

5401

(R-2006-428)

RESOLUTION NUMBER R- 301004

ADOPTED ON OCT 31 2005

WHEREAS, at the November 2, 2004, General Election, the voters passed Proposition H which amends section 144 of the City Charter to change the composition of the San Diego City Employees' Retirement System Board of Administration; and

WHEREAS, section 144 of the City Charter, as amended, provides that effective April 1, 2005, the City' Employees' Retirement System shall be managed by a newly constituted Board of Administration which shall consist of 13 members; and

WHEREAS, seven members shall be appointed by the Mayor and be confirmed by the City Council, and no person who is a City employee, participant in the Retirement System, or City union representative may be eligible to appointment in this category; and

WHEREAS, such appointees shall have the professional qualifications of a college degree in finance economics, law, business, or other relevant field of study or a relevant professional certification; and

WHEREAS, in addition, such appointees shall have a minimum of fifteen years experience in pension administration, pension actuarial practice, investment management, real estate, banking, or accounting; and

WHEREAS, members of the San Diego City Employees' Retirement System Board of Administration serving in this category shall serve staggered terms of four years each (inaugural

appointments shall have three members serving two years terms) and members in this category shall be limited to a maximum of eight consecutive years in office, and an interval of four years must pass before such persons can be reappointed; and

WHEREAS, such an appointee shall not have any other personal interest which would create a conflict of interest with the duties of a San Diego City Employees' Retirement System Board of Administration member and trustee; and

WHEREAS, section 144 of the City Charter, as amended, provides that the remaining six members do not require confirmation by the City Council; four members are elected from classifications of active membership in the Retirement System (one police, one fire, two general), one member is elected from the retired membership, and one member is appointed by the City Manager from City management; and

WHEREAS, there is one vacancy on the City Employees' Retirement System Board of Administration due to the resignations of Robert H. Wallace, whose term expires March 31, 2009; and

WHEREAS, the office of Mayor is currently vacant; and

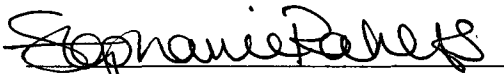
WHEREAS, San Diego City Charter section 25 requires that the Deputy Mayor perform all the duties of the Mayor as prescribed by the Charter or by ordinance in the absence of the Mayor; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the following appointment by the Deputy Mayor of the City of San Diego to serve as a member of the City Employees' Retirement System Board of Administration be and the same is hereby confirmed:

<u>NAME</u>	<u>TERM ENDING</u>
James B. G. Hearty (Resides in Del Mar) (Replacing Robert H. Wallace, who resigned)	March 31, 2009

BE IT FURTHER RESOLVED, that pursuant to Council Policy 000-13, for purposes of deliberation and consideration of appointment, it is determined that James B. G. Hearty is a resident of San Diego County, but not the City of San Diego, and has unique qualifications to serve as a member of the Board, therefore, a conscious exception to Council Policy 000-13 is hereby declared.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Stephanie Rahlfs
Deputy City Attorney

SR:jb
10/26/05
Or.Dept:Deputy Mayor Atkins
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