



BOARD OF ADMINISTRATION

Meeting Agenda - Final

Police & Fire Department Retirement Plan and Health Care Trust

Thursday, April 7, 2022

8:30 AM

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

zoom.us

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

Meeting ID: 931 1794 5832

Password: 960445

Drew Lanza, Chair, Public Member (Term Expires 4/30/23)
Andrew Gardanier, Vice-Chair, Fire Active Rep (Term Expires 11/30/23)
Sunita Ganapati, Trustee, Public Member (Term Expires 11/30/22)
Howard Lee, Trustee, Public Member (Term Expires 11/30/22)
Eswar Menon, Trustee, Public Member (Term Expires 11/30/22)
Richard Santos, Trustee, Fire Retiree Rep (Term Expires 11/30/22)
Franco Vado, Trustee, Police Retiree Rep (Term Expires 11/30/24)
Dave Wilson, Trustee, Acting Police Active Rep (Term Expires 11/30/21)
Vacant, Trustee, Public Member (Term Expires 11/30/24)

Pam Foley, City Council Liaison to the Board

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, 80343, 80363 and 80400 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 by 5:00 p.m. the day before the meeting.
- 2) By phone +1 669 219 2599 . Meeting ID 931 1794 5832. 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.

AGENDA

CALL TO ORDER AND ROLL CALL

OPEN SESSION

To request an accommodation or alternative format under the Americans with Disabilities Act for Board 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 for a Service-Connected Disability Retirement

- a. **Kevin Shinn**, Police Officer, Police Department, Request for Service-Connected Disability Retirement, effective April 7, 2022; 14.04* years of service. (*Disability Committee Recommendation: Approval*)

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

- a. **Gary Petrakovitz**, Police Sergeant, Police Department, Request for Change of Status to Service-Connected Disability Retirement, effective May 1, 2018; 16.90* years of service. (*Disability Committee Recommendation: Approval*)

1.3 Approval Of Minutes

- a. Approval of the Board Minutes of March 3, 2022.

Attachments: [1.3a - PF Minutes 3.3.22-Final](#)

1.4 Approval Of Travel for Conferences and Due Diligence

- a. Howard Lee, Trustee
 - Pension Bridge Annual, Westin St. Francis, San Francisco, CA - April 18 - 20, 2022.
- b. Prabhu Palani, CIO
 - Transpose Platform Ecosystem Days, San Francisco, CA - May 11 - 12, 2022.
 - 2022 Milken Institute Global Conference, The Beverly Hilton, Beverly Hills, CA - May 1 - 4, 2022.
 - Accel Virtual Leaders 4, Virtual Conference, March 30, 2022.

1.5 Return of Contributions

- a. Voluntary/Involuntary.

Attachments: [1.5a - ROC - PF](#)

1.6 Communication/Information

- a. Police and Fire Retirement System Dashboard.

Attachments: [1.6a - P&F Dashboard for 4.7.22](#)

- b. Report of the Plan Expenses for January and February 2022. Receive and file.

Attachments: [1.6b\(1\) - PF Jan2022 Monthly Expenses](#)
 [1.6b\(2\) - PF Feb2022 Monthly Expenses](#)

- c. Lump Sum Payment of Employer Retirement Contributions and Establishment of the Prepayment Amount for Fiscal Year 2022-23.

Attachments: [1.6c - Police Fire Retirement Prepayment Memo 2022-2023](#)

1.7 Notice of Alternate Payee Benefit Election

- a. Approval of Alternate Payee Benefit election of Unreduced Lifetime Monthly Payment Option to be paid to Colette Wilson, ex-spouse of retired Police Sergeant, **Christopher Wilson** to be effective March 14, 2022 under Part 17, Section 3.36.3600 of the San Jose Municipal Code.

Attachments: [1.7a - Alt Payee Form- Wilson](#)

- b. Approval of Alternate Payee Benefit election of Unreduced Lifetime Monthly Payment Option to be paid to Ernest Marquez, ex-spouse of retired Police Lieutenant, **Christina LaCap** to be effective March 24, 2022 under Part 17, Section 3.36.3600 of the San Jose Municipal Code.

Attachments: [1.7b - Alt Payee form - Marquez](#)

1.8 Approval of Administrative Matters

- a. Fiduciary Insurance and Waiver of Recourse Fees for Policy Year March 2022-2023.

Attachments: [1.8a - Fiduciary Insurance Invoice- PF22-23](#)

1.9 Education and Training

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

Attachments: [1.9a - SJ Cortex Report - May 2022 Edition](#)

- b. CalAPRS Special Virtual Trustee Roundtable, April 29, 2022.

- c. SACRS Spring Conference 2022, Las Palmas Resort & Spa, Rancho Mirage, CA - May 10-13,

2022.

Attachments: [1.9c - SACRS Spring Conf. 2022 Agenda V3](#)

2. INVESTMENTS

- a. Oral update by CIO, Prabhu Palani
- b. Discussion and action on Strategic Asset Allocation for the Healthcare Trust by Meketa Investment Group.

Attachments: [2b - Asset Allocation Review SJPFHCT](#)

3. OLD BUSINESS CONTINUED-DEFERRED ITEMS

- a. Discussion and action on the Revised Other Post Employment Benefits (OPEB) Valuation Results as of June 30, 2021 presented by Cheiron, Inc.

