

# AGENDA

## A 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., WEDNESDAY, JULY 5, 2017

*The Board may take action on any item on the agenda,  
and agenda items may be taken out of order.*

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. APPROVAL OF MINUTES
  - A. Approval of the Minutes of the Special Meeting of June 1, 2017
- IV. REPORT ON CLOSED SESSION ITEMS
- V. PUBLIC COMMENT
- VI. CONSENT AGENDA
  - A. Ratification of Service Retirement and Survivor Benefit Application Approvals.
  - B. Requests for an administrative hearing before a referee.  
(Memo dated June 22, 2017)
- VII. FOR INFORMATION ONLY
  - A. For information only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated June 20, 2017)

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VIII. REPORT ON STAFF ACTION ITEMS

IX. GOOD OF THE ORDER

(For information purposes only)

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability

B. Referee Reports

XII. EXECUTIVE SESSION

A. Conference with Legal Counsel - Existing Litigation

(Pursuant to Paragraph (1) of Subdivision (d) of California Government Code Section 54956.9)

1. Wendy Schriver v. Board of Retirement

XIII. ADJOURNMENT

July 5, 2017

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*Documents subject to public disclosure that relate to an agenda item for an open session of the Board of Retirement that are distributed to members of the Board of Retirement less than 72 hours prior to the meeting will be available for public inspection at the time they are distributed to a majority of the Board of Retirement Members at LACERA's offices at 300 N. Lake Avenue, Suite 820, Pasadena, CA 91101, during normal business hours of 9:00 a.m. to 5:00 p.m. Monday through Friday.*

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MINUTES OF THE SPECIAL 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, JUNE 1, 2017

PRESENT: Shawn R. Kehoe, Chair  
Vivian H. Gray, Vice Chair  
Marvin Adams  
Anthony Bravo  
Alan Bernstein  
David L. Muir  
Ronald A. Okum  
William Pryor (Alternate Member)

ABSENT: Joseph Kelly  
William de la Garza, Secretary

STAFF ADVISORS AND PARTICIPANTS

Gregg Rademacher, Chief Executive Officer

John Popowich, Assistant Executive Officer

Steven P. Rice, Chief Counsel

Dr. Vito Campese, Medical Advisor

Ricki Contreras, Division Manager  
Disability Retirement Services

STAFF ADVISORS AND PARTICIPANTS (Continued)

Vickie Neely, Specialist Supervisor  
Disability Retirement Services

Francis J. Boyd, Senior Staff Counsel  
Legal Division

Eugenia W. Der, Senior Staff Counsel  
Disability Litigation

Jason E. Waller, Senior Staff Counsel  
Disability Litigation

Thomas J. Wicke, Attorney at Law  
Lewis, Marenstein, Wicke & Sherwin, LLP

I. CALL TO ORDER

The meeting was called to order by Chair Kehoe at 9:01 a.m., in the Board Room of Gateway Plaza.

II. PLEDGE OF ALLEGIANCE

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

III. APPROVAL OF MINUTES

A. Approval of the Minutes of the Regular Meeting of May 11, 2017.

Mr. Muir made a motion, Mr. Adams seconded, to approve the minutes of the regular meeting of May 11, 2017. The motion passed with Ms. Gray abstaining.

IV. REPORT ON CLOSED SESSION ITEMS

No items were reported.

V. PUBLIC COMMENT

There were no requests from the public to speak.

VI. CONSENT AGENDA

Mr. Bernstein made a motion, Mr. Adams seconded, to approve the following agenda items. The motion passed unanimously.

- A. Ratification of Service Retirement and Survivor Benefit Application Approvals.
- B. Requests for an administrative hearing before a referee.  
(Memo dated May 22, 2017)
- C. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board dismiss with prejudice the appeal for a service- connected disability retirement in the case of **Linda H. Griffin**. (Memo dated May 9, 2017)

VII. FOR INFORMATION ONLY

The following item was received and filed.

