

## AGENDA

### A 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., JANUARY 15, 2014

- I. ELECTION OF OFFICERS  
(Election of Chair, Vice Chair, Secretary, and Audit Committee Member)
- II. CALL TO ORDER
- III. PLEDGE OF ALLEGIANCE
- IV. APPROVAL OF MINUTES
  - A. Approval of the Minutes of the Regular Meeting of December 4, 2013
  - B. Approval of the Minutes of the Regular Meeting of December 12, 2013
- V. OTHER COMMUNICATIONS
  - A. For Information
    1. November 2013 All Stars
    2. Service Awards
    3. Chief Executive Officer's Report (Attachment #1)
- VI. PUBLIC COMMENT

VII. CONSENT AGENDA

- A. Ratification of Service Retirement Application Approvals.
- B. Ratification of Survivor Benefit Application Approvals.
- C. Requests for an administrative hearing before a referee.  
(Attachment #2)
- D. For information only as submitted by Ricki Contreras,  
Manager, Disability Retirement Services regarding the Monthly  
Case Aging Report. (Attachment #3)
- E. Recommendation as submitted by Gregg Rademacher, Chief  
Executive Officer: That the Board approve attendance of Board  
members at the 24th Annual Southern California Public  
Retirement Seminar on February 27, 2014 in Lakewood,  
California and approve reimbursement of all travel costs  
incurred in accordance with LACERA's Education and Travel  
Policy. (Placed on the agenda by the request of Mr. de la Garza)  
(Attachment #4)
- F. Recommendation as submitted by Ricki Contreras, Manager,  
Disability Retirement Services: Dismiss with prejudice the  
appeal for service-connected disability retirement case.  
(Attachment #5)
- G. Recommendation as submitted by Ricki Contreras, Manager,  
Disability Retirement Services: Dismiss with prejudice the  
appeal for service-connected disability retirement case.  
(Attachment #6)
- H. Recommendation as submitted by Ricki Contreras, Manager,  
Disability Retirement Services: Dismiss with prejudice the  
appeal for service-connected disability retirement case.  
(Attachment #7)

VII. CONSENT AGENDA (Continued)

- I. Recommendation as submitted by Ricki Contreras, Manager, Disability Retirement Services: Dismiss with prejudice the appeal for service-connected disability retirement case. (Attachment #8)
- J. Recommendation as submitted by Ricki Contreras, Manager, Disability Retirement Services: Dismiss with prejudice the appeal for service-connected disability retirement case. (Attachment #9)
- K. Recommendation as submitted by Ricki Contreras, Manager, Disability Retirement Services: Dismiss with prejudice the appeal for service-connected disability retirement case. (Attachment #10)

VIII. NON-CONSENT AGENDA

- A. Recommendation as submitted by Gregg Rademacher, Chief Executive Officer: That the Board directs management to join the represented employees in signing the Memorandums of Understanding incorporating the Tentative Agreements. (Attachment #11)
- B. Recommendation as submitted by Gregg Rademacher, Chief Executive Officer: That the Board approves salary adjustments for LACERA's Non-Represented and Management Appraisal and Performance Plan (MAPP) classes to mirror those salary adjustments granted to LACERA represented employees. (Attachment #12)
- C. Recommendation as submitted by Gregg Rademacher, Chief Executive Officer: That the Board direct staff to seek nominations from retiree groups for Alternate Retired member candidates so the Board of Retirement may make an appointment in accordance with Government Code Section 31523. (Attachment #13)

VIII. NON-CONSENT AGENDA (Continued)

- D. Recommendation as submitted by the Travel Policy Committee: That the Board adopt amendments to the Education and Travel Policy, with the changes to become effective upon adoption. (Attachment #14)
  
- E. Recommendation as submitted by Marvin Adams, Chair, Disability Procedures & Services Committee: That the Board approve Ernest Agastein, M.D. (Board Certified - Urology) and Lawrence Warick, M.D. (Board Certified – Psychiatry and Neurology) to the LACERA Panel of Physicians for the purpose of examining disability retirement applicants. (Attachment #15)
  
