

**FEDERATED CITY EMPLOYEES' RETIREMENT SYSTEM**  
**Council Representative to the Board – Charter**

**Background**

- 1) Section 2.08.170 of the City of San Jose Municipal Code provides that:
  - a) The City Council shall appoint one of its members to act as a non-voting, non-fiduciary member of the Board. Said member shall be referred to as the Council Representative to the Board (“Council Representative”).
  - b) The Council Representative serves to advise the City Council of the background, attitudes and reasons behind decisions and recommendations of the Board, and to advise the Board of policies, procedures and decisions of the Council that may bear on matters under discussion by the Board.
  - c) The Council Representative may attend the meetings of the Board and may fully participate with the voting members of the Board in all matters pending before the Board, with the exception of quasi-adjudicatory matters and closed sessions. The Council Representative shall be provided with a copy of the Board's public agenda packet at the same time as agenda packets are distributed to Board members, but shall not receive closed session material. The Council Representative shall have no power to vote on any matter pending before the Board, nor shall the Council Representative be counted as a Board member for the purpose of determining what constitutes a quorum of the Board. The Council Representative shall receive no additional compensation for serving as a nonvoting member of the Board. The Council Representative shall not identify or represent himself or herself as a member of the Board except in meetings of the City Council and the Board.
- 2) The Board believes that a Council Representative benefits both the Board and City Council and has prepared this charter to communicate its expectations of the Council Representative. The Board recognizes that City Council may communicate additional expectations to the Council Representative.

**Board Expectations of the Council Representative**

- 3) The Board expects that the Council Representative shall:
  - a) Attend all regular and special meetings of the Board in their entirety, with the exception of closed session meetings. The Council Representative may, under extenuating circumstances, have a delegate attend meetings in his or her place.
  - b) Facilitate effective and open communications by serving as a conduit when necessary between the Board and City Council by:
    - i) Providing a monthly report to the Board on any relevant activities and deliberations of City Council. Such report shall be a regular item on the monthly Board meeting agenda. Topics of particular interest to the Board include, but are not limited to:
      - (1) Background regarding City Council's budget if relevant to the management of the System and Plan;
      - (2) City Council's expectations regarding pension administration service levels and cost-effectiveness; and

- (3) Any concerns or questions City Council may have regarding the investments and operations of the System and Plan.
  - ii) Keeping City Council apprised of any relevant activities and deliberations of the Board.
  - iii) Informing the Board and retirement plan staff of any information or education needs of City Council.
  - iv) Communicating to City Council any needs expressed by the Board in terms of desired skills and experience of new members to be appointed by City Council.
- 4) If the Council Representative has not met the provisions of this Charter to the Board's satisfaction, the Board reserves the right in its sole discretion to request that City Council replace the Council Representative.

**REVIEW & HISTORY**

- 5) The Board shall review this charter at least every five years.
- 6) The Board adopted this charter on June 21, 2018. Reviewed and amended May 21, 2020; March 18, 2021.