

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., WEDNESDAY, DECEMBER 6, 2023

This meeting was conducted by the Board of Retirement both in person and by teleconference under California Government Code Sections 54953 (f).

TRUSTEES PRESENT:

Shawn R. Kehoe, Chair

Alan Bernstein, Vice Chair

Vivian H. Gray, Secretary

Jason E. Green (Teleconference Due to Just Cause under Section 54953 (f) (Joined the meeting at 9:04 a.m.)

JP Harris (Teleconference Due to Just Cause under Section 54953 (f) (Alternate Retired)

Keith Knox

Ronald Okum (Joined the meeting at 9:47 a.m.)

Les Robbins

Antonio Sanchez

Herman Santos

TRUSTEES ABSENT:

Elizabeth Greenwood

STAFF ADVISORS AND PARTICIPANTS

Santos H. Kreimann, Chief Executive Officer

Luis A. Lugo, Deputy Chief Executive Officer

STAFF ADVISORS AND PARTICIPANTS (Continued)

Jonathan Grabel, Chief Investment Officer

Jude Perez, Deputy Chief Investment Officer

JJ Popowich, Assistant Executive Officer

Laura Guglielmo, Assistant Executive Officer

Steven P. Rice, Chief Counsel

Francis J. Boyd, Senior Staff Counsel

Jasmine Bath, Senior Staff Counsel

Jessica Rivas, Senior Staff Counsel

Elaine Salon, Interim Senior Staff Counsel

Dr. Glenn Ehresmann, Medical Advisor

Chait Errande, Information Security Officer

Ted Granger, Interim Chief Financial Officer

Barry W. Lew, Legislative Affairs Officer

Carly Ntoya, Human Resources Director

Tamara Caldwell, Disability Retirement Manager

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

STAFF ADVISORS AND PARTICIPANTS (Continued)

Nossaman LLP, Fiduciary Counsel

Ashley Dunning

Allison Callaghan

Julia Botezatu

I. CALL TO ORDER

The meeting was called to order by Chair Kehoe at 9:31 a.m. in the Board Room of Gateway Plaza.

II. PLEDGE OF ALLEGIANCE

Messrs. Bernstein and Santos 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 were two requests received from Trustee Harris and Green to attend by teleconference for Just Cause (A) contagious illness. Trustee Harris and Green confirmed that there were no individuals 18 years or older 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 November 1, 2023

Trustee Santos made a motion, Trustee Gray seconded, to approve the Minutes of the Regular Meeting of November 1, 2023. The motion passed by the following roll call vote:

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

Absent: Greenwood, Okum

V. PUBLIC COMMENT (Trustee Green joined the meeting at 9:04 a.m.)

A written comment on behalf of Jeanine A. St. Hill (Applicant No. 2662C) was received.

VI. EXECUTIVE UPDATE

A. LACERA All Stars

Mr. Popowich announced the winners for the month: Roberta Van Nortrick, Mei Zhang, Maria Calderon, and Louis Gittens. The Web Watcher was Veronica Yi-Martinez and the Rideshare winner was Liliana Ronquillo.

B. Member Spotlight

Mr. Popowich recognized LACERA member, Olga Fruge.

C. Chief Executive Officer's Report

(Mr. Okum joined the meeting at 9:47 a.m.)

Mr. Kreimann provided a brief presentation on the Chief Executive Officer's Report and answered questions from the Board.

VII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement
Service-Connected Disability Applications

On a motion by Trustee Bernstein, seconded by Trustee Gray, 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.

APPLICATION NO.

