



# BOARD OF ADMINISTRATION

## Meeting Minutes - Final Police and Fire Disability Committee

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Monday, February 6, 2023

10:00 AM

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**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: 919 1289 8430**

**Pass Code: 973758**

**DISABILITY COMMITTEE MEMBERS    ADVISORY PANEL**

*Richard Santos, Chair  
Andrew Lanza, Trustee*

*Russell Richeda, Counsel  
Vacant, Board Medical Advisor  
Sandra Castellano, Benefits Div Manager*

**ALTERNATES**

*Franco Vado, Trustee  
Eswar Menon, Trustee*

**2nd ALTERNATES**

*Dave Wilson, Trustee  
Howard Lee, Trustee*

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**Present**    2 - Richard Santos, and Drew Lanza

The Police and Fire Disability Committee met via Zoom on Monday, February 6, 2023.  
The meeting was called to order at 10:01 a.m. by Chair Santos followed by roll call.

Committee members present via Zoom: Richard Santos and Drew Lanza.

Retirement Staff Present via Zoom: Roberto L. Peña, Barbara Hayman, Michelle San Miguel, Khadijah Onyeije and Sherrell Aledo.

Also Present via Zoom: Russ Richeda, Disability Counsel; Ken Allen, Applicant; Todd Johnson, Attorney; Martin Wallace, Applicant; Sandra Dennis, Police Department; Lisa Perez, Police Department; and Roger Hurtado, Fire Department.

- **CALL TO ORDER AND ROLL CALL**
- **ORDERS OF THE DAY**

Chair Santos 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 AB361.
- 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 motion was made to approve the Consent Calendar.

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

- a. Approval of the Minutes from the November 7, 2022 Police and Fire Disability Committee meeting.

## **2. Application for a Service Connected Disability**

- a. **Ken Allen**, Firefighter/Paramedic, Fire Department, Request for Service-Connected Disability Retirement, effective April 16, 2022; 10.06\* years of service.

**Russ Richeda, Disability Counsel, read the applicant's case information into the record. Mr. Allen was present and was represented by Attorney Todd Johnson. Counsel Richeda clarified for the Committee the specific body parts he focused on. Counsel Richeda spoke to his conclusion that the Committee recommend the applicant be approved for a Service-Connected Disability Retirement to the Board. Attorney Johnson spoke to his client's case and agreed with Counsel Richeda's recommendation.**

**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 March 2, 2023 Police and Fire Board Meeting.**

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

- b. **Martin Wallace**, Police Sergeant, Police Department, Request for Service-Connected Disability Retirement, effective March 2, 2023; 17.18\* years of service.

**Russ Richeda, Disability Counsel, read the applicant's case information into the record. Mr. Wallace was present and spoke on his own behalf. Counsel Richeda spoke to the IME report and summarized the findings for the Committee. Counsel Richeda also spoke to the service-connection of the injuries, and concluded the Committee should recommend approval for the member a Service-Connected Disability Retirement to the Board. Mr. Wallace spoke to the Committee and thanked them for their time and consideration.**

**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 March 2, 2023 Police and Fire Board Meeting.**

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

- **PROPOSED AGENDA ITEMS**

None.

- **PUBLIC COMMENTS**

None.

- **ADJOURNMENT**

The meeting adjourned at 10:17 a.m.

Minutes Recorded, Prepared and Respectfully submitted by,

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Roberto L. Peña, CEO, Office of Retirement Services