



# BOARD OF ADMINISTRATION

## Meeting Minutes - Final

### Police and Fire Disability Committee

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Monday, October 5, 2020

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: 979 3421 0852**

**Password: 444671**

**DISABILITY COMMITTEE MEMBERS      ADVISORY PANEL**

*Richard Santos, Chair*

*Russell Richeda, Counsel*

*Andrew Lanza, Trustee*

*Susan Tierman, MD*

*Kathryn Schaefer, Benefits Div Manager*

**ALTERNATES**

*Nick Muyo, Trustee*

*Vincent Sunzeri, Trustee*

**2nd ALTERNATES**

*Franco Vado, Trustee*

*Howard Lee, Trustee*

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The Police & Fire Disability Committee met on Monday, October 5, 2020 by Zoom meeting. Trustee Santos called the meeting to order at 10:00 a.m.

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

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

**Others Present by Zoom:** Disability Counsel Russ Richeda, Dr. Susan Tierman, Attorney Thomas Boyle, Attorney Sam Swift, Ray Storms, Sandra Dennis, Lisa Perez, Justin Holliday, Robert Foster, Raymond Nibbi, Roger Hurtado and Trustee Franco Vado.

**1. NEW BUSINESS**

- a. Approval of the Minutes from the September 8, 2020 Police and Fire Disability Committee meeting.

A motion was made to approve the Minutes from the September 8, 2020 Police and Fire Disability Committee meeting.

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

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

- a. **Robert Foster**, Police Officer, Police Department, Request for a Service-Connected Disability

Retirement, effective November 5, 2020; 24.05\* years of service.

Stacey Fischer, Benefits Analyst read the case information into the record. The applicant was present and represented by Attorney Thomas Boyle. Dr. Tierman reported all doctors concur that there is a work-related contribution to the applicant's present pain and impairment. Counsel Richeda recommended the Board grant a Service-Connected Disability retirement. Trustee Lanza agreed. The Committee thanked Mr. Foster 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 November 5, 2020 Police and Fire Board agenda.

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

- b. **Justin Holliday**, Police Officer, Police Department, Request for a Service-Connected Disability Retirement effective November 5, 2020; 23.00\*year of service.

Ms. Fischer read the case information into the record. The applicant was present and represented by Attorney Thomas Boyle. Dr. Tierman reported that there is a work-related connection contribution and impairment in this case. Counsel Richeda recommended the Board grant a Service-Connected Disability retirement. Attorney Boyle agreed and had nothing more to add. The Committee thanked Mr. Holliday 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 November 5, 2020 Police and Fire Board agenda.

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

Ray Storms, President of the Police and Fire Retiree Association gave out his phone number to provide information to Mr. Holliday.

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

- a. **Raymond Nibbi**, Fire Captain, Fire Department, Request for a Change of Status to a Service-Connected Disability Retirement, effective January 27, 2018; 26.96\* years of service.

Ms. Fischer read the case information into the record. The applicant was present and represented by Attorney Sam Swift. After a lengthy discussion the Committee recommended this case come back to the Disability Committee with more information at a later time.

At the end of the meeting, Trustee Santos suggested the Disability Committee meet more frequently to address the backlog of disability cases. CEO Peña will check with staff regarding the number of files waiting to be processed.

**Next Police & Fire Board Meeting: November 5, 2020**

**Next Police & Fire Disability Committee Meeting: November 9, 2020**

### **ADJOURNMENT**

The meeting adjourned at 11:22 a.m.

Minutes Recorded, Prepared and Respectfully submitted by,

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Roberto L. Peña, CEO, Office of Retirement Services