

LIVE VIRTUAL BOARD MEETING



TO VIEW VIA WEB



TO PROVIDE PUBLIC COMMENT

You may submit a request to speak during Public Comment or provide a written comment by emailing PublicComment@lacera.com. If you are requesting to speak, please include your contact information, agenda item, and meeting date in your request.

Attention: Public comment requests must be submitted via email to PublicComment@lacera.com no later than 5:00 p.m. the day before the scheduled meeting.

LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION
300 N. LAKE AVENUE, SUITE 650, PASADENA, CA

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., THURSDAY, APRIL 15, 2021

This meeting will be conducted by the Board of Retirement by teleconference under the Governor's Executive Order No. N-29-20.

Any person may view the meeting online at
https://members.lacera.com/lmpublic/live_stream.xhtml

*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. APPROVAL OF MINUTES
 - A. Approval of the Minutes of the Regular Meeting of March 11, 2021
- III. PUBLIC COMMENT

(*You may submit written public comments by email to PublicComment@lacera.com. Please include the agenda number and meeting date in your correspondence. Correspondence will be made part of the official record of the meeting. Please submit your written public comments or documentation as soon as possible and up to the close of the meeting.

You may also request to address the Boards. A request to speak must be submitted via email to PublicComment@lacera.com no later than 5:00 p.m. the day before the scheduled meeting. Please include your contact information, agenda item, and meeting date so that we may contact you with information and instructions as to how to access the Board meeting as a speaker.)
- IV. CHIEF EXECUTIVE OFFICER UPDATE
(For Information Purposes Only)
- V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

April 15, 2021

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VI. CONSENT ITEMS

- A. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board grant the appeals and request for an administrative hearing for applicants Silvia Diharce and Ernie Barbosa (Dec'd). (Memo dated April 1, 2021)

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 April 1, 2021)

VIII. ITEMS FOR STAFF REVIEW

IX. GOOD OF THE ORDER

(For information purposes only)

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

- A. Applications for Disability

XI. EXECUTIVE SESSION

- A. Conference with Legal Counsel—Existing Litigation
Paragraph (1) of subdivision (d) of Section 54956.9

- 1. Edward V. Marquez v. LACERA

- Los Angeles County Superior Court Case No. BS17211

- Second District Court of Appeal Case No. B295673

XII. ADJOURNMENT

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.

****Requests for reasonable modification or accommodation of the telephone public access and Public Comments procedures stated in this agenda from individuals with disabilities, consistent with the Americans with Disabilities Act of 1990, may call the Board Offices at (626) 564-6000, Ext. 4401/4402 from 8:30 a.m. to 5:00 p.m. Monday through Friday or email PublicComment@lacera.com, but no later than 48 hours prior to the time the meeting is to commence.***

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., THURSDAY, MARCH 11, 2021

This meeting was conducted by the Board of Retirement by teleconference under the Governor's Executive Order No. N-29-20.

PRESENT: Alan Bernstein, Chair

Vivian H. Gray, Vice Chair

Gina Zapanta, Secretary (Joined at 9:32 a.m.)

JP Harris (Alternate Retired)

Elizabeth B. Ginsberg (Chief Deputy to Keith Knox)

Shawn R. Kehoe

Wayne Moore

Ronald Okum

William Pryor (Alternate Safety) (Joined at 9:02 a.m.)

Les Robbins

Herman Santos

ABSENT: Keith Knox

STAFF ADVISORS AND PARTICIPANTS

Santos H. Kreimann, Chief Executive Officer

John Popowich, Assistant Executive Officer

Steven P. Rice, Chief Counsel

Francis J. Boyd, Senior Staff Counsel

STAFF ADVISORS AND PARTICIPANTS (Continued)

Vincent Lim, Disability Litigation Manager

Allison E. Barrett, Senior Staff Counsel

Eugenia W. Der, Senior Staff Counsel

Jason E. Waller, Senior Staff Counsel

Tamara Caldwell, Disability Retirement Specialist Supervisor

Vickie Neely, Disability Retirement Specialist Supervisor

Kerri Wilson, Disability Retirement Specialist Supervisor

Hernan Barrientos, Disability Retirement Specialist Supervisor

Ricardo Salinas, Disability Retirement Specialist Supervisor

Amabelle Delin, Disability Retirement Specialist

Michelle Yanes, Disability Retirement Specialist

Angie Guerrero, Disability Retirement Specialist

Mario Muro, Disability Retirement Specialist

Anna Kwan, Disability Retirement Specialist

I. CALL TO ORDER

The meeting was called to order virtually by Mr. Bernstein at 9:00 a.m.

