



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

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

**SUBJECT:** SEE BELOW

**DATE:** May 20, 2022

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

**RECOMMENDATION**

1. Interview applicant for appointment to the Public Member Seat; and
2. Appoint one applicant as a Public Member of the Board of Administration for the Police and Fire Retirement Plan Board to a term ending November 30, 2024.

**OUTCOME**

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

**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 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, 2024.

### **ANALYSIS**

The Office of the City Clerk has been conducting ongoing recruitments for the various Boards and Commissions. Recruitment for this seat closed on the first week of May 2022. At the close of the recruitment, the Office of the City Clerk received two applications, however one applicant did not meet the eligibility requirement as stated in San José Municipal Code 2.08.1220.C, requiring twelve (12) years' experience relevant to the administration of a public retirement plan. The eligible applicant resides within fifty miles of City Hall.

The application of the candidate is 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**

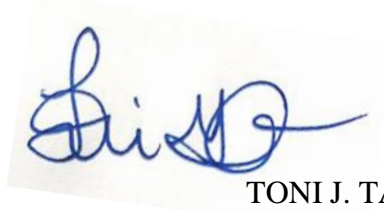
This memorandum has been posted on the City Clerk's website as part of the May 24, 2022 City Council Meeting Agenda.

### **COORDINATION**

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

### **CEQA**

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



TONI J. TABER, CMC  
City Clerk

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