



BOARD OF ADMINISTRATION

Meeting Minutes - Final Federated Disability Committee

Friday, August 11, 2023

10:00 AM

1737 North First Street, 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: +1 669 900 9128 US (San Jose)

Meeting ID: 954 2956 4620

Pass Code: 073577

DISABILITY COMMITTEE MEMBERS

Mark Linder, Chair

Julie Jennings, Trustee -- 855 E. Hilton Dr., Boulder Creek, CA 95006

Matthew Faulkner, 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

Present 3 - Mark Linder, Julie Jennings, and Matthew Faulkner

The Federated Disability Committee met in person at 1737 N. First St., Ste 580 and via Zoom on Friday, August 11, 2023 at 10:00 a.m. The meeting was called to order at 10:02 a.m. by Chair Linder followed by roll call.

Board Members Present: Mark Linder and Matthew Faulkner.

Board Members Present via Zoom utilizing the Traditional Brown Act rules: Julie Jennings.

Retirement Staff Present: Roberto L. Peña, Barbara Hayman, Sandra Castellano, Amy Dickinson, Sherrell Aledo, Edith Aldama, Mallory Vidal and Chris Ha.

Retirement Staff Present via Zoom: Sierra Kenoly-Chavez.

Also Present: Russ Richeda, Disability Counsel.

Also Present via Zoom: Sarah Steel, OER; and Rose Lara, Police Department.

In accordance with the requirements of AB 2449, the Board of Administration (“Board”) will generally, upon request, provide appropriate aids and services leading to effective communication for individuals with disabilities so they can participate equally in the Board’s meetings, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, vision or other disabilities.

Anyone who requires an auxiliary aid or service for effective communication to participate in a Board meeting should contact the designated contact in Office of Retirement Services as far in advance of the scheduled meeting as possible. The Board strongly encourages individuals with disabilities to endeavor to submit requests for reasonable accommodation no later than five (5) business days before the scheduled meeting, as the Board may not be able to grant requests for reasonable accommodations without sufficient advance notice. The Board strongly encourages individuals with disabilities to submit their written requests via email or regular mail to facilitate tracking and response; however, if the submission of a written request constitutes a hardship, individuals may call the Office of Retirement Services to submit an oral request.

The designated contact in the Office of Retirement Services will endeavor to respond to each request within three (3) business days of receipt of the request. Depending on the request, the designated contact in the Office of Retirement Services may ask to schedule a time to discuss the request (which may occur virtually) to determine the most appropriate auxiliary aid or service, before the request is resolved.

ADA Designated Contact Information

Attention: Deputy Director/Chief Operations Officer, Office of Retirement Services
Address: 1737 N First St #600, San Jose, CA 95112
Email: #Retire_Admin@sanjoseca.gov
Phone: 408-794-1000 (ORS Main Line)

I. AB 2449 REMOTE APPEARANCE(S)

a. Just Cause Circumstance(s) (Gov’t Code § 54953)

- i. The following Trustee(s) have notified the Board of a “Just Cause” to attend this meeting via teleconference.

NONE

- ii. Call for Trustee(s) who wish to notify the Board of a “Just Cause” to attend this meeting via teleconference.

b. Emergency Circumstance(s) (Gov't Code § 54953)

- i. The following Trustee(s) have requested the Board approve their attendance of this meeting via teleconference due to an "Emergency Circumstance."

NONE

- ii. Call for Trustee(s) requesting the Board approve their attendance of this meeting via teleconference due to an "Emergency Circumstance"
- iii. Take action on request(s) for remote appearance.

• **CALL TO ORDER AND ROLL CALL**

• **ORDERS OF THE DAY**

Chair Linder read the following into the record:

A FEW GROUND RULES FOR THIS MEETING

- As such, all votes will be roll call votes.
- 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.
- The public will have an opportunity to speak on each item after trustees.

ORDERS OF THE DAY:

- None

1. CONSENT CALENDAR

- a. Approval of the Minutes of the Federated Disability Committee meeting from April 20, 2023.

A motion was made to approve the Consent Calendar.

Approved. (M.S.C. Jennings/Linder) The motion passed by roll call vote.

Ayes: Jennings, Linder

Abstain: Faulkner

Trustee Faulkner abstained from the vote since he was not a sworn trustee at the time of the last Federated Disability Committee meeting.

2. Application for a Service Connected Disability Retirement

- a. **Polly Tommie**, Public Safety Radio Dispatcher II, Police Department, Request for Service-Connected Disability Retirement, effective June 16, 2017; 12.71* years of service.

Amy Dickinson, Senior Benefits Analyst, read the applicant's case information into the record. Ms. Tommie and a representative from the Police Department were 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 member a Service-Connected Disability Retirement to the Board. Sandra Castellano, Benefits Division Manager, answered questions from the Board.

A motion was made to approve for the applicant for a Service-Connected Disability Retirement. This item will be placed on the Consent Calendar of the September 21, 2023 Federated Board Meeting.

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

3. NEW BUSINESS

a. Nomination and Election of Disability Committee Vice Chair.

Chair Linder nominated and elected Trustee Matthew Faulkner as the Federated Disability Committee Vice Chair.

A motion was made to nominate Trustee Faulkner as the Federated Disability Committee Vice Chair.

Approved. (M.S.C. Jennings/Linder) The motion passed by roll call vote.

Ayes: Jennings, Linder

Abstain: Faulkner

• PROPOSED AGENDA ITEMS

There are approximately two applicants at each Federated Disability Committee meeting and a discussion of set meeting dates in the coming months.

• PUBLIC COMMENT

None.

• ADJOURNMENT

The meeting was adjourned at 10:28 a.m.

Minutes Recorded, Prepared and Respectfully submitted by,

Roberto L. Peña, CEO, Office of Retirement Services