

**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., THURSDAY, JULY 6, 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:

Alan Bernstein, Vice Chair  
(Teleconference Due to Just Cause under Section 54953 (f))

Vivian H. Gray, Secretary

JP Harris (Alternate Retired)

Keith Knox

Les Robbins

Antonio Sanchez

Herman Santos

TRUSTEES ABSENT:

Shawn R. Kehoe, Chair

Jason E. Green

Elizabeth Greenwood

Ronald Okum

STAFF ADVISORS AND PARTICIPANTS

Santos H. Kreimann, Chief Executive Officer

Luis A. Lugo, Deputy Chief Executive Officer

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STAFF ADVISORS AND PARTICIPANTS (Continued)

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

Michael Herrera, Senior Staff Counsel

Fern Billingsy, Senior Staff Counsel

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

Insurance Broker, Robert Lowe

I. CALL TO ORDER

The meeting was called to order by Vice Chair Bernstein at 9:12 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

A physical quorum was present at the noticed meeting location. There was one request received from Trustee Bernstein related to Just Cause (A) due to caregiving needs of a designated person. Trustee Bernstein confirmed that there were no individuals 18 years or older were present at the teleconference location. No requests were received for Emergency Circumstances (B).

IV. APPROVAL OF THE MINUTES

A. Approval of the Minutes of the Regular Meeting of June 7, 2023

Trustee Harris made a motion, Trustee Robbins seconded, to approve the Minutes of the Regular Meeting of June 7, 2023. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, , Knox, Harris, Robbins, Santos, Sanchez

Absent: Green, Greenwood, Kehoe, Okum

V. PUBLIC COMMENT

There were no requests from the public to speak.

V. EXECUTIVE UPDATE

A. LACERA All Stars

Mr. Popowich announced the winners for the month: Bonnie Nolley, Jay Lee, Joe Aguilar, and Kyle Kawakami.

B. Member Spotlight

Mr. Popowich recognized LACERA member, Andre Shelton.

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  
Service-Connected Disability Applications

On a motion by Trustee Harris, seconded by Trustee 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.

<u>APPLICATION NO.</u>	<u>NAME</u>
44E	CHRISTOPHER T. WYATT
45E	HARRY M. SAHAGIAN
46E	GABRIEL S. NAVARRO
47E	MANUEL SANDOVAL
48E	SHAWN A. SHAW
49E	FRANK W. RICHTER, IV
50E	COLIN H. ORPE
51E	MATTHEW S. PRECIADO
52E	JOSE R. YARRUHS
53E	MICHELLE HALL
54E	RAYMUNDO BARRERA
55E	CORY M. SILVERMAN (Pulled by Staff for Further Development)

VI. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)  
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
56E*	TIM S. RASCH (DEC'D)
57E	ELIZABETH AGUILERA
58E**	ROBERT A. MAY
59E	THOMAS G. JAMES
60E	MICHAEL C. ORTIZ
61E	DEBORAH J. TOMBOL

The motion passed by the following roll call vote:

Yes: Bernstein, Gray, , Knox, Harris, Robbins, Santos, Sanchez

Absent: Green, Greenwood, Kehoe, Okum

Safety Fire, Lifeguards  
Service-Connected Disability Applications

On a motion by Trustee Harris, seconded by Trustee 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.

<u>APPLICATION NO.</u>	<u>NAME</u>
1632B	PATRICK T. LONG
1633B	WILLIAM K. WHALEN
1634B	JEFFREY J. AUDET
1635B	RANDY E. LUCE
1636B	MICHAEL Y. TAKESHITA
1637B	STEVEN K. SPARKS
1638B	SAM R. FLORES
1639B	JON P. HELLER
1640B**	DAN M. SHUFORD
1641B	TIMOTHY J. LAWLOR

\*Granted SCD – Survivor Benefit

\*\*Granted SCD – Employer Cannot Accommodate

VI. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Fire, Lifeguards

Service-Connected Disability Applications

The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Knox, Harris, Robbins, Santos, Sanchez

Absent: Green, Greenwood, Kehoe, Okum

General Members

Service-Connected Disability Applications

On a motion by Trustee Santos, seconded by Trustee Gray, 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>
2549C	FRANK J. VALLES
2550C*	MILA ZATULOVSY
2551C	KRISTA M. PEREZ
2552C*	ALFREDO G. GERONA, JR.