- F. Recommendation as submitted by Sarah Marks, Principal Internal Auditor: That the Board: 1) Review the presented results of the request for proposal (RFP) to perform Medicare Part D Retiree Drug Subsidy Audit Services to LACERA; 2) Interview the four candidate firms; Milliman, AON Hewitt, RDS Services, LLC, and Buck Consultants; 3) Award one of the candidate firms with an agreement to provide Medicare Part D Retiree Drug Subsidy Audit Services to LACERA; and 4) Authorize LACERA’s Chief Executive Officer to sign all necessary legal documents to execute the contract, subject to review and approval by LACERA’s Legal Office. (Attachment #16)

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

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

C. Staff Recommendations

1. Recommendation regarding payment of invoices and pending appeals/cases. (Attachment #17)

XII. EXECUTIVE SESSION

A. Conference with Legal Counsel – Anticipated Litigation (Subdivision (c) of California Government Code Section 54956.9)

1. Claim of **Georgine Scott-Codiga**

XIII. 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.*

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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., JANUARY 15, 2014

PRESENT: Yves Chery, Chair  
Alan Bernstein, Vice Chair  
William de la Garza, Secretary (Left at 10:10 a.m.)  
Marvin Adams  
Vivian H. Gray (Left at 11:50 a.m.)  
Shawn R. Kehoe  
Ronald A. Okum  
William R. Pryor (Alternate Member)  
Les Robbins  
Mark Saladino

STAFF ADVISORS AND PARTICIPANTS

Gregg Rademacher, Chief Executive Officer  
Robert Hill, Assistant Executive Officer  
JJ Popowich, Assistant Executive Officer  
Robb Van Der Volgen, Chief Counsel  
John Nogales, Director, Human Resources  
Dr. Vito Campese, Medical Advisor

STAFF ADVISORS AND PARTICIPANTS (Continued)

Jorja Frank, Senior Staff Counsel

Ricki Contreras, Division Manager  
Disability Retirement Services

Vickie Neely, Specialist Supervisor  
Disability Retirement Services

Debbie Semnanian, Specialist Supervisor  
Disability Retirement Services

Sarah Marks, Principal Internal Auditor

Cassandra Smith, Division Manager  
Retiree Healthcare Division

Fern M. Billingsy, Senior Staff Counsel

Robert Cosway, Milliman

Brian N. Anderson, Milliman

Angela Reed, Milliman

Jayne Brown, RDS Services (Teleconference)

Jim Kiers, RDS Services (Teleconference)

Bryan Helwig, RDS Services (Teleconference)

Regina Hall, RDS Services (Teleconference)

I. ELECTION OF OFFICERS  
(Election of Chair, Vice Chair, Secretary, and Audit Committee Member)

The election of officers was conducted by Secretary de la Garza:

A) Chair of the Board

Mr. Chery was nominated to the position of Chair of the Board of Retirement by Mr. Bernstein.

Hearing no other nominations the nominations were closed on a motion by Mr. Robbins, seconded by Mr. Saladino.

Secretary de la Garza announced that Mr. Chery was elected to the position of Chair of the Board of Retirement.

B) Vice Chair of the Board

Mr. Bernstein was nominated to the position of Vice Chair of the Board of Retirement by Chair Chery.

Hearing no other nominations the nominations were closed on a motion by Mr. Saladino, seconded by Mr. Okum.

Secretary de la Garza announced that Mr. Bernstein was elected to the position of Vice Chair of the Board of Retirement.

C) Secretary of the Board

Mr. de la Garza was nominated to the position of Secretary of the Board of Retirement by Mr. Saladino.

I. ELECTION OF OFFICERS (Continued)

C) Secretary of the Board

Ms. Gray was nominated to the position of Secretary of the Board of Retirement by Mr. Adams.