II. APPROVAL OF MINUTES (Mr. Pryor joined the meeting at 9:02 a.m.)

A. Approval of the Minutes of the Regular Meeting of February 11, 2021

Mr. Santos made a motion, Mr. Ms. Gray seconded, to approve the revised minutes of the regular meeting of February 11, 2021,

II. APPROVAL OF MINUTES (Continued)

correcting Item I to show that the meeting was called to order virtually. The motion passed (roll call) with Messrs. Bernstein, Okum, Moore, Kehoe, Robbins, Santos, Ms. Ginsberg and Ms. Gray voting yes.

III. PUBLIC COMMENT

Member, Sandra Iskandar, addressed the Board regarding her disability retirement application.

IV. CHIEF EXECUTIVE OFFICER UPDATE
(For Information Purposes Only)

Mr. Kreimann provided an update to the Board regarding March Madness. In addition, he shared that there was interest in returning to the Boardroom, so staff will be looking into accommodating trustees and staff by also abiding by health department and CDC guidelines.

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement
Service-Connected Disability Applications

On a motion by Mr. 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. The motion passed (roll call) with Messrs. Bernstein, Okum, Robbins, Moore, Kehoe, Santos, Ms. Ginsberg and Ms. Gray voting yes.

APPLICATION NO.

NAME

406D

ANDREW K. GILL

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
407D	CHRISTIAN M. CHAMNESS
408D	KEVIN W. WALK
409D*	CHRISTY A. GUYOVICH
410D	RANDALL B. LEVINSON
411D	STEVEN STRANGE
412D	RONALD C. KENNISON
413D*	LES TALLER
414D*	GREGORY A. MINSTER
415D	CARLOS D. CISNEROS
416D	RONALD A. HERNANDEZ
417D	JOSHUA W. THAI
418D*	JOHN M. ROBERTS
419D	MARCO A. ENCINAS
420D	WILLIAM T. CLARK
421D	CHRISTOPHER J. HENNING
422D*	WILLIAM S. EVANS
423D*	JOSE G. URIBE
424D	RAYNARD WARD

*Granted SCD – Employer Cannot Accommodate

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR
(Continued)

Safety Fire, Lifeguards
Service-Connected Disability Applications

On a motion by Mr. Okum, 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. The motion passed (roll call) with Messrs. Bernstein, Okum, Moore, Robbins, Pryor, Santos, Ms. Ginsberg and Ms. Gray voting yes.

<u>APPLICATION NO.</u>	<u>NAME</u>
1333B*	HARRY A. WILLIAMS
1334B	DOMONIC F. FINKS
1335B	DINO R. DEMATTEI
1336B	LIBRADO ZURITA
1337B	GLENN J. LAUB
1338B	GRANT M. TOMITA
1339B	JAMES J. SWEENEY

*Granted SCD – Employer Cannot Accommodate

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members

Service-Connected Disability Applications

On a motion by Ms. Gray, seconded by Mr. Okum, the Board of Retirement made a motion to approve 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. The motion passed (roll call) with Messrs. Bernstein, Okum, Moore, Robbins, Kehoe, Santos, Ms. Ginsberg and Ms. Gray voting yes.

