



**Contra  
Costa  
County**

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: February 25, 2020

Subject: Election of Retirement Board Member Numbers 3, 7, and 7 Alternate

**RECOMMENDATION(S):**

1. ACKNOWLEDGE that the terms of office of the appointed Member 5, 6, and 9 seats and the Alternate to Members 4, 5, 6 & 9 seat held by Jerry Holcombe, Supervisor Candace Andersen, John Phillips, and Jay Kwon, respectively, on the Contra Costa County Employees' Retirement Association Board of Trustees (Retirement Board) will expire on June 30, 2020, and that there is a standing referral to the Board's Internal Operations Committee to recruit to fill, by Board of Supervisors appointment, any vacancies that occur in seats 4, 5, 6 and 9 of the Retirement Board, and their Alternate.
2. ACKNOWLEDGE that the Board of Supervisors, on January 7, 2020, reappointed Supervisor Candace Andersen to the Member 6 seat of the Retirement Board to a new three-year term that will expire on June 30, 2023.
2. ACKNOWLEDGE that the terms of office of the elected Member 3, 7, and 7 Safety Alternate seats on the Retirement Board held by Todd Smithey, William Pigeon, and Donald Finley, respectively, will also expire on June 30, 2020.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY  
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **02/25/2020** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: February 25, 2020

David Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Julie DiMaggio Enea  
(925) 335-1077

By: Stephanie Mello, Deputy

3. ADOPT Resolution No. 2020/63 calling and noticing election of Retirement Board Members No. 3 (general), 7 and 7 Alternate (safety members of the Association ) for three-year terms beginning on

RECOMMENDATION(S): (CONT'D)

July 1, 2020, as recommended by the Contra Costa County Employees' Retirement Association Board.

FISCAL IMPACT:

None.

BACKGROUND:

The terms of office of the following members of the Contra Costa County Employees' Retirement Association Board will expire on June 30, 2020 : Todd Smithey (General Member - Number 3), William Pigeon (Safety Member of the Association - Number 7), and Donalds Finley (Safety Member of the Association - Number 7 Alternate). The general members of the Association may elect the Number 3 member and the safety members of the Association may elect the Number 7 and 7 Alternate members, as provided in the attached Resolution.

Government Code Section 31520.1 (a) provides in part: "The second and third members of the board shall be members of the association, other than safety members, elected by those members within 30 days after the retirement system becomes operative in a manner determined by the board of supervisors," and "The seventh member shall be a safety member of the association elected by the safety members. The eighth member shall be a retired member elected by the retired members of the association in a manner to be determined by the board of supervisors. The alternate member shall be that candidate, if any, for the seventh member from the group under Section 31470.2 or 31470.4, or any other eligible safety member in a county if there is no eligible candidate from the groups under Sections 31470.2 and 31470.4, which is not represented by a board member who received the highest number of votes of all candidates in that group, and shall be referred to as the alternate seventh member. If there is no eligible candidate there may not be an alternate seventh member."

Government Code section 31520.1 also provides in part: "(b)...The alternate seventh member provided for by this section shall vote as a member of the board only if the second, third, seventh, or eighth member is absent from a board meeting for any cause, or if there is a vacancy with respect to the second, third, seventh, or eighth member, the alternate seventh member shall fill the vacancy until a successor qualifies. The alternate seventh member shall sit on the board in place of the seventh member if a member of the same service is before the board for determination of his or her retirement. (c) The alternate seventh member shall be entitled to both of the following:

- (1) The alternate seventh member shall have the same rights, privileges, responsibilities, and access to closed sessions as the second, third, seventh, and eighth member.

(2) The alternate seventh member may hold positions on committees of the board independent of the second, third, seventh, or eighth member and may participate in the deliberations of the board or any of its committees to which the alternate seventh member has been appointed whether or not the second, third, seventh, or eighth member is present."

Nominations for the elected seats shall be on forms provided by the County Clerk starting on Monday, February 24, 2020 and filed in that office not later than 5 p.m. on March 20, 2020. Election Day is fixed as Tuesday, June 16, 2020. Any Ballot reaching the County Clerk's Office after 5 p.m. on Tuesday, June 16, 2020 shall be voided and not counted.

Nominations for the appointed Board of Supervisors #5, 6, and 9 seats and the Alternate to Seats 4, 5, 6 & 9 seat shall be pursuant to a recruitment to be conducted by the Internal Operations Committee on behalf of the Board of Supervisors, this spring.

#### CONSEQUENCE OF NEGATIVE ACTION:

Inaction by the Board would result in a delay of election of the 3, 7, and 7 Alternate members of the Contra Costa County Employees' Retirement Association Board.

#### ATTACHMENTS

Resolution 2020/63