Hearing no other nominations the nominations were closed on a motion by Mr. Robbins.

A roll call vote was taken for the position of Secretary with the following results:

Votes cast for Mr. de la Garza:	Mr. Robbins
	Mr. Okum
	Mr. de la Garza
	Mr. Saladino
	Mr. Kehoe
Votes cast for Ms. Gray:	Mr. Adams
	Mr. Bernstein
	Ms. Gray
	Chair Chery

Secretary de la Garza announced that he was elected to the position of Secretary of the Board of Retirement.

I. ELECTION OF OFFICERS (Continued)

D) Audit Committee Member

Mr. Saladino was nominated to the position of Audit Committee Member by Mr. Adams. Mr. Saladino declined the nomination.

Mr. Kehoe was nominated to the position of Audit Committee Member by Mr. Robbins.

Hearing no other nominations the nominations were closed on a motion by Mr. Okum.

Secretary de la Garza announced that Mr. Kehoe was elected to the position of Audit Committee Member.

II. CALL TO ORDER

The meeting was called to order by Chair Chery at 9:07 a.m., in the Board Room of Gateway Plaza.

III. PLEDGE OF ALLEGIANCE

Board Members and staff recited the Pledge of Allegiance. A moment of silence was held in honor of Mr. Ed Morris.

IV. APPROVAL OF MINUTES

A. Approval of the Minutes of the Regular Meeting of December 4, 2013

B. Approval of the Minutes of the Regular Meeting of December 12, 2013

IV. APPROVAL OF MINUTES (Continued)

A motion was made by Mr. Kehoe, seconded by Mr. Saladino, to approve the minutes of the regular meetings of December 4 and December 12, 2013. The motion passed with Mr. Robbins abstaining.

V. OTHER COMMUNICATIONS

A. For Information

1. November 2013 All Stars

Mr. Hill announced the eight winners for the month of November;

Ana Ronquillo, Mariela Mariscal, Robb Van Der Volgen, Lourdes Diaz, Penelope Rodriguez, Terri Moore, Debra Rendon and Roena Bernard for the Employee Recognition Program. Yoichi Fujioki was the winner of LACERA's Web Watcher Award. Romla Robinson, Alfred Tirado, Dmitriy Khaytovich, Galina Dorfman were the winners of LACERA's RideShare Program.

2. Service Awards

Mr. Rademacher presented a 35 year service award to Renee Henry.

3. Chief Executive Officer's Report  
(Memo dated January 8, 2014)

Mr. Rademacher provided a brief overview of his Chief Executive Officer's Report with a quick update on what transpired at the previous Board of Investments meeting.

V. OTHER COMMUNICATIONS (Continued)

(Board of Investments minutes are available to view on LACERA's Website

[www.lacera.com](http://www.lacera.com).)

Mr. Rademacher provided a friendly reminder that the Board Offsite is scheduled for January 21-23, 2014.

In celebration of Mr. Ed Morris, a memorial services was held in his honor on January 11, 2014.

Mr. Rademacher recognized Arlene Owens for her academic accomplishment. Ms. Owens was invited by the International Center for Global Leadership to speak at their annual conference and present on the best practices for leadership development on studies in the field of positive psychology, positive organizational scholarship and authentic leadership development theory. Ms. Owens is also assisting in LACERA's Advanced CERL educational certification, which is one of this year's strategic initiatives.

VI. PUBLIC COMMENT

Mr. Leonardo Munsayac addressed the Board regarding his service- connected disability retirement case.

VII. CONSENT AGENDA

Mr. Kehoe made a motion, Mr. Bernstein seconded, to approve the following agenda items. The motion passed unanimously.

