



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

BOARD MEMBERS

Matt Loesch, Chair
Ed Overton, Vice-Chair
Arn Andrews
Michael Armstrong
Lara Druyan
Stuart Odell
Martin Dirks

DIRECTOR RETIREMENT SERVICE

BOARD SECRETARY
Russell U. Crosby

COUNCIL LIAISON

Pete Constant

COUNSEL

Mollie Dent, Senior Deputy City Attorney
Russ Richeda, Counsel

THURSDAY

DECEMBER 15, 2011

8:30 A.M.

AGENDA

• ORDERS OF THE DAY

City Clerk Swearing in of Reappointed Trustee Matt Loesch.

1. CONSENT CALENDAR (Items 1.1 through 1.10)

1.1 Approval of Service Retirements

- a. **John D. Adams**, Police Property Supervisor, Police Department, effective December 24, 2011; 21.34* years of service.
- b. **John A. Barros**, Mechanic, Public Works Department, effective December 24, 2011; 25.06* years of service.
- c. **Ann C. Bedard**, Senior Office Specialist, Airport Department, effective December 31, 2011; 20.11* years of service.

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- d. **Manuel Bettencourt**, Airport Operations Supervisor, Airport Department, effective December 24, 2011; 15.09* years of service.
- e. **Sandy Bouja**, Code Enforcement Supervisor, Planning, Building & Code Enforcement Department, effective December 31, 2011; 14.39* years of service.
- f. **Rocco Capossele**, Equipment Maintenance Supervisor, Public Works Department, effective December 31, 2011; 21.90* years of service.
- g. **Yolanda Diaz**, Analyst, Fire Department, effective January 21, 2012; 28.16* years of service.
- h. **Eileen F. Ewing**, Senior Analyst, Police Department, effective January 7, 2012; 14.01* years of service.
- i. **Janet L. Eychner**, Analyst, Fire Department, effective January 21, 2012; 15.05* years of service. (*With reciprocity*)
- j. **Michael R. Garcia**, Maintenance Worker I, Parks, Recreation & Neighborhood Services; effective December 31, 2011; 15.02* years of service.
- k. **James J. Ham**, Senior Accountant, Police Department, effective December 24, 2011; 24.38* years of service.
- l. **Michael K. Hannon**, Deputy Director, Planning, Building & Code Enforcement Department, effective December 30, 2011; 25.95* years of service.
- m. **Michael K. Ho**, Senior Engineer, Public Works Department, effective December 17, 2011; 24.46* years of service. (*With reciprocity*)
- n. **Michael C. Hsieh**, Supervising Inspector, Planning, Building & Code Enforcement Department, effective December 24, 2011; 23.41* years of service.
- o. **Yolanda E. Lee**, Economic Development Officer, Office of Economic Development, effective December 24, 2011; 15.00* years of service.
- p. **Gloria L. Lomibao**, Secretary, Airport Department, effective December 31, 2011; 22.18* years of service.
- q. **Thomas Manheim**, Communications Director, City Manager's Office, effective December 22, 2011; 15.25* years of service. (*With reciprocity*)
- r. **Ronald E. McLin**, Maintenance Assistant, Department of Transportation, effective January 7, 2012; 10.30* years of service.
- s. **Stephanie Menzies**, Contract Compliance Specialist, Public Works Department, effective January 21, 2012; 30.05* years of service.
- t. **Dorene J. Minks**, Workers Compensation Claims Adjuster, Human Resources Department, effective December 24, 2011; 17.04* years of service.
- u. **Sandra L. Murillo**, Housing Policy Planning Administrator, Housing Department, effective December 24, 2011; 20.07* years of service.
- v. **Mary Jo Rosales**, Office Specialist II, City Manager's Office, effective December 31, 2011; 25.52* years of service.
- w. **Steven J. Waters**, Associate Construction Inspector, Department of Transportation, effective December 24, 2011; 21.34* years of service.
- x. **Donald T. Zonic**, Maintenance Supervisor, Parks, Recreation & Neighborhood Services, effective December 24, 2011; 25.73* years of service.

1.2 Approval of Deferred Vested Retirements

- a. **Kiley J. Kinnon**, Source Control Technician, Environmental Services Department, effective January 8, 2012; 3.32* years of service. (*With reciprocity*)

- b. **Bruce D. McDonald**, Custodian, Environmental Services Department, effective January 17, 2012; 19.59* years of service.
- c. **Jacquin (Jackie) Nostaja**, Supervising Public Safety Dispatcher, Police Department, effective December 13, 2011; 8.27* years of service. (*With reciprocity*)
- d. **Scott Novak**, Senior Communications Technician, Information Technology Department, effective January 3, 2012; 7.96* years of service.
- e. **Daniel G. Quintana**, Equipment Operator, Parks, Recreation & Neighborhood Services, effective January 2, 2012; 26.62* years of service.

1.3 Approval of Change of Retirement Date

- a. Approval of change of retirement date of **Patricia J. Fay**; from December 31, 2011 to December 24, 2011.

