

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., WEDNESDAY, SEPTEMBER 1, 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

JP Harris (Alternate Retired)

Shawn R. Kehoe

Keith Knox

Wayne Moore

Ronald Okum

Herman Santos

ABSENT: William Pryor (Alternate Safety)

Les Robbins

Gina Zapanta, Secretary

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

Jon Grabel, Chief Investment Officer

STAFF ADVISORS AND PARTICIPANTS (Continued)

Dr. Glenn Ehresmann, Medical Advisor

Allan Cochran, Member Services Division Manager

Carlos Barrios, Benefits Division Manager

Ted Granger, Interim Chief Financial Officer

Carly Ntoya, Ph.D., Human Resources Director

Allan Cochran, Member Services Division Manager

Carlos Barrios, Benefits Division Manager

Roberta Van Nortrick, Interim Administrative Division Manager

Kathy Delino, Interim Systems Manager

Barry W. Lew, Legislative Affairs Officer

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

STAFF ADVISORS AND PARTICIPANTS (Continued)

Richard Bendall, Chief Audit Executive

Leisha Collins, Principal Internal Auditor

Christina Logan, Principal Internal Auditor

Louis Gittens, Section Head, Benefits Division

Kevin Hawkins, Section Head, Benefits Division

James Beasley, Supervising Assistant, Administrative Division

Cookie Jaranilla, Systems Division

Don Wellington, Fiduciary Counsel

Jenni Kregel, Tax Counsel

Jolene Williams, Karcher Campbell & Associates Insurance Brokerage

Penni Campbell, Karcher Campbell & Associates Insurance Brokerage

I. CALL TO ORDER

The meeting was called to order virtually by Mr. Bernstein at 9:00 a.m.

II. APPROVAL OF MINUTES

A. Approval of the Minutes of the Regular Meeting of August 4, 2021

Mr. Okum made a motion, Mr. Kehoe seconded, to approve the minutes of the regular meeting of August 4, 2021. The motion passed (roll call) with Messrs. Knox, Santos, Moore, Okum, Kehoe, Harris, Bernstein, and Ms. Gray voting yes.

II. APPROVAL OF MINUTES (Continued)

B. Approval of the Minutes of the Regular Meeting of August 12, 2021

Mr. Okum made a motion, Ms. Gray seconded, to approve the minutes of the regular meeting of August 12, 2021. The motion passed (roll call) with Messrs. Knox, Santos, Moore, Okum, Kehoe, Harris, Bernstein, and Ms. Gray voting yes.

III. PUBLIC COMMENT

There were no requests from the public to speak.

IV. OTHER COMMUNICATIONS

A. For Information

1. July 2021 All Stars

Mr. Popowich announced the winners for the month of July: Indee Brooke, Courtney Cook, Joe Aguilar, and Summy Voong. The Rideshare winner was Liliana Ronquillo.

2. Chief Executive Officer's Report
(Memo dated August 20, 2021)

Mr. Kreimann provide an update on the General Member election; staff return to work plans and Covid vaccination requirements. Furthermore, he shared the hiring of Assistant Executive Officer, Laura Guglielmo who will be starting in mid-September.

V. 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

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)
Service-Connected Disability Applications

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, Harris, Bernstein, and Ms. Gray voting yes.

<u>APPLICATION NO.</u>	<u>NAME</u>
527D	HUGO ROMAN
528D	CARONDELETTE D. JENKINS
529D	KATHERINE R. ZUBO
530D	SCOTT T. RODRIGUEZ
531D	CHARLES T. OELAND
532D	MICHAEL S. BODILY
533D*	MARK C. YRIARTE
534D	JESUS A. LOPEZ
535D	MICHAEL J. WHITE
536D	JORGE PADILLA
537D	KATHLEEN L. GALLAGHER
538D	AMYLYNN HANSON
539D**	MATTHEW SEIER (DEC'D)

*Granted SCD – Retroactive

**Granted SCD – Survivor Benefit

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Fire, Lifeguards

Service-Connected Disability Applications

On a motion by Mr. Okum, seconded by Mr. Santos, 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, Harris, Bernstein, and Ms. Gray voting yes.

<u>APPLICATION NO.</u>	<u>NAME</u>
1389B	WALTER T. DRIGHT
1390B	FERNANDO GONZALEZ
1391B	CARL H. LINZNER
1392B	KENNETH M. WILES
1393B	ROBERT PARTIDA
1394B	RUBEN MONTANEZ
1395B	JONATHAN R. HAUS
1396B*	JOHN R. TODD
1397B	STEVE P. TOLEDO

*Granted SCD – Employer Cannot Accommodate

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members

Service-Connected Disability Applications

On a motion by Ms. Gray, 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, Harris, Bernstein, and Ms. Gray voting yes.

