

**APPROVED**

**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, SEPTEMBER 10, 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 (Joined the meeting at 9:04 a.m.)

JP Harris (Alternate Retired)

Shawn R. Kehoe

Keith Knox

Wayne Moore

Ronald Okum

William Pryor (Alternate Safety) (Joined the meeting at 9:04 a.m.)

Thomas Walsh

**ABSENT:** Les Robbins

**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

Tamara Caldwell, Disability Retirement Specialist Supervisor

Hernan Barrientos, 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

A. Approval of the Minutes of the Regular Meeting of August 13, 2020

Ms. Gray made a motion, Mr. Kehoe seconded, to approve the meeting minutes of August 13, 2020. The motion passed (roll call) with Messrs. Knox, Okum, Harris, Walsh, Moore, Kehoe, Santos, and Ms. Gray voting yes

III. PUBLIC COMMENT (Mr. Pryor and Ms. Zapanta joined the meeting at 9:04 a.m.)

There were no requests from the public to speak.

IV. CHIEF EXECUTIVE OFFICER UPDATE

(For Information Purposes Only)

Mr. Kreimann shared that the election has been concluded and congratulated Messrs.

IV. CHIEF EXECUTIVE OFFICER UPDATE (Continued)

Robbins, Santos, Harris, Kelly, and Green. In addition, he shared an update to the Disaster Recovery efforts and Business Continuity Plan. Lastly, he provided an update to the Member Service Center.

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement  
Service-Connected Disability Applications

On a motion by Mr. Kehoe, 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. The motion passed (roll call) with Messrs. Knox, Walsh, Okum, Moore, Harris, Kehoe, Santos, Ms. Gray and Ms. Zapanta voting yes.

technical difficulties.

<u>APPLICATION NO.</u>	<u>NAME</u>
303D	FRANKIE J. LOBATO
304D	JOHN J. SANCHEZ
305D*	ROBERT M. FARKAS, JR.
306D	MICHAEL S. THOMPSON
307D	IAN M. STADE
308D	STEVEN R. PULLEY
309D	ENRICO L. DINAPOLI, JR.

\*Granted SCD – Employer Cannot Accommodate

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)  
Service-Connected Disability Applications

310D*	ANTHONY M. HAYNES
311D	WILLIAM E. COTTER
312D	PEDRO M. CACHEIRO
313D	MALIA A. ZENOR
314D**	SCOTT R. GIBSON
315D	KAREN L. WONG
316D*	MICHAEL E. THATCHER

Safety Fire, Lifeguards  
Service-Connected Disability Applications

On a motion by Mr. Pryor, seconded by Mr. Okum, 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, Harris, Pryor, Santos, Ms. Gray and Ms. Zapanta voting yes.

<u>APPLICATION NO.</u>	<u>NAME</u>
1270B	STEVEN T. EGGER
1271B	ERIC C. REYNOLDS
1272B	EVA C. MAUCK

\*Granted SCD – Employer Cannot Accommodate

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

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

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

<u>APPLICATION NO.</u>	<u>NAME</u>
1273B	HENRY T. WALLER, III
1274B	JEFF G. HASKELL
1275B	GREGORY M. WATERS

General Members  
Service-Connected Disability Applications

On a motion by Ms. Gray, seconded by Mr. Okum, 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, Harris, Kehoe, Santos, Ms. Gray and Ms. Zapanta voting yes.

<u>APPLICATION NO.</u>	<u>NAME</u>
2117C*	FRANKIE L. KNOX
2118C	RUTH FRAUSTO
2119C**	JOSEFA M. MENDOZA DE SANDOVAL
2120C	CYNTHIA R. GEMAEHLICH
2121C**	OUSAMA L. NIMRI
2122C*	VICTORIA D. MANGOLD

\*Granted SCD – Retroactive

\*\*Granted SCD – Employer Cannot Accommodate

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members (Continued)  
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
2123C*	KATHLEEN HARSHAW
2124C*	JOAN S. LOCKWOOD
2125C**	MARIA L. RAMIREZ

VI. CONSENT ITEMS

Mr. Knox made a motion, Mr. Kehoe seconded, to approve the following Consent Items. The motion passed (roll call) with Messrs. Knox, Okum, Walsh, Moore, Harris, Kehoe, Santos, Ms. Gray and Ms. Zapanta voting 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 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. Borthwick's Application for Correction appeal for an earlier effective date. (Memo dated August 25, 2020)

VII. EXCLUDED CONSENT ITEMS

There were no items excluded.

