



BOARD OF ADMINISTRATION

Meeting Agenda - Final

Federated City Employees' Retirement System and Federated City Employees' Health Care Trust

Thursday, September 21, 2023

8:30 AM

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

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: 953 1979 4533

Pass Code: 127012

BOARD MEMBERS

Spencer Horowitz, Chair (Term Expires 11/30/24)
Julie Jennings, Vice-Chair (Term Expires 11/30/23) -- 855 E. Hilton Dr., Boulder Creek, CA 95006
Deborah Abbott, Trustee (Term Expires 11/30/26)
Prachi Avasthy, Trustee (Term Expires 11/30/25)
Anurag Chandra, Trustee (Term Expires 11/30/26)
Matthew Faulkner, Trustee (Term Expires 11/30/27)
Mark Linder, Trustee (Term Expires 11/30/24)

CITY COUNCIL LIAISON TO THE BOARD

Dev Davis

COUNSEL

Harvey Leiderman and Maytak Chin, General and Fiduciary Counsel

Roberto L. Peña, 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)

I. 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.

CLOSED SESSION

CLOSED SESSION AGENDA ITEMS WILL BE HEARD AT 8:30 A.M.

II. CLOSED SESSION NEW BUSINESS-DEFERRED/CONTINUED ITEMS

- A. CLOSED SESSION:** THREAT TO PUBLIC SERVICES OR FACILITIES. Consultation with: Legal Counsel pursuant to Government Code section 54957(a).
- B. CLOSED SESSION:** CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6(a). Agency designated representatives: Spencer Horowitz, Board Chair and Anurag Chandra, Investment Committee Chair. Unrepresented employees: Chief Executive Officer and Chief Investment Officer.

OPEN SESSION - will reconvene following Closed Session, estimated to be 9:30 a.m.

• ORDERS OF THE DAY

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

1. CONSENT CALENDAR

1.1 Application for a Service-Connected Disability Retirement

- a. Polly Tommie**, Public Safety Radio Dispatcher II, Police Department, Request for Service-Connected Disability Retirement, effective June 16, 2017; 12.71* years of service. (*Staff Disability Committee Recommendation: Approval*)

1.2 Approval of Service Retirements

- a. Ross C. Bayer**, Airport Operations Supervisor III, Airport, effective October 28, 2023; 29.52* years of service. (*With Reciprocity - 25.55 CSJ + 0.465 PERS + 3.51 SamCERA*)
- b. Stacey Fischer**, Benefits Analyst, Office of Retirement Services, effective October 12, 2023; 9.43* years of service.
- c. Timothy Golden**, Senior Airport Operations Specialist I, Airport, effective October 14, 2023; 22.10* years of service.
- d. Louie Gonzalez**, Water System Operator II, Environmental Services Department, effective September 30, 2023; 22.28* years of service.
- e. Gregory T. Reed**, Wastewater Senior Mechanic II, Environmental Services Department, effective September 16, 2023; 23.09* years of service.

1.3 Approval of Early Retirements

- a. **Melinda Lledo**, Accounting Technician, Environmental Services Department, effective October 14, 2023; 5.03* years of service. (*Tier 2 B*)

1.4 Approval of Deferred Vested

- a. **Phillip Jon Medina**, Maintenance Worker I, Department of Transportation, effective August 25, 2023; 13.02* years of service.
- b. **Roger K. Storz**, Senior Engineer, Public Works Department, effective September 5, 2023; 17.44* years of service.
- c. **John Jeffrey Teliha**, Parking Manager I, Department of Transportation, effective October 14, 2023; 6.00* years of service.
- d. **David M. Zolezzi**, Financial Analyst, Finance Department, effective October 14, 2023; 29.41* years of service. (*With Reciprocity - 16.04 CSJ YOS + 13.37 PERS YOS*)

1.5 Approval of Board Minutes

- a. Approval of the Board Minutes of August 17, 2023.

Attachments: [1.5a - FED Board 8-17-23 Minutes-Final.pdf](#)

1.6 Acceptance of Communication/Information Reports

- a. Report of the Monthly Board Expenses for July 2023. Receive and file.

