

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, JANUARY 9, 2020

PRESENT: Herman Santos, 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
Thomas Walsh

STAFF ADVISORS AND PARTICIPANTS

Santos H. Kreimann, Chief Executive Officer
Steven P. Rice, Chief Counsel
John Popowich, Assistant Executive Officer
Bernie Buenaflor, Benefits Division Manager
Ricki Contreras, Division Manager
Disability Retirement Services

STAFF ADVISORS AND PARTICIPANTS

Tamara Caldwell, Specialist Supervisor
Disability Retirement Services

Francis J. Boyd, Senior Staff Counsel

Johanna M. Fontenot, Senior Staff Counsel

Jill P. Rawal, Staff Counsel

Shonita Peterson, Benefits Division

Ted Granger, Interim Chief Financial Officer

I. CALL TO ORDER

The meeting was called to order by Ms. Zapanta at 9:00 a.m., in the Board Room of Gateway Plaza.

II. ELECTIONS

(Election of Chair, Vice Chair, Secretary, Joint Organizational Governance Committee and Audit Committee Trustee)

The election of officers was conducted by Ms. Zapanta:

A) Chair of the Board

Mr. Santos was nominated to the position of Chair of the Board of Retirement by Mr. Okum. Hearing no other nominations the nominations were closed. Ms. Zapanta announced that Mr. Santos was elected to the position of Chair of the Board of Retirement.

B) Vice Chair of the Board

Ms. Gray was nominated to the position of Vice Chair of the Board of Retirement by Mr. Santos. Hearing no other nominations the nominations were closed. Ms. Zapanta

II. ELECTIONS (Continued)

announced that Ms. Gray was elected to the position of Vice Chair of the Board of Retirement.

C) Secretary of the Board

Ms. Zapanta was nominated to the position of Secretary of the Board of Retirement by Ms. Gray. Hearing no other nominations the nominations were closed. Ms. Zapanta announced that she was elected to the position of Secretary of the Board of Retirement.

D) Joint Organizational Governance Committee Member

Mr. Kehoe was nominated to the position of Joint Organizational Governance Committee Member by Mr. Santos. Hearing no other nominations the nominations were closed. Ms. Zapanta announced that Mr. Kehoe was elected to the position of Joint Organizational Governance Committee Member.

E) Audit Committee Member

Mr. Knox was nominated to the position of Audit Committee Member by Ms. Gray. Hearing no other nominations the nominations were closed. Ms. Zapanta announced that Mr. Knox was elected to the position of Audit Committee Member.

III. PLEDGE OF ALLEGIANCE

Mr. Moore led the Board Members and staff in reciting the Pledge of Allegiance.

IV. APPROVAL OF MINUTES

A. Approval of the Minutes of the Regular Meeting of December 4, 2019

IV. APPROVAL OF MINUTES (Continued)

Mr. Okum made a motion, Mr. Robbins seconded, to approve the minutes of the regular meeting of December 4, 2019. The motion passed with Mr. Moore abstaining.

B. Approval of the Minutes of the Regular Meeting of December 12, 2019

Mr. Santos made a motion, Mr. Knox seconded, to approve the minutes of the special meeting of November 21, 2019. The motion passed with Mr. Moore abstaining.

V. OTHER COMMUNICATIONS

A. For Information

1. November 2019 All Stars

Mr. Popowich announced the eight winners for the month of November: Faustino Herrera, Justin Chiu, Elda Villarroel, Vanessa Ventura, Paul Carranza, Angel Calvo, Ricki Contreras, and Anna Collay for the Employee Recognition Program. Gordon Pacana, Paola Johns, Rosalind White, and Felisa Valdepenas were the winners of LACERA's RideShare Program and Maria Calderon was the winner for the Web Watcher.

2. Chief Executive Officer's Report
(Memo dated December 18, 2019)

Mr. Kreimann provided a brief update on the Board of Investments meeting that took place on January 8, 2019 and answered questions from the Board. Mr. Kreimann provided the Board with an update on items mentioned in the Chief Executive Officer's Report and answered questions.

VI. PUBLIC COMMENT

There were no requests from the public to speak.

VII. CONSENT ITEMS

Mr. Kehoe made a motion, Ms. Gray seconded, to approve the following items. The motion passed unanimously by all trustees present.

