



CITY OF SAN JOSÉ, CALIFORNIA
DEPARTMENT OF RETIREMENT SERVICES



BOARD OF ADMINISTRATION

CITY HALL

City Hall Wing Committee Rooms 118/119
200 East Santa Clara Street, San Jose, CA 95113

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Senior Deputy City Attorney Mollie Dent
Conflicts Counsel Russ Richeda

THURSDAY

JUNE 16, 2011

8:30 A.M.

AMENDED AGENDA

• **ORDERS OF THE DAY**

1. **DISABILITY RETIREMENTS**

1.1 **Approval of Staff Recommendation to Deny Change of Status to Service-Connected Disability**

- a. **Margaret Licon**, Maintenance Worker II, Parks, Recreation & Neighborhood Services Department. Request for a Change of Status from a Service Retirement to Service-Connected Disability Retirement, effective February 2, 2008; 23.47* years of service.

2. **CONSENT CALENDAR (Items 2.1 through 2.10)**

2.1 **Approval of Staff Recommendation for Non-Service-Connected Disability Retirement**

Cynthia Kuo, Analyst II, Environmental Services Department. Request for a Non-Service-Connected Disability Retirement, effective April 13, 2011; 21.03 years of service.

2.2 Approval of Service Retirements

- a. **Susan R. Annino**, Office Specialist II, Police Department, effective July 23, 2011; 30.01* years of service.
- b. **Kai-Kei Au**, Lab Technician, Environmental Services Department; effective June 25, 2011; 15.15* years of service.
- c. **Veronica J. Bailey**, Senior Office Specialist, Library Department, effective June 25, 2011; 19.69* years of service.
- d. **John A. Barros**, Mechanic, Public Works Department, effective June 25, 2011; 24.66* years of service.
- e. **Benjamin Belfrey**, Custodial Supervisor, Public Works Department, effective June 25, 2011; 13.32* years of service.
- f. **Steven A. Blake**, Principle Construction Inspector, Public Works Department, effective June 18, 2011; 30.02* years of service.
- g. **Geraldine K. Brighter**, Senior Office Specialist, Police Department, effective June 25, 2011; 26.33* years of service.
- h. **Sean T. Bui**, Electrician, Airport Department, effective May 31, 2011; 19.96* years of service.
- i. **Sheila J. Cavallaro**, Supervising Police Data Specialist, Police Department, effective June 25, 2011; 30.00* years of service.
- j. **Peter Chen**, Technician II, Environmental Services Department, effective June 25, 2011; 15.15* years of service.
- k. **Douglas G. Colbeck**, Park Ranger, Parks, Recreation & Neighborhood Services Department, effective June 25, 2011; 17.17* years of service.
- l. **Allan Collett**, Police Property Specialist II, Police Department, effective June 25, 2011; 25.70* years of service.
- m. **Rosalyn C. Coronado**, Analyst II, Department of Transportation, effective August 20, 2011; 22.78* years of service.
- n. **Rita A. Cotillon**, Library Clerk, Library Department, effective June 25, 2011; 9.69* years of service. *(COS to SCD-pending)*
- o. **Mary Danziger**, Code Enforcement Inspector, Planning, Building & Code Enforcement Department, effective June 24, 2011; 16.82* years of service.
- p. **Paula Dardis**, Senior Office Specialist, Fire Department, effective June 25, 2011; 11.86* years of service.
- q. **Gilberto DeLaCruz**, Air Equipment Mechanic, Airport Department, effective June 12, 2011; 9.87* years of service.
- r. **Cecilia S. Delgado**, Staff Technician, City Clerk Department, effective June 25, 2011; 17.00* years of service.
- s. **Ron G. Eddow**, Senior Development Officer, Housing Department, effective June 25, 2011; 22.84* years of service. *(With reciprocity)*
- t. **Patricia A. Emami**, Analyst II, Environmental Services Department, effective August 6, 2011; 30.00* years of service.
- u. **Bruce R. Frisbey**, Supervising Environmental Services Specialist, Environmental Services Department, effective June 25, 2011; 23.05* years of service.
- v. **Laura J. Haynes**, Supervising Public Safety Dispatcher, Police Department, effective August 20, 2011; 21.34* years of service.

