



BOARD OF ADMINISTRATION

Meeting Minutes - Final

Police and Fire Disability Committee

Monday, August 7, 2023

10:00 AM

1737 North First Street, Suite 580, San
Jose, 95112

HYBRID MEETING

PHYSICAL LOCATION:

1737 North First Street, Suite 580
San Jose, Ca 95112

ZOOM INFORMATION:

zoom.us
Dial In: +1 669-219-2599 US (San Jose)
Meeting ID: 935 8949 9183
Pass Code: 734482

DISABILITY COMMITTEE MEMBERS ADVISORY PANEL

<i>Richard Santos, Chair</i>	<i>Russell Richeda, Counsel</i>
<i>Andrew Lanza, Trustee</i>	<i>Sandra Castellano, Benefits Div Manager</i>

ALTERNATES

Franco Vado, Trustee
Eswar Menon, Trustee

2nd ALTERNATES

Dave Wilson, Trustee
Howard Lee, Trustee

Present 2 - Richard Santos, and Franco Vado

The Police and Fire Disability Committee met in person at 1737 N. First St., Suite 580 and via Zoom on Monday, August 7, 2023. The meeting was called to order at 10:01 a.m. by Chair Santos followed by roll call.

Committee members present: Richard Santos and Franco Vado.

Retirement Staff Present: Roberto L. Peña, Barbara Hayman, Sandra Castellano, Stacey Fischer, Amy Dickinson, Sierra Kenoly-Chavez, Chris Ha, Edith Aldama, and Mallory Vidal.

Retirement Staff Present via Zoom: Shilpi Dwivedi.

Also Present: Russ Richeda, Disability Counsel; Sam Swift, Attorney; Ian Leslie, Attorney; Javier Valle, Applicant; Michael Igno, Applicant; and Roger Hurtado, Fire Department.

Also Present via Zoom: Maytak Chin, General and Fiduciary Counsel; Barry Stallard, Applicant; Daniele McCollum, Applicant; Christopher Proft, Applicant; Tom Boyle, Attorney; Lisa Perez, Police Department; Sarah Steele, Office of Employment Relations.

- **CALL TO ORDER AND ROLL CALL**

CLOSED SESSION

CLOSED SESSION AGENDA ITEMS WILL BE HEARD AT 10:00 A.M.

- I. **CLOSED SESSION NEW BUSINESS**

The Committee entered into Closed Session at 10:03 a.m.

- A. **CLOSED SESSION**: CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION: Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): One
The Committee came out of Closed Session at 10:13 a.m.

There was no reportable action from Closed Session.

OPEN SESSION - will reconvene following Closed Session, estimated to be 10:30 a.m.

Open Session re-convened at 10:15 a.m.

- **ORDERS OF THE DAY**

Chair Santos read the following ground rules into the record:

A FEW GROUND RULES FOR THIS MEETING

- We are holding this meeting as a hybrid meeting, and so those who are attending virtually, please mute yourself unless you are speaking and if you wish to speak, please raise your hand and staff will alert the Chair.
- All votes will be roll call votes.

1. CONSENT CALENDAR

- a. Approval of the Minutes of the P & F Disability Committee meeting from June 5, 2023.

A motion was made to approve the Consent Calendar.

Approved. (M.S.C. Vado/Santos 2-0-0) The motion passed unanimously by roll call vote.

2. Application for a Change of Status to Service-Connected Disability Retirement

- a. **Michael G. Igno**, Firefighter, Fire Department, Request for Change in Status to Service-Connected Disability Retirement, effective July 15, 2017; 25.08* years of service.

Amy Dickinson, Senior Disability Analyst, read the applicant's case information into the record. Michael Igno, applicant, was present and was represented by Attorney Sam Swift. Russ Richeda, Disability Counsel, clarified for the Committee the specific body parts he focused on in his review of the records. Counsel Richeda also spoke to the service-connection of the injuries, and concluded the Committee should recommend approval for the Change in Status to a Service-Connected Disability Retirement to the Board. Mr. Igno thanked the Committee for their time. Chair Santos also said a few kind words.

A motion was made to recommend approval of a Change in Status to a Service-Connected Disability Retirement to the Board. The case will go to the Consent Calendar of the September 7, 2023 Board Meeting.

Approved. (M.S.C. Vado/Santos 2-0-0) The motion passed unanimously by roll call vote.

- b. **Danielle T. McCollum**, Police Officer, Police Department, Request for Change of Status to Service-Connected Disability Retirement effective November 12, 2016; 26.80* years of service. *(With Reciprocity - 21.13 CSJ YOS + 5.67 PERS YOS)*

Amy Dickinson, Senior Disability Analyst, read the applicant's case information into the record. Daniele McCollum, applicant, was present via Zoom. Russ Richeda, Disability Counsel, clarified for the Committee the specific body parts he focused on in his review of the records. Counsel Richeda also spoke to the service-connection of the injuries, and concluded the Committee should recommend approval for the Change in Status to a Service-Connected Disability Retirement to the Board. Ms. McCollum thanked the Committee for their time and consideration. Chair Santos and Trustee Vado also said a few kind words.

