



ALAMEDA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION
BOARD OF RETIREMENT
MINUTES

Thursday, June 22, 2017

Chair Dale Amaral called the meeting to order at 2:02 p.m.

Trustees Present: Dale Amaral
Ophelia Basgal
Keith Carson
Tarrell Gamble
Henry Levy
Elizabeth Rogers
George Wood
Nancy Reilly (*Alternate*)
Darryl Walker (*Alternate*)

Trustees Excused: Annette Cain-Darnes
Liz Koppenhaver

Staff Present: Margo Allen, Fiscal Services Officer
Harsh Jadhav, Chief of Internal Audit
Vijay Jagar, Retirement Chief Technology Officer, ACERA
David Nelsen, Chief Executive Officer
Stacey Perry, Administrative Specialist II

Staff Excused: Kathy Foster, Assistant Chief Executive Officer
Angela Bradford, Executive Secretary

17-57

The minutes of the regular meeting of May 25, 2017, were accepted on a motion by Elizabeth Rogers, seconded by Tarrell Gamble, and approved by a vote of 7 yes (*Amaral, Gamble, Levy, Reilly, Rogers, Walker, Wood*), 0 no, and 0 abstentions.

**CONSENT CALENDAR
REPORTS AND ACTION ITEMS**

APPLICATION FOR SERVICE RETIREMENT

Appendix A

APPLICATION FOR RETIREMENT, DEFERRED

*Appendix B
Appendix B-1*

APPLICATION FOR DEFERRED TRANSFER

Appendix C

LIST OF DECEASED MEMBERS

Appendix D

**REQUESTS FOR 130 BI-WEEKLY PAYMENTS TO RE-DEPOSIT
CONTRIBUTIONS AND GAIN CREDIT**

Appendix E

APPLICATION FOR DISABILITY RETIREMENT – NON-CONTESTED ITEMS:

Appendix F

**APPLICATION FOR DISABILITY RETIREMENT – HEARING OFFICER
RECOMMENDATIONS**

Appendix G

APPROVAL COMMITTEE MINUTES

May 25, 2017, Audit Committee Minutes

MISCELLANEOUS MATTERS:

None

It was moved by Elizabeth Rogers, seconded by George Wood and approved by a vote of 6 yes (*Gamble, Levy, Reilly, Rogers, Walker, Wood*), 0 no, 0 abstentions, that the following resolution is adopted (*Dale Amaral recused because one of the consent calendar items involved his employing Department*):

17-58

BE IT RESOLVED BY THIS BOARD that the Consent Calendar is approved as presented.

REGULAR CALENDAR – REPORTS AND ACTION ITEMS

DISABILITIES, CURRENT AND CONTINUING RECOMMENDATIONS AND MOTIONS

None.

COMMITTEE REPORTS, RECOMMENDATIONS AND MOTIONS

*Note: Per Committee Chairs, copies of the Committee meeting minutes were available for attendees. All **May/June 2017** Committee meeting minutes are posted on the ACERA website (www.acera.org) after approval at the **June 22, 2017**, Board meeting. This month's Committee reports were presented in the following order:*

Operations:

Elizabeth Rogers reported that the Operations Committee met on June 7, 2017, at 9:32 a.m. and highlighted the following:

Staff presented a proposal to the Operations Committee to recommend to the Board of Retirement that the Board designate Pay Item Holiday Rate for LARPD as neither pensionable compensation for a member (PEPRA) with an entry date on or after January 1, 2013, based on Government Code Section 7522.34, nor compensation earnable for a member (legacy) with an entry date prior to January 1, 2013, based on Government Code Section 31461.

17-59

It was moved by Elizabeth Rogers and seconded by Nancy Reilly, that the Board designate Pay Item Holiday Rate as not pensionable compensation for a member (PEPRA) with an entry date on or after January 1, 2013, based on Government Code Section 7522.34, nor compensation earnable for a member (legacy) with an entry date prior to January 1, 2013, based on Government Code Section 31461. The motion carried 8 yes (*Amaral, Basgal, Gamble, Levy, Reilly, Rogers, Walker, Wood*), 0 no, and 0 abstentions.