NAME

215E

MARTIN V. HARNEY

216E

PEDRO ENCISO II

217E

ALFRED P. ALVAREZ

218E

RUBEN E. ALVAREZ

VII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
219E	BRIAN C. BISHOP
220E*	ERIC T. FOX
221E	TIM J. CANOVA
222E	CHAD W. DOWDY
223E	LA MARK A. WILLIAMS
224E	ELIGIO S. BARAJAS
225E	WENDY L. LOFTON
226E	RYAN J. WADE
227E	CYNTHIA C. REDONDO
228E	KEITH G. SCHUMAKER
229E	JUDITH S. LUERA
230E	LUIS J. SANTAELLA
231E	DAVID M. CARVER
232E	MAIRA LLAMAS CONTRERAS
233E	CANDICE N. ANTUNA
234E*	WILLIAM G. NASH II
235E	MICHAEL D. GALVAN
236E	JUANITO JACINTO
237E	DENISE JIMENEZ
238E	MICHAEL J. ESPINOSA
239E	TODD M. JAZWIECKI
240E	ROBERT D. MARTINDALE
241E	BERNARD M. SHOCKLEY
242E	EMMANUEL PEREZ-PEREZ
243E	ROBERT W. MAUS

The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Knox, Okum, Robbins, Sanchez, Santos

Absent: Greenwood

*Granted SCD – Retroactive

VII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Fire, Lifeguards

Service-Connected Disability Applications

On a motion by Trustee Okum, seconded by Trustee 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.

<u>APPLICATION NO.</u>	<u>NAME</u>
1760B	JAMES A. CALDERON
1761B	PHILIP J. LOURITO
1762B	MICHAEL W. FLOWERS
1763B*	JORDAN D. PRIMO
1764B**	THOMAS J. SULLIVAN
1765B	DAVID P. BROWN
1766B	ROLAND L. SPREWELL

The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Knox, Okum, Robbins, Sanchez, Santos

Absent: Greenwood

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>
2658C**	SHANON WASHINGTON
2659C**	MARTHA T. RUIZ
2660C**	JAE CHONG

*Granted SCD – Retroactive

**Granted SCD – Employer Cannot Accommodate

VII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members

Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
2661C	LINDA R. MORENO
2662C*	JEANINE A. ST. HILL
2663C	DAVID A. POLIO
2664C**	ALBA N. ROSALES
2665C***	KYLE B. FORTSON
2666C	VIVIANA G. TUINSTR
2667C*	CHRISTINE M. GRANDON
2668C	BRIAN A. KEYS
2669C*	GRACE N. OKOJI
2670C***	ADIZA K. ADAMOU LUCAS
2671C**	NICOLE MAYER
2672C***	ODETTE F. BASHA
2673C****	VALERIE A. IBARRA
2674C****	SANDI L. ROTH
2675C*	LUCIA M. MUNOZ
2676C*	JENNIFER L. LOPEZ-SUAREZ
2677C*****	NICHOLE D. JACKSON (DEC'D)
2678C*	ESPERANZA FERNANDEZ
2679C**	JOSHUA A. LOPEZ
2680C*	TAMARA M. VOGL
2681C*****	JARED C. TYLER, SR. (DEC'D)

The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Knox, Okum, Robbins, Sanchez, Santos

Absent: Greenwood

*Granted SCD – Employer Cannot Accommodate

**Granted SCD – Salary Supplement

***Granted SCD – Retroactive Employer Cannot Accommodate

****Granted SCD – Retroactive

*****Granted SCD – Survivor Benefit/Retroactive

VIII. CONSENT ITEMS

On a motion by Trustee Bernstein, Trustee Knox seconded, to approve consent items A-J. The motion passed by the following roll call vote:

The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Knox, Okum, Robbins, Sanchez, Santos

Absent: Greenwood

- A. **H.R. 4260—Public Servants Protection and Fairness Act of 2023**
Recommendation as submitted by Les Robbins, Chair, Insurance, Benefits and Legislative Committee: That the Board adopt a “Support” position on H.R. 4260, which would enact the “Public Servants Protection and Fairness Act of 2023.”
(Memo dated November 14, 2023)
- B. **H.R. 5342 – Equal Treatment of Public Servants Act of 2023**
Recommendation as submitted by Les Robbins, Chair, Insurance, Benefits and Legislative Committee: That the Board adopt a “Support” position on H.R. 5342, which would enact the “Equal Treatment of Public Servants Act of 2023.” (Memo dated November 15, 2023)
- C. **Federal Engagement – Visit with Congress**
Recommendation as submitted by Les Robbins, Chair, Insurance, Benefits and Legislative Committee: That the Board: 1) Approve a visit with Congress by Board trustees as designated by the Chair of the Board of Retirement and by staff as designated by the Chief Executive Officer during the week of January 22, 2024, in Washington, D.C.; and 2) Approve reimbursement of all travel costs incurred in accordance with LACERA’s Trustee Travel Policy.
(Memo dated November 16, 2023)
- D. **LACERA Policy for Processing Disability Retirement Applications and Appeals Filed by Internal and Internal-Related Applicants**
Recommendation as submitted by Alan Bernstein, Chair, Operations Oversight Committee: That the Board adopt the LACERA Policy for Processing Disability-Retirement Applications and Appeals filed by Internal and Internal-Related Applicants.
(Memo dated November 16, 2023)

