COUNCIL AGENDA: 09/27/11
ITEM: 3.5

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

# Memorandum

**TO:** CITY COUNCIL

**FROM:** Mayor Chuck Reed
Councilmember Constant
Councilmember Herrera

**SUBJECT: RETIREMENT BOARD LIAISON**

**DATE:** September 19, 2011

Approved Chuck Reed

Date 9/19/11

## RECOMMENDATION

1. Appoint Councilmember Herrera to be the alternate non-voting member of the Federated Retirement Board and of the Police and Fire Retirement Board.

2. Add the following language to Council Policy 0-36 as new section F:

   **F. Councilmembers Sitting as Members of Boards or Commissions**

   Councilmembers may also be appointed by the City Council to sit as voting or non-voting members of a Board or Commission. In those instances, Councilmembers are expected to regularly attend meetings and actively participate in the deliberations and training of the Board or Commission. If the Councilmember is a non-voting member, they cannot participate in quasi-adjudicatory matters or closed sessions. Councilmembers shall not have any greater authority than other Board members. Information requests or other requests of City staff may be made as part of the proceedings of the Board in the same manner as may be made by other Board members.

3. Approve the ordinance as recommended by the City Attorney.

## BACKGROUND

Councilmember Constant has been appointed as Council Liaison to and non-voting member of both Retirement Boards, but an alternate has not been designated.

Council Policy 0-36 City Council/Commission Code of Conduct specifies: "A Councilmember who is appointed to sit as a member of a Board or Commission is not a liaison for purposes of this policy."

The policy does not define the role of a Councilmember who is designated by the City Council to be a member of a Board of Commission. Adding the recommended language would make clear that a Councilmember who is appointed to be a member of a Board or Commission has different responsibilities than a liaison. The City Council considered this issue in March but deferred action pending feedback from the Retirement Boards on the liaison role.