



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

1 FEBRUARY 2007

8:30 A.M.

AGENDA

ORDERS OF THE DAY

RETIREMENTS

1. **Service**

- a. **George F. Cravalho**, Fire Engineer, Fire Department. Request for Service Retirement effective January 27, 2007; 32.96 years of service. **(SCD Pending)**
- b. **Stan Faulwetter**, Lieutenant, Police Department. Request for Service Retirement effective January 31, 2007; 30.08 years of service.
- c. **David G. Fritz**, Sergeant, Police Department. Request for Service Retirement effective February 10, 2007; 25.00 years of service.
- d. **James E. Moore**, Police Officer, Police Department. Request for Service Retirement effective February 10, 2007; 25.09 years of service.
- e. **Robert P. Nalett, Jr.**, Sergeant, Police Department. Request for Service Retirement effective February 10, 2007; 25.01 years of service.
- f. **Bruce P. Stine**, Sergeant, Police Department. Request for Service Retirement effective February 10, 2007; 25.00 years of service.

2. **Disabilities - None**

3. **Change in Status**

- a. **Gary Bertelsen**, Sergeant, Police Department. Request for change to Service-Connected Disability Retirement effective August 12, 2006; 25.88 years of service.
- b. **James Giambrone**, Police Officer, Police Department. Request for change to Service-Connected Disability Retirement effective October 7, 2004; 28.58 years of service.

4. **Deferred Vested – None**

5. **DEATH NOTIFICATIONS – None**

NEW BUSINESS

6. Request for action on the following:
 - a. Letter sent on 12/14/06 by John Tennant, POA's counsel, concerning breach of confidentiality by the Department of Retirement Services.
 - b. Board's inquiry into the disclosure.
 - c. The authority of City, through Hanson Bridgett, to conduct an investigation of the Department of Retirement Services and the Retirement Board.
 - d. Board's cooperation with City inquiry.
 - e. Board's waiver of conflict of interest with City's investigator, Hanson Bridgett.
 - f. Board Chair's request for legal representation during the Hanson Bridgett investigation.
 - g. Approval of draft letter informing active Plan members of the release of confidential information.
 - h. Direction to staff to produce written policy and training for staff concerning release of member information.
7. Request for action on Robert Lopez' (President – Police Officers' Association) letter concerning perception of bias felt by the Plan's police members.
8. Request for action on Robert Lopez' letter requesting the Retirement Board cease any further action on the concept of separation of Plan assets.

OLD BUSINESS/CONTINUED-DEFERRED ITEMS

9. Acceptance of Segal's actuarial study on proposed benefit enhancements as request by IAFF Local 230 and City Administration forward to interested parties.
10. Approval of second draft of proposed amendment to Ordinance No. 27712, Domestic Partnership procedures, to extend deadline and expand criteria for establishing partnership.
11. Towers Perrin Report on the Plan's Disability Retirement Process Review,
 - a. Acceptance of report.
 - b. Pursue study of work conditions and work environment in Police Department and Fire Department.
 - c. Recommendation to City Council for additional analytical staff in Fire Department for participation in discussion about worker health and safety.

STANDING COMMITTEE REPORTS/RECOMMENDATIONS

Investment Committee (Skeen, Heredia, Muncy)

12. Summary of committee meeting held 18 January 2007.
 - a. Approval of Seix Investment Advisor's request to invest in high yield portion of the portfolio in the Seix High Yield Fund.
 - b. Approval to allow Brandes Investment Partners to participate in mini-tender offers with the understanding that manager will indemnify Board against any losses to extent such losses were result of manager's negligence.

Real Estate Committee (Skeen, Heredia, Muncy) – next scheduled meeting June 2007
Investment Committee of the Whole (Full Board) - next meeting 15 February 2007

APPROVAL OF MINUTES

13. Monthly Board Meeting held 4 January 2007

PENDING ACTION LIST

14. Updated list as of 23 January 2007

BENEFITS REVIEW – None

CONSENT CALENDAR

15. **Return of Contributions**

- a. Voluntary
- b. Involuntary – None

16. **Investments**

- a. Adoption of Resolution No. 3249 for the period November 1 through 30, 2006.

17. **Communication/Information**

- a. Reports of Police & Fire Plan Investments – November 2006
- b. Conference report on attendance at 8th Annual Public Funds Summit
- c. Report on photography at public meetings.
- d. Notification of the status of litigation concerning overpayment of Leilani Brewster.
- e. Update on Pension Protect Act (Pretax Public Safety Benefit).
- f. Conflict-of-Interest Training Bulletin No. 1.
- g. Update on Governor’s Commission.
- h. Federal Case Law Update.
- i. Update on Recent Attorney General Opinions concerning Government Code Section 1090.
- j. Macias Gini’s audit report for the fiscal year ended 30 June 2006.

PROPOSED AGENDA ITEMS

PUBLIC COMMENTS

EDUCATION & TRAINING

18. Notification of CalAPRS Principles of Pension Management for Trustees to be held at Stanford Law School, March 27 thru 30, 2007.

ADJOURNMENT