to the adoption of the Administrative, Retiree Healthcare Benefits Program and Other Post-Employment Benefits Trust Budgets. (Memo dated May 12, 2023) (Supplemental Memo dated May 31, 2023)

(Trustee Sanchez joined the meeting at 10:02 a.m.)

Ms. Guglielmo was present to answer questions from the Board.

Trustee Santos 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, Okum, Robbins, Sanchez, Santos

Absent: Greenwood

B. **Approval of Fiscal Year 2023-24 Administrative, Retiree Healthcare Benefits Program and Other Post-Employment Benefits Trustee Budgets**

Recommendation as submitted by Herman B. Santos, Chair, Joint Organizational Governance Committee: That the Board adopt the LACERA Fiscal Year (FY) 2023-24 Administrative, Retiree Healthcare Benefits Program and Other Post-Employment Benefits Trust Budgets. (Memo dated May 12, 2023)

Ms. Guglielmo was present to answer questions from the Board.

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

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

Absent: Greenwood

C. **Approval of Revised AB 2449 Teleconference Policy**

Recommendation as submitted by Steven P. Rice, Chief Counsel: That the Board adopt the proposed revised AB 2449 Teleconference Policy. (Memo dated May 26, 2023)

X. NON-CONSENT ITEMS (Continued)

Mr. Rice was present to answer questions from the Board.

Trustee Santos made a motion, Trustee Harris seconded, to approve staff's recommendation, with direction that Section 5.5 of the policy be clarified and returned at the July 2023 Board meeting and that this policy be treated as a joint Board policy in the future that should first be considered by the Joint Organizational Governance Committee. The motion passed by the following roll call vote:

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

Absent: Greenwood, Sanchez

D. **Application of Jill Torres for Reinstatement to Active Membership Pursuant to Government Code Section 31680.4 and 31680.5**

Recommendation as submitted by Louis Gittens, Interim Division Manager, Benefits Division: That the Board 1) Determine, based upon medical evaluation conducted on February 9, 2023, that Jill Torres is not incapacitated for the duties assigned to her in the position of an Assistant Sheriff, Administration; and 2. Grant the application of Jill Torres for reinstatement to active membership. (Memo dated May 12, 2023)

Mr. Gittens was present to answer questions from the Board.

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

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

Abstain: Sanchez

Absent: Greenwood

X. NON-CONSENT ITEMS (Continued)

E. **Service Provider Invoice Approval Request - David L. Friedman, M.D., Ph.D.**

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

(Memo dated May 26, 2023 - Attachment Confidential)

Ms. Contreras was present to answer questions from the Board.

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

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

Absent: Greenwood

XI. REPORTS

A. **Legal Report Regarding Strategic Plan and Approval Process**

Robert Klausner, Fiduciary Counsel

Klausner, Kaufman, Jensen & Levinson

(For Information Only) (Memo dated May 31, 2023)

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

Mr. Klausner was present to answer 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 May 30, 2023)

This Item was received and filed.

C. **Monthly Status Report on Legislation**

Barry W. Lew, Legislative Affairs Officer

(For Information Only) (Memo dated May 27, 2023)

This Item was received and filed.

XI. REPORTS (Continued)

D. **Monthly Trustee Travel & Education Reports – April 2023**
3rd Quarter Trustee Travel & Education Expenditure Reports
3rd Quarter Staff Travel Report

Ted Granger, Interim Chief Financial Officer
(For Information Only) (Memos dated May 24, 2023)
Monthly Trustee Travel & Education Report
Comprehensive Monthly Trustee Travel & Education Report
(Confidential Memo – Includes Pending Travel)

This Item was received and filed.

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

Steven P. Rice, Chief Counsel
(For Information Only) (Memo dated May 23, 2023)
(Privileged and Confidential/Attorney-Client Communication/Attorney
Work Product)

This Item was received and filed.

XII. ITEMS FOR STAFF REVIEW

Trustee Robbins and Green requested an educational session regarding
PEPRA SCDs and Compensation Earnable and Pensionable Compensation
to the Board, as well as provided to the Unions.

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

5315B – JEFF R. JOHNSON (DECEASED)

Trustee Gray made a motion, Trustee Santos seconded, to grant service-connected survivor benefits pursuant to Government Code Sections 31720 and 31787. The motion passed by the following roll call vote:

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

Absent: Greenwood

5316B – GLORIA SALCEDO

Trustee Gray made a motion, Trustee Harris 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, Knox, Gray, Green, Okum, Robbins, Sanchez, Santos

Absent: Greenwood

5317B – PAUL R. NEVAREZ

Trustee Gray made a motion, Trustee Harris 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, Knox, Gray, Green, Okum, Robbins, Sanchez, Santos

Absent: Greenwood

5318B – WILLETTE MITCHELL*

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

XV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME AND BOARD ACTION

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

5319B – DIANE FETTER*

Trustee Knox made a motion, Trustee Harris seconded, to deny a service-connected disability retirement since the employer can accommodate. The motion passed by the following roll call vote:

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

Trustee Gray requested that the application be reconsidered, Trustee Santos seconded. The motion passed without objection.

Trustee Knox made a motion, Trustee Harris seconded, to deny a service-connected disability retirement since the employer can accommodate. The motion passed by the following roll call vote:

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

2484C – HEMA PATEL

Trustee Kehoe made a motion, Trustee Knox seconded, to grant a service-connected disability retirement salary supplement pursuant to Government Code Sections 31725.65 and 31720. The motion passed by the following roll call vote:

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

*Applicant Present

XV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME AND BOARD ACTION

5101B – TERRI L. LOVE*

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

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

Absent: Greenwood

5280B – ANGIE RUIZ*

Trustee Knox made a motion, Trustee Okum seconded, to grant a nonservice-connected disability retirement without prejudice with a 2-year review pursuant to Government Code Sections 31720 and 31724. The motion passed by the following roll call vote:

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

Absent: Greenwood

B. Disability Retirement Appeals

APPLICATION NO. & NAME AND BOARD ACTION

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

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

Trustee Green made a substitute motion, Trustee Kehoe seconded, to grant a service-connected disability retirement with the applicant's

*Applicant Present

XV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION
(Continued)

B. Disability Retirement Appeals

APPLICATION NO. & NAME AND BOARD ACTION

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

attorney to submit the Findings of Fact and Conclusions of Law to the motion. The motion passed by the following roll call vote:

Yes: Gray, Green, Robbins, Sanchez, Santos

No: Knox, Bernstein

Abstain: Okum

Absent: Greenwood

C. Staff Recommendations

1. **E to D Application of Mayra Joseph**

Recommendation as submitted by Ricki M. Contreras, Division Manager, Disability Retirement Services: That the Board reject the Application of Mayra Joseph for processing.
(Memo dated May 23, 2023)

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

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

Absent: Greenwood

2. **Application of Jeffrey A. Windle (Deceased)**

Recommendation as submitted by Ricki M. Contreras, Division Manager, Disability Retirement Services: That the Board instruct

XVI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION
(Continued)

C. Staff Recommendations (Continued)

staff to close Jeffrey A. Windle's (Deceased) application for disability retirement. (Memo dated May 24, 2023)

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

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

Absent: Greenwood

XVI. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 11:35 a.m.

Signature on File

VIVIAN GRAY, SECRETARY

Signature on File

SHAWN R. KEHOE, CHAIR