



BOARD OF ADMINISTRATION

Meeting Minutes - Final Police and Fire Disability Committee

Monday, March 11, 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: 924 3084 7602

Pass Code: 910784

DISABILITY COMMITTEE MEMBERS ADVISORY PANEL

Richard Santos, Chair

Russell Richeda, Counsel

Dave Wilson, Trustee

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, March 11, 2024 at 10:00 a.m. The meeting was called to order at 10:00 a.m. by Chair Santos followed by roll call.

Committee members Present: Richard Santos and Dave Wilson.

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

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

Also Present: Victor Polverino, Applicant; Roger Hurtado, Fire Department; and Sam Swift, Attorney.

Also Present via Zoom: Russ Richeda, Disability Counsel; Jeff Welch, Applicant; Tedy La Cap, Applicant; Todd Johnson, Attorney; Stephanie Lau, Fire Department; Jennifer Otani, Police Department; Lisa Perez, Police Department; Sandra Dennis, Police Department; Ray Storms, SJPOA; 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 February 5, 2024.

A motion was made to approve the Consent Calendar.

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

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

- a. **Tedy La Cap**, Police Sergeant, Police Department, Request for Change of Status to Service-Connected Disability Retirement, effective July 13, 2019; 27.77* years of Service.

Amy Dickinson, Senior Benefits Analyst, read the applicant's case information into the record. **Mr. La Cap**, 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. Trustee **Wilson** made a few comments. **Mr. La Cap** thanked the Committee for their time and consideration. Chair **Santos** and Trustee **Wilson** 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 April 4, 2024.

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

- b. **Jeffrey Welch**, Battalion Chief, Fire Department, Request for Change of Status to Service-Connected Disability Retirement, effective December 14, 2019; 25.42* years of service. (*With Reciprocity - 23.87 CSJ YOS + 1.55 PERS YOS*)

Amy Dickinson, Senior Benefits Analyst, read the applicant's case information into the record. **Mr. Welch**, 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. The Committee said a few nice comments. **Mr. Welch** and Counsel **Swift** thanked the Committee for their time and consideration.

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 April 4, 2024.

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

3. NEW BUSINESS

- a. Discussion and action related to the disability application of member **Victor Polverino**.

Counsel **Richeda** introduced and gave background on this item. Member **Victor Polverino** and Attorney **Todd Johnson** addressed the committee and added comments. Chair **Santos** and Trustee **Wilson** added comments as well.

A motion was made to reaffirm the recommendation approval of a Change in Status to a Service-Connected Disability Retirement.

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

- **PROPOSED AGENDA ITEMS**

None.

- **PUBLIC COMMENTS**

One public comment was made.

- **ADJOURNMENT**

This meeting was adjourned at 10:35 a.m.

Minutes Recorded, Prepared and Respectfully submitted by,

Roberto L. Peña, CEO, Office of Retirement Service