

**MINUTES**  
**OF THE**  
**BOARD OF FIRE AND POLICE PENSION COMMISSIONERS**  
**BOARD MEETING OF JUNE 15, 2023**

The Board of Fire and Police Pension Commissioners of the City of Los Angeles met on Thursday, June 15, 2023.

COMMISSIONERS PRESENT: Ken Buzzell, President  
Sumi Parekh, Vice President  
Andrea Ambriz  
Rigo Arellano  
Brian Churchill  
Garrett Zimmon

COMMISSIONERS ABSENT: William Chun  
Michael Lawson  
Raul Perez

DEPARTMENT OF FIRE AND  
POLICE PENSIONS: Joseph Salazar, General Manager  
Tom Lopez, Interim Chief Investment Officer  
Gregory Mack, Assistant General Manager  
Myo Thedar, Assistant General Manager  
Evangelina Masud, Commission Executive Assistant

CITY ATTORNEY'S OFFICE: Anya Freedman, Assistant City Attorney

President Buzzell called the meeting to order at 8:30 a.m. All of the above-listed Commissioners were present at the start of the meeting.

A. CALL TO ORDER

1. Roll Call

Ms. Evangelina Masud announced there was a quorum, with six commissioners participating in person from the Boardroom, Commissioner Perez would arrive shortly, and Commissioners Chun and Lawson were absent. (Commissioner Perez was unable to attend the meeting and ultimately recorded as absent.)

2. Consideration of Notices and Requests for Remote Participation pursuant to AB 2449
- a. Just Cause – receive and file

b. Emergency Circumstance and possible Board action

There were no Notices and Requests for Remote Participation for consideration.

B. PUBLIC COMMENT ON MATTERS WITHIN THE BOARD'S JURISDICTION AND ANY SPECIFIC AGENDA ITEMS

There were no public comments.

C. DISABILITY CASES

DISABILITY CLAIM – NEW CLAIM – TIER 5

Kevin L. Giberson, Jr. (P) Police Officer III

As recommended by Staff and concurred in by the applicant, a service-connected disability pension is granted at 65% for low back, neck, and right shoulder only, and no foreseeable purpose would be served in requiring periodic medical examinations. Motion made by President Buzzell, seconded by Commissioner Arellano, and adopted by the following vote: ayes, Commissioners Ambriz, Arellano, Churchill, Parekh, Zimmon, and President Buzzell – 6; nays, none; absent – Commissioners Chun, Lawson, and Perez. Officer Giberson, Jr. was represented via videoconference by Thomas J. Wicke, Esq. of Lewis, Marenstein, Wicke, Sherwin, and Lee.

DISABILITY CLAIM – NEW CLAIM – TIER 5

John P. Hinson (P) Police Officer II

As recommended by Staff and concurred in by the applicant, a nonservice-connected disability pension is granted at 43% for his heart, and no foreseeable purpose would be served in requiring periodic medical examinations. Motion made by Commissioner Churchill, seconded by Commissioner Arellano, and adopted by the following vote: ayes, Commissioners Ambriz, Arellano, Churchill, Parekh, Zimmon, and President Buzzell – 6; nays, none; absent – Commissioners Chun, Lawson, and Perez. Officer Hinson was represented by Michael D. Treger, Esq. of Straussner Sherman Lonné Treger Helquist.

D. REPORTS TO THE BOARD

1. APPROVAL OF ASSET ALLOCATION PLAN AND POSSIBLE BOARD ACTION

Mr. Tom Lopez, Interim Chief Investment Officer, Investments Division and Ms. Rebecca Gratsinger, CEO and Senior Consultant of RVK presented and discussed this item with the Board. The item was continued to a future meeting.

Messrs. Ted Simpson, Regional Director and Vice President and Allen Pu, Deputy Head of Portfolio Management of Dimensional Fund Advisors gave public comments.

Motion

Commissioner Churchill moved that the Board:

1. Review the updated asset allocation presentation by RVK (Attachment I); and,
2. Approve portfolio option #2 of the three portfolio options included in the RVK asset allocation presentation,

which was seconded by Commissioner Arellano and failed by the following vote: ayes, Commissioners Arellano, Churchill, Zimmon and President Buzzell – 4; nays, Commissioners Ambriz and Parekh – 2.

