

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., TUESDAY, JULY 17, 2018

PRESENT: Vivian H. Gray, Chair
Herman Santos, Vice Chair
Marvin Adams, Secretary
Alan Bernstein
JP Harris (Alternate Retired)
Shawn R. Kehoe
Joseph Kelly
William Pryor (Alternate Member)
Les Robbins
Thomas Walsh
Gina Zapanta-Murphy

STAFF ADVISORS AND PARTICIPANTS

Robert R. Hill, Interim Chief Executive Officer
James Brekk, Interim Deputy Chief Executive Officer
JJ Popowich, Assistant Executive Officer
Steven P. Rice, Chief Counsel
Francis J. Boyd, Senior Staff Counsel

STAFF ADVISORS AND PARTICIPANTS (Continued)

Fern Billings, Senior Staff Counsel

Ricki Contreras, Division Manager
Disability Retirement Services

Tamara Caldwell, Specialist Supervisor
Disability Retirement Services

Barry W. Lew, Legislative Affairs Officer

I. CALL TO ORDER

The meeting was called to order by Ms. Gray at 9:00 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 June 14, 2018

Mr. Bernstein made a motion, Mr. Kehoe seconded, to approve the minutes of the regular meeting of June 14, 2018. The motion passed unanimously.

IV. OTHER COMMUNICATIONS

A. For Information

1. May 2018 All Stars

Mr. Brekk announced the eight winners for the month of May: Bonnie Nolley,

IV. OTHER COMMUNICATIONS (Continued)

Samantha Garcia, Joanna Anguiano, Regina Harris, Chris Rodriguez, Ted Granger, Sevan Simonian, and Roberta Van Nortick for the Employee Recognition Program and Ching Fong for the Web Watcher Program. Elsy Gutierrez, Alfred Tirado, Susana Seeckts, and Karina Lopez were the winners of LACERA's RideShare Program.

2. Interim Chief Executive Officer's Report (Memo dated July 6, 2018)

Mr. Hill went over in detail the metrics on the CEO Report and answered questions from the Board.

Lastly, Mr. Hill shared the passing of Barbara "Barbie" Gordon. Barbie worked in the Process Management Group in the Benefit Division.

V. PUBLIC COMMENT

There were no requests from the public to speak.

VI. CONSENT ITEMS

Mr. Robbins 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. Ratification of Reciprocal Disability Retirements.
(Memo dated June 18, 2018)
- C. Request for an administrative hearing before a referee for applicants Ronald Rimer, Patricia Delgado, Robert E. Clarke, Kleith Hunter, and Diane Santiago. (Memo dated June 29, 2018)

VII. NON-CONSENT ITEMS

A. Recommendation as submitted by Barry W. Lew, Legislative Affairs Officer:
That the Board approve:

- 1.) Approve a visit with the California State Legislature by Board members and staff as designated by the Chair of the Board of Retirement during the month of August 2018 in Sacramento, CA;
- 2.) Approve the attached “LACERA Overview and Priorities”; and
- 3.) Approve reimbursement of all travel costs incurred in accordance with LACERA’s Education and Travel Policy.

(Memo dated July 6, 2018)

Mr. Lew was present to answer questions from the Board.

Mr. Bernstein made a motion, Mr. Kelly seconded, to approve the agenda item. The motion passed unanimously.

VIII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement

Service-Connected Disability Applications

On a motion by Mr. Kehoe, seconded by Mr. Adams, 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

847C

FRANK T. BAUSMITH

848C

DONALD P. HUDALLA

VIII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)

Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
849C	MATTHEW J. ELASH
850C	MICHAEL D. SMILOR
851C*	DOUGLAS A. FETTEROLL
852C	BURTON L. BRINK
853C	ABEL A. MORENO
854C	RICHARD A. COCKE
855C**	SHANNON R. BLAKEMORE
856C**	DOROTHY L. HOWARD
857C	BRIAN B. TORSNEY, JR.
858C	ZENON J. PORCHE
859C*	KATHLEEN A. DURDINES

* Granted SCD – Employer Cannot Accommodate

** Granted SCD - Retroactive

VIII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR
(Continued)

Safety Fire, Lifeguards
Service-Connected Disability Applications

On a motion by Mr. Bernstein, seconded by Ms. 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:

<u>APPLICATION NO.</u>	<u>NAME</u>
1993A*	RICKY H. LEWIS
1994A	DONALD L. SANDERLIN
1995A	JOEL M. HARRISON
1996A	JAMES M. ARMIJO
1997A	DANE J. DEBOER
1998A**	REYNOLDO WILSON
1999A**	MICHAEL T. ST. JOHN

* Granted SCD – Employer Cannot Accommodate

** Granted SCD – Retroactive

VIII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR
(Continued)

General Members

Service-Connected Disability Applications

On a motion by Mr. Adams, seconded by Ms. 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:

<u>APPLICATION NO.</u>	<u>NAME</u>
2854B	SHALANI T. MCDANIEL
2855B*	EDITH J. AGEE (WASHINGTON)
2856B**	BERTHA GUERRERO
2857B*	TABITHA J. YOUNGSTROM
2858B***	CORINNE R. PRADO
2859B	NORMA LOPEZ
2860B*	MARIA BRISENO
2861B**	GEORGE I. BATES

* Granted SCD – Employer Cannot Accommodate

** Granted SCD – Retroactive

*** Granted SCD – Retroactive Since Employer Cannot Accommodate

VIII. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR
(Continued)

General Members

Non-Service-Connected Disability Applications

On a motion by Mr. Adams, seconded by Mr. Kehoe, 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:

<u>APPLICATION NO.</u>	<u>NAME</u>
4373	LISA W. HUANG
4374*	CHRISTOPHER K. UTLEY

IX. REPORTS

(The following items were held out of order before Item VIII.)

