



Board Agenda Item 40

DATE: November 18, 2025

TO: Board of Supervisors

SUBMITTED BY: Donald Kendig, CPA
Retirement Administrator

SUBJECT: James E. Hackett as Alternate Retired Member Seat No. 8 - Board of Retirement

RECOMMENDED ACTION(S):

1. **Receive Retirement Administrator's certification to the Board of Supervisors that James E. Hackett, a duly nominated and eligible candidate for the 2025 Board of Retirement Election of the Fresno County Employees' Retirement Association ("Board of Retirement"), for Alternate Retired Member Seat No. 8, was unopposed at the close of nominations under the Board of Supervisors elections procedures for Board of Retirement elections ("Election Procedures");**
2. **As provided by the Election Procedures, order that no election be held for such seat; and**
3. **As provided by the Election Procedures, direct the Clerk of the Board of Supervisors, pursuant to Government Code § 31523, to cast a unanimous ballot, in the form of the official ballot accompanying this agenda item, in favor of James E. Hackett as Alternate Retired Member Seat No. 8 on the Board of Retirement for a three-year term commencing January 1, 2026, and expiring December 31, 2028, and deliver the cast ballot to the Board of Retirement and a copy thereof to the Fresno County Clerk/Registrar of Voters.**

For the 2025 Board of Retirement election, two separate all-mail ballot elections will be held on November 20, 2025. One election will be for Retired Member Seat No. 8 on the Board of Retirement. The other election will be for Alternate Retired Member Seat No. 8 on the Board of Retirement.

We received two candidates for Retired Member Seat No. 8 and will move forward with an election for Retired Member Seat No. 8 on the Board of Retirement.

James E. Hackett was unopposed at the close of nominations for the 2025 Board of Retirement election as Alternate Retired Member Seat No. 8 on the Board of Retirement.

As provided by the Elections Procedures, upon your Board receiving the accompanying certification of the Retirement Administrator, Mr. Hackett must be seated by your Board ordering that no election be held and directing the Clerk of the Board of Supervisors to undertake the recommended actions, and by him thereafter being sworn in by the Board of Retirement.

The Board of Retirement directed the Retirement Administrator to place the certification on your Board's November 18, 2025 Agenda.

ALTERNATIVE ACTION(S):

There is no viable alternative action.

FISCAL IMPACT:

There is no fiscal impact associated with the recommended actions.

DISCUSSION:

In accordance with Government Code § 31520.1, the Board of Supervisors established elections procedures for the Board of Retirement election process ("Election Procedures"). The Election Procedures were adopted on November 25, 1969 and amended on October 30, 2001, March 1, 2005, September 11, 2007, August 11, 2009, December 8, 2015, June 18, 2019, and again on June 22, 2021 and state the following:

"If any duly nominated and eligible candidate is unopposed for election at the close of nominations, the Retirement Administrator shall so certify to the Board of Supervisors, and the Board of Supervisors shall order that no election be held for such seat and shall direct the Clerk of the Board of Supervisors to cast a unanimous ballot in favor of the candidate pursuant to Government Code § 31523, subdivision I. The Clerk of the Board of Supervisors shall deliver the casted ballot to the Board of Retirement, and a copy thereof to the County Registrar of Voters." (Sec. IV.H., p. 22)

Accordingly, Government Code § 31523 provides:

"(c) If an election has been called on the expiration of the term of office of any member... for the second... member of a board of retirement, and only one candidate has been duly nominated in accordance with the rules established for the holding of that election, the board of supervisors shall order that no election be held and shall direct the clerk to cast a unanimous ballot in favor of the candidate."

On September 5, 2025, as Retirement Administrator for FCERA, under the Election Procedures, I provided or caused to be provided appropriate and timely notice that separate elections will be held on November 20, 2025 for the Board of Retirement. One election will be for Retired Member Seat No. 8 on the Board of Retirement. The other election will be for Alternate Retired Member Seat No. 8 on the Board of Retirement.

As the Retirement Administrator for FCERA, I have determined that James E. Hackett, as a duly nominated and eligible candidate for the 2025 Board of Retirement Election, for Alternate Retired Member Seat No. 8, was unopposed at the close of nominations under the Board of Supervisors elections procedures for Board of Retirement elections.

I provide a certification to your Board of the foregoing facts, which certification accompanies this agenda item.

In addition, on October 15, 2025, the Board of Retirement, by unanimous approval, and without any public opposition during the relevant public comment portion of their agenda, certified that James E. Hackett was duly nominated and unopposed for election to Alternate Retired Member Seat No. 8 on the Board of Retirement, and directed its Staff to place the certification on your Board's agenda.

Pursuant to the Election Procedures and California law, your Board is requested to order that no Alternate Retired member election be held, and to direct the Clerk of your Board to cast a unanimous ballot in favor of James E. Hackett, for Alternate Retired Member Seat No. 8 on the Board of Retirement and to deliver such cast ballot to the Board of Retirement and a copy thereof to the Fresno County Clerk/Registrar of Voters.

The official ballot for the Clerk of the Board to cast, upon your Board's direction, is on file with her Office, and a copy of such official ballot accompanies this agenda item.

Once the foregoing recommended actions, above, are completed, and Mr. Hackett is sworn in by the Board of Retirement, his term will commence January 1, 2026, and expire December 31, 2028.

REFERENCE MATERIAL

BAI # 33	August 20, 2024
BAI # 37	October 24, 2023
BAI # 32	November 2, 2021
BAI # 36	June 22, 2021
BAI # 7	June 18, 2019
BAI # 25	December 8, 2015
BAI # 31	August 11, 2009
BAI # 24	September 11, 2007
BAI # 32	March 1, 2005
BAI # 19	October 30, 2001
BAI # NA	November 25, 2001

ATTACHMENTS INCLUDED AND/OR ON FILE:

Retirement Administrator Certification

Sample Ballot

On file with Clerk - Additional Documents -Transmittal letter re Unanimous Ballot. James E. Hackett. Alt Retired Member. Seat 8

CAO ANALYST:

Paige Benavides