

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

**DISABILITY COMMITTEE MEETING
April 19, 2021
8:30 a.m.**

Members of the Committee

Adele Tagaloa, Chair
Roger Hilton
Chuck Packard
Jeremy Vallone (Alternate Member)

Pursuant to Executive Order N-29-20, certain provisions of the Brown Act are suspended due to a State of Emergency in response to the COVID-19 pandemic. Consistent with the Executive Order, this meeting will be conducted by video/teleconference only. None of the locations from which the Committee members will participate will be open to the public.

Members of the public who wish to observe and/or participate in the meeting may do so via the Zoom app or via telephone. 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.

OCERS Zoom Video/Teleconference information	
<p>Topic: Disability Committee Meeting Time: April 19, 2021 08:30 AM Pacific Time (US and Canada)</p> <p>Join Zoom Meeting https://ocers.zoom.us/j/91040640817</p> <p>Meeting ID: 910 4064 0817 Passcode: 854662</p> <p>One tap mobile +16699006833,,97654014490#,,,,*980223# US (San Jose) +12532158782,,97654014490#,,,,*980223# US (Tacoma)</p>	<p>Dial by your location</p> <p>+1 669 900 6833 US (San Jose) +1 253 215 8782 US (Tacoma) +1 346 248 7799 US (Houston) +1 929 436 2866 US (New York) +1 301 715 8592 US (Washington DC) +1 312 626 6799 US (Chicago)</p> <p>Meeting ID: 910 4064 0817 Passcode: 854662</p> <p>Find your local number: https://ocers.zoom.us/u/aePFOqZTp</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. 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: CHRISTINE ALFORD

Attorney IV, Orange County Public Defender’s Office (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 November 23, 2018.

DC-2: VICTOR CURIEL

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 March 15, 2019.

DC-3: DANIEL DESLAURIERS

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 December 18, 2009.

DC-4: DEWAYNE FOWLKES

Weapons Instructor, 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 June 5, 2020.

DC-5: NOEMI GONZALEZ

Senior Administrative Analyst/Officer, Orange County Superior Court (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 March 29, 2019.

DC-6: JOHN HAMILTON

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 September 28, 2018.

DC-7: ISELA NAVARRO-SANDOVAL

Warehouse Worker IV, 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 21, 2018.
- Require the member to undergo the reexamination process in two years' time per Government Code Section 31729.

DC-8: MARK NORTHART

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 September 27, 2019

DC-9: JACK SONGER

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 13, 2020.

DC-10: KERI STUFF

Deputy Juvenile Correctional Officer II, Orange County Probation 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 SWANSON

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 10, 2020.

DC-12: RODOLFO TOBIAS

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 March 16, 2020.

DC-13: KENDALL WHALEY

Deputy Juvenile Correctional Officer II, Orange County Probation 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 August 17, 2020.

DC-14: MATTHEW WHITE

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 July 3, 2020.

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

DA-2: PERRY FRESE

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 connected disability retirement due to insufficient evidence of permanent incapacity.

DA-3: MINEA GRACIA

Eligibility Technician, 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 due to insufficient evidence of permanent incapacity.

DA-4: EDNA HERNANDEZ

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 August 19, 2018.
- Deny service connected disability retirement due to insufficient evidence of job causation.

DA-5: ROBERT SZEWCZYK

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 connected disability due to insufficient evidence of permanent incapacity.
- Deny the application as it was untimely filed per Government Code Section 31722.

OPEN SESSION

A. REPORT OF ACTIONS TAKEN IN CLOSED SESSION

B. [MINUTES FROM THE MARCH 15, 2021 DISABILITY COMMITTEE MEETING](#)

Recommendation: Approve the Minutes.

COMMITTEE MEMBER COMMENTS

CHIEF EXECUTIVE OFFICER/STAFF

COMMENTS COUNSEL COMMENTS

NOTICE OF NEXT MEETINGS

REGULAR BOARD MEETING

**April 19, 2021
9:30 A.M.**

INVESTMENT COMMITTEE MEETING

**April 21, 2021
9:30 A.M.**

DISABILITY COMMITTEE MEETING

**May 17, 2021
8:30 a.m.**

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.

