

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., WEDNESDAY, FEBRUARY 6, 2019

PRESENT: Alan Bernstein, Chair
Vivian H. Gray
JP Harris (Alternate Retired)
Shawn R. Kehoe
Keith Knox (Chief Deputy to Joseph Kelly)
Ronald Okum
William Pryor (Alternate Safety)
Thomas Walsh

ABSENT: Les Robbins, Vice Chair
Gina Zapanta-Murphy, Secretary
Joseph Kelly
Herman Santos

STAFF ADVISORS AND PARTICIPANTS

Lou Lazatin, Chief Executive Officer
John Popowich, Assistant Executive Officer
Steven P. Rice, Chief Counsel
Dr. Vito Campese, Medical Advisor
John Nogales, Director, Human Resources

STAFF ADVISORS AND PARTICIPANTS

Ricki Contreras, Division Manager
Disability Retirement Services

Kerri Wilson, Specialist Supervisor
Disability Retirement Services

Hernan Barrientos, Specialist Supervisor
Disability Retirement Services

Francis J. Boyd, Senior Staff Counsel

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

Mr. Harris 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 January 10, 2019

Mr. Harris made a motion, Mr. Pryor seconded, to approve the minutes of the regular meeting of January 10, 2019. The motion passed unanimously.

IV. PUBLIC COMMENT

There were no requests from the public to speak.

V. CONSENT ITEMS

Mr. Harris made a motion, Ms. Gray seconded, to approve the following items. The motion passed unanimously.

V. CONSENT ITEMS (Continued)

- A. Ratification of Service Retirement and Survivor Benefit Application Approvals.
- B. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board grant the appeal and request for an administrative hearing for applicants Long C. Chen, Tina M. Hawkins, and Anita M. Siler. (Memo dated January 28, 2019)
- C. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board dismiss with prejudice the application of Juan G. Becerra for a service-connected disability retirement. (Memo dates January 24, 2019)

VI. 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 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>
952C*	DEBORAH M. TWEEDY
953C	RUBEN C. NAVA
954C**	HECTOR ANDUJO
955C***	STEVEN A. LANDERS

* Granted SCD – Employer Cannot Accommodate

** Granted SCD – Retroactive

*** Granted SCD – Retroactive Employer Cannot Accommodate

VI. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)

Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
956C*	MAXIE J. VALDIVIA (DEC'D)
957C	LAWRENCE A. VAN DAELE
958C**	ROBERT J. CONNOR
959C	LOUIS J. MADRID, II
960C**	STEVEN S. LANIGAN
961C	RICHARD D. BRODIE
962C	BRADFORD S. FOSS
963C	GINA M. PARRA
964C***	STEVEN J. CASAUS
965C	GARY S. DAVIS
966C	ANNA P. ZEINUN
967C	WAYNE A. HOLSTON
968C***	DAWN L. RETZLAFF
969C***	ARTHUR C. SCOTT, JR.

* Granted SCD – Survivor Benefit

** Granted SCD – Retroactive

*** Granted SCD – Employer Cannot Accommodate

VI. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR
(Continued)

Safety Fire, Lifeguards
Service-Connected Disability Applications

On a motion by Mr. Pryor, 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>
1070B	THOMAS A. DUDA
1071B	CARLOS HERMOSILLO
1072B	KEITH A. CARLSON
1073B	RAVON C. RENISH
1074B	SALVADOR F. CHAVEZ
1075B*	ALVIN J. CUNNINGHAM
1076B	ROBERT E. KELLEY
1077B	DARRYL JACOBS
1078B	LUIS A. ACEVEDO
1079B	ROBERT J. LADJEVIC
1080B*	JON K. TIEUEL
1081B*	STEVE J. MOSELEY

*Granted SCD – Retroactive

VI. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members

Service-Connected Disability Applications

On a motion by Mr. Harris, seconded by Mr. Walsh, 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>
2930B*	JOSEPH WOODS
2931B**	GRACE E. DONESTER
2932B**	EVETTE L. WATKINS (BROWN)
2933B**	ARTURO BERUMEN
2934B**	VIRGINIA L. BRANNON
2935B**	ELIZABETH A. TYNDALL
2936B***	ESTELLE R. BERRY
2937B**	MARITZA R. POHLENZ

* Applicant Present

** Granted SCD – Retroactive

*** Granted SCD – Employer Cannot Accommodate

VII. REPORTS

- A. For Information Only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated January 18, 2018)

Ms. Contreras was present to answer questions from the Board.