The following reports were received and filed.

- A. For Information Only as submitted by Barry W. Lew, Legislative Affairs Officer, regarding the Public Employee Pension Transparency Act: Opposition Letter. (Memo dated July 2, 2018)
- B. For Information Only as submitted by Barry W. Lew, Legislative Affairs Officer, regarding the Report on Visit to Congress. (Memo dated July 5, 2018)
- C. For Information Only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated June 15, 2018)
- D. For Information Only as submitted by Fern M. Billingsy, Senior Staff Counsel, regarding the Report of Pensionable Compensation and Compensation Earnable Items. (Memo dated July 5, 2018)

* Granted NSCD – Retroactive

IX. REPORTS (Continued)

- E. For Information Only as submitted by Steven P. Rice, Chief Counsel, regarding the June 2018 Fiduciary Counsel Contact and Billing Report. (Memo dated July 2, 2018) (Privileged and Confidential Attorney-Client Communication/Attorney Work Product)

X. REPORT ON STAFF ACTION ITEMS

(This Item was held out of order after Item VIII.)

The Board requested an annual presentation at an OOC meeting on retiree payroll. In addition, the Board requested information on mylacera.com metrics and to look into the masking of credential information. Further, the Board requested that the BOR Regulations – Agenda Items section be revisited.

XI. GOOD OF THE ORDER

(For information purposes only)

Robbins, Mr. Harris, Mr. Pryor, Mr. Kehoe, and other Board members provided comments on the CEO Search process.

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

- A. Applications for Disability

APPLICATION NO. & NAME

BOARD ACTION

860C – ALLAN G. SMITH

Mr. Kehoe made a motion, Mr. Adams seconded, to grant a service connected disability retirement pursuant to Government Codes 31720 and 31724.

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

860C – ALLAN G. SMITH (Continued)

Mr. Bernstein made a substitute motion, Mr. Kelly seconded, to refer back to staff for further information. The motion passed (roll call) with Messrs. Kelly, Adams, Bernstein, Robbins, Walsh, and Ms. Zapanta-Murphy voting yes; and Messrs. Santos, Kehoe, and Ms. Gray voting no.

5018B – GEANNIES P. BUTLER

Mr. Kehoe made a motion, Ms. Gray seconded, to grant a non-service connected disability retirement pursuant to Government Codes 31720 and 31724. The motion passed unanimously.

5019B – PEGGY A. LIMONES

Mr. Kehoe made a motion, Mr. Bernstein seconded, to deny since the employer can accommodate. The makers of the motion, revised their motion to include to deny since the employer can accommodate without prejudice. The motion passed unanimously.

5020B – JAKE K. JOHNSON

Mr. Kehoe made a motion, Mr. Adams seconded, to refer back to staff for additional information. The motion passed unanimously.

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

5021B – JUAN M. VARGAS (DEC'D)

Ms. Gray made a motion, Mr. Adams seconded, to refer back to staff for additional information. The motion passed unanimously.

5022B – HESHAM S. IBRAHAM

Mr. Robbins made a motion, Mr. Kehoe seconded, to grant a non-service connected disability retirement pursuant to Government Code Sections 31720 and 31724. The motion passed unanimously.

5023B – FRANK J. VALENZUELA

Mr. Kehoe made a motion, Mr. Bernstein seconded, to grant a non-service connected disability retirement pursuant to Government Code Sections 31720 and 31724.

Ms. Gray made a substitute motion, Mr. Adams seconded, to refer back to staff for additional information. The motion passed unanimously.

B. Staff Recommendations

1. Recommendation as submitted by JJ Popowich, Assistant Executive Officer: That the Board approve the service provider invoice for Gutierrez, Preciado & House, LLP. (Memo dated July 2, 2018)

Mr. Popowich was present and answered questions from the Board.

Mr. Pryor made a motion, Mr. Kehoe seconded, to approve the agenda item. The motion passed unanimously.

XIII. EXECUTIVE SESSION

- A. Conference with Legal Counsel - Existing Litigation
Significant Exposure to Litigation (Pursuant to Paragraph (1) of Subdivision
(d) of California Government Code Section 54956.9)

1. Tod Hipsher vs. LACERA, County of Los Angeles and State of
California
LASC Case No. BS 153372; Court of Appeal No. B276486

There was nothing to report.

XIV. ADJOURNMENT

There being no further business to come before the Board, the meeting was
adjourned at 11:17 a.m.

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

1. Retirement Board Listing dated July 17, 2018

MARVIN ADAMS, SECRETARY

VIVIAN H. GRAY, CHAIR