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DISABILITY COMMITTEE MEETING

March 15, 2021

8:30 a.m.

MINUTES

OPEN SESSION

The Chair called the meeting to order at 8:33 a.m.

Attendance was as follows:

Present via Zoom Video conference pursuant to Executive Order N-29-20 issued by Governor Newsom on March 17, 2020:

Adele Tagaloa, Chair; Charles Packard; Roger Hilton

Also Present via Zoom:

Steve Delaney, Chief Executive Officer; Gina Ratto, General Counsel; Suzanne Jenike, Assistant CEO, External Operations; Megan Cortez, Disability Manager; Sonal Sharma, Recording Secretary; Anthony Beltran, Audio Visual Technician

PUBLIC COMMENT

None.

CONSENT ITEMS

MOTION by Packard to approve staff's recommendation.

ALTERNATE MOTION by Hilton, **seconded** by Tagaloa, to approve staff's recommendation on all of the following items on the Consent Agenda with the exception of DC-1.

The motion passed **unanimously**.

DC-2: TAMARA JIMENEZ

Group Counselor II, Orange County Social Services Agency (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 May 10, 2019, the day after the last day of regular compensation for the Group Counselor II position.

- 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 May 10, 2019, the date of the position change until the day Ms. Jimenez wishes to retire from the new position.

DC-3: PRESTON KNOWLES

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:

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

DC-4: JUAN OCEGUEDA

Senior Institutional Cook, 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 March 29, 2019.

DC-5: RANDY RIPKEN

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 March 27, 2020.

DC-6: RICARDO ZAMORA

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 September 25, 2020.

The Disability Committee adjourned into closed session at 8:41 a.m.

The Disability Committee reconvened into open session at 8:59 a.m.

OPEN SESSION

A. REPORT OF ACTIONS TAKEN IN CLOSED SESSION

DC-1: CHRISTINE ALFORD

Attorney IV, Orange County Public Defender's Office (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 November 23, 2018.

MOTION by Hilton, **seconded** by Packard to bring this item back to staff for review.

The motion passed **unanimously**.

DA-2: MARY NEGRON

Office Technician, Orange County Social Services Agency (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 June 7, 2019.
- Deny service connected disability retirement due to insufficient evidence of job causation.

MOTION by Packard, **seconded** by Hilton to approve staff recommendation.

The motion passed **unanimously**.

DA-3: SHERI PAK

Eligibility Technician, 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 connected disability retirement due to insufficient evidence of job causation.

MOTION by Hilton, **seconded** by Tagaloa to approve staff recommendation.

The motion passed **unanimously**.

DA-4: ROBERT SZEWCZYK-PULLED PER MEMBER'S REQUEST

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

A. REVIEW OF THE DISABILITY RETIREMENT REEMPLOYMENT POLICY

Recommendation: Approve, and recommend that the Board approve, the Disability Retirement Reemployment Policy, with revisions, including changing the name of the Policy.

MOTION by Packard, **seconded** by Hilton to approve staff recommendation.

The motion passed **unanimously.**

B. REVIEW OF THE HEARING OFFICER SELECTION AND RETENTION POLICY

Recommendation: Approve, and recommend that the Board approve, the Hearing Officer Selection and Retention Policy, with revisions.

MOTION by Hilton, **seconded** by Packard to approve staff recommendation.

The motion passed **unanimously.**

C. MINUTES FROM THE FEBRUARY 16, 2021 DISABILITY COMMITTEE MEETING

Recommendation: Approve the Minutes

MOTION by Hilton, **seconded** by Packard to approve the Minutes.

The motion passed **unanimously.**

COMMITTEE MEMBER COMMENTS

None.

CHIEF EXECUTIVE OFFICER/STAFF

None.

COMMENTS COUNSEL COMMENTS

None.

ADJOURNMENT

The meeting adjourned at 9:06 a.m.

Submitted by:

Steve Delaney
Secretary to the Board

Approved by:

Adele Tagaloa
Chair