

AGENDA

A SPECIAL MEETING OF THE BOARD OF RETIREMENT

LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION

300 N. LAKE AVENUE, SUITE 810, PASADENA, CA

9:00 A.M., APRIL 15, 2014

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF THE MINUTES

A. Approval of the Minutes of the Special Meeting of March 11, 2014 (Attachment #1)

B. Approval of the Minutes of the Regular Meeting of March 13, 2014 (Attachment #2)

IV. OTHER COMMUNICATIONS

A. For Information

1. February 2014 All Stars

2. Service Awards

3. Chief Executive Officer's Report
(Attachment #3)

V. PUBLIC COMMENT

VI. CONSENT AGENDA

A. Ratification of Service Retirement Application Approvals.

B. Ratification of Survivor Benefit Application Approvals.

VI. CONSENT AGENDA (Continued)

- C. Recommendation to dismiss pending cases and request retroactive benefits (Attachment #4)
- D. For information only as submitted by Ricki Contreras, Manager, Disability Retirement Services regarding the Monthly Case Aging Report. (Attachment #5)

VII. NON-CONSENT AGENDA

- A. Recommendation as submitted by Gregg Rademacher, Chief Executive Officer: That the Board approves the following:
 - 1. Recognize eligible retiree organizations which comply with California Government Code 31471.5;
 - 2. Recognize eligible Alternate Retired member candidates who satisfied the rules for candidate submission and were provided by eligible retiree organizations; and
 - 3. Appoint an Alternate Retired member from the eligible candidates as directed by Government Code Section 31471.5 to fill the Alternate Retired member term expiring December 31, 2014.

(Attachment #6)

- B. Information only as submitted by Robert Hill, Assistant Executive Officer: Los Angeles County Other Post Employment Benefits Program – Investigation of Experience. (Attachment #7)

Milliman

Robert L. Schmidt, FSA, EA, MAAA

- C. Recommendation as submitted by Gregg Rademacher, Chief Executive Officer: That the Board review the 2014 meeting schedule and consider rescheduling the Wednesday, August 6, 2014 meeting. (Attachment #8)

VII. NON-CONSENT AGENDA (Continued)

- D. Recommendation as submitted by Gregg Rademacher, Chief Executive Officer: That the Board approve attendance of Board members at the IFEBP Public Employee Policy Forum on September 15-16, 2014 in Washington, D.C. and approve reimbursement of all travel costs incurred in accordance with LACERA's Education and Travel Policy. (Placed on the agenda by the request of Chair Chery) (Attachment #9)
- E. Recommendation as submitted by Gregg Rademacher, Chief Executive Officer: That the Board provide the SACRS voting delegate direction on voting for the SACRS slate of officers. (Attachment #10)
- F. Recommendation as submitted by Bernie Buenaflor, Division Manager, Claims Processing Division: That the Board
1) Determine, based upon medical evaluation conducted February 5, 2014, that Neal B. Tyler is not incapacitated for the duties assigned to him in the position of Executive Officer; and
2) Grant the application of Neal B. Tyler for reinstatement to active membership. (Attachment #11)
- G. Recommendation as submitted by Marvin Adams, Chair, Disability Procedures & Services Committee: That the Board approve James Sherman, M.D. (Board Certified Internist) to the LACERA Panel of Physicians for the purpose of examining disability retirement applicants. (Attachment #12)
- H. Recommendation as submitted by Vivian Gray, Chair, Insurance, Benefits and Legislative Committee: That the Board approve the rate renewal proposals and mandatory contractual changes for the 2014-2015 plan year, listed by carrier, and the administrative fee. (Attachment #13)
- I. Recommendation as submitted by Vivian Gray, Chair, Insurance, Benefits and Legislative Committee: That the Board adopt a "Watch" position on AB 1824 which would permit specified retired members the ability to revise the beneficiary of an optional settlement. (Attachment #14)

VII. NON-CONSENT AGENDA (Continued)

- J. Recommendation as submitted by Cynthia Lau, Legislative Affairs Officer: That the Board adopt a “Support” position on Assembly Bill 2473 which amends CERL to conform with Federal law. (Attachment #15)
- K. Recommendation as submitted by Cynthia Lau, Legislative Affairs Officer: That the Board adopt a “Support” position on Assembly Bill 2474 which conforms CERL with PEPRA. (Attachment #16)
- L. For information only as submitted by Cynthia Lau, Legislative Affairs Officer: Update - Proposed Ballot Initiative – “Pension Reform Act of 2014.” (Attachment #17)

