



BOARD OF ADMINISTRATION

Meeting Minutes Federated Disability Committee

Thursday, January 19, 2023

1:30 PM

MEETING TO BE HELD BY ZOOM CONFERENCE IN LIEU OF PHYSICAL LOCATION

zoom.us

Dial In: +1 669 900 9128 US (San Jose)

Meeting ID: 974 6688 7937

Pass Code: 101307

DISABILITY COMMITTEE MEMBERS

Mark Linder, Chair

Julie Jennings, Trustee

Mark Keleher, Trustee

Roberto L. Peña, CEO, Office of Retirement Services

Sandra Castellano, Benefits Division Manager

Russ Richeda, Disability Counsel

Harvey Leiderman & Maytak Chin, General and Fiduciary Counsel

The Federated Disability Committee met via Zoom meeting on Thursday, January 19, 2023. The meeting was called to order at 1:33 p.m. by Chair Linder followed by roll call.

Committee members present: Mark Linder, Julie Jennings and Mark Keleher.

Retirement Staff Present via Zoom: Roberto L. Peña, Barbara Hayman, Sandra Castellano, Stacey Fischer, Linda Alexander, Michelle San Miguel, Sherrell Aledo and Khadijah Onyeije.

Also Present via Zoom: Russ Richeda, Disability Counsel; Harvey Leiderman, General and Fiduciary Counsel.

- **CALL TO ORDER AND ROLL CALL**

- **ORDER OF THE DAY**

Chair Linder read the following into the record:

A FEW GROUND RULES FOR THIS MEETING

- We are continuing to meet virtually at this meeting and are doing so pursuant to AB 361.
- As such, all votes will be roll call votes.
- If you are not speaking, please be on mute to cut background noise.

- For discussion items, each trustee will have a turn to speak in roll call order, more than once if desired.
- The public will have an opportunity to speak on each item after trustees.
- The public will also have an opportunity to speak again at the end of the meeting on any other item not on the agenda that is within the subject jurisdiction of the Committee.

1. CONSENT CALENDAR

- a. Approval of the Minutes of the Special FCERS Disability Committee from December 15, 2022.

A motion was made to approve the Consent Calendar.

Approved. (M.S.C. Keleher/Jennings 3-0-0) The motion passed unanimously by roll call vote.

2. NEW BUSINESS

- a. Discussion and action on factual findings for use of California Assembly Bill 361's abbreviated teleconferencing procedures.

Counsel Leiderman spoke to the item and explained the contents of the memo submitted to the Committee regarding evidentiary support for the Committee consideration of factual findings necessary for election to adopt AB 361's abbreviated teleconferencing procedures, which included:

(1) Governor's proclamation on the continued state of emergency due to the ongoing COVID 19 pandemic; and

(2) the City Council's recent resolution that continued to impose and recommend social distancing in City facilities.

A motion was made to adopt these as the Committee's factual findings under AB361 to allow the Committee to continue meeting virtually for the next 30 days.

Approved. (M.S.C. Keleher/Jennings 3-0-0) The motion passed unanimously by roll call vote.

- b. Educational presentation by Board Disability Legal Advisor Counsel Russ Richeda on qualifying disability criteria.

Russ Richeda, Disability Legal Advisor Counsel presented the attached slides and answered questions from the Committee.

• PUBLIC COMMENT

None.

• PROPOSED AGENDA ITEMS

- February Training: City and ORS Disability Retirement process
- Discussion and action on possible Disability Committee process changes
- Discussion and action on future Disability Committee Schedule
- AB 361

- **ADJOURNMENT**

The meeting was adjourned at 3:20 p.m.

Minutes Recorded, Prepared and Respectfully submitted by,

Roberto L. Peña, CEO, Office of Retirement Services