# BOARD OF ADMINISTRATION

## Meeting Minutes - Final

## Police and Fire Disability Committee

**Monday, August 10, 2020** **10:00 AM**

| *DISABILITY COMMITTEE MEMBERS* | *ADVISORY PANEL* |
|---|---|
| *Richard Santos, Chair* | *Russell Richeda, Counsel* |
| *Andrew Lanza, Trustee* | *Susan Tierman, MD* |
| | *Kathryn Schaefer, Benefits Div Manager* |

| *ALTERNATES* | *2nd ALTERNATES* |
|---|---|
| *Nick Muyo, Trustee* | *Franco Vado, Trustee* |
| *Vincent Sunzeri, Trustee* | *Howard Lee, Trustee* |

**The Police & Fire Disability Committee met on Monday, August 10, 2020 by Zoom meeting. Trustee Santos called the meeting to order at 10:03 a.m.**

**Staff Present by Zoom: Roberto Peña, Barbara Hayman, Kathryn Schaefer, Linda Alexander, Stacee Fischer, Michelle San Miguel and Marti Zarate.**

**Others Present by Zoom: Disability Counsel Russ Richeda, Dr. Susan Tierman, Attorney Thomas Boyle, Ray Storms, Roger Hurtado, Gina Tibaldi, Sandra Dennis, Angelika Castanon, Jon Friesell, Brian Johst, Michelle Zanotto, and Wendy Hoskin.**

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

## 1. NEW BUSINESS

**a.** Approval of the Minutes from the March 9, 2020 Police and Fire Disability Committee meeting.

**A motion was made to approve the Minutes from the March 9, 2020 Police and Fire Disability Committee meeting.**

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

**b.** Approval of the 2020 1st Quarter and 2nd Quarter Dashboard Reports and the 2020 1st Quarter and 2nd Quarter Detailed Statistics Reports.

**A motion was made to approve the 2020 1st and 2nd Quarter Dashboard Reports and 2020 1st and 2nd Quarter Detailed Statistics Reports.**

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

## 2. Application for a Service Connected Disability Retirement

**a.** **Angelika Castanon**, Police Officer, Police Department, Request for a Service-Connected

Disability Retirement, effective September 3, 2020; 22.78* years of service. *(Deferred from August 5, 2019 Disability Committee meeting - not heard.)*

**Stacee Fischer, Benefits Analyst, read the case information into the record. The applicant was present and represented by Attorney Thomas Boyle. Dr. Tierman determined there was not enough evidence to show work causation. Counsel Richeda noted he will change his answer in the summary to "No" based on Dr. Tierman's report. Ms. Castanon reviewed her training and job duties. Attorney Boyle disagreed with Dr. Tierman's report. He discussed several other doctor's reports to support his claim of cumulative trauma. Dr. Tierman and Counsel Richeda reaffirmed that there is insufficient evidence to establish work causation. Trustee Lanza and Trustee Santos agreed more medical evidence is needed to support a Service-Connected Disability Retirement. Attorney Boyle requested the Committee recommend approval of a Non Service-Connected Disability Retirement to the Board at this time.**

**A motion was made to recommend approval to the Board for a Non Service-Connected Disability Retirement. This item will be placed on the Consent Calendar of the September 3, 2020 Police and Fire Board agenda. This item will come back to the Disability Committee for a Service-Connected Disability Retirement at a later time.**

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

**b.** **Jon Friesell**, Fire Captain, Fire Department, Request for a Service-Connected Disability Retirement, effective September 3, 2020; 19.29* years of service.

**Ms. Fisher read the case information into the record. The applicant was present. Mr. Friesell had a previous injury at another place of employment prior to being hired by CSJ, however, he passed all tests to be hired at CSJ. Dr. Tierman and Counsel Richeda agreed this is a clear case with incapacity, as well as work causation. It was established that impairment ocurred while employed at CSJ. Mr. Friesell agreed with what was discussed and thanked the Committee.**

**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 September 3, 2020 Police and Fire Board agenda.**

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

**c.** **Brian Johst**, Police Lieutenant, Police Department, Request for a Service-Connected Disability Retirement, effective November 14, 2020; 27.81* years of service.

**Ms. Fisher read the case information into the record. The applicant was present. Dr. Tierman and Counsel Richeda agreed incapacity and work causation is clear. Mr. Johst thanked the Committee and expressed he is thankful to have served his community. Trustee Lanza thanked Mr. Johst for his service.**

**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 September 3, 2020 Police and Fire Board agenda.**

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

**d.** **Michelle Zanotto**, Police Officer, Police Department, Request for a Service-Connected Disability

Retirement, effective September 3, 2020; 21.56* years of service.

**Ms. Fisher read the case information into the record. The applicant was present and represented by Attorney Thomas Boyle. Dr. Tierman determined there was not enough evidence to show work causation. She discussed conflicting doctor's reports. Counsel Richeda concurred with Dr. Tierman. Attorney Boyle disagreed with Dr. Tierman's report. He discussed several other doctor's reports to support Ms. Zanotto's case. Dr. Tierman reaffirmed that there is insufficient evidence to establish work causation. Ms. Zannotto spoke to her case – explained the timeline of events to her recollection and stated that she was in pain. After more discussion, Trustee Lanza and Trustee Santos agreed more medical evidence is needed to support recommending a Service-Connected Disability Retirement. Attorney Boyle requested the Committee recommend approval of a Non Service-Connected Disability Retirement to the Board at this time.**

**A motion was made to recommend approval to the Board for a Non Service-Connected Disability Retirement. This item will be placed on the Consent Calendar of the September 3, 2020 Police and Fire Board agenda. This item will come back to the Disability Committee for a Service-Connected Disability Retirement at a later time.**

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

## 3. Change of Status to Service Connected Disability Retirement

**a.** **Wendy Hoskin**, Police Officer, Police Department, Request for a Change of Status to Service-Connected Disability Retirement, effective July 15, 2017; 26.73* years of service.

**Ms. Fisher read the case information into the record. The applicant was present and represented by Attorney Don Novey who was not present. Dr. Tierman reported there was enough evidence of impairment and work causation. Attorney Richeda concurred. Ms. Hoskin thanked the Committee. Trustee Lanza thanked Ms. Hoskin for her service.**

**A motion was made to recommend approval to the Board for a Change of Status to a Service-Connected Disability Retirement. This item will be placed on the Consent Calendar of the September 3, 2020 Police and Fire Board agenda.**

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

**CEO Peña thanked the Committee, Board, staff, members and participants for their patience on the Disability Committee during the pandemic.**

**Ray Storms, President of the Firefighter Retiree Association provided his phone number for applicants to reach out to for information.**

## NEXT POLICE & FIRE BOARD MEETING: September 3, 2020

## NEXT POLICE & FIRE DISABILITY COMM. MEETING: September 8, 2020 (TUESDAY)

## ADJOURNMENT

**The meeting adjourned at 11:39 a.m.**

**Minutes Recorded, Prepared and Respectfully submitted by,**

**_____/S/_____**
**Roberto L. Peña, CEO, Office of Retirement Services**