



# The Billy & Spanner



## PRESIDENT'S NOTES

By Mike Alford

There's not much to report this month mostly due to the city dragging their feet in providing numbers to members to validate their claims of FSLA overpayment. Earlier this month, I sent a letter to the city manager asking for his intervention in the matter in hopes that he would light a fire under finance. You can read that letter inside the newsletter. I received an e-mail from the City

Manager assuring me that there would be someone from the Finance Department at the next retirement board meeting in April to answer questions. However, there was no mention of providing numbers to back up their claims of overpayment. We will just have to wait and see.

Also, coming up in May is the annual Association Bobby Burroughs Membership Folsom BBQ. This is an excellent opportunity for our members in the Sacramento area to see old friends, have some great food and to get caught up on the latest issues the Association is tackling. If you are inclined to attend, go to our web site and sign up so we can have a head count for food prep.

Our next membership meeting is April 13th. at the POA hall. Please attend as we hope to have an update on the overpayment issue.

## THIS OLD DOG KNOWS NO NEW TRICKS

Is it Jason from the Friday the 13th movies? A bad nightmare? No. It's former San Jose Mayor Chuck Reed and he's up to his old tricks again.

Recently, our illustrious former Mayor penned an Op-Ed that ran in the East Bay Times attacking public pensions. Again. This time he sets his sights on retirement systems in the Los Angeles area. Now Mr. Reed has changed his rhetoric a tad, claiming to just be looking out for retirees. We know better.

*(continued on page 3)*

### INSIDE:

- ASSOCIATION FOLSOM BBQ
- LETTER TO CITY MANAGER

# LETTER TO CITY MANAGER NORBERTO DUENAS REGARDING PENSION “OVERPAYMENT” ISSUE



We write to express our deep frustration with the lack of communication and responsiveness of City as it relates to the issue of the reported miscalculation of FSLA for purposes of calculating pension benefits.

Our affected members have informed us that they have repeatedly contacted the Department of Finance to get an exact accounting of:

- how the miscalculations were made,
- how those miscalculations affected payments to retirees,
- how the City arrived at the amounts owed by retirees or owed to the Retirement fund.

They have yet to be given a response. Likewise, this Association has attempted to obtain this information. We have yet to receive a response. At least week's Police & Fire Retirement Board meeting, the Board stated that they too have attempted to obtain this information. They have yet to receive a response.

Any 4th grade student knows you have to show your work on your math problems. Certainly the standard for the Department of Finance exceeds 4th grade standards.

If the miscalculated payments are in fact true, the City has made an egregious mistake that is affecting the lives of many. The fact that the process to correct that mistake has exceeded seven years is even more egregious. Now, to have the City department responsible for fixing this problem not provide anyone information is a slap in the face to the retirees and Retirement Board members who trusted the Department of Finance to handle this matter in a professional manner.

Until the City is able to demonstrate exactly how they determined the amounts owed due to the City's negligent miscalculation of FSLA pay for each individual, we are instructing our members to not reimburse the City for its mistake in any fashion. Further, we are exploring our options as it relates to the actions taken by the Retirement Board to “fix” the miscalculated pension amounts given that the Board took action on the Department of Finance's word, as opposed to the detailed documentation of how the new payments were calculated.

Simply, the Department of Finance was wrong before, how do we know that they are not wrong again?

We are urging you to instruct any city representative who is able to provide us with the information to do so immediately. We currently have multiple Public Records Act requests into the City, yet all we have received is a memorandum less than three pages long without any detail whatsoever. This is not sufficient.

We appreciate your time and attention to this matter. If you have any questions, please feel free to contact me directly at (408) 857-2045.

Sincerely,  
Mike Alford President

## Save money, save paper.

Sign up for E-Newsletter. By signing up to receive the newsletter through e-mail, you will get the same content, only you will help the Association save money on printing and postage costs. If you wish to receive the newsletter via e-mail versus regular mail, please send an e-mail to [treasurer@retiredsjpoff.org](mailto:treasurer@retiredsjpoff.org)



## Association of Retired San Jose Police Officers and Firefighters 10th Annual Bobby Burroughs Membership Folsom BBQ 2017

**PLACE:**

The Lew Howard Pavillian  
7100 Baldwin Dam Rd.  
Folsom, CA 95630

**WHEN:**

Saturday, May 13, 2017  
Lunch at 12:00 PM  
Meeting right after lunch.

