

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, DECEMBER 7, 2016

PRESENT: Shawn R. Kehoe, Chair
Vivian H. Gray, Vice Chair (Arrived at 9:09 a.m.)
William de la Garza, Secretary
Marvin Adams
Anthony Bravo
Yves Chery
David L. Muir (Alternate Retired)
Ronald A. Okum
William Pryor (Alternate Member)
Les Robbins

ABSENT: Joseph Kelly

STAFF ADVISORS AND PARTICIPANTS

Gregg Rademacher, Chief Executive Officer

John Popowich, Assistant Executive Officer

Steven P. Rice, Chief Counsel

Dr. Vito Campese, Medical Advisor

STAFF ADVISORS AND PARTICIPANTS (Continued)

Ricki Contreras, Division Manager
Disability Retirement Services

Tamara Caldwell, Specialist Supervisor
Disability Retirement Services

Francis J. Boyd, Senior Staff Counsel
Legal Division

Vivian W. Shultz, Special Counsel

I. CALL TO ORDER

The meeting was called to order by Chair Kehoe at 9:03 a.m., in the Board Room of Gateway Plaza.

II. PLEDGE OF ALLEGIANCE

Mr. Robbins 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 November 2, 2016

Mr. Chery made a motion, Mr. de la Garza seconded, to approve the minutes of the regular meetings of November 2, 2016. The motion passed with Chair Kehoe 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. Chery 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 November 18, 2016)
- 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 **Roland K. Jackson**. (Memo dated November 22, 2016)
- D. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board dismiss with prejudice the appeal for an earlier effective date in the case of **Ronna M. Bryant**. (Memo dated November 22, 2016)

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 November 17, 2016)

This item was received and filed.

VIII. REPORT ON STAFF ACTION ITEMS

There was nothing to report on for staff action items.

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

Mr. Rademacher congratulated LACERA staff member, Michael T. Umeda, on his recent retirement.

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement
Service-Connected Disability Applications

On a motion by Chair Kehoe, seconded by Mr. Pryor, 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>
559C	MICHAEL R. COLTON
560C*	GERRI L. MCCORKLE
561C	ROBERT P. GAINES
562C	ERIK A. VARON
563C	DIANE M. DODD
564C	GREGORY J. SAUNDERS
565C	CLAUDIA M. CABRERA
566C*	ARLEEN D. GRAY

*Granted SCD – Employer Cannot Accommodate

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
567C*	DENISE M. STEPHENSON
568C	CARLTON A. RUSSELL
569C	MICHAEL A. CLAY
570C	WILLIAM G. GILBERT, JR.
571C	ELTON R. SIMMONS

Safety-Fire, Lifeguard
Service-Connected Disability Applications

On a motion by Mr. Pryor, seconded by Mr. Chery, 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>
1806A	JAMES F. DELEON
1807A**	WILLIAM A. FIERS
1808A	JOHN M. FEDELE

*Granted SCD – Employer Cannot Accommodate

**Granted SCD Retroactive

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety-Fire, Lifeguard
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
1809A	JEFFREY L. VROOMAN
1810A	BENJAMIN E. NUNES II
1811A	STEVEN P. MARTIN
1812A	JOHN ORDUNO
1813A*	KYLE G. DANIELS
1814A	CRAIG B. REED

General Members
Service-Connected Disability Applications

On a motion by Mr. Chery, 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:

<u>APPLICATION NO.</u>	<u>NAME</u>
2668B**	KENJI M. JONES-LANE
2671B***	JONATHAN M. CUTTING

*Granted SCD – Employer Cannot Accommodate

**Granted SCD Retroactive – Employer Cannot Accommodate

***Granted SCD – Salary Supplemental

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
2672B	MARVIN D. STAPLETON
2673B*	LAFAYETTE M. DARTON
2674B**	TANYA C. ELLIS
2675B**	CHELSEA CARTER
2676B**	OANH K. TRAN
2677B**	NERISSA O. WATSON
2678B***	EDWARD R. SAR
2679B****	DAGMAR R. GLOUTAK
2680B****	DIANA LOPEZ
2681B**	JUAN E. BALTAZAR, JR.
2682B**	MARIO SAINZ
2683B**/*****	VICTORIA I. DE LA PAZ RYAN

*Granted SCD Retroactive – Employer Cannot Accommodate

**Granted SCD – Employer Cannot Accommodate

***Granted SCD – Salary Supplemental

****Granted SCD Retroactive

*****Applicant Present

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Ms. Gray arrived at 9:09 a.m.)

