

LIVE VIRTUAL BOARD MEETING



TO VIEW VIA WEB



TO PROVIDE PUBLIC COMMENT

You may submit a request to speak during Public Comment or provide a written comment by emailing PublicComment@lacera.com. If you are requesting to speak, please include your contact information, agenda item, and meeting date in your request.

Attention: Public comment requests must be submitted via email to PublicComment@lacera.com no later than 5:00 p.m. the day before the scheduled meeting.

LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION
300 N. LAKE AVENUE, SUITE 650, PASADENA, CA

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., THURSDAY, SEPTEMBER 10, 2020

This meeting will be conducted by the Board of Retirement by teleconference under the Governor's Executive Order No. N-29-20.

Any person may view the meeting online at
https://members.lacera.com/lmpublic/live_stream.xhtml

*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. APPROVAL OF MINUTES
 - A. Approval of the Minutes of the Regular Meeting of August 13, 2020
- III. PUBLIC COMMENT

(*You may submit written public comments by email to PublicComment@lacera.com. Please include the agenda number and meeting date in your correspondence. Correspondence will be made part of the official record of the meeting. Please submit your written public comments or documentation as soon as possible and up to the close of the meeting.

You may also request to address the Boards. A request to speak must be submitted via email to PublicComment@lacera.com no later than 5:00 p.m. the day before the scheduled meeting. Please include your contact information, agenda item, and meeting date so that we may contact you with information and instructions as to how to access the Board meeting as a speaker.)
- IV. CHIEF EXECUTIVE OFFICER UPDATE
(For Information Purposes Only)
- V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

VI. CONSENT ITEMS

- A. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board grant the appeal and request for an administrative hearing for applicant Philip D. Solano. (Memo dated August 28, 2020)
- B. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board dismiss with prejudice David J. Borthswick's Application for Correction appeal for an earlier effective date. (Memo dated August 25, 2020)

VII. EXCLUDED CONSENT ITEMS

VIII. REPORTS

- A. For Information Only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated August 28, 2020)

IX. ITEMS FOR STAFF REVIEW

- X. GOOD OF THE ORDER
(For information purposes only)

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

- A. Applications for Disability
- B. Disability Retirement Appeals
- C. Staff Recommendations
 - 1. Recommendation as submitted by Jason Waller, Senior Staff Counsel: That the Board (1) Find that James M. August is permanently incapacitated from the performance of duty as a Fire Fighter, 2) that his permanent incapacity is nonservice-connected, and 3) that the limitation set forth in Government Code section 31726.5(b)(2) for the intemperate use of alcohol is **NOT** applicable in this case. (Memo dated August 19, 2020)

XII. ADJOURNMENT

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.

**Requests for reasonable modification or accommodation of the telephone public access and Public Comments procedures stated in this agenda from individuals with disabilities, consistent with the Americans with Disabilities Act of 1990, may call the Board Offices at (626) 564-6000, Ext. 4401/4402 from 8:30 a.m. to 5:00 p.m. Monday through Friday or email PublicComment@lacera.com, but no later than 48 hours prior to the time the meeting is to commence.*

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., THURSDAY, AUGUST 13, 2020

This meeting was conducted by the Board of Retirement by teleconference under the Governor's Executive Order No. N-29-20.

PRESENT: Herman Santos, Chair

Vivian H. Gray, Vice Chair

Gina Zapanta, Secretary

JP Harris (Alternate Retired)

Shawn R. Kehoe

Keith Knox

Wayne Moore

Ronald Okum

William Pryor (Alternate Safety)

Les Robbins

Thomas Walsh

STAFF ADVISORS AND PARTICIPANTS

Santos H. Kreimann, Chief Executive Officer

John Popowich, Assistant Executive Officer

Dr. Vito Campese, Medical Advisor

Steven P. Rice, Chief Counsel

STAFF ADVISORS AND PARTICIPANTS (Continued)

Francis J. Boyd, Senior Staff Counsel

Vincent Lim, Disability Litigation Manager

Ricki Contreras, Division Manager
Disability Retirement Services

Tamara Caldwell, Disability Retirement Specialist Supervisor

Kerri Wilson, Disability Retirement Specialist Supervisor

Ricardo Salinas, Disability Retirement Specialist Supervisor

Amabelle Delin, Disability Retirement Specialist

I. CALL TO ORDER

The meeting was called to order by Mr. Santos at 9:00 a.m. in the Board Room of Gateway Plaza.

