



BOARD OF ADMINISTRATION

Meeting Minutes - Final Federated Disability Committee

Tuesday, December 5, 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: +1 669-219-2599 US (San Jose)

Meeting ID: 986 6826 9205

Passcode: 240560

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, San Jose, CA 95112 and via Zoom on Tuesday, December 5, 2023 at 10:00 a.m. The meeting was called to order at 10:00 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. Chair Linder questioned Trustee Jennings on whether she met the qualifications to teleconference under the Brown Act, and Trustee Jennings responded in the affirmative.

Retirement Staff Present: Sandra Castellano, Sherrell Aledo, Edith Aldama, Cynthia Ayala, Chris Ha and David Torres.

Retirement Staff Present via Zoom: Roberto L. Peña, Barbara Hayman, Linda Alexander and Anh Trinh.

Also Present: Russ Richeda, Disability Counsel.

Also Present via Zoom: Sarah Steele, OER; and Nate Nakagawa, ESD.

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**

- **ORDERS OF THE DAY**

A FEW GROUND RULES FOR THIS MEETING

- 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.

Orders of the Day

- None

WAIVE SUNSHINE (amended/attachments POSTED late):

- Late Attachment for Item 2a: Memo to Committee Jennifer Standing-Elk.

A motion was made to waive sunshine for Item 2a late attachment.

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

1. CONSENT CALENDAR

- a. Approval of the Minutes of the Federated Disability Committee meeting from November 7, 2023.

A motion was made to approve the Consent Calendar.

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

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

- a. **Jennifer Standing-Elk**, Office Specialist II, Department of Transportation, Request for Change of Status to Service-Connected Disability Retirement, effective March 16, 2013; 22.01* years of service.

Amy Dickinson, Senior Benefits Analyst, read the applicant's case information into the record. The applicant, Ms. Jennifer Standing-Elk was not present. The committee had requested for additional medical documents and the applicant was required to provide them within 30 days of the October 2, 2023 meeting, which was not met by Ms. Standing-Elk. Russ Richeda, Disability Counsel and Sandra Castellano, Benefits Division Manager answered questions from the Committee.

A motion was made to deny the applicant's request for a Change of Status to Service-Connected Disability Retirement. This item will be placed on the Consent Calendar of the January 18, 2024 Federated Board Meeting.

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

- **PROPOSED AGENDA ITEMS**

Chair Linder requested staff to bring in the guidelines and ground rules for the Committee to go by at the January 16th meeting.

- **PUBLIC COMMENTS**

None.

- **ADJOURNMENT**

The meeting was adjourned at 10:26 a.m.

Minutes Recorded, Prepared and Respectfully submitted by,

Roberto L. Peña, CEO, Office of Retirement Services