



BOARD OF ADMINISTRATION

Meeting Minutes

Police and Fire Disability Committee

Monday, April 8, 2024

10:00 AM

1737 N. First St. Suite 580, San Jose, CA
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: 954 6458 3896
Pass Code: 601360

DISABILITY COMMITTEE MEMBERS ADVISORY PANEL

Richard Santos, Chair
Dave Wilson, Trustee

Russell Richeda, Counsel
Sandra Castellano, Benefits Div Manager

ALTERNATES

Franco Vado, Trustee
Eswar Menon, Trustee

2nd ALTERNATES

Howard Lee, Trustee
Vacant, Trustee

Present 2 - Richard Santos, and Dave Wilson

The Police and Fire Disability Committee met in person at 1737 N. First St., Suite 580, San Jose, CA 95112 and via Zoom on Monday, April 8, 2024 at 10:00 a.m. The meeting was called to order at 9:59 a.m. by Chair Santos followed by roll call.

Committee members Present: Richard Santos and Dave Wilson.

Retirement Staff Present: Roberto L. Peña, Barbara Hayman, Sandra Castellano, Amy Dickinson, Chris Ha, Edith Aldama, Cynthia Ayala, Sherrell Aledo, and David Torres.

Retirement Staff Present via Zoom: Veronica Solorio, and Melissa Lopez.

Also Present: Matthew Archer, Applicant; Robert Gutierrez, Applicant; Stephanie Lau, Fire Department; Todd Johnson, Attorney; Ian Leslie, Attorney; and Sam Swift, Attorney.

Also Present via Zoom: Russ Richeda, Disability Counsel; Maytak Chin, General and Fiduciary Counsel; Howard Morton, Applicant; Chris Dehner, Attorney; Ashley Fey, Applicant; Casilia Loessberg, Applicant; Charlotte Endicott, Applicant; Lisa Perez, Police Department; and Sarah Steele, OER.

- **CALL TO ORDER AND ROLL CALL**

- **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.

ORDERS OF THE DAY:

- None.

WAIVE SUNSHINE:

- None.

1. CONSENT CALENDAR

- a. Approval of the Minutes of the Police & Fire Disability Committee meeting from March 11, 2024.

A motion was made to approve the Consent Calendar.

Approved. (M.S.C. Wilson/Santos 2-0-0).

The Board entered into Closed Session at 10:02 a.m.

2. Application for a Service Connected Disability Retirement

- a. **Scott Fey**, Fire Engineer, Fire Department, Request for Service-Connected Disability Retirement, effective 06/07/21; 23.84* years of service. **(CLOSED SESSION REQUESTED BY APPLICANT)**

Chair Santos reported both applicants will be recommended for approval of Service Connected Disability to the Board. This case will go to the Board on the Consent Calendar on May 2, 2024.

- b. **Casilia Loessberg**, Firefighter, Fire Department, Request for Service-Connected Disability Retirement, effective 05/30/23; 7.01* years of service. **(CLOSED SESSION REQUESTED BY APPLICANT)**

Chair Santos reported both applicants will be recommended for approval of Service Connected Disability to the Board. This case will go to the Board on the Consent Calendar on May 2, 2024.

Close Session ended at 10:19 a.m.

Open Session re-convened at 10:22 a.m.

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

- a. **Matthew Archer**, Police Sergeant, Police Department, Request for Change of Status to Service-Connected Disability Retirement, effective 05/16/20; 26.19* years of service.

Amy Dickinson, Senior Benefits Analyst, read the applicant's case information into the record. Mr. Archer, applicant, was present in person. Russ Richeda, Disability Counsel, clarified for the Committee the specific body parts he focused on. Counsel Richeda also spoke to the service-connection of the injuries, and concluded the Committee should recommend approval for the Change of Status to a Service-Connected Disability Retirement to the Board. Mr. Archer thanked the Committee for their time and consideration. Chair Santos and Trustee Wilson both 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. This case will go to the Board on the Consent Calendar on May 2, 2024.

Approved. (M.S.C. Wilson/Santos 2-0-0).

