

FEDERATED CITY EMPLOYEES' RETIREMENT SYSTEM

Minutes of the Board Meeting

THURSDAY

SAN JOSÉ, CALIFORNIA

March 9, 2006

CALL TO ORDER

The Board of Administration of the Federated City Employees' Retirement System met at 8:35 a.m., on Thursday, March 9, 2006, in regular session at City of San Jose's Council Chambers, 200 East Santa Clara St., San José, California.

ROLL CALL

Present:

DAVID BUSSE
Bill Thomas
Tim Callahan
Forrest Williams
David Cortese
Mike Yoshimoto

CHAIR, Civil Service Representative
Vice Chair, Retiree Representative
Employee Representative
City Council Representative
City Council Representative
Employee Representative

NOT PRESENT:

Jeffrey Perkins

Public Member (Excused Absence)

ALSO PRESENT:

Edward F. Overton -Secretary / Director

Susan Devencenzi -City Attorney

Dr. Das -Medical Staff

Dave Rodriquez -PWRE

Udaya Rajbhandari -Staff

Tamasha Johnson -Staff

Judy Powell - "

Aleta Holcomb - "

Maria Loera - "

Charles Gebhardt -IBEW

Doug Riccobond -ABMEI

Carol Bermillo -Staff

Sarah Nunes -ES

Rhonda Snyder -Staff

Deborah Powell -CEO

Larry Wang -PBCE

Tom Webster -Staff

Russ Richeda -Outside Attorney

Ron Kumar -Staff

Cathy Poletti -Police

Robyn Melo -Police

Jim Jeffers -Attorney

Roger Pickler - "

Joe Charfauros -PRNS

Susan Perreira -Staff

Nancy Alford -City Clerk's Office

Lee Price -City Clerk's Office

Roger Pickler -Staff

Gustavo Gerardo -Airport

Colleen Hy -Staff

Debbi Warkentin - "

REGULAR SESSION

The Chair called the meeting to order at 8:35 a.m.

RETIREMENTS

Disability Retirement for Hearing Retirements per SJMC Section 3.28.1290

Yolande T. Vazquez, Staff Technician, City Clerk's Office, effective March 9, 2006; 16.43 years of service.

Mrs. Vazquez was present.

The Secretary stated that Mrs. Vazquez makes her application based on Thoracic Outlet

Syndrome affecting hands, wrists, elbows and shoulders-bilaterally. She is 46 years of age and has 16 plus years of service with the City.

For the record, the following medical reports have been received:

<u>Doctor's Name</u>	<u>Report Date</u>
Deanice Beck, M.D.	12/12/05; 9/2/05; 8/1/05; 5/17/05
Richard Ward, M.D.	12/2/05
James Rhee, M.D.	11/7/05 (Evaluation); 11/7/05 (Letter)
Summary of Symptoms- Yolande Vazquez	11/7/05
Brian Marten, M.D.	6/17/05 (L. Shoulder X-ray); 6/17/05 (L. Wrist X-ray); 6/17/05 (L. Hand X-ray)
Susan Scholey, M.D.	4/29/05 (Wrist); 4/29/05 (Shoulder); 3/11/05; 1/26/05
Jeffrey Siino, D.C.	2/28/05
Rita Bermudez, M.D.	2/11/05
Huu Dao, M.D.	2/10/05
Questionnaire- Yolande Vazquez	2/7/05
Paul Zic, D.C.	3/1/05; 12/3/04; 10/7/04; 7/15/04; 7/1/04; 2/12/96; 10/23/95; 8/16/95; 2/11/99; 7/5/95
Individual Ergonomics Plan	9/10/04
Letter from Yolande Vazquez	2/3/06
<u>Medical Director</u>	<u>Report Date</u>
Dr. Rajiv Das	2/7/06 (Supplemental); 2/3/06 (Updated); 1/31/06

The Secretary went through Dr. Das' work restrictions and stated that her current status is modified duty. He also said that an additional report was handed out this morning from employee services indicating that there are a numerous number of opportunities available to Mrs. Vazquez to attempt employment.

