

APPROVED

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

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

9:00 A.M., THURSDAY, JUNE 10, 2021

This meeting was conducted by the Board of Retirement by teleconference under the Governor's Executive Order No. N-29-20.

PRESENT: Alan Bernstein, Chair

Vivian H. Gray, Vice Chair

Gina Zapanta, Secretary

JP Harris (Alternate Retired)

Shawn R. Kehoe

Keith Knox

Wayne Moore

Ronald Okum

William Pryor (Alternate Safety)

Les Robbins

Herman Santos

STAFF ADVISORS AND PARTICIPANTS

Santos H. Kreimann, Chief Executive Officer

John Popowich, Assistant Executive Officer

Steven P. Rice, Chief Counsel

Jonathan Gabel, Chief Investment Officer

STAFF ADVISORS AND PARTICIPANTS (Continued)

Dr. Vito Campese, Medical Advisor

Johanna Fontenot, Senior Staff Counsel

Francis J. Boyd, Senior Staff Counsel

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

Allison E. Barrett, Senior Staff Counsel

Eugenia W. Der, Senior Staff Counsel

Jason E. Waller, Senior Staff Counsel

I. CALL TO ORDER

The meeting was called to order virtually by Mr. Bernstein at 9:20 a.m.

II. PUBLIC COMMENT

Ms. Janice Zhang addressed the Board regarding her Administrative Appeal.

III. CHIEF EXECUTIVE OFFICER UPDATE
(For Information Purposes Only)

Mr. Kreimann provided the Board an update regarding the recruitment of Luis Lugo, Deputy Chief Executive Officer who will begin on July 12, 2021.

III. CHIEF EXECUTIVE OFFICER UPDATE (Continued)
(For Information Purposes Only)

Furthermore, he provided a status on the recruitment efforts of the Assistant Executive Officer and Budget Officer positions. Lastly, Mr. Kreimann provided an update from Cal-OSHA.

IV. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement
Service-Connected Disability Applications

On a motion by Mr. Kehoe, seconded by Mr. Okum, 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. The motion passed (roll call) with Messrs. Knox, Santos, Okum, Moore, Kehoe, Robbins, Bernstein, Ms. Gray and Ms. Zapanta voting yes.

<u>APPLICATION NO.</u>	<u>NAME</u>
469D	CARLOS A. BARRAGAN
470D	KELLEY A. LOMBARDOZZI
471D	ARTHUR R. MIRANDA
472D	LANCE M. STEAMAN
473D	JOSEPH P. MORIEN
474D	TIMOTHY W. CRISE
475D*	ALESHIA R. COSTELLO

*Granted SCD – Employer Cannot Accommodate

IV. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
476D*	ROBERT L. WAGNER, JR.
477D**	STEVEN D. KATZ
478D	XAVIER R. AGUILAR
479D**	FRANK BARRAGAN
480D	TRACY A. ADAMS
481D	CASE NUMBERED INCORRECTLY
482D	ANGELA CONTRERAS
483D	DANIEL S. FEDELE
484D	VINCENT M. ROMERO
485D	SERGIO TISCARENO
486D	JEFFREY D. DOMINGO

*Granted SCD – Retroactive

**Granted SCD – Employer Cannot Accommodate

IV. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Fire, Lifeguards
Service-Connected Disability Applications

On a motion by Mr. Pryor, seconded by Mr. Okum, 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. The motion passed (roll call) with Messrs. Knox, Santos, Okum, Moore, Pryor, Robbins, Bernstein, Ms. Gray and Ms. Zapanta voting yes.

<u>APPLICATION NO.</u>	<u>NAME</u>
1353B	SCOTT C. SALHUS
1354B	DON C. DAMANN
1355B	JOSEPH F. ANASTASIA
1356B	KARL L. SCHULZ
1357B*	KYLE J. ZUNIGA
1358B	MICHAEL C. GAROFANO
1359B	DAVID C. GONZALEZ
1360B	RYDELL NEMAR L. STYLE
1361B	PATRICK C. STEFANSKI
1362B	OSWALDO A. MATUTE
1363B*	JEFF A. VIDRINSKAS
1364B	CHRISTINE LINKLETTER

*Granted SCD – Employer Cannot Accommodate

IV. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Fire, Lifeguards (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
1365B*	LAWRENCE A. GRILL
1366B	WILLIAM M. WILSON

General Members
Service-Connected Disability Applications

On a motion by Mr. Okum, seconded by Mr. 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. The motion passed (roll call) with Messrs. Knox, Santos, Okum, Moore, Kehoe, Robbins, Bernstein, Ms. Gray and Ms. Zapanta voting yes.