VIII. CONSENT ITEMS (Continued)

E. **Revised Trustee Education and Travel Policies**

Recommendation as submitted by Herman B. Santos, Chair, Joint Organizational Governance Committee: That the Board approve the revised Trustee Education and Travel Policies.

(Memo dated November 17, 2023)

F. **Chief Executive Officer Salary Designation Authority Upon Appointment of External Candidates**

Recommendation as submitted by Herman B. Santos, Chair, Joint Organizational Governance Committee: That the Board approve amendments to the LACERA portion of the Los Angeles County Salary Ordinance, Sections 6.127.040 M 1 for Tier I and 6.127.040 P 1 for Tier II, to permit LACERA's Chief Executive Officer (CEO) to designate a Salary upon appointment of persons not employed by the County or LACERA to positions at any rate or step within the applicable Salary range, provided that for Tier I, as is currently provided for Tier II, the CEO makes a written finding based on factors to justify hiring above the minimum Salary range and with periodic reporting to the Boards, and further recommend implementation of the amendments.

(Memo dated November 17, 2023)

G. **Document Processing Center Classification and Compensation Study**

Recommendation as submitted by Herman B. Santos, Chair, Joint Organizational Governance Committee: That the Board approve the proposed classification and compensation changes be approved for implementation, including prompt incorporation of the changes into the County Salary Ordinance: Title change, description revision and salary change for the Document Processing Coordinator, LACERA classification, and Title change, description revision and salary change for the Document Processing Assistant, LACERA classification.

(Memo dated November 17, 2023)

H. **Ratification of Service Retirement and Survivor Benefit Application Approvals**

Recommendation that the Board approve the service retirements and survivor benefit applications received as of November 28, 2023, along with any retirement rescissions and/or changes approved at last month's Board meeting. (Memo dated November 28, 2023)

VIII. CONSENT ITEMS (Continued)

I. **Appeal(s) for the Board of Retirement's Meeting of December 6, 2023**

Recommendation as submitted by Tamara Caldwell, Division Manager, Disability Retirement Services: That the Board of Retirement grant the appeal(s) and request(s) for administrative hearing received from the following member(s) and direct the Disability Retirement Services Manager to refer each case to a referee: La'Keyta Parker. (Memo dated November 21, 2023)

J. **Service Provider Invoice Approval Request**

Recommendation as submitted by Tamara Caldwell, Division Manager, Disability Retirement Services: That the Board of Retirement approve the service provider invoice for Mark Ganjianpour, M.D. (Memo dated November 19, 2023)

IX. EXCLUDED FROM CONSENT ITEMS

There were no items excluded from Consent items.

X. NON-CONSENT ITEMS

A. **Board of Retirement and Board of Investments 2024 Meeting Calendar**

Recommendation as submitted by Santos H. Kreimann, Chief Executive Officer: That the Board review the 2024 meeting and education calendar and consider rescheduling meeting dates that may conflict with a holiday and/or the potential for a lack of quorum. (Memo dated November 28, 2023)

The Board did not take any action on this item. The 2024 Board of Retirement regular monthly meeting calendar will remain as provided in the Board of Retirement Regulations.

