



**BOARD OF ADMINISTRATION
Department of Retirement Services**

CITY HALL WING COMMITTEE ROOMS 118/119

200 East Santa Clara St., San Jose, CA 95113

BOARD MEMBERS

David Bacigalupi, Chair (Via teleconference)

75-5919 Ali'I Dr. G01,
Kailua-Kona, HI 96740

Conrad Taylor, Vice Chair

Sean Bill, Trustee

Michael Flaherman, Trustee

Sean Kaldor, Trustee

Damon Krytzer, Trustee

Vincent Sunzeri, Trustee

Vacant, Trustee

Vacant, Trustee

DIRECTOR

Russell U. Crosby

THURSDAY

JANUARY 6, 2011

8:30 a.m.

AMENDED AGENDA

ORDERS OF THE DAY

1. City Clerk Swearing in of Newly Appointed Trustees

RETIREMENTS

2. Service

(* Estimated)

- a. **Evan S. Bloom**, Fire Captain, Fire Department, effective January 22, 2011; 25.05* years of service. (With reciprocity)
- b. **Kevin G. Conant**, Battalion Chief, Fire Department, effective January 8, 2011; 25.02* years of service. (With reciprocity)
- c. **William James Cooley**, Fire Engineer, Fire Department, effective January 22, 2011, 26.50* years of service.
- d. **Matthew F. Elvander**, Police Sergeant, Police Department, effective January 22, 2011; 27.91* years of service.
- e. **Alan Gerbino**, Fire Engineer, Fire Department, effective January 8, 2011; 26.50* years of service.
- f. **Mark Heller**, Police Officer, Police Department, effective February 11, 2011; 26.91* years of service.
- g. **David Huseman**, Fire Captain, Fire Department, effective January 22, 2011; 27.50* years of service.
- h. **Byron Jones**, Police Sergeant, Police Department, effective January 22, 2011; 25.05* years of service.

To request an accommodation or alternative format under the Americans with Disabilities Act for City-sponsored meetings, events or printed materials, please call Mary Dariano (408) 794-1005 as soon as possible, but at least three business days before the meeting.

- i. **Scott H. Kennedy**, Police Officer, Police Department, effective January 22, 2011; 25.05* years of service. (With reciprocity)
- j. **Timothy P. Leong**, Fire Captain, Fire Department, effective January 8, 2011; 27.57* years of service. (SCD - pending)
- k. **Michael Ponte**, Police Sergeant, Police Department, effective January 22, 2011; 25.05* years of service.
- l. **David Salazar**, Fire Captain, Fire Department, effective January 22, 2011; 27.62* years of service.
- m. **Brian S. Smith**, Fire Fighter, Fire Department, effective January 22, 2011; 27.44* years of service.
- n. **Wayne D. VanGundy**, Fire Captain, Fire Department, effective January 30, 2011; 25.09* years of service.
- o. **John A. Wells**, Fire Captain, Fire Department, effective January 22, 2011; 27.65* years of service.

3. **Service Connected Disability:**

Kevin Ray, Police Officer, Police Department. Request for a Service-Connected Disability Retirement, effective January 6, 2011; 11.69 (estimated) years of service.

4. **Non-Service Connected Disability: None**

5. **Change in Status**

Bruce W. Unger, Police Lieutenant, Police Department, Requesting change in status from a Service Retirement to a Service-Connected Disability Retirement, effective July 11, 2009; 29.29 (estimated) years of service.

6. **Deferred Vested - None**

DEATH NOTIFICATIONS (Moment of Silence)

7. Notification of the death of **George W. Federoff**, Retired Fire Captain, retired 09/02/93, died 11/15/10. Survivorship benefits to Lynda M. Federoff, spouse, and survivorship allowance to Taralyn Federoff, daughter.
8. Notification of the death of **George Lucchesi**, Retired Fire Fighter, retired 03/30/80, died 11/02/10. Survivorship benefits to Marguerite Lucchesi, spouse.
9. Notification of the death of **Dexter O'Day**, Retired Police Sergeant, retired 07/12/97, died 10/14/10. No survivorship benefits.
10. Notification of the death of **John (Jack) Salois**, Retired Fire Fighter, retired 03/07/96, died 11/27/10. Survivorship benefits to Freda Salois, spouse.

NEW BUSINESS

11. Discussion and action regarding a process and schedule for recommending the 9th Board Member to City Council
12. Approval of change of retirement date of **Antoinette Igno** from Early Service Retirement effective December 11, 2010 to an Early Service Retirement effective December 19, 2010.