Attachments: [3a - CASJPFCW2021OPEBAVR RevisedAssets-4.7](#)

- b. Discussion and action on adoption of Procedural Due Process Policy for Cancellation and Termination of Retirement Allowances pursuant to SJMC § 3.36.830 and SJMC § 3.36.1150. *(Continued from the March 3, 2022 P&F Board meeting)*

Attachments: [3b - SJPFMemoExhibitsREProposed Procedur...](#)

4. 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 on Segal presentation of actuarial audit of the Other Post Employment Benefits (OPEB) Valuation Report as of June 30, 2021 prepared by Cheiron.
Attachments: [4c - SJPFPEBAuditof 6.30.2021 Val](#)
- d. Discussion regarding Board determinations on the cancellation and termination of retirement allowances pursuant to SJMC § 3.36.830 and SJMC § 3.36.1150.
Attachments: [4d - PresRESJMCCancellationOfRetirementAllowance](#)
- e. Discussion and action to authorize the CEO to negotiate and execute the second amendment to an agreement between the Board of Administration for the Police and Fire Department Retirement Plan and Grant Thornton, LLP (“GT”) for audit services ending June 30, 2022 for an additional \$50,000 to increase the maximum contract amount to \$550,000.
Attachments: [4e - Audit Services - Increase GT Max PF](#)

- f. Discussion and action on factual findings for use of California Assembly Bill 361’s abbreviated

teleconferencing procedures.

Attachments: [4f - SJPFAB361FactualMemo4.7.22](#)

5. RETIREMENTS

5.1 Service Retirements

- a. **Brian P. McDonald**, Police Officer, Police Department, effective April 16, 2022; 26.07* years of service.
- b. **Vernon L. Todd**, Police Officer, Police Department, effective April 30, 2022; 25.14* years of service.

5.2 Deferred Vested

- a. **Scott Morasci**, Police Officer, Police Department, effective April 2, 2022; 23.21* years of service.

6. DEATH AND SURVIVORSHIP NOTIFICATIONS (Moment of Silence)

- a. Notification of the death of **Dwight R. Messimer**, Police Sergeant, retired April 5, 1989, died February 24, 2022. Survivorship benefits to Renate Messimer, Spouse.

7. COMMITTEE MINUTES, REPORTS and RECOMMENDATIONS

7.1 Investment Committee (Menon - CH/Gardanier/Lanza/Lee)

Last Meeting: March 3, 2022 (Special) Next Meeting: April 7, 2022 (Special), April 26, 2022 (Regular)

- a. Oral update from the Chair of the Investment Committee.
- b. Minutes of the Special Investment Committee meeting from February 3, 2022. Receive and file.

Attachments: [7.1b - SPCIC 2.3.22 -Final](#)

7.2 Audit/Risk Committee (Ganapati-CH/Lee/Wilson)

Last Meeting: March 3, 2022 (Special) Next Meeting: April 7, 2022 (Special), May 19, 2022 (Regular)

- a. Oral update from the Chair of the Audit/Risk Committee
- b. Minutes of the Special Audit/Risk Committee meeting from February 3, 2022. Receive and file.

Attachments: [7.2b - SPCAC 2.3.22 -Final](#)

7.3 Governance Committee (Vado - CH/ Ganapati/Santos)

Last Meeting: March 3, 2022 (Special) Next Meeting: April 7 , 2022 (Special), June 16, 2022 (Regular)

- a. Oral update from the Chair of the Governance Committee
- b. Minutes of the Special Governance Committee meeting from February 3, 2022. Receive and file.

Attachments: [7.3b - SPCGC 2.3.22 -Final](#)

7.4 Disability Committee (Santos - CH/Lanza - Alts: Menon/Vado)

Last Meeting: March 15, 2022 (Regular) Next Meeting: April 7, 2022 (Special), April 11, 2022 (Regular) MEETING CANCELLED

- a. Oral update from the Chair of the Disability Committee.
- b. Minutes of the Special Disability Committee meeting from February 3, 2022. Receive and file.

Attachments: [7.4b - SPCDC 2.3.22 -Final](#)

- c. Minutes from the February 7, 2022 Police & Fire Disability Committee meeting. Receive and file.

Attachments: [7.4c - PF DC Minutes 2-7-22 - Final](#)

7.5 Joint Personnel Committee (Gardanier/Lanza/Menon)

Last Meeting: March 4, 2022 (Regular) Next Meeting: TBD

- a. Oral update from the Chair of the Joint Personnel Committee.
- b. Minutes of the February 4, 2022 Joint Personnel Committee meeting. Receive and file.

Attachments: [7.5b - JPC Minutes 2.4.22 - Final](#)

- c. Discussion on the CIO performance process for feedback and potential revisions to the Policy and Procedures.

Attachments: [7.5c\(1\) - Cover Memo CIO Perf Eval Process](#)
[7.5c\(2\) - CIO Perf Eval Policy \(draft 4Mar2022\)](#)
[7.5c\(3\) - CIO Perf Eval Policy \(tracked changes\)](#)
[7.5c\(4\) - Procedures for CIO](#)
[7.5c\(5\) - Procedures for CIO.Track Changes](#)

- d. Discussion and action on potential revisions to the performance evaluation for the CIO.

• PROPOSED AGENDA ITEMS

• PUBLIC COMMENTS

• ADJOURNMENT

NEXT MEETING: May 5, 2022

*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/12901/636670004966630000>) 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.