<u>APPLICATION NO.</u>	<u>NAME</u>
2177C*	TIMOTHY A. WATSON
2178C	DANIELLE MARTIN
2179C	ANTHONIA N. OGUGUO
2180C	DANIEL C. SANDOVAL
2181C*	ALINE DUKMAJIAN
2182C	DANIEL P. MALONEY
2183C**	BAUDELIO M. GUTIERREZ
2184C***	STEVEN G. CONTRERAS (DEC'D)
2185C**	MARIAN E. DARNELL
2186C****	DANILO A. FUENTES

*Granted SCD – Salary Supplement

**Granted SCD – Employer Cannot Accommodate

***Granted SCD – Survivor Benefit

****Granted SCD – Retroactive Employer Cannot Accommodate

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
2187C*	CAROLYN L. SHIELDS
2188C**	MARICELA ALARCON
2189C*	LISA A. LEE
2190C	SANDY J. CORONADO
2191C***	ANNA M. MALVEAUX
2192C***	ALEXANDRA R. LEMUS

General Members
Nonservice-Connected Disability Applications

On a motion by Ms. Gray, seconded by Mr. Okum, the Board of Retirement made a motion to approve a nonservice-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. The motion passed (roll call) with Messrs. Bernstein, Okum, Moore, Robbins, Kehoe, Santos, Ms. Ginsberg and Ms. Gray voting yes.

<u>APPLICATION NO.</u>	<u>NAME</u>
4400	CHERYL L. MOSS
4401*	GILDA TAVASOLI

*Granted SCD – Retroactive

**Granted SCD – Employer Cannot Accommodate

*** Granted SCD – Retroactive Employer Cannot Accommodate

VI. CONSENT ITEMS

- A. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board grant the appeals and request for an administrative hearing for applicants Satya Vashishtha and Matthew J. Brady. (Memo dated February 24, 2021)

- B. Recommendation as submitted by JP Harris, Chair, Disability Procedures & Services Committee: That the Board approve Mark K. Urman, M.D. – Board Certified Internist with Subspecialty in Cardiovascular Diseases. (Memo dated February 12, 2021)

Mr. Kehoe made a motion, Mr. Pryor seconded, to approve staff's recommendations. The motion passed (roll call) with Messrs. Bernstein, Okum, Moore, Kehoe, Robbins, Santos, Ms. Ginsberg and Ms. Gray voting yes.

VII. EXCLUDED CONSENT ITEMS

There were no items Excluded from Consent Items.

VIII. NON-CONSENT ITEMS

- A. Recommendation as submitted by JP Harris, Chair, Disability Procedures & Services Committee: That the Board approve the revised Policy for Processing Disability-Retirement Applications When the Member Has Been Terminated for Cause. (Memo dated February 24, 2021)

Mr. Kehoe made a motion, Mr. Okum seconded, to approve staff's recommendation. The motion passed (roll call) with Messrs. Bernstein, Okum, Moore, Kehoe, Robbins, Santos, Ms. Ginsberg and Ms. Gray voting yes.

IX. REPORTS

- A. For Information Only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated March 2, 2021)

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

- B. For Information Only as submitted by Francis J. Boyd, Senior Staff Counsel, regarding Permanent Incapacity and Further Medical Treatment. (Memo dated March 1, 2021)

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

X. ITEMS FOR STAFF REVIEW

There were no Items for Staff Review.

XI. GOOD OF THE ORDER

(For information purposes only)

Mr. Okum announced that he would be leaving the Board of Investments in the near future, and the Board and staff thanked him for his service on that Board. Mr. Okum will remain a trustee on the Board of Retirement.

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

- A. Applications for Disability

APPLICATION NO. & NAME

BOARD ACTION

425D – WARREN R. ASMUS

This Item was pulled from the Consent Calendar for further discussion.

Mr. Kehoe made a motion, Mr. Robbins seconded, to grant a service-connected disability retirement retroactive pursuant to Government Code Sections 31720 and 31724 since the employer cannot accommodate.

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)
(Ms. Zapanta joined the meeting at 9:32 a.m.)

APPLICATION NO. & NAME

BOARD ACTION

The motion passed with Messrs. Bernstein, Okum, Moore, Kehoe, Robbins, Santos, Ms. Ginsberg and Ms. Gray voting yes.

5167B – ERNIE BARBOSA (DEC'D)*

Mr. Bernstein made a motion, Mr. Okum seconded, to deny a service-connected survivor benefit. The motion passed with Messrs. Bernstein, Okum, Moore, Kehoe, Robbins, Ms. Ginsberg voting yes; and Mr. Santos, Ms. Zapanta, and Ms. Gray voting no.

