

**ORANGE COUNTY EMPLOYEES RETIREMENT SYSTEM
2223 E. WELLINGTON AVENUE, SUITE 100
SANTA ANA, CALIFORNIA 92701**

**DISABILITY COMMITTEE MEETING
November 14, 2022
8:30 a.m.**

Members of the Committee
Adele Tagaloa, Chair
Shawn Dewane
Jeremy Vallone

Pursuant to Assembly Bill 361, signed into law on September 16, 2021 as urgency legislation; Governor Newsom’s Proclamation of a State of Emergency on March 4, 2020, which Proclamation is still in effect; and Board of Retirement Resolution 2022-10, this meeting will be conducted by video/teleconference, in compliance with Government Code section 54953 as amended by Assembly Bill 361. In addition, members of the Committee and the public are welcome to participate in the meeting via Zoom or from the OCERS Boardroom located at 2223 E. Wellington Ave., Santa Ana, CA. However, none of the other locations from which the Committee members participate by teleconference will be open to the public.

Members of the public who wish to observe and/or participate in the meeting may do so (1) from the OCERS Boardroom or (2) via the Zoom app or telephone from any location. Members of the public who wish to provide comment during the meeting may do so by “raising your hand” in the Zoom app, or if joining by telephone, by pressing * 9 on your telephone keypad. Members of the public who participate in the meeting from the OCERS Boardroom and who wish to provide comment during the meeting may do so from the podium located in the OCERS Boardroom.

OCERS Zoom Video/Teleconference information	
Topic: Disability Committee Meeting Time: November 14, 2022 08:30 AM Pacific Time (US and Canada) Join Zoom Meeting https://ocers.zoom.us/j/87243077763 Meeting ID: 872 4307 7763 Passcode: 120806 One tap mobile +16699006833,,87243077763#,,,,*120806# US (San Jose) +13462487799,,87243077763#,,,,*120806# US (Houston)	Dial by your location +1 669 900 6833 US (San Jose) +1 346 248 7799 US (Houston) +1 253 215 8782 US (Tacoma) +1 301 715 8592 US (Washington DC) +1 312 626 6799 US (Chicago) +1 929 436 2866 US (New York) Meeting ID: 872 4307 7763 Passcode: 120806 Find your local number: https://ocers.zoom.us/u/kbZYxr2C8

AGENDA

This agenda contains a brief general description of each item to be considered. The Committee may take action on any item listed on this Agenda; however, except as otherwise provided by law, no action shall be taken on any item not appearing on the Agenda. The Committee may consider matters included on the agenda in any order, and not necessarily in the order listed.

OPEN SESSION

CALL MEETING TO ORDER AND ROLL CALL

PUBLIC COMMENT

At this time, members of the public may comment on (1) matters not included on the agenda, provided that the matter is within the subject matter jurisdiction of the Committee; and (2) any matter appearing on the Consent Agenda. Members of the public who wish to provide comment at this time may do so by “raising your hand” in the Zoom app, or if joining by telephone, by pressing * 9 on your telephone keypad. When addressing the Committee, please state your name for the record prior to providing your comments. Speakers will be limited to three (3) minutes.

In addition, public comment on matters listed on this agenda will be taken at the time the item is addressed.

CONSENT ITEMS

All matters on the Consent Agenda are to be approved by one action unless a Committee member requests separate action on a specific item.

DC-1: JAMES GABBARD
Fire Captain, Orange County Fire Authority (Safety Member)

Recommendation: Staff recommends that the Disability Committee forward to the Board of Retirement a recommendation to:

- Grant service connected disability retirement.
- Set the effective date as July 2, 2021.

DC-2: KEVIN LA PYRNE
Captain, Orange County Sheriff's Department (Safety Member)

Recommendation: Staff recommends that the Disability Committee forward to the Board of Retirement a recommendation to:

- Grant service connected disability retirement.

- Set the effective date as March 11, 2022.