13. Approval of change of retirement date of **Karen Gall** from January 8, 2011 to January 22, 2011.
14. Approval of change of retirement date of **Larry McGrady** from January 22, 2011 to January 23, 2011.
15. Approval of change of retirement date of **Jim Wyatt** from January 22, 2011 to January 30, 2011.
16. Approval of change of Service Retirement date of **Oscar Bzurto** from December 25, 2010 to January 8, 2011.
17. Approval of Lifetime Monthly Payment Option to be paid to **Eileen Efigenio**, ex-spouse of Police Officer Mark Efigenio, to be effective December 1, 2010 under Part 17, Section 3.36.3600 of the San Jose Municipal Code.
18. [Discussion and possible action regarding actuarial equivalence factors for optional forms of payment.](#)

OLD BUSINESS/CONTINUED-DEFERRED ITEMS

19. Discussion and possible action regarding Supplemental Retirement Benefit Reserve (SRBR):
 - a. [Discussion and possible action on SRBR calculations from the Segal Company. \(Deferred from December 2, 2010 meeting\)](#)
 - b. [Adoption of Resolution No. 3683 declaring excess earnings as of June 30, 2010 for the purpose of transfer to Supplemental Retiree Benefit Reserve. \(Deferred from December 2, 2010 meeting\)](#)
 - c. [Letter from Moscone, Emblidge, & Slater LLP representing the Association of Retired San Jose Police Officers & Fire Fighters regarding the Board's Administration of the Supplemental Retiree Benefit Reserve.](#)
20. [Discussion and action relating to setting the discount rate for the June 30, 2011 valuation at 7.5%.](#)
21. [Discussion and action on Segal's Pension Valuation for the period ending June 30, 2010.](#)
22. [Discussion and action regarding a funding policy for Employer Annual Required Contributions \(ARC\) being set as the greater of two dollar amounts: the contribution amount reported in the valuation or, the employer contribution rate times the emerging payroll for the year.](#)
23. [Adoption of the June 30, 2010 OPEB Valuation Assumptions.](#)
24. Verbal report regarding disability process. *(Continued from December 2, 2010 meeting)*
25. [Adoption of Resolution 3685 authorizing submission of the following applications to the Internal Revenue Service, upon Council approval of an ordinance containing the required Plan tax compliance language:](#)
 - a. Application for a tax determination letter, with a payment by the Plan of the \$1,000 determination letter filing fee
 - b. Application to the Voluntary Compliance Program (VCP) for correction of failures to adopt timely amendments to the Retirement Plan as required under federal tax law and to define the

establishment date of the Plan's IRC 401(h) account, with a payment by the Plan of the \$15,000 VCP fee.

(Continued from December 2, 2010 meeting)

STANDING COMMITTEE REPORTS/RECOMMENDATIONS

26. Investment Committee
[Summary of the August 19, 2010 Investment Committee Meeting](#)
27. Real Estate Committee
 - a. [Summary of the September 16, 2010 Real Estate Committee Meeting;](#)
 - b. [Summary of the September 16, 2010 1737 North First Street Corporation Board of Directors Meeting;](#)
 - c. [Summary of the September 16, 2010 3169 Dodd Road Corporation Board of Directors Meeting;](#)
 - d. [Summary of the September 16, 2010 3201 C Street LLC Board of Directors Meeting;](#)
 - e. [Summary of the September 16, 2010 3301 C Street LLC Board of Directors Meeting;](#)
 - f. [Summary of the September 16, 2010 SJ Progress Point LLC Board of Directors Meeting.](#)

CONSENT CALENDAR (Items # 28 through 35)

28. **Approval of Minutes**
[Monthly Board meeting held on December 2, 2010.](#)
29. **Approval of Travel/Conference Attendance**

Conrad Taylor - Wharton International Investing and Emerging Markets, San Francisco, CA,
July 25-27, 2011
30. **Approval of Monthly Expenses**

[Plan Expenses for November 2010.](#)
31. **Pending Action**

[Pending Action Summary List as of January 2011](#)
32. **Benefits Review Forum**

[Summary of meeting held on December 1, 2010](#)
33. **Return of Contributions**
 - a. Voluntary
 - b. Involuntary

34. Investments

[Adoption of Resolution 3688, for the period of November 1, 2010 through November 30, 2010](#)

35. Communication/Information

- a. [Report on Investments as of November 30, 2010.](#)
- b. [Fiduciary Insurance Renewal for 2010-2011](#)
- c. [Letter from Wylie, McBride, Platten & Renner regarding Mark Skeen that was received during the meeting of December 2, 2010](#)
- d. [Letter from SJPOA re: Demand to Meet and Confer and Potential Grievance Over City's Unilateral Suspension of SRBR Payment and Retirement Board's Failure to Transfer Requisite "Excess Earnings" into SRBR](#)

EDUCATION & TRAINING

36. Notification of CalAPRS' Trustees Round Table

- a. Trustees' Round Table, Double Tree Hotel, 2050 Gateway Place, San Jose, CA. Friday, January 28, 2011.
- b. General Assembly, Monterey, CA – Thursday, March 3, 2011 thru Tuesday, March 8, 2011.
- c. Principles of Pension Management, Stanford Law School, Crown Quadrangle, 559 Nathan Abbott Way, Stanford, CA 94305-8610, March 22-25, 2011.

37. Notification of IFEBP Training

- a. Investments Institute, Las Vegas, NV – Monday, April 11, 2011 thru Wednesday, April 13, 2011.
- b. Wharton Portfolio Concepts and Management, Philadelphia, PA – Monday, May 23, 2011 thru Thursday, May 26, 2011.
- c. Trustees and Administrators Institutes – New Trustees, Hilton, San Francisco, CA – Monday, June 13, 2011 thru Wednesday, June 15, 2011.

PROPOSED AGENDA ITEMS

PUBLIC 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.

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