II. APPROVAL OF MINUTES (Ms. Zapanta joined the meeting at 9:04 a.m.)

A. Approval of the Minutes of the Regular Meeting of July 9, 2020

Mr. Knox made a motion, Ms. Gray seconded, to approve the meeting minutes of July 9, 2020. The motion passed (roll call) with Messrs. Knox, Okum, Walsh, Moore, Kehoe, Santos, Ms. Gray and Ms. Zapanta voting yes; and Mr. Robbins abstaining.

III. PUBLIC COMMENT

There were no requests from the public to speak.

IV. CHIEF EXECUTIVE OFFICER UPDATE
(For Information Purposes Only)

Mr. Kreimann provided a brief update regarding the LACERA Elections and shared steps taken to address concerns received. In addition, he shared the results of having minimal staff onsite, as well as progress made in the Business Continuity Plan and Disaster Recovery. Lastly, Mr. Kreimann shared that a Interim Chief Information Security Officer has been interviewed and selected.

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement
Service-Connected Disability Applications

On a motion by Mr. Kehoe, seconded by Mr. Moore, 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. The motion passed (roll call) with Messrs. Knox, Walsh, Moore, Robbins, Kehoe, Santos, Ms. Gray and Ms. Zapanta voted yes. Mr. Okum did not vote due to technical difficulties.

APPLICATION NO.

NAME

280D

PAUL D. SCHRADER

281D

DEBORAH E. DUDA

282D

INCORRECT CASE NUMBER

283D

CARLOS A. LOPEZ, JR.

284D

DEBRA A. SHELTON-LOVE

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
285D	PEDRO CASTILLO (Pulled by the request of the applicant)
286D	ROBERT C. CHISM
287D*	RONALD R. DUVAL
288D	MARC V. VERLICH
289D	DELFINA M. COOPER
290D	ROBERT J. TALIENTO
291D	LETICIA M. RODRIGUEZ
292D	BRIAN A. LENDMAN
293D	ERICK J. GEMAEHLICH
294D	RONALD L. BURNES
295D	JENNIFER A. SANCHEZ
296D	GRICEL A. SALDANA
297D**	KAREN BARRERAS
298D*	KEITH A. EDEY
299D*	PAMELA S. JOHNSON

* Granted SCD – Retroactive

** Granted SCD – Retroactive Since the Employer Cannot Accommodate

*** Granted SCD – Employer Cannot Accommodate

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
300D*	STEVEN P. JOHNSON
301D	GIOVANNY A. ALVAREZ
302D*	ALBERT D. ROYBAL-CANO

Safety Fire, Lifeguards
Service-Connected Disability Applications

On a motion by Mr. Walsh, seconded by Ms. Gray, the Board of Retirement made a motion to approve 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. The motion passed (roll call) with Messrs. Knox, Okum, Walsh, Moore, Robbins, Kehoe, Santos, Ms. Gray and Ms. Zapanta voted yes.

<u>APPLICATION NO.</u>	<u>NAME</u>
1259B	MARK A. GRIFFEN
1260B	WAYNE C. SHIMABUKURO
1261B	RAYMOND A. GARCIA
1262B	FREDRICK CHAVEZ
1263B	RICHARD J. ROBINSON
1264B	DONALD C. KUNITOMI
1265B	MICHAEL A. COGGINS
1266B	MICHAEL L. HENRY

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Fire, Lifeguards
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
1267B	STEVE KHODAVANDI
1268B	WADE T. RICH
1269B	JEFFREY A. BARRY

General Members
Service-Connected Disability Applications

On a motion by Ms. Gray, seconded by Mr. Knox, the Board of Retirement made a motion to approve 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. The motion passed (roll call) with Messrs. Knox, Okum, Walsh, Moore, Robbins, Kehoe, Santos, Ms. Gray and Ms. Zapanta voted yes.

