



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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Russ Richeda, Counsel

THURSDAY

SEPTEMBER 15, 2011

8:30 A.M.

AMENDED AGENDA

• **ORDERS OF THE DAY**

1. **CONSENT CALENDAR** (Items 1.1 through 1.9)

1.1 **Approval of Staff Recommendation to Approve for a Service-Connected Disability**

- a. **Angel Avila**, Painter, Environmental Service Department. Request for a Service-Connected Disability Retirement, effective February 20, 2011; 4.12 years of service.

1.2 **Approval of Service Retirements**

- a. **James A. Bickford**, Senior Construction Inspector, Public Works Department, effective October 15, 2011; 30.01* years of service.
- b. **Robert J. Bowser**, Building Inspector, Planning, Building & Code Enforcement Department, effective October 1, 2011; 15.03* years of service.
- c. **Paul H. Braten**, Plant Operator II, Environmental Services Department, effective October 8, 2011; 27.55* years of service.

- d. **Kenneth L. Burnthorn**, Senior Plant Mechanic, Environmental Services Department, effective October 14, 2011; 30.05* years of service.
- e. **Bernadette M. Cava**, Analyst II, Planning, Building & Code Enforcement Department, effective November 12, 2011; 24.30* years of service. (*With reciprocity*)
- f. **Kathleen M. Forman**, Associate Engineer, Public Works Department, effective October 1, 2011; 13.57* years of service.
- g. **David J. Freitas**, Real Property Agent II, Office of Economic Development, effective October 15, 2011; 23.96* years of service.
- h. **Neal K. Hinau**, Plant Operator, Environmental Services Department, effective October 1, 2011; 21.24* years of service.
- i. **Scott P. Johnson**, Director, Finance Department, effective September 10, 2011; 10.84* years of service.
- j. **Paul A. Lowenstein**, Plant Operator, Environmental Services Department, effective October 29, 2011; 9.64* years of service.
- k. **Matilde S. Miranda**, Engineer II, Department of Transportation, effective October 29, 2011; 22.55* years of service.
- l. **Richard A. Ortiz**, Maintenance Supervisor, Parks, Recreation & Neighborhood Services, effective October 29, 2011; 30.01* years of service.
- m. **Moses Pardo Jr.**, Community Activity Worker, Parks, Recreation & Neighborhood Services, effective August 20, 2011; 18.16* years of service.
- n. **Thomas C. Reilly**, Plant Mechanic, Environmental Services Department, effective October 15, 2011; 30.01* years of service.

1.3 Approval of Deferred Vested Retirements

- a. **Todd M. Barreras**, Senior Maintenance Worker, Parks, Recreation & Neighborhood Services, effective August 23, 2011; 18.31* years of service. (*With reciprocity*)
- b. **Peggy A. Donatelli**, Program Manager, Parks, Recreation & Neighborhood Services, effective September 27, 2011; 15.09* years of service. (*With reciprocity*)
- c. **Guadalupe Quintero**, Custodian, Airport, effective August 5, 2011; 10.91* years of service.
- d. **Neil Stone**, Real Property Agent, City Manager's Office, effective October 21, 2011; 14.12* years of service. (*With reciprocity*)
- e. **Emmanuel R. Ungson**, Development Officer, Housing Department, effective August 10, 2011; 8.22* years of service.
- f. **Ricardo E. Wolf**, Air Conditioning Mechanic, Public Works Department, effective October 1, 2011; 29.13* years of service.

1.4 Approval of Change of Retirement Date

- a. Approval of change of retirement date of Vincent L. Fung; from September 2, 2011 to September 3, 2011.

1.5 Approval of Board Minutes

[Approval of Board Minutes of August 18, 2011.](#)

1.6 Approval of Return of Contributions

- a. Voluntary
- b. Involuntary

1.7 Approval of Monthly Expenditures

[Report of Federated Retirement Plan Expenses for June 30, 2011.](#)

1.8 Acceptance of Communication/Information Reports

- a. [Memo from Russ Richeda, Saltzman & Johnson regarding Legal Update-July 2011 CalPERS Position Paper "Vested Rights of CalPERS Members: Protecting the Pension Promises Made to Public Employees.", dated August 29, 2011.](#)

1.9 Approval of Travel / Conference Attendance - None

2. DEATH NOTIFICATIONS (Moment of Silence)

- 2.1 **Odus J. Lynd**, Analyst II, retired 01/10/98, died 07/22/11. No survivorship benefits.
- 2.2 **Bett McGowan-Mirabella**, Senior Account Clerk, retired 04/15/00, died 07/17/11. Survivorship benefits to Frank P. Mirabella, spouse.
- 2.3 **Carol J. Schell**, Analyst II, retired 09/18/10, died 08/01/11. No survivorship benefits.

3. OLD BUSINESS-DEFERRED/CONTINUED ITEMS

- 3.1 [Staff presentation of the quarterly performance report as of June 30, 2011.](#)
- 3.2 [Update and discussion on Legal Services Request for Proposals \(RFP\).](#)
- 3.3 Update on Electronic Board packets.
- 3.4 Update on conflict counsel's memorandum concerning Trustee's role in an environment of discussions and negotiations on vested benefits.

4. NEW BUSINESS

- 4.1 Discussion regarding establishment of Investment Committee.

5. COMMITTEES/REPORTS/RECOMMENDATIONS

- 5.1 **Policy Committee (Overton/Armstrong/Loesch – alternate/Andrews) – None**
- 5.2 **Ad Hoc Alternatives Investment Committee (Druyan/Odell/Dirks –alternate/Armstrong) – Next Meetings: September 28, 2011.**

[Ad Hoc Alternatives Committee meeting summary of July 21, 2011.](#)

5.3 Ad Hoc Governance Committee (Loesch/Armstrong/Odell – Alternate/Dirks)

Next Meeting: September 15, 2011, Discussion with Cortex Applied Research.

5.4 Next Board meeting for Disabilities Hearings – November 17, 2011

6. EDUCATIONAL & TRAINING

6.1 CalAPRS' Trustees Round Table, Double Tree Hotel, 2050 Gateway Place, San Jose – October 14, 2011.

6.2 Educational Programs and Courses

6.3 Conferences and Seminars

6.4 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.