VII. CONSENT AGENDA (Continued)

- A. Ratification of Service Retirement Application Approvals.
- B. Ratification of Survivor Benefit Application Approvals.
- C. Requests for an administrative hearing before a referee.  
(Memo dated January 6, 2014)

<u>CASE NO.</u>	<u>APPEALS</u>	<u>ATTORNEY</u>	<u>DECISION</u>
121C	Craig A. Boyett	Thomas J. Wicke	Grant SCD – Appealing Retroactive effective date only
128C	Karen J. (Green) Henkel	Thomas J. Wicke	Grant SCD – Appealing Retroactive effective date only
1507A	Darryl B. Dutton	Michael Treger	Grant SCD – Appealing Retroactive effective date only
1529A	Michael J. Singer	Michael Treger	Grant SCD – Appealing Retroactive effective date only
1537A	Richard S. Timboe	Michael Treger	Grant SCD – Appealing Retroactive effective date only
6690A	Dawn C. Smith	In Pro Per	Deny SCD – Grant NSCD
6691A	Marlette Rankin	In Pro Per	Deny SCD – Not disabled
6695A	Wayne A. Encinas	Michael Treger	Deny SCD – Not disabled

VII. CONSENT AGENDA (Continued)

<u>CASE NO.</u>	<u>APPEALS</u>	<u>ATTORNEY</u>	<u>DECISION</u>
6698A	Hanhye Kim	In Pro Per	Deny SCD – Not disabled
6699A	Gilbert M. Yturriaga	In Pro Per	Deny SCD – Not disabled

- D. For information only as submitted by Ricki Contreras, Manager, Disability Retirement Services regarding the Monthly Case Aging Report. (Memo dated December 27, 2013)
- E. Recommendation as submitted by Gregg Rademacher, Chief Executive Officer: That the Board approve attendance of Board members at the 24th Annual Southern California Public Retirement Seminar on February 27, 2014 in Lakewood, California and approve reimbursement of all travel costs incurred in accordance with LACERA's Education and Travel Policy. (Placed on the agenda by the request of Mr. de la Garza) (Memo dated January 7, 2014)
- F. Recommendation as submitted by Ricki Contreras, Manager, Disability Retirement Services: That the Board dismiss with prejudice the appeal for service-connected disability retirement in the case of **Stella Ligutom**. (Memo dated December 23, 2013)
- G. Recommendation as submitted by Ricki Contreras, Manager, Disability Retirement Services: That the Board dismiss with prejudice the appeal for service-connected disability retirement in the case of **Phyllis Cole**. (Memo dated December 30, 2013)
- H. Recommendation as submitted by Ricki Contreras, Manager, Disability Retirement Services: That the Board dismiss with prejudice the appeal for service-connected disability retirement in the case of **Marcos J. Zamora**. (Memo dated January 3, 2014)

VII. CONSENT AGENDA (Continued)

- I. Recommendation as submitted by Ricki Contreras, Manager, Disability Retirement Services: That the Board dismiss with prejudice the appeal for service-connected disability retirement in the case of **Richard A. Higashi (Deceased)/Irene Y. Miyake (Survivor)**. (Memo dated January 3, 2014)
- J. Recommendation as submitted by Ricki Contreras, Manager, Disability Retirement Services: That the Board dismiss with prejudice the appeal for service-connected disability retirement in the case of **Marie E. Richard**. (Memo dated January 8, 2014)
- K. Recommendation as submitted by Ricki Contreras, Manager, Disability Retirement Services: That the Board dismiss with prejudice the appeal for service-connected disability retirement in the case of **Blanca E. Zambrano**. (Memo dated January 8, 2014)

VIII. NON-CONSENT AGENDA

- A. Recommendation as submitted by Gregg Rademacher, Chief Executive Officer: That the Board directs management to join the represented employees in signing the Memorandums of Understanding incorporating the Tentative Agreements. (Memo dated December 31, 2013)

John Nogales was present to address any questions.

Mr. Pryor made a motion, Ms. Gray seconded, to approve the recommendation. The motion passed unanimously.