- A. For information only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated May 12, 2017)

VIII. REPORT ON STAFF ACTION ITEMS

Mr. Kehoe requested for staff to agendize a policy discussion regarding disability case investigation procedures at a future Disability Procedures & Services Committee meeting.

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

Chair Kehoe shared his experience in attending the SACRS Conference in Napa CA.

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement  
Service-Connected Disability Applications

On a motion by Chair Kehoe, 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:

<u>APPLICATION NO.</u>	<u>NAME</u>
640C*	ALVIN K. KENNEDY
641C	JOHN P. SULLIVAN
642C	THOMAS S. GEALTA
643C*	GREGORY R. ABEJON
644C**/****	MARK A. COHEN
645C*	JOHN C. SLEMBOSKI
646C	ROBERT J. CHIVAS
647C	JOSHUA S. MANKINI
648C*	FLORENTINO MADRID JR.
649C***	NORMA A. ALVAREZ
650C*	FLORENCE M. CASIANO
651C***	KAKISHA M. DILWORTH

\* Granted SCD – Employer Cannot Accommodate

\*\* Granted SCD – Retroactive

\*\*\* Granted SCD – Salary Supplement

\*\*\*\* Applicant Present

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety-Fire, Lifeguard  
Service-Connected Disability Applications

On a motion by Mr. Pryor, seconded by Mr. Okum, 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>
1866A	GUY J.HORTON
1867A	DAVID L. LOPEZ
1868A	SEAN M. GREENE
1869A	PULLED BY STAFF
1870A	YSIDRO MIRANDA
1871A*	ROBERT S. STUMM
1872A	CHARLES GIL
1873A	STEPHEN P. GASPER
1874A*	BRUCE A. DAVIS
1875A*	KENT W. DOWEY
1876A**	KENDRA D. STROH

\* Granted SCD – Employer Cannot Accommodate

\*\* Granted SCD – Retroactive



X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR  
General Members  
Service-Connected Disability Applications

On a motion by Mr. Okum, 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:

<u>APPLICATION NO.</u>	<u>NAME</u>
2723B*	MICHAEL S. CHERNIK
2724B*	JAY A. FAULK
2725B	KELLEY S. FORD
2726B**	LIDA D. CHENG
2727B	YVETTE C. GONZALES
2728B*	LASHANDA C. JAMES
2729B***	RITA D. MYLES
2730B*	BOBBIE G. WARD-MENEFEE

\* Granted SCD – Employer Cannot Accommodate

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

\*\*\* Granted SCD – Retroactive

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members

Non-Service Connected Disability Applications

On a motion by Mr. Muir, seconded by Mr. Adams, the Board of Retirement approved a non-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

4357\*

VICTOR A. GARCIA

4358

DEBRA K. WATERHOUSE-JONES

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability

APPLICATION NO. & NAME

BOARD ACTION

6946A – PRISCILLA L. OSBORNE

Mr. Muir made a motion, Mr. Okum seconded, to deny a service connected disability retirement and to find the applicant not permanently incapacitated.

Chair Kehoe made a substitute motion, Ms. Gray seconded, to return to staff for additional information. The motion passed unanimously.

\* Granted NSCD – Retroactive

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

<u>APPLICATION NO. &amp; NAME</u>	<u>BOARD ACTION</u>
6947A – LUTHER G. PATTERSON	Ms. Gray made a motion, Mr. Adams seconded, to grant a non-service connected disability retirement pursuant to Government Code Sections 31720 and 31724. The motion passed unanimously.
6948A – NANCY E. DELANGE	Chair Kehoe made a motion, Mr. Okum seconded, to deny a service connected disability retirement since the applicant is ineligible for a non service connected disability. The motion passed unanimously.
6949A – DONNA E. LOPEZ	Mr. Okum made a motion, Mr. Bernstein seconded, to deny a service connected disability retirement and to find the applicant not permanently incapacitated. The motion passed unanimously.
6950A – WENDY M. FREDERICK	Mr. Adams made a motion, Ms. Gray seconded, to deny a service connected disability retirement without prejudice. The motion passed unanimously.
6951A – MARIE A. RUSSELL	Mr. Muir made a motion, Mr. Pryor seconded, to deny a service connected disability retirement since the employer can accommodate. The motion passed unanimously.

