



# BOARD OF ADMINISTRATION

## Meeting Minutes - Final Police and Fire Disability Committee

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Monday, December 6, 2021

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: 937 4899 9516**

**Password: 755565**

**DISABILITY COMMITTEE MEMBERS    ADVISORY PANEL**

*Richard Santos, Chair  
Andrew Lanza, Trustee*

*Russell Richeda, Counsel  
Vacant, Board Medical Advisor  
Vacant, Benefits Div Manager*

**ALTERNATES**

*Franco Vado, Trustee  
Eswar Menon, Trustee*

**2nd ALTERNATES**

*Dave Wilson, Trustee  
Howard Lee, Trustee*

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The P&F Disability Committee met on Monday, December 6, 2021 via Zoom. The meeting was called to order at 10:00 a.m. by Chair Santos.

Present 2 - Richard Santos, and Drew Lanza

Staff present: Roberto Peña, Sandra Castellano, Michelle San Miguel, Marti Zarate and Stacey Fischer.

Others Present: Julie La Blanc, Jacqueline Lonero-Bidinost, Robert Pasquale, Sam Swift, Raymond Nibbi, Sandra Dennis, Russ Richeda, Thomas Boyle, Dave Wilson, Don Novey, Elliot Sagan, Ian Leslie, Lisa Perez and Roger Hurtado.

• **CALL TO ORDER AND ROLL CALL**

Chair Santos read the following into the record:

- All votes will be roll call votes.
- If you are not speaking, please be on mute to cut background noise.
- For discussion items, each trustee will have a turn to speak in roll call order, more than once if desired.
- The public will have an opportunity to speak on each item after trustees.
- The public will also have an opportunity to speak again at the end of the meeting on any other item not on the agenda that is within the subject jurisdiction of the Board.

• **ORDERS OF THE DAY**

None.

**1. NEW BUSINESS**

- a. Approval of the Minutes from the October 12, 2021 Police and Fire Disability Committee meeting

A motion was made to approve the Minutes from the October 12, 2021 Police and Fire Disability Committee meeting.

Approved. (M.S.C. Lanza/Santos 2-0-0) The motion passed unanimously by roll call vote.

**2. Change of Status to Service Connected Disability Retirement**

- a. **Julie La Blanc**, Fire Engineer, Fire Department, Request for a Change of Status to Service-Connected Disability Retirement, effective October 22, 2017; 25.06\* years of service.

**Stacey Fischer**, Benefits Analyst, read the case information into the record. The applicant and her attorney, **Sam Swift** were both present via Zoom. Disability Counsel **Russ Richeda** spoke to the case and reported both doctors agreed on service-connection. The Advisory Panel recommended approval to the Board.

A motion was made to recommend approval to the Board for a Change in Status to Service-Connected Disability Retirement. This item will be placed on the Consent Calendar of the January 6, 2022 Police and Fire Board agenda.

Approved. (M.S.C. Lanza/Santos 2-0-0) The motion passed unanimously by roll call vote.

- b. **Jacqueline Lonero-Bidinost**, Police Sergeant, Police department, , Request for a Change of Status to Service-Connected Disability Retirement, effective October 7, 2017; 27.30\* years of service.

**Ms. Fischer** read the case information into the record. The applicant and her attorney, **Don Novey**, were both present via Zoom. Counsel **Richeda** spoke to the case and noted the Advisory Panel recommended approval to the Board. Attorney **Novey** agreed with Counsel **Richeda's** assessment of the case. **Ms. Lonero-Bidinost** thanked the Committee.

A motion was made to recommend approval to the Board for a Change in Status to Service-Connected Disability Retirement. This item will be placed on the Consent Calendar of the January 6, 2022 Police and Fire Board agenda.

Approved. (M.S.C. Lanza/Santos 2-0-0) The motion passed unanimously by roll call vote.

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

**Ms. Fischer** read the case information into the record. The applicant and his attorney, **Sam Swift** were both present via Zoom. Counsel **Richeda** spoke to the case and noted the Advisory Panel recommended approval to the Board. Attorney **Swift** and Trustee **Lanza** agreed with Counsel **Richeda**, Service connection has been established by all doctors. **Mr. Nibbi** thanked the Committee & **Ms. Fischer**.

A motion was made to recommend approval to the Board for a Change in Status to Service-Connected Disability Retirement. This item will be placed on the Consent Calendar of the January 6, 2022 Police and Fire Board agenda.

Approved. (M.S.C. Lanza/Santos 2-0-0) The motion passed unanimously by roll call vote.

- d. **Robert Pasquale**, Police Officer, Police Department, Request for a Change of Status to Service-Connected Disability Retirement, effective October 1, 2020, 21.05\* years of service.

Ms. Fischer read the case information into the record. The applicant and his attorney, Don Novey were both present via Zoom. Counsel Richeda spoke to the case and noted the Advisory Panel recommended approval to the Board. Attorney Novey and Trustee Lanza agreed with Counsel Richeda's assessment of the case. Attorney Novey thanked the Committee.

A motion was made to recommend approval to the Board for a Change in Status to Service-Connected Disability Retirement. This item will be placed on the Consent Calendar of the January 6, 2022 Police and Fire Board agenda.

Approved. (M.S.C. Lanza/Santos 2-0-0) The motion passed unanimously by roll call vote.

- e. **Elliott Sagan**, Police Officer, Police Department, Request for a Change of Status to Service-Connected Disability Retirement, effective October 1, 2020; 13.35\* years of service.

Ms. Fischer read the case information into the record. The applicant and his attorney, Don Novey were both present via Zoom. Counsel Richeda spoke to the case and concluded Mr. Sagan has met the burden of persuasion. Attorney Novey and Mr. Sagan thanked the Committee.

A motion was made to recommend approval to the Board for a Change in Status to Service-Connected Disability Retirement. This item will be placed on the Consent Calendar of the January 6, 2022 Police and Fire Board agenda.

Approved. (M.S.C. Lanza/Santos 2-0-0) The motion passed unanimously by roll call vote.

- **PROPOSED AGENDA ITEMS**

None.

- **PUBLIC COMMENTS**

None.

**Next Police and Fire Board Meeting: January 6, 2022**

**Next Police and Fire Disability Committee Meeting: January 10, 2022**

- **ADJOURNMENT**

The meeting adjourned at 10:53 a.m.

Minutes Recorded, Prepared and Respectfully submitted by,

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Roberto L. Peña, CEO, Office of Retirement Services