<u>APPLICATION NO.</u>	<u>NAME</u>
2265C	SALVADOR GORROCINO
2266C*	LIEM T. NGUYEN
2267C*	MARY J. FRAZIER-MCNEAL
2268C**	NANCY J. RIGGS
2269C***	PHILIP T. RODGERS, JR.
2270C****	ERIC E. GONZALEZ
2271C***	ISABEL MARTIN
2272C*****	KIESHA D. DUNN-TOLLIVER
2273C***	HOSSAM Z. GHALY
2274C	DENISE K. LACROSSE

*Granted SCD – Employer Cannot Accommodate

**Granted SCD – Retroactive

***Granted SCD – Salary Supplement

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

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
2275C*	WADIE S. TADROS
2276C	RAMON SOLORZANO, JR.

General Members
Nonservice-Connected Disability Applications

On a motion by Ms. Gray, 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, Harris, Bernstein, and Ms. Gray voting yes.

<u>APPLICATION NO.</u>	<u>NAME</u>
4407**	MARLENE E. BOJORQUEZ

VI. CONSENT ITEMS

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

- A. Ratification of Service Retirement and Survivor Benefit Application Approvals. (Memo dated August 24, 2021)

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

VI. CONSENT ITEMS (Continued)

- B. 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 applicant Fernando Therezon. (Memo dated August 20, 2021)
- C. Recommendation as submitted by Tamara L. Caldwell, Acting Division Manager, Disability Retirement Services: That the Board dismiss with prejudice Rachel A. Barbosa's appeal for Survivor Benefits (Service-Connected Death). (Memo dated August 20, 2021)
- D. Recommendation as submitted by Tamara L. Caldwell, Acting Division Manager, Disability Retirement Services: That the Board dismiss with prejudice Xochitl Mercado's appeal for a service-connected disability retirement. (Memo dated August 23, 2021)
- E. Recommendation as submitted by Les Robbins, Chair, Insurance, Benefits, and Legislative Committee: That the Board adopt a "Support" position on H.R. 2337, which would enact the "Public Servants Protection and Fairness Act of 2021." (Memo dated August 19, 2021)
- F. Recommendation as submitted by Les Robbins, Chair, Insurance, Benefits, and Legislative Committee: That the Board adopt a "Support" position on S. 1302, which would enact the "Social Security Fairness Act." (Memo dated August 19, 2021)
- G. Recommendation as submitted by Shawn R. Kehoe, Chair, Operations Oversight Committee: That the Board 1) Approve the purchase of Fiduciary Insurance from the carrier as listed below effective October 9, 2021; 2) Approve the purchase of Cyber Liability Insurance effective October 9, 2021, in an amount not to exceed \$350,000 from the carriers listed below, and 3) Moving forward, authorize presenting insurance options directly to the Board of Retirement to approve all Insurance renewals by bypassing the Operations Oversight Committee due to the timeliness of insurance bids and the close deadlines for renewals. (Memo dated August 12, 2021)
- H. Recommendation as submitted by Shawn R. Kehoe, Chair, Operations Oversight Committee: That the Board review, and consider for approval, the revised Teleconference Meeting Policy. (Memo dated August 17, 2021)

This Item was pulled and held after VII. B. for further discussion.

VI. CONSENT ITEMS (Continued)

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

VII. NON-CONSENT ITEMS

- A. Recommendation as submitted by Les Robbins, Chair, Insurance, Benefits, and Legislative Committee: That the Board adopt a “Watch” position on Assembly Bill 826, which would define compensation earnable to include any form of remuneration, whether paid in cash or as an in-kind benefit, if specified requirements are met. (Memo dated August 19, 2021) (Privileged and Confidential Attorney-Client Communication/Attorney Work Product – Memo dated August 23, 2021)

Mr. Kehoe made a motion, Mr. Harris seconded, to approve staff’s recommendation. The motion passed (roll call) with Messrs. Knox, Okum, Moore, Kehoe, Harris, Bernstein, and Ms. Gray voting yes; and Mr. Santos voting no.

- B. Recommendation as submitted by JJ Popowich, Assistant Executive Officer: That the Board authorize staff to engage and contract with SDI Presence for consulting services to assist LACERA to review and revise our budget process, identify a software solution and implementation vendor, and assist in the implementation of an enterprise budget application at a cost not to exceed \$200,000. (Memo dated August 17, 2021)

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

VIII. REPORTS

- A. For Discussion Purposes as submitted by Alan J. Bernstein, Board of Retirement Chair and Keith Knox, Board of Investments Chair, that the Boards discuss and provide input on the Options for Election of Board Officers. (Memo dated August 19, 2021)

Messrs. Lew, Rice, and Kreimann were available to answer questions from the Board. The Board provided feedback and provided direction.

