

## AGENDA

### A 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, AUGUST 2, 2017

*The Board may take action on any item on the agenda,  
and agenda items may be taken out of order.*

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. APPROVAL OF MINUTES
  - A. Approval of the Minutes of the Regular Meeting of July 5, 2017
- IV. REPORT ON CLOSED SESSION ITEMS
- V. PUBLIC COMMENT
- VI. CONSENT AGENDA
  - A. Ratification of Service Retirement and Survivor Benefit Application Approvals.
  - B. 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 **Luz V. Cazares**. (Memo dated July 18, 2017)

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VI. CONSENT AGENDA (Continued)

- C. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board dismiss with prejudice the appeal for an earlier effective date in the case of **Marty Walzer**. (Memo dated July 18, 2017)

VII. FOR INFORMATION ONLY

- A. For information only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshots Reports. (Memo dated July 19, 2017)

VIII. REPORT ON STAFF ACTION ITEMS

IX. GOOD OF THE ORDER

(For information purposes only)

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability

B. Referee Reports

C. Staff Recommendations

1. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board reject the application of **Sheila Emanuel** for processing. (Memo dated July 20, 2017)
2. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the 2017 Quarterly Reports of Paid Invoices. (Memo dated July 14, 2017)

XII. ADJOURNMENT

August 2, 2017

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*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 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

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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

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### 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

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WILLIAM DE LA GARZA, SECRETARY

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SHAWN R. KEHOE, CHAIR



July 18, 2017

TO: Each Member  
Board of Retirement

FROM: Ricki Contreras, Manager   
Disability Retirement Services Division

FOR: August 2, 2017 Board of Retirement Meeting

**SUBJECT: DISMISS WITH PREJUDICE THE APPEAL OF LUZ V. CAZARES**

Ms. Luz V. Cazares applied for service-connected disability retirement on August 21, 2012. On July 2, 2014, the Board denied her application for a service-connected disability retirement.

Ms. Cazares' attorney filed a timely appeal. On July 14, 2017, Ms. Cazares signed a voluntary withdrawal letter advising LACERA that she does not wish to proceed with her appeal.

**IT IS THEREFORE RECOMMENDED THAT YOUR BOARD:**

Dismiss with prejudice Luz V. Cazares appeal for service-connected disability retirement.

FJB: RC: mb

Cazares, Luz V.doc

Attachment

NOTED AND REVIEWED:



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Francis J. Boyd, Sr. Staff Counsel

Date: 7/20/17



July 18, 2017

TO: Each Member  
Board of Retirement

FROM: Ricki Contreras, Manager   
Disability Retirement Services Division

FOR: August 2, 2017 Board of Retirement Meeting

**SUBJECT: DISMISS WITH PREJUDICE THE APPEAL OF MARTY WALZER**

Mr. Marty Walzer applied for service-connected disability retirement on October 29, 2013. On November 5, 2014, the Board granted Mr. Walzer's application for service-connected disability retirement.

Mr. Walzer's attorney filed a timely appeal regarding the effective date of his client's service-connected disability retirement. On July 5, 2017, the applicant's attorney advised LACERA that his client did not wish to proceed with his appeal.

**IT IS THEREFORE RECOMMENDED THAT YOUR BOARD:**

Dismiss with prejudice Marty Walzer's appeal for an earlier effective date.

FJB: RC:mb

Walzer, Marty.doc

Attachment

NOTED AND REVIEWED:




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Francis J. Boyd, Sr. Staff Counsel