5168B – ESPERANZA HERNANDEZ

Mr. Kehoe made a motion, Ms. Gray seconded, to grant a service-connected disability retirement. The motion passed with Messrs. Bernstein, Okum, Moore, Kehoe, Santos, Robbins, Ms. Ginsberg, Ms. Zapanta, and Ms. Gray voting yes.

5169B – SANDRA E. ISKANDAR*

Ms. Gray made a motion, to grant a service-connected disability retirement salary supplemental with a two-year review. The motion failed without a second.

Mr. Kehoe made a motion, Mr. Bernstein seconded, to deny a service-connected disability retirement without prejudice. The motion passed with Messrs. Bernstein, Okum, Kehoe, Santos, Robbins, Ms. Ginsberg voting yes; and Mr. Moore, Ms. Zapanta, and Ms. Gray voting no.

*Applicant/Survivor Present

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

5170B – MARIA L. MORALES

Mr. Kehoe made a motion, Ms. Gray seconded, to refer to staff for additional information. The motion passed with Messrs. Bernstein, Okum, Moore, Kehoe, Santos Robbins, Ms. Zapanta, Ms. Ginsberg and Ms. Gray voting yes.

5171B – MARY T. SAMI*

Mr. Kehoe made a motion, Ms. Gray seconded, to grant a service-connected disability retirement. The motion passed with Messrs. Bernstein, Okum, Moore, Kehoe, Santos, Robbins, Ms. Ginsberg, Ms. Zapanta, and Ms. Gray voting yes.

5172B – EVERIL L. NELSON

Mr. Kehoe made a motion, Mr. Bernstein seconded, to refer to staff for additional information. The motion passed with Messrs. Bernstein, Okum, Moore, Kehoe, Santos Robbins, Ms. Zapanta, Ms. Ginsberg and Ms. Gray voting yes.

6863A – SCOTT R. FRIEDMAN

Ms. Gray made a motion, Mr. Kehoe seconded, to deny a service connected disability retirement and find the applicant not permanently incapacitated since the employer can accommodate. The motion passed with Messrs. Bernstein, Okum, Moore, Kehoe, Santos Robbins, Ms. Zapanta, Ms. Ginsberg and Ms. Gray voting yes.

*Applicant Present

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. Andrews v. Board of Retirement

The Board met in executive session with counsel to discuss this matter. There was nothing to report.

XIV. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 10:45 a.m.

GINA ZAPANTA, SECRETARY

ALAN BERNSTEIN, CHAIR



April 1, 2021

TO: Each Trustee
Board of Retirement

FROM: Ricki Contreras, Division Manager
Disability Retirement Services

SUBJECT: **APPEALS FOR THE BOARD OF RETIREMENT'S MEETING
OF APRIL 15, 2021**

IT IS RECOMMENDED that the Board of Retirement grant the appeals and requests for administrative hearing received from the following applicants and/or their counsel, and direct the Disability Retirement Services Manager to refer each case to a referee:

5001B	Silvia Diharce	Danny Polhamus	Grant SCD, Deny Option of Earlier Effective Date
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5167B	Ernie Barbosa (Dec'd)	Thomas Wicke	Deny SCD Survivor's Allowance
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RC:kw

Memo.New
Appeals.docx



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**

FOR INFORMATION ONLY

April 3, 2021

TO: Each Trustee
Board of RetirementFROM: Ricki Contreras, Division Manager
Disability Retirement Services