DC-3: ALEXANDER LOPEZ
Firefighter, Orange County Fire Authority (Safety Member)

Recommendation: Staff recommends that the Disability Committee forward to the Board of Retirement a recommendation to:

- Grant service connected disability retirement.
- Set the effective date as June 4, 2021.

DC-4: STEPHEN MAHER
Deputy Sheriff I, Orange County Sheriff's Department (Safety Member)

Recommendation: Staff recommends that the Disability Committee forward to the Board of Retirement a recommendation to:

- Grant service connected disability retirement.
- Set the effective date as the day after the last date of regular compensation.

DC-5: JUAN OSORIO
Firefighter, Orange County Fire Authority (Safety Member)

Recommendation: Staff recommends that the Disability Committee forward to the Board of Retirement a recommendation to:

- Grant service connected disability retirement.
- Set the effective date as September 23, 2022.

DC-6: TODD PERRIN
Fire Captain, Orange County Fire Authority (Safety Member)

Recommendation: Staff recommends that the Disability Committee forward to the Board of Retirement a recommendation to:

- Grant service connected disability retirement.
- Set the effective date as March 25, 2022.

DC-7: MARK STICHTER
Commander, Orange County Sheriff's Department (Safety Member)

Recommendation: Staff recommends that the Disability Committee forward to the Board of Retirement a recommendation to:

- Grant service connected disability retirement.
- Set the effective date as January 14, 2022.

DC-8: JOHN TIMOTI
Fire Apparatus Engineer, Orange County Fire Authority (Safety Member)

Recommendation: Staff recommends that the Disability Committee forward to the Board of Retirement a recommendation to:

- Grant service connected disability retirement.
- Set the effective date as January 28, 2022.

CLOSED SESSION
Government Code section 54957

Adjourn to Closed Session under Government Code section 54957 to consider disability applications and to discuss member medical records submitted in connection therewith. The member may waive confidentiality and request his or her disability application to be considered in Open Session.

ACTION ITEMS:

NOTE: Public comment on matters listed in this agenda will be taken at the time the item is addressed, prior to the Committee's discussion of the item. **Persons attending the meeting in person and wishing to provide comment on a matter listed on the agenda should fill out a speaker card located at the back of the Boardroom and deposit it in the Recording Secretary's box located near the back counter.**

DA-1: INDIVIDUAL ACTION ON ANY ITEM TRAILED FROM THE CONSENT AGENDA

DA-2: TODD HART

Administrative Manager II, Orange County District Attorney's Office (General Member)

Recommendation: Staff recommends that the Disability Committee forward to the Board of Retirement a recommendation to:

- Grant non-service connected disability retirement.
- Set the effective date as May 10, 2019.
- Deny service connected disability retirement due to insufficient evidence of job causation.

OPEN SESSION

A. REPORT OF ACTIONS TAKEN IN CLOSED SESSION

B. [MINUTES FROM THE OCTOBER 17, 2022 DISABILITY COMMITTEE MEETING](#)

Recommendation: Approve the Minutes.

COMMITTEE MEMBER COMMENTS

CHIEF EXECUTIVE OFFICER/STAFF COMMENTS

COUNSEL COMMENTS

NOTICE OF NEXT MEETINGS

REGULAR BOARD MEETING

December 12, 2022

9:30 A.M.

**ORANGE COUNTY EMPLOYEES RETIREMENT SYSTEM
2223 E. WELLINGTON AVENUE, SUITE 100
SANTA ANA, CA 92701**

Orange County Employees Retirement System
November 14, 2022
Disability Committee Meeting

INVESTMENT COMMITTEE MEETING
December 14, 2022
9:30 A.M.

ORANGE COUNTY EMPLOYEES RETIREMENT SYSTEM
2223 E. WELLINGTON AVENUE, SUITE 100
SANTA ANA, CA 92701

DISABILITY COMMITTEE MEETING
December 12, 2022
8:30 A.M.