APPLICATION NO. & NAME

BOARD ACTION

2669B – ELLEN Y. MATRANGA

Mr. Chery made a motion, Mr. Okum seconded, to grant a service connected disability retirement pursuant to Government Code Sections 31720 since the employer cannot accommodate. The motion passed unanimously.

2670B – LAURA J. SCHNEIDER

Mr. Chery made a motion, Mr. Adams seconded, to grant a service connected disability retirement pursuant to Government Code Sections 31720 and 31724. The motion passed unanimously.

6922A – VICTORINA G. MARIANO

Mr. Okum 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.

6923A – PATRICIA SALISBURY*

Mr. de la Garza made a motion, Mr. Okum seconded, to grant a non-service connected disability retirement pursuant to Government Code Sections 31720 and 31724 since the employer cannot accommodate.

Mr. Chery made a substitute motion, Ms. Gray seconded, to grant a service connected disability retirement with the option of an earlier effective date. The motion was based on the opinion of the Board's medical advisor, Vito Campese, M.D. The motion passed with Messrs. Okum and de la Garza voting no.

*Applicant Present

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

6924A – DEBORAH A. HOLGUIN

Mr. Okum made a motion, Mr. de la Garza seconded, to deny a service connected disability retirement since the employer can accommodate.

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

6925A – JERICO M. APULI

Mr. de la Garza made a motion, Chair Kehoe seconded, to deny a non-service connected disability retirement and find the applicant not permanently incapacitated. The motion passed unanimously.

6926A – RANDY W. MARTIN

Mr. Adams made a motion, Mr. Chery seconded, to deny a non-service connected disability retirement without prejudice since the employer can accommodate. The motion passed unanimously.

6927A – JUDITH B. CITRON

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

Mr. Chery made a substitute motion, Ms. Gray seconded, to grant a service connected disability retirement.

The maker and second of the motion revised the motion to return back to staff for additional information. The motion passed unanimously.

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

6724A – WALLACE T. LEJAY

Mr. Pryor made a motion, Mr. Chery seconded, to grant a service connected disability retirement pursuant to Government Code Section 31720. The motion passed unanimously.

6896A – LINDA H. GRIFFIN

Mr. Okum made a motion, Mr. Adams seconded to deny a service connected disability retirement and find the applicant not permanently incapacitated since the employer can accommodate. The motion passed unanimously.

2664B – JUAN A. NOLAN

Mr. Okum made a motion, Ms. Gray seconded to grant a non-service connected disability pursuant to Government Code Sections 31720 and 31724 since the employer cannot accommodate.

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

B. Staff Recommendations

1. Recommendation as submitted by Vivian W. Shultz, Special Counsel: That the Board find **R4102DRAV** permanently incapacitated for service-connected reasons and grant a service-connected disability retirement. (Letter dated November 3, 2016)

Mr. Chery made a motion, Mr. Adams seconded, to approve the recommendation. The motion passed unanimously.

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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. Larry Anthony v. Board of Retirement

The Board met in Executive Session pursuant to Government Code Section 54956.9 and voted unanimously to pay \$625 in court costs and pay Mr. Anthony's attorney fees in the amount of \$12,726.

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

1. Retirement Board Listing dated December 7, 2016

XIII. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 10:07 a.m.

WILLIAM DE LA GARZA, SECRETARY

SHAWN R. KEHOE, CHAIR