- w. **Patricia F. Houston**, Analyst II, Environmental Services Department, effective August 6, 2011; 23.15* years of service
- x. **Diane M. Idemoto**, Network Engineer, Information Technology Department, effective October 1, 2011; 30.00* years of service. (*With reciprocity*)
- y. **Ron M. Jacobsen**, Chemist, Environmental Services Department, effective June 25, 2011; 41.73* years of service.
- z. **Douglas Johnston**, Senior Mechanical Parts Worker, Public Works Department, effective June 25, 2011; 24.00* years of service.
- aa. **Sy Jordan**, Custodial Supervisor, Airport Department, effective June 25, 2011; 14.05* years of service. (*With reciprocity*)
- bb. **Robert Leong**, Library Clerk, Library Department, effective June 25, 2011; 25.00* years of service.
- cc. **Joseph C. Loguidice**, Administrative Officer, Fire Department, effective June 25, 2011; 26.38* years of service. (*With reciprocity*)
- dd. **Rosella Lopes**, Secretary, Police Department, effective June 3, 2011; 15.86* years of service. (*SCD-pending*)
- ee. **Steven G. Luckenbach**, Marketing & Public Outreach Manager, Environmental Services Department, effective June 25, 2011; 12.00* years of service.
- ff. **Hormoz Maiel**, Senior Engineer, Planning, Building & Code Enforcement Department, effective May 14, 2011; 25.24* years of service.
- gg. **Teresa A. Marlowe**, Latent Fingerprint Examiner, Police Department, effective June 25, 2011; 30.01* years of service.
- hh. **Harry S. Mavrogenes**, Redevelopment Manager, Redevelopment Agency, effective June 25, 2011; 25.96* years of service.
- ii. **Phillip D. McGinnis**, Environmental Inspector, Environmental Services Department, effective June 25, 2011; 25.42* years of service.
- jj. **Bonnie S. Merriott**, Senior Office Specialist, Information Technology Department, effective August 31, 2011; 15.09* years of service.
- kk. **Christopher P. Monahan**, Workers Compensation Adjuster II, Human Resources Department, effective June 25, 2011; 21.80* years of service.
- ll. **Silvia E. Montoya**, Community Coordinator, Office of Economic Development, effective June 25, 2011; 9.80* years of service.
- mm. **Ronna C. Nemer**, Librarian II, Library Department, effective June 11, 2011; 24.75* years of service.
- nn. **Albert I. Nissan**, Associate Engineer, Planning, Building & Code Enforcement Department, effective June 25, 2011; 21.59* years of service.
- oo. **Sylvia J. Olmos**, Community Activity Worker, Parks, Recreation & Neighborhood Services Department, effective June 25, 2011; 10.59* years of service.
- pp. **Mercedes E. Pena**, Development Officer, Housing Department, effective May 28, 2011; 11.01* years of service.
- qq. **Hai N. Pham**, Code Enforcement Inspector II, Planning, Building & Code Enforcement Department, effective June 25, 2011; 24.99* years of service.
- rr. **Roger Pickler**, Administrative Officer, Retirement Services Department, effective May 17, 2011; 19.62* years of service. (*SCD-pending*)
- ss. **Ygnacio Roa**, Groundswoker, Parks, Recreation & Neighborhood Services Department, effective June 25, 2011; 15.05* years of service.

- tt. Patrick M. Rose**, Senior Construction Inspector, Public Works Department, effective June 25, 2011; 22.17* years of service.
- uu. Deborah K. Sherrell**, Community Coordinator, City Manager's Office, effective June 25, 2011; 7.24* years of service.
- vv. Roland H. Sun**, Associate Engineer, Environmental Services Department, effective June 11, 2011; 19.96* years of service.
- ww. Janet Torres**, Staff Specialist, Parks, Recreation & Neighborhood Services Department, effective July 23, 2011; 30.03* years of service.
- xx. Gloria R. Urban**, Office Specialist II, Housing Department, effective June 25, 2011; 20.05* years of service.
- yy. Raja R. Vaddiparty**, Office Specialist II, Parks, Recreation & Neighborhood Services Department, effective June 25, 2011; 26.18* years of service.
- zz. Janin R. Valles**, Library Clerk, Library Department, effective June 26, 2011; 10.23* years of service. (*With reciprocity*)
- aaa. Steven J. Waters**, Associate Construction Inspector, Department of Transportation, effective June 25, 2011; 20.94* years of service.
- bbb. Glenn M. Watson**, Senior Operations Specialist, Airport Department, effective June 25, 2011; 21.21* years of service.
- ccc. Warren D. Winkler**, Geologist System Specialist, Planning, Building & Code Enforcement Department, effective June 11, 2011; 19.05* years of service.
- ddd. John R. Wolfram**, Senior Engineer, Planning, Building & Code Enforcement Department, effective June 25, 2011; 21.07* years of service.
- eee. Margaret K. Hung**, Chemist, Environmental Services Department, effective June 25, 2011; 16.37* years of service.
- fff. Janet C. Kern**, Deputy Executive Director, Redevelopment Agency, effective June 25, 2011; 11.27* years of service.
- ggg. James Howard Reed Jr.**, Senior Maintenance Worker, Department of Transportation, effective June 11, 2011; 20.87* years of service.
- hhh. Benilda Santos**, Engineer II, Public Works Department, effective June 25, 2011; 21.85* years of service.

