



# BOARD OF ADMINISTRATION

## Meeting Agenda - Final

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

---

Thursday, February 17, 2022

8:30 AM

---

**MEETING TO BE HELD BY ZOOM CONFERENCE IN LIEU OF PHYSICAL LOCATION**

**[zoom.us](https://zoom.us)**

**Dial In: +1 669 219 2599 US (San Jose)**

**Meeting ID: 957 6485 7434**

**Password: 706423**

#### **BOARD MEMBERS**

*Spencer Horowitz, Chair (Term Expires 11/30/24)*

*Julie Jennings, Vice-Chair (Term Expires 11/30/23)*

*Anurag Chandra, Trustee (Term Expires 11/30/22)*

*Mark Keleher, Trustee (Term Expires 11/30/23)*

*Elaine Orr, Trustee (Term Expires 11/30/22)*

*Mark Linder, Trustee (Term Expires 11/20/24)*

*Vacant, Trustee*

#### **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*

---

**\* COVID-19 NOTICE \***

Consistent with AB 361 and City of San Jose Resolution Nos. 79485, 80237, 80266, 80290, 80323 and 80343, this meeting will not be physically open to the public and the Board Members will be teleconferencing from remote locations.

How to observe the Meeting (no public comment):

- 1) Cable Channel 26,
- 2) <https://www.sanjoseca.gov/news-stories/watch-a-meeting>, or
- 3) <https://www.youtube.com/CityofSanJoseCalifornia>

How to submit written Public Comment:

- 1) By email to [retirement.department@sanjoseca.gov](mailto:retirement.department@sanjoseca.gov) by 5:00 p.m. the day before the meeting.
- 2) By phone +1 669 219 2599 . Meeting ID 957 6485 7434. The Chair will recognize public comment after each item and will be notified to speak.
- 3) By online <https://sanjoseca.zoom.us>

- a. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
- b. When the Chair calls for the item on which you wish to speak, click on "Raise Hand." Speakers will be notified shortly before they are called to speak.
- c. When called, please limit your remarks.

**CLOSED SESSION**

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

**I. CLOSED SESSION OLD BUSINESS**

- a. **CLOSED SESSION:** CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a). SHAHRIVAR v. CITY OF SAN JOSE, ET AL, SANTA CLARA COUNTY SUPERIOR COURT NO. 20CV366329

**OPEN SESSION - will reconvene following Closed Session, estimated to be 8:45 a.m.**

To request an accommodation or alternative format under the Americans with Disabilities Act for City-sponsored meetings, events or printed materials, please call Marti Zarate (408) 794-1112 as soon as possible, but at least three business days before the meeting.

**• ORDERS OF THE DAY**

**1. CONSENT CALENDAR**

**1.1 Approval of Service Retirements**

- a. **Maria Bamba**, Staff Specialist, Airport Department, effective February 19, 2022; 25.59\* years of service.
- b. **Margaret E. Barajas**, Staff Specialist, Police Department, effective February 5, 2022; 24.43\* years

of service.

- c. **Olivier H. Baviere**, Associate Engineer, Planning, Building and Code Enforcement Department, effective March 5, 2022; 25.73\* years of service.
- d. **Ronnie Brayfield**, Wastewater Mechanic II, Environmental Services Department, effective February 25, 2022; 15.16\* years of service.
- e. **Noel T. Enoki**, Environmental Laboratory Manager, Environmental Services Department, effective February 19, 2022; 30.03\* years of service.
- f. **Gregory Gaan**, Public Safety Communications Specialist, Police Department, effective February 26, 2022; 20.52\* years of service.
- g. **Kathleen M. Martin**, Senior Electronics System Technician, Airport Department, effective February 19, 2022; 28.18\* years of service.
- h. **Luis Matos**, Wastewater Operator III, Environmental Services Department, effective February 19, 2022; 16.59\* years of service.
- i. **Bernard Reyes**, Program Manager, Finance Department, effective February 23, 2022; 20.85\* years of service. *(With Reciprocity CSJ YOS 15.01 + PERS YOS 5.84)*
- j. **Glenn Schwarzbach**, Senior Deputy City Attorney, City Attorney's Office, effective February 17, 2022; 32.05\* years of service.
- k. **Yves Zsutty**, Division Manager, Parks, Recreation and Neighborhood Services Department, effective March 5, 2022; 30.10\* years of service.