VIII. GOOD OF THE ORDER

(For information 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
- C. Staff Recommendations
 - 1. Recommendation regarding payment of invoices and pending appeals/cases. (Attachment #18)

XI. 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.

Persons requiring an alternative format of this agenda pursuant to Section 202 of the Americans with Disabilities Act of 1990 may request one by calling Cynthia Guider at (626) 564-6000, from 8:30 a.m. to 5:00 p.m. Monday through Friday, but no later than 48 hours prior to the time the meeting is to commence. Assistive Listening Devices are available upon request. American Sign Language (ASL) Interpreters are available with at least three (3) business days notice before the meeting date.

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF RETIREMENT

LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION

300 N. LAKE AVENUE, SUITE 810, PASADENA, CA

9:00 A.M., APRIL 15, 2014

PRESENT: Yves Chery, Chair
Alan Bernstein, Vice Chair
William de la Garza, Secretary
Marvin Adams
Vivian H. Gray
Shawn R. Kehoe
Ronald A. Okum
William R. Pryor (Alternate Member)
Les Robbins
Mark Saladino

STAFF ADVISORS AND PARTICIPANTS

Gregg Rademacher, Chief Executive Officer
Robert Hill, Assistant Executive Officer
JJ Popowich, Assistant Executive Officer
Robb Van Der Volgen, Chief Counsel
Dr. Vito Campese, Medical Advisor
Jorja Frank, Senior Staff Counsel

STAFF ADVISORS AND PARTICIPANTS (Continued)

Ricki Contreras, Division Manager
Disability Retirement Services

Debbie Semnanian, Specialist Supervisor
Disability Retirement Services

Vickie Neely, Specialist Supervisor
Disability Retirement Services

Cassandra Smith, Division Manager
Retiree Healthcare Division

Vincent Lim, Chief Counsel
Disability Litigation

Steven Tallant, Senior Staff Counsel

Francis J. Boyd, Senior Staff Counsel

Cynthia Lau, Legislative Affairs Officer

Bernie Buenaflor, Manager, Claims Processing Division

Thomas J. Wicke, Attorney at Law
Lewis, Marenstein, Wicke & Sherwin, LLP

Michael Treger, Attorney at Law

David L. Muir, Alternate Retired Member Candidate

Doris Wallace, Alternate Retired Member Candidate

Robert L. Schmidt, Milliman

Kirby Bosley, Aon Hewitt

Bill Coswall, Kaiser

Sean Knoll, Kaiser

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

Ms. Gray led the Board Members and staff in reciting the Pledge of Allegiance.

III. APPROVAL OF THE MINUTES

A. Approval of the Minutes of the Special Meeting of
March 11, 2014

Mr. de la Garza made a motion, Chair Chery seconded, to approve the minutes of the special meeting of March 11, 2014. The motion passed unanimously.

B. Approval of the Minutes of the Regular Meeting of
March 13, 2014

Ms. Gray made a motion, Mr. Bernstein seconded, to approve the minutes of the regular meeting of March 13, 2014. The motion passed unanimously.

IV. OTHER COMMUNICATIONS

A. For Information

1. February 2014 All Stars

Mr. Hill announced the eight winners for the month of February; Alicia Loza, David Escamilla, Sarah Robles, Brenda Grundy, Bertha Bargas, Remigio Feliciano, Mei Zhang, and Donna Hansen for the Employee Recognition Program. Indee

IV. OTHER COMMUNICATIONS (Continued)

Brooke was the winner of LACERA's Web Watcher Award. Chona Labtic-Austin, Paul Lurina, Jim Alvarez, and Derwin Brown were the winners of LACERA's RideShare Program.

2. Service Awards

Mr. Rademacher presented a 30 year service award to Isis Morcos.

3. Chief Executive Officer's Report (Memo dated April 7, 2014)

Mr. Rademacher provided a brief overview of his Chief Executive Officer's Report with a quick update on what transpired at the previous Board of Investments meeting. (Board of Investments minutes are available to view on LACERA's Website www.lacera.com.)