<u>APPLICATION NO.</u>	<u>NAME</u>
2229C**	DIANA C. ESCOBEDO-GUTIERREZ
2230C**	LAKSHMI M. PALADUGU
2231C**	DWAYNE T. UYEDA
2232C**	LUZ M. GUTIERREZ
2233C	MARI MARGARIAN
2234C**	ROCHELLE GORAN
2235C**	JUAN A. AYALA

*Granted SCD – Retroactive

**Granted SCD – Employer Cannot Accommodate

IV. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members (Continued)

Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
2236C*	ILIANA M. CARRANZA
2237C*	MELISSA A. MANGARIN
2238C**	KIMBERLY E. MAILLET
2239C*	RHONDA L. WATSON
2240C**	MARLINE L. MESHREKY
2241C*	LILI F. AHMADI
2242C**	CARLOS ROSALES
2243C*	ALEX GUEVARA
2244C***	SHARESE S. MIRZAKHANYAN
2245C*	BRENDA D. WATSON
2246C**	JOSE A. LUNA, JR.
2247C	YOLANDA L. ZUNIGA
2248C*	LILLIAN A. HENDRICKS
2249C****	ELIUD RIVERA

*Granted SCD – Retroactive Employer Cannot Accommodate

**Granted SCD – Employer Cannot Accommodate

***Granted SCD – Retroactive

****Granted SCD – Salary Supplement

IV. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members

Nonservice-Connected Disability Applications

On a motion by Mr. Okum, seconded by Mr. Knox, the Board of Retirement made a motion to approve a nonservice-connected disability retirement for the following named employee who was found to be disabled for the performance of her duties and has met the burden of proof. The motion passed (roll call) with Messrs. Knox, Santos, Okum, Moore, Kehoe, Robbins, Bernstein, Ms. Gray and Ms. Zapanta voting yes.

APPLICATION NO.

NAME

4404

ANA P. FELIX

V. CONSENT ITEMS

Ms. Gray made a motion, Mr. Knox seconded, to approve Consent Items A-D. The motion passed (roll call) with Messrs. Knox, Bernstein, Okum, Moore, Kehoe, Robbins, Santos, Ms. Gray and Ms. Zapanta voting yes.

- A. Recommendation as submitted by JP Harris, Chair, Disability Procedures and Services Committee: That the Board authorize the proposed contracts and fee schedules for its panel physicians for the 2021-2022 fiscal year. (Memo dated May 14, 2021)
- B. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board grant the appeals and requests for administrative hearing for applicants Arnette A. West, Purisima M. Valencia, Serena S. Gilliam, and Maleine M. Tea. (Memo dated May 27, 2021)
- C. Recommendation as submitted by Tamara L. Caldwell, Disability Retirement Specialist Supervisor, Disability Retirement Services: That the Board dismiss with prejudice John P. Harris' appeal for service-connected disability retirement. (Memo dated May 27, 2021)

V. CONSENT ITEMS (Continued)

- D. Recommendation as submitted by Tamara L. Caldwell, Disability Retirement Specialist Supervisor, Disability Retirement Services: That the Board dismiss with prejudice Lovia J. Pitts' appeal for an earlier effective date.
(Memo dated May 27, 2021)

VI. ITEMS EXCLUDED FROM CONSENT ITEMS

There were no Items Excluded from Consent Items.

VII. REPORTS

- A. For Information Only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated May 24, 2021)

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

VIII. ITEMS FOR STAFF REVIEW

There were no Items for Staff Review.

IX. GOOD OF THE ORDER
(For information purposes only)

Mr. Bernstein shared that June is Pride Month. Lastly, he shared Mary Parks Kelly, sister-in-law of Board of Investments Trustee Joseph Kelly, passed away suddenly and this meeting will be adjourned in her memory.

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

- A. Applications for Disability

APPLICATION NO. & NAME

BOARD ACTION

5184B – ACELIA FONSECA

Ms. Gray made a motion, Mr. Okum seconded, to grant a nonservice-connected disability retirement pursuant to Government Code Section 31720. The motion passed (roll call)

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability

APPLICATION NO. & NAME

BOARD ACTION

5184B – ACELIA FONSECA (Continued)

with Messrs. Knox, Santos, Okum, Bernstein, Moore, Kehoe, Robbins, Ms. Gray and Ms. Zapanta voting yes.

5185B – RUSSELL W. RODRIGUES

Mr. Moore made a motion, Mr. Okum seconded, to deny a service-connected disability retirement pursuant to Government Code Section 31722. The motion passed (roll call) with Messrs. Knox, Santos, Okum, Bernstein, Moore, Robbins, Ms. Gray and Ms. Zapanta voting yes. Mr. Kehoe was absent from the vote.

5186B – TIMOTHY P. FINN

This application was pulled at the request of staff.

