



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Toni J. Taber, CMC
City Clerk

SUBJECT: SEE BELOW

DATE: May 22, 2020

**SUBJECT: PUBLIC MEMBER APPOINTMENT TO THE BOARD OF
ADMINISTRATION FOR POLICE AND FIRE DEPARTMENT
RETIREMENT PLAN**

RECOMMENDATION

1. Interview two applicants for appointment to the Public Member Seat; and
2. Appoint one applicant as a Public Member on the Board of Administration for the Police and Fire Department Retirement Plan to a term ending November 30, 2022.

OUTCOME

Appointment to the vacant Public Member seat will allow the 9-member Board of Administration for the Police and Fire Department Retirement Plan to continue to conduct business and allow for a ninth member at its next regular meeting on August 6, 2020.

BACKGROUND

On August 10, 2010, the City Council approved Ordinance No. 28787 that revised Section 2.08.1210 of the San Jose Municipal Code to modify the composition and increase the size of the Police and Fire Department Retirement Plan Board of Administration to nine members, including the appointment of five (5) public members. San José Municipal Code Section 2.08.1220 requires each public member appointed to the Board of Administration for the Police and Fire Department Retirement Plan (Board), to reside within a fifty-mile radius of San José City Hall, possess a baccalaureate degree in finance or other relevant field of study, possess a high level of knowledge and expertise, and to possess at least twelve years of experience relevant to the administration of a public retirement plan.

Additionally, persons such as current and former city employees; current or former elected or appointed city officials; retired members of, or persons participating in or receiving benefits from the Police and Fire Department Retirement System or Federated City Employees' Retirement System; a representative from any union or bargaining unit representing city employees; any immediate family member of a city employee or persons participating in or receiving benefits

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from the Police and Fire Department Retirement System or Federated City Employees' Retirement System are not eligible to serve as public members.

There is currently one (1) vacancy for a Public Member seat on the Board for the term ending November 30, 2022. This seat has been vacant since the resignation of former Board Member Vikas Oswal effective March 25, 2020.

ANALYSIS

The Office of the City Clerk issued a vacancy flyer recruiting for the Public Member Seat. Recruitment for this seat closed on May 5, 2020. At the close of recruitment, the Office of the City Clerk received two applications. The applicants reside within fifty miles of City Hall.

The applications of the candidates are attached as well as the conflict of interest memo from the Office of the City Attorney.

EVALUATION AND FOLLOW-UP

A core duty of the Office of the City Clerk is to minimize vacancies on the Boards and Commissions.

PUBLIC OUTREACH

The Office of the City Clerk issued a vacancy recruiting for the Public Member Seat. Recruitment for this seat closed on May 5, 2020. At the close of recruitment, the Office of the City Clerk received two applications from Sunita Ganapati and David Kwan.

The application of the candidates are attached as well as the conflict of interest memo from the Office of the City Attorney will be posted on the City Clerk's website as part of the June 9, 2020 City Council Meeting Agenda. Code Enforcement review showed no issues.

COORDINATION

This memorandum has been coordinated with the Office of Retirement Services and the Office of the City Attorney.

COMMISSION RECOMMENDATION/INPUT

The recommended actions have no commission input or recommendation.

CEQA

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

A handwritten signature in green ink, appearing to read "Toni J. Taber", is centered on the page. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

TONI J. TABER, CMC
City Clerk

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