



**BOARD OF ADMINISTRATION**  
**DEPARTMENT OF RETIREMENT SERVICES**  
**1737 N. FIRST ST, SUITE 600 – SAN JOSE, CA 95112**

**BOARD MEMBERS**

**David Busse, Chair**, Trustee  
**Matt Loesch, Vice-Chair**, Trustee  
**Ed Overton**, Trustee  
**Pete Constant**, Trustee  
**Ash Kalra**, Trustee  
**Jeffrey Perkins**, Trustee  
**Vacant**, Trustee

**SECRETARY**

**RUSSELL U. CROSBY**

**THURSDAY**

**13 AUGUST 2009**

**9:00 A.M.**

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**A G E N D A**

**ORDERS OF THE DAY**

**RETIREMENTS**

**1. Disability Retirements for Hearing**

- a. **Ricky M. Espinoza**, Maintenance Worker I, Transportation Department. Request for a service-connected disability retirement effective May 7, 2009; 26.77 years of service.
- b. **Rebecca J. Mitic**, Public Safety Radio Dispatcher, Police Department. Request for a service-connected disability retirement effective June 11, 2009; 12.41 years of service.
- c. **Ami Zibert**, Public Safety Dispatcher II, Police Department. Request for a service-connected disability retirement effective January 16, 2008; 10.89 years of service.

**CONSENT CALENDAR (Items 2 through 10)**

**2. Request for approval of NonService-Connected Disability Retirements**

**Denise G. Martin**, Public Safety Communications Specialist, Police Department. Request for a nonservice-connected disability retirement effective August 13, 2009; 18.44 years of service.

**3. Request for approval of Service Retirements**

- a. **Kathryn L. Boyd**, Librarian II, Library Department; effective August 22, 2009, 34.89 years of service.
- b. **Vilma S. Castro**, Senior Account Clerk, Public Works Department; effective July 25, 2009, 23.01 years of service.
- c. **Primus Delagarza**, Plant Operator, Environmental Services Department; effective June 27, 2009, 6.44 years of service.
- d. **Lawrence E. Dionne**, Senior Construction Inspector, Public Works Department; effective July 1, 2009, 10.98 years of service. **(SCD Pending)**
- e. **Deborah K. Erwin**, Senior Librarian, Library Department; effective August 22, 2009, 15.57 years of service. **(w/Reciprocity)**.
- f. **Catherine V. Farnsworth**, Program Manager II, Airport Department; effective September 5, 2009, 12.84 years of service.

- g. **Doris E. Guerreiro**, Contract Compliance Specialist, Public Works Department; effective July 25, 2009, 23.67 years of service.
- h. **Irma E. Hernandez**, Police Data Specialist II, Police Department; effective August 22, 2009, 30.01 years of service.
- i. **Ned A. Himmel**, Assistant Library Director, Library Department; effective August 22, 2009, 8.70 years of service. **(w/Reciprocity)**.
- j. **Hsiu-Wei S. Kang**, Librarian II, Library Department; effective August 22, 2009, 12.28 years of service.
- k. **Jean LaDuc**, Horticulturist, Environmental Services Department; effective July 25, 2009, 19.18 years of service.
- l. **Gerald R. Lindemann**, Building Maintenance Superintendent, Airport Department; effective July 25, 2009, 11.61 years of service.
- m. **Francine M. Lopez-Inami**, Supervising Police Data Specialist, Police Department; effective August 22, 2009, 30.02 years of service.
- n. **William D. Overstreet**, Facility Lighting and Sound Technician, Convention, Arts and Entertaining Department; effective July 25, 2009, 31.72 years of service.
- o. **Martha E. Pignone**, Program Manager I, General Services Department; effective August 22, 2009, 19.03 years of service.
- p. **Michael G. Roderick**, Senior Maintenance Worker, Transportation Department; effective August 8, 2009, 25.04 years of service. **(SCD Pending)**.
- q. **Jose S. Silva**, Environmental Inspector II, Environmental Services Department; effective August 8, 2009, 28.26 years of service.
- r. **Isagani C. Tengson**, Investigator-Collector II, Finance Department; effective July 25, 2009, 17.85 years of service.
- s. **Oiva J. Warvi**, Security Officer, Convention, Arts and Entertainment Department; effective June 27, 2009, 19.84 years of service.
- t. **Leland R. Wheeler**, Senior Plant Mechanic, Environmental Services Department; effective August 8, 2009, 30.01 years of service.

