

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., THURSDAY, JUNE 1, 2017

PRESENT:       Shawn R. Kehoe, Chair  
  
                  Vivian H. Gray, Vice Chair  
  
                  Marvin Adams  
  
                  Anthony Bravo  
  
                  Alan Bernstein  
  
                  David L. Muir  
  
                  Ronald A. Okum  
  
                  William Pryor (Alternate Member)

ABSENT:        Joseph Kelly  
  
                  William de la Garza, Secretary

STAFF ADVISORS AND PARTICIPANTS

Gregg Rademacher, Chief Executive Officer  
  
John Popowich, Assistant Executive Officer  
  
Steven P. Rice, Chief Counsel  
  
Dr. Vito Campese, Medical Advisor  
  
Ricki Contreras, Division Manager  
                  Disability Retirement Services

STAFF ADVISORS AND PARTICIPANTS (Continued)

Vickie Neely, Specialist Supervisor  
Disability Retirement Services

Francis J. Boyd, Senior Staff Counsel  
Legal Division

Eugenia W. Der, Senior Staff Counsel  
Disability Litigation

Jason E. Waller, 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 9:01 a.m., in the Board Room of Gateway Plaza.

II. PLEDGE OF ALLEGIANCE

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

III. APPROVAL OF MINUTES

A. Approval of the Minutes of the Regular Meeting of May 11, 2017.

Mr. Muir made a motion, Mr. Adams seconded, to approve the minutes of the regular meeting of May 11, 2017. The motion passed with Ms. Gray abstaining.

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

Mr. Bernstein made a motion, Mr. Adams 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 22, 2017)
- 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 **Linda H. Griffin**. (Memo dated May 9, 2017)

VII. FOR INFORMATION ONLY

The following item was received and filed.

- A. For information only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated May 12, 2017)

VIII. REPORT ON STAFF ACTION ITEMS

Mr. Kehoe requested for staff to agendize a policy discussion regarding disability case investigation procedures at a future Disability Procedures & Services Committee meeting.

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

Chair Kehoe shared his experience in attending the SACRS Conference in Napa CA.

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement  
Service-Connected Disability Applications

On a motion by Chair 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>
640C*	ALVIN K. KENNEDY
641C	JOHN P. SULLIVAN
642C	THOMAS S. GEALTA
643C*	GREGORY R. ABEJON
644C**/****	MARK A. COHEN
645C*	JOHN C. SLEMBOSKI
646C	ROBERT J. CHIVAS
647C	JOSHUA S. MANKINI
648C*	FLORENTINO MADRID JR.
649C***	NORMA A. ALVAREZ
650C*	FLORENCE M. CASIANO
651C***	KAKISHA M. DILWORTH

\* Granted SCD – Employer Cannot Accommodate

\*\* Granted SCD – Retroactive

\*\*\* Granted SCD – Salary Supplement

\*\*\*\* Applicant Present

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety-Fire, Lifeguard  
Service-Connected Disability Applications

On a motion by Mr. Pryor, 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>
1866A	GUY J.HORTON
1867A	DAVID L. LOPEZ
1868A	SEAN M. GREENE
1869A	PULLED BY STAFF
1870A	YSIDRO MIRANDA
1871A*	ROBERT S. STUMM
1872A	CHARLES GIL
1873A	STEPHEN P. GASPER
1874A*	BRUCE A. DAVIS
1875A*	KENT W. DOWEY
1876A**	KENDRA D. STROH

\* Granted SCD – Employer Cannot Accommodate

\*\* Granted SCD – Retroactive

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR  
General Members  
Service-Connected Disability Applications

On a motion by Mr. Okum, 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>
2723B*	MICHAEL S. CHERNIK
2724B*	JAY A. FAULK
2725B	KELLEY S. FORD
2726B**	LIDA D. CHENG
2727B	YVETTE C. GONZALES
2728B*	LASHANDA C. JAMES
2729B***	RITA D. MYLES
2730B*	BOBBIE G. WARD-MENEFEE

\* Granted SCD – Employer Cannot Accommodate

\*\* Granted SCD – Retroactive Since Employer Cannot Accommodate

\*\*\* Granted SCD – Retroactive

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members

Non-Service Connected Disability Applications

On a motion by Mr. Muir, seconded by Mr. Adams, 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:

APPLICATION NO.

NAME

4357\*

VICTOR A. GARCIA

4358

DEBRA K. WATERHOUSE-JONES

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability

APPLICATION NO. & NAME

BOARD ACTION

6946A – PRISCILLA L. OSBORNE

Mr. Muir made a motion, Mr. Okum seconded, to deny a service connected disability retirement and to find the applicant not permanently incapacitated.

Chair Kehoe made a substitute motion, Ms. Gray seconded, to return to staff for additional information. The motion passed unanimously.

\* Granted NSCD – Retroactive

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

<u>APPLICATION NO. &amp; NAME</u>	<u>BOARD ACTION</u>
6947A – LUTHER G. PATTERSON	Ms. Gray made a motion, Mr. Adams seconded, to grant a non-service connected disability retirement pursuant to Government Code Sections 31720 and 31724. The motion passed unanimously.
6948A – NANCY E. DELANGE	Chair Kehoe made a motion, Mr. Okum seconded, to deny a service connected disability retirement since the applicant is ineligible for a non service connected disability. The motion passed unanimously.
6949A – DONNA E. LOPEZ	Mr. Okum made a motion, Mr. Bernstein seconded, to deny a service connected disability retirement and to find the applicant not permanently incapacitated. The motion passed unanimously.
6950A – WENDY M. FREDERICK	Mr. Adams made a motion, Ms. Gray seconded, to deny a service connected disability retirement without prejudice. The motion passed unanimously.
6951A – MARIE A. RUSSELL	Mr. Muir made a motion, Mr. Pryor seconded, to deny a service connected disability retirement since the employer can accommodate. The motion passed unanimously.



XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

6952A – TRINA C. NEWMAN

Chair Kehoe made a motion, Mr. Adams seconded, to grant a service connected disability retirement.

Ms. Gray made a substitute motion, Mr. Muir seconded, to return to staff for additional information. The motion passed with Mr. Bernstein voting no.

B. Referee Reports

APPLICATION NO. & NAME

BOARD ACTION

WINIFRED O. MCCLOUD – Thomas J. Wicke for the applicant  
Eugenia Der for the respondent

Mr. Bernstein made a motion, Mr. Okum seconded, to deny the option of an earlier effective date. The motion passed (roll call) with Messrs. Adams, Bravo, Okum, Bernstein and Chair Kehoe voting yes; and Ms. Gray abstaining.

JORGE L. TRUJILLO – Thomas L. Hoegh for the applicant  
Jason E. Waller for the respondent

Mr. Bernstein made a motion, Mr. Muir seconded, to deny a non-service connected disability retirement since the applicant is not permanently incapacitated. The motion passed unanimously.

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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, 2017

XII. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 10:52 a.m.

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WILLIAM DE LA GARZA, SECRETARY

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SHAWN R. KEHOE, CHAIR