Attachments: [1.6a - FED July 2023 Monthly Expenses Report.pdf](#)

1.7 Approval of Return of Contributions

- a. Voluntary | Involuntary

Attachments: [1.7\(1\) - FED ROC - July 2023.pdf](#)

[1.7\(2\) - FED ROC - August 2023.pdf](#)

1.8 Approval of Travel / Conference Attendance

- a. Prabhu Palani, CIO
- ALTSSV 2023, Computer History Museum, Mountain View, CA, September 7, 2023.
 - Collective Global Founders' Summit, Montage Laguna Beach, Laguna Beach, CA, September 11-12, 2023.
 - Fiduciary Investors Symposium, Stanford University, Palo Alto, CA, September 19-21, 2023.

1.9 Recission Of Retirement Application

- a. Approval of request to rescind the Service Retirement application of **Juan M. Diaz**, Groundswoker, approved at the August 17, 2023 Board meeting for the effective date of September 2, 2023.

Attachments: [1.9a - Rescind Memo-Diaz, Juan M..pdf](#)

1.10 Change of Retirement Application-Name Correction

- a. Approval for a last name correction for **Darleen Giampaoli** from August 1, 2023, for a Deferred Vested Retirement approved at the August 17, 2023 Board meeting.

Attachments: [1.10a - Correct Name Memo-Giampaoli, Darleen.pdf](#)

1.11 Alternate Beneficiary Designation

- a. Approval of Alternate Payee Benefit election of Unreduced Lifetime Monthly Payment Option to be paid to Todd Liberty, ex-spouse of Senior Public Dispatcher, **Barbara Liberty** to be effective August 19, 2023, under Part 17, Section 3.36.3600 of the San Jose Municipal Code.

Attachments: [1.11a - DRS430-Liberty, Todd.pdf](#)

- b. Approval of Alternate Payee Benefit election of Unreduced Lifetime Monthly Payment Option to be paid to Barry Lingenfelter, ex-spouse of Staff Specialist, **Kimberly Roth** to be effective August 18, 2023, under Part 17, Section 3.36.3600 of the San Jose Municipal Code.

Attachments: [1.11b - DRS430-Lingenfelter, Barry.pdf](#)

2. DEATH AND SURVIVORSHIP NOTIFICATIONS (Moment of Silence)

- a. Notification of the death of **Lilly Q. Geary**, Office Specialist II, retired November 29, 2008, died August 11, 2023. No survivorship benefits.
- b. Notification of the death of **Carl Knies**, Gardener, retired March 31, 2018, died August 7, 2023. No survivorship benefits.
- c. Notification of the death of **Michael Kuczynski**, Mechanic, retired September 15, 2001, died July 17, 2023. No survivorship benefits.
- d. Notification of the death of **Jose A. Oliva**, Custodian, retired March 5, 2007, died July 24, 2023. Survivorship benefits to Margarita Oliva, spouse.
- e. Notification of the death of **Dean Perkins**, Instrument Repair Technician, retired May 14, 1989, died July 22, 2023. Survivorship benefits to Frances Perkins, spouse.
- f. Notification of the death of **Jennifer L. Wedge**, Senior Public Safety Dispatcher, active, died April 30, 2023. Survivorship benefits to Douglas Wedge, spouse.

3. INVESTMENTS

- a. Oral update from the CIO of Retirement Services, Prabhu Palani.
- b. Presentation of Calendar 1st Quarter 2023 Private Equity report by Neuberger Berman.
Attachments: [3b - Q1 FY23 Private Equity Report - Neuberger Berman.pdf](#)
- c. Presentation of Calendar 1st Quarter 2023 Private Markets report by Meketa Investment Group.
Attachments: [3c - Q1 FY23 Private Markets Report - PUBLIC .pdf](#)
- d. Presentation of Calendar 2nd Quarter 2023 Performance report for Pension Plan by Meketa Investment Group.
Attachments: [3d - Q2 FY23 Performance Report - FED ERS.pdf](#)
- e. Presentation of Calendar 2nd Quarter 2023 Performance report for Health Care Trust by Meketa Investment Group.
Attachments: [3e - Q2 FY23 Performance Report - FED HCT.pdf](#)
- f. Discussion and approval of the revised Investment Policy Statement for San Jose Federated City Employees' Retirement System and approval of Resolution No. 9111.
Attachments: [3f\(a\) - FED Pension IPS DRAFT for Sept 2023.pdf](#)
 [3f\(b\) - FED Pension IPS DRAFT for Sept 2023 redlined.pdf](#)
 [3f\(c\) - FED Pension IPS - Resolution 9111.pdf](#)
- g. Presentation of Investment Fee report for Calendar year 2022 by Investment Staff.