2. PRIVATE EQUITY CO-INVESTMENT EDUCATION AND DISCUSSION BY PORTFOLIO ADVISORS

Mr. Tom Lopez, Interim Chief Investment Officer, Investments Division, Ms. Liz Campbell, Managing Director and Messrs. Todd Hughes, CFA and Managing Director and Michael Chen, Managing Director of Portfolio Advisors presented and discussed this item with the Board. The report was received and filed.

*President Buzzell recessed the meeting for a break at 9:33 a.m., and reconvened at 9:43 a.m.*

3. APPROVAL TO ISSUE REQUEST FOR PROPOSALS FOR FINANCIAL PLANNING EDUCATION SERVICES AND POSSIBLE BOARD ACTION

Messrs. Kevin Lu, Benefits Analyst, and Stephen Bayutas, Sr. Benefits Analyst I, Communications & Education Section presented and discussed this item with the Board. General Manager Salazar and Ms. Anya Freedman, Assistant City Attorney, Office of the City Attorney gave additional comments. The report was approved as submitted.

Resolution 23200

Commissioner Ambriz moved that the Board authorize the General Manager to issue a Request for Proposals (RFP) for financial planning education (FPE) services,

which was seconded by Commissioner Arellano and approved by the following vote: ayes, Commissioners Ambriz, Arellano, Churchill, Parekh and Zimmon – 5; nays, President Buzzell – 1.

4. APPROVAL TO ISSUE REQUEST FOR PROPOSALS FOR FINANCIAL COUNSELING SERVICES AND POSSIBLE BOARD ACTION

Messrs. Oscar Diaz, Management Assistant, and Stephen Bayutas, Sr. Benefits Analyst I, Communications & Education Section were available for questions. The report was approved as submitted.

Resolution 23201

Commissioner Zimmon moved that the Board authorize the General Manager to issue a Request for Proposals (RFP) for financial counseling services,

which was seconded by Commissioner Arellano and approved by the following vote: ayes, Commissioners Ambriz, Arellano, Churchill, Parekh, Zimmon and President Buzzell – 6; nays, none.

5. AUDIT OF CASH MANAGEMENT PROCESSES AND POSSIBLE BOARD ACTION

Ms. Cynthia Varela, Departmental Audit Manager, Internal Audit Section, was available for questions. The report was approved as submitted.

Resolution 23202

Commissioner Parekh moved that the Board review, receive, and file the Audit of Cash Management Processes,

which was seconded by Commissioner Churchill and approved by the following vote: ayes, Commissioners Ambriz, Arellano, Churchill, Parekh, Zimmon and President Buzzell – 6; nays, none.

6. 2022-23 ANNUAL AUDIT PLAN STATUS AND PROPOSED 2023-24 ANNUAL AUDIT PLAN AND POSSIBLE BOARD ACTION

Mr. Cynthia Varela, Departmental Audit Manager, Internal Audit Section, provided the Board with a brief summary. The report was approved as submitted.

Resolution 23203

Commissioner Churchill moved that the Board:

1. Review the status report to the 2022-23 Annual Audit Plan; and,
2. Review and approve the proposed 2023-24 Annual Audit Plan,

which was seconded by Commissioner Parekh and approved by the following vote: ayes, Commissioners Ambriz, Arellano, Churchill, Parekh, Zimmon and President Buzzell – 6; nays, none.

7. 2023-24 FINAL BUSINESS PLAN AND POSSIBLE BOARD ACTION

Mr. JC De La Cruz, Management Analyst and Ms. Jennifer Shimatsu, Sr. Management Analyst II, Administrative Services Section presented and discussed this item with the Board. The report was approved as submitted.

Resolution 23204

Commissioner Parekh moved that the Board approve the 2023-24 Final Business Plan, which was seconded by Commissioner Arellano and approved by the following vote: ayes, Commissioners Ambriz, Arellano, Churchill, Parekh, Zimmon and President Buzzell – 6; nays, none.

8. 2023-24 FINAL BUDGET AND POSSIBLE BOARD ACTION

Mr. Elijah Hernandez, Management Analyst, and Ms. Jennifer Shimatsu, Senior Management Analyst II, Administrative Services Section presented and discussed this item with the Board. The report was approved as submitted.