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

6952A – TRINA C. NEWMAN

Chair Kehoe made a motion, Mr. Adams seconded, to grant a service connected disability retirement.

Ms. Gray made a substitute motion, Mr. Muir seconded, to return to staff for additional information. The motion passed with Mr. Bernstein voting no.

B. Referee Reports

APPLICATION NO. & NAME

BOARD ACTION

WINIFRED O. MCCLOUD – Thomas J. Wicke for the applicant  
Eugenia Der for the respondent

Mr. Bernstein made a motion, Mr. Okum seconded, to deny the option of an earlier effective date. The motion passed (roll call) with Messrs. Adams, Bravo, Okum, Bernstein and Chair Kehoe voting yes; and Ms. Gray abstaining.

JORGE L. TRUJILLO – Thomas L. Hoegh for the applicant  
Jason E. Waller for the respondent

Mr. Bernstein made a motion, Mr. Muir seconded, to deny a non-service connected disability retirement since the applicant is not permanently incapacitated. The motion passed unanimously.

June 1, 2017

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Green Folder Information (Information distributed in each Board Member's Green Folder at the beginning of the meeting)

1. Retirement Board Listing dated June 1, 2017

XII. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 10:52 a.m.

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WILLIAM DE LA GARZA, SECRETARY

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SHAWN R. KEHOE, CHAIR



June 22 , 2017

TO: Each Member  
Board of Retirement

FROM: Ricki Contreras, Division Manager  
Disability Retirement Services

SUBJECT: **APPEALS FOR THE BOARD OF RETIREMENT'S MEETING  
OF JULY 5, 2017**

**IT IS RECOMMENDED** that your Board 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:

6948A	Nancy E. Delange	Thomas J. Wicke	Deny SCD Ineligible for NSCD
6949A	Donna E. Lopez	Thomas J. Wicke	Deny SCD
6951A	Marie A. Russell	Thomas J. Wicke	Deny SCD Employer Can Accommodate
6926A	Randy W. Martin	None	Deny Without Prejudice Employer Can Accommodate

