



# BOARD OF ADMINISTRATION

## Meeting Agenda - Final-revised Police & Fire Department Retirement Plan and Health Care Trust

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Thursday, January 9, 2025

9:00 AM

City Hall, Wing Rooms 118-120  
200 E. Santa Clara St. San Jose, CA 95113

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### HYBRID MEETING

#### PHYSICAL LOCATION:

City Hall, Wing Rooms 118-120, 200 E. Santa Clara St. San Jose, Ca 95113

#### ZOOM INFORMATION:

zoom.us

Dial In: +1 669 900 9128 US (San Jose)

Meeting ID: 982 1346 3498

*Franco Vado, Chair, Police Retiree Rep (Term Expires 11/30/28)*

*Eswar Menon, Vice-Chair, Public Member (Term Expires 11/30/26) -- 1162 Briarwood Way, Walnut Creek;  
CA 94597*

*Sunita Ganapati, Trustee, Public Member (Term Expires 11/30/26)*

*Andrew Gardanier, Trustee, Fire Active Rep (Term Expires 11/30/27)*

*David Kwan, Trustee, Public Member (Term Expires 11/30/28)*

*Howard Lee, Trustee, Public Member (Term Expires 11/30/26)*

*Richard Santos, Trustee, Fire Retiree Rep (Term Expires 11/30/26)*

*David Woolsey, Trustee, Police Active Rep (Term Expires 11/30/28)*

*Gretchen Flicker, Trustee, Public Member (Term Expires 04/30/27)*

*Pam Foley, City Council Liaison to the Board*

*Maytak Chin, General and Fiduciary Counsel*

*John Flynn, CEO, Office of Retirement Services*

### ADA ALERT

In accordance with the requirements of AB 2449, the Board of Administration (“Board”) will generally, upon request, provide appropriate aids and services leading to effective communication for individuals with disabilities so they can participate equally in the Board’s meetings, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, vision or other disabilities.

Anyone who requires an auxiliary aid or service for effective communication to participate in a Board meeting should contact the designated contact in Office of Retirement Services as far in advance of the scheduled meeting as possible. The Board strongly encourages individuals with disabilities to endeavor to submit requests for reasonable accommodation no later than five (5) business days before the scheduled meeting, as the Board may not be able to grant requests for reasonable accommodations without sufficient advance notice. The Board strongly encourages individuals with disabilities to submit their written requests via email or regular mail to facilitate tracking and response; however, if the submission of a written request constitutes a hardship, individuals may call the Office of Retirement Services to submit an oral request.

The designated contact in the Office of Retirement Services will endeavor to respond to each request within three (3) business days of receipt of the request. Depending on the request, the designated contact in the Office of Retirement Services may ask to schedule a time to discuss the request (which may occur virtually) to determine the most appropriate auxiliary aid or service, before the request is resolved.

#### ADA Designated Contact Information

Attention: Deputy Director/Chief Operations Officer, Office of Retirement Services  
Address: 1737 N First St #600, San Jose, CA 95112  
Email: #Retire\_Admin@sanjoseca.gov  
Phone: 408-794-1000 (ORS Main Line)

#### THE LEVINE ACT

The Levine Act requires a Party in a Proceeding before the City of San José that involves any action related to their contract, license, permit, or use entitlement to disclose any campaign contributions to City elected or appointed officials totaling more than \$500 within the 12 months prior to the City decision. A Participant to a Proceeding may voluntarily report a campaign contribution on the form located on the Levine Act webpage.

#### **AB 2449 REMOTE APPEARANCE(S)**

##### **a. Just Cause Circumstance(s) (Gov’t Code § 54953)**

i. The following Trustee(s) have notified the Board of a “Just Cause” to attend this meeting via teleconference.

**NONE**

ii. Call for Trustee(s) who wish to notify the Board of a “Just Cause” to attend this meeting via teleconference.

##### **b. Emergency Circumstance(s) (Gov’t Code § 54953)**

i. The following Trustee(s) have requested the Board approve their attendance of this meeting via teleconference due to an "Emergency Circumstance."

NONE

ii. Call for Trustee(s) requesting the Board approve their attendance of this meeting via teleconference due to an "Emergency Circumstance."

iii. Take action on request(s) for remote appearance.