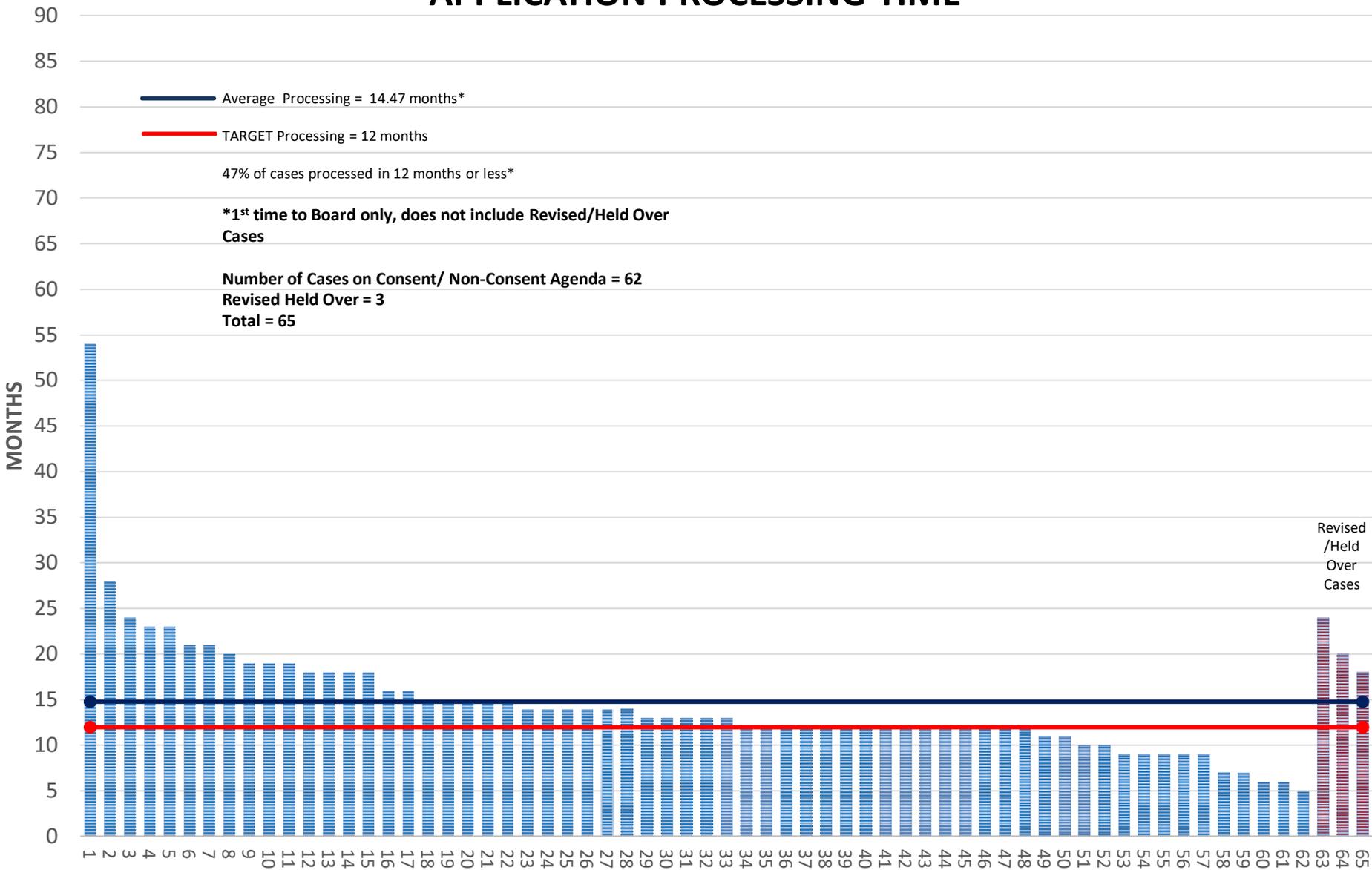
FOR: April 15, 2021 Board of Retirement Meeting

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 April 15, 2021 Disability Retirement Applications Agenda.