<u>APPLICATION NO.</u>	<u>NAME</u>
2108C*	CATHRYN M. HINOJOS
2109C**	KIMBERLY H. WILSON
2110C*	RONALD W. CURLIS
2111C*	CHI K. NGO-CHAVEZ
2112C***	NINA M. CASTANEDA

*Granted SCD – Retroactive

**Granted SCD – Employer Cannot Accommodate

***Granted SCD – Salary Supplemental

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members (Continued)
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
2113C*	JOSEPH L. CASILLAS, JR.
2114C*	ZI QING MA
2115C**	REGINALD L. BROWN

VI. CONSENT ITEMS

Mr. Knox made a motion, Mr. Walsh seconded, to approve the following Consent Items. The motion passed (roll call) with Messrs. Knox, Okum, Walsh, Moore, Robbins, Kehoe, Santos, Ms. Gray and Ms. Zapanta voted yes.

- A. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board grant the appeal and request for an administrative hearing for applicant Danny T. Han.
(Memo dated July 30, 2020)
- B. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board dismiss with prejudice Myrna A. Co's appeal for a service-connected disability retirement.
(Memo dated July 30, 2020)
- C. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board dismiss with prejudice Monique C. Pierson's appeal for a service-connected disability retirement.
(Memo dated July 29, 2020)

VII. EXCLUDED CONSENT ITEMS

There were no items excluded.

*Granted SCD Retroactive – Employer Cannot Accommodate

**Granted SCD - Retroactive

VIII. REPORTS

- A. For Information Only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated July 28, 2020)

Ms. Contreras was present to answer questions from the Board. This item was received and filed.

- B. For Information Only as submitted by Interim Chief Financial Officer, Ted Granger, regarding the Semi-Annual Interest Crediting for Reserves as of June 30, 2020 (Unaudited). (Memo dated August 3, 2020)

Mr. Granger was present to answer questions from the Board. This item was received and filed.

IX. ITEMS FOR STAFF REVIEW

There were no items to report.

- X. GOOD OF THE ORDER
(For information purposes only)

There were no items during Good of the Order.

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

- A. Applications for Disability

APPLICATION NO. & NAME

BOARD ACTION

285D – PEDRO CASTILLO

Pulled by the applicant.

5143B – ANITA A. ARIAS (DEC'D)

Mr. Kehoe made a motion, Mr. Knox seconded, to deny a service-connected disability retirement since the employer can accommodate. The motion passed (roll call) with Messrs. Knox, Kehoe, Okum, Walsh, Moore, Robbins, Santos, Ms. Gray and Ms. Zapanta voting yes.

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

5144B – ZAHEER A. URAIZEE

Mr. Okum made a motion, Ms. Gray seconded, to grant a nonservice-connected disability retirement pursuant to Government Code Section 31720. The motion passed (roll call) with Messrs. Knox, Kehoe, Okum, Walsh, Moore, Robbins, Santos, Ms. Gray and Ms. Zapanta voting yes.

5145B – SHERRY S. AKHAVAN*

Mr. Pryor made a motion, Ms. Gray seconded, to grant a nonservice-connected disability retirement pursuant to Government Code Section 31720 and 31724.

Mr. Okum made a substitute motion, Mr. Kehoe seconded to refer back to staff for additional information. The motion passed (roll call) with Messrs. Knox, Kehoe, Okum, Walsh, Moore, Robbins, Santos, Ms. Gray and Ms. Zapanta voting yes.

5146B – ESTHER G. HUESCA

Mr. Kehoe made a motion, Ms. Gray seconded, to grant a service connected disability retirement. The makers of the motion amended their motion to include retroactive. The motion passed (roll call) with Messrs. Knox, Kehoe, Okum, Walsh, Moore, Robbins, Santos, Ms. Gray and Ms. Zapanta voting yes.

*Applicant Present

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

5147B – LAURA C. GUILLEN

Ms. Gray made a motion, Mr. Moore seconded, to refer back to staff for additional information. The motion passed (roll call) with Messrs. Knox, Kehoe, Okum, Walsh, Moore, Robbins, Santos, Ms. Gray and Ms. Zapanta voting yes.