Staff presented a proposal to the Operations Committee to recommend to the Board of Retirement that the Board adopt Pay Code 41U. Staff also recommended the Board designate Pay Item 41U – Ag. Comm/Sealer of Wts and Meas as not pensionable compensation for a member (PEPRA) with an entry date on or after January 1, 2013, based on Government Code Section 7522.34, and approve the inclusion of this pay item as compensation earnable for a member (legacy) with an entry date prior to January 1, 2013, based on Government Code Section 31461.

17-60

It was moved by Elizabeth Rogers and seconded by George Wood, that the Board adopt Pay Item 41U – Ag. Comm/Sealer of Wts and Meas and the Board designate Pay Item 41U – Ag. Comm/Sealer of Wts and Meas as not pensionable compensation for a member (PEPRA) with an entry date on or after January 1, 2013, based on Government Code Section 7522.34, and approve the inclusion of this pay item as compensation earnable for a member (legacy) with an entry date prior to January 1, 2013, based on Government Code Section 31461. The motion carried 8 yes (*Amaral, Basgal, Gamble, Levy, Reilly, Rogers, Walker, Wood*), 0 no, and 0 abstentions.

Staff presented a proposal to the Operations Committee to recommend to the Board of Retirement that the Board approve proposed revisions to the Board Business and Travel Policy. The Board moved to recommend options for both new and experienced trustees to be able to stay within the proposed spending caps for the policy.

17-61

It was moved by Elizabeth Rogers and seconded by George Wood, that the Board approve proposed revisions to the Board Business and Travel Policy, and to recommend options for both new and experienced trustees to be able to stay within the proposed spending caps for the policy. The motion carried 8 yes (*Amaral, Basgal, Gamble, Levy, Reilly, Rogers, Walker, Wood*), 0 no, and 0 abstentions.

Staff presented the year-to-date budget vs. actual operating expenses. As of April 30, 2017, actual expenses were \$1,074,625 under budget. Budget surpluses noted were due to Staffing (\$468K under budget) with 14 unfilled positions, Professional Fees (\$79K under budget), Systems (\$79K under budget), Board Expenses (\$84K under budget) and Member Services (\$79K under budget).

17-62

It was moved by Elizabeth Rogers and seconded by Ophelia Basgal that the Board approve the June 7, 2017, Operations Committee minutes. The motion carried 8 yes (*Amaral, Basgal, Gamble, Levy, Reilly, Rogers, Walker, Wood*), 0 no, and 0 abstentions.

Retirees:

Nancy Reilly reported that the Retirees Committee met on June 7, 2017, at 10:35 a.m. and highlighted the following:

Staff provided a letter from the County of Alameda stating that the final Implicit Subsidy amount for 2016 is \$8,787,596. This amount was verified by Keenan & Associates, ACERA's Benefits Consultant. Trustees directed Staff to include the Implicit Subsidy discussion and other relevant topics related to the Supplemental Retiree Benefit Reserve as agenda items for future joint Board of Supervisors and Board of Retirement meetings. In response to Trustees' request, Staff will provide additional information that impact the analysis and calculation of the Implicit Subsidy amount, such as health care experience and utilization, in the next wellness program report scheduled for the September Committee meeting.

17-63

It was moved by Nancy Reilly and seconded by Elizabeth Rogers that the Board authorize Staff to transfer \$8,787,596 from the Supplemental Retiree Benefit Reserve account to the County Advance Reserve to be amortized over 20 years as the Implicit Subsidy payment for Plan Year 2016. The motion carried 8 yes (*Amaral, Basgal, Gamble, Levy, Reilly, Rogers, Walker, Wood*), 0 no, and 0 abstentions.

Staff recommended that ACERA state its intent to fund the Implicit Subsidy Program for Plan Year 2018. The Implicit Subsidy cost for Plan Year 2017 is estimated by the County of Alameda (County) to be \$5,830,283. The estimated cost of the Implicit Subsidy for Plan Year 2018 will not be known until the County has completed its medical plan contract negotiations. Keenan & Associates, ACERA's Benefits Consultant, provided a history and an analysis of the annual costs for the period of 2011 through 2017.

17-64

It was moved by Nancy Reilly and seconded by Elizabeth Rogers that the Board adopt a Statement of Intent to continue the Implicit Subsidy Program for health Plan Year 2018, following a determination by ACERA at the end of Plan Year 2018 that the amount is not greater than the actual retiree Implicit Subsidy. The motion carried 8 yes (*Amaral, Basgal, Gamble, Levy, Reilly, Rogers, Walker, Wood*), 0 no, and 0 abstentions.

