

City of Alexandria, Virginia

MEMORANDUM

DATE: OCTOBER 13, 2022

TO: CITY OF ALEXANDRIA FIREFIGHTERS AND POLICE OFFICERS
PENSION BOARD PARTICIPANT REPRESENTATIVE NOMINEES

FROM: KADIRA COLEY, RETIREMENT ADMINISTRATOR/ELECTION
ADMINISTRATOR

SUBJECT: FIDUCIARY RESPONSIBILITIES AND PLAN INFORMATION

Participant Representatives and Alternates to the Board of the City of Alexandria Firefighters and Police Officers Pension Plan are fiduciaries because they oversee the investments of the pension plan. Attached is a summary of the responsibilities of a fiduciary.

A fiduciary must act in accordance with the documents governing the plan. You will find the Plan Document, restated as of January 1, 2014, on the City's Pension website, www.alexandriava.gov/retirement. A plan document is the formal written instrument that establishes a retirement plan and its provisions and describes how the plan operates. The Pension website also has information on elections and other pension related matters.

The following sections of the Plan Document are of particular relevance to Board nominees:

Article 9 Administration of the Plan and Management of Plan Assets

Article 10 Retirement Plan Board and Administrator

I will be glad to answer any questions that you have regarding the position of Participant Representative. Please email retirement@alexandriava.gov or call 703.746.3906.

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**CITY OF ALEXANDRIA
FIREFIGHTERS AND POLICE OFFICERS PENSION PLAN**

FIDUCIARY RESPONSIBILITIES

1. Definition of a Fiduciary

- ♦ Any person who exercises any discretionary authority or control over the plan's management or disposition of its assets.
- ♦ Any person who renders investment advice for a fee or other compensation with respect to plan funds or property.
- ♦ Any person who has discretionary authority or responsibility in the plan's administration.

A fiduciary can be a trustee, plan administrator, employer/plan sponsor or investment advisor.

2. Responsibilities of a Fiduciary

The plan must have one named fiduciary who serves as the plan administrator and at least one trustee. A fiduciary is personally liable for any losses sustained by a plan due to a breach of the fiduciary's or co-fiduciary's duty. The plan can provide that any person may serve in more than one fiduciary capacity. A fiduciary may employ advisors and may appoint an investment manager to manage, acquire and sell any plan assets. Fiduciaries are subject to standards of conduct because they act on behalf of the participants in a retirement plan and their beneficiaries. The responsibilities of a fiduciary include:

- ♦ Act solely in the interest of participants and beneficiaries and with the exclusive purpose of providing benefits to them;
- ♦ Use care, skill, and prudence and diligence under circumstances then prevailing that a prudent man acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims (Prudent Man Rule);
- ♦ Diversify investments of the plan so as to minimize the risk of large losses, unless under circumstances it is clearly prudent not to do so;
- ♦ Pay only reasonable plan expenses; and
- ♦ Act in accordance with the documents governing the plan except where they may be inconsistent with the law.

3. Prohibited Transactions

Certain transactions are prohibited under the law to prevent dealing with parties who may be in a position to exercise improper influence over the plan. In addition, fiduciaries are prohibited from engaging in self-dealing and must avoid conflicts of interest that could

harm the plan. A prohibited transaction occurs if a plan fiduciary causes the retirement plan to engage in a transaction that the fiduciary knows or should know constitutes a direct or indirect:

- ♦ Sale, exchange or lease between the plan and party-in-interest;
- ♦ Loan or other extension of credit between the plan and party-in-interest;
- ♦ Furnishing of goods, services, or facilities between the plan and party-in-interest;
- ♦ Transfer of plan assets to a party-in-interest or the use of plan assets by or for the benefit of a party-in-interest; or.
- ♦ Acquisition of employer securities or employer real property in excess of the limits set by law.

4. Parties-in-interest

Prohibited parties (called parties-in-interest) include:

- ♦ Any plan fiduciary;
- ♦ Employer that has employees covered by the plan;
- ♦ Employee organizations whose members are covered by the plan;
- ♦ Employees of the employer or the employee organization;
- ♦ Person providing services to the plan;
- ♦ Owners or officers; and,
- ♦ Relatives of parties-in-interest.