5120B – GLORIA J. MCCORKLE*

Ms. Gray made a motion, Mr. Knox seconded, to grant a nonservice connected disability retirement pursuant to Government Code Section 31720. The motion passed (roll call) with Messrs. Knox, Kehoe, Okum, Walsh, Moore, Robbins, Santos, Ms. Gray and Ms. Zapanta voting yes.

2116C – 2019-2ZT

Ms. Gray made a motion, Mr. Knox seconded, to grant a service connected disability retirement since the employer cannot accommodate. The motion passed (roll call) with Messrs. Knox, Kehoe, Okum, Walsh, Moore, Robbins, Santos, Ms. Gray and Ms. Zapanta voting yes.

B. Staff Recommendations

1. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board reject the application of Shawna R. Nall for processing. (Memo dated July 7, 2020)

Mr. Knox made a motion Mr. seconded, to approve staff's recommendation. The motion passed (roll call) with Messrs. Knox, Kehoe, Okum, Walsh, Moore, Robbins,

August 13, 2020

Page 11

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

B. Staff Recommendations (Continued)

Santos, Ms. Gray and Ms. Zapanta
voting yes.

2. For Information Only as submitted by JJ Popowich, Assistant Executive Officer, regarding the 2020 Quarterly Reports of Paid Invoices for 2nd Quarter – April 1, 2020 to June 30, 2020. (Memo dated July 28, 2020)

This Items was received and filed.

XII. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned
at 10:05 a.m.

GINA ZAPANTA, SECRETARY

HERMAN SANTOS, CHAIR



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**



August 28, 2020

TO: Each Trustee
Board of Retirement

FROM: Ricki Contreras, Division Manager
Disability Retirement Services

SUBJECT: **APPEAL FOR THE BOARD OF RETIREMENT'S MEETING
OF SEPTEMBER 10, 2020**

IT IS RECOMMENDED that the Board of Retirement grant the appeal and request for administrative hearing received from the following applicant, and direct the Disability Retirement Services Manager to refer this case to a referee:

5141B Phillip D. Solano

Michael Treger

Deny SCD


RC:kw

Memo.New
Appeals.docx



August 25, 2020

TO: Each Trustee
Board of Retirement

FROM: Ricki Contreras, Manager 
Disability Retirement Services Division

FOR: September 10, 2020 Board of Retirement Meeting

SUBJECT: **DISMISS WITH PREJUDICE THE APPLICATION FOR CORRECTION
APPEAL OF DAVID J. BORTHWICK**

Mr. David J. Borthwick applied for a service-connected disability retirement on November 19, 2013. On July 1, 2015, the Board granted his application for service-connected disability retirement.

Mr. Borthwick's attorney filed a timely Application for Correction Appeal regarding the effective date of his service-connected disability retirement. On July 9, 2020, the applicant's attorney advised LACERA that his client did not wish to proceed with his appeal.

IT IS THEREFORE RECOMMENDED THAT THE BOARD:

Dismiss with prejudice David J. Borthwick's Application for Correction appeal for an earlier effective date.

FJB: RC: mb

Borthwick, David J.docx

Attachment

NOTED AND REVIEWED:



Francis J. Boyd, Sr. Staff Counsel

Date: 8/26/20

FOR INFORMATION ONLY

August 28, 2020

TO: Each Trustee
Board of RetirementFROM: Ricki Contreras, Division Manager
Disability Retirement Services