A motion was made to recommend approval of a Change in Status to a Service-Connected Disability Retirement to the Board. The case will go to the Consent Calendar of the September 7, 2023 Board Meeting.

Approved. (M.S.C. Vado/Santos 2-0-0) The motion passed unanimously by roll call vote.

- c. **Michael Okubo**, Police Officer, Police Department, Request for Change of Status to

Service-Connected Disability Retirement effective June 20, 2015; 25.51* years of service. *(With Reciprocity - 20.07 CSJ YOS +5.44 PERS YOS)*

Amy Dickinson, Senior Disability Analyst, read the applicant's case information into the record. Michael Okubo, applicant, was not present. Russ Richeda, Disability Counsel, clarified for the Committee the specific body parts he focused on in his review of the records. Counsel Richeda also spoke to the service-connection of the injuries, and concluded the Committee should recommend approval for the Change in Status to a Service-Connected Disability Retirement to the Board.

A motion was made to recommend approval of a Change in Status to a Service-Connected Disability Retirement to the Board. The case will go to the Consent Calendar of the September 7, 2023 Board Meeting.

Approved. (M.S.C. Vado/Santos 2-0-0) The motion passed unanimously by roll call vote.

- d. **Christopher Proft**, Police Officer, Police Department, Request for Change of Status to Service-Connected Disability Retirement effective June 26, 2019; 26.51* years of service.

Amy Dickinson, Senior Disability Analyst, read the applicant's case information into the record. Christopher Proft, applicant, and his attorney, Tom Boyle, were present via Zoom. Russ Richeda, Disability Counsel, clarified for the Committee the specific body parts he focused on in his review of the records. Counsel Richeda also spoke to the service-connection of the injuries, and concluded the Committee should recommend approval for the Change in Status to a Service-Connected Disability Retirement to the Board. Chair Santos said a few kind words.

A motion was made to recommend approval of a Change in Status to a Service-Connected Disability Retirement to the Board. The case will go to the Consent Calendar of the September 7, 2023 Board Meeting.

Approved. (M.S.C. Vado/Santos 2-0-0) The motion passed unanimously by roll call vote.

- e. **Barry Stallard**, Fire Battalion Chief, Fire Department, Request for Change of Status to Service-Connected Disability Retirement effective August 12, 2017; 30.89* years of service.

Amy Dickinson, Senior Disability Analyst, read the applicant's case information into the record. Barry Stallard, applicant, was present via Zoom. Russ Richeda, Disability Counsel, clarified for the Committee the specific body parts he focused on in his review of the records. Counsel Richeda also spoke to the service-connection of the injuries, and concluded the Committee should recommend approval for the Change in Status to a Service-Connected Disability Retirement to the Board. Mr. Stallard thanked the Committee. Chair Santos also said a few kind words.

A motion was made to recommend approval of a Change in Status to a Service-Connected Disability Retirement to the Board. The case will go to the Consent Calendar of the September 7, 2023 Board Meeting.

Approved. (M.S.C. Vado/Santos 2-0-0) The motion passed unanimously by roll call vote.

- f. **Javier G. Valle**, Fire Battalion Chief, Fire Department, Request for Change of Status to Service-Connected Disability Retirement effective January 28, 2017; 30.31* years of service.

Amy Dickinson, Senior Disability Analyst, read the applicant's case information into the

record. Javier Valle, applicant, was present and was represented by Attorney Sam Swift. Russ Richeda, Disability Counsel, clarified for the Committee the specific body parts he focused on in his review of the records. Counsel Richeda also spoke to the service-connection of the injuries, and concluded the Committee should recommend approval for the Change in Status to a Service-Connected Disability Retirement to the Board. Mr. Valle thanked the Committee for their time and consideration. Chair Santos also said a few kind words.

A motion was made to recommend approval of a Change in Status to a Service-Connected Disability Retirement to the Board. The case will go to the Consent Calendar of the September 7, 2023 Board Meeting.

Approved. (M.S.C. Vado/Santos 2-0-0) The motion passed unanimously by roll call vote.

- **PROPOSED AGENDA ITEMS**

None.

- **PUBLIC COMMENTS**

None.

- **ADJOURNMENT**

The meeting was adjourned at 10:51 a.m.

Next P&F Board Meeting: September 7, 2023

Next P&F Disability Committee Meeting: September 11, 2023

Minutes Recorded, Prepared and Respectfully submitted by,

Roberto L. Peña, CEO, Office of Retirement Services