**Deferred Vested**

- u. **James T. Chen**, Mechanical Engineer, Environmental Services Department; effective August 5, 2009, 6.15 years of service.
- v. **Larry M. Enriquez Sr.**, Maintenance Worker II, Transportation Department; effective July 21, 2009, 28.21 years of service.
- w. **Daniel H. Hendrix**, Public Safety Dispatcher, Fire Department; effective June 13, 2009, .87406 years of service. **(w/Reciprocity)**.
- x. **Nancy M. Johnson**, Director, Convention, Arts and Entertainment Department; effective August 1, 2009, 12.11 years of service.
- y. **Christopher A. Rafferty**, Assistant Landscape Architect, Public Works Department; effective June 30, 2009, 9.36 years of service.

**4. Approval Items**

[Approval of "Monthly Payment Option" to be paid to Cheryl Schroeder, ex-spouse of Alan Schroeder, Maintenance Supervisor; effective September 11, 2009.](#)

**5. Board Minutes**

[Approval of Minutes of June 11, 2009](#)

6. [Return of Contributions](#)
  - a. Voluntary
  - b. Involuntary
7. **Investment Summary Report**  
[Report of Federated Investments – May 2009](#)
8. **Approval of Monthly Expenditures**  
[Report of Federated Retirement Plan expenses as of May 2009](#)
9. **Communication / Information**
  - a. [Pending Actions](#)
  - b. [Benefits Review Forum \(BRF\) – June 2009](#)
  - c. [Notification of Federated Plan’s receipt of GFOA award for 2007-08 CAFR](#)
  - d. [Legal Updates](#)
  - e. [CalAPRS Update for Summer 2009](#)
  - f. [GRS’ memo on revised IRC Section 401\(h\) projections](#)
  - g. Update on Federated Board vacancy
  - h. [Cortex outreach meetings to be held on August 26-27, 2009](#)
10. **Investments**
  - a. [Adoption of Resolution No. 6474 acknowledging receipt of a report on investments](#) for the period May 1 through 31, 2009.
11. **DEATH NOTIFICATIONS (Moment of Silence)**
  - a. **Charles D. Gill**, Real Estate Agent II, Neighborhood Preservation Department; retired 7/31/01, died 6/25/09. No survivorship benefits.
  - b. **Frances A. Goff**, Senior Office Specialist, Police Department; retired 5/31/97, died 5/20/09. No survivorship benefits.
  - c. **James M. Higa**, Equipment Mechanic, General Services Department; retired 9/8/05, died 6/11/09. Survivorship benefits to Genevieve Higa, spouse
  - d. **Clyde Hilson**, Senior Analyst, Finance Department; retired 11/7/92, died 6/26/09. Survivorship benefits to Bertha Hilson, spouse.
  - e. **Robert J. Jacklich**, Maintenance Worker II, Neighborhood Maintenance Department; retired 6/29/85, died 5/12/09. No survivorship benefits.
  - f. **Geraldine V. Kyle**, Secretary II, Personnel Department; retired 11/8/86, died 6/8/09. No survivorship benefits.
  - g. **Anthony Lamarra**, Parks Supervisor, Parks and Recreation Department; retired 5/15/76, died 6/29/09. Survivorship benefits to Barbara Lamarra, spouse.
  - h. **Demetrio M. Leabres, Jr.**, Associate Engineering Technician, Public Works Department; retired 10/23/04, died 7/7/09. Survivorship benefits to Cyrina E. Leabres, spouse.
  - i. **Peggy Moldenhauer**, Senior Account Clerk, Airport Department; retired 3/2/85, died 5/31/09. Survivorship benefits to Leonard Moldenhauer, spouse.
  - j. **Amy L. Nagareda**, Typist Clerk II, Police Department; retired 7/20/91, died 5/30/09. Survivorship benefits to Minoru Nagareda, spouse.
  - k. **Lois M. Smith**, Typist Clerk II, Personnel Department; retired 10/13/79, died 4/15/09. No survivorship benefits.
  - l. **Mildred O. Stainbrook**, Librarian II, Library Department; retired 7/9/89, died 6/9/09. No survivorship benefits.

