

MINUTES OF THE 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, SEPTEMBER 7, 2022

This meeting was conducted by the Board of Retirement by teleconference under California Government Code Section 54953(e).

PRESENT: William Pryor (Alternate Safety), Chair

Shawn R. Kehoe, Vice Chair

Alan Bernstein, Secretary

Vivian H. Gray

JP Harris (Alternate Retired)

Keith Knox

Wayne Moore

Les Robbins

Antonio Sanchez

Herman Santos

ABSENT: Gina Zapanta

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

STAFF ADVISORS AND PARTICIPANTS (Continued)

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

Kathy Delino, Systems Interim Chief Information Technology Officer

Celso Templo, Systems Interim Information Technology Manager II

James Beasley, Supervising Administrative Assistant II

Ricki Contreras, Disability Retirement Services Division 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

Nick Collier, Milliman – Consulting Actuary

Craig Glyde, Milliman – Consulting Actuary

I. CALL TO ORDER

The meeting was called to order virtually by Chair Pryor at 9:00 a.m.

II. APPROVAL OF MINUTES

A. Approval of the Minutes of the Regular Meeting of August 3, 2022

Mr. Harris made a motion, Ms. Gray seconded, to approve the minutes of the regular meeting of August 3, 2022. The motion passed (roll call) with Messrs. Knox, Santos, Sanchez, Moore, Robbins, Bernstein, Kehoe, and Ms. Gray voting yes. Ms. Zapanta was absent for the vote.

III. PUBLIC COMMENT

There were no requests from the public to speak.

IV. EXECUTIVE UPDATE

A. For Information

1. LACERA All Stars

Mr. Popowich announced the winners for the month: Gabriel Tafoya, Eduardo Ascencio, Indee Brooke, and Perla Gonzalez. The Rideshare winner was Koreana Wong and the Web Watcher winner was Wendy Dorado.

2. Chief Executive Officer's Report  
(Memo dated August 30, 2022)

Mr. Kreimann provided an update on the strategic planning member survey; EKA and internal communications plan; and safety election results.

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement  
Service-Connected Disability Applications

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

<u>APPLICATION NO.</u>	<u>NAME</u>
779D	JOSHUA B. STAHL
780D	GOVERNOR J. DAVIS, JR.
781D	GORDON C. GRAY
782D	STEVEN A. STRAUSS
783D*	KENT A. WEGENER
784D	WARREN M. ONDATJE
785D*	ALBERT COBOS
786D	DANIEL J. GILLESPIE (DEC'D)
787D*	PATRICK A. NELSON
788D**	PAUL T. BEDNARSKI
789D	HENRI J. FLORIS

\*Granted SCD – Employer Cannot Accommodate

\*\*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>
790D	SCOTT E. AIKIN
791D*	ELSA AVILA
792D**	ADRIAN V. REYNOSO
793D	JONATHAN M. COOPER
794D	ROBERTA J. COHEN
795D	NATHAN C. GILLESPIE

Safety Fire, Lifeguards  
Service-Connected Disability Applications

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

<u>APPLICATION NO.</u>	<u>NAME</u>
1515B	KARL D. DAVIS
1516B	MARTIN W. ROSS

\*Granted SCD – Retroactive

\*\*Granted SCD – Employer Cannot Accommodate

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

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

<u>APPLICATION NO.</u>	<u>NAME</u>
1517B	SCOTT D. COULTER
1518B	DAN M. HAYASHI
1519B	ROOSEVELT HENDERSON

General Members  
Service-Connected Disability Applications

On a motion by Mr. Santos, seconded by Mr. Robbins, 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, Sanchez, Moore, Robbins, Bernstein, Kehoe, and Ms. Gray voting yes. Ms. Zapanta was absent for the vote.

