



Board Report 23-20

Date: May 16, 2023

To: Board of Deferred Compensation Administration (Board)

From: Staff

Subject: 2023 Deferred Compensation Plan Board Special Elections:
Active Participant LAFPP Representative Update

Board of Deferred Compensation Administration
Thomas Moutes <i>Chair</i>
Neil Guglielmo <i>Vice-Chair</i>
Robert Schoonover <i>First Provisional Chair</i>
Jeremy Wolfson <i>Second Provisional Chair</i>
Joshua Geller <i>Third Provisional Chair</i>
Dana H. Brown
Linda P. Le
Joseph Salazar <i>LAFPP Representative, Vacant</i>

This report is provided for informational purposes.

Discussion:

A. Background

Per City of Los Angeles Administrative Code Section 4.1407, Board members include directly elected employee participant representatives from the Los Angeles City Employees' Retirement System (LACERS), Los Angeles Fire and Police Pensions (LAFPP), and the Water and Power Employees' Retirement Plan (WPERP), and a retiree participant representative. The following table details the incumbent representatives and their Board terms:

Board Position	Incumbent	Term
Active Participant LACERS Representative	Joshua Geller	July 1, 2020 – June 30, 2023
Active Participant LAFPP Representative	Vacant ¹	July 1, 2020 – June 30, 2023
Active Participant WPERP Representative	Jeremy Wolfson	July 1, 2021 – June 30, 2024 ²
Retiree Participant Representative	Thomas Moutes	July 1, 2021 – June 30, 2024

¹ Vacant as of 4/15/2023; prior incumbent was Baldemar Sandoval.

² Mr. Wolfson assumed his position at the October 19, 2021 meeting following a special election in 2021 to fill the vacant position part-way through the term.

At its meeting on April 18, 2023, staff provided the Board with the following update regarding the 2023 election for the Active Participant LAFPP Representative Board seat:

- The deadline to submit candidate materials to run for the Active Participant LAFPP Representative Board seat was April 6, 2023.
- No participants submitted the required materials for candidacy by the deadline. Accordingly, no participants qualified to be placed on the official ballot for the election for the Active Participant LAFPP Representative Board seat.
- Upon consultation with the City Clerk, the Active Participant LAFPP Representative election scheduled for May 19, 2023 was canceled.
- The Active Participant LAFPP Representative seat is currently vacant until the regular term ending June 30, 2023.
- Staff consulted with the City Attorney regarding the Board’s Election Policies & Procedures (Policy) and determined the seat vacancy may be filled by the conduct of a special election as outlined in the Policy.

Following this update, the Board approved the recommendation to direct staff to conduct a Special Election for the Active Participant LAFPP Representative seat for the remainder of the unexpired term ending June 30, 2026, due to no candidates qualifying for the May 19, 2023 regular election, as soon as administratively feasible and allow nominating petitions to additionally be submitted electronically with electronic signatures.

B. 2023 Special Election - Active Participant LAFPP Representative

Special Election Timeline


Staff consulted with the City Clerk and has developed the below timeline for conducting the special election for the Active Participant LAFPP Representative Board seat:

Election Calendar	
Friday, May 12, 2023	Target Date for DCP general mailing informing eligible participants of the special election and eligibility to file for candidacy.
Thursday, May 25, 2023	Candidate materials made available.
Thursday, June 8, 2023	Deadline for filing candidate materials.
Monday, June 12, 2023	Random Alphabet Drawing to be conducted to determine the order of candidate names on the ballot.
Thursday, June 29, 2023	Ballots and voting packets will be mailed to eligible voters.
Friday, July 21, 2023	Election Day; all ballots must be received by the City Clerk by 5:00 p.m.
Friday, July 28, 2023	Deadline to file any written protest to the City Clerk.
Tuesday, August 4, 2023	Deadline for certification of election results by City Clerk.


Based on the timeline, it is anticipated that the election results will be certified at the latest by August 4, 2023 and the newly elected Active Participant LAFPP Representative member able to attend their first Board meeting by the regular meeting on August 15, 2023. Should any substantive changes to the timeline be required, staff will promptly report back to the Board. The Notice of Election and Election Calendar are provided in **Attachment A**.

