

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, JUNE 1, 2016

PRESENT: Shawn R. Kehoe, Chair

 Vivian H. Gray, Vice Chair

 William de la Garza, Secretary

 Marvin Adams

 Anthony Bravo

 Yves Chery

 David L. Muir (Alternate Retired)

 William Pryor (Alternate Member)

 Les Robbins (Mr. Robbins left at 10:05 a.m.)

ABSENT: Joseph Kelly

 Ronald A. Okum

STAFF ADVISORS AND PARTICIPANTS

Gregg Rademacher, Chief Executive Officer

John Popowich, Assistant Executive Officer

Dr. Vito Campese, Medical Advisor

Steven P. Rice, Chief Counsel

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

Eugenia W. Der, Senior Staff Counsel
Disability Litigation

Thomas J. 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

Mr. Adams led the Board Members and staff in reciting the Pledge of Allegiance.

III. APPROVAL OF MINUTES

A. Approval of the Minutes of the Special Meeting of May 5, 2016

Mr. Adams made a motion, Mr. de la Garza seconded, to approve the minutes of the special meeting of May 5, 2016. 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

Chair Kehoe 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 May 19, 2016)
- C. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board dismiss with prejudice the appeal for a service connected disability retirement in the case of **Bertha F. Luna**. (Memo dated May 19, 2016)
- D. Recommendation as submitted by Vivian H. Gray, Chair, Disability Procedures & Services Committee: That the Board approve Arthur H. Fass, DPM – Board Certified Podiatrist to the LACERA Panel of Physicians for the purpose of examining disability retirement applicants. (Memo dated May 17, 2016)
- E. For Information Only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated May 20, 2016)

VII. REPORT ON STAFF ACTION ITEMS

There was nothing to report on staff action items.

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

Messrs. Chery and Robbins shared their experience in attending the IFEBP

Washington Legislative Update conference.

Mr. Muir shared the passing of Martin Golds who served on RELAC's Board of Directors for 20 years.

IX. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement
Service-Connected Disability Applications

On a motion by Chair Kehoe, 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:

<u>APPLICATION NO.</u>	<u>NAME</u>
482C	ANTHONY FORLANO
483C*	CORY A. KENNEDY
484C	JEFF M. MOORE
485C**	DUSTIN A. STILLWELL
486C**	JAMES N. BITETTO
487C	CRYSTAL N. CARTER

* Granted SCD – Retroactive

** Granted SCD – Employer Cannot Accommodate

IX. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
488C	DONALD H. RASMUSSEN
489C	PETER MOE
490C**	WAYNE V. SWEENEY
491C	MICHAEL J. JACKSON
492C*	GARY B. GREENWOOD
493C**	KEVIN L. BOOTHE
494C*	FREDERICK J. MC NUTT
495C**	JOHN F. PIAZZA

Safety-Fire, Lifeguard
Service-Connected Disability Applications

On a motion by Mr. Pryor, 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>
1767A	THOMAS R. VALDEZ

* Granted SCD – Retroactive

** Granted SCD – Employer Cannot Accommodate

IX. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

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

<u>APPLICATION NO.</u>	<u>NAME</u>
1768A	SHAWN E. IVIE
1769A*/**	MATTHEW T. LEWIS
1770A	DANIEL A. ERTEL
1771A	WILLIAM P. MCHALE
1772A	JAMES O. MCDONALD
1773A	CHARLES D. BOYD
1774A***	GINO E. ZENI (DECEASED)
1775A****	THOMAS D. JONES
1776A****	DANIEL J. MARTIN
1777A	VICTOR J. YANEZ
1778A	MANUEL ROBLES

* Applicant Present

** Granted SCD – Employer Cannot Accommodate

*** Granted SCD – Survivor Benefits

**** Granted SCD – Retroactive

IX. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

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>
2617B	HORTENCIA MAYNES
2618B*	ELVIRA M. SANCHEZ
2619B	DAKOTA SANDS
2621B	ZENOLA F. JOHNSON
2622B**/**	LA TONYA D. JACKSON
2623B*	ANNETTE M. MOTLEY
2624B	MARIE N. FOBI
2625B**/**	PATRICK J. BLANKENSHIP
2626B****	ANTHONY T. TILL