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

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)

Ms. Caldwell 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

5148B – JAMES G. ROSS, JR.

Mr. Kehoe made a motion, Ms. Gray seconded, to grant a service-connected disability retirement pursuant to Government Code Section 31720. The makers of the motion, amended the motion to refer back to staff for additional information. The motion passed (roll call) with Messrs. Knox, Kehoe, Okum, Walsh, Moore, Harris, Santos, Ms. Gray and Ms. Zapanta voting yes.

5149B – TERESA R. GARRETT

Mr. Kehoe made a motion, Mr. Okum seconded, to grant a service-connected disability retirement retroactive based on the medical advisor's opinion. The motion passed (roll call) with Messrs. Knox, Kehoe, Okum, Walsh, Moore,

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

5138B – PORTLAND B. HOLMES

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

Ms. Gray made a motion, Mr. Harris seconded, to grant a service-connected disability retirement retroactive pursuant to Government Code Sections 31720 and 31724. The motion passed (roll call) with Messrs. Knox, Kehoe, Okum, Walsh, Moore, Harris, Santos, Ms. Gray and Ms. Zapanta voting yes.

5139B – JOHN T. CAFFREY

Mr. Kehoe made a motion, Mr. Harris seconded, to grant a service-connected disability retirement pursuant to Government Code Sections 31720 since the employer cannot accommodate. The motion passed (roll call) with Messrs. Knox, Kehoe, Okum, Walsh, Moore, Harris, Santos, Ms. Gray and Ms. Zapanta voting yes.

B. Disability Retirement Appeals

PHYLLIS K. HOLLOWAY (DEC'D) -

James M. Malkin for the Applicant  
Allison E. Barrett for the Respondent

Mr. Kehoe made a motion, Mr. Okum seconded, to deny a service connected disability retirement.

Mr. Moore made a substitute motion, Mr. Kehoe seconded, to grant a service connected disability. The motion failed (roll call) with Messrs. Knox, Okum, Harris, Santos, and Ms.



XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

B. Disability Retirement Appeals (Continued)

Zapanta voting no; and Kehoe, Walsh, Moore and Ms. Gray voting yes.

The original motion to deny a service connected disability passed (roll call) with Messrs. Knox, Kehoe, Okum, Walsh, Harris, Santos, Ms. Zapanta voting yes; and Messrs. Kehoe, Moore, and Ms. Gray voting no.

JENNIFER T. WEBB - Thomas J. Wicke for the Applicant  
Jason E. Waller for the Respondent

Mr. Kehoe made a motion, Mr. Harris seconded, to grant a service connected disability retirement. The motion passed (roll call) with Messrs. Knox, Kehoe, Walsh, Moore, Harris, Santos, Ms. Gray and Ms. Zapanta voting yes.

ERIK DEGRATE – Steven M. Barry for the Applicant  
Eugenia W. Der for the Respondent

Ms. Gray made a motion, Mr. Knox seconded, to grant a service connected disability retirement. The motion passed (roll call) with Messrs. Knox, Kehoe, Walsh, Moore, Harris, Santos, Ms. Gray and Ms. Zapanta voting yes.

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)

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

C. Staff Recommendations (Continued)

Mr. Pryor made a motion Mr. Harris seconded, to approve staff's recommendation. The motion passed (roll call) with Messrs. Knox, Pryor, Walsh, Okum, Moore, Harris, Santos, Ms. Gray and Ms. Zapanta voting yes.

XII. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 10:25 a.m.

**Signature on File**

---

GINA ZAPANTA, SECRETARY

**Signature on File**

---

HERMAN SANTOS, CHAIR