Communications

In order to promote the election and draw in more interest from potential candidates, staff has prepared a one page flier for the election that will be distributed to appropriate departments and labor organizations, found in **Attachment B**. Additionally, a new email was developed to refresh the look and messaging that encourages participants to consider running for the Active Participant LAFPP Representative seat.

Submitted by: 

Mindy Lam, Benefits Analyst

Approved by: 

Esther Chang, Senior Personnel Analyst II



CITY OF *Los Angeles*
DEFERRED COMPENSATION PLAN

Personnel Department | Employee Benefits Division
200 N. Spring Street, Room 867 | Los Angeles, CA 90012
LA457.com | (213) 978-1621

Board of Deferred Compensation
Administration

Thomas Moutes, Chairperson
Neil Guglielmo, Vice Chairperson
Robert Schoonover, First Provisional Chair
Jeremy Wolfson, Second Provisional Chair
Joshua Geller, Third Provisional Chair
Dana H. Brown
Linda P. Le
Joseph Salazar
LAFPP Representative, Vacant

May 12, 2023

**NOTIFICATION OF UPCOMING SPECIAL ELECTION
BOARD OF DEFERRED COMPENSATION ADMINISTRATION
ACTIVE PARTICIPANT LAFPP REPRESENTATIVE**

Special Election Date – Friday, July 21, 2023
Candidate Materials Made Available – Thursday, May 25, 2023
Candidate Materials Due Date – Thursday, June 8, 2023 at 4:00 p.m.

Following the candidate nominating period for the **Active Participant Los Angeles Fire and Police Pensions (“LAFPP”) Representative** seat on the **Board of Deferred Compensation Administration (“DCP Board”)**, no applicants submitted the required materials to qualify for candidacy. Accordingly, the election for the Active Participant LAFPP Representative Board seat scheduled for Friday, May 19, 2023 is **cancelled**.

A special election has been scheduled for **Friday July 21, 2023** to fill the LAFPP Representative seat on the DCP Board. The special election will be administered by the Office of the City Clerk – Election Division on behalf of the City of Los Angeles **Deferred Compensation Plan (“DCP”)**. The term for this position will begin upon certification of the election and will end on June 30, 2026. Any eligible participant is invited to apply.

WHY RUN FOR THE DCP BOARD?

The DCP is a tax-advantaged supplemental retirement savings program established in 1983 under Internal Revenue Code (IRC) Section 457 and City of Los Angeles Administrative Code Division 4, Chapter 14. Section 457 plans were created by the United States Congress specifically for state and local government entities. All DCP assets are held in trust for the exclusive benefit of participants and their beneficiaries. The DCP includes more than 50,000 participants with over \$8.5 billion in assets. Additional information on the plan is available online at LA457.com.

The DCP is one of the most important benefits provided to City employees. It helps employees accumulate future retirement wealth and income security. The DCP Board plays a vital role in shaping plan design, features, and services. The DCP Board’s duties include administrative oversight, vendor selection, and investment review. While no compensation is provided, serving on the DCP Board provides an opportunity to:

- Experience a Citywide leadership position
- Play a key role in driving the future of the DCP
- Support the retirement security of your fellow employees
- Impact DCP administration decisions, including plan design, features, and services

Learn more about the open DCP Board seat on the following page.

OPEN DCP BOARD SEAT:

- **Active Participant LAFPP Representative** – Three year commitment beginning upon election confirmation and will end on June 30, 2026. Note: this position represents the interest of DCP participants who are LAFPP members on the DCP Board only and holds no responsibilities toward the LAFPP organization.

TIME COMMITMENT:

- Monthly DCP Board meetings (approximately two hours in length, on the third Tuesdays of the month)
- Two to four hours a month reviewing DCP Board and Committee meeting materials
- Periodic special DCP Board and Committee meetings as needed

CANDIDATE ELIGIBILITY:

You are eligible to run as a candidate for the DCP Board Active Participant LAFPP Representative seat if you:

- Are an active participant of the DCP with an account balance; and
- Are an active member of LAFPP.