* Granted SCD – Retroactive

** Applicant Present

*** Granted SCD – Salary Supplement

**** Granted SCD – Employer Cannot Accommodate

IX. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members

Non-Service-Connected Disability Applications

On a motion by Mr. Adams, seconded by Mr. de la Garza, 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>
4342	ERIC C. SERVIN
4343*	DESERIE M. VASQUEZ

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability

<u>APPLICATION NO. & NAME</u>	<u>BOARD ACTION</u>
2620B – MELVIN IRVIN	This case was pulled from the agenda by the request of staff.
6891A – CATHERINE J. PETRILLO	Mr. Chery made a motion, Mr. Bravo seconded, to grant a service connected disability retirement. Ms. Gray made a substitute motion, Mr. Chery seconded, to refer back to staff for additional information. The motion passed with Mr. de la Garza voting no.

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

<u>APPLICATION NO. & NAME</u>	<u>BOARD ACTION</u>
6892A – MARION C. FIGUEROA	Mr. de la Garza made a motion, Mr. Pryor seconded, to grant a non-service connected disability retirement pursuant to Government Code Section 31720. The motion passed unanimously.
6893A – JUDIT HARRIS*	Chair Kehoe made a motion, Mr. Chery seconded, to refer back to staff for additional information. Mr. Pryor made a substitute motion, Mr. Adams seconded, to grant a service connected disability retirement. The makers of the motion withdrew their motion. The motion to refer back to staff passed unanimously.
6894A – ANDREA M. JACKSON*	Ms. Gray made a motion, Mr. Chery seconded, to grant a service connect disability retirement with a two year review. The motion passed unanimously.
6842A – JERRY BROWN	Mr. de la Garza made a motion, Ms. Gray seconded, to grant a non-service connected disability retirement pursuant to Government Code Section 31720 since the employer cannot accommodate. The motion passed unanimously.

* Applicant Present

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

<u>APPLICATION NO. & NAME</u>	<u>BOARD ACTION</u>
6886A – VICTORIA I. ORTIZ	Chair Kehoe made a motion, Mr. Adams seconded, to grant a non-service connected disability retirement with a salary supplement pursuant to Government Code Sections 31725.5 and 31720. The motion passed unanimously.
6873A – TERESA R. ANDERSON	Chair Kehoe made a motion, Mr. Chery seconded, to grant a 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.

(Mr. Robbins left the Board meeting at 10:05 a.m.)

B. Referee Reports

<u>APPLICATION NO. & NAME</u>	<u>BOARD ACTION</u>
MARIAN E. PAEZ – Scott E. Wheeler for the applicant Allison Barrett for the respondent	Ms. Gray made a motion, Mr. Adams seconded, to grant a non-service connected disability retirement. The motion passed unanimously.

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

B. Referee Reports (Continued)

APPLICATION NO. & NAME

BOARD ACTION

SERGIO J. HERNANDEZ – Thomas J. Wicke for the applicant
Eugenia W. Der for the respondent

Chair Kehoe made a motion, Mr. Pryor seconded, to grant a non-service connected disability retirement. The motion failed (roll call) with Mr. de la Garza voting yes; and Messrs. Adams, Bravo, Chery, Ms. Gray, and Chair Kehoe voting no.

Ms. Gray made a motion, Chair Kehoe seconded, to refer back to staff for additional information. The motion passed (roll call) with Messrs Adams, Bravo Chery, Ms. Gray, and Chair Kehoe voting yes; and Mr. de la Garza voting no.

C. Staff Recommendations

1. Recommendation as submitted by Eugenia W. Der, Senior Staff Counsel, Disability Litigation: That the Board find that **Gloria Ramirez** delayed in the filing of her application for disability retirement because she was unable to ascertain the permanency of her incapacity and that her application be deemed filed on the day after the last day of regular compensation in accordance with Government Code Section 31724. (Letter dated April 28, 2016)

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

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

June 1, 2016

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

1. Retirement Board Listing dated June 1, 2016

XI. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 10:26 a.m.

WILLIAM DE LA GARZA, SECRETARY

SHAWN R. KEHOE, CHAIR