



CITY OF FRESNO RETIREMENT SYSTEMS
SPECIAL MEETING OF THE FIRE AND POLICE RETIREMENT BOARD

MINUTES

August 23, 2011

The Fire and Police Retirement Board held a special meeting in Retirement Office, 2828 Fresno St., 2nd Fl., Board Chamber, Room 202, Fresno, California at the hour of 8:15 AM on the day above written.

ROLL CALL AT 8:15 AM

Board Members Present: Paul Clby, David Newton, Mike Reid

Members Absent: Oscar Williams

Also Present: Stanley McDivitt, Retirement Administrator, Russ Richeda, Legal Counsel, Kathleen Riley, Asst Retirement Administrator, Yvonne Arellano, Benefits Manager, Pattie Laygo, Executive Assistant

APPROVE MINUTES

Approve minutes of June 8, 2011, Regular Meeting of the Fire and Police Retirement Board.

ACTION: Approved/Adopted

ON MOTION by Member Newton seconded by Member Reid to approve the minutes of June 8, 2011, Regular Meeting of the Fire and Police Retirement Board, DULY CARRIED RESOLVED by the following vote:

AYES: Cliby, Newton, Reid

NOES: None

ABSTAIN: None

ABSENT: Williams

APPROVE AGENDA

Approve agenda of August 23, 2011, Special Meeting of the Fire and Police Retirement Board.

ACTION: Approved/Adopted

ON MOTION by Member Newton seconded by Member Reid to approve the agenda of August 23, 2011, Special Meeting of the Fire and Police Retirement Board, DULY CARRIED RESOLVED by the following vote:

AYES: Cliby, Newton, Reid

NOES: None

ABSTAIN: None

ABSENT: Williams

TIMED SCHEDULED HEARINGS AND MATTERS

8:15 AM 1. Conduct swearing-in of Appointed Member Michael Reid to the Fire and Police Retirement Board.

ACTION: Received

Mr. Michael Reid is sworn-in by Stanley McDivitt, Board Secretary.

8:15 AM 2. Conduct Annual Election for Chair and Vice Chair of the Fire and Police Retirement Board.

ACTION: Approved/Adopted

Upon call, Chair Cliby opens nominations for Chair.

ON MOTION by Member Newton seconded by Member Reid to approve nomination of Paul Cliby as Chair of the Retirement Board, DULY CARRIED RESOLVED by the following vote:

AYES: Cliby, Newton, Reid

NOES: None

ABSTAIN: None

ABSENT: Williams

Upon call, Chair Cliby opens nominations for Vice Chair.

ON MOTION BY Member Newton seconded by Member Reid to approve nomination of Oscar Williams as Vice Chair of the Fire and Police Retirement Board, DULY CARRIED RESOLVED by the following vote:

AYES: Cliby, Newton, Reid

NOES: None

ABSTAIN: None

ABSENT: Williams

A. CONSENT CALENDAR

JULY - 2011

1. Approve monthly trust fund budget reports as of May 31, 2011.

ACTION: Approved/Adopted

2. Approve application(s) for service retirement:

NAME	EFFECTIVE DATE
Daniel Castro	6/18/2011
Gerardo Rodriguez	6/24/2011
Benito J. Castellanos III	6/24/2011
Arthur A. Lucero	6/27/2011
Ervin W. Justin	6/28/2011
Richard A. Mendoza	6/28/2011
Ronald D. Caldwell	6/29/2011
Michael E. Agnew	6/30/2011
Joel L. Aranaz	6/30/2011
Diana F. Dyer	6/30/2011
Jerry Dyer	6/30/2011
Luis R. Galindo	6/30/2011
Ricky Harris	6/30/2011
Pamela R. leSage	6/30/2011
Mark W. Madden	6/30/2011
Dan J. Montevicchi	6/30/2011
Arthur R. Page	6/30/2011

George Parga	6/30/2011
Robert J. Quinn	6/30/2011
Raymond Sandoval	6/30/2011
Kurt Smith	6/30/2011
Reynaud L. Wallace	6/30/2011
Michael G. Harris	6/30/2011

ACTION: Approved/Adopted

3. Approve application for continuance of retirement allowance(s):

NAME	APPLICANT	EFFECTIVE DATE
Hygus Garabedian	Mary Jane A. Garabedian	5/16/2011

ACTION: Approved/Adopted

4. Approve report of retirement contribution(s) refunded (Tier 2):

NAME	EFFECTIVE DATE	AMOUNT
Matthew Wade	4/29/2011	\$2,741.10

ACTION: Approved/Adopted

5. Approve report of employee(s) who elected to rescind from the Deferred Retirement Option Program (DROP):

NAME	DEPARTMENT
Craig Attkisson	Police
Thomas Hardin	Police
Douglas Reese	Police

ACTION: Approved/Adopted

6. Approve the following application(s) for the Deferred Retirement Option Program (DROP) effective August 1, 2011:

NAME	DEPARTMENT
Richard L. Cabral	Fire
Patrick Farmer	Police
Craig Attkisson*	Police
Thomas Hardin*	Police
Douglas Reese*	Police