The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Knox, Harris, Robbins, Santos, Sanchez

Absent: Green, Greenwood, Kehoe, Okum

\*Granted SCD – Employer Cannot Accommodate

VI. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members

Nonservice-Connected Disability Applications

On a motion by Trustee Santos, seconded by Trustee Gray, 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>
4421	DOANH N. BANH

VII. CONSENT ITEMS

On a motion by Trustee Harris, Trustee Robbins seconded, to approve consent items A-D. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Knox, Harris, Robbins, Santos, Sanchez

Absent: Green, Greenwood, Kehoe, Okum

**A. Approval of Revised and Restated Post Retirement Employment Policy**

Recommendation as submitted by Alan Bernstein, Chair, Operations Oversight Committee: That the Board of Retirement approve the proposed revised and restated Post Retirement Employment Policy. (Memo dated June 28, 2023) (Supplemental Memo from Steven P. Rice, Chief Counsel, dated June 28, 2023)

**B. 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 June 27, 2023)

**C. Legislative Proposal – Compliance Requirements for Rehired Retirees**

Recommendation as submitted by Les Robbins, Chair, Insurance, Benefits, and Legislative Committee: That the Board approve

## VIII. CONSENT ITEMS (Continued)

submission of a legislative proposal for inclusion in the SACRS 2024 Legislative Platform that would offset the retirement allowance of retirees who exceed the maximum allowable hours in their post-retirement employment. (Memo dated June 15, 2023)

### D. **Appeals for the Board of Retirement's Meeting of July 6, 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: Alejandro E. Estella and Diane Fetter. (Memo dated June 23, 2023)

## IX. EXCLUDED FROM CONSENT ITEMS

There were no items excluded from Consent items.

## X. NON-CONSENT ITEMS

### A. **Board of Retirement: Five Year Strategic Plan (2023-2028)**

Recommendation as submitted by Santos H. Kreimann, Chief Executive Officer: That the Board approve and adopt the Five Year BOR Strategic Plan. (Memo dated June 21, 2023)

Messrs. Lugo and Kreimann were present to answer questions from the Board.

On a motion by Trustee Santos, Trustee Harris seconded, to approve this item. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Knox, Harris, Robbins, Santos, Sanchez

Absent: Green, Greenwood, Kehoe, Okum

X. NON-CONSENT ITEMS (Continued)

B. **Approval of Extension of Rehired Retiree Earl Buehner Based on Exceptional Circumstances**

Recommendation as submitted by Santos H. Kreimann, Chief Executive Officer, and Steven P. Rice, Chief Counsel: That the Board find that exceptional circumstances exist to approve the rehire of retiree Earl Buehner to perform Senior Staff Counsel duties in the Legal Division to support the critical need for investments legal work up to 960 hours in Fiscal Year 2023-2024 during the unplanned leave of other staff and pending completion of ongoing attorney recruitments. (Memo dated June 29, 2023)

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

Yes: Bernstein, Gray, Knox, Harris, Robbins, Santos, Sanchez

Absent: Green, Greenwood, Kehoe, Okum

C. **Approval of Extension of Rehired Retiree Kathy Migita Based on Exceptional Circumstances**

Recommendation as submitted by Santos H. Kreimann, Chief Executive Officer: That the Board find that exceptional circumstances exist to approve the rehire of retiree Kathy Migita for up to 960 Hours in Fiscal Year 2023-2024 to perform services in the Retiree Healthcare Division to support critical needs in pursuit of pending healthcare initiatives, annual coverage renewals and negotiations, response to healthcare industry developments, transition of knowledge and relationships, and succession planning in the Division. (Memo dated June 29, 2023)

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

Yes: Bernstein, Gray, Knox, Harris, Robbins, Santos, Sanchez

Absent: Green, Greenwood, Kehoe, Okum

XI. NON-CONSENT ITEMS (Continued)

D. **Approval of Extension of a Rehired Retiree Jan Tran Willett Based on Exceptional Circumstances**

Recommendation as submitted by Santos H. Kreimann, Chief Executive Officer: That the Board find that exceptional circumstances exist to approve the rehire of retiree Jan Tran Willett for up to 960 Hours in Fiscal Year 2023-2024 to assist the Systems Division with critical needs relating to pending projects and transition of knowledge to new employees within the Systems Division with regard to the development, maintenance, and support of essential member benefit systems. (Memo dated June 29, 2023)

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

Yes: Bernstein, Gray, Knox, Harris, Robbins, Santos, Sanchez

Absent: Green, Greenwood, Kehoe, Okum

XI. REPORTS

A. **CERL vs. PEPRA Training**

Fern M. Billiny, Senior Staff Counsel  
(Presentation) (Memo dated June 22, 2023)

Ms. Billiny provided a presentation and answered questions from the Board.