Keenan & Associates, ACERA's Benefits Consultant, provided information on The American Health Care Act (AHCA), an overview of the AHCA, and what is next for the AHCA.

Staff reported on health care inflation factors for 2017 and 2018 based on the information provided by Segal Consulting, ACERA's Actuary, and Keenan & Associates (Keenan), ACERA's Benefits Consultant. The trend assumptions provided have been reset to start at 6.50% for non-Medicare and Medicare Advantage plans. The trend used for dental and vision is 4.50% and the trend used for Medicare Part B is 28.44% for 2017 based on the most recent experience. The Medicare Part B trend rates for 2018 and beyond are 4.50%. These trends will be used in accordance with ACERA's GASB 43 substantive plan definition. Keenan also provided a seven-year ACERA rate history for the period 2011 through 2017 for Kaiser Permanente and UnitedHealthcare.

Staff presented Group and Individual plan enrollment Monthly Medical Allowance (MMA) cost comparisons for the 2017 and 2018 Plan Years. This item will be brought back to the Retirees Committee for further discussion and possible approval of the 2018 MMA at the July 2017 meeting. Trustees directed Staff to present suggested revisions to the Supplemental Retiree Benefit Reserve Policy related to the Monthly Medical Allowance (MMA) section to include language outlining parameters when an increase to the MMA would not be considered, and provide the revised language for consideration at the next Committee meeting in which the Policy is scheduled to be reviewed.

Staff provided information on the planning for ACERA's annual Open Enrollment and Retiree Health Fair. Trustees directed Staff to provide retirees information on the various activities sponsored by the local senior centers related to ACERA's wellness initiative.

Staff provided a report on the annual results of the performance guarantees with Delta Dental, stating that not all of DeltaCare[®] USA's metrics were met, which resulted in a penalty amount of \$261.83.

Trustee Koppenhaver expressed her appreciation to Trustee Carson for moderating the June 6, 2017, joint Board of Supervisors and Board of Retirement meeting, stating that she thought it went well.

Trustee Basgal directed Staff to provide a report on ACERA's cybersecurity policy in light of the most recent cyber-attack incident. Trustee Basgal stated that although ACERA is not covered by ERISA, it has published a report on pension plans and the various requirements related to cybersecurity fiduciary responsibilities.

Staff requested Trustees' feedback on whether they would like to cancel or reschedule the July Operations and Retirees Committee meetings, since it falls on July 5th, the day after the July 4th holiday. Trustees directed Staff to look into the possibility of holding the meetings the following week on July 12th, in the afternoon of the Investment Committee meeting.

17-65

It was moved by Nancy Reilly and seconded by Henry Levy that the Board approve the June 7, 2017, Retirees Committee minutes. The motion carried 8 yes (*Amaral, Basgal, Gamble, Levy, Reilly, Rogers, Walker, Wood*), 0 no, and 0 abstentions.

Investment:

George Wood reported that the Investment Committee met on June 14, 2017, at 9:33 a.m. and highlighted the following:

Representatives from Verus presented a new U.S. Equity Manager Structure recommendation as a follow-up to an update of the U.S. Equity Manager Structure adopted in April 2016. Verus recommended increasing the target passive index allocation from 70% (65%–75% range) to 80%. Once a passive index manager is hired for the Russell 1000 equity index and the April 2016 U.S. Equity Manager Structure is implemented at the 70% target, Verus recommended moving toward the 80% level (Alternative 2) over time by taking monies from active managers, as discussed below.

To meet ongoing capital calls and/or month-end payroll, and to incrementally move toward a passive index structure. Verus suggested Staff draw down from the most overweight active manager within the most overweight asset class (U.S. Equity, International Equity, or Fixed Income asset classes).

17-66

It was moved by George Wood and seconded by Elizabeth Rogers that the Board adopt a new U.S. Equity Manager Structure. The motion carried 8 yes (*Amaral, Basgal, Gamble, Levy, Reilly, Rogers, Walker, Wood*), 0 no, and 0 abstentions.

Representatives from Heitman Real Estate presented to the Investment Committee the history, background, and culture of the firm, as well as the opportunity set, investment team and strategy of the Heitman Value Partners IV (HVP-IV or Fund).