## AGENDA

### CALL TO ORDER AND ROLL CALL

#### • ORDERS OF THE DAY

#### • PUBLIC/RETIREE/GENERAL COMMENTS - Not Related to A Specific Agenda Item

### 1. CONSENT CALENDAR

#### 1.1 Approval for a Service-Connected Disability Retirement

- a. **Michael Jennings**, Fire Engineer, Fire Department, Request for Service-Connected Disability Retirement, effective December 1, 2024; 21.61\* years of service. (With Reciprocity - 11.20 CSJ YOS + 10.41 PERS YOS). (*Disability Committee Recommendation: Approval*)
- b. **Tina Latendresse**, Police Sergeant, Police Department, Request for Service-Connected Disability Retirement, effective January 9, 2025; 23.67\* years of service. (*Disability Committee Recommendation: Approval*)

#### 1.2 Approval for a Change in Status to Service-Connected Disability Retirement

- a. **Greg Connolly**, Police Sergeant, Police Department, Request for Change of Status to Service-Connected Disability Retirement, effective October 1, 2022; 25.04\* years of service. (*Disability Committee Recommendation: Approval*)
- b. **Russell Davis**, Fire Engineer, Fire Department, Request for Change of Status to Service-Connected Disability Retirement, effective September 18, 2021; 25.17\* years of service. (*Disability Committee Recommendation: Approval*)
- c. **Jan Males**, Police Sergeant, Police Department, Request for Change of Status to Service-Connected Disability Retirement, effective January 24, 2009; 27.23\* years of service. (*Disability Committee Recommendation: Approval*)
- d. **Shawn Rocha**, Police Officer, Police Department, Request for Change of Status to Service-Connected Disability Retirement, effective October 15, 2022; 22.41\* years of service.

*(Disability Committee Recommendation: Approval)*

### **1.3 Approval Of Minutes**

- a. Approval of the Board Minutes of December 5, 2024.

**Attachments:**      [1.3a - PF 12.5.24 Meeting Minutes - Final](#)

### **1.4 Return of Contributions - NONE**

- a. Voluntary | Involuntary

### **1.5 Communication/Information**

- a. Police and Fire Retirement System Dashboard.

**Attachments:**      [1.5a - P&F 1.9.25 Dashboard](#)

- b. Report of the Monthly Board Expenses for November 2024. Receive and file.

**Attachments:**      [1.5b - PF November 2024 Monthly Expense Reports](#)

- c. Notification to Board pursuant to Paragraph 37 of CEO Charter:

- First Amendment to Retiree Services Agreement with P&A Administrative Services, Inc. entered into by CEO on behalf of Federated with NTE of \$50,000 for term of 5 years expiring on February 26, 2029.

### **1.6 Education and Training**

- a. The Cortex Report - January 2025, Conferences, Seminars and Educational Programs.

**Attachments:**      [1.6a - San Jose Cortex Report - January 2025 Edition](#)

- b. CALAPRS 2025 Program Calendar.

**Attachments:**      [1.6b - CALAPRS 2025 Program Calendar](#)

- c. CALAPRS General Assembly 2025, Silverado Resort, Napa, CA, March 2 - 5, 2025.

**Attachments:**      [1.6c - CALAPRS 2025 General Assembly Agenda](#)

- d. Pension Bridge The Annual 2025, Ritz-Carlton, Half Moon Bay, CA, March 24 - 26, 2025.

**Attachments:**      [1.6d - Pension Bridge The Annual Agenda](#)

### **1.7 Change of Retirement Application**

- a. Approval for a change in effective date for **Marc Beretta**, Police Officer, Police Department, from January 3, 2025, to January 31, 2025, for a service retirement approved at the December 5, 2024

Board meeting.

**Attachments:**      [1.7a - Change Retirement Date Memo BERETTA](#)

## **2. INVESTMENTS**

- a. Oral update by CIO, Prabhu Palani.