RC:kw

Memo. New Appeals.docx

June 20, 2017

TO: Each Member  
Board of Retirement

FROM: Ricki Contreras, Division Manager  
Disability Retirement Services



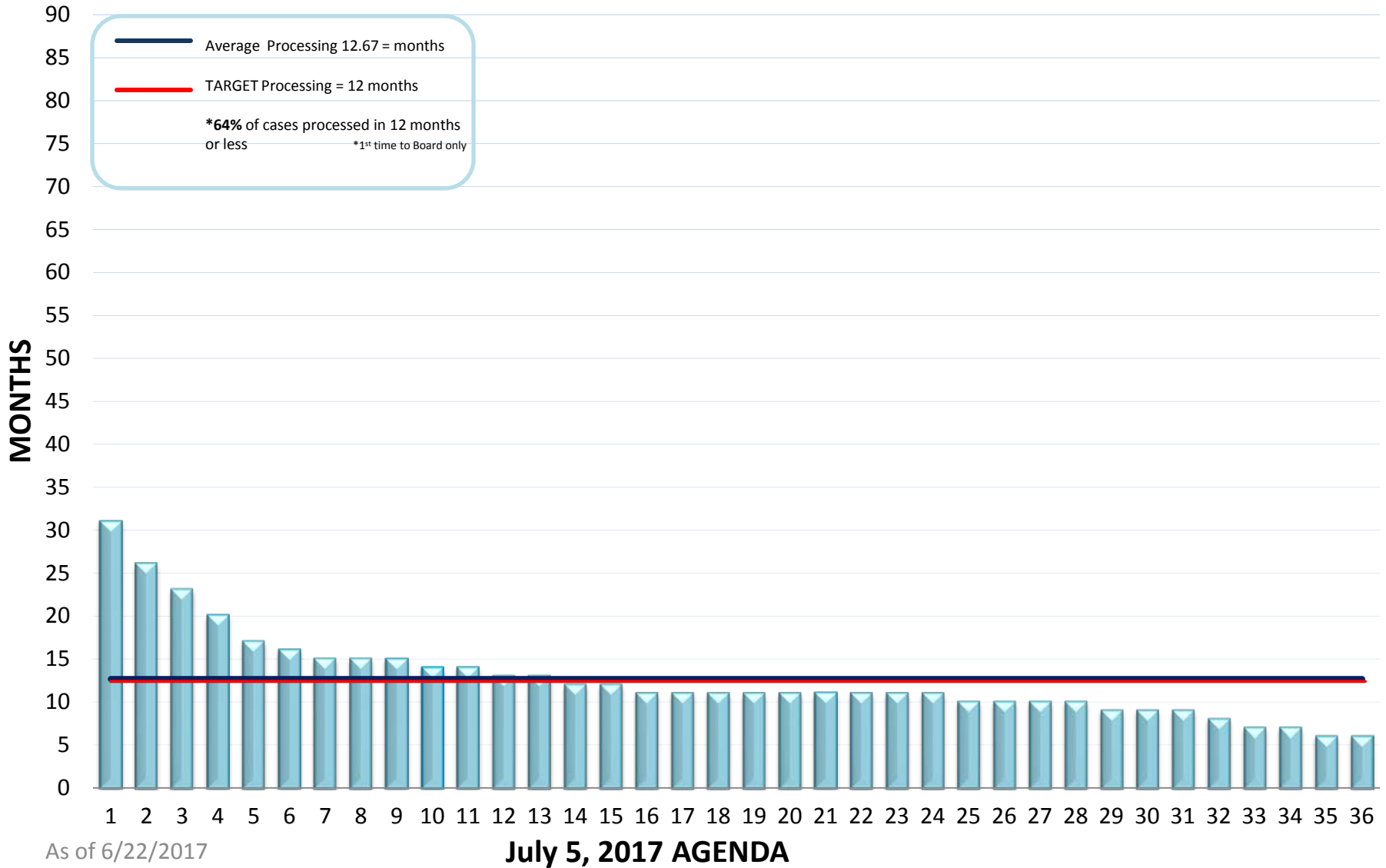
FOR: July 5, 2017 Board of Retirement Meeting

SUBJECT: **Application Processing Time Snapshot Reports**

The following chart shows the total processing time from receipt of the application to the first Board action for all cases on the July 5, 2017 Disability Retirement Applications Agenda.

<b>Consent &amp; Non-Consent Calendar</b>			
<b>Number of Applications</b>	33		
<b>Average Processing Time (in Months)</b>	11.82		
<b>Revised/Held Over Calendar</b>			
<b>Number of Applications</b>	3		
<b>Average Processing Time (in Months)</b>	Case 1 31	Case 2 23	Case 3 12
<b>Total Average Processing Time for Revised/Held Over Calendar</b>	22		

