



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Toni J. Taber, CMC  
City Clerk

**SUBJECT: BOARDS AND COMMISSIONS  
APPOINTMENTS**

**DATE:** January 6, 2021

---

## **RECOMMENDATION**

Approve the following Boards and Commissions appointments:

(a) Federated Retirement Board:

(1) Appoint Mark Linder as the Retiree Representative to the Federated Retirement Board to a term ending November 30, 2024.

(b) Civil Service Commission:

(1) Appoint William Brill as the Employee Nominated Public Member to the Civil Service Commission to a term ending November 30, 2025.

## **BACKGROUND**

### **a. Federated Retirement Board**

San Jose Municipal Code Section 2.08.1010.A.5 requires that one of the seven members of the Board of Administration for the Federated Plan be a person who has retired under the Federated City Employees' Retirement System.

Pursuant to San Jose Municipal Code Section 2.08.1070.E, whenever a vacancy occurs in a seat on the Board held by a retired member of the Federated City Employees' Retirement System prior to the expiration of a retired member's term of office, the following procedures apply: 1. The City of San José Retired Employees Association shall recommend to the Board up to three candidates for appointment for the remainder of the unexpired term. 2. The Board shall interview the recommended candidates and recommend one or more of them for appointment by the City Council for the remainder of the unexpired term. Further, the appointment of member is routine business on the Council agenda and may be an item on the consent calendar.

### **b. Civil Service Commission**

The membership of the Civil Service Commission is established in the City Charter Section 1001, with additional information in the San Jose Municipal Code Sections 2.08.2000, *et seq.* The Civil Service Commission consists of five (5) members who must be registered voters in the City of San Jose and are appointed by the City Council.

The Employee Nominated Public Member must be nominated by all full-time officers and employees in the Civil Service of the City, other than members of the Council and members of

HONORABLE MAYOR AND CITY COUNCIL

Subject: Retirement Board and Civil Service Commission Appointments

Page 2

Boards and Commissions. Under Section 1001(b) of the City Charter, the Office of the City Clerk conducts an employee nomination election to refer the names of the three persons receiving the highest number of votes to the City Council.

### **ANALYSIS**

#### **a. Federated Retirement Board:**

On December 15, 2020, Board Member Castellano was reappointed to a term ending November 30, 2024. He resigned on June 28, 2021. This resignation caused an unanticipated vacancy, so the procedures for an unanticipated vacancy were followed.

The City of San José Retired Employees Association met and interviewed potential candidates and submitted Mark Linder as their nominee.

#### **b. Civil Service Commission**

William Brill, incumbent, submitted his application and nomination papers. Ballots were mailed to employees. 81 ballots were received with 77 ballots voting for Mr. Brill; four write-in candidates were also submitted, but none of those four were qualified for the employee nominated position.

### **PUBLIC OUTREACH**

The memo has been posted on the City Clerk's website as a part of the January 11, 2022 City Council Agenda.

### **COORDINATION**

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

### **CEQA**

CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities.



---

TONI J. TABER, CMC  
City Clerk

For questions, please contact Toni J. Taber, City Clerk, at (408) 535-1260.