Resolution 23205

Commissioner Ambriz moved that the Board:

1. Adopt the 2023-24 Final Budget (Budget) and authorize the General Manager to transmit the Budget to the Mayor, City Administrative Officer (CAO), and the City Controller for their record;
2. Adopt the 2023-24 Personnel Resolution and 2023-24 Travel Resolution (2023-24 Final Budget Schedules 7 and 10, respectively);
3. Delegate to the General Manager the authority to approve intra-departmental transfers within the 2023-24 Administrative Expense Budget, commensurate with the limit released by the CAO each year pursuant to Charter Section 343, and direct the General Manager to report to the Board on such transfers in the Monthly Budget Report; and,
4. Authorize Staff to make any technical corrections or clarifications to the 2023-24 Final Budget to effectuate the intent of the above-mentioned recommendations,

which was seconded by Commissioner Parekh and approved by the following vote: ayes, Commissioners Ambriz, Arellano, Churchill, Parekh, Zimmon and President Buzzell – 6; nays, none.

*Item D.9 was taken out of order.*

E. GENERAL MANAGER'S REPORT

1. Monthly Report
2. Marketing Cessation Information
3. Benefits Actions approved by General Manager on June 1, 2023

Pursuant to Resolution 04008, adopted by the Board of Fire and Police Pension Commissioners on August 7, 2003, the following benefit actions have been approved by the General Manager. Any community property divisions contained herein have been determined following a review by the Office of the City Attorney.

DISCONTINUED PENSIONS – TIER 1 – 1

|                     |              |          |          |       |          |
|---------------------|--------------|----------|----------|-------|----------|
| Marilyn J. Lassiter | Police Widow | Retired: | 09-26-14 | Died: | 04-11-23 |
|---------------------|--------------|----------|----------|-------|----------|

DISCONTINUED PENSIONS – TIER 2 – 11

|                    |                   |          |          |       |          |
|--------------------|-------------------|----------|----------|-------|----------|
| David L. Cullen    | Police Service    | Retired: | 07-15-01 | Died: | 05-05-23 |
| Gary E. Cooper     | Fire Disability   | Retired: | 08-29-89 | Died: | 05-14-23 |
| Lee R. Baker       | Police Disability | Retired: | 03-22-84 | Died: | 02-12-23 |
| Thomas A. Marshall | Police Disability | Retired: | 02-26-81 | Died: | 03-11-23 |
| Joseph R. Mayo     | Police Disability | Retired: | 09-07-78 | Died: | 04-25-23 |
| Marlene R. Lilly   | Fire Widow        | Retired: | 06-30-21 | Died: | 03-28-23 |
| Brenda R. Kaylor   | Police Widow      | Retired: | 08-29-18 | Died: | 01-22-23 |
| Stephanie K. Lueth | Police Widow      | Retired: | 10-13-16 | Died: | 03-30-23 |
| Genevieve Peters   | Police Widow      | Retired: | 08-07-69 | Died: | 01-07-20 |
| Betty L. Riedel    | Police Widow      | Retired: | 06-29-11 | Died: | 06-29-19 |
| Ruby D. White      | Police Widow      | Retired: | 07-24-98 | Died: | 11-28-22 |

DISCONTINUED PENSIONS – TIER 5 – 2

|                     |                |          |          |       |          |
|---------------------|----------------|----------|----------|-------|----------|
| Gordon L. Israel    | Fire Service   | Retired: | 05-01-02 | Died: | 05-02-23 |
| Jeffrey W. Crawford | Police Service | Retired: | 02-01-03 | Died: | 04-19-23 |

DISCONTINUE PARTIAL PAYMENT OF PENSION – TIER 2 – 1

A designated proportion of the community property interest of the pension payable to Marsha I. Hall, surviving spouse of Dennis L. Hall, Police Service Pensioner, which was being paid to his former spouse, Stephanie A. Willis, has been discontinued due to Ms. Willis' death on August 7, 2020. Ms. Willis' portion reverts to the member effective May 31, 2023.