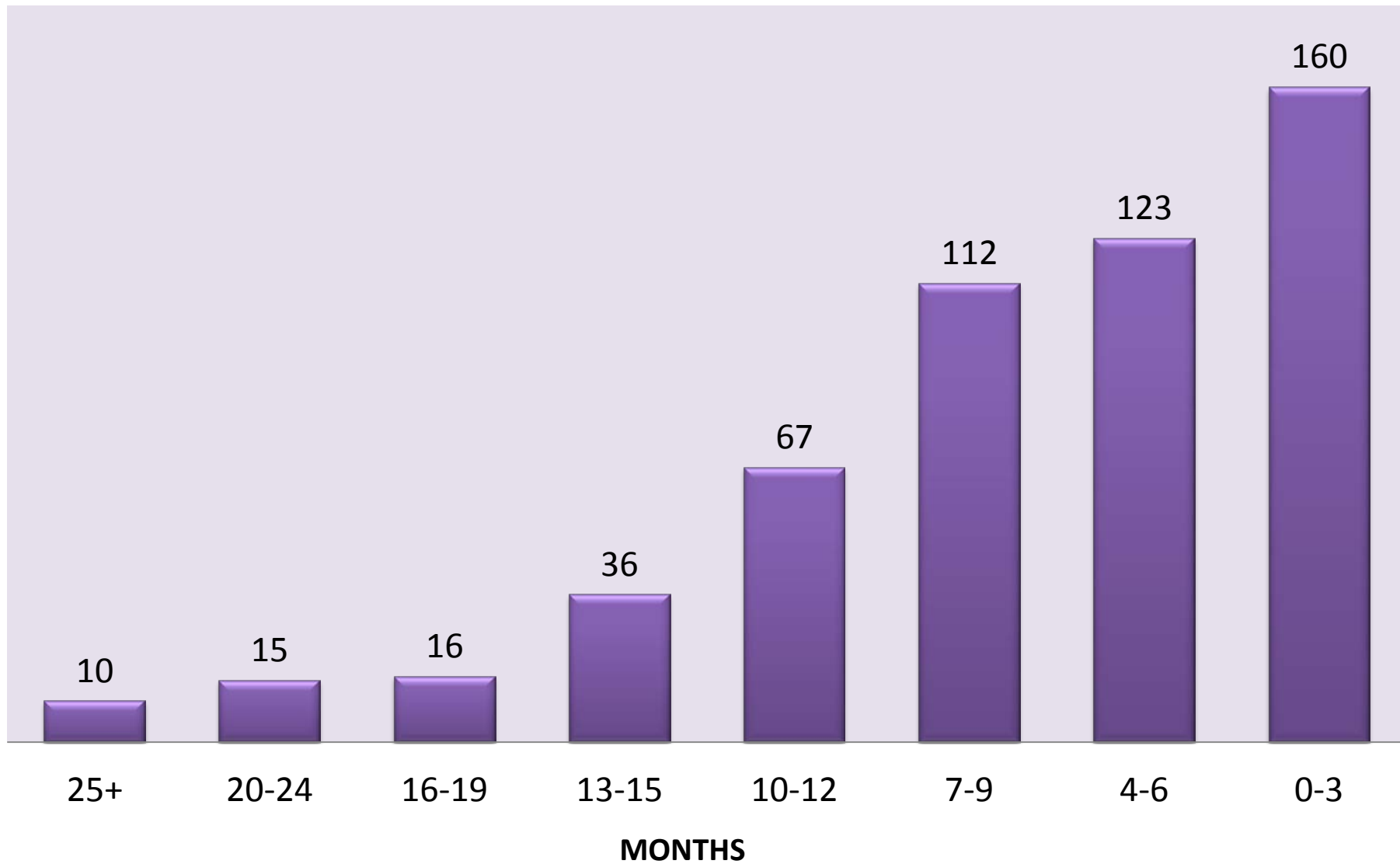
# ACTUAL vs. AVERAGE PROCESSING TIME





# TIME ELAPSED FOR PENDING APPLICATIONS

NUMBER OF APPLICATIONS





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**Documents not attached are exempt from disclosure under the California Public Records Act and other legal authority.**

**For further information, contact:  
LACERA  
Attention: Public Records Act Requests  
300 N. Lake Ave., Suite 620  
Pasadena, CA 91101**



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