This Item was received and filed

B. **Capstone Summary Presentations by Legal Division Interns**

Jasmine K. Bath, Senior Staff Counsel  
Nareh Derhartounian, Legal Office Intern  
Sebastian Paige, Legal Office Intern  
(Presentation) (Memo dated June 27, 2023)

Mr. Herrera introduced Ms. Derhartounian and Mr. Paige who each provided a presentation and answered questions from the Board.

This Item was received and filed

XI. REPORTS (Continued)

C. **Business Insurance 2023-2024 Renewal Summary Update**

James C. Beasley, Jr., Supervising Administrative Assistant II  
(For Information Only) (Memo dated June 20, 2023)

This Item was received and filed.

D. **Application Processing Time Snapshot Reports**

Ricki M. Contreras, Division Manager  
(For Information Only) (Memo dated June 28, 2023)

This Item was received and filed.

E. **Monthly Status Report on Legislation**

Barry W. Lew, Legislative Affairs Officer  
(For Information Only) (Memo dated June 26, 2023)

This Item was received and filed.

F. **Monthly Trustee Travel & Education Reports – May 2023**

Ted Granger, Interim Chief Financial Officer  
(For Information Only) (Memos dated June 22, 2023)  
Monthly Trustee Travel & Education Report  
Comprehensive Monthly Trustee Travel & Education Report  
(Confidential Memo – Includes Pending Travel)

This Item was received and filed.

G. **June 2023 Fiduciary Counsel Contract and Billing Report**

Steven P. Rice, Chief Counsel  
(For Information Only) (Memo dated June 26, 2023)  
(Privileged and Confidential/Attorney-Client Communication/Attorney  
Work Product)

This Item was received and filed.

XII. ITEMS FOR STAFF REVIEW

There was nothing to report.

XIII. ITEMS FOR FUTURE AGENDAS

There were no items for Items for Future Agendas.

XIV. GOOD OF THE ORDER  
(For Information Purposes Only)

Mr. Kreimann provided an update to the OneMeeting application.

XV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability

APPLICATION NO. & NAME AND BOARD ACTION

5320B – VERONICA SHAFER\*

On a motion by Trustee Knox, Trustee Bernstein seconded, to grant a nonservice-connected disability retirement retroactive without prejudice since employer cannot accommodate pursuant to Government Code sections 31720 and 31724. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Knox, Harris, Robbins, Santos, Sanchez

Absent: Green, Greenwood, Kehoe, Okum

5321B – MAI-PHI T. NGUYEN\*

On a motion by Trustee Knox, Trustee Bernstein 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, Gray, Knox, Harris, Robbins, Santos, Sanchez

Absent: Green, Greenwood, Kehoe, Okum

XV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME AND BOARD ACTION

5322B – ISABEL SANEZ

On a motion by Trustee Gray, Trustee Santos seconded, to grant a service-connected disability retirement. The motion was amended by the motion makers to include retroactive.

The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Knox, Harris, Robbins, Santos, Sanchez

Absent: Green, Greenwood, Kehoe, Okum

5323B – CLAYTON G. LARSON\*

On a motion by Trustee Gray, Trustee Santos seconded, to deny a service-connected disability retirement and find the applicant not permanently incapacitated. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Knox, Harris, Robbins, Santos, Sanchez

Absent: Green, Greenwood, Kehoe, Okum

5324B – NGHIA H. DO

On a motion by Trustee Gray, Trustee Santos seconded, to grant a service-connected disability retirement. The motion passed by the following roll call vote:

Yes: Gray, , Harris, Robbins, Santos, Sanchez

No: Bernstein, Knox, Robbins

Absent: Green, Greenwood, Kehoe, Okum

\*Applicant Present

XV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME AND BOARD ACTION

5165B – SALVADOR M. ISAIS

On a motion by Trustee Harris, Trustee Sanchez seconded, to grant a service-connected disability retirement continuation pursuant to Government Code Section 31720. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Knox, Harris, Robbins, Santos, Sanchez

Absent: Green, Greenwood, Kehoe, Okum

XVI. ADJOURNMENT

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

  
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VIVIAN GRAY, SECRETARY

  
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SHAWN R. KEHOE, CHAIR