This Item was received and filed.

VIII. ITEMS FOR STAFF REVIEW

There was nothing to report.

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

Mr. Okum expressed his support for the Board Chair to manage the seating arrangements of the Board.

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

- A. Applications for Disability

APPLICATION NO. & NAME

BOARD ACTION

5056B – KATHERINE B. SCHOFIELD-COHN

Mr. Kehoe made a motion, Mr. Harris seconded, to grant a non-service connected disability retirement without prejudice pursuant to Government Code Sections 31720 and 31724. The motion passed unanimously by all Board members present.

5057B – LIZANDRO SALAS

Mr. Okum, made a motion, Mr. Walsh seconded, to grant a non-service connected disability retirement

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

5057B – LIZANDRO SALAS (Continued)

pursuant to Government Code Sections 31720 and 31724. Ms. Gray made a substitute motion, Mr. Harris seconded, to return to staff for further development. The motion failed (roll call) with Messrs. Pryor, Walsh, Harris, and Ms. Gray voting yes; and Messrs. Kelly, Okum, Kehoe, and Bernstein voting no.

The motion to grant a non-service connected disability retirement pursuant to Government Code Sections 31720 and 31724 passed (roll call) unanimously with Messrs. Pryor, Knox, Okum, Walsh, Harris, Kehoe, Bernstein, Ms. Gray, and Ms. Gray voting yes.

5058B – RICHARD D. LARUE

Ms. Gray made a motion, Mr. Kehoe seconded, to deny a service-connected disability retirement and find the applicant not permanently incapacitated. The motion passed unanimously by all Board members present.

5059B – GRACE L. JONES

Ms. Gray made a motion, Mr. Okum seconded, to deny a service-connected disability retirement since the employer can accommodate. The motion passed unanimously by all Board members present.

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

5034B – DARRICK D. WOOLEVER

Mr. Knox made a motion, Mr. Okum seconded, to deny a service-connected disability retirement without prejudice. The motion passed unanimously by all Board members present.

5047B – MIRIAM T. LAZOS

Mr. Okum made a motion, Mr. Harris seconded to deny a service-connected disability retirement without prejudice since the employer can accommodate. The motion passed unanimously by all Board members present.

B. Referee Reports

APPLICATION NO. & NAME

BOARD ACTION

KAI J. PARKER – Edward Singer for the applicant
Allison E. Baret for the respondent

Mr. Pryor made a motion, Mr. Knox seconded, to deny a service-connected disability retirement and find the applicant not permanently incapacitated. The motion passed unanimously by all Board members present.

FRANCISCUS E. TEDJASATYAWIRA – Danny T. Polhamus for the applicant
Eugenia W. Der for the respondent

Mr. Kehoe made a motion, Mr. Harris seconded, to grant a service-connected disability retirement. The motion passed unanimously by all Board members present.

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

C. Staff Recommendations (Continued)

1. Recommendation as submitted by JJ Popowich, Assistant Executive Officer: That the Board approve the service provider invoices for Gutierrez, Preciado & House, LLP. (Memo dated January 25, 2019)

Mr. Pryor made a motion, Ms. Gray seconded, to approve the recommendation. The motion passed unanimously by all Board members present.

2. For Information Only as submitted by Ricki Contreras, Manager, Disability Retirement Services Division regarding the 2018 Quarterly Reports of Paid Invoices. (Memo dated January 24, 2019)

Ms. Contreras was present to answer questions from the Board.

This Item was received and filed.

XI. EXECUTIVE SESSION

A. Conference with Legal Counsel – Existing Litigation
Paragraph (1) of Subdivision (d) of Section 54956.9

1. Edward V. Marquez

The Board met in Executive Session with counsel pursuant to Paragraph (1) of Subdivision (d) of California Government Code Section 54956.9. There was nothing to report.

XII. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 9:30 a.m.

February 6, 2019

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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 February 6, 2019

GINA ZAPANTA-MURPHY, SECRETARY

ALAN BERNSTEIN, CHAIR