Mr. Rademacher provided an overview of the County's implementation of the salary increases agreed to in the 2013-2014 MOU agreements. In addition, Mr. Rademacher shared how LACERA will be impacted due to the County's eHR payroll system's inability to assign retroactive salary adjustments to the appropriate accrual period or the ability to take LACERA's retirement plan contributions from retroactive adjustments.

Mr. Rademacher recognized Carlos Barrios, Derwin Brown, Leisha Collins, Louis Gittens, Roberta Van Nortrick who participated in the Leadership Development Program in serving on a rotation as the Acting Division Manager of

IV. OTHER COMMUNICATIONS (Continued)

3. Chief Executive Officer's Report

the Member Services Division, as well as staff from the Member Services Division and Mr. Popowich for the leadership he provided to the participants. Mr. Popowich will be working with Human Resources to fill the Division Manager position.

Mr. Rademacher recognized the LACERA employees who contributed to the 2013 Charitable Giving Campaign. The Board of Supervisors recognized LACERA's Charitable Giving Campaign coordinator, Koleta Caldwell, on March 25, 2014.

Mr. Rademacher announced that the Budget Hearings have been set for Thursday, May 1st at 9:00 a.m. and Wednesday, May 21st following the Board of Investment and Committee meetings.

V. PUBLIC COMMENT

Richard Chang, and his mother, Lee Chang, addressed the Board regarding Mr. Chang's disability case.

Diane Sandoval, Chair of RELAC's Bylaws, Nominations, and Elections Committee, spoke on behalf of RELAC's nominee, David Muir, for the position of Alternate Retired Member.

VI. CONSENT AGENDA

Mr. Kehoe made a motion, Chair Chery seconded, to approve the Items A-K, except Item E. The motion passed unanimously.

- 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 April 4, 2014)
- D. For information only as submitted by Ricki Contreras, Manager, Disability Retirement Services regarding the Monthly Case Aging Report. (Memo dated April 1, 2014)
- E. Recommendation as submitted by Gregg Rademacher, Chief Executive Officer: That the Board approve attendance of Board members at the NASP's 25th Annual Pension and Financial Services Conference on June 23-25, 2014 in San Francisco, California and approve reimbursement of all travel costs incurred in accordance with LACERA's Education and Travel Policy. (Placed on the agenda by the request of Ms. Gray) (Memo dated March 26, 2014)

Mr. de la Garza made a motion, Mr. Pryor seconded, to approve the recommendation. The motion passed with Messrs. Adams, Bernstein, Kehoe, Chair Chery, and Ms. Gray voting yes; and Messrs. Saladino, Robbins, de la Garza, and Okum voting no.

- F. Recommendation as submitted by Ricki Contreras, Manager, Disability Retirement Services: That the Board dismiss with prejudice the appeal for service-connected disability retirement in the case of **Rod C. Cavalier**. (Memo dated March 26, 2014)
- G. Recommendation as submitted by Ricki Contreras, Manager, Disability Retirement Services: That the Board dismiss with prejudice the appeal for service-connected disability retirement in the case of **Stanley W. Leach**. (Memo dated March 26, 2014)

VI. CONSENT AGENDA (Continued)

- H. Recommendation as submitted by Ricki Contreras, Manager, Disability Retirement Services: That the Board dismiss with prejudice the appeal for service-connected disability retirement in the case of **Jan M. Miller**. (Memo dated March 26, 2014)
- I. Recommendation as submitted by Ricki Contreras, Manager, Disability Retirement Services: That the Board dismiss with prejudice the appeal for service-connected disability retirement in the case of **Sara A. Ncha Ndipagbor**. (Memo dated March 26, 2014)
- J. Recommendation as submitted by Ricki Contreras, Manager, Disability Retirement Services: That the Board dismiss with prejudice the appeal for service-connected disability retirement in the case of **Alexandra A. Tiffer**. (Memo dated March 26, 2014)
- K. Recommendation as submitted by Ricki Contreras, Manager, Disability Retirement Services: That the Board dismiss with prejudice the appeal for service-connected disability retirement in the case of **Sheila J. Washington**. (Memo dated March 26, 2014)

VII. NON-CONSENT AGENDA

- A. Recommendation as submitted by Gregg Rademacher, Chief Executive Officer: That the Board approves the following:
 - 1. Recognize eligible retiree organizations which comply with California Government Code 31471.5;

Ms. Gray made a motion, Mr. Okum seconded, to approve AFSCME Retirees Chapter 36, Lasdretired.org, RELAC, and SEIU 721 Retirees Committee as eligible retiree organizations. The motion passed with Mr. Robbins abstaining.