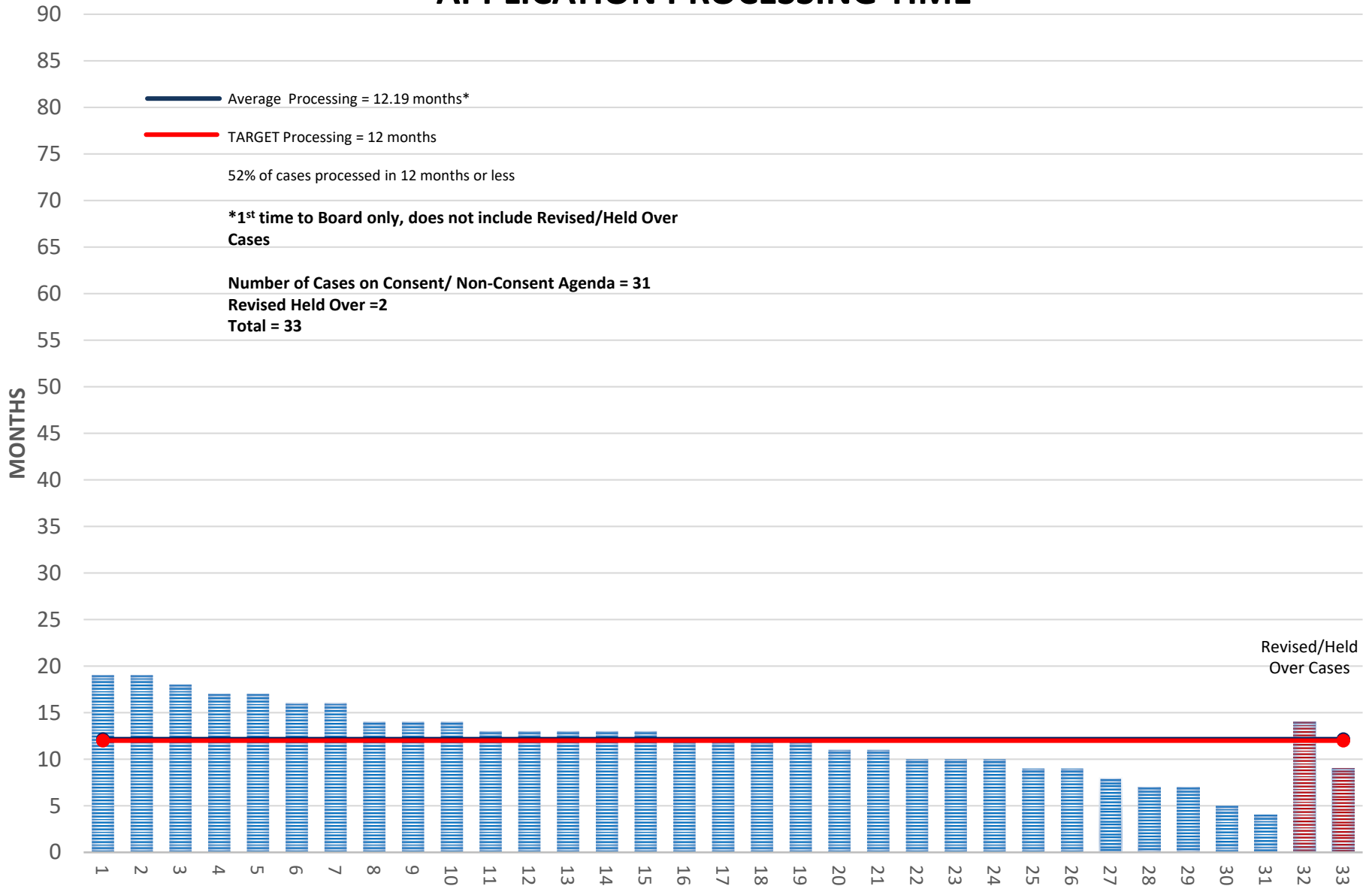
FOR: September 10, 2020 Board of Retirement Meeting

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 September 10, 2020 Disability Retirement Applications Agenda.