The Chair stated that for a service connect disability they need to one, in fact have a disability, that it comes out of employment with the City of San Jose, and that the City or Department cannot accommodate the employee's disability for continued employment. He says he would think that with this new information from employee services that we need to delay this for a month to find out what those positions are that might be able to accommodate Mrs. Vazquez.

Member Cortese expressed his concern about Mrs. Vazquez's current situation and her ability to tolerate an additional 30 days.

Mrs. Vazquez summarized to the Board her working conditions, her level of pain and the different ailments she suffers, and how it affects her quality of life.

Member Cortese and *Mrs. Vazquez* discussed how she will be affected in the next 30 days and her preference for the decision of the Board.

Mrs. Price stated that the Department would be more than willing to continue to accommodate *Mrs. Vazquez* and that she would like to encourage her to go with the Board in taking the next 30 days to study the information.

The Board discussed the matter with *Mrs. Price*, *Mrs. Vazquez*, and *Dr. Das*.

(M.S.C. Callahan/Yoshimoto) to defer item. Motion carried 4-3-0. (NO – Busse, Thomas, Williams).

CONSENT CALENDAR (Items 2 thru 9)

The Chair pulled items 3l, j. He also stated that for Item 3p the date has been changed to March 31, 2006. (M.S.C. Forrest/Perkins) to approve Consent Calendar, except items 3l, j. Motion carried 7-0-0.

Member Williams spoke about item 3j. He stated that Mr. Roberts has done great work and thanked him for his years of service.

(M.S.C. Williams/Callahan) to approve item. Motion carried 7-0-0.

DEATH NOTIFICATIONS (Moment of Silence)

The Chair stated there would be a moment of silence for the death notifications.

NEW BUSINESS

Approval to authorize the Secretary to execute a side letter with Northern Trust to allow governing law of the custody agreement to be Illinois solely for the purpose of holding Japan Government Bonds.

The Secretary stated that this was a requirement to hold the bonds.

(M.S.C. Thomas/Callahan) to approve item. Motion carried 7-0-0.

OLD BUSINESS

Adoption of Resolution No. 5756 setting new contribution rates effective July 2, 2006.

The Secretary said that these were the rates that were approved by the Board at the February meeting.

(M.S.C. Williams/Thomas) to approve. Motion carried 7-0-0.

Approval of Furniture Budget for new office configuration not to exceed \$100,000 (split 50/50 with Police and Fire).

The Secretary explained that an expansion cost was presented to the Board for the six new cubicles to accommodate employees and to move the conference room upstairs. This is a very loose estimate for a cost of furniture so the order can be placed, as delivery takes 6-8 weeks and needs to be approved.

Member Thomas, Yoshimoto, and Callahan discussed meeting locations and convenience.

(M.S.C. Yoshimoto/Callahan) to approve. Motion carried 7-0-0.

STANDING COMMITTEE / REPORTS / RECOMMENDATIONS

Investment Committee of the Whole – next meeting 2/24/2006.

Real Estate Committee – next meeting 3/8/2006.

Committee for Investments – next meeting 2/24/2006.

Benefits Review Forum (BRF) oral update. (Thomas)

Member Thomas stated that the BRF sent out an RFP for medical in the very near future. They are also looking at the current plans and possible enhancements. They would like to reach out to any groups that can possibly provide a quote. Next meeting will take place in room W-260 on March 29, 2006 at 9:30 am.

EDUCATION AND TRAINING

PUBLIC/RETIREE COMMENTS

FUTURE AGENDA ITEMS

Member Yoshimoto suggested that we agendaize a secession plan and form a committee for that matter, also to have a discussion on an agenda item concerning a perceived conflict of interest due to Council members serving as Board members but are paid by the City.

ADJOURNMENT

There being no further business, at 9:30 a.m., **Chair Busse** adjourned the meeting.

DAVID BUSSE, CHAIRPERSON
BOARD OF ADMINISTRATION

ATTEST:

EDWARD F. OVERTON, DIRECTOR
BOARD OF ADMINISTRATION