4. OLD BUSINESS-DEFERRED/CONTINUED ITEMS-NONE

5. NEW BUSINESS

- a. Oral update from the CEO of Retirement Services, Roberto L. Peña.
- b. Oral update from the City Council Liaison to the Board.
- c. Discussion and action authorizing the CEO to negotiate and execute the first amendment to the agreement ending on June 30, 2025, for legal services between the Board of Administration for the Federated City Employees' Retirement System and Reed Smith to add \$600,000 to increase the maximum contract from \$1 million to \$1.6 million.
Attachments: [5c - Reed Smith Amendment.pdf](#)
- d. Discussion and action to authorize the CEO to negotiate and execute a fifth amendment to the agreement between Granicus Inc. and the Boards (Board of Administration for the Police and Fire Department Retirement Plan and the Board of Administration for the Federated City Employees' Retirement System) for Agenda Management Software and Services to extend the term of the

agreement through October 31, 2024, for an annual cost of \$8,056.45 (this cost split 50/50 with the Police and Fire Department Retirement Plan).

Attachments: [5d - Memo to Board - Granicus Contract for FCERS.pdf](#)

- e. Discussion and action on merit increase and executive days for the CEO/CIO positions.

6. COMMITTEES/REPORTS/RECOMMENDATIONS

6.1 Investment Committee (Chandra, Horowitz, Faulkner)

Last Meeting: August 29, 2023 Next Meeting: December 19, 2023

- a. Oral update from the Chair of the Investment Committee.
- b. Minutes of the April 27, 2023 FCERS Investment Committee. Receive and file.

Attachments: [6.1b - FED IC 4-27-23 Minutes-Final.pdf](#)

6.2 Governance Committee (Linder, Abbott, Avasthy)

Last Meeting: February 16, 2023 (Special) Next Meeting: TBD

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

6.3 Audit Committee (Avasthy, Jennings, Abbott)

Last Meeting: May 18, 2023 Next Meeting: September 21, 2023

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

6.4 FCERS Disability Committee (Linder, Jennings, Faulkner)

Last Meeting: August 11, 2023 Next Meeting: October 2, 2023

- a. Oral update from the Chair of the FCERS Disability Committee.
- b. Minutes of the February 16, 2023 FCERS Disability Committee. Receive and file.

Attachments: [6.4b - FED DC 2-16-23 Minutes-Final.pdf](#)

- c. Minutes of the April 20, 2023 FCERS Disability Committee. Receive and file.

Attachments: [6.4c - FED DC 4-20-23 Minutes-Final.pdf](#)

6.5 Joint Personnel Committee (Chandra, Horowitz, Jennings)

Last Meeting: May 11, 2023 Next Meeting: TBD

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

7. EDUCATION & TRAINING

- a. The Cortex Report - September 2023, Conferences, Seminars and Educational Programs.

Attachments: [7a - The Cortex Report - September 2023 Edition.pdf](#)

- b. CALAPRS 2023 Program Calendar.

Attachments: [7b - CALAPRS Program 2023 Calendar.pdf](#)

- c. SACRS Annual Fall Conference 2023, Omni Rancho Las Palmas Resort & Spa, Rancho Mirage, CA
- November 7-10, 2023.

Attachments: [7c - SACRS Fall Conference 2023 for Trustees.pdf](#)

• PROPOSED AGENDA ITEMS

• ADJOURNMENT

Next FCERS Board Meeting: October 19, 2023

*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.