VII. NON-CONSENT AGENDA (Continued)

2. Recognize eligible Alternate Retired member candidates who satisfied the rules for candidate submission and were provided by eligible retiree organizations; and

Ms. Gray made a motion, Mr. Okum seconded, to recognize Doris Wallace and David L. Muir as eligible Alternate Retired members who satisfied the rules for candidate submission. The motion passed unanimously.

3. Appoint an Alternate Retired member from the eligible candidates as directed by Government Code Section 31471.5 to fill the Alternate Retired member term expiring December 31, 2014. (Memo dated April 1, 2014)

Nominees, Doris Wallace and David L. Muir, provided the Board with a brief candidate statement followed by a question and answer session from the Board.

Mr. Saladino made a motion, Mr. de la Garza seconded, to appoint David L. Muir as the Alternate Retired member.

Ms. Gray made a substitute motion, Mr. Adams seconded, to appoint Doris Wallace as the Alternate Retired member.

A roll call was taken with Messrs. Kehoe, Saladino, Okum, Robbins, and de la Garza voting for David L. Muir; Mr. Adams, Chair Chery, Ms. Gray voting for Doris Wallace; and Mr. Bernstein abstaining. The motion passed to appoint David L. Muir to fill the Alternate Retired member position.

VII. NON-CONSENT AGENDA (Continued)

- B. Information only as submitted by Robert Hill, Assistant Executive Officer: Los Angeles County Other Post Employment Benefits Program – Investigation of Experience.
(Memo dated April 7, 2014)

Milliman

Robert L. Schmidt, FSA, EA, MAAA

Robert Schmidt, Principal and Consulting Actuary for Milliman,

provided a slide presentation of the 2013 Investigation of Experience pertaining to the Other Post Employment Benefits (OPEB) Program.

- C. Recommendation as submitted by Gregg Rademacher, Chief Executive Officer: That the Board review the 2014 meeting schedule and consider rescheduling the Wednesday, August 6, 2014 meeting.
(Memo dated March 13, 2014)

Mr. Adams made a motion, Mr. Bernstein seconded, to reschedule the Wednesday, August 6th meeting to Monday, August 4th. The motion passed unanimously.

- D. Recommendation as submitted by Gregg Rademacher, Chief Executive Officer: That the Board approve attendance of Board members at the IFEBP Public Employee Policy Forum on September 15-16, 2014 in Washington, D.C. and approve reimbursement of all travel costs incurred in accordance with LACERA's Education and Travel Policy. (Placed on the agenda by the request of Chair Chery) (Memo dated March 28, 2014)

Mr. Kehoe made a motion, Ms. Gray seconded, to approve the recommendation. The motion passed with Mr. de la Garza voting no.

VII. NON-CONSENT AGENDA (Continued)

- E. Recommendation as submitted by Gregg Rademacher, Chief Executive Officer: That the Board provide the SACRS voting delegate direction on voting for the SACRS slate of officers.
(Memo dated April 1, 2014)

Mr. Bernstein made a motion, Ms. Gray seconded, to support the SACRS slate of officers. The motion passed with Mr. de la Garza voting no.

- F. Recommendation as submitted by Bernie Buenaflor, Division Manager, Claims Processing Division: That the Board 1) Determine, based upon medical evaluation conducted February 5, 2014, that Neal B. Tyler is not incapacitated for the duties assigned to him in the position of Executive Officer; and 2) Grant the application of Neal B. Tyler for reinstatement to active membership.
(Memo dated March 31, 2014)

(Mr. Robbins left the Boardroom at 10:32 a.m.)

Mr. Kehoe made a motion, Mr. Okum seconded, to approve the recommendation. The motion passed with Chair Chery, and Ms. Gray abstaining.

- G. Recommendation as submitted by Marvin Adams, Chair, Disability Procedures & Services Committee: That the Board approve James Sherman, M.D. (Board Certified Internist) to the LACERA Panel of Physicians for the purpose of examining disability retirement applicants. (Memo dated March 26, 2014)

Mr. de la Garza made a motion, Chair Chery seconded, to approve the recommendation. The motion passed unanimously.