To qualify to be placed on the official ballot, you must:

- Obtain a minimum of 50 but not more than 100 valid signatures from active DCP participants who are also active members of LAFPP. As designated by the DCP Board, signatures may be collected in-person and/or electronically using the appropriate forms.

Candidate materials including nominating petitions will be made available upon request electronically or by in-person appointment. Interested participants may contact the DCP by phone at (213) 978-1644 or by e-mail at LA457@lacity.org for more information.

Candidate materials will be made available beginning Thursday, May 25, 2023 and must be returned to DCP staff no later than Thursday, June 8, 2023 at 4:00 pm.

A copy of the Board Election Policies and Procedures and election schedule is available on the DCP website at LA457.com/specialelection2023.

VOTING INFORMATION AND ELECTION DATE:

Ballots and instructions for completion and submission will be mailed by the Office of the City Clerk – Election Division to eligible participants beginning Thursday, June 29, 2023. Ballots must be received by the Office of the City Clerk – Election Division by **5:00 p.m. on Friday, July 21, 2023**.

Updates regarding the 2023 DCP Board special election for the Active Participant LAFPP Representative will be posted to the DCP website at LA457.com/specialelection2023.

CITY OF LOS ANGELES DEFERRED COMPENSATION PLAN (DCP)

200 N. Spring Street, Room 867
Los Angeles, CA 90012

**2023 SPECIAL ELECTION CALENDAR
Board of Deferred Compensation Administration**

FOR THE FOLLOWING SEAT ON THE
BOARD OF DEFERRED COMPENSATION ADMINISTRATION:

Active Participant Los Angeles Fire and Police Pensions (LAFPP) Representative

Remainder of Term Beginning July 1, 2023 and Ending June 30, 2026

Monday, May 1, 2023	The Deferred Compensation Plan (DCP) shall formally notify the Office of the City Clerk – Election Division (Election Division) of the upcoming special election.
Friday, May 12, 2023	A Notification of Upcoming Election and Election Calendar indicating key dates of the special election process will be mailed to eligible candidates.
Thursday, May 25, 2023	<p>Candidate materials will be made available by request either by email or in-person at the DCP office, located at City Hall in Room 867, by appointment. To obtain candidate materials, please contact the DCP by phone at (213) 978-1644 or by e-mail at LA457@lacity.org.</p> <p>To qualify to be placed on the official ballot, a candidate for the Active Participant LAFPP Representative seat must be a DCP participant with an account balance who is also an active member of the Los Angeles Fire and Police Pension (LAFPP) and submit a nominating petition signed by not fewer than 50 and not more than 100 signatures from individuals who are DCP participants with an account balance and who are also active members of LAFPP.</p>
Thursday, June 8, 2023	<p>The deadline for filing and submitting candidate materials will be June 8, 2023 at 4:00 p.m., to be filed with the DCP staff either by email or in-person by appointment. Please contact the DCP by phone at (213) 978-1644 or by e-mail at LA457@lacity.org to schedule an appointment to submit candidate materials by the deadline.</p> <p>In addition to the candidate petition, candidates are invited to submit an optional statement of qualifications, not to exceed 250 words in length. Any candidate not submitting a statement of qualifications before the deadline will be considered to have declined to file a statement.</p>

