



Memorandum

TO: POLICE AND FIRE CITY EMPLOYEES'
RETIREMENT SYSTEM BOARD

FROM: Toni J. Taber, CMC
City Clerk

SUBJECT: FEDERATED CITY EMPLOYEES'
RETIREMENT BOARD PUBLIC
MEMBER APPOINTMENT

DATE: May 24, 2023

RECOMMENDATION

Appoint Matthew Faulkner to the Public Member Seat of the Federated Retirement Board an unexpired term ending November 30, 2023; and to a full term beginning December 1, 2023 and ending November 30, 2027.

OUTCOME

Appointment to the vacant Public Member seat will allow the 7-member Board of Administration for the Federated City Employees' Retirement System to continue to conduct business and allow for a seventh member at its next regular meeting.

BACKGROUND

The Board of Administration for the Federated City Employees' Retirement System consists of seven members: four members of the public appointed by the City Council; two City employees, each from a different City department, who are members of the Federated City Employees' Retirement System, and one retiree of the Federated City Employees' Retirement System. There is currently one (1) unscheduled vacancy for the Board Public Member seat on the Board of Administration for the Federated City Employees' Retirement System Board for a term ending on November 30, 2023.

San José Municipal Code Sections 2.08.1220 and 2.08.1020 requires each public member appointed to either Retirement Board to reside within a fifty-mile radius of San José City Hall, possess a high level of knowledge and expertise, and to possess at least twelve years of experience relevant to the administration of 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 plan 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 plan or the federated city employees' retirement system are not eligible to serve as public members.

According to San José Municipal Code Section 2.08.1070, one public member of the Federated City Employees' Retirement System Board of Administration shall be recommended by the Board of the Plan:

HONORABLE MAYOR AND CITY COUNCIL

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- B. The City Council shall appoint all public members of the Board.*
- C. One (1) of the public members of the Board shall be appointed by the City Council only after the candidates for such seat have been interviewed by the then existing Board and a recommendation for appointment has been made by the Board to the Council.*
- 1. If a majority of the Board recommends one (1) candidate, only that candidate will be forwarded to the City Council for consideration.*
 - 2. If a majority of the Board does not recommend one (1) candidate, the top two (2) candidates will be forwarded to the City Council for consideration.*
 - 3. Any vacancy in the seat held by such public member shall always be filled pursuant to this Section 2.08.1070 C.*

There is currently one (1) vacancy on the Board of Administration for the Federated City Employees' Retirement System: Board Public Member Mark Keleher has resigned effective May 31, 2023.

ANALYSIS

The Office of Retirement Services reviewed the applications and has confirmed all applicants have met the requirements set forth in San José Municipal Code Section 2.08.1020 for board public members of the Board of Administration for the Federated City Employees' Retirement Board. All applicants were invited to be interviewed by the Federated City Employees' Retirement Board on May 18, 2023.

There are four applicants to the vacant board public member position on the Board of Administration for the Federated City Employees' Retirement Board:

- Douglas Andrey
- John Cleveland
- Matthew Faulker
- Julian Ulrich Norbert Vogel

Candidate application and any supporting documentation are attached to this memorandum.

After an interview was conducted by the Federated City Employees' Retirement Board on May 18, 2023, the Board made one (1) recommendation to be transmitted to the City Council for appointment of Matthew Faulkner as Board Public Member to the Board of Administration for the Federated City Employees' Retirement Board.

Candidate applications and any supporting documentation are attached to this memorandum.

PUBLIC OUTREACH

The vacancies for the Public Member Seat were published on the Boards and Commissions vacancies by the Office of the City Clerk. This memorandum has been posted on the City Clerk's website as part of the June 6, 2023 City Council Meeting Agenda.

COORDINATION

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

BOARD RECOMMENDATION/INPUT

Matthew Faulkner was interviewed before the Federated City Employees' Retirement Board on May 18, 2023 where he was approved to be recommended to the City Council for appointment.

CEOA

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

/s/_____
TONI J. TABER, CMC
City Clerk

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