<u>APPLICATION NO.</u>	<u>NAME</u>
2424C*	RICKY CORVERA
2425C	VIOLET HERNANDEZ
2426C	CINDY C. MARSHALL
2427C**	VADA R. PUGH
2428C*	CHARI R. HAIRSTON

\*Granted SCD – Employer Cannot Accommodate

\*\*Granted SCD Supplemental – Employer Cannot Accommodate

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members (Continued)  
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
2429C*	3G2021D
2430C**	OLGA A. PADILLA
2431C***	DIANA MELENDREZ-JUAREZ
2432C***	NASRI A. HASSAN
2433C***	BENITA V. TRUJILLO
2434C***	SOPHIA CHUNG
2435C***	MILTON R. ORTIZ

VI. CONSENT ITEMS

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

\*Granted SCD – Salary Supplement

\*\*Granted SCD Retroactive – Employer Cannot Accommodate

\*\*\*Granted SCD – Employer Cannot Accommodate

VI. CONSENT ITEMS (Continued)

- A. Recommendation as submitted by Steven P. Rice, Chief Counsel: That, under AB 361 and Government Code Section 54953(e)(3) of the Brown Act, the Board of Retirement and Board of Investments separately consider whether to find that the Governor's COVID-19 State of Emergency continues to directly impact the ability of each Board and its Committees to meet safely in person and that the County of Los Angeles and other agencies still recommend social distancing such that each Board and its Committees shall hold teleconference meetings for the next 30-days, subject to continuation of the State of Emergency, and if so, direct staff to comply with the agenda and public comment requirements of the statute. Action taken by each Board will only apply to that Board and its Committees. (Memo dated August 29, 2022)
- B. Ratification of Service Retirement and Survivor Benefit Application Approvals. (Memo dated August 29, 2022)
- C. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board dismiss with prejudice the appeal of Maria D. Rios for a service-connected disability retirement. (Memo dated August 11, 2022)
- D. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board grant the appeal and request for an administrative hearing for applicant Faye A. Quintal-Discipulo. (Memo dated August 24, 2022)

VII. EXCLUDED FROM CONSENT ITEMS

There were no items pulled from the Consent Items.

VIII. NON-CONSENT ITEMS

- A. Recommendation as submitted by Ted Granger, Interim Chief Financial Officer: 1) That the Board of Retirement make public at its meeting on September 7, 2022, the cost of the ad-hoc and permanent STAR COLA Program in 2023 at an 80% benefit level. The projected cost for the ad-hoc STAR COLA award is \$231,000, while the cost for awarding a permanent STAR COLA is \$2,467,000 as determined by LACERA's consulting actuary, Milliman; and 2) Direct staff to place

VIII. NON-CONSENT ITEMS (Continued)

this item on the Board of Retirement's October agenda to decide at that time whether or not to award a STAR COLA for Program Year 2023, and if awarded, determine whether the STAR COLA benefits will be ad-hoc or permanent. (Memo and Presentation dated August 26, 2022)

Mr. Granger and Nick Collier and Craig Glyde from Milliman

provided a brief presentation and answered questions from the Board.

Mr. Kehoe made a motion, Mr. Harris seconded, to, having made public the ad-hoc and permanent 2023 STAR COLA Program cost information, and to approve bringing back for approval 2023 STAR COLA benefits at the next meeting. The motion passed (roll call) with Messrs. Knox, Santos, Sanchez, Moore, Robbins, Bernstein, Kehoe, and Ms. Gray voting yes. Ms. Zapanta was absent for the vote.

- B. Recommendation as submitted by Kathy Delino, Systems Interim Chief Information Technology Officer, and Celso Templo, Systems Interim Information Technology Manager II: That the Board authorize staff to engage and contract with Cobblestone Corporation for software licensing and consulting services to procure, configure, customize, and implement an Enterprise Contract Lifecycle Management system at an implementation cost of \$92,248 plus annual licensing fee of \$167,577.  
(Memo and presentation dated August 24, 2022)

Kathy Delino and Celso Templo provided a brief presentation and answered questions from the Board.

Mr. Kehoe made a motion, Mr. Santos seconded, to approve staff's recommendation. The motion passed (roll call) with Messrs. Knox, Santos, Sanchez, Moore, Bernstein, Kehoe, and

VIII. NON-CONSENT ITEMS (Continued)

Ms. Gray voting yes and Mr. Robbins voting no. Ms. Zapanta was absent for the vote.

