



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Mark Danaj

SUBJECT: DEFERRED COMPENSATION
ADVISORY COMMITTEE
APPOINTMENTS

DATE: February 9, 2009

Approved

Christine J. Sheppes

Date

2/13/09

COUNCIL DISTRICT: N/A
SNI AREA: N/A

RECOMMENDATION

It is recommended that the City Council approve the appointment of Franco Vado to the Deferred Compensation Advisory Committee (DCAC) as the representative nominated by the San Jose Police Officers Association (POA); Robert Sapien as the representative nominated by the San Jose Firefighters, Local 230 (IAFF); and Pascal Roubineau as the representative nominated by the trades unions (Association of Building, Mechanical and Electrical Inspectors (ABMEI), International Brotherhood of Electrical Workers (IBEW), International Union of Operating Engineers, Local No. 3 (OE3), for four-year terms ending March 1, 2013.

OUTCOME

There are three members of the seven-member Deferred Compensation Advisory Committee whose terms end March 1, 2009. Approval of this recommendation will fill these seats and allow the Deferred Compensation Advisory Committee to continue to do business, and to meet as a full committee at the March 26, 2009 meeting.

BACKGROUND

The Deferred Compensation Advisory Committee (DCAC) oversees all aspects of the City's Deferred Compensation Program. The program currently consists of approximately 10,000 plan participants (both retirees and active employees) and approximately \$475 million in assets.

Resolution No. 70176, dated February 27, 2001, requires that the DCAC be composed of seven members; two appointed by the City Manager; one recommended by the management employees; one recommended by the San Jose Police Officers Association; one recommended by

the San Jose Firefighters, Local 230; one recommended by the employee organizations affiliated with the American Federation of State, County and Municipal Employees and one recommended by the trades employee organizations. Each member normally serves a four-year term.

As a Council-appointed committee, appointments to the DCAC must first be approved by the Rules Committee before being forwarded to the City Council.

ANALYSIS

The term of members Conrad Taylor, Mark Skeen, and Pascal Roubineau expire on March 1, 2009. The POA, IAFF, and the trades employee organizations (ABMEI, IBEW and OE#3) were each asked to nominate a replacement member for the City Council's approval and appointment.

On February 3, 2009, Franco Vado of POA was selected as the nominee for this seat; on February 8, Robert Sapien of IAFF was selected as the nominee for this seat, and on February 4, Pascal Roubineau of the trades employee organizations was selected as the nominee for this seat, each to serve a four-year term through March 1, 2013. No other nominations were received.

EVALUATION AND FOLLOW-UP

This recommendation addresses the performance measures of the Deferred Compensation Advisory Committee. This Committee is responsible for administering the Deferred Compensation Plan, the trust account and is responsible for the operation of the Plan in accordance with the terms of the Plan. The Committee is required to determine all questions arising out of the administration, interpretation and application of the Plan and the Trust including evaluating and selecting investment options. Whenever terms of the members are due to expire, a recommendation will be presented to the City Council to appoint nominees to fill those seats on the Committee.

PUBLIC OUTREACH/INTEREST

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

This item does not meet any of the criteria above.

The key stakeholders were invited to nominate a candidate for appointment to the Deferred Compensation Committee. These key stakeholders are the San Jose Police Officers Association (POA); San Jose Firefighters, Local 230 (IAFF); and the trades unions (Association of Building, Mechanical and Electrical Inspectors (ABMEI), International Brotherhood of Electrical Workers (IBEW), International Union of Operating Engineers, Local No. 3 (OE3). Names of the new Committee members will be posted on the City's website as part of the agenda of the Deferred Compensation Advisory Committee for the March 26, 2009 meeting.

COORDINATION

This memorandum has been coordinated with the Office of the City Attorney and the City Clerk's Office.

CEQA

Not a project.



MARK DANAJ
Director, Human Resources

For questions please contact Jeanne Groen, Benefits Manager, (408) 975-1428