

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, AUGUST 12, 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

Shawn R. Kehoe

Keith Knox

Wayne Moore

Ronald Okum

William Pryor (Alternate Safety) (Left the meeting at 9:28 a.m.)

Les Robbins

Herman Santos

ABSENT: Gina Zapanta, Secretary

JP Harris (Alternate Retired)

STAFF ADVISORS AND PARTICIPANTS

Santos H. Kreimann, Chief Executive Officer

Luis A. Lugo, Deputy Chief Executive Officer

John Popowich, Assistant Executive Officer

Steven P. Rice, Chief Counsel

STAFF ADVISORS AND PARTICIPANTS (Continued)

Jonathan Grabel, Chief Investment Officer

Dr. Glenn Ehresmann, Medical Advisor

Johanna Fontenot, Senior Staff Counsel

Francis J. Boyd, Senior Staff Counsel

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 Chair Bernstein at 9:11 a.m.

II. APPROVAL OF MINUTES

A. Approval of the Minutes of the Regular Meeting of July 15, 2021

Mr. Okum made a motion, Mr. Pryor seconded, to approve the minutes of the regular meeting of July 15, 2021. The motion passed (roll call) with Messrs. Knox, Santos, Okum, Moore, Kehoe, Robbins, Bernstein and Ms. Gray voting yes.

III. PUBLIC COMMENT

There were no requests from the public to speak.

IV. CHIEF EXECUTIVE OFFICER UPDATE

(For Information Purposes Only)

Mr. Kreimann provided a reminder that an email to members was sent for the General Member Election. Members without an email address on file were mailed a ballot. In addition, he updated the Board on the progress on staff returning to the office.

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement

Service-Connected Disability Applications

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

APPLICATION NO.

NAME

507D

CATHERINE M. ROBINSON BOOTH

508D

DANIEL G. HOWE

509D

ROMEO F. INGRESO

510D*

MARCELO QUINTERO

511D

TIMOTHY C. HOLT

*Granted SCD – Retroactive

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
512D	RAYMOND R. CARDENAS
513D	CLIFFORD G. ANGER, III
514D	LYLE M. RAYMOND
515D*	JEFFREY W. PERRY
516D	PIETER A. VANDENBERG
517D	GLENN E. WALLACE
518D	ARTHUR J. CLAYBION
519D	CARMICHAEL S. OCTAVE
520D	ROBERT D. KENESSEY
521D	JAVIER F. MURILLO
522D	REBECCA K. SMITH
523D**	KAHLIL G. VINCSON
524D	THOMAS R. LODOLO
525D	RAMON A. MURGATROYD
526D	JAVIER VALENCIA

*Granted SCD – Employer Cannot Accommodate

**Granted SCD - Retroactive

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Fire, Lifeguards
Service-Connected Disability Applications

On a motion by Mr. Santos, seconded by Mr. Robbins, 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, and Ms. Gray voting yes.

<u>APPLICATION NO.</u>	<u>NAME</u>
1377B	RAYMOND D. RODRIGUEZ
1378B*	TORY B. CARLON (DEC'D)
1379B**	JERROD BONNEMA
1380B***	KENNETH D. BROWN, JR.
1381B	ANDRE T. DECOHEN
1382B***	KENNETH W. MILLER
1383B***	GARY W. BLACK
1384B	KEITH A. RUMMLER
1385B	LETHADDEUS MCINTYRE
1386B	KEVIN P. LALOR

*Granted SCD – Survivor Benefit

**Granted SCD – Employer Cannot Accommodate

***Granted SCD - Retroactive

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

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

<u>APPLICATION NO.</u>	<u>NAME</u>
1387B	JOSE MONTELLANO
1388B	MICHAEL A. FRESCAS

General Members
Service-Connected Disability Applications

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

<u>APPLICATION NO.</u>	<u>NAME</u>
2259C*	RICARDO M. TURRADO
2260C	LAURA I. HERNANDEZ
2261C	TIMOTHY H. MATTHEWS
2262C	LISA R. SIMS
2263C*	KAREN M. GILHAM
2264C**	ALEX R. CASTILLO

* Granted SCD - Retroactive

**Granted SCD – Salary Supplement

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members

Nonservice-Connected Disability Applications

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

APPLICATION NO.

NAME

4405*

JOSE J. MONTES

4406**

KAY K. TUN

VI. CONSENT ITEMS

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

- A. Recommendation as submitted by Tamara L. Caldwell, Acting Division Manager, Disability Retirement Services: That the Board grant the appeals and request for an administrative hearing for applicants Max Madrid and Acelia Fonseca. (Memo dated July 28, 2021)
- B. Recommendation as submitted by Tamara L. Caldwell, Acting Division Manager, Disability Retirement Services: That the Board dismiss with prejudice Matthew J. Brady's appeal for a service-connected disability retirement. (Memo dated July 29, 2021)
- C. Recommendation as submitted by Tamara L. Caldwell, Acting Division Manager, Disability Retirement Services: That the Board dismiss with prejudice Russell W. Rodrigues' appeal for a service-connected disability retirement. (Memo dated July 29, 2021)

* Granted NSCD – Salary Supplement

** Granted NSCD - Retroactive

VII. ITEMS EXCLUDED FROM CONSENT ITEMS

There were no items excluded form Consent Items.