**FOOD CHOICES:**

Tri-tip or Chicken - Please make your selection when signing up.

**COST:**

Members are free. \$5 for spouse & guests

**MAKE CHECKS PAYABLE TO: AORSJPOFF**

Mail checks to:  
AORSJPOFF  
PO Box 28041  
San Jose, CA 95159-8041

### **THIS OLD DOG KNOWS NO NEW TRICKS** *(continued)*

As we all remember, just this November, Mr. Reed had to swallow his pride and support San Jose's Measure B, which cleaned up the pension mess he masterminded here in San Jose. A mess that decimated both the police and fire departments. A mess that will take a decade to clean up.

Mr. Reed authored his latest missive under the guise of being a boardmember of the Retirement Security Initiative. There's no truth in their name. We need to only look at who their executive director is: former San Jose Councilman Pete Constant. So, as we approach the next political season, beware of sweet sounding sound bites from the Chuck and Pete show as they try to relieve their glory days. Or should we say un-glorious days?

### **CONGRATULATIONS ON YOUR RETIREMENT**

Patrick D. Kirby, Police Officer, 25.11\* years of service.

Lindsay R. Thompson, Police Office, 28.01\* years of service.



P.O. Box 28041  
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visit our website:  
[www.retiredsjpoff.org](http://www.retiredsjpoff.org)

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## CALENDAR OF EVENTS

4/5 City Diner – Tan 2951 Monterey Rd., SJ – 269-5490  
4/12 Burger Burger Pit – Blue, 120 Blossom Hill Rd. SJ 408-225-6030  
**4/13 ASSOCIATION MEETING, 11AM TO 1PM**  
**AT THE SAN JOSE P.O.A. HALL, 1151 N. 4TH ST SAN JOSE**  
4/19 Goodies – Wine, 2201 S. Bascom Ave, Campbell 408-369-1236  
4/19 Police Benevolent Association, 5pm  
At the San Jose P.O.A. Hall, 1151 N. 4th St San Jose  
4/26 Holders Country Inn. – Green, 1424b Saratoga Ave. SJ., 408-378-6022  
**5/11 ASSOCIATION MEETING, 11AM TO 1PM**  
**AT THE SAN JOSE P.O.A. HALL, 1151 N. 4TH ST SAN JOSE**  
**5/13 Association 10th Annual Bobby Burroughs Membership Folsom BBQ**  
2017 The Lew Howard Pavillian, 7100 Baldwin Dam Rd., Folsom, CA 95630  
5/17 Police Benevolent Association, 5pm  
At the San Jose P.O.A. Hall, 1151 N. 4th St San Jose

## CONDOLENCES

Joseph Baxter, Firefighter, retired Feb. 7, 1991, died Jan. 22, 2017.  
Mark R. Bennett, Police Sergeant, retired July 31, 2010, died Dec. 23, 2016.  
Lowell Dean Cates, Police Officer, retired Dec. 4, 1984, died Jan 27, 2017.  
Bert E. Kelsey, Police Sergeant, retired April 1, 1987, died Jan. 13, 2017.  
Emmett Knutzen, Firefighter, retired Nov. 2, 1988, died Dec. 1, 2016.

## ASSOCIATION OFFICERS

Mike Alford, President	<a href="mailto:president@retiredsjpoff.org">president@retiredsjpoff.org</a>
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Larry Samarron, Jr. Treasurer	<a href="mailto:treasurer@retiredsjpoff.org">treasurer@retiredsjpoff.org</a>

## DIRECTORS-AT-LARGE

Jerry Ellis, Mike Moffett, Paul Schmidt, Jerry Boyer, Pat Boyd  
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## WIDOWS & ORPHANS OFFICERS

President (COA) Jeremy Wise	831-566-7624
VP (SJA) Larry R. Chua	408-926-2709
VP (COR) Bill McCluskey	408-985-7563
Secretary (SJR) Luis Chacon	408-642-0385
Treasurer (SJR) Jerry Ellis	408-730-9974
Treas. Emeritus (SJR) Mike Moffett	408-867-0405

## POLICE BENEVOLENT ASSOCIATION OFFICERS

President - David Wysuph, Vice President - Steve Windisch, Sec-Treasurer - Larry Lundberg,  
Sgt at arms - Bob Moir [www.sjba.net](http://www.sjba.net)