## **3. OLD BUSINESS CONTINUED-DEFERRED ITEMS - NONE**

## **4. NEW BUSINESS**

- a. Oral update by CEO, John Flynn.
- b. Oral update from the City Council Liaison to the Board.
- c. Discussion and action on election of Vice-Chair of Board.
- d. Discussion and action of standing committee assignments.

**Attachments:**      [4d - Current Board and Committees](#)

- e. Discussion and action on adoption of updated City Policy Manual #4.1.4 Employee Appreciation and Recognition with Revised Date of December 4, 2024, for ORS Operations, approved by City on December 4, 2024.

**Attachments:**      [4e - CPM 414 Employee Recognition Policy](#)

- f. Discussion and action to authorize the CEO to negotiate and execute the second amendment to the agreement ending on June 30, 2025, for legal services between the Board of Administration for the Police and Fire Department Retirement Plan (the Board) and Reed Smith to increase the not-to-exceed (NTE) by \$180,000 from \$1.6 million to \$1.78 million for the contract period July 1, 2019, through June 30, 2024.

**Attachments:**      [4f - PF - Reed Smith Amendment](#)

- g. Discussion and action regarding performance evaluation of City Council Liaison pursuant to Paragraph 4 of the “Council Representative to the Board - Charter.”

**Attachments:**      [4g - P&F Council Rep to Board Charter](#)

## **5. RETIREMENTS**

### **5.1 Service Retirements**

- a. **Bryan De Mare**, Fire Engineer, Fire Department, effective January 16, 2025; 26.10\* years of service.
- b. **Maximilian Dueñas**, Fire Captain, Fire Department, effective January 18, 2025; 31.01\* years of

service. *(With Reciprocity - 24.62 CSJ YOS + 6.39 PERS YOS)*

- c. **Randon L. Hagerman**, Fire Engineer, Fire Department, effective January 19, 2025; 25.45\* years of service. *(With Reciprocity - 24.11 CSJ YOS + 1.33 SMCERS YOS)*
- d. **John H. Hoge**, Police Officer, Police Department, effective January 17, 2025; 26.24\* years of service.
- e. **Adam R. Hutson**, Police Sergeant, Police Department, effective January 18, 2025; 25.90\* years of service. *(With Reciprocity - 21.18 CSJ YOS + 4.72 PERS YOS)*
- f. **Stephen D. Lagorio**, Deputy Chief of Police, Police Department, effective January 31, 2025; 28.87\* years of service.
- g. **Cesar A. Martinez**, Battalion Chief, Fire Department, effective January 18, 2025; 28.49\* years of service.
- h. **William M. Murphy**, Police Lieutenant, Police Department, effective January 18, 2025; 28.34\* years of service.
- i. **Heather Randol**, Deputy Chief of Police, Police Department, effective January 18, 2025; 25.82\* years of service.
- j. **Mario Recinos**, Police Officer, Police Department, effective January 18, 2025; 25.75\* years of service.
- k. **Neal E. Reynolds**, Fire Fighter, Fire Department, effective January 16, 2025; 20.04\* years of service.
- l. **Carie K. Shigemasa**, Police Officer, Police Department, effective January 31, 2025; 30.46\* years of service.
- m. **Benjamin A. Tolentino**, Fire Fighter, Fire Department, effective January 18, 2025; 23.53\* years of service.

## **6. DEATH AND SURVIVORSHIP NOTIFICATIONS (Moment of Silence)**

- a. Notification of the death of **Douglas Q. Bergtholdt**, Police Sergeant, retired January 9, 1999, died November 18, 2024. No survivorship benefits.
- b. Notification of the death of **Keith J. Cottrell**, Police Sergeant, retired November 7, 2015, died October 31, 2024. Survivorship benefits to Leslie Cottrell, spouse.
- c. Notification of the death of **Jack Haff**, Police Officer, retired February 4, 1993, died November 17, 2024. No survivorship benefits.
- d. Notification of the death of **Rick M. Sain**, Police Officer, retired September 4, 1991, died November 24, 2024. Survivorship benefits to Susan Sain, spouse.

## **7. COMMITTEE MINUTES, REPORTS and RECOMMENDATIONS**

**7.1 Investment Committee (Menon - CH/Gardanier/Ganapati/Lee)**

**Last Meeting: August 20, 2024**

**Next Meeting: TBD**

- a. Oral update from the Chair of the Investment Committee.