1.4 Approval to Rescind Service/Deferred Vested Retirements

- a. Approval to rescind retirement of **Juan L. Rodriguez**, approved at the November 17, 2011 meeting.
- b. Approval to rescind deferred vested of **Todd Barreras**, approved at the September 15, 2011 meeting.

1.5 Approval of Termination of Retirement Benefits

- a. Approval of request from **Ruben Canela** to authorize termination of retirement benefits and reinstatement into Plan effective January 8, 2012. (Service Retirement effective June 25, 2011 approved at the August 18, 2011 Board meeting.)

1.6 Approval of Board Minutes

[Approval of Board Minutes of November 17, 2011.](#)

1.7 Approval of Return of Contributions

- a. Voluntary
- b. Involuntary

1.8 Approval of Monthly Expenditures

[Report of Federated Retirement Plan Expenses for October 31, 2011.](#)

1.9 Acceptance of Communication/Information Reports

- a. [Memo from Russ Richeda, Saltzman & Johnson regarding: Legal Update \(Retired Employees Association of Orange County v. County of Orange County\), dated November 23, 2011.](#)
- b. [2012 Schedule of Meetings.](#)
- c. [Pending Projects.](#)

1.10 Approval of Travel / Conference Attendance

- a. Matt Loesch - Chartered Financial Analyst Program, Kaplan Schweser Workshops, Publications & Exam.

2. DEATH NOTIFICATIONS (Moment of Silence)

- 2.1 **Frank F. Chavez**, Groundswoker, retired 9/25/04, died 11/4/11. No survivorship benefits
- 2.2 **Loris A. Detmers**, Typist Clerk II, retired 12/01/89, died 11/23/11. No survivorship benefits.
- 2.3 **Bob M. Hirata**, Senior Custodian, retired 03/29/81, died 11/07/11. No survivorship benefits.
- 2.4 **Jeffrey A. Pettigrew**, Heavy Equipment Operator, active employee, died 09/24/11. No survivorship benefits.
- 2.5 **Natsuye J. Takata**, Typist Clerk II, retired 08/09/86, died 11/06/11. No survivorship benefits.

3. OLD BUSINESS-DEFERRED/CONTINUED ITEMS

- 3.1 [Discussion and action on Cheiron's June 30, 2011 Pension Actuarial Valuation report for the Federated City Employees' Retirement System.](#)

- 3.2 Discussion and action on counsels' memoranda concerning Trustees' role in an environment of discussion and negotiations on vested benefits. (*Deferred from November 17, 2011 meeting*)

- a. [Memo from Russ Richeda, Saltzman & Johnson regarding: Responsibilities and Role of the Board of Administration With Respect to Modifications to Plan Benefit Design, dated November 28, 2011.](#)
- b. [Memo to City Attorney from Arthur A. Hartinger, Meyers Nave, Esq. regarding: Response to Richeda Opinion Regarding Retirement Board's Duties Pertaining to Benefit Modifications, dated November 10, 2011.](#)
- c. [Memo from Russ Richeda, Saltzman & Johnson regarding: Reply to Response to Meyers/Nave to This Office's Initial Memorandum on Board Roles and Responsibilities With Respect to External Plan Benefit Modifications, dated December 6, 2011.](#)

- 3.3 Update on legal Request for Proposal (RFP).

- 3.4 Discussion and action regarding the review of Retirement Services Department staffing.

- 3.5 Update on Electronic Board packets.

4. NEW BUSINESS

- 4.1 Update from the Chair of the Investment Committee.

- 4.2 [Discussion and action on the asset liability study.](#)

- 4.3 [Presentation of the September 30, 2011 quarterly performance report.](#)

a. [October 31, 2011 flash report.](#)

4.4 [Approval for the Secretary to negotiate and execute an agreement with Albourne America LLC for hedge fund consulting for an amount not to exceed \\$250,000 annually for a three year term.](#)

4.5 [Approval of Third Continuation Agreement with Saltzman & Johnson Law Corporation, the Board's outside conflicts counsel, to extend the term of the Agreement through June 30, 2012.](#)

4.6 [Approval of the draft Federated City Employees' Retirement System's Comprehensive Annual Financial Report \(CAFR\) for the fiscal year ended June 30, 2011.](#)

4.7 Discussion and action on selection of Chair and Vice Chair for Calendar Year 2012.

5. **COMMITTEES/REPORTS/RECOMMENDATIONS**

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

5.2 **Investment Committee (Druyan/Odell /Dirks –alternate/Armstrong)**
- Next Meeting: January 25, 2011

a. [Minutes of October 26, 2011 meeting.](#)

5.3 **Ad Hoc Governance Committee (Loesch/Armstrong/Odell – Alternate/Dirks)**
- Next Meeting: TBD

6. **EDUCATIONAL & TRAINING**

6.1 [Educational Programs and Courses](#)

6.2 [Conferences and Seminars](#)

6.3 [Research Papers and Articles](#)

• **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.

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