



# *Memorandum*

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

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

**SUBJECT:** SEE BELOW

**DATE:** November 28, 2017

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## SUPPLEMENTAL

**SUBJECT: RESULTS OF EMPLOYEE ELECTION FOR BOARD OF  
ADMINISTRATION FOR THE POLICE AND FIRE DEPARTMENT  
RETIREMENT PLAN**

### REASON FOR SUPPLEMENTAL

At the time the memorandum for this item was submitted, the voting period for the nomination of the Police Department Employee Representative to the Board of Administration for the Police and Fire Department Retirement Plan had not yet closed; therefore, the results of the employee vote were not available. The voting period ended on Monday, November 27, 2017 at 2:00 p.m.; ballots were opened and votes were counted at that time.

### RECOMMENDATION

Appoint Franco Vado as the Police Department Employee Representative to the Board of Administration for the Police and Fire Department Retirement Plan to a term ending November 30, 2021.

### BACKGROUND

The Police Department Employee Representative must be nominated by all employees of the police department who are members of the plan. The City Council, without consideration of the number of votes received by each candidate in the employee nomination election, appoints one Police Department Employee Representative to the board.

**ANALYSIS**

Pursuant to Section 1100 of the "City of San Jose Election Procedure Governing Elections Conducted Among Officers and Employees", I hereby certify that the following is the result of the employee election held on November 27, 2017, to nominate a candidate to the City Council for appointment to the Board of Administration of the Police and Fire Department Retirement Plan.

There was one candidate for this vacancy, Incumbent Franco Vado.

For the election, the Office of the City Clerk distributed 917 ballots to eligible Police Department Employees in the Police Retirement Plan. During the voting period, 27 ballots were returned, and on November 27, 2017 at 2:00 p.m. at the City Clerk's Office, the ballots were opened and counted. The election results are:

CANDIDATE	VOTES RECEIVED
Franco Vado	25
Sean Pritchard (Write In)	1
Jon Bauer (Write-In)	1

Pursuant to Section 2.08.1245.F of the San Jose Municipal Code, the appointment of employee members to the Retirement Board shall be routine business on the Council agenda, and Council shall only reject the employee recommended by a majority of those voting in an election among employees upon finding a 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 Chapter 3.36 of the San Jose Municipal Code.



Toni J. Taber, CMC  
City Clerk

For questions please contact Elaine Trinh, Deputy City Clerk, at (408) 535-1260.