The representatives discussed the Fund's strategy related to income-orientation, defensive characteristics, long-term demographics-driven opportunity, and its successful partnerships with its operating partners. The portfolio manager for HVP IV is Thomas McCarthy, who also manages HVP II (ACERA's prior commitment of \$25.0 million). The representatives also emphasized that, if ACERA would like to commit additional capital before the final close, it would extend the same management fee at 90bps.

17-67

It was moved by George Wood and seconded by Ophelia Basgal that the Board adopt an investment in ACERA's Real Estate Portfolio. The motion carried 8 yes (*Amaral, Basgal, Gamble, Levy, Reilly, Rogers, Walker, Wood*), 0 no, and 0 abstentions.

ACERA's real estate portfolio returned an 1.81% gross return (1.61% net) for Q1 2017 and 8.26% gross return (7.32% net) for the 1-year period ending 3/31/2017 compared to the gross NCREIF-ODCE benchmark of 1.77% (1.54% net) and 8.34% (7.36% net), respectively.

The total market value of ACERA's real estate portfolio was \$516.2 million; approximately 7.1% of ACERA's total Fund.

Callan Associates reported that U.S. economic growth is starting to slow, US property fundamentals are still healthy but may be peaking, and return expectations are moderating. The ACERA Core Portfolio outperformed the benchmark during the past year and has also outperformed the benchmark over the medium and long term.

For 1Q2017, ACERA's Total Fund returned 5.8% gross (5.7% net), compared to the Policy Index return of 5.3%. For the year ending 3/31/2017, the Total Fund Returned 13.5% gross (13.1% net), compared to the Policy Index return of 13.4%. The Total Fund's results ranked in the top 2nd and 5th percentile for the quarter and one year periods, respectively.

For 1Q2017, ACERA's U.S. Equity, International Equity, and Fixed Income asset classes returned 6.4% net, 9.9% net, and 2.8% net, compared to the respective benchmarks with returns of 5.7%, 8.1%, and 1.2%, respectively.

As of 03/31/2017, U.S. Equity accounted for 33.5% of the Total Fund, International Equity 29.1%, and Fixed Income 16.1%. As of 3/31/2017, the market value of the Total Fund was \$7,321,660,745.

A Verus representative said that Verus and staff intended to bring several actions to the Committee in the next few months. These actions may include: (1) proposal of a Liquid Alternative investment and (2) review of ACERA's Alternative sub-asset class.

Betty Tse, ACERA's Chief Investment Officer, informed the Committee the following Status of various manager searches, as approved by the Board:

- The Passive Index Manager Search, adopted on 4/20/2017, is now in the site visit stage of the due diligence.
- The Emerging Markets Equity Manager Search was adopted on 1/19/2017. The RFP was published on 5/31/2017.
- The General Investment Consultant Search, adopted on 12/15/2016, the RFP is now expected to be published in July 2017.
- The Small Cap Growth manager search will be scheduled as time permits.

The preliminary value of ACERA's Total Fund as of May 31, 2017, was \$7.5 billion.

17-68

It was moved by George Wood and seconded by Elizabeth Rogers that the Board approve the June 14, 2017, Investment Committee minutes. The motion carried 9 yes (Amaral, Basgal, Carson, Gamble, Levy, Reilly, Rogers, Walker, Wood), 0 no, and 0 abstentions.

Actuarial:

Ophelia Basgal gave an oral report stating that the Actuarial Committee met on June 14, 2017, at approximately 1:00 p.m.

ACERA's Actuary Segal Consulting presented a comprehensive review of the issues surrounding Alameda Health System's (AHS) request to modify ACERA's current methodology in order to determine AHS' proportionate share of the Unfunded Accrued Actuarial Liability (UAAL). It was noted that AHS submitted a letter during the Committee meeting that had not been previously provided to the Committee or Staff. Therefore, the Committee did not discuss, in detail, the information contained in AHS' letter. However, AHS did present and discuss their concerns with the Committee regarding the UAAL issue. It was noted that AHS's Attorney and Actuary also attended the Committee meeting and the Committee addressed comments posed by members of the County and the audience. After discussion, the Committee directed Staff to develop decision points that outlined the necessary legal and operational questions to answer before the Committee can decide whether to move forward with the Actuarial Study.

(Note: The formal written June 14, 2017, Actuarial Committee minutes will be included for approval on the July 20, 2017, Board Consent Calendar.)

