

**August 7, 2025 Police and Fire Board Meeting Report Out of Closed Session Item I.C: Significant exposure to litigation pursuant to Section 54956.9(d)(2): One Case.**

At its August 7, 2025, meeting in Closed Session, the Board authorized the CEO of ORS to negotiate and enter into a Settlement Agreement with the surviving spouse of deceased Police and Fire Department Retirement Plan member Dennis Caywood, Dessa Frechette Caywood: (1) regarding a dispute concerning Ms. Caywood's entitlement to an Optional Settlement Benefit under San Jose Municipal Code § 3.36.1468, and (2) to provide Ms. Caywood with the disputed benefit upon her waiver of interest and of her disputed claim against the Plan. The Board unanimously approved the motion providing such authorization during Closed Session.

Effective August 26, 2025, as authorized by the Plan, the CEO of ORS entered into a written Settlement Agreement on behalf of the Plan with member Dennis Caywood's surviving spouse, Dessa Frechette Caywood, resolving the dispute concerning the election of an Optional Settlement Benefit. Under the Settlement Agreement, the Plan will pay Ms. Caywood an Optional Settlement Benefit per month until her death, with Cost-of-Living Adjustments applied where applicable under San Jose Municipal Code § 3.36.1468. Ms. Caywood has waived and released any and all claims against the Plan and waived any right to claim interest in exchange and as valuable consideration.