



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Lee Price, MMC

SUBJECT: SEE BELOW

DATE: September 30, 2010

SUBJECT: REPORT ON THE RECRUITMENT AND APPLICATION PROCESS FOR THE APPOINTMENT OF PUBLIC MEMBERS TO THE POLICE AND FIRE AND FEDERATED RETIREMENT BOARDS

RECOMMENDATION

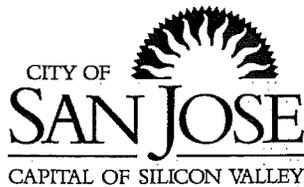
As referred by the Rules and Open Government Committee on September 29, 2010 and outlined in the attached memorandum previously submitted to and approved by the Rules and Open Government Committee, as amended:

The City Council approve the proposed application, as revised, for the appointment of public members to the Boards of Administration of the Police and Fire Department Retirement Plan (Police and Fire Retirement Board) and the Federated City Employees' Retirement System (Federated Board).

A handwritten signature in cursive script, appearing to read "Lee Price".

LEE PRICE, MMC
City Clerk

For questions, please contact Dennis Hawkins, Assistant City Clerk, at (408) 535-1275.



Memorandum

TO: RULES AND OPEN
GOVERNMENT COMMITTEE

FROM: Lee Price, MMC

SUBJECT: SEE BELOW

DATE: September 23, 2010

SUBJECT: REPORT ON THE RECRUITMENT AND APPLICATION PROCESS FOR THE APPOINTMENT OF PUBLIC MEMBERS TO THE POLICE AND FIRE AND FEDERATED RETIREMENT BOARDS

RECOMMENDATION

The Rules Committee approve the application for appointment of public members to the Boards of Administration of the Police and Fire Department Retirement Plan (Police and Fire Retirement Board) and the Federated City Employees' Retirement System (Federated Board).

BACKGROUND

On August 10, 2010, the City Council approved Ordinance 28787 that revised Section 2.08.1210 of the San Jose Municipal Code to modify the composition and increase the size of the Police and Fire Retirement Board from seven to nine members, including the appointment of five (5) public members. The Council also approved Ordinance 28788 on August 10, 2010, which revised SJMC Section 2.08.1010 to modify the composition of the Federated Board to include the appointment of four (4) public members.

On December 10, 2008 the Rules and Open Government Committee approved a supplemental questionnaire to be completed by all applicants for appointment to the Retirement Boards. The supplemental questionnaire has been a part of the City Council's review and consideration of potential Retirement Board appointees since January 2009.

ANALYSIS

With the impending appointment of new public members' staff has developed a new, broader, and more complete Retirement Board application that includes questions regarding the education, experience, and qualifications of potential Board members. Staff is recommending that a new application be approved which incorporates many key elements of the existing supplemental questionnaire and delves into potential conflicts of interests of applicants. The current supplemental questionnaire will continue to be used in the appointment process for employee and retiree representatives. The application is intended to help the Council evaluate the qualifications for applicants for appointment to the Retirement Boards and determine whether

HONORABLE MAYOR AND CITY COUNCIL

September 23, 2010

Subject: Revision to Applications for appointment to the Retirement Boards

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the applicants meet the qualifications for membership, including all ethics and disclosure requirements.

In addition, staff will provide a verbal update report to the Committee on the timeline and outreach efforts planned to attract a pool of qualified applicants for appointment to the Retirement Boards.

PUBLIC OUTREACH

This memo has been posted on the City Clerk's website as a part of the regular Rules and Open Government Committee agenda and, if approved, the subsequent City Council agenda. In addition, this information has been posted on the websites for both the Federated and Police and Fire Retirement Systems and copies of the memorandum have been distributed to appropriate employee and retiree organizations.

- 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)**

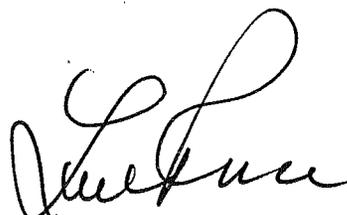
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, , or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

COORDINATION

This memorandum has been coordinated with the Offices of the City Manager and City Attorney, Department of Retirement Services and communicated to bargaining unit representatives.

CEQA

Not a project.



Lee Price, MMC
City Clerk

For questions, please contact Dennis Hawkins, CMC, Assistant City Clerk, at (408) 535-1275.

**CITY OF SAN JOSÉ - RETIREMENT BOARDS
APPLICATION FOR APPOINTMENT AS A PUBLIC MEMBER**

Public members of the Board of Administration of the San Jose Police and Fire Department Retirement Plan or the Federated City Employees Retirement System must live or work within 50 miles of San Jose City Hall and meet specified eligibility requirements.