- C. Recommendation as submitted by James Beasley, Administrative Services Supervising Administrative Assistant II: That the Board 1) Approve the purchase of Fiduciary Insurance effective October 9, 2022, in an amount not to exceed the annual premium of \$408,890, and adjusted at management's discretion to expire on June 30, 2023; 2) Approve the purchase of Cyber Liability Insurance effective October 9, 2022, in an amount not to exceed the annual premium of \$622,774, and adjusted at management's discretion to expire on June 30, 2023; and 3) Delegate authority to the Chief Executive Officer (CEO) or their designee to approve all insurance renewals moving forward, due to the timeliness of insurance bids and the close deadlines for renewals. Staff will promptly provide subsequent reporting to the Board of Retirement.  
(Memo dated August 24, 2022)

James Beasley was present to answer questions from the Board.

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

IX. REPORTS

- A. For Information Only as submitted by Barry W. Lew, Legislative Affairs Officer, regarding the Monthly Status Report on Legislation.  
(Memo dated August 30, 2022)

This item was received and filed.

IX. REPORTS (Continued)

- B. For Information Only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated August 29, 2022)

This item was received and filed.

- C. For Information Only as submitted by Ted Granger, Interim Chief Financial Officer, regarding the Semi-Annual Interest Crediting for Reserves as of June 30, 2022 (Unaudited). (Memo dated July 26, 2022)

This item was received and filed.

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

Monthly Trustee Travel & Education Reports for July 2022

(Public memo dated August 22, 2022)

(Confidential memo dated August 22, 2022 – Includes Pending Travel)

4<sup>th</sup> Quarter Trustee Travel & Education Reports

(Public memo dated August 22, 2022)

This item was received and filed.

- E. For Information Only as submitted by Steven P. Rice, Chief Counsel, regarding the August 2022 Fiduciary Counsel Contact and Billing Report. (Memo dated August 31, 2022) (Privileged and Confidential Attorney-Client Communication/Attorney Work Product)

This item was received and filed.

X. ITEMS FOR STAFF REVIEW

Trustee Santos suggested that policies implemented by each Board should be reviewed

and considered for organizational wide impact. Furthermore, he requested that

diversity, equity, and inclusion (DEI) be included in RFP presentations.

XI. ITEMS FOR FUTURE AGENDAS

There were no requests for future agendas.

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

There were no comments to report.

XIII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability

<u>APPLICATION NO. &amp; NAME</u>	<u>BOARD ACTION</u>
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5265B – SHERWEN R. BUMPUS\*

Ms. Gray made a motion, Mr. Moore seconded, to grant a service-connected disability retirement pursuant to Government Code section 31720. The motion passed (roll call) with Messrs. Knox, Santos, Sanchez, Moore, Robbins, Bernstein, Kehoe, and Ms. Gray voting yes. Ms. Zapanta was absent for the vote.

5266B – REBECCA A. MALDONADO

Ms. Gray 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 Messrs. Knox, Santos, Sanchez, Moore, Robbins, Bernstein, Kehoe, and Ms. Gray voting yes. Ms. Zapanta was absent for the vote.

\*Applicant Present

XIII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

5267B – LESLIE M. MUNOZ (Dec'd)

Ms. Gray made a motion, Mr. Kehoe seconded, to refer back to staff for further development. The motion passed (roll call) with Messrs. Knox, Santos, Sanchez, Moore, Robbins, Bernstein, Kehoe, and Ms. Gray voting yes. Ms. Zapanta was absent for the vote.

5268B – HAILEY R. RYAN

Mr. Knox made a motion, Ms. Gray seconded, to deny a service-connected disability retirement without prejudice. The motion passed (roll call) with Messrs. Knox, Santos, Sanchez, Moore, Robbins, Bernstein, Kehoe, and Ms. Gray voting yes. Ms. Zapanta was absent for the vote.

