



CITY OF SAN JOSE, CALIFORNIA

DEPARTMENT OF RETIREMENT SERVICES

POLICE AND FIRE DEPARTMENT RETIREMENT PLAN
BOARD OF ADMINISTRATION

DEPARTMENT OF RETIREMENT SERVICES – 1737 N. FIRST STREET, SUITE 600

BOARD MEMBERS

Mark J. Skeen, Chair
Ken Heredia, Vice Chair
Bill Brill, Trustee
David Cortese, Trustee
Scott Johnson, Trustee
Bret Muncy, Trustee
Forrest Williams, Trustee

DIRECTOR

Edward F. Overton

THURSDAY

2 AUGUST 2007

8:30 A.M.

AGENDA

ORDERS OF THE DAY

RETIREMENTS

1. **Service**

- a. **Rudolph R. Arroyo**, Fire Engineer, Fire Department. Request for Service Retirement effective August 25, 2007; 28.12 years of service.
- b. **Jose Luna**, Battalion Chief, Fire Department. Request for Service Retirement effective July 4, 2007; 32.40 years of service.
- c. **David E. Moore**, Captain, Fire Department. Request for Service Retirement effective August 25, 2007; 32.54 years of service.
- d. **Steve E. Padilla**, Captain, Fire Department. Request for Service Retirement effective August 11, 2007; 31.29 years of service. **(SCD Pending)**
- e. **David M. Sandoval**, Officer, Police Department. Request for Service Retirement effective June 23, 2007; 25.04 years of service. **(To be heard immediately preceding Item # 5c)**

2. **Disabilities**

- a. **Camille Garcia**, Officer, Police Department. Request for Service-Connected Disability Retirement effective August 2, 2007; 11.37 years of service.

3. **Change in Status**

- a. **James B. Randall**, Retired Fire Captain. Request for changed in status to Service-Connected Disability Retirement effective January 30, 2004; 30.31 years of service.

4. **Deferred Vested – None**

5. **DEATH NOTIFICATIONS**

- a. Notification of the death of Ethan M. Coburn; retired 5/6/87, died 6/22/07. Survivorship benefits to Deronda Coburn, spouse.

- b. Notification of the death of Stephen Ronco, Retired Lieutenant; retired 7/31/04, died 7/5/07. Survivorship benefits to Stephanie, Elizabeth, Alexandra & Mario Ronco, spouse and children respectively.
- c. Notification of the death of David M. Sandoval, Retired Police Officer; retired 6/23/07, died 6/25/07. Survivorship benefits to Tammy, Andrea & Amanda Sandoval, spouse and daughters respectively.
- d. Notification of the death of William J. Wittman, Retired Sergeant; retired 11/3/86, died 7/16/07. Survivorship benefits to Kathleen C. Wittman, spouse.
- e. Notification of the death of Kimberly Thronson, Active Firefighter; died 6/4/07. Survivorship benefits to Teresa Maudlin, Domestic Partner, and Seija Thronson, Daughter.

NEW BUSINESS

- 6. Approval of Full Retirement Option to be paid to Rosa Bacigalupi, ex-spouse of Sergeant David Bacigalupi, effective June 1, 2007 under Part 17, Section 3.36.3600 of the San José Municipal Code.
- 7. Approval of Early Retirement Option to be paid to Sandra Duncan, ex-spouse of Sergeant Dennis Dolezal, effective July 1, 2007 under Part 17, Section 3.36.3600 of the San José Municipal Code.
- 8. Approval of:
 - a. Ordinance modifying Municipal Code Section 3.36.550 allowing the Plan to add Limited Liability Companies as title holding entities for the Plan's real estate holdings and,
 - b. Conversion of Calais Office Center's corporate structure from 501(c)(2) corporations to Limited Liability Companies.
- 9. Approval to excuse the absence of Vice Chair Ken Heredia from the Board's April meeting.
- 10. Action on the City's recently published Disability Retirement Study and authorization to Towers Perrin's to complete an evaluation of the City's report for a cost not to exceed \$150,000.
- 11. Authorization for Secretary to negotiate and execute a First Amendment to the Agreement with The Segal Company for consulting actuarial services increasing the maximum compensation by \$150,000 for a total not to exceed \$395,000.
- 12. Approval to discontinue the maintenance and publication of the Retirement Name List for the fiscal year ended June 30, 2007.
- 13. Request for direction to staff to develop Board policy and procedure for: a) accessing legal opinions; b) obtaining representation for court appearances; and c) legal advice for contracting issues.

OLD BUSINESS/CONTINUED-DEFERRED ITEMS

- 14. Update on DRS operational audit
- 15. Request for Board direction to staff on City's Sunshine Reform Task Force's Provisions and Recommendations and discussion on Russ Richeda's memo on "Experience of Other Retirement Boards under Sunshine Ordinances."

16. Approval of ordinance amending the P&F Plan to permit certain retirees to elect to pay for health insurance premiums on a pre-tax basis up to limit provided in Internal Revenue Code Section 402(l).
17. Oral update on the DRS' director recruitment.
18. **CLOSED SESSION PURSUANT TO GOVERNMENT CODE §54956.9(a) - EXISTING LITIGATION – (TO BE HEARD AT END OF MEETING)**
Title of Case: *Mark Bell v. Board of Administration*, Santa Clara County Superior Court No. 1-03-CV814433, and
Approval of Saltzman & Johnson's litigation budget in prospective Bell Appeal for an amount not to exceed \$20,000.

STANDING COMMITTEE REPORTS/RECOMMENDATIONS

Investment Committee (Skeen, Heredia, Muncy)

19. Summary of meeting held 21 June 2007

Real Estate Committee (Skeen, Heredia, Muncy)

20. Summary of quarterly meeting held 21 June 2007.
21. Summary of the following Board of Directors meetings held 21 June 2007.
 - a. 1737 N. First Street Corporation.
 - b. 3169 Dodd Road Corporation.
 - c. 3201 C Street Corporation
 - d. 3301 C Street Corporation

Investment Committee of the Whole (Full Board) – None

APPROVAL OF MINUTES

22. Monthly Board Meeting held 7 June 2007

PENDING ACTION LIST

23. Updated list as of 24 July 2007

BENEFITS REVIEW

24. Summaries of meeting held May and June 2007.

CONSENT CALENDAR

25. **Return of Contributions**
 - a. Voluntary
 - b. Involuntary – None

26. **Investments**

- a. Adoption of Resolution No.3307 for the period April 1 thru 30, 2007

27. **Communication/Information**

- a. Reports of P & F Department Retirement Plan Investments – April 2007
- b. Memo on Public Records Act – Retirement Records
- c. Report on attendance at the Council of Institutional Investors Meeting
- d. Report of all denied retirement disability applications
- e. Various Legal Updates

PROPOSED AGENDA ITEMS

PUBLIC COMMENTS

EDUCATION & TRAINING

- 28. Notification of IRR's Guns & Hoses 2007 Conference to be held in Huntington Beach, September 16 through 18, 2007.

ADJOURNMENT