B. **Information Systems Acceptable Use and Mobile Device Policies for Trustees**

Recommendation as submitted by Herman B. Santos, Chair, Joint Organizational Governance Committee: That the Board approve the Acceptable Use Bring Your Own Device (BYOD) Policy. (Memo dated November 17, 2023)

X. NON-CONSENT ITEMS (Continued)

On a motion by Trustee Kehoe, seconded by Trustee Green, to approve staff's recommendation with the suggested revisions. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Knox, Okum, Robbins, Sanchez, Santos

Absent: Greenwood

C. **Chief Executive Officer Compensation**

Recommendation as submitted by Shawn Kehoe, Chair, Board of Retirement and Gina Sanchez, Chair, Board of Investments: That the Board discuss salary adjustments for the Chief Executive Officer, Santos H. Kreimann, effective October 1, 2023; and discuss a 3% cost of living adjustment (COLA) for the Chief Executive Officer, Santos H. Kreimann, effective January 1, 2024. (Memo dated December 1, 2023)

This item was tabled, without objection, to open session following Executive Session Agenda Item XIV.C. Before the vote on the item was taken, the statement of the proposed salary adjustments for the Chief Executive Officer was read by Director, Human Resources Carly Ntoya, Ph.D. as required by California Government Code Section 54953(c)(3).

On a motion by Trustee Santos, seconded by Trustee Kehoe, to approve a merit adjustment of 5% or \$2,018 per month effective October 1, 2023 and a cost of living adjustment of 3% or \$1,271 per month effective January 1, 2024, subject to Board of Investments approval, for a total adjusted salary of \$43,664 per month. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Knox, Okum, Robbins, Sanchez, Santos

Absent: Greenwood

XI. REPORTS

A. **Presentation on FPPC Form 700 e-Filing for Trustees**

Jessica Rivas, Staff Counsel

(Presentation) (Memo dated November 28, 2023)

XI. REPORTS (Continued)

Ms. Rivas provided a presentation and answered questions from the Board. This item was received and filed.

B. **AB 1020 Presumptions**

Frank Boyd, Senior Staff Counsel
(Presentation)

Mr. Boyd provided a presentation and answered questions from the Board. This item was received and filed.

C. **Fiscal Year 2023-24 Mid-Year Budget Adjustments**

Laura Guglielmo, Assistant Executive Officer
(For Information Only) (Memo dated November 16, 2023)

This item was received and filed.

D. **Fiscal Year 2022-23 Final Budget Control Report**

Laura Guglielmo, Assistant Executive Officer
(For Information Only) (Memo dated November 17, 2023)

This item was received and filed.

E. **Semi-Annual Interest Crediting for Reserves as of June 30, 2023 (Audited)**

Ted Granger, Interim Chief Financial Officer
(For Information Only) (Memo dated October 24, 2023)

This item was received and filed.

F. **Monthly Trustee Travel & Education Reports – October 2023
Fiscal Year 2023-24 1st Quarter Trustee Travel & Education
Expenditure Reports**

Fiscal Year 2023-24 1st Quarter Staff Travel Report

Ted Granger, Interim Chief Financial Officer
(Public memo dated November 21, 2023)
(Confidential memo dated November 21, 2023 - Includes Pending Travel)

This item was received and filed.

XI. REPORTS (Continued)

G. **Report of Compensation Earnable and Pensionable Compensation**

Elaine K. Salon, Interim Senior Staff Counsel

(For Information Only) (Memo dated November 14, 2023)

This item was received and filed.

H. **Application Processing Time Snapshot Reports**

Tamara Caldwell, Division Manager

(For Information Only) (Memo dated November 19, 2023)

This item was received and filed.

I. **Fiduciary Counsel Self-Assessment**

Steven P. Rice, Chief Counsel

(For Information Only) (Memo dated November 28, 2023)

(Privileged and Confidential/Attorney-Client Communication/Attorney Work Product)

This item was received and filed.

J. **November 2023 Fiduciary Counsel Contact and Billing Report**

Steven P. Rice, Chief Counsel

(For Information Only) (Memo dated November 28, 2023)

(Privileged and Confidential/Attorney-Client Communication/Attorney Work Product)

This item was received and filed.

XII. ITEMS FOR STAFF REVIEW

There were no items to report.

XIII. ITEMS FOR FUTURE AGENDAS

There were no items to report.