- b. **Charlotte Endicott**, Fire Division Chief, Fire Department, Request for Change of Status to Service-Connected Disability Retirement, effective 01/31/19; 25.12* years of service.

Amy Dickinson, Senior Benefits Analyst, read the applicant's case information into the record. Ms. Endicott, applicant, was present via zoom. Russ Richeda, Disability Counsel, clarified for the Committee the specific body parts he focused on. Counsel Richeda also spoke to the service-connection of the injuries, and concluded the Committee should recommend approval for the Change of Status to a Service-Connected Disability Retirement to the Board. Ms.

Endicott thanked the Committee for their time and consideration. 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. This case will go to the Board on the Consent Calendar on May 2, 2024.

Approved. (M.S.C. Wilson/Santos 2-0-0).

- c. **Robert Gutierrez**, Battalion Chief, Fire Department, Request for Change of Status to Service-Connected Disability Retirement, effective 01/26/20; 27.62* years of service.

Amy Dickinson, Senior Benefits Analyst, read the applicant's case information into the record. Mr. Gutierrez, applicant, and his attorney Sam Swift were present in person. Russ Richeda, Disability Counsel, clarified for the Committee the specific body parts he focused on. Counsel Richeda also spoke to the service-connection of the injuries, and concluded the Committee should recommend approval for the Change of Status to a Service-Connected Disability Retirement to the Board. Attorney Sam Swift said a few comments and Mr. Gutierrez thanked the Committee for their time and consideration. Chair Santos and Trustee Wilson both 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. This case will go to the Board on the Consent Calendar on May 2, 2024.

Approved. (M.S.C. Wilson/Santos 2-0-0).

- d. **Robert Magdaleno**, Police Officer, Police Department, Request for Change of Status to Service-Connected Disability Retirement, effective 04/09/20; 21.18* years of service.

Amy Dickinson, Senior Benefits Analyst, read the applicant's case information into the record. Mr. Magdaleno, applicant, was not present. Russ Richeda, Disability Counsel, clarified for the Committee the specific body parts he focused on. Counsel Richeda also spoke to the service-connection of the injuries, and concluded the Committee should recommend approval for the Change of Status to a Service-Connected Disability Retirement to the Board. Chair Santos and Trustee Wilson both 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. This case will go to the Board on the Consent Calendar on May 2, 2024.

Approved. (M.S.C. Wilson/Santos 2-0-0).

- e. **Howard Morton**, Fire Captain, Fire Department, Request for Change of Status to Service-Connected Disability Retirement, effective 03/27/20; 21.25* years of service.

Amy Dickinson, Senior Benefits Analyst, read the applicant's case information into the record. Mr. Morton, applicant, was present via Zoom. Russ Richeda, Disability Counsel, clarified for the Committee the specific body parts he focused on. Counsel Richeda also spoke to the service-connection of the injuries, and concluded the Committee should recommend approval for the Change of Status to a Service-Connected Disability Retirement to the Board. Mr. Morton thanked the Committee for their time and consideration. 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. This case will go to the Board on the Consent Calendar on May 2, 2024.

Approved. (M.S.C. Wilson/Santos 2-0-0).

- f. **Rafael Nieves**, Police Sergeant, Police Department, Request for Change of Status to Service-Connected Disability Retirement, effective 05/16/20; 25.77* years of service.

Amy Dickinson, Senior Benefits Analyst, read the applicant's case information into the record. **Mr. Nieves**, applicant, was not present. **Russ Richeda**, Disability Counsel, clarified for the Committee the specific body parts he focused on. Counsel Richeda also spoke to the service-connection of the injuries, and concluded the Committee should recommend approval for the Change of Status to a Service-Connected Disability Retirement to the Board. Chair Santos and Trustee Wilson both 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. This case will go to the Board on the Consent Calendar on May 2, 2024.

Approved. (M.S.C. Wilson/Santos 2-0-0).

- **PROPOSED AGENDA ITEMS**

None.

- **PUBLIC COMMENTS**

None.

- **ADJOURNMENT**

This meeting was adjourned at 10:55 a.m.

Minutes Recorded, Prepared and Respectfully submitted by,

Roberto L. Peña, CEO, Office of Retirement Services