- A. Ratification of Service Retirement and Survivor Benefit Application Approvals. (Memo dated December 31, 2019)
- B. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board grant the appeals and request for an administrative hearing for applicants Sandra Corral and Xochitl R. Mercado. (Memo dated December 20, 2019)
- C. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board dismiss with prejudice the appeal of Leonard Fontes for an earlier effective date. (Memo dated December 19, 2019)
- D. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board dismiss with prejudice the appeal of Selwyn Leung for a service-connected disability retirement. (Memo dated December 19, 2019)

VIII. EXCLUDED CONSENT ITEMS

There were no items to address.

IX. 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

IX. 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:

<u>APPLICATION NO.</u>	<u>NAME</u>
148D	EDWARD G. EVERETT
149D	CARLOS TEJEDA
150D	EDGARD GARCIA (DEC'D)
151D*	VICTOR LEWANDOWSKI
152D*	MICHAEL A. O'SHEA
153D	CARMEN A. BAZYOUROS
154D	AMY B. MARTIN
155D	MARK C. MACIAS
156D	JIMMIE C. JOHNSON
157D**	THERESA R. CULBERSON
158D	MARK E. DECKER
159D	JANICE HANSEN
160D	PATRICK T. BEARSE
161D	STEVEN N. TOLY
162D	BERNELL E. TRAPP

* Granted SCD – Employer Cannot Accommodate

** Granted SCD – Retroactive

IX. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Fire, Lifeguards

Service-Connected Disability Applications

On a motion by Mr. Pryor, 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:

<u>APPLICATION NO.</u>	<u>NAME</u>
1189B	JOSE MARTINEZ-TORRES
1190B	EDUARDO RODRIGUEZ
1191B	RALPH E. CALICHER
1192B	ALBERTO P. AGUIRRE
1193B	MIKE D. BRADLEY
1194B	GERALD R. MEEHAN
1195B	PETER M. MAHONE, JR.
1196B	WILLIAM W. GARRISON
1197B	JOSEPH CROCCO
1198B*	BOBBY J. LASTER

* Granted SCD – Retroactive

IX. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members

Service-Connected Disability Applications

On a motion by Mr. Okum, seconded by Mr. Knox, 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>
2040C*	YURIKA SHIMOTANI
2041C**	MARY H. GALLEGOS
2042C**	RICHARD F. SECORD
2043C	SHEILA BOOTH
2044C***	ANA L. DELOACH
2045C****	RICHARD M. HANSEN (DEC'D)
2046C*****	DARIUS A. SIMMS
2047C*	BOB NASSERI
2048C	SANDY T. PETERSON

* Granted SCD – Retroactive

** Granted SCD – Employer Cannot Accommodate

*** Granted SCD – Retroactive Since Employer Cannot Accommodate

**** Granted SCD – Survivor Benefit

***** Granted SCD – Salary Supplemental

IX. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members

Nonservice-Connected Disability Applications

On a motion by Mr. Knox, seconded by Mr. Okum, the Board of Retirement approved 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>
4391	CYNTHIA M. FIEDLER
4392	TIA L. BONDS

X. NON-CONSENT ITEMS

- A. Recommendation as submitted by Bernie Buenaflor, Benefits Division Manager: That the Board approve and submit to the Board of Supervisors for their approval of the amendments to Regulations V as noted in Exhibit A – Redlined Board of Retirement Regulation V. Prior Service. (Memo dated December 27, 2019)

Mr. Buenaflor was present and answered questions from the Boards.

Mr. Kehoe made a motion, Mr. Okum seconded, to approve staff's recommendation. The motion passed unanimously by all trustees present.

- B. Recommendation as submitted by Steven P. Rice, Chief Counsel: That the Board ratify the purchase of Employment Practices Liability insurance coverage, effective June 30, 2019 through June 30, 2020, from Hudson Insurance Company, with limits of \$5 million, at a premium of \$95,000.00 plus fees of \$2,725.00. (Memo dated December 23, 2019)

Ms. Gray made a motion, Mr. Harris seconded, to approve staff's

X. NON-CONSENT ITEMS (Continued)

recommendation. The motion passed unanimously by all trustees present.