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

Trustees and staff thanked Trustees Herman Santos and Alan Bernstein for their service on the Board of Retirement.

On a motion by Trustee Bernstein, seconded by Trustee Gray, the Board of Retirement in open session voted 8-0 to hear in Executive Session an unagendized item relating to a Potential Threat to Public Services or Facilities pursuant to Subdivision (a) of California Government Code Section 54957, having found under Subdivision (b)(2) of California Government Code Section 54954.2 that (1) the underlying issue was not known to LACERA at the time the agenda was posted and (2) the issue required the Board's immediate attention. Trustees Bernstein, Knox, Gray, Green, Okum, Robbins, Sanchez, and Santos voted yes. Trustee Greenwood was absent from the meeting. There was nothing to report from the Executive Session discussion of the item.

XV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability

APPLICATION NO. & NAME AND BOARD ACTION

5401B – LEANNE M. STEINHAUS*

On a motion by Trustee Knox, seconded by Trustee Gray, to deny a service-connected disability retirement since the employer can accommodate. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Knox, Okum, Robbins, Sanchez, Santos

Absent: Greenwood

5402B – LAURA WOOD

Pulled by staff for further development.

5403B – MARTHA M. SANDOVAL

* Applicant and/or Attorney Present

XV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME AND BOARD ACTION

On a motion by Trustee Harris, seconded by Trustee Knox, to deny a service-connected disability retirement without prejudice. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Knox, Okum, Robbins, Sanchez, Santos

Absent: Greenwood

5404B – TANIA VELASCO*

On a motion by Trustee Harris, seconded by Trustee Knox, to grant a nonservice-connected disability retirement with salary supplement. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Knox, Okum, Robbins, Sanchez, Santos

Absent: Greenwood

5230B – SYNTOSHIA L. CUNNINGHAM

On a motion by Trustee Knox, seconded by Trustee Harris, 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, Green, Knox, Okum, Robbins, Sanchez, Santos

Absent: Greenwood

5320B – VERONICA SHAFER

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

XV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME AND BOARD ACTION

Yes: Bernstein, Gray, Green, Knox, Okum, Robbins, Sanchez, Santos

Absent: Greenwood

B. Disability Retirement Appeals

APPLICATION NO. & NAME AND BOARD ACTION

DEANNA L. SANTINO – Thomas J. Wicke for the Applicant
Jason E. Waller for the Respondent

Trustee Kehoe made a substitute motion, Trustee Green seconded, to grant a service-connected disability retirement with an earlier effective date. This application will return to the Board. The motion passed by the following roll call vote:

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

Absent: Greenwood

ZAHEER A. URAIZEE – In Pro Per
Eugenia W. Der for the Respondent

Trustee Kehoe made a motion, Trustee Harris seconded, to grant a nonservice-connected disability retirement. The motion passed by the following roll call vote:

Yes: Bernstein, Gray, Green, Knox, Okum, Robbins, Sanchez, Santos

Absent: Greenwood

XVI. EXECUTIVE SESSION

- A. Potential Threats to Public Services or Facilities
(Pursuant to Subdivision (a) of California Government Code Section 54957)

Consultation with: LACERA Chief Executive Officer Santos H. Kreimann, Deputy Chief Executive Officer Luis Lugo, Assistant Executive Officers JJ Popowich and Laura Guglielmo, Chief, Information Technology Kathy Delino, Information Security Officer Chaitanya Errande, and Other LACERA Staff.

There was nothing to report.

- B. Conference with Legal Counsel – Anticipated Litigation
Initiation of Litigation
(Pursuant to Paragraph (4) of Subdivision (d) of California Government Code Section 54956.9)

Number of Cases: 1
(Memo dated November 29, 2023)

There was nothing to report.

- C. Public Employee Performance Evaluation
(Pursuant to Paragraph (1) of Subdivision (b) of California Government Code Section 54957)

Title: Chief Executive Officer

There was nothing to report.

XVI. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 2:55 p.m. in memory of Allan Cochran, Deputy Walter Flores, and Nicholas Simbolon.

December 6, 2023

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VIVIAN GRAY, SECRETARY



SHAWN R. KEHOE, CHAIR

