



Memorandum

**TO: Federated Governance
Committee**

FROM: Donna Busse

SUBJECT: Attendance Policy

DATE: March 10, 2016

Approved

Roberto L. Peña

Date

3/10/2016

RECOMMENDATION

Discussion and Action Regarding Attendance Policy.

BACKGROUND

The San Jose Municipal Code ("SJMC") has a section that codifies allowable absences for all Boards and Commissions.

2.08.060 - Absence from meetings - Reappointment.

- A. A member of any board or commission, other than the planning commission, the salary setting commission and the civil service commission, shall be deemed to have automatically resigned from office if:
1. The board or commission has four or fewer regular meetings in any calendar year, and the member has unexcused absences from any two consecutive regular meetings of the board or commission; or
 2. The board or commission has more than four regular meetings in any calendar year, and the member has unexcused absences from either:
 - a. Any three consecutive regular meetings of the board, or commission; or
 - b. More than twenty percent of the total number of regular meetings in any calendar year, or if the member was appointed to fill a vacancy, more than twenty percent of the total number of remaining regular meetings in that calendar year.
- B. For purposes of this section, the following shall not be considered an unexcused absence:
1. An absence due to an illness of the member, or illness or death of a member's spouse, domestic partner, parent, child, sibling or dependent; or
 2. An absence because a member is away on authorized board or commission business; or

3. For any member who is a city councilmember or a city employee, an absence due to the member performing required city business; or
4. An absence from a meeting of the board of administration for the federated city employees retirement system or of the board of administration for the police and fire department retirement plan which the board of administration has found to be for good cause; or
- C. Within a reasonable period, but not exceeding ten days after a member has been deemed to have resigned pursuant to this section, the secretary of the board or commission shall notify the city clerk of the vacancy and the city clerk shall thereupon notify the member that the member is deemed to have resigned pursuant to this section. The city clerk shall simultaneously notify the city council that the vacancy exists as a result of the automatic resignation.
- D. Except as provided in Subsection A. above, the provisions of this section shall apply to all voting members of boards and commissions established or otherwise regulated under this Chapter 2.08.
- E. As used in this section, "regular meetings" means regularly scheduled meetings of the board or commission and shall not include special meetings. For purposes of this section, adjourned regular meetings or continued regular meetings shall be considered special meetings.
- F. For purposes of this section, a member shall be deemed absent from a meeting if the member fails to be in attendance at a regular meeting for at least one-half of the duration of the regular meeting.
- G. A member whose seat has become vacant by virtue of the above provisions may be reappointed to his or her former office for the balance of the member's unexpired term if the council finds there was good excuse for the member's absence from meetings or finds that the reappointment will be in the best interests of the city.
- H. In the event of a reappointment, the previous unexcused absences of the reappointed member shall not be considered in determining any future resignation of the member under this section.

ANALYSIS

The allowable number of unexcused absences allowed per A(2)(b) above is two, since the Board has 11 regularly scheduled Board meetings (20% of 11 = 2.2). Anything above two would be deemed an automatic resignation from office. However, per paragraph B there are a number of absences that are considered excused so would not count against the two allowed. In addition, there is flexibility granted to the Federated Board to excuse an absence for good cause. If there was a Trustee that exceeded two absences, Staff would write a memo to the Board and ask if the absences would be excused. There have also been situations when the Trustee asked to be excused prior to the absence. The Federated Board has regularly excused absences due work commitments of non-employee trustees in the past. Currently, Staff provides an absence report quarterly as part of the quarterly travel report (see attached). At the last Governance meeting, the Chair recommended

discussing the policy in more detail and recommending to the Board to pass a resolution to memorialize a policy and/or practice. Staff recommends stating in the resolution what would be deemed an excused absence by the Federated Board, that has not already been outlined in the SJMC, so that in the future, a memo or special request by a Trustee would be unnecessary. Staff would add comments to the current quarterly report that explained if the absence was excused and why.



Donna Busse
Deputy Director

FEDERATED CITY EMPLOYEES RETIREMENT SYSTEM TRAVEL ANALYSIS
OCTOBER 1, 2015-DECEMBER 31, 2015

Traveler	Event	DATE	Location	City/State	Approved Travel	Transportation	Registration	Hotel	Meals	Mileage	Airfare	Totals
**Arn Andrews	Institutional Investor Roundtable for Consultants & Institutional Investors	10/6/2015-10/8/2015 - CANCELLED BY TRAVELER. TRAVEL WAS SICK DURING THE TRIP	Four Seasons Hotel	Chicago, IL	November meeting	\$0.00	\$0.00	\$886.97	\$0.00	\$0.00	\$238.00	(\$1,124.97)
Arn Andrews	General Investment Consultant RFP Due Diligence-Verus	10/26/2015	Verus Seattle Main Headquarters	Seattle, WA	January 2016 meeting	\$113.10	\$0.00	\$0.00	\$57.04	\$0.00	\$336.20	\$506.34
Arn Andrews	General Investment Consultant RFP Due Diligence-Meketa	11/18/2015	Meketa Carlsbad Main Headquarters	Carlsbad, CA	December meeting	\$40.85	\$0.00	\$0.00	\$0.00	\$0.00	\$501.96	\$542.81
Arn Andrews	General Investment Consultant RFP Due Diligence-NEPC	11/13/2015	NEPC Regional Office	Redwood City, CA	January 2016 meeting	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Roberto Peña	SACRS	11/17/2015-11/18/2015	San Diego Marriott Marquis & Marina	San Diego, CA.	November meeting	\$15.71	\$120.00	\$258.18	\$84.00	\$0.00	\$142.00	\$619.89
Micheal Armstrong	NO REPORT											
Marty Dirks	NO REPORT											
Lara Druyan	NO REPORT											
Chappie Jones	NO REPORT											
Matt Loesch	NO REPORT											
Bettina Rounds	NO REPORT											
Ed Overton	NO REPORT											
Udaya Rajbhandari	NO REPORT											
TOTAL						\$169.66	\$120.00	\$258.18	\$141.04	\$0.00	\$990.16	\$1,669.04

Completed Travel History	October 1, 2015-December 31, 2015	
**Arn Andrews	\$2,174.12	(\$1,124.97)
Micheal Armstrong	\$0.00	
Chappie Jones	\$0.00	
Marty Dirks	\$0.00	
Lara Druyan	\$0.00	
Matt Loesch	\$0.00	
Stuart Odell	\$0.00	
Ed Overton	\$0.00	
Roberto Peña	\$619.89	
Udaya Rajbhandari	\$0.00	
Bettina Rounds	\$0.00	
TOTAL	\$2,794.01	\$1,669.04

**Roberto Peña and Arn Andrews' Travel is split 50/50 between both plans
 **Arn Andrews became ill in Chicago and was unable to attend the Institutional Investment Roundtable Conference.
 He will reimburse the Plan \$1,124.97 for his expenses.

Federated - Quarterly Board Attendance October 1, 2015-December 31, 2015				
Federated Board	October	November	December	TOTAL
Loesch				
Armstrong				
Dirks		A		1
Druyan		A		1
Overton				
Rajbhandari			A	1
Rounds				