ORANGE COUNTY EMPLOYEES RETIREMENT SYSTEM
2223 E. WELLINGTON AVENUE, SUITE 100
SANTA ANA, CA 92701

AVAILABILITY OF AGENDA MATERIALS - Documents and other materials that are non-exempt public records distributed to all or a majority of the members of the OCERS Board or Committee of the Board in connection with a matter subject to discussion or consideration at an open meeting of the Board or Committee of the Board are available at the OCERS' website: <https://www.ocers.org/board-committee-meetings>. If such materials are distributed to members of the Board or Committee of the Board less than 72 hours prior to the meeting, they will be made available on the OCERS' website at the same time as they are distributed to the Board or Committee members. Non-exempt materials distributed during an open meeting of the Board or Committee of the Board will be made available on the OCERS' website as soon as practicable and will be available promptly upon request.

It is OCERS' intention to comply with the Americans with Disabilities Act ("ADA") in all respects. If, as an attendee or participant at this meeting, you will need any special assistance beyond that normally provided, OCERS will attempt to accommodate your needs in a reasonable manner. Please contact OCERS via email at adminsupport@ocers.org or call 714-558-6200 as soon as possible prior to the

meeting to tell us about your needs and to determine if accommodation is feasible. We would appreciate at least 48 hours' notice, if possible.

**ORANGE COUNTY EMPLOYEES RETIREMENT SYSTEM
2223 E. WELLINGTON AVENUE, SUITE 100
SANTA ANA, CALIFORNIA 92701**

**DISABILITY COMMITTEE MEETING
October 17, 2022
8:00 a.m.
MINUTES**

OPEN SESSION

Chair called the meeting to order at 8:00 a.m.

Recording Secretary administered roll call.

Attendance was as follows:

Present via Zoom Video
conference pursuant to
Government Code § 54953, as
amended by AB 361: Arthur Hidalgo

Also Present: Adele Tagaloa, Chair; Steve Delaney, Chief Executive Officer; Gina Ratto, General Counsel; Suzanne Jenike, Assistant CEO, External Operations; Megan Cortez, Disability Manager; David Acuna, Disability Investigator; Anthony Beltran, Audio Visual Technician; Bill Singleton, Paralegal, Ayanna McGiffert, Recording Secretary

Absent: Jeremy Vallone

PUBLIC COMMENT

None.

CONSENT ITEMS

MOTION by Hidalgo, **SECONDED** by Tagaloa, to approve staff's recommendation on all of the following items on the Consent Agenda excluding item DC-10 & DC-12. The motion passed **unanimously**.

DC-1: KENNETH BURMOOD

Assistant Sheriff, Orange County Sheriff's Department (Safety Member)

Recommendation: Staff recommends that the Disability Committee forward to the Board of Retirement a recommendation to:

- Grant service connected disability retirement.
- Set the effective date as January 14, 2022.

DC-2: LARRY COSTA

Deputy Sheriff II, Orange County Sheriff's Department (Safety Member)

Recommendation: Staff recommends that the Disability Committee forward to the Board of Retirement a recommendation to:

- Deny service and non-service connected disability retirement without prejudice due to the member's failure to cooperate.

DC-3: JOHN GRAY

Firefighter/Paramedic, Orange County Fire Authority (Safety Member)

Recommendation: Staff recommends that the Disability Committee forward to the Board of Retirement a recommendation to:

- Grant service connected disability retirement.
- Set the effective date as the day after the last date of regular compensation.

DC-4: JASON LUONG

Correctional Services Assistant, Orange County Sheriff's Department (General Member)

Recommendation: Staff recommends that the Disability Committee forward to the Board of Retirement a recommendation to:

- Grant service connected disability retirement.
- Set the effective date as the day after the last date of regular compensation.

DC-5: EDDIE MEDRANO

Fire Apparatus Engineer, Orange County Fire Authority (Safety Member)

Recommendation: Staff recommends that the Disability Committee forward to the Board of Retirement a recommendation to:

- Grant service connected disability retirement.
- Set the effective date as the day after the last date of regular compensation.