PLEASE USE BLACK OR BLUE INK TO TYPE OR PRINT YOUR APPLICATION. Submit application to the Office of the City Clerk, 200 E. SANTA CLARA STREET, Room W-242, San José, California, 95113, Phone: (408) 535-1252; Fax: 408-292-6207; email: cityclerk@sanjoseca.gov. If more space is needed, please attach additional pages. Applications are valid for one year from the date of receipt and are public record.

Please check the appropriate box:

Police and Fire Department Plan **Federated City Employees System**

Do you work or reside within 50 miles of San Jose City Hall? **Yes** **No**

Name (Last, first, middle)

Home Address

**San José,
CA**

Zip Code

Home Phone No.

Cellular Phone No.

Home Fax No.

Business Address

Zip Code

Business Phone No.

Business Fax No.

Business Email

Personal Email

Present Employer (Name/Describe Business)

Job Title/Description of Duties

Current Employer of Spouse (Name/Address)

Spouse's Job Title/Description of Duties:

**CITY OF SAN JOSÉ - RETIREMENT BOARDS
APPLICATION FOR APPOINTMENT AS A PUBLIC MEMBER**

College, Professional,
Vocational or Other Schools
attended

Major Subject

Dates Attended

Degree & Date

Licenses Held:

Certifications Held:

Special Awards or Recognitions Received

Languages spoken

Individuals applying for appointment as public members of the Board are ineligible for appointment to the Board if they meet certain criteria. Please confirm if you meet any of the following criteria. If you answer yes to any question, you are not eligible for appointment as a Public Member of the Retirement Boards.

- Current or former City employee Yes No
- Current or former elected or appointed City official Yes No
- Retired members of, or persons participating in or receiving benefits from the Police and Fire Retirement Plan or Federated City Employees Retirement System Yes No
- A representative of any union representing City employees Yes No
- Immediate Family Member (as defined in San Jose Municipal Code Sections 2.08.1020.F and 2.08.1220.F) of a City employee or persons participating in or receiving benefits from the Police and Fire Retirement Plan or Federated City Employees Retirement System Yes No

**CITY OF SAN JOSÉ - RETIREMENT BOARDS
APPLICATION FOR APPOINTMENT AS A PUBLIC MEMBER**

A. GENERAL BACKGROUND

1. Please list your applicable experience or expertise relevant to public retirement plan administration.

Category (check all that apply)	Years of Experience	Describe your experience or expertise
<input type="checkbox"/> Senior executive position in pension administration		
<input type="checkbox"/> pension actuarial practice		
<input type="checkbox"/> institutional investment experience		
<input type="checkbox"/> auditing		
<input type="checkbox"/> accounting		
<input type="checkbox"/> legal		
<input type="checkbox"/> health and welfare and/or employee benefits management		
<input type="checkbox"/> investment management		
<input type="checkbox"/> banking		
<input type="checkbox"/> Insurance company asset/liability management		
<input type="checkbox"/> college or university professor (focus on fiduciary or trust law, quantitative background in financial theory or actuarial math)		
<input type="checkbox"/> Other		
<input type="checkbox"/> Other		

2. Please summarize your qualifications to serve as a member of the Retirement Board? Briefly highlight your skills, training, education, qualifications, experience (licenses and/or certifications) and personal qualities that you will bring to the Board and share with the organization.

3. What is your interest and motivation for serving as a member of the Retirement Board?

4. Please discuss your pension plan and/or investment management and oversight experience including the development of key financial policies.

5. Please describe your membership in relevant professional or trade organizations. Please note any offices held, etc.

6. Please state any other information, which you feel, would be useful in reviewing your application

B. FAMILIARITY WITH BOARD

1. Please describe your understanding of the role and responsibilities of Retirement Board members?

2. Please describe your understanding of the relationship between the Retirement Board and City Council? The City Administration? Retirement Services staff? Employee bargaining units? Plan participants and beneficiaries?

**CITY OF SAN JOSÉ - RETIREMENT BOARDS
APPLICATION FOR APPOINTMENT AS A PUBLIC MEMBER**

4. What do you consider the three most important issues currently facing the Retirement Board?
5. What do you perceive as the short and long-term goals of the Retirement Board?

