

**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.**

**Members of the Committee**

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

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 2023-01, 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 Board and the public are welcome to participate in the meeting via Zoom from the OCERS Boardroom located at 2223 E. Wellington Ave., Santa Ana, CA. However, none of the other locations from which the Board 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 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: February 21, 2023 08:30 AM Pacific Time (US and Canada)</p> <p>Join Zoom Meeting <a href="https://ocers.zoom.us/j/87551846632">https://ocers.zoom.us/j/87551846632</a></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 +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> <p>Meeting ID: 875 5184 6632 Passcode: 141097</p> <p>Find your local number: <a href="https://ocers.zoom.us/u/kP3k941y">https://ocers.zoom.us/u/kP3k941y</a></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: 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.

**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**

**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: 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.

**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**

**B. MINUTES FROM THE JANUARY 17, 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**

**February 21, 2023**

**9:30 A.M.**

**ORANGE COUNTY EMPLOYEES RETIREMENT SYSTEM**

**2223 E. WELLINGTON AVENUE, SUITE 100**

**SANTA ANA, CA 92701**

**INVESTMENT COMMITTEE MEETING**

**February 22, 2023**

**9:00 A.M.**

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

**DISABILITY COMMITTEE MEETING  
March 20, 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](mailto: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  
January 17, 2023  
8:30 a.m.  
MINUTES**

**OPEN SESSION**

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

Recording Secretary administered roll call.

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

Also in Attendance: Steve Delaney, Chief Executive Officer; Gina Ratto, 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

Absent: Jeremy Vallone (Alternate)

**PUBLIC COMMENT**

None.

**CONSENT ITEMS**

**MOTION** by Packard, **SECONDED** by Hilton, to approve staff's recommendation on all of the following items on the Consent Agenda. The motion passed **unanimously**.

**DC-1: MICHAEL BAKER**

**Heavy Equipment Technician II, Orange County Fire 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 May 6, 2022.

**DC-2: ROBERT BIALOBRESKI**

**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 May 3, 2022.

**DC-3: KENNETH BLOCK**

**Investigator, Orange County District Attorney's Office (Safety 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 5, 2020.

**DC-4: JUANITA BRACAMONTES**

**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 February 12, 2021.
- 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 pay allowance effective March 12, 2021.

**DC-5: GARRETT DEGIORGIO**

**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-6: MIRNA ELVIR**

**Office Specialist, Orange County Community Resources (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 on the employer filed application.

**DC-7: CHRISTOPHER ESPOSITO**  
**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 March 25, 2022.

**DC-8: ANTHONY MILLER**  
**Sheriff Deputy 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 the day after last day of compensation.

**DC-9: PEDRO PEREZ-ESTRADA**  
**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 25, 2022.

**DC-10: GREGORY RISKO**  
**Investigator, 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-11: STEVEN WELCH**  
**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**

*The Committee did not adjourn to Closed Session. There was no discussion.*

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

**DA-2: RICHARD CHAPPELL – CONTINUED TO A FUTURE MEETING  
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.

**A. REPORT OF ACTIONS TAKEN IN CLOSED SESSION**

N/A

**B. DISABILITY COMMITTEE CHARTER**

**Recommendation:** Review the Charter.

There was no reportable action.

**C. MINUTES FROM THE DECEMBER 12, 2022 DISABILITY COMMITTEE MEETING**

**Recommendation:** Approve the Minutes.

**MOTION** by Packard, **SECONDED** by Hilton to approve the December 12, 2022 Disability Committee meeting minutes. The motion passed **unanimously**.

**COMMITTEE MEMBER COMMENTS**

N/A

**CHIEF EXECUTIVE OFFICER/STAFF COMMENTS**

Mr. Delaney informed the Committee that he would be presenting an item to the Board a recommendation to delegate to the OCERS CEO the responsibility to fully develop Disability Benefit grant recommendations.

**COUNSEL COMMENTS**

N/A

**ADJOURNMENT**

The meeting adjourned at 8:43 a.m.

Submitted by:

Approved by:

\_\_\_\_\_  
Steve Delaney

\_\_\_\_\_  
Richard Oates