DC-6: JOHN PATTERSON

Deputy Sheriff I, Orange County Sheriff's Department (Safety Member)

Recommendation: Staff recommends that the Disability Committee forward to the Board of Retirement a recommendation to:

- Grant service connected disability retirement.
- Set the effective date as the day after the last date of regular compensation

DC-7: LEONIKA RECITES

Senior Institutional Cook, Orange County Probation Department (General Member)

Recommendation: Staff recommends that the Disability Committee forward to the Board of Retirement a recommendation to:

- Grant service connected disability retirement.
- Set the effective date as June 3, 2022, the day after last date of regular compensation as a Senior Institutional Cook.
- Find the Applicant is capable of performing other duties in the service of the County of Orange pursuant to Government Code Section 31725.65.
- Grant a supplemental disability retirement payment allowance in the amount of the salary difference between the higher and lower paying positions effective June 3, 2022, the date of the position change until the day Ms. Recites wishes to retire from the new position.

DC-8: TODD RUSS

Lieutenant, Orange County Sheriff's Department (Safety Member)

Recommendation: Staff recommends that the Disability Committee forward to the Board of Retirement a recommendation to:

- Grant service connected disability retirement.
- Set the effective date as the day after the last date of regular compensation.

DC-9: SUZANNE TINKLER

Deputy Sheriff I, Orange County Sheriff's Department (Safety Member)

Recommendation: Staff recommends that the Disability Committee forward to the Board of

Retirement a recommendation to:

- Grant service connected disability retirement.
- Set the effective date as April 8, 2022.

DC-10: JONATHAN TOMER - PULLED

Deputy Sheriff II, Orange County Sheriff's Department (Safety Member)

Recommendation: Staff recommends that the Disability Committee forward to the Board of Retirement a recommendation to:

- Deny service and non-service connected disability retirement without prejudice due to the member's failure to cooperate.

DC-11: ROBERT TWEEDY

Sheriff's Special Officer II, Orange County Sheriff's Department (General Member)

Recommendation: Staff recommends that the Disability Committee forward to the Board of Retirement a recommendation to:

- Grant service connected disability retirement.
- Set the effective date as December 27, 2021.

DC-12: JULIAN VALENCIA - PULLED

Deputy Sheriff II, Orange County Sheriff's Department (Safety Member)

Recommendation: Staff recommends that the Disability Committee forward to the Board of Retirement a recommendation to:

- Deny service and non-service connected disability retirement without prejudice due to the member's failure to cooperate.

DC-13: KELLY ZIMMERMAN

Battalion Chief, Orange County Fire Authority (Safety Member)

Recommendation: Staff recommends that the Disability Committee forward to the Board of Retirement a recommendation to:

- Grant service connected disability retirement.
- Set the effective date as March 25, 2022.

CLOSED SESSION

The Committee recessed into Closed Session at 8:10 a.m.

DA-1: INDIVIDUAL ACTION ON ANY ITEM TRAILED FROM THE CONSENT AGENDA

DA-2: JEFFREY GROSS

Disability Investigator, Orange County Employees Retirement System (General Member)

Recommendation: Staff recommends that the Disability Committee refer the matter to a Hearing Officer.

The Committee resumed into Open Session at 8:21 a.m.

A. REPORT OF ACTIONS TAKEN IN CLOSED SESSION

DA-2: JEFFREY GROSS

Disability Investigator, Orange County Employees Retirement System (General Member)

Recommendation: Staff recommends that the Disability Committee refer the matter to a Hearing Officer.

Ms. Ratto reported that the Committee met in Closed Session and the Committee voted **unanimously to adopt staff's recommendation as presented.**

B. MINUTES FROM THE SEPTEMBER 19, 2022 DISABILITY COMMITTEE MEETING

Recommendation: Approve the Minutes.

MOTION by Hidalgo, **SECONDED** by Tagaloa to approve staff's recommendation. The motion passed **unanimously.**

COMMITTEE MEMBER COMMENTS

N/A

CHIEF EXECUTIVE OFFICER/STAFF COMMENTS

N/A

COUNSEL COMMENTS

N/A

ADJOURNMENT

The meeting adjourned at 8:22 a.m.

Submitted by:

Approved by:

Steve Delaney

Adele Tagaloa