* Re-entering DROP

ACTION: Approved/Adopted

7. The following employee(s) have elected to change their beneficiary(ies):

Dillard B. Berry
 Ervin W. Justin
 Michael R. Martin

Daniel J. Montevechhi
David C. Ramirez
Israel A. Reyes
Tawnee L. Smith
David G. Wilkin
ACTION: Approved/Adopted

ON MOTION BY Member Newton seconded by Member Reid to approve the JULY 2011 consent calendar, DULY CARRIED RESOLVED by the following vote:

AYES: Cliby, Newton, Reid
NOES: None
ABSTAIN: None
ABSENT: Williams

B. CONSENT CALENDAR

AUGUST 2011

- 1. Confirm date and time of the next regular meeting of the Fire and Police Retirement Board scheduled September 14, 2011.

ACTION: Approved/Adopted

Fire and Police Chair Cliby requests that the Sept 14 Board meeting be rescheduled to 11 am to avoid conflict with mandatory work scheduled. Administrator requested flexibility with time prior to confirmation by the other Boards.

- 2. Approve application for service-connected disability retirement filed by Sean Holguin, Police Officer.

ACTION: Approved/Adopted

- 3. Approve application to convert service retirement to a service-connected disability retirement filed by Stuart Riba, Retired Police Officer.

ACTION: Approved/Adopted

- 4. Approve application for service-connected disability retirement filed by Brett Barnard, Police Officer.

ACTION: Approved/Adopted

- 5. Approve application for continuance of retirement allowance(s):

NAME	APPLICANT	EFFECTIVE DATE
Richard J. Shay	Esther E. Shaw	5/20/2011

ACTION: Approved/Adopted

6. The following employee(s) have elected to change their beneficiary(ies):

Benny Martinez
Kristopher G. Keener
Keith A. Doms

ACTION: Approved/Adopted

The Board thanked retiring members for their service with direction to report to staff to complete final paperwork.

ON MOTION by Member Newton seconded by Member Reid to approve the August 2011 Consent Calendar, DULY CARRIED RESOLVED by the following vote:

AYES: Cliby, Newton, Reid

NOES: None

ABSTAIN: None

C. EMPLOYEE PERSONNEL ISSUES

1. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION (Government Code Section 54956.9):
(a) Dale Bryant v. City of Fresno Fire and Police Retirement Board.
(b) Robert Cline v. City of Fire and Police Retirement Board

ACTION: No Action

The Board received a brief update by legal counsel.

D. DISABILITY HEARING

None

E. STAFF INITIATED ITEMS

None

F. BOARD INITIATED ITEMS

JULY - 2011

1. RESOLUTION - Establishing an annual net effective interest rate for the Deferred Retirement Option Program (DROP) for FY 2012.

ACTION: Approved/Adopted

The Board received summary and reviewed calculation submitted by Retirement Administrator.

ON MOTION BY Member Newton seconded by Member Reid to adopt resolution establishing an annual net effective interest rate for the Fiscal Year 2012 is 5.49 percent, DULY CARRIED RESOLVED by the following vote:

AYES: Cliby, Newton, Reid
NOES: None
ABSTAIN: None
ABSENT: Williams

2. Review and Consider Report by Legal Counsel regarding the Status as a Board Member of a Retiring Board Member who is then rehired as a Temporary City Management Employee (Replaces 6/1/2011 Opinion)

The Board discussed analysis and accepted conclusion submitted by legal counsel.

ON MOTION by Member Newton seconded by Member Reid to accept report and conclusions submitted by legal counsel regarding the status as a Board member of a retiring Board Member who is then rehired as a Temporary City Management Employee (Replaces 6/1/2011 Opinion), DULY CARRIED RESOLVED BY THE FOLLOWING VOTE:

AYES: Cliby, Newton, Reid
NOES: None
ABSTAIN: None
ABSENT: Williams

G. GENERAL DISCUSSION

None

H. INFORMATION ONLY ITEMS

None

I. UNSCHEDULED ORAL COMMUNICATIONS

None

J. PROPOSED AGENDA ITEMS FOR NEXT BOARD MEETING

None

K. PUBLIC COMMENTS

None

L. ADJOURNMENT

8:24 am

Paul Cliby
Fire and Police Retirement Board

Pattie Laygo
Retirement Board Secretary/Deputy