Date: 7/20/17

July 19, 2017

TO: Each Member  
Board of Retirement

FROM: Ricki Contreras, Division Manager   
Disability Retirement Services

FOR: August 2, 2017 Board of Retirement Meeting

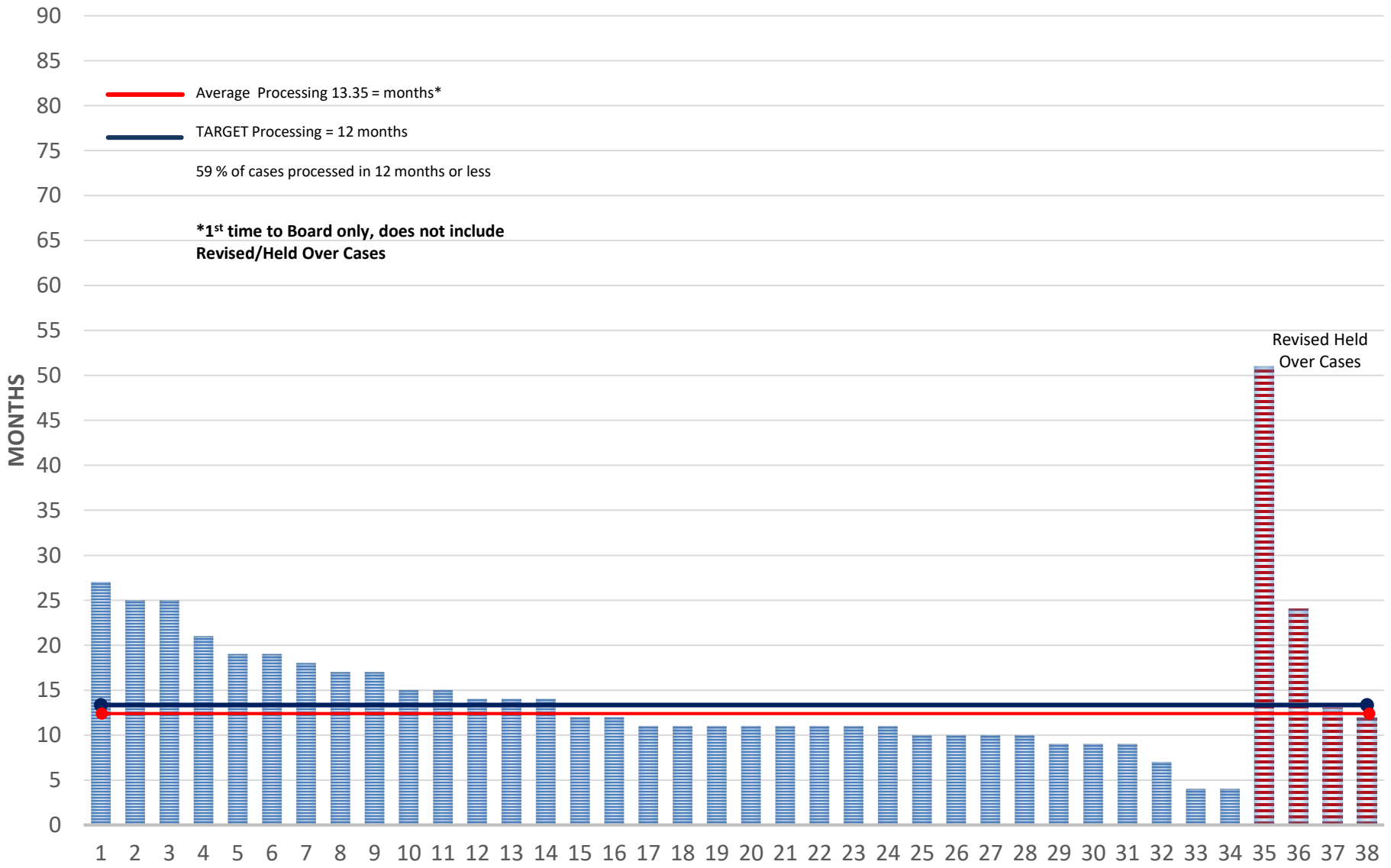
SUBJECT: **Application Processing Time Snapshot Reports**

The following chart shows the total processing time from receipt of the application to the first Board action for all cases on the August 2, 2017 Disability Retirement Applications Agenda.