## **1.2 Approval of Deferred Vested**

- a. **Madhavi P. Desai**, Information Systems Analyst, Public Works, effective March 13, 2022; 18.89\* years of service. *(With Reciprocity CSJ YOS 16.20 + PERS YOS 2.68)*
- b. **Saroj B. Dhillon**, Hazardous Materials Inspector, Fire Department, effective March 5, 2022; 29.77\* years of service. *(With Reciprocity CSJ YOS 23.41 + PERS YOS 5.86)*
- c. **Sylvia Roy**, Senior Auditor, Police Department, effective March 5, 2022; 15.13\* years of service.

## **1.3 Approval of Board Minutes**

- a. Approval of the Board Minutes of the January 6, 2022 Special Meeting.

Attachments:      [2.3a - 1-6-22 - SP GC - Final](#)

- b. Approval of the Board Minutes of January 20, 2022.

Attachments:      [2.3b - 1-20-22 - Fed Minutes - Final](#)

## **1.4 Approval of Return of Contributions**

- a. Voluntary | Involuntary.

Attachments:      [2.4a - ROC](#)

### **1.5 Acceptance of Communication/Information Reports**

- a. Report of the Plan Expenses for December 2021. Receive and file

Attachments:      [2.5a - Fed Dec 2021 Monthly Exp Reports](#)

- b. Report of the Budget vs. Actual Expenses for 2nd Quarter FY 21-22. Receive and file.

Attachments:      [2.5b - Q2 FY21-22 Fed Budget Report](#)

- c. Notification of commencement of validation action regarding the issuance of Pension Obligation Bonds (POBs) by the City of San Jose.

Attachments:      [2.5c - Summons, Complaint, Notice of CMC](#)

- d. Committee Assignments for calendar year 2022.

Attachments:      [2.5d - Committee Assignments](#)

### **1.6 Approval of Travel / Conference Attendance**

- a. Roberto Pena, CEO

- CALAPRS Virtual Administrators Round Table, February 10, 2022.
- CALAPRS General Assembly, Mission Bay Resort, San Diego, CA - March 5-8, 2022.

- b. Spencer Horowitz, Trustee

- CALAPRS General Assembly, Mission Bay Resort, San Diego, CA - March 5 - 8, 2022.

- c. Julie Jennings, Trustee

- Harvard Kennedy School, Virtual, Mobilizing Your Non-Profit Board, March 7 - May 6, 2022.

- d. Prabhu Palani, CIO

- CALAPRS General Assembly, Mission Bay Resort, San Diego, CA - March 5 - 8, 2022.
- GroqDay 2022, Virtual Conference - March 31, 2022.
- Pension Bridge Annual, Westin St. Francis, San Francisco, CA - April 18 - 20, 2022.

- e. Elaine Orr, Trustee

- Pension Bridge Annual, Westin St. Francis, San Francisco, CA - April 18 - 20, 2022.

### **1.7 Approval for a Change in Status to Non Service-Connected Disability Retirement**

- a.

Ismael Licalde, Grounds Worker, Environmental Services Department, Request for Change of Status from Service Retirement to Non Service-Connected Disability Retirement, effective March 1,

2019; 11.83\* years of service. (*Disability Committee Recommendation: Approval of Non Service-Connected Disability Retirement*)

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

- a. Notification of the death of **Manuel Bettencourt**, Airport Operations Supervisor, retired December 24, 2011, died November 7, 2021. Survivorship benefits to Maria Cardoso, Spouse.
- b. Notification of the death of **John Brezzo**, Housing Administrator, retired March 2, 1997, died December 4, 2021. Survivorship benefits to Bonnie Brezzo, Spouse.
- c. Notification of the death of **Harold D. Ferrari**, Supervising Traffic Signal Technician, retired December 15, 1984, died December 19, 2021. No survivorship benefits.
- d. Notification of the death of **Mary E. Franklin**, Senior Office Specialist, retired December 16, 2006, died January 17, 2022. No survivorship benefits.
- e. Notification of the death of **Richard E. Huerta**, Survey Field Supervisor, retired May 25, 2016, died December 31, 2021. No survivorship benefits.
- f. Notification of the death of **William H. Hughes**, Assistant City Attorney, retired March 22, 2008, died December 24, 2021. Survivorship benefit to Sheila Hughes, Spouse.
- g. Notification of the death of **Edward Martinez**, Airport Police Officer, retired March 27, 2004, died November 6, 2021. Survivorship benefits to Rosa Martinez, Spouse.
- h. Notification of the death of **Alfredo Padilla**, Street Sweeper Operator, retired March 22, 1986, died January 14, 2022. Survivorship benefits to Mary Louise Padilla, Spouse.
- i. Notification of the death of **Susan A. Ross**, Senior Account Clerk, retired May 14, 1998, died December 7, 2021. No survivorship benefits.
- j. Notification of the death of **Robert H. Wetter**, Electrician, retired July 13, 1985, died December 24, 2021. No survivorship benefits.