5187B – CONNIE M. PENDLETON

Mr. Okum made a motion, Mr. Pryor seconded, to grant a nonservice-connected disability retirement pursuant to Government Code Section 31720 since the employer cannot accommodate. The motion passed (roll call) with Messrs. Knox, Santos, Okum, Robbins, Ms. Zapanta voting yes; Mr. Moore voting no; and Ms. Gray and Mr. Kehoe abstaining.

5188B – LUIZA L. SARKISIAN

Ms. Gray made a motion, Mr. Kehoe seconded, to grant a nonservice-connected disability retirement pursuant to Government Code Section 31720. The motion passed (roll call) with Messrs. Knox, Santos, Okum,

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

5188B – LUIZA L. SARKISIAN (Continued)

Moore, Robbins, Ms. Gray, Ms. Zapanta voting yes; Mr. Kehoe was not present for the vote.

Mr. Bernstein made a motion, Mr. Okum seconded, to reconsider the case. The motion passed (roll call) with Messrs. Knox, Santos, Okum, Moore, Robbins, Bernstein, Ms. Gray, Ms. Zapanta voting yes; Mr. Kehoe was not present for the vote.

Ms. Gray made a motion, Mr. Knox seconded, to grant a nonservice-connected disability retirement without prejudice. The motion passed (roll call) with Messrs. Knox, Santos, Okum, Moore, Bernstein, Robbins, Ms. Gray, Ms. Zapanta voting yes; Mr. Kehoe was not present for the vote.

5189B – ANDREA D. HOWE

Ms. Gray made a motion, Mr. Knox seconded, to deny a service-connected disability retirement since the employer can accommodate. The motion passed (roll call) with Messrs. Knox, Santos, Moore, Bernstein, Okum, Robbins, Ms. Gray, Ms. Zapanta voting yes; Mr. Kehoe was not present for the vote.

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

5190B – FRANK D. DOMINGUEZ

Mr. Moore made a motion, Mr. Okum seconded, to deny a service-connected disability retirement pursuant to Government Code Section 31722. The motion passed (roll call) with Messrs. Knox, Santos, Moore, Bernstein, Okum, Robbins, Ms. Gray, Ms. Zapanta voting yes; Mr. Kehoe was not present for the vote.

5191B – LINDA S. YU CHOW

Mr. Moore made a motion, Mr. Okum seconded, to grant a nonservice-connected disability retirement. The motion passed (roll call) with Messrs. Knox, Santos, Okum, Moore, Bernstein, Robbins, Ms. Gray, Ms. Zapanta voting yes; Mr. Kehoe was not present for the vote.

5172B – EVERIL L. NELSON

Mr. Moore made a motion, Mr. Okum seconded, to grant a service-connected disability retirement pursuant to Government Code Section 31720 and 31724 since the employer cannot accommodate. The motion passed (roll call) with Messrs. Knox, Santos, Okum, Kehoe, Moore, Bernstein, Robbins, Ms. Gray, and Ms. Zapanta voting yes.

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

B. Disability Retirement Appeals

APPLICATION NO. & NAME

BOARD ACTION

KATHRYN S. NAVE-ELLIOTT - Thomas J. Wicke for the Applicant
Allison E. Barrett for the Respondent

This application was pulled at the request of staff.

C. Staff Recommendations

1. Recommendation as submitted by Tamara L. Caldwell, Disability Retirement Specialist Supervisor, Disability Retirement Services: That the Board approve the service provider invoice for Mary L. Williams. (Memo dated May 27, 2021)

Mr. Pryor made a motion, Mr. Kehoe seconded, to approve staff's recommendation. The motion passed (roll call) with Messrs. Knox, Santos, Okum, Kehoe, Moore, Bernstein, Robbins, Ms. Gray, and Ms. Zapanta voting yes.

XI. EXECUTIVE SESSION

A. Conference with Legal Counsel—Existing Litigation
Paragraph (1) of subdivision (d) of Section 54956.9

1. Oscar Ramos v. LACERA
Los Angeles County Superior Court Case No. 20STCP00476

On a motion by Ms. Gray, seconded by Mr. Kehoe, the Board approved to 1) Comply with the Writ of Mandate issued by the Superior Court; 2) Grant Ramos a service-connected disability retirement, retroactive to the effective date of his nonservice-connected disability retirement; and 3) Pay prejudgment interest from

XI. EXECUTIVE SESSION (Continued)

November 21, 2019, the date the Board made its final decision. The motion passed (roll call) with Messrs. Knox, Santos, Okum, Moore, Kehoe, Robbins, Bernstein, Ms. Zapanta and Ms. Gray voting yes.

XII. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned in memory of Trustee Kelly's sister-in-law, Mary Parks Kelly at 10:06 a.m.



GINA ZAPANTA, SECRETARY



ALAN BERNSTEIN, CHAIR