SERVICE PENSION/DROP – TIER 3 – 10

Police

|                       |                    |      |          |          |          |
|-----------------------|--------------------|------|----------|----------|----------|
| Victor H. Acevedo     | Detective I        | Eff: | 08-01-22 | 25 Years | 303 Days |
| Juan C. Amancio, Jr.  | Sergeant I         | Eff: | 08-08-22 | 26 Years | 0 Days   |
| Stephen M. Beerer     | Detective II       | Eff: | 10-05-22 | 25 Years | 0 Days   |
| Todd M. Bogart        | Sergeant I         | Eff: | 09-12-22 | 25 Years | 357 Days |
| Jonathan R. Gutierrez | Sergeant II        | Eff: | 10-01-22 | 25 Years | 0 Days   |
| Deryl C. Jackson      | Police Officer III | Eff: | 07-01-22 | 27 Years | 150 Days |
| Keith A. Klus         | Police Officer II  | Eff: | 08-01-22 | 25 Years | 110 Days |
| Jeff T. Nuttall       | Police Officer III | Eff: | 09-14-22 | 25 Years | 334 Days |
| Linda A. Ortega       | Detective III      | Eff: | 09-01-22 | 26 Years | 219 Days |
| Ricardo Ortega        | Lieutenant II      | Eff: | 09-01-22 | 27 Years | 49 Days  |

SERVICE PENSION/DROP – TIER 4 – 1

Police

|                  |            |      |          |          |          |
|------------------|------------|------|----------|----------|----------|
| Bruce P. Alvarez | Sergeant I | Eff: | 12-25-22 | 25 Years | 219 Days |
|------------------|------------|------|----------|----------|----------|

SERVICE PENSION/DROP – TIER 5 – 28

Fire

|                     |                    |      |          |          |          |
|---------------------|--------------------|------|----------|----------|----------|
| Oscar M. Arguelles  | Firefighter III    | Eff: | 08-01-22 | 33 Years | 15 Days  |
| Frank Cornejo       | Captain II         | Eff: | 08-03-22 | 28 Years | 0 Days   |
| Milton M. Johnson   | Captain I          | Eff: | 08-01-22 | 28 Years | 205 Days |
| Michael R. McMillan | Engineer           | Eff: | 10-01-22 | 25 Years | 0 Days   |
| Eric R. Nakamaru    | Captain II         | Eff: | 08-04-22 | 33 Years | 22 Days  |
| Matthew B. Nolen    | Captain II         | Eff: | 09-15-22 | 27 Years | 334 Days |
| Brendan M. O'Connor | Engineer           | Eff: | 09-01-22 | 33 Years | 129 Days |
| Michael A. Perea    | Apparatus Operator | Eff: | 09-02-22 | 31 Years | 307 Days |
| Steven T. Schimmel  | Firefighter III    | Eff: | 10-03-22 | 25 Years | 0 Days   |
| Robert J. Takeshita | Battalion Chief    | Eff: | 12-01-22 | 33 Years | 210 Days |

Police

|                     |                    |      |          |          |          |
|---------------------|--------------------|------|----------|----------|----------|
| Gabriel Ahedo       | Police Officer III | Eff: | 08-01-22 | 26 Years | 22 Days  |
| Michael L. Arteaga  | Detective II       | Eff: | 10-01-22 | 26 Years | 191 Days |
| Maurice L. Brunel   | Sergeant II        | Eff: | 09-07-22 | 25 Years | 0 Days   |
| James P. Choi       | Police Officer III | Eff: | 10-03-22 | 25 Years | 189 Days |
| Norma A. Eisenman   | Police Officer III | Eff: | 11-01-22 | 26 Years | 0 Days   |
| Richard E. Gabaldon | Police Captain III | Eff: | 10-16-22 | 27 Years | 278 Days |
| Juan A. Gomez, Jr.  | Sergeant I         | Eff: | 10-01-22 | 26 Years | 148 Days |
| Arturo Gutierrez    | Sergeant II        | Eff: | 09-22-22 | 26 Years | 62 Days  |
| Jarden Hitanukulkit | Police Officer III | Eff: | 08-01-22 | 25 Years | 54 Days  |
| Robert J. Lewis     | Police Officer II  | Eff: | 08-01-22 | 26 Years | 237 Days |
| Hsin Yi Lo          | Police Officer III | Eff: | 07-05-22 | 26 Years | 79 Days  |
| Sandra E. Lopez     | Detective II       | Eff: | 11-01-22 | 25 Years | 301 Days |
| Gustavo A. Martinez | Detective II       | Eff: | 08-04-22 | 27 Years | 320 Days |
| Brian A. Morrison   | Captain III        | Eff: | 08-01-22 | 28 Years | 124 Days |
| Julie K. Nony       | Police Officer III | Eff: | 12-06-22 | 27 Years | 119 Days |