VIII. NON-CONSENT AGENDA (Continued)

- B. Recommendation as submitted by Gregg Rademacher, Chief Executive Officer: That the Board approves salary adjustments for LACERA's Non-Represented and Management Appraisal and Performance Plan (MAPP) classes to mirror those salary adjustments granted to LACERA represented employees. (Memo dated December 31, 2013)

John Nogales was present to address any questions.

Mr. Kehoe made a motion, Mr. Saladino seconded, to approve the recommendation. The motion passed unanimously.

- C. Recommendation as submitted by Gregg Rademacher, Chief Executive Officer: That the Board direct staff to seek nominations from retiree groups for Alternate Retired member candidates so the Board of Retirement may make an appointment in accordance with Government Code Section 31523. (Memo dated December 31, 2013)

Mr. Pryor recommended adding the Broken Streams Organization as a retiree group to the notification list.

Mr. Adams made a motion, Mr. Okum seconded, to approve the recommendation.

Mr. Kehoe made a substitute motion to have the candidacy statements submitted and conduct candidate interviews at the April Board meeting. The motion passed unanimously.

VIII. NON-CONSENT AGENDA (Continued)

- D. Recommendation as submitted by the Travel Policy Committee:  
That the Board adopt amendments to the Education and Travel Policy,  
with the changes to become effective upon adoption.  
(Memo dated January 9, 2014)

Mr. Saladino requested that United Nations Principals of Responsible  
Investing (UNPRI) be added to Exhibit C (list of pre-approved conferences).

Mr. Bernstein made a motion, Ms. Gray  
seconded, to approve the recommendation.

Mr. Okum made a substitute motion, Mr. Robbins  
seconded, to refer back to the Travel Policy  
Committee for revisions to the Education and  
Travel Policy. The motion failed with Messrs.  
Adams, Kehoe, Bernstein, Chair Chery, and Ms.  
Gray voting no; and Messrs. Saladino, Robbins,  
Okum, and Pryor voting yes.

Mr. Kehoe made a substitute motion, Mr. Adams  
seconded, to approve the Education and Travel  
Policy and refer Exhibit C back to the Travel Policy  
Committee for revisions. The motion passed  
unanimously.

- E. Recommendation as submitted by Marvin Adams, Chair, Disability  
Procedures & Services Committee: That the Board approve Ernest Agastein,  
M.D. (Board Certified - Urology) and Lawrence Warick, M.D. (Board  
Certified – Psychiatry and Neurology) to the LACERA Panel of Physicians  
for the purpose of examining disability retirement applicants.  
(Memo dated December 4, 2013)

Mr. Pryor made a motion, Mr. Bernstein  
seconded, to approve the recommendation.  
The motion passed unanimously.

VIII. NON-CONSENT AGENDA (Continued)

- F. Recommendation as submitted by Sarah Marks, Principal Internal Auditor: That the Board: 1) Review the presented results of the request for proposal (RFP) to perform Medicare Part D Retiree Drug Subsidy Audit Services to LACERA; 2) Interview the four candidate firms; Milliman, AON Hewitt, RDS Services, LLC, and Buck Consultants; 3) Award one of the candidate firms with an agreement to provide Medicare Part D Retiree Drug Subsidy Audit Services to LACERA; and 4) Authorize LACERA's Chief Executive Officer to sign all necessary legal documents to execute the contract, subject to review and approval by LACERA's Legal Office.  
(Memo dated December 12, 2013)

(Mr. de la Garza left at 10:10 a.m.)

Presentations were conducted by Milliman and RDS Services, LLC (via teleconference), AON Hewitt and Buck Consultants withdrew their proposal.

Mr. Pryor made a motion, Mr. Kehoe seconded, to select Milliman. The motion passed with Mr. Adams voting no.

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

The Board shared their condolences for Mr. Morris's passing, congratulated the 2014 Officers, and welcomed Mr. Robbins back to the Board.

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

(Ms. Gray left at 11:50 a.m.)

