



**BOARD OF ADMINISTRATION**  
**Department of Retirement Services**  
**City Hall, Council Chambers**  
**200 East Santa Clara St., San Jose, CA 95113**

**BOARD MEMBERS**

**David Bacigalupi, Chair**  
**Conrad Taylor, Vice Chair**  
**Rose Herrera, Trustee**  
**Scott Johnson, Trustee**  
**Sean Kaldor, Trustee**  
**Sam Liccardo, Trustee**  
**Vacant, Trustee**

**DIRECTOR**

**Russell U. Crosby**

**THURSDAY**

**SEPTEMBER 2, 2010**

**8:30 AM**

**AMENDED AGENDA**

**ORDERS OF THE DAY**

**RETIREMENTS**

1. **Service - None**
2. **Disabilities - None**
3. **Change in Status**
  - a. **Ronald T. Daly**, Retired Police Office, Police Department. Request for change in status to Service-Connected Disability Retirement effective December 26, 2009; 28.62 years of service.
  - b. **John P. Quavle**, Retired Police Officer, Police Department. Request for change in status to Service-Connected Disability Retirement effective January 31, 2005; 25.00 years of service.  
– Continued from 8/5/10.
  - c. **Bruce Toney**, Retired Police Lieutenant, Police Department. Request for change in status to Service-Connected Disability Retirement effective January 13, 2007; 27.55 years of service.  
– Deferred from 8/5/10.
  - d. **Jeffrey Weber**, Retired Arson Investigator, Fire Department. Request for change in status to Service-Connected Disability Retirement effective January 10, 2009; 27.71 years of service.  
– Deferred from 8/5/10.
4. **Deferred Vested**
  - a. **Alfred S. Duran**, Retired Police Officer, Police Department, effective September 6, 2010, 11.77 years of service. (With reciprocity)

**DEATH NOTIFICATIONS (Moment of Silence)**

5. Notification of the death of **Harold R. Bounds**, Retired Police Sergeant, retired 7/5/97, died 6/2/10. Survivorship benefits to Caren B. Bounds, spouse.
6. Notification of the death of **William J. Brown**, Retired Police Captain, retired 1/17/81, died 7/25/10. Survivorship benefits to Marilyn Brown, spouse.

7. Notification of the death of **Lawrence A. Darr**, Retired Police Sergeant, retired 8/5/92, died 4/29/10. No survivorship benefits.
8. Notification of the death of **James C. Elder**, Retired Fire Engineer, retired 7/7/92, died 7/9/10, No survivorship benefits.
9. Notification of the death of **Charles W. Frates**, Retired Firefighter, retired 11/2/82, died 8/17/10. Survivorship benefits to Renata Frates, spouse.
10. Notification of the death of **John Jacob, Sr.**, Active Police Officer, died 8/19/10. Survivorship benefits to Dianna Jacob, spouse and John Jr., Noah, Cara and Delilah Jacob, children.
11. Notification of the death of **Sean R. Leslie**, Retired Firefighter, retired 3/1/72, died 8/16/10. No survivorship benefits.
12. Notification of the death of **Jan Ozga**, Retired Fire Engineer, retired 5/9/78, died 8/3/10. No survivorship benefits.
13. Notification of the death of **Gary Parks**, Retired Fire Engineer, retired 9/2/99, died 7/15/10. Survivorship benefits to Joni Parks, spouse.
14. Notification of the death of **Johnny L. Periman**, Retired Police Sergeant, retired 1/13/97, died 6/18/10. No survivorship benefits.
15. Notification of the death of **Dewitt C. Tranberg**, Retired Fire Engineer, retired 3/3/95, died 7/18/10. Survivorship benefits to Nikki Tranberg, spouse.

### **NEW BUSINESS**

16. [Discussion and action regarding change in pay reporting for Labor Code Section 4850 Disability Payments and Impact on Retirement Fund.](#)

