



# The **Billy**&**Spanner**



## PRESIDENT'S NOTES

By Mike Alford

Here we are at the end of another year, I don't have anything new in the way of news on the political front everything seems to be moving along as it should with the fix to measure "B" with a due date of early 2017. As this year comes to a close we look forward to the new year with anticipation, some will make resolutions of better behavior in areas of their lives that they think need improvement and others will hold hope for a better living situation. Whatever your future outlook, I want to wish each of you a Merry Christmas and a happy New Year. May 2017 be your year for fulfillment of your heart's desires. Be safe, enjoy your family and friends. See you in January.

## AFTER RECOUNT, SYLVIA ARENAS STILL TOPS JIMMY NGUYEN IN DISTRICT 8

While debates about the Electoral College and forced recounts raged across the country this month, San Jose had its very own recount nail biter. In the race to replace Councilmember Rose Herrera in the District 8 council seat, Evergreen School District Boardmember Sylvia Arenas remained the leader after an automatic recount was conducted. The official margin of victory was 97 votes.

Now, it wouldn't be the 2016 election season without a little bit more controversy. Despite the recount, Jimmy Nguyen is not accepting the Registrar of Voters' results. Instead, according to the Mercury News, he will pay for his own separate recount.

For those who don't remember, this is not without precedent. Earlier this year, Councilmember Mahn Nguyen refused to accept his defeat in the District 4 race by challenge Lan Diep. Councilmember Nguyen forced several recounts, all to no avail. Diep will take Nguyen's seat on January 1, 2017.

We do not anticipate a different result from Jimmy Nguyen's forced recount. So, with that, the new council will see labor endorsed candidates take the District 8 seat and retain the District 2 seat (formerly held by Ash Kalra). This is positive momentum for building a City Council who respects the perspectives and rights of employees and retirees.

### INSIDE:

- CITY MISTAKE MAY COST RETIREES THOUSANDS
- JOB OPPORTUNITIES AT SAP CENTER FOR RETIREES



**SYLVIA ARENAS**

## SAP CENTER: USHERING

### ROLE/RESPONSIBILITIES:

Provide guests with a consistent level of friendly, impressive service that exceeds their expectations during Sharks hockey games and other SAP Center events. Control admission to events by taking tickets and checking proper credentials. Greet and direct guests to their seats and be responsive to their needs, questions, comments, and complaints. Provide security for restricted areas and SAP Center property. Occasionally assist in other areas such as removing portable chairs after some events, helping with clean up, or office/clerical work.

### BENEFITS:

Flexible scheduling that accommodates school, another job or personal interests; ice skating; discounted food coupons when working events; a team atmosphere; opportunity to work exciting events and obtain valuable work experience.

### HOURS:

15-25 hours per week depending on the event schedule. Generally one hour and 15 minutes prior to the event until 15-30 minutes following the event. Scheduled special positions may require working earlier or later than this.

### SCHEDULING:

Done on a monthly basis considering your availability, performance and qualifications.

### AVAILABILITY:

You must be available to work two-thirds of the scheduled events for each month including two-thirds of all weekend events. Most shifts are evenings, weekends and holidays.

Uniform: You will be required to wear the uniform provided by SAP Center and place a \$60.00 deposit.

**QUALIFICATIONS:** You must enjoy working with a variety of people and have service-oriented approach to work. You must have excellent communication skills, be able to walk up and down stairs, stand for long periods of time, and lift chairs if necessary. 17 years or older is preferred.

### WAGE:

\$13.00 per hour; \$13.37 after working 260 hours.

You will be asked to join a union and pay 2.3% of hours worked per shift.

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## JOIN THE TEAM

SAP Center at San Jose is committed to providing the best Guest Service Experience.



We are currently seeking part-time staff in Building Services, Food Service, Guest Service, Merchandise, Parking, Security and Ticketing.

Please visit [www.sapcenter.com/employment](http://www.sapcenter.com/employment) to apply!

## CITY MISMANAGEMENT MAY COST RETIREES THOUSANDS

The City of San Jose has admitted to miscalculating the amounts retirees and survivors are supposed to receive in their monthly pension checks dating back to 1998. The total amount the City miscalculated is approximately \$1 million. The issue affects approximately 300 retirees. Retirement Services has begun notifying fire retirees. Police retirees will likely be notified beginning in January.

