

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, JULY 5, 2017

PRESENT: Shawn R. Kehoe, Chair

 Vivian H. Gray, Vice Chair

 Marvin Adams

 Anthony Bravo

 Alan Bernstein

 Joseph Kelly

 Ronald A. Okum

ABSENT: William de la Garza, Secretary

 David L. Muir

 William Pryor (Alternate Member)

STAFF ADVISORS AND PARTICIPANTS

John Popowich, Assistant Executive Officer

Steven P. Rice, Chief Counsel

Ricki Contreras, Division Manager
Disability Retirement Services

STAFF ADVISORS AND PARTICIPANTS (Continued)

Tamara Caldwell, Specialist Supervisor
Disability Retirement Services

Francis J. Boyd, Senior Staff Counsel
Legal Division

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 9:03 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 MINUTES

A. Approval of the Minutes of the Special Meeting of June 1, 2017.

Ms. Gray made a motion, Mr. Kelly seconded, to approve the minutes of the special meeting of June 1, 2017. 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

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 June 22, 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 June 20, 2017)

VIII. REPORT ON STAFF ACTION ITEMS

There was nothing to report on for staff action items.

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

There was nothing to report during Good of the Order.

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement
Service-Connected Disability Applications

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

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)

Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
652C	DONALD T. HODGES
653C	LONNIE J. DUPLECHAN
654C	GARY M. COSTELLO
655C *	EILEEN M. COUNTRYMAN
656C	ARTURO BARRERA
657C *	MARK S. JENNINGS
658C	THOMAS L. MCGEE
659C	MICHAEL O. BOYD
660C	AMANDA R. KEHOE
661C	JOHN R. PRICE
662C *	DAVID A. BROSSOIT
663C *	DINAH L. GROTE
664C *	JAMES N. TIPPINGS
665C *	MELINDA L. BERRY
666C	JOHN W. CATER JR.
667C	MICHAEL R. SHAPIRO

* Granted SCD – Employer Cannot Accommodate

July 5, 2017

Page 5

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)

Service-Connected Disability Applications

668C *	LAURA L. DOMINGUEZ
669C * *	DOMINIC W. MILLER (DECEASED)
670C	MICHAEL C. BURNELL
671C ***	CHARLES ANTUNA (PRESENT)

* Granted SCD – Employer Cannot Accommodate

** Granted SCD – Survivor Benefit

*** Applicant Present

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety-Fire, Lifeguard
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>
1877A	HENRY ENGELKING
1878A	ANDREW M. HERNANDEZ
1879A	MARK L. BENNIS
1880A	JOHN C. SCAVARDA
1881A	JOSEPH W. MURRAY
1882A*	TOMMEY G. MASSEY
1883A	KENT M. CHATFIELD
1884A	RONALD J. CABRERA

* Granted SCD – Employer Cannot Accommodate

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

On a motion by Mr. Okum, 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>
2731B	DELIA A. CRUZ
2732B	ARTURO (ARTHUR) A. SERRANO (PRESENT)

* Granted SCD – Applicant Present

General Members
Non-Service Connected Disability Applications

On a motion by Mr. Okum, seconded by Ms. Gray, 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>
4359	MARVIN E. BOWEN JR.

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability

APPLICATION NO. & NAME

BOARD ACTION

6953A – ANGELA REZA

Mr. Kelly made a motion, Mr. Adams seconded, to deny a service connected disability retirement and to find the applicant not permanently incapacitated since the employer can accommodate. The motion passed unanimously.

6954A – ETTA M. COLLIER

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

6806A – MARK A. LONG

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

6893A – JUDIT HARRIS

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

6942A – BELISHIA E. MCGOWAN

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

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION
(Continued)

B. Referee Reports

APPLICATION NO. & NAME

BOARD ACTION

BONNIE J. MOORE – Jennifer C. Carter for the applicant
Allison E. Barrett for the respondent

Mr. Bernstein made a motion, Mr. Okum seconded, to grant a service connected disability retirement. The motion passed unanimously.

PEGGY A. FOSTER – Thomas J. Wicke for the applicant
Jason E. Waller for the respondent

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

Ms. Gray made a substitute motion, Mr. Adams seconded, to grant a service connected disability retirement. The motion passed (roll call) with Messrs. Adams, Bravo, Kehoe and Ms. Gray voting yes; and Messrs. Kelly, Okum and Bernstein voting no.

XII. EXECUTIVE SESSION

A. Conference with Legal Counsel - Existing Litigation
(Pursuant to Paragraph (1) of Subdivision (d) of California Government Code Section 54956.9)

1. Wendy Schriver v. Board of Retirement

The Board met in Executive Session pursuant to Government Code Section

54956.9(d)(1). There is nothing to report.

July 5, 2017

Page 10

XIII. ADJOURNMENT

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

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

1. Retirement Board Listing dated July 1, 2017

WILLIAM DE LA GARZA, SECRETARY

SHAWN R. KEHOE, CHAIR