



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Toni J. Taber, MMC

SUBJECT: See Below

DATE: March 21, 2025

**SUBJECT: BOARD OF ADMINISTRATION FOR FEDERATED CITY EMPLOYEES'
RETIREMENT SYSTEM APPOINTMENT**

RECOMMENDATION

Appoint Nathan Nakagawa to the Employee Representative Seat on the Board of Administration for the Federated City Employees' Retirement System for an unexpired term ending November 30, 2027.

SUMMARY AND OUTCOME

A nomination period was opened in order to fill an unscheduled vacancy on the Board of Administration for Federated City Employees' Retirement System ("Board"). The Board's recommendation is to appoint Nathan Nakagawa.

BACKGROUND

San Jose Municipal Code Section 2.08.1010 requires that two of the seven members of the Board be employees who are also members of the Plan, each from a different City department. One of the employee representative seats on the Board became vacant on March 2, 2025, prior to the expiration of the current term ending November 30, 2027.

Pursuant to San Jose Municipal Code Section 2.08.1070(A), upon any unscheduled vacancy in such office during the unexpired regular term, the City Council shall, in accordance with procedures prepared by the City Clerk, appoint to such vacant seat for the remainder of the unexpired term, a City employee who is also a member of the Federated City Employees' Retirement System.

ANALYSIS

The City Clerk opened a nomination period for City employees who are members of the Federated City Employees' Retirement System to recommend a successor to the seat. The nomination period spanned February 18, 2025 to March 11, 2025; all members of the Federated City Employees' Retirement System were provided notice of the nomination period opening.

Two qualified candidates applied for Employee Representative Seat on the Board: Nathan Nakagawa and Brian Chi. Nathan Nakagawa is employed in the Environmental Services Department and Brian Chi is employed in the Finance Department. The other current employee member incumbent is employed in the Community Energy Department.

The City Clerk filed all applications with the Board upon the close of the petition period. The Board met on March 20, 2025 and submitted its recommendation for Nathan Nakagawa to be appointed to the Employee Representative Seat on the Board.

Pursuant to San Jose Municipal Code Section 2.08.1070(F), the appointment of employee member is routine business on the Council agenda and may be an item on the consent calendar. Council may only reject the recommended employee upon a finding of cause for rejection. Cause for rejection may include, but is not limited to, Council finding that the recommended candidate will not be able to attend meetings of the Board and fulfill the time commitment of a member of the Board, or to act in accordance with fiduciary duties or carry out the requirements of governing legislation, including the requirements of the Federated Employees Retirement Plan as set forth in the San Jose Municipal Code.

COORDINATION

This item has been coordinated with the City Attorney's Office and the Office of Retirement Services.

PUBLIC OUTREACH

The memo has been posted on the City Clerk's website as a part of the April 8, 2025 City Council Agenda.

COMMISSION RECOMMENDATION AND INPUT

The Board of Administration for the Federated City Employees' Retirement System met on March 20, 2025 and recommends Nathan Nakagawa to be appointed to the Employee Representative Seat.

CEQA

Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment.



TONI J. TABER, MMC

For questions, please contact Megan Roche, Senior Supervisor of Administration, at (408) 535-1260.