VII. NON-CONSENT AGENDA (Continued)

- H. Recommendation as submitted by Vivian Gray, Chair, Insurance, Benefits and Legislative Committee: That the Board approve the rate renewal proposals and mandatory contractual changes for the 2014-2015 plan year, listed by carrier, and the administrative fee. (Memo dated April 1, 2014)

(Mr. Robbins returned to the Boardroom at 10:40 a.m.)

Ms. Smith, Kirby Bosley from Aon Hewitt, Bill Coswell and Sean Knoll from Kaiser presented to the Board the 2014 Renewal Evaluation Report and answered questions from the Board.

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

- I. Recommendation as submitted by Vivian Gray, Chair, Insurance, Benefits and Legislative Committee: That the Board adopt a “Watch” position on AB 1824 which would permit specified retired members the ability to revise the beneficiary of an optional settlement. (Memo dated March 26, 2014)

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

- J. Recommendation as submitted by Cynthia Lau, Legislative Affairs Officer: That the Board adopt a “Support” position on Assembly Bill 2473 which amends CERL to conform with Federal law. (Memo dated April 4, 2014)

Mr. Kehoe made a motion, Mr. Saladino seconded, to approve the recommendation. The motion passed unanimously.

VII. NON-CONSENT AGENDA (Continued)

- K. Recommendation as submitted by Cynthia Lau, Legislative Affairs Officer: That the Board adopt a “Support” position on Assembly Bill 2474 which conforms CERL with PEPRA.
(Memo dated April 4, 2014)

Mr. de la Garza made a motion, Mr. Adams seconded, to approve the recommendation.
The motion passed unanimously.

- L. For information only as submitted by Cynthia Lau, Legislative Affairs Officer: Update - Proposed Ballot Initiative – “Pension Reform Act of 2014.” (Memo dated March 26, 2014)

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

VIII. GOOD OF THE ORDER

(For information purposes only)

The Board welcomed David L. Muir to the Board as an Alternate Retired Member.

Mr. Robbins reported on his attendance at the World Health Care Congress that took place April 7-9, 2014 in National Harbor, MD.

Mr. Van Der Volgen announced that he will be scheduling a Travel Committee meeting and will be canvassing the Board for available dates.

IX. DISABILITY RETIREMENT APPLICATIONS ON CONSENT
CALENDAR

Safety Law Enforcement
Service-Connected Disability Applications

On a motion by Mr. Kehoe, 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>
174C	LISA N. WALTER
175C	KURT SCHMIDT
176C	MANUEL CASTRO, JR.
177C*	VERONICA Y. TREJO
179C*	JOEL D. RODRIGUEZ
180C*	JOHN P. TKACH
181C	ASHLEY C. GUIMONT
182C	JAMES C. FARRELL (DEC'D)
183C**	SALVATORE GUERRERO
184C	JOHN D. STEELE
185C	JOSELUIS M. TAPIA

* Granted SCD – Employer Cannot Accommodate

** Granted SCD Retroactive

IX. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
186C	MARK E. DIVIS
187C	JOHN D. WILLIAMS
188C*	SUSAN M. MISCH
189C	MARVIN STALWORTH III
190C	FREDERICK J. HILL

Safety-Fire, Lifeguard
Service-Connected Disability Applications

On a motion by Mr. Pryor, seconded by Chair 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>
1568A*	ERNEST GREGOIRE III
1569A*	ANGUS ALEXANDER
1570A	WILLIAM H. SANCHEZ, JR.
1571A	RAYMOND L. PEREZ

* Granted SCD – Employer Cannot Accommodate

IX. DISABILITY RETIREMENT APPLICATIONS ON CONSENT
CALENDAR

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

1572A	GERALD R. MADRID
1573A	BRIAN K. FANKHAUSER
1574A	ARMANDO CARRILLO
1575A	ROBERT M. PATTERSON

General Members
Service-Connected Disability Applications

On a motion by Mr. Bernstein, seconded by Mr. Okum, 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>
2399B*	VED P. TALWAR
2400B**	KENNETH E. KEYES
2401B***	KING V. BRYANT
2402B	RHODA JONES

* Granted SCD – Retroactive

** Granted SCD – Employer Cannot Accommodate

*** Granted SCD Supplemental Disability Allowance Pursuant to Government Code Section 31725.65

IX. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
2403B*/**	MICHAEL A. PRUDHOLM
2404B*/**	MARTHA L. JONES
2405B**	PHYLLIS WILSON
2406B	LOIS D. TIMNICK
2407B***	GROVER S. CHANEY
2409B**	HERMILA ARELLANO

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability

Chair Chery said that the Board would handle those cases that were pulled off the Consent Calendar first.

