

BOARD OF RETIREMENT AGENDA 11-10-11

LACERA

300 N. Lake Ave., Suite 810
Pasadena, CA 91101

9:00 AM

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES

- A. APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF OCTOBER 5, 2011
- B. APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF OCTOBER 13, 2011

IV. IV. CONSENT AGENDA

- A. Ratification of Service Retirement Application Approvals.
- B. Ratification of Survivor Benefit Application Approvals.
- C. Requests for an administrative hearing before a referee. (Memo dated November 2, 2011.)
- D. Recommendation as submitted by Ricki Parker, Manager, Disability Retirement Services: Dismiss with prejudice the appeal for service-connected disability retirement in the case of Michael W. Wilson. (Memo dated October 27, 2011.)
- E. Recommendation as submitted by Ricki Parker, Manager, Disability Retirement Services: Dismiss with prejudice the appeal for service-connected disability retirement in the case of George T. Sieber. (Memo dated November 1, 2011.)
- F. Recommendation as submitted by Ricki Parker, Manager, Disability Retirement Services: Dismiss with prejudice the appeal for service-connected survivor death benefits in the case of Miguel A. Linares (Deceased)/Ana V. Sandoval (Survivor). (Memo dated November 1, 2011.)

V. OTHER COMMUNICATIONS

- A. For Information
 - 1. October 2011 All Stars
 - 2. Chief Executive Officer's Report (Memo dated November 3, 2011)

VI. NON-CONSENT AGENDA

- A. Recommendation as submitted by Yves Chery, Chair, Operations Oversight Committee: That the Board:
 - 1. Authorize the destruction of LACERA's original microfiche inventory by a certified document destruction company, after electronic images have been made, and in a timeframe consistent with LACERA's Records Retention Policy and Schedule; and
 - 2. Authorize the Chairman to execute a Resolution of the Board of Retirement Regarding the Disposal of Original Microfiche Inventory. (Memo dated November 2, 2011.)
- B. Recommendation as submitted by Les Robbins, Chair, Insurance, Benefits and Legislative Committee: That the Board direct your voting delegate to support the inclusion of legislative proposals in the SACRS 2012 Legislative Platform. (Memo dated October 18, 2011.)
- C. Information only as submitted by Cynthia Lau, Legislative Affairs Officer regarding: STAFF REPORT — 2011 Enacted Retirement Legislation. (Memo dated November 2, 2011.)

VII. PUBLIC COMMENT

VIII. GOOD OF THE ORDER

(For discussion purposes only.)

IX. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

- A. Applications for Disability
- B. Referee Reports
(Closed Session)
- C. Staff Recommendations
(Closed Session)

1. Recommendation as submitted by Ricki Parker, Manager, Disability Retirement Services regarding: PAYMENT OF INVOICES OVER \$10,000.00 FOR THE MONTH OF OCTOBER 2011. (Memo dated November 2, 2011.)
2. Recommendation as submitted by Ricki Parker, Manager, Disability Retirement Services regarding: PAYMENT OF INVOICES FOR THE MONTH OF OCTOBER 2011. (Memo dated October 29, 2011.)
3. Recommendation as submitted by Ricki Parker, Manager, Disability Retirement Services: That the Board accept the request for appeal and administrative hearing for Ave M. Prince and have it referred to a referee. (Memo dated November 2, 2011.)
4. Recommendation as submitted by James J. Castranova, Senior Staff Counsel: That the Board 1) Determine that Janice Payne's absences from June 1, 2007 through June 1, 2009 except for the dates listed in recommendation #2 were not necessitated by a new disability, injury or disease, and do not qualify as active service under Government Code Sections 31494.5, subdivision (e) and (g); 2) Find that there is no medical evidence to make a determination regarding the reason for the following absences: 8/11/08, 8/27/08, 9/10/08-9/11/08, 10/15/08, and 10/24/08; 3) Find applicant has not completed two consecutive years of active service or earned five years of retirement service credit under Retirement Plan D after her most recent transfer date as required by Government Code Section 31494.5, (e); and 4) Instruct staff to reject Janice Payne's application for disability retirement processing. (Memo dated October 7, 2011.)
5. Recommendation as submitted by James J. Castranova, Senior Staff Counsel: That the Board: 1) Comply with the writ of mandate issued by the Superior Court on October 20, 2011; 2) Grant Rebecca Huambachano a nonservice-connected disability retirement; and 3) Refer the case back to Referee Irene Ayala for a determination regarding causation. (Memo dated October 31, 2011.)
6. Recommendation as submitted by James J. Castranova, Senior Staff Counsel: That the Board: 1) Not comply with the writ of mandate issued by the Superior Court on October 21, 2011; and 2) Appeal the Superior Court's decision that Richard Gomez is entitled to a service-connected disability retirement pension. (Memo dated October 31, 2011.)

XI. EXECUTIVE SESSION

A. Conference with Legal Counsel — Existing Litigation

(Subdivision (a) of Section 54956.9)

1. *Los Angeles County Professional Peace Officers' Association v. Los Angeles County Employees*
(Los Angeles County Superior Court Case No. BC470065)
2. *Los Angeles Times Communications LLC v. LACERA*
(Los Angeles County Superior Court Case No. BS133956)

B. Conference with Legal Counsel — Anticipated Litigation

(Significant exposure to litigation pursuant to subdivision (b) of California Government Code Section 54956.9)

1. Claim of Shari Evans.

C. Pursuant to Government Code Section 54957

Public Employee Performance Evaluation

Title: Chief Executive Officer

XII. ADJOURNMENT