NEW BUSINESS

Presentation on Cyber Security

Retirement Chief Technology Officer, ACERA Vijay Jagar gave a presentation regarding information pertaining to cyber-security at ACERA, as well as on personal technology. Terms such as ransomware were explained and discussed with plans of how ACERA will move forward with cyber security training, best practices/procedures, and infrastructure testing.

David Nelsen, Chief Executive Officer's Report

Chief Executive Officer David Nelsen presented his June 15, 2017, written CEO Report, which provided an update on the following items: **1)** Senior Manager Recruitment; **2)** Committee/Board Action Items; **3)** Conference Schedule; **4)** CEO Outreach; and **5)** Other Items.

Mr. Nelsen announced that Kathy Mount will be starting as Chief Counsel on July 17, 2017, while Mr. Nelsen is out of the office. Assistant CEO Kathy Foster will be Acting CEO on July 5-18, 2017.

CONFERENCE REPORTS

Trustee Reilly reported that she and Trustee Levy attended the International Foundation on Employee Benefit Plans in San Jose, CA. It was a four-day conference that provided information about legal, governance, actuarial, and investments.

Trustee Levy also attended the CALAPRS Trustees Roundtable in Burbank, CA. Two presentations were of interest, public banking and socially responsible investing.

ANNOUNCEMENTS

None.

PUBLIC INPUT

None.

BOARD INPUT

None.

ADJOURNMENT INTO CLOSED EXECUTIVE SESSION:

Pursuant to Government Code §54956.9(c) Conference with Legal Counsel–Pending Litigation:

- *Rosalina Neeley v. ACERA*, First District Court of Appeal (Div. 5) Case No. A150424.

RECONVENE INTO OPEN SESSION TO REPORT ON ACTION TAKEN IN CLOSED EXECUTIVE SESSION:

The Board reconvened into Open Session and announced the following:

No reportable action.

ADJOURNMENT

The meeting adjourned at approximately 2:58 p.m.