**2023 SPECIAL ELECTION CALENDAR
BOARD OF DEFERRED COMPENSATION ADMINISTRATION**

**ACTIVE PARTICIPANT LAFPP REPRESENTATIVE
REMAINDER OF TERM BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2026**

Monday, June 12, 2023	A public drawing of letters to determine the random alphabetical order of appearance of the candidates' last names on the ballot will be conducted at 9:00 a.m., on June 12, 2023, at the Election Division.
Wednesday, June 28, 2023	A copy of the Notice of Election (including a copy of the sample ballot and rules concerning eligibility to vote) shall be posted at the Election Division, and at the DCP's office, located at City Hall in Room 867, and its website at LA457.com/elections2023 .
Thursday, June 29, 2023	<p>A ballot containing the names of Active Participant LAFPP Representative candidates, voting instructions, and any statement of qualifications will begin to be mailed to the home addresses of DCP participants with an account balance who are also active members of LAFPP as of 30 days prior to Election Day. An identification envelope and return envelope will also be included in the ballot packet.</p> <p>Any eligible voter who has inadvertently damaged or spoiled an official ballot may obtain a replacement ballot by contacting the Election Division at Clerk.ElectionAdmin@lacity.org or calling (213) 978-0440. Any eligible voter who has lost or did not receive an official ballot may obtain a replacement ballot upon filing a signed Affidavit of Loss/Non-Receipt at the Election Division no later than July 21, 2023.</p>
Friday, July 14, 2023– Friday, July 21, 2023	<p>Newly eligible participants, having become eligible on or after June 21, 2023, who wish to vote must obtain a certificate verifying their eligibility to vote by contacting the DCP by phone at (213) 978-1644 or by e-mail at LA457@lacity.org. Participants may present the certificate to the Election Division to receive a ballot.</p> <p>Ballots may be deposited in any United States postal mailbox in time to be received by the Election Division no later than 5:00 p.m. on July 21, 2023, the day of the election. The voter shall enclose the voted ballot in the identification envelope provided, with the voter's name, mailing address, last four digits of their Social Security Number, signature, and date of signature. The identification envelope containing the voted ballot and voter information shall be returned in the return envelope provided.</p> <p>Alternatively, eligible voters may personally deposit their ballots enclosed in a return envelope in the ballot box located in the Election Division during regular office hours no earlier than July 14, 2023 and no later than 5:00 p.m. on July 21, 2023.</p>
Monday, July 17, 2023	Each candidate, along with up to two (2) observers may observe that ballots are properly cast and votes are properly counted at the Election Division. The names of all designated observers and candidates who wish to attend shall be presented to the Election Division no later than 5:00 p.m. on July 17, 2023. Candidates/designees will have the option to observe in person or virtually via Zoom.

**2023 SPECIAL ELECTION CALENDAR
BOARD OF DEFERRED COMPENSATION ADMINISTRATION**

**ACTIVE PARTICIPANT LAFPP REPRESENTATIVE
REMAINDER OF TERM BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2026**

Friday, July 21, 2023 ELECTION DAY	The last day for any eligible voter who has not cast a ballot may do so in person at the Election Division during the regular office hours.
Tuesday, July 25, 2023	Ballots will be tallied and counted at the Election Division starting at 9:00 a.m.
Friday, July 28, 2023	Any challenges to the proceedings, acts or omissions that may be material to the election shall be filed by written notice to the Election Division no later than 5:00 p.m. on July 28, 2023. The Election Division will review the protests and submit a report of findings and recommendations to the Board of Deferred Compensation Administration within fourteen (14) calendar days after the date of election.
Tuesday, August 4, 2023	The Election Division will certify the results to the Board of Deferred Compensation Administration within fourteen (14) calendar days after the election. The Active Participant LAFPP Representative candidate who receives the most votes of all votes cast shall be declared elected for the respective constituent group.

NOTIFICATION OF UPCOMING SPECIAL ELECTION

Active Participant LAFPP Representative
Board of Deferred Compensation Administration

Get your seat at the table

Candidate materials due June 8!

- ✓ Citywide leadership position
- ✓ Influence the future of the DCP
- ✓ Support retirement security
- ✓ Impact DCP features & services

Represent your colleagues and influence the future of the City of Los Angeles Deferred Compensation Plan (DCP)

A special election has been scheduled for Friday, **July 21, 2023** to fill the open LAFPP Representative seat on the DCP Board. This is a unique opportunity to have your voice heard and effect positive change in the DCP. Any active DCP participant who is also an active LAFPP member is invited to apply.

IMPORTANT DATES AND DEADLINES:

- May 25, 2023** - Candidate materials available
- June 8, 2023** - Candidate materials due to DCP staff by 4:00 p.m.
- July 21, 2023** - Election Day; all ballots must be received by 5:00 p.m.

Eligibility:

- Active participant in the DCP with an account balance
- Active member of LAFPP

Time commitment:

- Monthly DCP Board meetings (approx. two hours, on the third Tuesdays of the month)

Ballot qualification:

- Obtain a minimum of 50 (maximum 100) electronic or paper signatures from active DCP participants who are also active LAFPP members