Consent & Non-Consent Calendar			
Number of Applications	62		
Average Processing Time (in Months)	14.47		
Revised/Held Over Calendar			
Number of Applications	3		
Processing Time Per Case (in Months)	Case 1 24	Case 2 20	Case 3 18
Total Average Processing Time All <u>65</u> Cases on Agenda			
14.75			

DISABILITY RETIREMENT SERVICES APPLICATION PROCESSING TIME



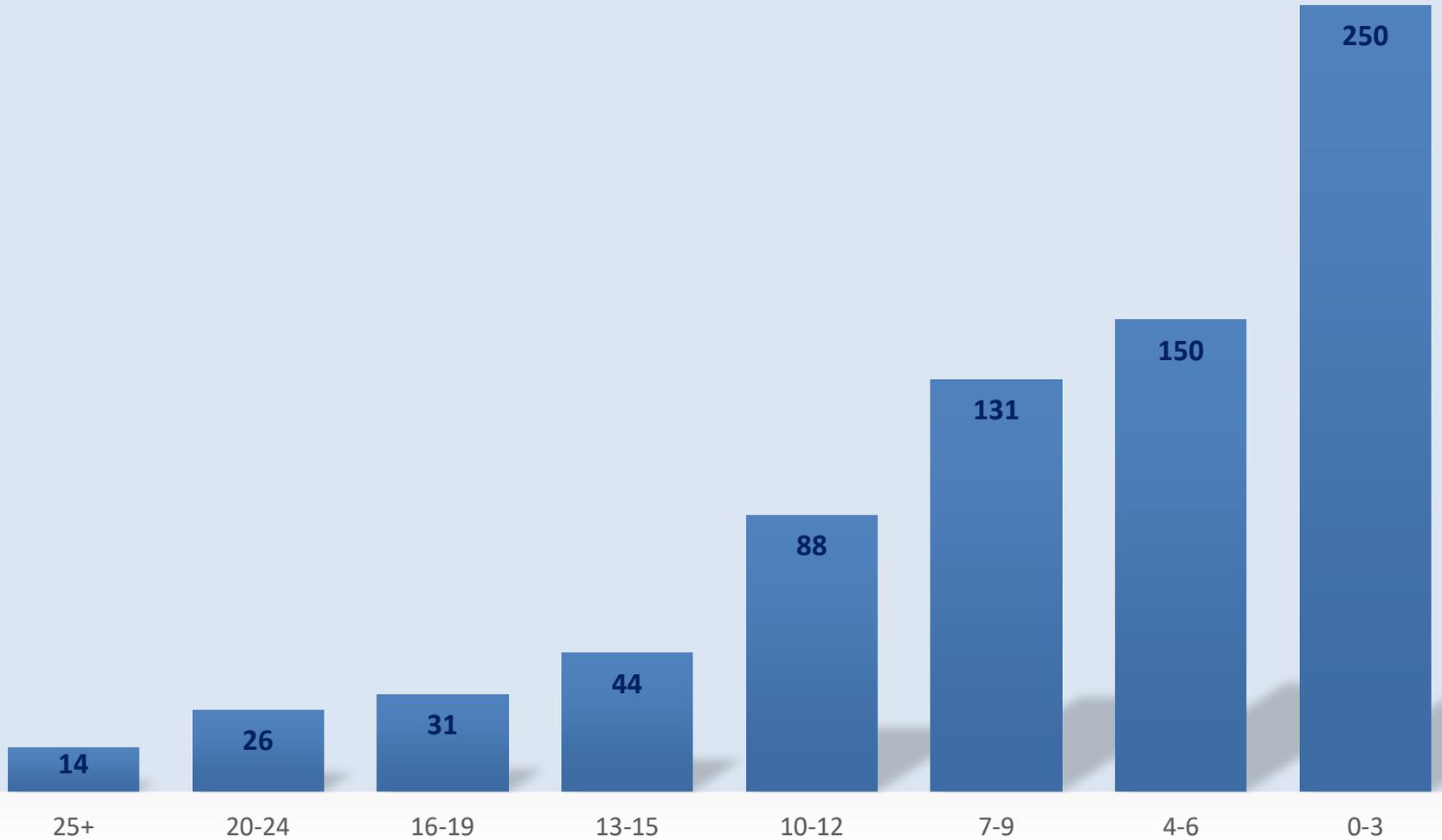
As of March 31, 2021

APRIL 15, 2021 AGENDA

DISABILITY RETIREMENT SERVICES PENDING APPLICATIONS/TIME INTERVALS

Total Pending Cases = 734

NUMBER OF PENDING APPLICATIONS



MONTHS

As of March 31, 2021



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



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