|                    |               |               |          |          |
|--------------------|---------------|---------------|----------|----------|
| Dante Palacio      | Detective II  | Eff: 10-01-22 | 26 Years | 358 Days |
| Fernando S. Prieto | Detective III | Eff: 12-01-22 | 25 Years | 0 Days   |
| Ricardo Rivera     | Detective II  | Eff: 07-05-22 | 28 Years | 169 Days |

ELIGIBLE SURVIVING DOMESTIC PARTNER APPLICATION – TIER 3 – 1

| <u>Name</u>                             | <u>Member's Rank</u> | <u>Type % Rate</u>        | <u>Effective Date</u> |
|---|----------------------|---------------------------|-----------------------|
| Jeanine Lee<br>(Joseph A. Marrone, Jr.) | Police Officer III   | NSC w/o prejudice:<br>40% | 04-20-23              |

SERVICE-CONNECTED DISABILITY PENSION – TIER 5 – 2

| <u>Name</u>      | <u>Member's Rank</u> | <u>Percentage</u> | <u>Effective Date</u> | <u>Board Date</u> |
|------------------|----------------------|-------------------|-----------------------|-------------------|
| Travis D. Duncan | Police Officer II    | 65%               | 02-28-23              | 05-18-23          |
| Edwin R. Nelson  | Detective I          | 60%               | 05-18-23              | 05-18-23          |

4. Other business relating to Department operations

General Manager Salazar gave the following updates:

- Fund total is at \$29.3 billion this week.
- CIO Recruitment update
  - a. CIO interviews have begun.
  - b. They are expected to conclude by the end of next week.
  - c. We are on schedule to make a selection by the end of the month.
- IRMAA Reimbursement – LACERS Study
 

On June 13<sup>th</sup>, the LACERS Board reviewed an actuarial study that was conducted to determine the cost to provide: 1) Reimbursement of Medicare Part B premium surcharge known as Income-Related Monthly Adjustment Amounts (IRMAA) and 2) reimbursement for the basic Part B premium for those not eligible to receive reimbursement since they were hired by the City prior to 4/1/1986. The study presented 5 scenarios for possible methods on establishing the amount of IRMAA that LACERS could reimburse for. LACERS will now share the study with their stakeholders and members to solicit feedback. Additionally, LACERS staff will have follow-up discussions on the study with the CAO. The feedback will be presented to the LACERS Board in July or August. LAFPP staff will continue to monitor these proposals.
- New Staff Introductions

F. CONSENT ITEMS



1. APPROVAL OF TRAVEL AUTHORITY (AMBRIZ) – CALAPRS, PRINCIPLES OF PENSION GOVERNANCE, A COURSE FOR TRUSTEES

Resolution 23206

Commissioner Parekh moved that the Board approve:

- (1) Commissioner Andrea Ambriz to attend the California Association of Public Retirement Systems (CALAPRS), Principles of Pension Governance, A Course for Trustees, on August 28 – 31, 2023 in Malibu, CA;
- (2) The use of current fiscal year funds (FY23) to pay the registration fee only, and acknowledge this is not consistent with the Controller’s Office policy since the travel will occur next fiscal year (FY24); and,
- (3) The use of next fiscal year funds (FY24) to pay the balance of the travel, consistent with the Controller’s Office policy,

which was seconded by Commissioner Zimmon and approved by the following vote: ayes, Commissioners Ambriz, Arellano, Churchill, Parekh, Zimmon and President Buzzell – 6; nays, none.

2. Findings of Fact

- a. Travis D. Duncan – Tier 5
- b. Edwin R. Nelson – Tier 5

G. CONSIDERATION OF FUTURE AGENDA ITEMS

There were no items referred for consideration.