**7.2 Audit/Risk Committee (Lee - CH/Ganapati/Vacant)**

**Last Meeting: October 31, 2024**

**Next Meeting: February 20, 2025**

- a. Oral update from the Chair of the Audit/Risk Committee.

**7.3 Governance Committee (Vado - CH/Kwan/Santos)**

**Last Meeting: December 19, 2024**

**Next Meeting: March 6, 2025**

- a. Oral update from the Chair of the Governance Committee.
- b. Minutes of the Governance Committee meeting from June 18, 2024. Receive and file.

**Attachments:**      [7.3b - JGC 6.18.24 Meeting Minutes - Final](#)

- c. Discussion and action to recommend to the Board the approval of ORS Policy Regarding the Procurement and Contracting of Goods and Services that incorporates City Finance Department's feedback.

**Attachments:**      [7.3c\(1\) - Cortex Memo 2024 Procurement Policy Updated with City Feedback](#)  
[7.3c\(2\) - ORS Policy Re Procurement & Contracting of Goods & Services redlin.](#)  
[7.3c\(3\) - ORS Policy Re Procurement & Contracting of Goods & Services clean](#)

- d. Discussion and action to adopt the 2025 Workplan for reviewing Board charters and policies.

**Attachments:**      [7.3d - Cortex Memo Charter and Policy Review Schedule](#)

**7.4 Disability Committee (Santos - CH/Vacant - Alts: Menon/Vado/Lee)**

**Last Meeting: December 9, 2024**

**Next Meeting: January 13, 2025**

- a. Oral update from the Chair of the Disability Committee.
- b. Minutes of the Disability Committee meeting from November 15, 2024. Receive and file.

**Attachments:**      [7.4b - PF DC 12-9-24 Meeting Minutes - Final](#)

**7.5 Joint Personnel Committee (Menon - CH/Gardanier/Vado)**

**Last Meeting: April 25, 2024**

**Next Meeting: January 21, 2025**

- a. Oral update from the Chair of the Joint Personnel Committee.

**7.6 Legal Services Joint Adhoc Committee (Vado, Ganapati)**

**Last Meeting: December 13, 2024**

**Next Meeting: TBD**

- a. Oral update from the Legal Service Joint Adhoc Committee.

**7.7 Actuarial Services Joint Adhoc Committee (Kwan)**

**Last Meeting: December 9, 2024**

**Next Meeting: TBD**

- a. Oral update from the Actuarial Services Joint Adhoc Committee.

**• PROPOSED AGENDA ITEMS**

**• ADJOURNMENT**

**Next Meeting: February 6, 2025**

\*Estimated

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 Office of Retirement Services, 1737 N. First Street, Suite 600, San José CA 95112 at the same time that the public records are distributed or made available to the legislative body.

Access the video or audio, the agenda and related reports for this meeting by visiting the Retirement Services website at <http://sjrs.legistar.com/calendar.aspx>. If you have any questions, please contact the Office of Retirement Services at (408) 794 - 1000.



## **The Code of Conduct**

(<https://www.sanjoseca.gov/home/showpublisheddocument/12901/63667000496663000>

0) is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

### **1. Public Meeting Decorum:**

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

### **2. Signs, Objects or Symbolic Material:**

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions: § No objects will be larger than 2 feet by 3 feet.
  - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
  - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and

antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

**3. Addressing the Council, Committee, Board or Commission:**

- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
  - b) Meeting attendees are usually given two (2) minutes to speak on any discussion item and/or during open forum; the total amount of time allocated for public testimony for each public speaker or for an agenda item is in the discretion of the Chair of the meeting and may be limited when appropriate. (California Government Code Section 54954.3; Council Policy 0-37) Applicants and appellants in land use matters are usually given more time to speak. Speakers using a translator will be given twice the time allotted to ensure non-English speakers receive the same opportunity to directly address the Council, Committee, Board or Commission.
  - c) Speakers should discuss only the agenda item when called to speak for that item, and only topics related to City business when called to speak during open forum on the agenda.
  - d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
  - e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
  - f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
  - g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.
- Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.