## **3. INVESTMENTS**

- a. Oral update from the CIO of Retirement Services, Prabhu Palani.

## **4. OLD BUSINESS-DEFERRED/CONTINUED ITEMS**

- a. Discussion and action on Segal presentation of actuarial audit of the Pension Valuation Report as of June 30, 2021 prepared by Cheiron; and Cheiron's response.

## **5. NEW BUSINESS**

- a. Oral update from the CEO of Retirement Services, Roberto L. Pena.
- b. Oral update from the City Council Liaison to the Board.

- c.** Discussion and action on Segal presentation of actuarial audit of the Other Post Employment Benefits (OPEB) Valuation Report as of June 30, 2021 prepared by Cheiron
- d.** Discussion and action on amendment to MOU between Board and City for use of actuary to review City bond disclosure documents.
- e.** Discussion and action on adoption of Resolution No. 9101 Cost of Living Adjustment rate for 415(b) Qualified Participants under the Grandfather Rule for members retired prior to January 1, 1990.

**Attachments:**      [6d\(1\) - FED 415b COLA cover memo](#)  
                               [6d\(2\) - FED 415b COLA Res. No. 9101](#)

- f.** Update on Strategic Communications Plan presented by Deputy Director, Barbara Hayman.
- g.** Discussion and action on factual findings for use of California Assembly Bill 361's abbreviated teleconferencing procedures.

**Attachments:** 5g - AB 361 Memo and Exhibits

## 6. COMMITTEES/REPORTS/RECOMMENDATIONS

## 6.1 Investment Committee (Chandra, Horowitz, Orr)

**Last Meeting: February 18, 2022      Next Meeting: February 22, 2022**

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

## 6.2 Governance Committee (Jennings, Keleher, Linder)

**Last Meeting:** January 20, 2022      **Next Meetings:** February 17, 2022 & March 3, 2022  
                                                           (Special)                                 (Special)                                 (Regular)

- a.** Oral update from the Chair of the Governance Committee.
- b.** Minutes of the Special Governance Committee meeting from January 6, 2022. Receive and file.

**Attachments:** 7.2b - 1-6-22 - SP GC - Final

### **6.3 Audit Committee (Keleher, Jennings, Vacant)**

**Last Meeting: January 20, 2022**      **Next Meeting: February 17, 2022**  
(Special)      (Regular)

- a. Oral update from the Chair of the Audit Committee.
- b. Minutes of the Special Audit Committee meeting from January 6, 2022. Receive and file.

Attachments:      [7.3b - 1-6-22 - SP Audit - Final](#)

#### **6.4 Joint Personnel Committee (Orr, Chandra, Horowitz)**

**Last Meeting: February 4, 2022      Next Meeting: TBD  
(Regular)**

- a. Oral update from the Chair of the Joint Personnel Committee.
- b. Minutes from the January 6, 2022 JPC meeting. Receive and file.

Attachments:      [7.4b - JPC Minutes 1-6-22 - Final](#)

- c. Discussion and action on the CEO Performance Process regarding JPC approved revisions to the Policy and Procedures.
- d. Discussion and update on potential revisions to the performance evaluations for the CIO Performance Process.

#### **7. EDUCATION & TRAINING**

- a. The Cortex Report - March 2022, Conferences, Seminars and Educational Programs.

Attachments:      [8a - Cortex Report - March 2022](#)

- b. CalAPRS General Assembly, San Diego Mission Bay Resort, San Diego, CA - March 5-8, 2022.

Attachments:      [8b - CALAPRS GA 2022 Program](#)

- c. CALAPRS Advanced Principles of Pension Governance for Trustees, UCLA Luskin Conference Center, Los Angeles - March 30 - April 1, 2022.

Attachments:      [8c - CALAPRS UCLA 2022 Program](#)

#### **• PROPOSED AGENDA ITEMS**

#### **• PUBLIC/RETIREE COMMENTS**

#### **• ADJOURNMENT**

\*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.