*President Buzzell recessed the meeting for a break at 11:23 a.m., and reconvened at 11:30 a.m.*

H. CLOSED SESSIONS

*Item H.2 was taken out of order.*

*President Buzzell recused himself from Item H.2 and passed the gavel to Vice President Parekh.*

2. CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) AND (D)(1) TO CONFER WITH, AND/OR RECEIVE ADVICE FROM, LEGAL COUNSEL REGARDING PENDING LITIGATION (ONE CASE): THE ARBITRAGE FUND, ET AL. V. THE TORONTO-DOMINION BANK, ET AL., 23-CV-02763; AND POSSIBLE BOARD ACTION

The Board met in closed session.

*President Buzzell returned to the board room and chaired the meeting.*

*Commissioner Churchill left the board room for the remainder of the meeting at 11:38 a.m.*

1. CITY ATTORNEY SEMIANNUAL LITIGATION UPDATE

A. CLOSED SESSION PURSUANT TO SUBDIVISIONS (A) AND (D)(1) OF GOVERNMENT CODE SECTION 54956.9 TO CONFER WITH, AND/OR RECEIVE ADVICE FROM LEGAL COUNSEL AND POSSIBLE BOARD ACTION REGARDING PENDING LITIGATION IN THE CASES ENTITLED:

- (1). SAM ET AL. V. KWAN ET AL. (LASC, CASE NO. BC721121; CAL. APP. CT. 2D CASE NO. B315773)
- (2). IN RE CVS HEALTH CORPORATION SECURITIES ACT LITIGATION, (U.S.D.C., D. RHODE ISLAND, CASE NO. 19-CV-00434)
- (3). IN RE MYRIAD GENETICS INC., SECURITIES LITIGATION, (U.S.D.C., D. UTAH, CASE NO. 1-CV- 00707)
- (4). IN RE ASHINC CORP, ET AL. V. YUCAIPA AMERICAN ALLIANCE FUND I, LLC, ET AL. (BANKR. D. DEL., CASE NO. 12-11564)
- (5). YOUNGMAN V. YUCAIPA AMERICAN ALLIANCE FUND I, LLC, ET AL. (LASC, CASE NO. 21STCV37137)
- (6). WILLIAMS V. CITY OF LA ET AL. (U.S.D.C., C.D. CAL., CASE NO. 22-CV-05640)
- (7). JOHN NGUYEN V. LOS ANGELES CITY FIRE AND POLICE PENSION SYSTEM (LASC, CASE NO. 22STCP03218)

B. CLOSED SESSION TO CONFER WITH AND/OR RECEIVE ADVICE FROM LEGAL COUNSEL REGARDING A SIGNIFICANT EXPOSURE OF LITIGATION, PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A),(D)(2), AND (E)(3), AND POSSIBLE BOARD ACTION CONCERNING GOVERNMENT CLAIMS FILED BY BRUCE OAKLEY, GUSTAVO CAMACHO, LASALLE CULPEPPER, ROBERT GIMENEZ, ZOLTAN MAKO, DAVID KEORTGE, KIT STAJCAR AND DONALD POIRIER CONTESTING THEIR SUSPENSION FROM THE DEFERRED RETIREMENT OPTION PLAN (DROP) AND RELATING TO CASE ENTITLED: LOS ANGELES POLICE PROTECTIVE LEAGUE, ET AL V. CITY OF LOS ANGELES, ET AL. (LASC, CASE NO. 23STCP01261)

The Board met in closed session.

3. CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957 (B)(1): GENERAL MANAGER PERFORMANCE EVALUATION FOR THE PERIOD BEGINNING SEPTEMBER 25, 2022 AND ENDING JUNE 30, 2023 AND POSSIBLE BOARD ACTION

The Board met in closed session.

*Item D.9 was taken out of order.*

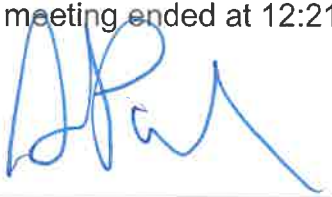
D. REPORTS TO THE BOARD - CONTINUED

9. CONSIDERATION OF GENERAL MANAGER MERIT PAY ADJUSTMENT FOR FISCAL YEAR BEGINNING JULY 1, 2023, AND POSSIBLE BOARD ACTION

President Buzzell called for public comment to which there were none.

Upon reconvening in open session, President Buzzell stated that for Items H.1 and H.2, there was no public report and Items H.3 and D.9 are deferred to a future meeting.

The meeting ended at 12:21 p.m.



President



Secretary