Safety Law Enforcement  
Service-Connected Disability Applications

On a motion by Mr. Kehoe, seconded by Chair Chery, 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>
133C	RONALD L. MAPLES
134C	DAVID A. SMILEY
136C	GEORGE MARTINEZ
137C	MARK S. PULLEE
138C	ANTOINETTE M. WILSON (Pulled by the request of staff)
139C	ANTHONY A. PITILLO
140C	RICHARD T. PFEIFFER

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR  
(Continued)

Safety Law Enforcement

Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
141C*	LAWRENCE A. BROGAN
142C**	KEVIN D. ROBERTS
143C	MARK L. MACHANIC
144C**	JEFFREY S. DONAHUE
145C	RICHARD G. PEREZ
146C	LEE A. CARTER, JR.
147C	STEPHEN A. FRENCH
150C***	AUBREY L. COLERICK

\* Grant SCD – Employer Cannot Accommodate

\*\* Applicant Present

\*\*\* Grant SCD – Supplemental Disability Allowance

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR  
(Continued)

Safety-Fire, Lifeguard (Other)  
Service-Connected Disability Applications

On a motion by Mr. Pryor, 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>
1546A	STEVEN A. TERRY, SR.
1547A	MANUEL RAMOS, JR.
1548A	MARK D. WARR
1549A	ROBERT D. HEWITT
1550A	JOHN A. LOPEZ
1551A	ANTHONY J. IACONO
1552A	JAMES J. NAVARRO
1553A	RON N. MCFADDEN

X. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR  
(Continued)

General Members

Service-Connected Disability Applications

On a motion by Mr. Bernstein, seconded by Chair Chery, 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:

APPLICATION NO.

NAME

2379B

ARBURNOR A. LENOX III

General Members

Non-Service Connected Disability Applications

On a motion by Mr. Saladino, seconded by Mr. Bernstein, 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

4313

ROSANE D. CASTRO

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability

Chair Chery said that the Board would handle those cases that were pulled off the

Consent Calendar first.

APPLICATION NO. & NAME

BOARD ACTION

135C – JOHNIE R. OATES

Mr. Kehoe made a motion, Chair Chery seconded, to grant a service-connected disability retirement pursuant to Government Code Section 31720.

Mr. Saladino made a substitute motion, Mr. Bernstein seconded, to refer back to staff for additional information. The motion passed with Mr. Kehoe voting no.

148C – JESUS A. GOMEZ (Dec'd)

Mr. Kehoe made a motion, Mr. Robbins seconded, to grant a service-connected disability retirement pursuant to Government Code Section 31720. The motion passed unanimously.

149C – BRIAN J. STOVER (Dec'd)

Mr. Kehoe made a motion, Mr. Pryor seconded, to grant a service-connected disability retirement pursuant to Government Code Sections 31720 and 31720.6. The motion passed unanimously.

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>
2380B – GLORIA I. RAMIREZ	Mr. Adams made a motion, Chair Chery seconded, to grant a service-connected disability retirement.  Mr. Bernstein made a substitute motion, Mr. Saladino seconded, to refer back to staff for additional information. The motion passed unanimously.
6703A – VICKI L. FLOYD	Mr. Kehoe made a motion, Mr. Bernstein seconded, to deny a service -connected disability retirement because the applicant is not permanently incapacitated. The motion passed unanimously.
6704A – ELIZABETH PERALTA	Mr. Saladino made a motion, Mr. Pryor seconded, to deny a service-connected disability retirement because the applicant is not permanently incapacitated. The motion passed unanimously.
6705A – BARBARA L. JOHNSON	Mr. Saladino made a motion, Mr. Adams seconded, to deny a service-connected disability retirement because employer can accommodate. The motion passed unanimously.
6706A – ANTONIO MARTINEZ	Mr. Pryor made a motion, Mr. Bernstein seconded, to deny a service-connected disability retirement because the applicant is not permanently incapacitated. The motion passed unanimously.