Respectfully Submitted,



David Nelsen
Chief Executive Officer

7/20/17

Date Adopted

**APPENDIX A
APPLICATION FOR SERVICE RETIREMENT**

BARNHART, Jack L.
Effective: 1/29/2017
Sheriff's Office

KENDALL, Joan P.
Effective: 12/31/2016
Social Services Agency

BROWN, Addie
Effective: 2/11/2017
Behavioral Health Care Services

KENNEDY, Carla J.
Effective: 1/28/2017
Sheriff's Office

BRUM, Gregory
Effective: 2/1/2017
Social Services Agency

KIRBY, Monique C.
Effective: 12/2/2016
Social Services Agency

CHATMAN, Evaline
Effective: 2/24/2017
Alameda Health System - DEF

KOSTEK, Nicholas
Effective: 4/1/2017
Alameda Health System - DEF

CREIGHTON, John N.
Effective: 3/11/2017
District Attorney

KUTTY, Vimala S.
Effective: 1/28/2017
ACERA

CULVER, Taylor
Effective: 12/1/2016
Superior Court

MACALINO, ELIZABETH
Effective: 1/28/2017
Social Services Agency

DAGLOW, Curtis O.
Effective: 3/11/2017
Social Services Agency

MARKEE, Scott G.
Effective: 10/5/2016
Sheriff's Office

DORRIS, Lisa J.
Effective: 1/28/2017
Child Support Services

MC CLURE, Molly T.
Effective: 1/21/2017
Public Defender

DOUGLAS, Anthony P.
Effective: 1/14/2017
District Attorney

MC DONALD, Matthew
Effective: 3/29/2017
Superior Court - DEF

EVANS, Carolyn
Effective: 12/17/2016
Social Services Agency

O'BRIEN, Michael S.
Effective: 12/31/2016
Sheriff's Office

FRANCO, Marina S.
Effective: 2/1/2017
Sheriff's Office

REIN, Leslie G.
Effective: 2/11/2017
Assessor

FRIEDLANDER, Marlene
Effective: 1/28/2017
Social Services Agency

ROCA, Patricia A.
Effective: 3/11/2017
Social Services Agency

APPENDIX A
APPLICATION FOR SERVICE RETIREMENT

RODRIGUES, Tom
Effective: 1/15/2017
Sheriff's Office

VIEIRA, Donald A.
Effective: 2/10/2017
Behavioral Health Care Services

STEELE, Annette
Effective: 1/28/2017
Social Services Agency

VITALICH, Ann M.
Effective: 2/1/2017
Social Services Agency

TURNER, Bobby W.
Effective: 2/25/2017
Sheriff's Office

WINCHESTER, Sandra J.
Effective: 1/14/2017
Social Services Agency

APPENDIX B
APPLICATION FOR DEFERRED RETIREMENT

AUSTIN, Kevin A.
Superior Court
Effective: 3/30/2017

PRAXEDES, Kathleen R.
Social Services Agency
Effective: 3/24/2017

JAMISON, Starlyn N.
Alameda Health System
Effective: 2/17/2017

RANDRUP, Jerri L.
Alameda Health System
Effective: 3/1/2017

LAHAIE, Keith A.
Public Works Agency
Effective: 4/14/2017

TURAN, Barbara A.
Behavioral Health Care Services
Effective: 4/7/2017

LANZISERA, Kristi M.
Sheriff's Office
Effective: 3/29/2017

WEI, Michelle
Social Services Agency
Effective: 3/10/2017

LAW, Philip
Alameda Health Systems
Effective: 4/13/2017

**APPENDIX B-1
APPLICATION FOR NON-VESTED DEFERRED**

JONES, Jessica M.
Alameda Health System
Effective: 3/10/2017

YAEGER, Constance R.
Alameda Health System
Effective: 2/14/2017

**APPENDIX C
APPLICATION FOR DEFERRED TRANSFER**

FABIE, Erin R.
Social Services Agency
Effective: 3/21/2017
Transferred to: Contra Costa County Employees' Retirement Association

**APPENDIX D
LIST OF DECEASED MEMBERS**

AMASON, Lynn
4/26/2017
Public Works Agency

PECK, Carmen
5/15/2017
Alameda Health System

ANDRADE, Louis
4/4/2017
Superior Court

RICHARDS, Mary
5/16/2017
Alameda Health System

BALMONTE, Arnolfo
5/16/2017
Survivor of Mercedes C. Balmonte

SUTTON, Zook
4/11/2017
District Attorney

COURSEN, Elizabeth A.
5/5/2017
Probation

TEITELMAN, Allen
4/26/2017
Social Services Agency

EVANS, E. Maurine
4/28/2017
Superior Court

THOMPSON, Kirk P.
4/26/2017
Alameda Health System - DEF

HOWARD, Yvonne D.
4/19/2017
Probation

TUCKER, David E.
3/5/2017
Public Health

LARSEN, Barbara
4/13/2017
Social Services Agency

WONG, Hubert G.
3/17/2017
Social Services Agency

NOLTE, Donald W.
4/18/2017
Library - DEF

APPENDIX F
APPLICATION FOR DISABILITY RETIREMENT

Name: Jones, Rachel
Type of Claim: Service Connected

Staff's Recommendation:

Approve the recommendation contained in Dr. Wagner's report to grant Ms. Jones a service connected disability and to require future annual medical examinations.

Name: Prize, Reeching
Type of Claim: Service Connected

Staff's Recommendation:

Approve the recommendation contained in Dr. Wagner's report to grant Ms. Prize a service connected disability. Since Ms. Prize is over 55 years old, future annual medical examinations will not be required.

Based on Dr. Wagner's and Staff's review and determination of Ms. Prize's ability to determine the permanency of her incapacity, to deny Ms. Prize's request for an earlier effective date.

Name: Turnquist, Mark
Type of Claim: Service Connected

Staff's Recommendation:

Approve the recommendation contained in Dr. Wagner's report to grant Mr. Turnquist a service connected disability and not to require future annual medical examinations at this time.

Based on Dr. Wagner's and Staff's review and determination of Mr. Turnquist's ability to determine the permanency of his incapacity, to grant Mr. Turnquist's request for an earlier effective date.

**APPENDIX F
APPLICATION FOR DISABILITY RETIREMENT**

Name: Vales, Timothy
Type of Claim: Service Connected

Staff's Recommendation:

Approve the recommendation contained in Dr. Wagner's report to grant Mr. Vales a service connected disability and to require future annual medical examinations.

Based on Dr. Wagner's and Staff's review and determination of Mr. Vales' ability to determine the permanency of his incapacity, to grant Mr. Vales' request for an earlier effective date.

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