- m. **Rosemary E. Struss**, Legal Secretary II, City Attorney Department; retired 10/4/87, died 6/17/09. Survivorship benefits to Lyle E. Struss, spouse.

**OLD BUSINESS/DEFERRED-CONTINUED ITEMS**

- 12. Travel Audit compliance update.
- 13. [Authorization for Secretary to negotiate and execute an amendment to agreement with Macias, Gini & O’Connell](#) for the following: a) audit of City’s payroll transmission process; b) to continue term through December 31, 2010; c) authorize Secretary to add/modify MGO’s agreed-upon procedures as needed; and, d) increase not-to-exceed amount by \$30,000 for a total of \$100,000 (to be shared with P&F Plan on usage-per plan basis).
- 14. a. [Adoption of a resolution determining that it would not be reasonable to pursue collection](#) efforts for the recovery of Supplemental Retiree Benefit Reserve (SRBR) amounts that were overpaid to retirees in fiscal years ending June 30, 2000, 2001, 2002, 2005, 2006 and 2007; and  
 b. Direction to staff concerning a recommendation to the City Council related to revising the formula for distribution of future SRBR payments to take into account any past over distributions
- 15. Board review and action on recommendation to City Council regarding SRBR termination
- 16. [Discussion of Board’s disability retirement application denial process](#)
- 17. [Report on cash flow and liquidity analysis \(Continued from April\)](#)

**NEW BUSINESS**

- 18. [Update on Securities & Exchange Commission’s inquiry of pension plans.](#)
- 19. [Report on City’s prefunding of required contributions for Fiscal Year 2009-10 and reconciliation](#) for Fiscal Year 2008-09.
- 20. [Approval of a change to Judy P. Miller’s service retirement date from 7/25/09 to 6/27/09.](#)
- 21. Request for Board approval of the following trustees’/staff attendance at the educational conferences listed:

<u>Trustee/Staff</u>	<u>Conference Name/Location/Dates</u>
Ron Kumar	Public Engagement: The Vital Leadership Skill in Difficult Times – Cupertino – 30 June 2009
Rajiv Das	American Academy of Physical Medicine & Rehabilitation Annual Assembly – Austin, TX – October 21 thru 25, 2009
Russell Crosby	CalAPRS Administrators’ Institute – Sept. 23 thru 25, 2009, Tahoe Vista, CA
Veronica Niebla	Tools for Stability in Uncertain Times – July 15, 2009 – San Jose, CA
Ali Amiry, Carmen Racy-Choy	CFA Continuing Education – August 12, 2009 – San Francisco, CA
Matt Loesch, Jeff Perkins Carmen Racy-Choy	Investment Consultant Due Diligence – July 28-30, 2009, Boston, MA

**STANDING COMMITTEES / REPORTS / RECOMMENDATIONS**

- 22. **Committee for Investments (Perkins/Loesch/Busse – alternate/Constant) – last meeting 6/25/09**
  - a. [Summary of meeting held 25 June 2009](#)
    - 1. Approval of the Investment Committee’s FY 2009-10 Workplan

- b. Meeting held 13 August 2009
  - 1. Approval for the Secretary to negotiate and execute an agreement with the consultant selected by the Investment Committee for a three year term and not to exceed annual amount of \$400,000 and to provide notice of termination of the agreement with Strategic Investment Solutions, Inc.
- 23. **Committee of the Whole (Full Board) – last meeting 6/25/09**
  - a. [Summary of meeting held 25 June 2009](#)
- 24. **Policy Committee (Busse/Overton/Constant – alternate/Loesch) – TBD**

**EDUCATION AND TRAINING**

**FUTURE AGENDA ITEMS**

**PUBLIC/RETIREE COMMENTS**

- 25. **Comments from the Public**

**CLOSED SESSION –**

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 subsection (a):**

Case Name: Estate of Albert Pinon

Name(s) of Parties(s) Involved: FEDERATED CITY EMPLOYEES RETIREMENT PLAN,  
PATRICIA BYE AS ADMINISTRATOR OF THE ESTATE  
OF ALBERT PINON

Court: Superior Court of California, County of Santa Clara

Case No.: I-08-PR-163445

Amount of Money or Other Relief Sought: \$4,441.82 plus interest.

**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.