VIII. REPORTS

- A. For Information Only as submitted Tamara L. Caldwell, Acting Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated July 30, 2021)

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

- B. For Information Only as submitted by Francis J. Boyd, Senior Staff Counsel, regarding Government Code Sections 7523-7523.2: Disability Retirement Covid-19 Presumption. (Memo dated July 29, 2021)

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

IX. ITEMS FOR STAFF REVIEW

The Board requested information on the percentage of vaccinated staff in future

Meeting material.

- X. GOOD OF THE ORDER (Mr. Pryor left the meeting at 9:28 a.m.)
(For information purposes only)

The Board and staff thanked Johanna Fontenot for her service and congratulated her on her upcoming retirement.

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

- A. Applications for Disability

APPLICATION NO. & NAME

BOARD ACTION

5195B – KENNETH M. BENNETT*

Mr. Kehoe made a motion, Mr. Okum seconded, to grant a nonservice-connected disability retirement pursuant to Government Code Sections 31720 and 31724.

*Applicant Present

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

5195B – KENNETH M. BENNETT (Continued)

Ms. Gray made a substitute motion, Mr. Moore seconded, to refer back to staff for additional information. The motion passed (roll call) with Mr. Knox, Santos, Okum, Moore, Kehoe, Robbins, Bernstein, and Ms. Gray voting yes.

5196B – ALEJANDRO SALINAS

Mr. Kehoe made a motion, Mr. Bernstein seconded, to deny a service-connected disability retirement and find the applicant not permanently incapacitated pursuant to Government Code Sections 31722. The motion passed (roll call) with Mr. Knox, Santos, Okum, Moore, Kehoe, Robbins, Bernstein, and Ms. Gray voting yes.

5197B – KAREN Y. SCOTT

This item was pulled from the agenda by the applicant.

5198B – FERNANDO THEREZON

Mr. Okum made a motion, Mr. Knox seconded, to grant a nonservice-connected disability retirement pursuant to Government Code Sections 31720 and 31724. The motion passed (roll call) with Mr. Knox, Okum, Kehoe, Robbins, Bernstein voting yes; and Mr. Santos, Moore, and Ms. Gray voting no.

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

5199B – JOSEPHINE SHUM

Ms. Gray made a motion, Mr. Okum seconded, to deny a service-connected disability retirement and find the applicant not permanently incapacitated. The motion passed (roll call) with Mr. Knox, Santos, Okum, Moore, Kehoe, Robbins, Bernstein, and Ms. Gray voting yes.

5200B – PRATIN KRAISORNKOVIT

Ms. Gray made a motion, Mr. Okum seconded, to grant a nonservice-connected disability retirement pursuant to Government Code Section 31720. Without objection, the makers of the motion amended the motion to include without prejudice. The motion passed (roll call) with Mr. Knox, Santos, Okum, Moore, Kehoe, Robbins, Bernstein, and Ms. Gray voting yes.

5201B – DEBORAH K. BRAND

Mr. Okum made a motion to deny a service-connected disability retirement and find the applicant not permanently incapacitated. The motion failed without a second.

Ms. Gray made a motion, Mr. Okum seconded, to grant a nonservice-connected disability retirement.

Mr. Moore made a substitute motion, Ms. Gray seconded, to refer to staff for additional information. The motion passed (roll call) with Mr. Knox, Santos, Okum, Moore, Kehoe,

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

5201B – DEBORAH K. BRAND (Continued)

Robbins, Bernstein, and Ms. Gray voting yes.

5202B – ANDREA MARIE SERDA*

Mr. Bernstein made a motion, Mr. Okum seconded, to deny a service-connected disability retirement without prejudice. The motion passed (roll call) with Mr. Knox, Santos, Okum, Moore, Kehoe, Robbins, Bernstein, and Ms. Gray voting yes.

5075B – ELLEN L. KUCH

Mr. Kehoe made a motion, Mr. Moore seconded, to grant a nonservice-connected disability retirement to continue pursuant to Government Code Sections 31720 and 31724. The motion passed (roll call) with Mr. Knox, Santos, Okum, Moore, Kehoe, Robbins, Bernstein, and Ms. Gray voting yes.

5179B – SILVIA ARZAGA

Mr. Santos made a motion, Ms. Gray seconded, to grant a service-connected disability retirement pursuant to Government Code Sections 31720 and 31724. The motion passed (roll call) with Mr. Knox, Santos, Okum, Moore, Kehoe, Robbins, Bernstein, and Ms. Gray voting yes.

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

B. Staff Recommendations (Continued)

1. For Information Only as submitted by Tamara L. Caldwell, Acting Division Manager, Disability Retirement Services, regarding the 2021 Quarterly Reports of Paid Invoices – 2nd Quarter.
(Memo dated July 16, 2021)

This Item was received and filed.

XIII. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 10:34 a.m.

Supplemental Information (Information provided to the Trustees prior to the meeting)

1. Applications for Disability – Disability Retirement Correction Memo Alejandro Salinas (5196B – Page 1 Nonconsent Calendar)
(Confidential Supplemental Memo dated August 11, 2021)

Signature on File

GINA ZAPANTA, SECRETARY

Signature on File

ALAN BERNSTEIN, CHAIR