XI. REPORTS

- A. For discussion purposes as submitted by Steven P. Rice, Chief Counsel, regarding the 2020 Board Election Process. (Memo dated December 23, 2019)

Mr. Rice provided a brief update and answered questions and received comments from the Board.

The following Items were received and filed.

- B. For Information Only as submitted by Jill P. Rawal, Staff Counsel, regarding the Fair Political Practices Commission Form 806 – Agency Report of Public Official Appointments. (Memo dated December 30, 2019)
- C. For Information Only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated December 30, 2019)
- D. For Information Only as submitted by Shonita Peterson, Benefits Division, regarding the Disability Board Action Workflow. (Memo dated January 2, 2020)
- E. Monthly Education and Travel Report for November 2019
Ted Granger, Interim Chief Financial Officer
(For Information Only) (Public Memo dated December 20, 2019)
(Confidential Memo dated December 20, 2019 – Includes Anticipated Travel)
- F. For Information Only as submitted by Steven P. Rice, Chief Counsel, regarding the December 2019 Fiduciary Counsel Contact and Billing Report. (Memo dated December 31, 2019) (Privileged and Confidential Attorney-Client Communication/Attorney Work Product)

XII. ITEMS FOR STAFF REVIEW

The Board requested that we agendaize the Board Offsite for further discussion.

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

Trustees congratulate the newly appointed officers and welcomed Mr. Moore to the Board of Retirement.

XIV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability

APPLICATION NO. & NAME

BOARD ACTION

5116B – JOHN P. HARRIS*

Mr. Pryor made a motion, Mr. Kehoe seconded, to grant a nonservice-connected disability retirement pursuant to Government Code Sections 31720 and 31724. The motion passed unanimously by all trustees present.

5117B – FRANCISCO J. SOL

Mr. Kehoe made a motion, Mr. Pryor seconded, to return to staff for further information. The motion passed unanimously by all trustees present.

5118B – JUSTIN J. CRUMLISH

Mr. Robbins made a motion, Mr. Knox seconded, to deny a service-connected disability retirement and find the applicant ineligible. The motion passed unanimously by all trustees present.

5119 – PAUL H. DOEVE

Mr. Robbins made a motion, Mr. Kehoe seconded, to deny a service-connected disability retirement pursuant to Government Code Section 31722. The motion passed unanimously by all trustees present.

* Applicant Present

XIV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

5093B – NARIMAN AMJADI

Mr. Pryor made a motion, Ms. Gray seconded, to grant a nonservice-connected disability retirement pursuant to Government Code Section 31720 and 31724 since the employer cannot accommodate. The motion passed unanimously by all trustees present.

B. Disability Retirement Appeals

APPLICATION NO. & NAME

BOARD ACTION

DIANNE DABNEY - Jason E. Waller for the respondent
Danny T. Polhamus for the applicant

Ms. Gray made a motion, Mr. Okum seconded, to grant a service-connected disability retirement. The motion passed (roll call) with Messrs. Kehoe, Knox, Moore, Santos, Okum, Walsh, and Ms. Gray voting yes; and Mr. Robbins and Ms. Zapanta voting no.

C. Staff Recommendations

Mr. Kehoe made a motion, Mr. Okum seconded, to approve the following items. The motion passed unanimously by all trustees present.

1. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board approve the service provider invoice for SoCal Medical Specialists, Medical Group, Perry R. Secor, M.D. (Memo dated December 18, 2019)

XIV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

C. Staff Recommendations (Continued)

2. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board approve the service provider invoice for Tye J. Ouzounian, M.D.
(Memo dated December 18, 2019)

XV. EXECUTIVE SESSION

- A. Conference with Legal Counsel – Initiation of Litigation pursuant to paragraph (4) of Subdivision (d) of California Government Code Section 54956.9.

1. One Matter

The Board met in Executive Session with counsel pursuant to Paragraph (4) of Subdivision (d) of California Government Code Section 54956.9. There was nothing to report.

Green Folder Information (Information distributed in each Trustees Green Folder at the beginning of the meeting)

Item VII. B. Grant the Appeals/Request for an Administrative Appeal (Revised) (Memo dated December 20, 2019)

XVI. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 11:08 a.m.

Signature on File

GINA ZAPANTA, SECRETARY

Signature on File

HERMAN SANTOS, CHAIR