

## Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

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

**SUBJECT:** SEE BELOW

**DATE:** March 9, 2018

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**SUBJECT:** PUBLIC MEMBER APPOINTMENT TO THE BOARD OF  
ADMINISTRATION FOR FEDERATED CITY EMPLOYEES'  
RETIREMENT SYSTEM

### **RECOMMENDATION**

1. Interview applicant(s) for appointment to the Public Member Seat; and
2. Appoint one (1) applicant to the Public Member Seat on the Board of Administration for the Federated City Employees' Retirement System through November 30, 2020.

### **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 sixth member at its next regular meeting on April 19, 2018.

### **BACKGROUND**

San José Municipal Code Section 2.08.1020 requires each public member appointed to the Board of Administration for the Federated City Employees' Retirement System (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 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 federated city employees' retirement system are not eligible to serve as public members.

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San José Municipal Code Section 2.08.1010 requires that four members of the Board be public members. There is currently one (1) vacancy for a Public Member seat on the Board for the term ending November 30, 2020. This seat has been vacant since the resignation of former Board Member Prabhu Palani on June 14, 2017.

This item was deferred from the City Council Meeting on March 13, 2018 item 3.3 per administration.

**ANALYSIS**

On August 14, 2017 the Office of the City Clerk issued a vacancy flyer recruiting for the Public Member Seat. Recruitment for this seat closed on October 2, 2017. At the close of recruitment, the Office of the City Clerk received no applications.

On October 17, 2017 the Office of the City Clerk reissued a vacancy flyer recruiting for the Public Member Seat. Recruitment for this seat closed on November 10, 2017. At the close of recruitment, the Office of the City Clerk received one application. Upon review of the application, the applicant did not meet the qualifications set forth in San José Municipal Code Section 2.08.1020. The application was removed from further consideration.

On January 31, 2018 the Office of the City Clerk issued a vacancy flyer recruiting for the Public Member Seat. Recruitment for this seat closed on February 28, 2018. At the close of recruitment, the Office of the City Clerk received an application from Kurt Billick. The Department of Retirement Services reviewed the application and has confirmed that the applicant has met the requirements set forth in San José Municipal Code Section 2.08.1020. Mr. Billick has been invited to be interviewed by the City Council on March 20, 2018.

If the seat remains unfilled, it is recommended that the recruitment be referred back to the City Clerk to secure additional applicants for consideration.

The application of the candidate is attached. Memoranda from the Office of the City Attorney and the Department of Planning, Building, and Code Enforcement regarding their conflicts of interest and code enforcement reviews are also included.

**EVALUATION AND FOLLOW-UP**

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

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### **PUBLIC OUTREACH**

The Office of the City Clerk conducted several open recruitments for the Public Member Seat beginning August 14, 2017 through February 28, 2018 with the following recruitment efforts:

- Council Offices and Boards and Commission secretary's newsletters and distribution tools
- Posted on the City Manager's Weekly Report
- Posted on the City's main website and Clerk's Office webpage
- Posted on City Calendar
- Distributed to all community centers and library branches

This memorandum has been posted on the City Clerk's website as part of the March 20, 2018 City Council Meeting Agenda.

### **COORDINATION**


This memorandum has been coordinated with the Department of Retirement Services, Office of the City Attorney and the Department of Planning, Building, and Code Enforcement.

### **COMMISSION RECOMMENDATION/INPUT**

The recommended actions have no commission input or recommendation.

### **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 Elaine Trinh, Deputy City Clerk, at (408) 535-1260.