Consent & Non-Consent Calendar		
Number of Applications	31	
Average Processing Time (in Months)	12.19	
Revised/Held Over Calendar		
Number of Applications	2	
Processing Time Per Case (in Months)	Case 1 14	Case 2 9
Total Average Processing Time All <u>33</u> Cases on Agenda		
		12.15

DISABILITY RETIREMENT SERVICES APPLICATION PROCESSING TIME



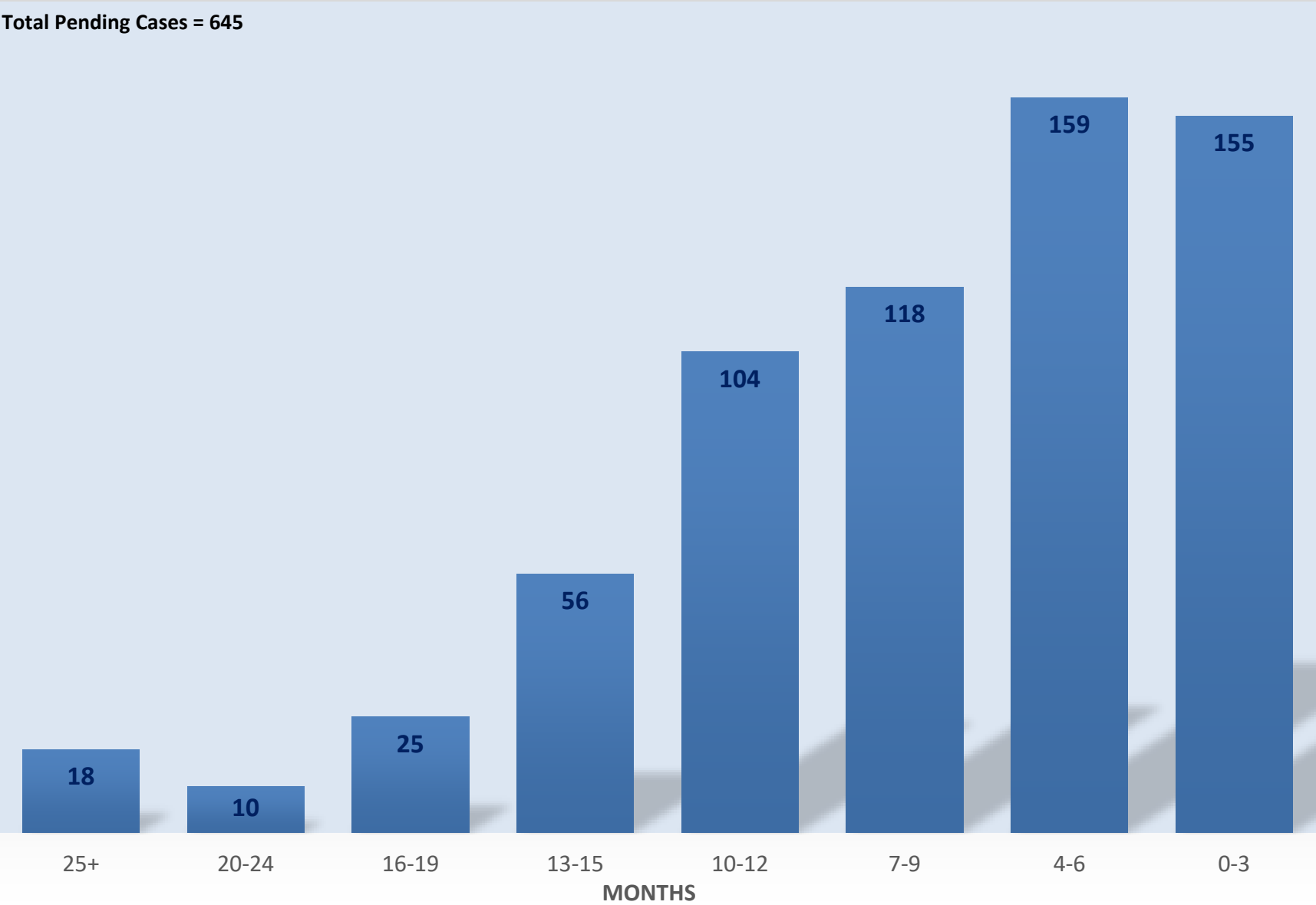
As of August 28, 2020

SEPTEMBER 10, 2020 AGENDA

DISABILITY RETIREMENT SERVICES PENDING APPLICATIONS/TIME INTERVALS

Total Pending Cases = 645

NUMBER OF PENDING APPLICATIONS



As of August 28, 2020



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

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