C. EXPERIENCE/EXPERTISE

1. How do you ensure that you are maintaining an in-depth and up-to-date knowledge of institutional investing and the capital market environment?
2. Given the current status of the capital markets, where do you see opportunities to increase return and reduce risk in the pension portfolios? What is your experience with risk budgeting?
3. Please describe your views on the role of asset allocation and provide detail on your recommended asset classes and proportions for pension funds like those serving the employees of the City of San Jose.
4. Should pension plans like those in San Jose invest in alternative investments such as private equity, commodities, infrastructure or separate account real estate? If so, how? If not, why?
5. How would you evaluate an investment manager? When would you terminate an investment manager? How should manager due diligence be conducted?
6. What should be included in a pension plan's statement of investment policies? Please address the roles of trustees, staff, consultants, investment managers and custodians in asset allocation, portfolio structure, manager selection and due diligence, rebalancing, reporting and analysis.

D. CONFLICT OF INTEREST.

1. State and local law require that Retirement Board members publicly disclose, in advance of action being taken, any conflict of interest, including sources of income, interests in real property or investments, on a matter agendized for Board action; recuse themselves from voting on such item; and leave the room while the item is being discussed and voted on, unless the item is a consent or uncontested item. Please confirm that you have reviewed and agree to comply with San Jose City Council Conflict of Interest Policy (Council Policy No. 0-34); and Government Code Sections 1090 and 87105.

- Yes, I have read and agree to comply
 No, I have not read and/or do not agree to comply.

**CITY OF SAN JOSÉ - RETIREMENT BOARDS
APPLICATION FOR APPOINTMENT AS A PUBLIC MEMBER**

2. In addition, if appointed, you will be required to fill out a disclosure statement, which identifies certain of your financial interests beginning with the immediate twelve-month period prior to your appointment and annually on or before April 1 of each year thereafter. Please confirm that you have read Fair Political Practices Commission (FPPC) Form 700 Reference Pamphlet and agree to file required FPPC Form 700 Statements of Economic Interest, as required by current City Council Conflict of Interest resolution.

- Yes, I have read and agree to comply
 No, I have not read and/or do not agree to comply.

3. Have you ever been required to file a Statement of Economic Interest (Form 700) and failed to do so? Yes No If yes, please explain in complete detail.

4. If you were required to file a FPPC Form 700 Statement of Economic Interest as a Retirement Board member as of the date of this application, would you have any financial interests that you would be required to disclose other than your financial interest in the employment already disclosed in this application? Yes No If yes, please identify any interest that you would be required to disclose as an attachment to this application.

5. Please identify any organizations, associations, or entities in which you are active, or with which you are involved or associated that might be affected by decisions of this Board, and the positions you hold.

6. Please confirm that you have reviewed and agree to comply with the San Jose Municipal Code Chapter 12.08 (Prohibition of Gifts), City of San Jose Ethics Policy (City Policy Manual 1.2.1), and City of San Jose Gift Policy (City Policy Manual 1.2.2).

- Yes I have read and agree to comply
 No I have not read and/or do not agree to comply.

E. BACKGROUND CHECKS AND REFERENCES

1. Have you ever been convicted of a misdemeanor within the past five years or a felony within the past ten years (except for minor traffic offenses that resulted only in a fine)?
 Yes No If yes, please explain in complete detail. State the nature and approximate date of the conviction, the sentence imposed, whether the sentence has been completed, and any other information you consider relevant.

**CITY OF SAN JOSÉ - RETIREMENT BOARDS
APPLICATION FOR APPOINTMENT AS A PUBLIC MEMBER**

2. Are you or your firm currently or within the past five years been the subject of any litigation or claims resulting from any investment activity, advice, a fiduciary relationship, or regarding alleged financial improprieties? Yes No If yes, please provide details.

3. Are you or your firm currently or within the past five years been the subject of any investigation or disciplinary action by any governmental and/or regulatory body (SEC, NASD, states Attorney General or Insurance Commissioner, etc.)? Yes No If yes, please provide details.

4. Please provide four personal and/or business references (not relatives). Please include name, address, email, and telephone number.

How did you learn of a vacancy on this Board?

- Internet
- Newspaper
- Advertisement – Source: _____
- City Website
- Personal contact from Councilmember
- Personal contact from City staff member
- Word of mouth
- Other (please specify)

SIGNATURE OF APPLICANT

DATE SIGNED

**Submit to:
City of San Jose
Office of the City Clerk
200 E. Santa Clara Street, Wing Room 243
San Jose, CA 95113-1905
Phone: (408) 535-1260
Fax: (408) 292-6207
CityClerk@sanjoseca.gov
Attention: Dennis Hawkins**