248D – JASON W. PEARSON

Mr. Kehoe made a motion, Mr. Knox seconded, to grant a service-connected disability retirement without a 5-year review. The motion passed (roll call) with Messrs. Santos, Sanchez, Moore, Harris, Kehoe, and Ms. Gray voting yes and Messrs. Knox and Bernstein voting no. Ms. Zapanta was absent for the vote.

XIII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

5195B – KENNETH M. BENNETT

Ms. Gray made a motion, Mr. Kehoe seconded, to grant a service-connected disability retirement pursuant to Government Code sections 31720 and 31724. The motion passed (roll call) with Messrs. Knox, Santos, Sanchez, Moore, Harris, Bernstein, Kehoe, and Ms. Gray voting yes. Ms. Zapanta was absent for the vote.

B. Disability Retirement Appeals

APPLICATION NO. & NAME

BOARD ACTION

MAGDALENA T. AGUILAR – Danny T. Polhamus  
Allison E. Barrett for the Respondent

Ms. Gray made a motion, Mr. Harris seconded, to grant a service-connected disability retirement. The motion passed (roll call) with Messrs. Knox, Santos, Sanchez, Moore, Harris, Bernstein, Kehoe, and Ms. Gray voting yes. Ms. Zapanta was absent for the vote.

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

C. Staff Recommendations

1. Recommendation as submitted by Francis J. Boyd, Senior Staff Counsel, Legal Division: That the Board refer Stephen E. Leavins' appeal to a referee for a hearing and recommendation under Section F4 of LACERA's *Administrative Appeals Procedures for Felony Forfeiture* to allow him an opportunity to challenge staff's conclusion that his right to a disability-retirement allowance is forfeited under Government Code section 7522.72(c)(1) [Felony-Forfeiture Statute]. (Memo dated August 30, 2022)

Applicant's attorney, Thomas Wicke, was present.

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

2. Recommendation as submitted by Francis J. Boyd, Senior Staff Counsel, Legal Division: That the Board refer Gerard R. Smith's appeal to a referee for a hearing and recommendation under Section F4 of LACERA's *Administrative Appeals Procedures for Felony Forfeiture* to allow him an opportunity to challenge staff's conclusion that his right to a disability-retirement allowance is forfeited under Government Code section 7522.72(c)(1) [Felony-Forfeiture Statute]. (Memo dated August 30, 2022)

Applicant's attorney, Thomas Wicke, was present.

Mr. Knox made a motion, Mr. Harris seconded, to approve staff's recommendation. The motion passed (roll call) with Messrs. Knox, Santos, Sanchez, Moore, Robbins, Bernstein, Kehoe, and

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

C. Staff Recommendations (Continued)

Ms. Gray voting yes. Ms. Zapanta was absent for the vote.

3. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board approve the service provider invoice for David L. Friedman, M.D., Ph.D. c/o The Friedman Psychiatric Medical Group.  
(Memo dated August 24, 2022)

Mr. Knox made a motion, Mr. Harris seconded, to approve staff's recommendation. The motion passed (roll call) with Messrs. Knox, Santos, Sanchez, Moore, Robbins, Bernstein, Kehoe, and Ms. Gray voting yes. Ms. Zapanta was absent for the vote.

4. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board approve the service provider invoice for Edward Green, III, M.D. c/o Green Orthopedic Medical Group. (Memo dated August 26, 2022)

Mr. Harris made a motion, Mr. Knox seconded, to approve staff's recommendation. The motion passed (roll call) with Messrs. Knox, Santos, Sanchez, Moore, Robbins, Bernstein, Kehoe, and Ms. Gray voting yes. Ms. Zapanta was absent for the vote.

XIV. EXECUTIVE SESSION

- A. Conference with Legal Counsel – Existing Litigation  
(Pursuant to Paragraph (1) of Subdivision (d) of California  
Government Code Section 54956.9)

- 1. Barrios v. Board of Retirement

There was nothing to report.

XV. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 11:45 a.m.

*Signature on File*

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ALAN BERNSTEIN, SECRETARY

*Signature on File*

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WILLIAM PRYOR, CHAIR