2.3 Approval of Deferred Vested Retirements

- a. Alma Carrillo**, Senior Office Specialist, Planning, Building & Code Enforcement Department, effective August 24, 2011; 19.65* years of service.
- b. Brian T. Chan**, Associate Civil Engineer, Public Works Department, effective July 18, 2011; 8.69* years of service.
- c. Douglas G. Coffman**, Office Specialist II, City Manager's Office, effective July 1, 2011; 5.80* years of service. (*With reciprocity*)
- d. Kevin T. Kretchmer**, Combination Building Inspector, Planning Building & Code Enforcement Department, effective May 25, 2011; 5.57* years of service.

2.4 Approval to Rescind Retirement Applications

- a.** Approval to rescind retirement application of **Jim Burnett**, approved at the May 19, 2011 meeting.

- b. Approval to rescind retirement application of **Michael E. Johnson**, approved at the May 19, 2011 meeting.
- c. Approval to rescind retirement application of **Larry L. Rogers**, approved at the May 19, 2011 meeting.

2.5 Approval of Change of Retirement Date

- a. Approval of change of retirement date of Deriek Clemmons; from June 25, 2011 to July 23, 2011.
- b. Approval of change of retirement date of Albert C. Muccia; from June 30, 2011 to June 25, 2011.
- c. Approval of change of retirement date of Lori E. Vadnais; from May 28, 2011 to June 1, 2011.

2.6 Approval of Board Minutes

[Approval of Board Minutes of May 19, 2011.](#)

2.7 Approval of Return of Contributions

- a. Voluntary
- b. Involuntary

2.8 Approval of Monthly Expenditures

Report of Federated Retirement Plan Expenses for April 30, 2011.

2.9 Acceptance of Communication/Information Reports

- a. [Benefits Review Forum Report – May 2011, dated May 19, 2011.](#)
- b. [Institutional Investor “Avoiding Losses is One of the Keys to Managing Money”, dated May 27, 2011.](#)
- c. [Pension & Investments “CIOs leaving not-for-profit pension plans”, dated June 7, 2011.](#)

2.10 Approval of Travel Conference Attendance - None

3. DEATH NOTIFICATIONS (Moment of Silence)

- 3.1 Edgardo I. Carranza**, Gerontology Supervisor, retired 11/07/92, died 05/09/11. Survivorship benefits to Nancy Carranza, spouse.
- 3.2 Gordon T. Castro**, Senior Maintenance Worker, retired 03/20/10, died 05/13/11. Survivorship benefits to Cynthia Castro, spouse.
- 3.3 Steven Hartman**, Electrical Inspector, retired 07/15/01, died 04/29/11. Survivorship benefits to Edith M. Hartman, spouse.
- 3.4 Aurora Kammerer**, City Council Secretary, retired 9/25/83, died 05/01/11. No survivorship benefits.

*Estimated

3.5 **Gerrit Niver**, Plant Equipment Mechanic, retired 03/22/82 died 05/06/11. No survivorship benefits.

4. OLD BUSINESS-DEFERRED/CONTINUED ITEMS

4.1 [Discussion and action concerning Analysis Government Code Section 7513.95 by Russ Richeda on current Board members.](#) (Deferred from May 19, 2011)

4.2 Discussion and action regarding Board Retreat. (Deferred from May 19, 2011)

5. NEW BUSINESS

5.1 [Staff presentation of the quarterly performance report as of March 31, 2011.](#)

5.2 CIO Update on Investment Portfolio.

5.3 [Approval to hire State Street as the System's custodian and for the Secretary to negotiate and execute an agreement with State Street for a term of three years for a not-to-exceed amount of \\$800,000.](#)

5.4 Discussion and action concerning legal analysis of the Public Records Act, Ralph M. Brown Act and private equity and private real estate contracts concerning the disclosure and discussion of information pertaining to private equity and private real estate investments.

