



BOARD OF ADMINISTRATION

1737 N. First St, Ste 580
Floor Board Room, San
Jose, CA 95112

Meeting Minutes - Final Police and Fire Disability Committee

Wednesday, December 18, 2019

10:00 AM

1737 N. First Street, Ste 580
5th Floor Board Room,
San Jose, CA 95112

DISABILITY COMMITTEE MEMBERS	ADVISORY PANEL
<i>Richard Santos, Chair</i>	<i>Russell Richeda, Counsel</i>
<i>Andrew Lanza, Trustee</i>	<i>Susan Tierman, MD</i>
	<i>Kathryn Schaefer, Benefits Div Manager</i>

ALTERNATES	2nd ALTERNATES
<i>Nick Muyo, Trustee</i>	<i>Franco Vado, Trustee</i>
<i>Vincent Sunzeri, Trustee</i>	<i>Vikas Oswal, Trustee</i>

The Police & Fire Disability Committee met on Wednesday, December 18, 2019 at the Office of Retirement Services at 1737 N. First St., Suite 580, San Jose, CA. Trustee Santos called the meeting to order at 10:05 a.m.

Staff Present: Roberto Peña, Kathryn Schaefer, Stacey Fischer, Michelle San Miguel, Marti Zarate and Tami Imai.

Others Present: Counsel Russ Richeda, Dr. Susan Tierman, Attorney Thomas Boyle, Attorney Todd Johnson, Sandra Dennis, Manuel Sarmento, Dennis Wheeler, Stan McFadden, Paul Hickey, Walter Bugna

Present 2 - Richard Santos, and Drew Lanza

1. NEW BUSINESS

- a. Approval of the Minutes from the October 7, 2019 Police and Fire Disability Committee meeting.

A motion was made to approve the Minutes from the October 7, 2019 Police and Fire Disability Committee meeting.

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

2. Application for a Service Connected Disability Retirement

- b. **Manuel Sarmento**, Police Officer, Police Department, Request for a Service-Connected Disability Retirement, effective January 9, 2019; 23.73* years of service.

Stacey Fischer, Disability Staff Specialist read the case information into the record. The applicant was present and represented by Attorney Tom Boyle. Dr. Tierman determined there was work causation. Counsel Richeda agreed with Dr. Tierman's report. The Committee referenced the November 26, 2019 and December 10, 2019 department memos noting work restrictions and the fact that the department is no longer able to accommodate

Mr. Sarmento. Mr. Sarmento thanked the Committee for their time.

A motion was made to recommend approval to the Board for a Service-Connected Disability Retirement. This item will be placed on the Consent Calendar of the January 9, 2020 Police and Fire Board Agenda.

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

3. Application for a NON-Service Connected Disability Retirement

- c. **Dennis Wheeler**, Fire Engineer, Fire Department, Request for a Non Service-Connected Disability Retirement, effective January 9, 2020; 19.58* years of service.

Ms. Fischer read the case information into the record. The applicant was present and represented by Attorney Todd Johnson. Dr. Tierman determined there was impairment. Counsel Richeda agreed with Dr. Tierman's report. Mr. Wheeler answered questions from the Committee and spoke on his own behalf. Attorney Johnson stated the applicant would like to come back to the Committee after gathering further evidence as he has a Service-Connected Disability application pending.

A motion was made to recommend approval to the Board for a Non Service-Connected Disability Retirement. This item will be placed on the Consent Calendar of the January 9, 2020 Police and Fire Board Agenda.

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

Next Police and Fire Board Meeting: January 9, 2020

Next Police and Fire Disability Committee Meeting: January 13, 2020

ADJOURNMENT

The meeting adjourned at 10:25 a.m.

Minutes Recorded, Prepared and Respectfully submitted by,

Roberto L. Peña, CEO, Office of Retirement Services