

REVISED AS OF MARCH 3, 2017

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 1, 2017

PRESENT: Shawn R. Kehoe, Chair

Marvin Adams

Anthony Bravo

Alan Bernstein

Yves Chery

Joseph Kelly

David L. Muir (Alternate Retired) (Arrived at 9:07 a.m.)

Ronald A. Okum

William Pryor (Alternate Member)

ABSENT: Vivian H. Gray, Vice Chair

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

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

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

Mr. Kelly 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 4, 2017

Mr. Chery made a motion, Mr. Adams seconded, to approve the minutes of the regular meeting of January 4, 2017. The motion passed unanimously.

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. Pryor made a motion, Mr. Chery 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 January 19, 2017)
- C. 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 **Monica R. Molinar**.
(Memo dated January 10, 2017)

VII. FOR INFORMATION ONLY

The following items were received and filed.

- A. For information only as submitted by Gregg Rademacher, Chief Executive Officer, regarding the SACRS Board of Director Elections.
(Memo dated January 23, 2017)
- B. For information only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated January 19, 2017)

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. Muir arrived at 9:07 a.m.)

Mr. Chery thanked the Disability Retirement team for their efforts in reducing the time in processing disability retirement applications from approximately two years to an average of one year.

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

Mr. Bernstein shared his experience in attending the NCPERS Legislative Conference. Furthermore, Chair Kehoe recommended having a lobbyist at the federal level in addition to having a state lobbyist.

Mr. Adams recognized and thanked staff for their hardwork in putting together the Board Offsite.

Furthermore, Mr. Rademacher recognized and congratulated LACERA staff member, Amy Tao on her recent retirement.

Lastly, Mr. Boyd introduced Legal Analyst, Joseph Massa, who will be assisting in reviewing disability retirement cases.

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement
Service-Connected Disability Applications

On a motion by Chair Kehoe, 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:

APPLICATION NO.

NAME

585C

WILLIAM B. O'LOUGHLIN

586C

LESLIE A. LARSON

587C

DIANA L. DOBBINS

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
588C	DONNIE R. JOHNSON, JR.
589C	CARLOS HERRERA
590C	SAVERIO A. BELLOMO
591C	ESTEBAN M. RAMOS
592C	DANIEL G. MCINNES
593C	DANIEL J. CASTANEDA
594C*	GREGORY A. DOOLEY
595C**	MICHAEL J. ROTHANS
596C	LARRY B. YOUNG
597C	MARTIN E. RIOS
598C	ADRIANA F. REYES
599C**	ANTHONY L. CAMPBELL
600C***	KIMBERLY A. PRESTON-BYROM

* Granted SCD – Employer Cannot Accommodate

** Granted SCD – Retroactive

*** Granted SCD – Salary Supplement

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety-Fire, Lifeguard
Service-Connected Disability Applications

On a motion by Mr. Pryor, 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>
1820A	MICHAEL L. LINCH
1821A	EDWARD M. MORALES
1822A*	DERYL L. FORT
1823A	RICKY D. RAPIER
1824A	LARRY M. SAENZ
1825A*	BRIAN J. NOVAK
1826A	LANCE W. NIELSEN
1827A*	EDWARD J. MARTIN
1828A	ROBERT SEALS
1829A	MICHAEL J. KRUSE
1830A	DON C. JACKSON
1831A	MICHAEL T. CHUCK

* Granted SCD – Retroactive

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety-Fire, Lifeguard (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
1832A	MERVYN M. MORELOCK
1833A**	MARK J. BENNETT

General Members
Service-Connected Disability Applications

On a motion by Mr. Chery, seconded by Mr. Bravo, 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>
2689B*	MANIELITA C. ROSETE
2690B**	RUBEN L. ALMANZA
2691B	KRISTINA KOLL
2692B***	EMMA L. WALKER
2693B***	CLAUDIA J. DAVIS
2694B*	CARMEN RUIZ

* Granted SCD – Retroactive Since Employer Cannot Accommodate

** Granted SCD – 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. Okum, seconded by Mr. Bernstein, 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

4356

HORACIO ORTEGA

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability

APPLICATION NO. & NAME

BOARD ACTION

6933A – FREDDIE B. CARDENAS

Mr. Chery made a motion, Mr. Okum seconded, to deny a service connected disability retirement without prejudice. The motion passed unanimously.

6924A – DEBORAH A. HOLGUIN

Mr. Pryor made a motion, Mr. Muir seconded, to deny a service connected disability retirement since the employer can accommodate. The motion passed unanimously.

6887A – DAVID P. GEOPFORTH

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

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

B. Referee Reports

APPLICATION NO. & NAME

BOARD ACTION

DARRYL W. BROWN – Thomas J. Wicke for the applicant
Jason E. Waller for the respondent

Mr. Chery made a motion, Chair Kehoe seconded, to grant a service connected disability retirement. The motion passed unanimously.

C. Staff Recommendations

1. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board adopt the Proposed Findings of Fact and Conclusions of Law granting **Gina L. McDowell** a non-service connected disability retirement with the option for an earlier effective date pursuant to Government Code Section 31720 and 31724. (Memo dated January 12, 2017)

Mr. Adams made a motion, Mr. Pryor seconded, to approve the recommendation. The motion passed with Mr. Bernstein abstaining.

2. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board reject the application of **Esteban C. Esposito** for processing. (Memo dated January 19, 2017)

Mr. Kelly made a motion, Mr. Okum seconded, to approve the recommendation. The motion passed unanimously.

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

C. Staff Recommendations (Continued)

3. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board reject the application of **Belinda F. Gibson** for processing.
(Memo dated January 19, 2017)

Mr. Kelly made a motion, Mr. Muir seconded, to approve the recommendation. The motion passed unanimously.

4. Recommendation as submitted by Eugenia W. Der, Senior Staff Counsel, Disability Litigation: That the Board find **Lynn Davis** permanently incapacitated for service-connected causes and grant her a service-connected disability retirement.
(Letter dated January 10, 2017)

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

5. Recommendation as submitted by Jason E. Waller, Senior Staff Counsel, Disability Litigation: That the Board find **Kimberly Chung** permanently incapacitated due to service-connected injuries and grant her a service-connected disability retirement in accordance with Government Code Section 31720. (Letter dated January 19, 2017)

Mr. Pryor made a motion, Mr. Okum seconded, to approve the recommendation.

Mr. Bernstein made a substitute motion, Chair Kehoe seconded, and accepted by Mr. Pryor, to approve staff's recommendation with a two year review. The motion passed unanimously.

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

C. Staff Recommendations (Continued)

6. For Information Only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the 2016 Quarterly Reports of Paid Invoices for 4th Quarter – October 1, 2016 to December 31, 2016. (Memo dated January 12, 2017)

This item was received and filed.

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. Kenneth Siers v. Board of Retirement

The Board met in Executive Session pursuant to Government Code Section 54956.9(d)(1). There is nothing to report.

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

1. Retirement Board Listing dated February 1, 2017

XIII. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 9:26 a.m.

WILLIAM DE LA GARZA, SECRETARY

SHAWN R. KEHOE, CHAIR