

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

**DISABILITY COMMITTEE MEETING
March 20, 2023
8:30 a.m.**

Members of the Committee

Richard Oates, Chair
Roger Hilton
Chuck Packard
Jeremy Vallone (Alternate)

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 (information below) from any location.

OCERS Zoom Video/Teleconference information	
<p>Topic: Disability Committee Meeting Time: March 20, 2023 08:30 AM Pacific Time (US and Canada)</p> <p>Join Zoom Meeting https://ocers.zoom.us/j/87551846632</p> <p>Meeting ID: 875 5184 6632 Passcode: 141097</p> <p>One tap mobile +16694449171,,87551846632#,,,,*141097# US +16699006833,,87551846632#,,,,*141097# US (San Jose)</p>	<p>Dial by your location</p> <ul style="list-style-type: none"> +1 669 444 9171 US +1 669 900 6833 US (San Jose) +1 253 215 8782 US (Tacoma) +1 346 248 7799 US (Houston) +1 312 626 6799 US (Chicago) +1 929 436 2866 US (New York) +1 301 715 8592 US (Washington DC) <p>Meeting ID: 875 5184 6632 Passcode: 141097</p> <p>Find your local number: https://ocers.zoom.us/u/kP3k941y</p>

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. **Persons wishing to provide public comment at this time should fill out a speaker card located on the counter at the back of the room and deposit it in the Recording Secretary's inbox on the wall near the middle of the room.** 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: KHALILUR AZMI

Accounting Assistant II, Orange County Social Services Agency (General 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 because the member has opted not to join in the employer filed application.

DC-2: BRUCE FRAZEE

Sergeant, 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 25, 2022.

DC-3: ROBERT FRICK

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 October 7, 2022.

DC-4: DARRYL KIRBY
Maintenance Supervisor, Orange County Transportation Authority (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 January 31, 2022.

DC-5: DEANN KURIMAY
Sergeant, 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-6: TIMOTHY LOYA
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.

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:

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

OPEN SESSION

A. REPORT OF ACTIONS TAKEN IN CLOSED SESSION

B. MINUTES FROM THE FEBRUARY 21, 2023 DISABILITY COMMITTEE MEETING

Recommendation: Approve the Minutes.

COMMITTEE MEMBER COMMENTS

CHIEF EXECUTIVE OFFICER/STAFF COMMENTS

COUNSEL COMMENTS

NOTICE OF NEXT MEETINGS

REGULAR BOARD MEETING

March 20, 2023

9:30 A.M.

ORANGE COUNTY EMPLOYEES RETIREMENT SYSTEM

2223 E. WELLINGTON AVENUE, SUITE 100

SANTA ANA, CA 92701

GOVERNANCE COMMITTEE MEETING

March 23, 2023

9:30 A.M.

ORANGE COUNTY EMPLOYEES RETIREMENT SYSTEM

2223 E. WELLINGTON AVENUE, SUITE 100

SANTA ANA, CA 92701

DISABILITY COMMITTEE MEETING

April 17, 2023

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
February 21, 2023
8:30 a.m.
MINUTES**

OPEN SESSION

Chair called the meeting to order at 8:35 a.m.

Recording Secretary administered roll call.

Attendance was as follows: Richard Oates, Chair; Charles Packard; Roger Hilton; Jeremy Vallone (via Zoom)

Also in Attendance: Steve Delaney, Chief Executive Officer; Manuel Serpa, Deputy General Counsel; Suzanne Jenike, Assistant CEO, External Operations; Megan Cortez, Disability Manager; Brittany Brayboy, Disability Retirement Investigator; Cesar Rodriguez, Disability Retirement Investigator; Anthony Beltran, Audio Visual Technician; Marielle Horst, Recording Secretary

PUBLIC COMMENT

None.

CONSENT ITEMS

MOTION by Hilton, **SECONDED** by Packard, to approve staff's recommendation on all of the following items on the Consent Agenda, with the exception for DC-5, which was pulled for discussion. The motion passed **unanimously**.

DC-1: NATHAN BROWN

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 day after last day of regular compensation.

DC-2: MARK BUBERL

Senior Public Works Specialist, City of San Juan Capistrano (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 day after last day of regular compensation.

DC-3: BRET CLARK

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 December 16, 2022.

DC-4: DELBERT FARLEY

Fleet Technician II, Orange County Public Works 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 July 9, 2021.

DC-5: LISA FETTIS

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:

- Grant service connected disability retirement.
- Set the effective date as March 11, 2022.

This item was *pulled* for discussion, moved to DA-1.

DC-6: RUSSELL GARCIA

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 April 8, 2022.

DC-7: SHELLY HOWARD

Staff Specialist, Orange County Child Support Services (General Member)

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

- Deny service and non-service connect disability retirement, without prejudice, because the member has opted not to join in the employer filed application.

DC-8: MICHELLE JACKSON

Coach Operator, Orange County Transportation Authority (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 7, 2020.

DC-9: JAMES MC ALPIN

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 11, 2022.

DC-10:JUSTIN SMITH

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:

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

CLOSED SESSION

The Committee adjourned to Closed Session at 8:44 a.m.

The Committee resumed into Open Session at 9:17 a.m.

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

DC-5: LISA FETTIS

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:

- Grant service connected disability retirement.
- Set the effective date as March 11, 2022.

DA-2: ALDENISE BELCER

Office Specialist, Orange County Child Support Services (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 March 25, 2022
- Deny service-connected disability retirement due to insufficient evidence of job causation.

DA-3: RICHARD CHAPPELL

Construction Inspection Supervisor, Orange County Sanitation District (General Member)

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

- Deny service connected disability retirement due to insufficient evidence of permanent incapacity.

This item was ***continued*** from the agenda and returned to staff for further development.

DA-4: NOEL DELA LLANA

Lieutenant, 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 connected disability retirement due to insufficient evidence of permanent incapacity.
- Deny service connected disability retirement due to untimely filed application pursuant to Government Code Section 31722.

DA-5: PARIET HERNANDEZ
Firefighter, Orange County Fire Authority (Safety Member)

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

- Deny service connected disability retirement due to insufficient evidence of permanent incapacity or job causation.

DA-6: LISA PEDROZA
Coach Operator, Orange County Transportation Authority (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, 2020.
- Deny service connected disability retirement based on insufficient evidence of job causation.

OPEN SESSION

A. REPORT OF ACTIONS TAKEN IN CLOSED SESSION

Ms. Jenike reported all of the action items, with the exception of DA-3, were unanimously approved. DA-3 was returned to staff for further development.

B. MINUTES FROM THE JANUARY 17, 2023 DISABILITY COMMITTEE MEETING

Recommendation: Approve the Minutes.

MOTION by Packard, **SECONDED** by Hilton to approve the January 17, 2023 Disability Committee meeting minutes. The motion passed **unanimously**.

COMMITTEE MEMBER COMMENTS

N/A

CHIEF EXECUTIVE OFFICER/STAFF COMMENTS

Mr. Delaney informed the Committee the system is growing, therefore the Disability Committee meetings may take longer in the future.

COUNSEL COMMENTS

N/A

ADJOURNMENT

The meeting adjourned at 9:20 a.m.

Submitted by:

Submitted by:

Approved by:

Suzanne Jenike
Staff Liaison

Steve Delaney
Secretary to the Board

Richard Oates
Chair