<u>APPLICATION NO. & NAME</u>	<u>BOARD ACTION</u>
178C – DWAYNE MILLER	Mr. Kehoe made a motion, Mr. Adams seconded, to grant a service-connected disability retirement pursuant to Government Code Section 31720. The motion passed unanimously.

- * Applicant Present
- ** Granted SCD – Employer Cannot Accommodate
- *** Granted SCD Retroactive – Employer Cannot Accommodate

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

2408B – ESTHER M. MANKOWSKI

Mr. Kehoe made a motion, Mr. Okum seconded, to grant a service-connected disability retirement pursuant to Government Code Section 31720 since employer cannot accommodate.

Mr. Saladino made a substitute motion, Mr. Bernstein seconded, to refer back to staff for additional information. The motion passed with Chair Chery voting no.

6733A – VALERIE D. ROBINSON

Mr. Saladino made a motion, Mr. Adams seconded, to deny a service-connected disability retirement and find the applicant not permanently incapacitated. The motion passed unanimously.

6724A – WALLACE T. LEJAY

Mr. Saladino made a motion, Chair Chery seconded, to deny a service-connected disability retirement without prejudice and find the applicant not permanently incapacitated. The motion passed unanimously.

6725A – RICHARD Y. CHANG

Ms. Gray made a motion, Mr. Adams seconded, to refer back to staff for additional information. The motion passed unanimously.

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

6726A – DAVID J. BOBO

Mr. Kehoe made a motion, Ms. Gray seconded, to grant a service-connected disability retirement. The motion passed unanimously.

6727A – ELIZABETH D. AURELIO-ORTIZ

Mr. de la Garza made a motion, Mr. Saladino seconded, to deny a service-connected disability retirement and find the applicant not permanently incapacitated.

Ms. Gray made a substitute motion, Mr. Adams seconded, to grant a service connected disability retirement. The motion failed with Messrs. Kehoe, Saladino, de la Garza, Okum, Bernstein, Robbins, and Chair Chery voting no; and Ms. Gray and Mr. Adams voting yes.

Mr. de la Garza made a motion, Mr. Okum seconded, to deny a service-connected disability retirement and find the applicant not permanently incapacitated. The motion passed with Ms. Gray and Mr. Adams voting no.

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

6728A – HUY B. CAO*

Mr. Bernstein made a motion, Mr. Saladino seconded, to grant a non-service connected disability retirement pursuant to Government Code Section 31720 and grant the option for an earlier effective date pursuant to Government Code Section 31724. The motion passed unanimously.

6729A – WILLIAM A. BODE

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

6730A – RICHARD M. FONTENOT

Pulled by the request of staff.

* Applicant Present

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

6731A – BILLIE HEIDELBERG

Mr. Kehoe made a motion, Chair Chery seconded, to grant a service connected disability retirement pursuant to Government Code Section 31720. The motion failed with Messrs. Bernstein, Saladino, Kehoe, Ms. Gray, Chair Chery voting no; Messrs. de la Garza, Okum, Adams voting yes; and Mr. Robbins abstaining.

Mr. Bernstein made a motion, Mr. Saladino seconded, to grant a non-service connected disability retirement pursuant to Government Code Section 31720. The motion passed with Mr. Kehoe, Ms. Gray, Chair Chery voting no; Messrs. de la Garza, Okum, Adams, Saladino, and Bernstein voting yes; and Mr. Robbins abstaining.

6732A – MARCIA Y. BOYD

Mr. de la Garza made a motion, Mr. Saladino seconded, to grant a non-service connected disability retirement pursuant to Government Code Section 31720.

Mr. Kehoe made a substitute motion, Mr. Okum seconded, to refer back to staff for additional information. The motion passed unanimously.

