

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, APRIL 1, 2015

PRESENT: Shawn R. Kehoe, Chair

William de la Garza, Secretary

Anthony Bravo

Yves Chery

Vivian H. Gray

Joseph Kelly

David L. Muir (Alternate Retired)

Ronald A. Okum

William Pryor (Alternate Member) (Arrived at 9:06 a.m.)

Les Robbins

ABSENT: Alan Bernstein, Vice Chair

STAFF ADVISORS AND PARTICIPANTS

Gregg Rademacher, Chief Executive Officer

JJ Popowich, Assistant Executive Officer

Steven Rice, Chief Counsel

Dr. Vito Campese, Medical Advisor

Tamara Caldwell, Acting Division Manager
Disability Retirement Services

STAFF ADVISORS AND PARTICIPANTS (Continued)

Steven Tallant, Senior Staff Counsel

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

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

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

III. PUBLIC COMMENT

There were no requests from the public.

IV. CONSENT AGENDA

Mr. Robbins made a motion, Mr. de la Garza seconded, to approve the following agenda items. The motion passed unanimously.

- A. Ratification of Service Retirement Application Approvals.
- B. Ratification of Survivor Benefit Application Approvals.
- C. For information only as submitted by Tamara Caldwell, Acting Division Manager, Disability Retirement Services regarding the Application Processing Time Snapshot Reports.
(Memo dated March 23, 2015)

IV. CONSENT AGENDA (Continued)

- D. Recommendation as submitted by Tamara Caldwell, Acting Division Manager, Disability Retirement Services: That the Board dismiss with prejudice the appeal for an earlier effective date in the case of **Ellen Mitchell**.
(Memo dated March 23, 2015)
- E. Recommendation as submitted by Tamara Caldwell, Acting Division Manager, Disability Retirement Services: That the Board dismiss with prejudice the appeal for an earlier effective date in the case of **Janet D. Homan**.
(Memo dated March 23, 2015)
- F. Recommendation as submitted by Tamara Caldwell, Acting Division Manager, Disability Retirement Services: That the Board dismiss with prejudice the appeal for an earlier effective date in the case of **Patrick M. Melendy**.
(Memo dated March 23, 2015)

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

Mr. Rademacher congratulated LACERA staff members, Michelle Masters and Janine Baloga, on their recent retirement.

Mr. Kehoe reminded the Board that the Special Joint Meeting that will be held on April 8, 2015 will begin promptly at 1:00 p.m.

VI. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement
Service-Connected Disability Applications

On a motion by Mr. Okum, seconded by Chair Kehoe, the Board of Retirement approved a service-connected disability retirement for the following

VI. DISABILITY RETIREMENT APPLICATIONS ON CONSENT
CALENDAR

Safety Law Enforcement (Continued)
Service-Connected Disability Applications

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>
303C	JOSE A. DIAZ-INFANTE
304C	EDWARD G. MCDONALD
305C	JAMES C. SAMP
306C*	MICHAEL WEINSTEIN
307C	MELISSA NUNEZ
308C	CARLOS J. NUQUES
309C	MICHAEL L. HOLLAND
310C*	DAVID E. BUSK
311C	LUTHER A. ILES
312C*	WILLIAM C. WICKER, JR.
313C*	DARRYL BEACHAM
314C	KEVIN C. SPIER
315C	DANA L. CAMARILLO
316C	SHANNON E. KNIGHT

* Granted SCD – Employer Cannot Accommodate

VI. DISABILITY RETIREMENT APPLICATIONS ON CONSENT
CALENDAR

Safety Law Enforcement (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
317C	ERIC W. HOFFMAN
319C	CHRISTOPHER S. STOKES
320C	WILLIAM P. FLANNERY

Safety-Fire, Lifeguard
Service-Connected Disability Applications

On a motion by Ms. Gray, seconded by Mr. Robbins, 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>
166A	GARY A. SENS
1667A	LARRY TAPLET
1668A	ARTHUR A. GREER
1669A	ERNEST J. CLAYTON
1670A	THOMAS A. FAHRNY
1671A	DAVID M. SALHUS

VI. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members

Service-Connected Disability Applications

On a motion by Mr. Kelly, 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>
2502B*	ATHENA BREEDLOVE-HARRISON
2503B	BETTY F. SANDERS
2504B**	ALICE OSNAYA
2505B***	JEANETTE VELASQUEZ
2507B	GARRETTE E. MOORE
2508B	TATYANA E. VOLDINER
2509B****	GEORGITA CRINER
2510B*****	ELSA CALDERON-RODRIGUEZ

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

VI. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members (Continued)

Non-Service Connected Disability Applications

On a motion by Mr. de la Garza, seconded by Mr. Chery, 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:

<u>APPLICATION NO.</u>	<u>NAME</u>
4328	JENNY T. TON

VII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability

Chair Kehoe requested that the Board handle those cases that were pulled off the Consent Calendar first. (Mr. Pryor arrived at 9:06 a.m.)

<u>APPLICATION NO. & NAME</u>	<u>BOARD ACTION</u>
318C – MARK ROBINSON	Chair Kehoe made a motion, Mr. de la Garza seconded, to grant a service-connected disability retirement pursuant to Government Code Sections 31720 and 31720.5. The motion passed unanimously.

VII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

2506B – WENDY J. LATIN

Ms. Gray made a motion, Chair Kehoe seconded, to grant a service-connected disability retirement pursuant to Government Code Section 31720.

Mr. Muir made a substitute motion to refer back to staff for additional information. After a brief discussion, Mr. Muir withdrew his motion.

The motion to grant a service-connected disability retirement pursuant to Government Code Section 31720 passed unanimously.

6805A – KYOUNG H. PARK

Mr. de la Garza made a motion, Mr. Kelly seconded, to deny a service-connected disability without prejudice. The motion passed unanimously.

6806A – MARK A. LONG

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

6807A – REGINA MACK

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

VII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

6808A – ROY ORONA

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

6809A – MARIA READER

Ms. Gray made a motion, Mr. Kelly seconded, to grant a non-service connected disability retirement pursuant to Government Code Sections 31720 and 31724 and grant an option for an earlier effective date. The motion passed unanimously.

6775A – JOHN G. RADER

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

B. Referee Reports

APPLICATION NO. & NAME

BOARD ACTION

David S. Morris – In Pro Per

Allison E. Barrett for the respondent

Mr. Okum made a motion, Mr. Muir seconded, to deny a service connected disability retirement and grant a non-service

VII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

B. Referee Reports

APPLICATION NO. & NAME

BOARD ACTION

David S. Morris – (Continued)

connected disability retirement. The motion passed unanimously

Kevin Loren*– In Pro Per

Allison E. Barrett for the respondent

Mr. Muir made a motion, Mr. de la Garza seconded, to refer back to staff for additional information.

Ms. Gray made a substitute motion, Mr. Okum seconded, to grant a service connected disability retirement. After a brief discussion, the makers of the motion changed the motion requesting additional information from staff. The motion passed with Mr. Kelly and de la Garza voting no.

Susan Smith - Thomas Wicke for appellant

Steven Tallant for the respondent

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

April 1, 2015

Page 11

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

1. Retirement Board Listing dated April 1, 2015
2. Board Correction Memo – Appeals Agenda: Susan Smith (Memo dated March 26, 2015)
3. Board Correction Memo – Appeals Agenda: Kevin Loren (Memo dated March 26, 2015)
4. Board Correction Memo – Appeals Packet: David S. Morris (Memo dated March 26, 2015)

VIII. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 10:01 a.m.

WILLIAM DE LA GARZA, SECRETARY

SHAWN R. KEHOE, CHAIR