- B. For Information Only as submitted by Tamara L. Caldwell, Acting Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated August 24, 2021)

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

- C. For Information Only as submitted by Barry W. Lew, Legislative Affairs Officer, regarding Monthly Status Report on Legislation. (Memo dated August 22, 2021)

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

- D. For Information Only as submitted by Ted Granger, Interim Chief Financial Officer, regarding the 2022 Supplemental Targeted Adjustment for Retirees (STAR) Cost-of-Living-Adjustment (COLA) Program. (Memo dated August 18, 2021)

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

- E. For Information Only as submitted by Ted Granger, Interim Chief Financial Officer, regarding the Semi-Annual Interest Crediting for Reserves as of June 30, 2021 (Unaudited). (Memo dated July 26, 2021)

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

- F. For Information Only as submitted by Ted Granger, Interim Chief Financial Officer, regarding the following reports:

Monthly Education and Travel Reports for July 2021

(Public Memo dated August 18, 2021)

(Confidential Memo dated August 18, 2021 – Includes Anticipated Travel)

VIII. REPORTS (Continued)

4th Quarter Education & Travel Expenditure Reports
(Memo dated August 18, 2021)

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

- G. For Information Only as submitted by Steven P. Rice, Chief Counsel, regarding the August 2021 Fiduciary Counsel Contact and Billing Report. (Memo dated August 16, 2021) (Privileged and Confidential Attorney-Client Communication/Attorney Work Product)

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

IX. ITEMS FOR STAFF REVIEW

The Board requested that if there is new information regarding trustee election to update the Board, as well as any marketing aspects of elections that can be enhanced.

In addition, the Board requested that in regard to Item VII. B. that staff share any feedback from the consultant regarding their view on current findings and outlook for the future as it pertains to the budget.

- X. GOOD OF THE ORDER
(For information purposes only)

There was nothing to report.

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

- A. Applications for Disability

APPLICATION NO. & NAME

BOARD ACTION

5203B – VERNITTA PHINISEE

Ms. Gray made a motion, Mr. Kehoe seconded, to grant a nonservice-connected disability retirement without prejudice pursuant to Government Code Sections 31720 since employer cannot accommodate.

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

5203B – VERNITTA PHINISEE (Continued)

The motion passed (roll call) with Messrs. Knox, Santos, Okum, Moore, Kehoe, Harris, Bernstein, and Ms. Gray voting yes.

5204B – CAROLINA GONZALEZ*

Ms. Gray made a motion, Mr. Moore seconded, to grant a service-connected disability retirement.

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

Without objection, the makers of the motion amended their motion to deny a service-connected disability retirement and find the applicant not permanently incapacitated without prejudice. The motion passed (roll call) with Messrs. Knox, Santos, Okum, Moore, Kehoe, Harris, Bernstein, and Ms. Gray voting yes.

5205B – ARAMIS P. ALMAGUER

This application was pulled for further development.

5206B – PATRICK J. JORDAN

(Mr. Harris recused himself from voting on this application)

Mr. Kehoe made a motion, Mr. Santos seconded, to deny a service-connected disability retirement without prejudice.

*Applicant Present

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

5206B – PATRICK J. JORDAN (Continued)

The motion passed (roll call) with Messrs. Knox, Santos, Okum, Moore, Kehoe, Bernstein, and Ms. Gray voting yes.

5207B – JULIA HUANG

Mr. Okum made a motion to grant a nonservice-connected disability retirement pursuant to Government Code Section 31720 and 31724 since the employer cannot accommodate but failed due to a lack of a second.

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

XII. EXECUTIVE SESSION

A. Conference with Legal Counsel – Anticipated Litigation Significant Exposure to Litigation (Pursuant to Paragraph (2) of Subdivision (d) of California Government Code Section 54956.9) and Initiation of Litigation (Pursuant to Paragraph (4) of Subdivision (d) of California Government Code Section 54956.9)

No. Of Cases: 1

The Board met in Executive Session pursuant to California Government Code

September 1, 2021

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XII. EXECUTIVE SESSION (Continued)

Section 54956.9. There was nothing to report.

XIII. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 12:15 p.m.

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

1. Conference with Legal Counsel – Anticipated Litigation
(Confidential Supplemental Memo dated August 30, 2021)
(Pursuant to California Government Code Section 54956.9)



GINA ZAPANTA, SECRETARY



ALAN BERNSTEIN, CHAIR