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

2185B – SHOW-LING CHEN

Mr. Adams made a motion, Ms. Gray seconded, to grant a service connected disability retirement to continue. The motion passed unanimously.

(Mr. Adams excused himself from the meeting at 1:55 p.m.)

135C – JOHNIE R. OATES

Mr. Kehoe made a motion, Mr. de la Garza seconded, to grant a service connected disability retirement pursuant to Government Code Section 31720. The motion passed (roll call) with Messrs. Kehoe, Okum, Robbins, Chair Chery, Ms. Gray voting yes; Messrs. Saladino, Bernstein, and de la Garza voting no.

2380B – GLORIA I. RAMIREZ

Mr. de la Garza made a motion, Ms. Gray seconded, to grant a service-connected disability retirement pursuant to Government Code Section 31720 since employer cannot accommodate. The motion passed unanimously.

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

B. Referee Reports

APPLICANT NAME

BOARD ACTION

Terry Lee Marston - Thomas J. Wicke for appellant
Steve Tallant for the respondent

Chair Chery made a motion, Mr. Bernstein seconded, to renew the case.

Mr. Bernstein made a substitute motion, Mr. Saladino seconded, to deny a service-connected disability retirement and find the applicant not disabled.

Mr. Kehoe made a substitute motion, Ms. Gray seconded, to refer back to a new referee and consider the new Myer's case. The motion failed with Messrs. Bernstein, Robbins, de la Garza, Okum, and Saladino voting no; Ms. Gray, Mr. Kehoe, and Chair Chery voting yes.

The motion to deny a service-connected disability retirement and find the applicant not disabled passed (roll call) with Messrs. Saladino, Bernstein, Okum, Robbins, de la Garza voting yes; Mr. Kehoe, Ms. Gray and Chair Chery voting no.

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

B. Referee Reports (Continued)

APPLICANT NAME

BOARD ACTION

Kathy De Anda-Soliz – Postponed till next meeting.

Walter Murden – Michael Treger for appellant
Frank Boyd for the respondent

Mr. Saladino made a motion, Mr. Kehoe seconded, to deny a service-connected disability retirement and grant a non-service connected disability retirement. The motion passed unanimously.

Louise Hicks-Taylor – In Pro Per
Vincent Lim for the respondent

Mr. Saladino made a motion, Mr. Okum seconded, to deny a service-connected disability retirement and find the applicant not disabled. The motion failed (tie) with Messrs. Saladino, Bernstein, Robbins, and de la Garza voting yes; Messrs. Kehoe, Okum, Chair Chery, and Ms. Gray voting yes.

This item will be postponed until next meeting.

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

C. Staff Recommendations

1. Recommendation as submitted by Ricki Contreras, Manager, Disability Retirement Services regarding: Payment of Invoices for the Month of March 2014. (Memo dated April 4, 2014)

Mr. Bernstein made a motion, Mr. Saladino seconded, to approve the recommendation. The motion passed unanimously.

2. Recommendation as submitted by Jorja L. Frank, Senior Staff Counsel: That the Board rescind its March 11, 2014 order dismissing the appeal of **Mitra Rashti**, and order the case returned to the Referee for continuance of the appeal process. (Memo dated March 27, 2014)

This item was pulled at the request of the member.

Green Folder Information (Information distributed in each Board Members Green Folder at the beginning of the meeting)

1. Retirement Board Listing dated April 15, 2014
2. Appointing an Alternate Member – Candidate Withdrawal (Memo dated April 11, 2014)
3. Board Correction Memo – Disability Retirement Evaluation Report: G.S. Chaney (Memo dated April 7, 2014)
4. Quarterly Report on Hearing Officer (Memo dated March 31, 2014)
5. LACERA Legislative Report -Bills Amending CERL/PEPRA (Dated April 9, 2014)
6. LACERA Legislative Report - Other (Dated April 9, 2014)

April 15, 2014

Page 25

Green Folder Information (Information distributed in each Board
Members Green Folder at the beginning of the meeting) (Continued)

7. Consideration of Disability Retirement Case: Robert's Rules of Order and Government Code Section 31534 (Memo dated April 7, 2014)
8. LACERA's Retiree Spring Staying Healthy Together Program Workshops - Flyer

XI. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 2:30 p.m.

WILLIAM DE LA GARZA, SECRETARY

YVES CHERY, CHAIR