<b>Consent &amp; Non-Consent Calendar</b>				
<b>Number of Applications</b>	34			
<b>Average Processing Time (in Months)</b>	13.35			
<b>Revised/Held Over Calendar</b>				
<b>Number of Applications</b>	4			
<b>Average Processing Time (in Months)</b>	Case 1 51	Case 2 24	Case 3 13	Case 4 12
<b>Total Average Processing Time for Revised/Held Over Calendar</b>	25			



# ACTUAL vs. AVERAGE PROCESSING TIME

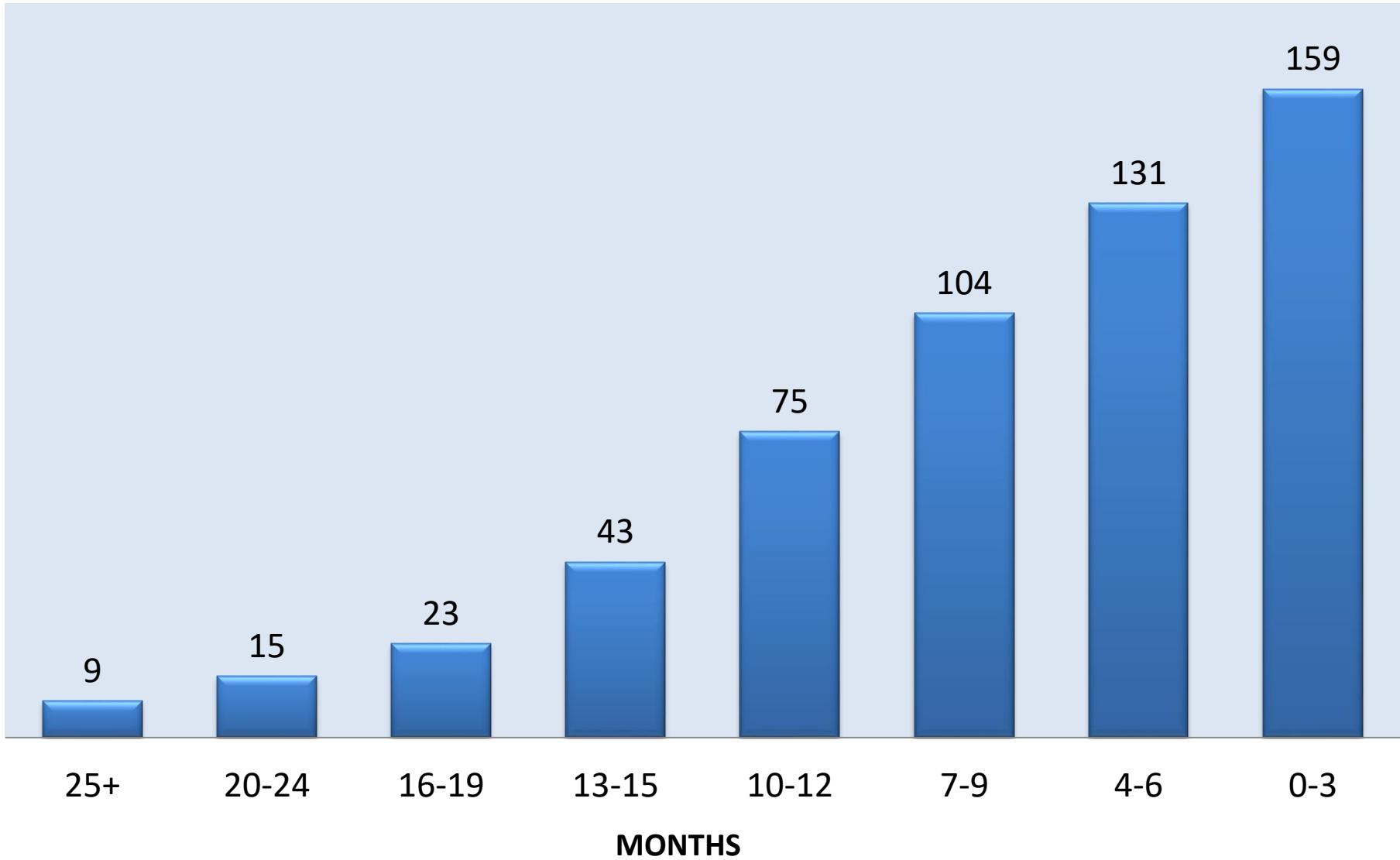


As of 7/21/2017

August 2, 2017 AGENDA

# TIME ELAPSED FOR PENDING APPLICATIONS

NUMBER OF APPLICATIONS





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**Documents not attached are exempt from disclosure under the California Public Records Act and other legal authority.**

**For further information, contact:  
LACERA  
Attention: Public Records Act Requests  
300 N. Lake Ave., Suite 620  
Pasadena, CA 91101**



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