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>
6707A – KAREN D. CALLICUTT	Mr. Bernstein made a motion, Mr. Saladino seconded, to grant a non service-connected disability retirement pursuant to Government Code Section 31720. The motion passed unanimously.
6708A - WANDA F. CANNON	Mr. Kehoe made a motion, Mr. Adams seconded, to grant a non service-connected disability retirement pursuant to Government Code Section 31720. The motion passed unanimously.
6709A – HANY T. GUIRGUIS (Dec'd)	Mr. Kehoe made a motion, Mr. Adams seconded, to grant a non service-connected disability retirement pursuant to Government Code Section 31781.1. The motion passed unanimously.
6710A – DAVID A. TOUPAL	Mr. Saladino made a motion, Mr. Kehoe seconded, to deny a service-connected disability retirement because the applicant is not permanently incapacitated. The motion passed unanimously.
6711A – LEONARDO B. MUNSAYAC*	Mr. Saladino made a motion, Mr. Robbins seconded, to deny without prejudice a service-connected disability retirement because the applicant is not permanently incapacitated. The motion passed unanimously.

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

6697A – CAROL ALMAREZ

Mr. Adams made a motion, Mr. Kehoe seconded, to deny a service-connected disability retirement because employer can accommodate. The motion passed unanimously.

B. Referee Reports

Mark A. Boyd – No Appearances

Pulled by the request of staff.

Lawrence J. Colgan – No Appearances

Mr. Pryor made a motion, Chair Chery seconded, to agree with the referee, and grant a service-connected disability retirement since the applicant is disabled. The motion passed unanimously.

C. Staff Recommendations

1. Recommendation as submitted by Ricki Contreras, Manager, Disability Retirement Services regarding: Payment of Invoices for the Month of December 2013.  
(Memo dated January 8, 2014)

Mr. Saladino made a motion, Mr. Bernstein seconded, to approve the recommendation. The motion passed unanimously.

## XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

### C. Staff Recommendations (Continued)

2. Recommendation as submitted by Ricki Contreras, Manager, Disability Retirement Services: That the Board reject for processing the application for service-connected disability in the case of **Doris Calhoun**. (Memo dated December 23, 2013)

Mr. Adams made a motion, Mr. Kehoe seconded, to approve the recommendation. The motion passed unanimously.

3. Recommendation as submitted by Ricki Contreras, Manager, Disability Retirement Services: That the Board reject for processing the application for service-connected disability in the case of **Julia Arnold**. (Memo dated December 23, 2013)

Mr. Kehoe made a motion, Mr. Bernstein seconded, to approve the recommendation. The motion passed unanimously.

## XII. EXECUTIVE SESSION

### A. Conference with Legal Counsel – Anticipated Litigation (Subdivision (c) of California Government Code Section 54956.9)

#### 1. Claim of **Georgine Scott-Codiga**

The Board met in Executive Session to discuss and give direction to its legal counsel in regards to the above named anticipated litigation. The Board reconvened in open session, at which time Mr. Van Der Volgen reported that the Board met in Executive Session for the purpose of discussing anticipated litigation pursuant to Government Code

XII. EXECUTIVE SESSION (Continued)

Section 54956.9 Subdivision (c). A motion was made by Mr. Bernstein, seconded by Chair Chery, unanimously giving direction to the Legal Office.

Green Folder Information (Information distributed in each Board Members Green Folder at the beginning of the meeting)

1. Retirement Board Listing dated January 15, 2014
2. LACERA Legislative Report -Bills Amending CERL/PEPRA (Dated January 10, 2014)
3. LACERA Legislative Report - Other (Dated January 10, 2014)
4. Board Offsite Agenda
5. CERL In a Nutshell Educational Information – Statutory Language tab
6. Quarterly Report on Hearing Officer Fees Paid Invoices, October to December 2013 (Memo dated January 7, 2014)

XIII. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 1:15 p.m.

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WILLIAM DE LA GARZA, SECRETARY

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YVES CHERY, CHAIR