### **OLD BUSINESS/CONTINUED-DEFERRED ITEMS**

17. [Review and recommendation on Ordinance to Implement Retirement Board Governance changes.](#)  
– continued from 8/5/10
  - a. [Amending Section 2.08.130 of Part 1 Chapter 2.08 of Title 2 of the San José Municipal Code to revise provisions for removal of Retirement Board Members.](#)
  - b. [Amending Part 12 of Chapter 2.08 of Title 2 and Section 3.36.330 of Part 3 of Chapter 3.36 of the San José Municipal Code to revise the structure of the Board Of Administration for the Police And Fire Department Retirement Plan, adopt minimum qualification criteria for public members of said Board, revise provisions for compensation of Board Members and revise the definition of a Board quorum.](#)
18. Discussion and possible action on 415(m) Benefit Replacement Plan.
  - a. [Memo from Alex Gurza to Russell Crosby dated August 10, 2010, regarding Section 415\(m\) Replacement Plan status.](#)
  - b. [Memo from Ed Overton to P&F Retirement Board dated May 27, 2004, regarding Section 415\(m\) draft Ordinance.](#)
  - c. [P&F Board Minutes, dated June 3, 2004, Pages 8 & 9 documenting Board's action on Section 415\(m\) draft Ordinance.](#)
19. **Discussion and possible action regarding the continuation of Exit Physicals.**
  - a. [Discussion regarding exit physicals and possible extension of the program until further information can be gathered.](#)
20. Verbal update on status of Plan Tax Qualification Review.
21. Verbal update on FLSA.

22. [Review and recommendation on Ordinance amending San Jose Municipal Code 3.36.020 B.2 to correct the definition of final compensation.](#)

### **STANDING COMMITTEE REPORTS/RECOMMENDATIONS**

23. **Investment Committee (Bacigalupi/Johnson/Taylor/Alternate: Kaldor)** – next meeting September 16, 2010
24. **Investment Committee of the Whole** – next meeting November 18, 2010

### **CONSENT CALENDAR (Items # 25 through 32)**

25. **Approval of Minutes**  
[Monthly Board Meeting held on August 5, 2010.](#)
26. **Approval of Travel/Conference Attendance**
- a. [Toni Johnson – CalAPRS, “Course in Retirement Disability Administration” and “Roundtable: Benefits”, San Diego, CA - September 9 & 10, 2010.](#)
  - b. [Mollie Dent – CalAPRS, Attorney’s Roundtable, San Diego, CA – September 10, 2010.](#)
  - c. Ali Amiry – Pension Forum, “The Changing Landscape of Defined Benefit Pension Plans”, San Francisco, CA – September 15, 2010.
  - d. Ali Amiry – Tail Risk Management, New York City, NY – September 21-24, 2010.
  - e. Ali Amiry – Institutional Investors Hedge Fund, San Francisco, CA – September 27-28, 2010.
27. **Approval of Monthly Expenses**
- a. [Plan Expenses from July 2010.](#)
28. **Pending Action**
- a. [Pending Action Summary List – As of September 2010.](#)
29. **Benefits Review Forum - None**
30. **Return of Contributions**
- a. Voluntary
  - b. Involuntary
31. **Investments**
- a. [Adoption of Resolution 3679 for the period of June 1 through June 30, 2010.](#)
32. **Communication/Information**
- a. [Report on Investments as of June 30, 2010.](#)

### **PROPOSED AGENDA ITEMS**

### **PUBLIC COMMENTS**

## **EDUCATION & TRAINING**

### **33. Notification of CalAPRS' Trustees Round Table**

- a. Trustees' Round Table, San Diego, CA – October 15, 2010.
- b. Trustees' Round Table, Double Tree Hotel, 2050 Gateway Place, San Jose, CA – January 28, 2011.

### **34. Notification of IFEBP Training**

- a. 56<sup>th</sup> U.S. Annual Employees Benefits Conference, Honolulu, HI – Sunday, November 14, 2010 thru Wednesday, November 17, 2010.
- b. Foundations for Trustees 1, Hilton, San Diego, CA – Saturday, November 20, 2010 thru Sunday, November 21, 2010.
- c. Foundations for Trustees 2 Pensions, Hilton, San Diego, CA – Saturday, November 20, 2010.
- d. Investments Institute, Las Vegas, NV – Monday, April 11, 2011 thru April 13, 2011.
- e. Portfolio Concepts and Management, Philadelphia, PA – Monday, May 23, 2011 thru Thursday, May 26, 2011.
- f. Trustees and Administrators Institutes – New Trustees, Hilton, San Francisco, CA – Monday, June 13, 2011 thru June 15, 2011.

## **ADJOURNMENT**

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Department of Retirement Services, 1737 N. First Street, Suite 580, San José CA 95112 at the same time that the public records are distributed or made available to the legislative body.

Our facility is equipped with assistive listening devices for the hearing impaired.