

**CITY OF BELLEVUE
LEOFF 1 DISABILITY BOARD
Meeting Minutes**

March 4, 2009
5:30 p.m. – Administration
6:00 p.m. – Business Meeting

Conference Room 1E-118
Bellevue City Hall

MEMBERS PRESENT Chairperson Susan Neiman
 Deputy Mayor Claudia Balducci
 Boardmember Wayne Bergeron
 Councilmember Conrad Lee
 Boardmember Bryan Reil

OTHERS PRESENT: Paula Dillon, Human Resources
 Mike Eisner, Fire Department
 Mario Treviño, Fire Department
 Siona Windsor, Legal Advisor

MINUTES TAKER: Michelle Cash

I. CALL TO ORDER

The meeting was called to order at 6:02 p.m. by Chairperson Neiman.

II. ROLL CALL

III. APPROVAL OF MINUTES

Motion by Deputy Mayor Balducci and second by Boardmember Reil to approve the June 4, 2008 Disability Board Regular Meeting minutes as presented. Motion carried unanimously (5-0).

Motion by Boardmember Bergeron and second by Boardmember Reil to approve the February 4, 2009 Disability Board Regular Meeting minutes as presented. Motion carried unanimously (5-0).

Ms. Windsor read a memo regarding Councilmember representation at the March Disability Board meeting. The memo noted that Councilmember Lee was appointed to represent the City, in Councilmember Chelminiak's absence, at the March Disability Board meeting. In addition, Ms. Windsor noted that the March 2009 Disability Board meeting is Deputy Mayor Balducci's last meeting. Due to personal reasons, Deputy

Mayor Balducci has officially resigned from the Board. Boardmembers expressed their appreciation for Deputy Mayor Balducci's years of service and dedication.

IV. CONSIDERATION OF APPLICATIONS FOR DISABILITY ALLOWANCES

A. Applications for Disability Allowances Greater than 1 month

Member #155 discussed the information provided to Boardmembers regarding his disability leave from his position with the Bellevue Fire Department since September 29, 2008. Boardmember Bergeron explained that as a member of the LEOFF 1 Retirement System, Member #155 is entitled up to six months disability leave for a disability. He added that at the end of the six-month period, a decision must be made to either return to duty or be granted a disability retirement.

Member #155 explained that he was evaluated by the Board physician. Based upon the physician's decision, he is not capable of performing his duties as a firefighter or Fire Chief with average efficiency.

Motion by Boardmember Bergeron and second by Deputy Mayor Balducci to grant a disability retirement allowance pursuant to RCW 41.2.120 to Member # 155 effective March 29, 2009.

Boardmembers expressed their appreciation to Member #155 for his dedication and years of service. They also thanked Member #155 for the detailed information provided regarding the claim. Deputy Mayor Balducci clarified that there was significant factual evidence that supported the duty relatedness of the claim and that Board decisions will be made on a case-by-case basis regarding similar issues.

Ms. Windsor reviewed the Workers Comp presumptive classifications for cancer and noted that there is currently a House Bill to address other types of duty-related cancers.

At the question, motion carried unanimously (5-0).

B. Applications for Disability Allowances

Motion by Councilmember Chelminiak and second by Boardmember Bergeron to approve the Applications for Disability Allowances as presented. Motion carried unanimously (5-0).

V. CONSIDERATION OF MEDICAL CLAIMS

A. Routine Claims

Motion by Deputy Mayor Balducci and second by Boardmember Reil to approve the Routine Claims as presented. Motion carried unanimously (5-0).

B. Special Claims

Motion by Boardmember Bergeron and second by Deputy Mayor Balducci to approve the Special Claims as presented.

Boardmembers discussed Member #16's claim for additional treatments. Since there was no documentation about the Member's prognosis or reasons for the additional treatments, Boardmembers requested documentation from the claimant's physician addressing the medical status of the claimant.

At the question, motion carried unanimously (5-0) to table the Special Claim for Member #16 until further documentation has been provided.

VI. REPORTS BY STAFF

Ms. Dillon reported on the following:

- Boardmember Reil is running unopposed as the Disability Board Police Representative.
- The LEOFF 1 Disability Board Conference will be held May 11-14, 2009 at Cambell's Resort in Lake Chelan, Washington.

VII. UNFINISHED BUSINESS

There was a general discussion regarding recent out-of-network claims for Proliance. Ms. Dillon will schedule a general policy discussion for the May Board meeting, when all Boardmembers can be present to discuss the subject matter.

VIII. ANNOUNCE DATE & TIME OF NEXT MEETING

The next Disability Board meeting will be held on Wednesday, April 1, 2009.

IX. ADJOURNMENT

By general consensus, the meeting was adjourned at 6:33 p.m.