



BOARD OF ADMINISTRATION

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

Meeting Minutes - Final Police and Fire Disability Committee

Monday, February 11, 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
Nick Muyo, Trustee
Vincent Sunzeri, Trustee

2nd ALTERNATES
Franco Vado, Trustee
Vikas Oswal, Trustee

The Police and Fire Disability Committee met on Monday, February 11, 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 10:00 a.m.

Staff Present: Roberto Peña, Kathryn Schaefer, Linda Alexander, Stacey Fischer and Marti Zarate.

Others Present: Counsel Russ Richeda, Dr. Susan Tierman, Attorney Thomas Boyle, Attorney Sam Swift, Attorney Andrew Shaffer, Tommy Troy, Marty Jo Luis, Roger Hurtado, James Randol, Ray Storms and Trustee Vikas Oswal.

Present 2 - Richard Santos, and Vincent Sunzeri

Absent 1 - Andrew Lanza

1. NEW BUSINESS

- a. Approval of the Minutes from the December 10, 2018 Police and Fire Disability Committee meeting.

A motion was made to approve the Minutes from the December 10, 2018 Police and Fire Disability Committee meeting.

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

- b. Discussion on the Police & Fire Dashboard Report.

There were no comments.

2. Change of Status to Service Connected Disability Retirement

- a. **James Blean**, Fire Captain, Fire Department, Request for a Change in Status to a Service-Connected Disability Retirement, effective October 22, 2016; 22.35* years of service.

Stacey Fisher, Disability Staff Technician read the applicant's case information into the record. The applicant was not present and was represented by Sam Swift. Dr. Tierman clarified which body part she focused on which had a service connected injury. She answered questions from the Committee and reported all doctors agreed there is impairment due to the applicant's injury. Counsel Richeda noted the applicant met the burden of persuasion. Attorney Swift had nothing to add.

A motion was made to recommend approval to the Board for a Change of Status to Service-Connected Disability Retirement. This item will be placed on the Consent Calendar of the March 7, 2019 Police and Fire Board agenda.

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

- b. **James Randol**, Police Captain, Police Department, Request for a Change in Status to a Service-Connected Disability Retirement, effective January 28, 2017; 25.00* years of service.

Ms. Fischer read the applicant's case information into the record. The applicant was present and represented by Attorney Thomas Boyle. Dr. Tierman answered questions from the Committee and reported there was enough evidence to show incapacity. Counsel Richeda indicated all doctors found service connected impairment. CEO Peña stressed the distinction between the Worker's Compensation and Retirement Disability processes.

A motion was made to recommend approval to the Board for a Change of Status to Service-Connected Disability Retirement. This item will be placed on the Consent Calendar of the March 7, 2019 Police and Fire Board agenda.

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

- c. **Kenneth Siegel**, Police Officer, Police Department, Request for a Change in Status to a Service-Connected Disability Retirement, effective June 17, 2017; 25.32* years of service.

Ms. Fischer read the applicant's case information into the record. The applicant was present on the phone and represented by Attorney Andrew Shaffer. Dr. Tierman reported there were 2 injuries which caused impairment. Counsel Richeda spoke on the service connection of the injuries. Attorney Shaffer had nothing to add.

A motion was made to recommend approval to the Board for a Change of Status to Service-Connected Disability Retirement. This item will be placed on the Consent Calendar of the March 7, 2019 Police and Fire Board agenda.

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

Trustee Santos discussed changing the May 6th Police and Fire Disability Committee meeting to May 13th per Counsel Richeda's request due to a scheduling conflict. He asked those in attendance for availability. No known conflicts were announced.

Next Police and Fire Board Meeting: March 7, 2019

Next Police and Fire Disability Committee Meeting: March 11, 2019

ADJOURNMENT

The meeting adjourned at 10:50 a.m.

Minutes Recorded, Prepared and Respectfully submitted by,

_____/S/_____

Roberto L. Peña, CEO, Office of Retirement Services