5.5 Contribution Rates and Amounts for 2011-12

- a. [Adoption of Resolution 6734 setting new city and employee contribution rates and amounts for Federated members to be effective June 26, 2011.](#)
- b. [Memo from Michael Moehle regarding Fiscal Year 2011-12 Contributions, dated June 7, 2011.](#)
- c. [Memo from Mollie Dent, Senior Deputy Attorney regarding Setting Contribution Rates, dated June 8, 2011.](#)
- d. [Letter from Cheiron regarding Contribution Dollars and Rates, dated June 7, 2011.](#)

5.6 [Request to San Jose City Council to initiate amendment Ordinance to amend Section 3.28.1030 of San Jose Municipal Code regarding Non-Assignment for purposes of Retiree Association Dues.](#)

5.7 [Discussion and action regarding the City's Revolving Door Ordinance \(SJMC Chapter 12.10 and Council Policy 0-15\).](#)

5.8 [Consideration of a resolution referred by the City Council of the City of San Jose to the Board on May 17, 2011, to amend and restate Resolution No. 75635 regarding the Supplemental Retiree Benefit Reserve of the Federated City Employees Retirement Fund, to suspend the distribution of funds from the reserve during fiscal years 2011-2012.](#)

5.9 [Discussion and action regarding Cortex Report.](#)

5.10 Discussion and action on staffing and compensation issues.

5.11 Update on status of Retiree Health Care Trust.

6. COMMITTEES/REPORTS/RECOMMENDATIONS

6.1 Policy Committee (Overton/Armstrong/Loesch – alternate/Andrews) – None

6.2 Ad Hoc Disability Determination Process Committee Meeting (Loesch, Overton, Andrews, Alternate – Armstrong) – No further meetings scheduled.

- a. [Discussion and action regarding recommendation from Ad Hoc Disability Determination Process Sub-Committee.](#)
- i. Quarterly Board Disability Hearings
 - ii. Formalize the disability hearings before the Board.
 - iii. Improve communication regarding the disability process for the applicant.
 - iv. Increase training regarding the disability process for the Board members.
 - v. Reformat the disability case packet and provide additional information to facilitate Board member review.
 - vi. Require applicants to proceed with Subcommittee Hearing within six months from when Medical Director's Report states that the applicant has achieved Maximum Medical Improvement
 - vii. Recommend to the City Manager the following:
 - Earlier medical intervention by Employee Health Services in Worker's Comp Process
 - Work with the CAO on securing legal representation for the City in reviewing and, as appropriate, in opposing disability retirement applications. City Manager's Office consider asking the City Attorney's Office to provide legal representation for the City administration in opposing disability retirement applications.
 - viii. Request an opinion from legal counsel on whether and how the Plan itself can secure legal counsel to oppose disability retirement applications, should the City elect not to provide legal counsel to the City administration in opposing applicants.
- b. [Minutes from Ad Hoc Disability Determination Process Sub Committee Meeting of April 28, 2011.](#)
- c. [Minutes from Ad Hoc Disability Determination Process Sub Committee Meeting of May 26, 2011.](#)

7. EDUCATION AND TRAINING

7.2 Notification of CalAPRS' Training

Trustees' Roundtable, Double Tree Hotel, San Jose, CA – October 14, 2011.

7.3 Notification of IFEBP Training

- a. International Investing and Emerging Markets, Wharton West, San Francisco, CA, Monday, July 25, 2011 through Wednesday, July 27, 2011.
- b. CAPPP – Employee Pensions – **Part I**, Ernest Morial Convention Center, New Orleans, LA, Saturday, October 29-30, 2011.

- c. CAPPP – Employee Health – **Part I**, Ernest Morial Convention Center, New Orleans, LA, Saturday, October 29-30, 2011.
- d. CAPPP – Employee Pensions – **Part II**, Metro Meetings Center, Boston, MA, Thursday, June 21-22, 2012.
- e. CAPPP – Employee Health – **Part II**, Metro Meetings Center, Boston, MA, Thursday, June 21-22, 2012.

7.4 Notification of SACRS Training

Public Pension Investment Management Program - State Association of County Retirement System (SACRS), UC Berkeley, Monday, July 11-13, 2011.

- **FUTURE AGENDA ITEMS**
- **PUBLIC/RETIREE COMMENTS**
- **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.

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