To make matters worse, the City has known about the problem since 2009. While unthinkable, they have taken seven years to determine which retirees were overpaid, which were underpaid, and for each, by how much money.

It is our understanding that the Retirement Fund (not the City's General Fund) must be made whole based on IRS regulations. However, it seems patently unfair to simply allow the City of San Jose to absolve themselves of a problem they created, a problem they allowed to fester for 7 years, simply by saying "oops."

We've been informed that for some, the amounts are relatively modest, perhaps a few hundred dollars. For others, however, the amounts could be several thousand dollars. Regardless, the City's miscalculation has cost retirees and the fund, approximately \$1 million. Moreover, their inability to fix the problem for seven years undoubtedly led to retirees continuing to be overpaid and underpaid, compounding the problem. This is negligence and certainly needs to be recognized by the City.

A similar, but not the same, problem happened with the Federated retirees last month. In that case, for former executive level employees, the Federated retirement fund paid higher-earning employees above an IRS limit on what public employees can receive in pension payments. In at least one case, the City had been paying a former department head incorrectly for over 12 years to a tune of \$212,000. The Federated retirement board has filed suit against the City in this case, alleging the City should pay the Federated fund over \$500,000 in overpayments and an additional \$300,000 in interest. Needless to say, the City is expected to fight back vigorously.

The Retirement Board will consider this matter at its next meeting on January 5, 2017. The meeting will begin approximately at 9:30 AM at San Jose City Hall. Now would be a good time to make sure we have your e-mail address so we can keep you up to speed as quickly as possible on this issue.

## CONDOLENCES

Manuel Becerra, Police Sergeant, retired January 14, 2006, died November 1, 2016. Survivorship benefits to Janice Becerra, Spouse.

Roger W. Malcolm, Police Officer, retired March 9, 1996, died October 27, 2016.

Dewey R. Moore, Police Sergeant, retired November 3, 1994, died September 25, 2016. Survivorship benefits to Carol A. Moore, Spouse.

## CONGRATULATIONS ON YOUR RETIREMENT

Gerald Durk, Fire Captain, 30.23 years of service. (With reciprocity)

James A. Ford, Police Lieutenant, 25.11 years of service.

Kathleen A. Lopez, Police Sergeant, 27.64 years of service.

Phan S. Ngo, Deputy Chief of Police, 27.38 years of service.



Association of Retired San Jose

Police Officers & Firefighters

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[www.retiredsjpoff.org](http://www.retiredsjpoff.org)

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## CALENDAR OF EVENTS

1/4 Goodies – Wine, 2201 S. Bascom Ave, Campbell 408-369-1236  
1/5 Retirement Board Meeting, 9:30 AM, San Jose City Hall  
1/11 Holders Country Inn. – Green, 1424b Saratoga Ave. SJ., 408-378-6022

### 1/12 ASSOCIATION MEETING, 11AM TO 1PM AT

THE SAN JOSE P.O.A. HALL, 1151 N. 4TH ST SAN JOSE

1/18 Hick'ry Pit – Gray, 980 E. Campbell Ave., Campbell 408 371-2400

1/18 Police Benevolent Association, 5pm

At the San Jose P.O.A. Hall, 1151 N. 4th St San Jose

1/25 City Diner – Tan, 2951 Monterey Rd., SJ 408-269-5490

2/1 Burger Pit – Blue, 120 Blossom Hill Rd., SJ – 225-6030

2/8 Goodies – Wine, 2201 S. Bascom Ave, Campbell 408-369-1236

### 2/9 ASSOCIATION MEETING, 11AM TO 1PM AT THE SAN JOSE

P.O.A. HALL, 1151 N. 4TH ST SAN JOSE

2/15 Holders Country Inn. – Green, 1424b Saratoga Ave. SJ., 408-378-6022

2/15 Police Benevolent Association, 5pm

At the San Jose P.O.A. Hall, 1151 N. 4th St San Jose

2/22 Hick'ry Pit – Gray, 980 E. Campbell Ave., Campbell 408 371-2400

## ASSOCIATION OFFICERS

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Tim Miller, Walt Bugna, John Shuman, Jim Spence, Don Bartels

## WIDOWS & ORPHANS OFFICERS

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VP (COR) Bill McCluskey	408-985-7563
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## POLICE BENEVOLENT ASSOCIATION OFFICERS

President - David Wysuph, Vice President - Steve Windisch, Sec-Treasurer - Larry Lundberg,  
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