



# BOARD OF RETIREMENT

## Staff Report

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**File #:** 19-878.1

**Agenda Date:** 11/5/2020

**Agenda #:** 11.

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**FROM:** Barbara Hannah, Chief Counsel

**SUBJECT:** Disability Retirement Application of Anthony Perez

**RECOMMENDATION:**

Approve and adopt the proposed findings and the recommendations of the referee regarding the Supplemental Retirement Allowance of Anthony Perez - County of San Bernardino - Public Works.

Requested Benefit:

1. Supplemental Retirement Allowance

Pursuant to Government Code Section 31534, upon receiving the final proposed findings and recommended decision of the referee, the board may:

- (a) Approve and adopt the proposed findings and the recommendations of the referee, or
- (b) Require a transcript or summary of all the testimony, plus all other evidence received by the referee. Upon the receipt thereof the board shall take such action as in its opinion as indicated by such evidence, or
- (c) Refer the matter back with or without instructions to the referee for further proceedings, or
- (d) Set the matter for hearing before itself. At such hearing, the board shall hear and decide the matter as if it had not been referred to the referee.

**BACKGROUND:**

At the May 7, 2020 meeting of the Board of Retirement, the Board granted a Service-Connected Disability Retirement. However, the Board determined the member was capable of gainful employment, therefore, he was denied the Supplemental Retirement Allowance.

The member requested Expedited Administrative Review of the Board of Retirement decision on May 30, 2020.

Attorney - None

**STAFF CONTACT:**

Barbara Hannah  
Dave Lantzer

**ATTACHMENTS:**

- Exhibit A: Demographic Information  
Exhibit B: Hearing Officer's Findings and Recommendation  
Exhibit C: Request for Expedited Administrative Review  
Exhibit D: Applicant's Statement of Facts and Physician's Report

Exhibit E: Department's Statement of Facts

Exhibit F: Job Description, Physical Requirements