

**FRESNO COUNTY EMPLOYEES' RETIREMENT ASSOCIATION (FCERA)
BOARDROOM USAGE POLICY**

I. Purpose

- 1) The Fresno County Employees' Retirement Association (FCERA) owns the buildings at 7772 and 7778 N Palm Ave that it occupies. The 7778 building is for FCERA staff and includes private offices, a breakroom, restrooms and meeting rooms. The 7772 building serves as an Administrative and Public office and includes a reception area, counseling rooms, offices, a breakroom, restrooms and a formal boardroom where the FCERA Board of Retirement (Board) regularly meets. From time to time, various groups have requested that they be permitted to use the FCERA boardroom at 7772 N Palm Ave to conduct their meetings.
- 2) Although there is no express legal requirement that the Board make the FCERA boardroom available to other entities to meet, FCERA is a public agency and the Board has determined that it is reasonable for the Board to make the boardroom available for use, subject to the guidelines stated in this Policy.

II. Definitions

- 1) Approved Entities:
 - a) Public agencies located within or associated with the County of Fresno; and
 - b) Organizations or groups whose membership is comprised solely of active, deferred and/or retired FCERA members.
 - c) Organizations of which FCERA or FCERA Realty Group LLC are a member or with which they conduct business.

III. Policy Guidelines

- 1) Unless and until the Board determines otherwise, only Approved Entities are authorized to meet in the FCERA boardroom.
- 2) Any public entity or group that wishes to use the boardroom must provide all relevant information pertaining to its proposed use of the boardroom (time, date, expected number of attendees, nature of the organization, purpose of the meeting, etc.), so that the FCERA Administrator or his designee can ensure that the proposed meeting will be in compliance with this Policy. The Administrator may specify that such requests must be submitted in writing and if so, that such request be made on a form prescribed by the Administrator.
- 3) Approved Entities will be permitted to schedule meetings in the FCERA boardroom only during FCERA's normal business hours.
- 4) Approved Entities' meetings will not be permitted if the FCERA Retirement Administrator or his designee determines that a proposed meeting will interfere with the conduct of FCERA's business.

- 5) In order to use the boardroom, Approved Entities must agree to fully reimburse FCERA for any material costs that FCERA may incur as a result of its use of the boardroom. This does not include services such as lights and air conditioning, which will generally be functioning during normal business hours. Further, the groups must agree to leave the boardroom in the same condition it was in before the meeting.
 - a) Failure to return the room in the same condition it was in before the meeting could result in the suspension of boardroom usage for a period of 90 days, for the first offence, 1 year for the second offence, and permanently for the third offense.
- 6) Approved Entities will not be permitted to use the FCERA boardroom if the FCERA Retirement Administrator or his designee determines that such use might create safety concerns, or if the FCERA Retirement Administrator or his designee determines that such use would violate any applicable law(s). Scheduled meetings are subject to cancellation at any time if FCERA's business needs require such change.
- 7) In order to use the boardroom, each Approved Entity must agree to fully indemnify FCERA from any loss that FCERA may suffer as a result of that Approved Entity's use of the boardroom. Usage of the boardroom constitutes agreement of this provision.
- 8) Attendees at the meetings of Approved Entities will not be given access to any portion of the FCERA premises either (a) containing confidential FCERA member information, or (b) in which such access would interfere with the conduct of FCERA's business.
- 9) Approved Entities' use of the boardroom for any particular meeting is not a grant of any license or right to use the boardroom beyond that single meeting.
 - a) The Board reserves the right to amend or terminate this Policy at any time for any reason.
 - b) The FCERA Retirement Administrator or his designee reserves the right to reject any future meeting requests at any time for any lawful reason.
- 10) Approved Entities may not make use of any technology belonging to FCERA or attached to the FCERA premises, except that those entities which have installed technology in the FCERA Board room at their own expense (and with the prior approval of the FCERA Retirement Administrator or his designee) may make use of their technology.
- 11) All meetings of Approved Entities in the boardroom must be fully open to all members of the public, except that entities subject to the Ralph M. Brown Act, Government Code section 54950, et seq. ("Brown Act") may hold a closed session, if such closed session is authorized by the Brown Act. FCERA staff will not assist any Approved Entity in any action to exclude any person from a meeting held on FCERA's premises.
- 12) If an Approved Entity otherwise meets the guidelines of this Policy, as set forth in Nos. 1 through 11 above, it will be permitted to use the boardroom, without any preference

given to any particular Approved Entity over another, except that entities will be granted permission to use the boardroom at a particular time and date, based on which entity first requests that particular time and date.

13) The use of the boardroom by an Approved Entity does not constitute FCERA's or the Board's endorsement of any goal of that Approved Entity, or any actions taken or statements that may be made at the meeting(s) of that Approved Entity.

14) From time-to-time the FCERA Retirement Administrator or his designee shall inform the Board of meetings that have been approved or rejected under this Policy.

IV. Policy Review

1) The Board shall review this policy at least every three years to ensure that it remains relevant and appropriate.

V. Policy History

1) This policy was adopted by the Board on August 15, 2012.

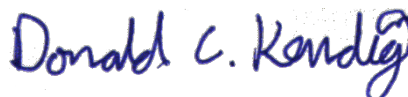
2) The Board of Retirement reviewed and modified this policy on December 16, 2015, February 21, 2018, and December 4, 2019.

VI. Secretary's Certificate

I, Donald Kendig, the duly appointed Secretary of the Fresno County Employees' Retirement Association, hereby certify the adoption of this Policy.

December 4, 2019

Date of Action:



By: Retirement Administrator