CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Toni J. Taber, CMC City Clerk

SUBJECT: **SEE BELOW**

DATE: January 6, 2020

SUBJECT: APPOINTMENT TO THE BOARD OF ADMINISTRATION FOR THE FEDERATED RETIREMENT PLAN

RECOMMENDATION

Appoint one (1) employee representative to the Board of Administration for the Federated Department Retirement Plan to a term ending November 30, 2023.

BACKGROUND

San Jose Municipal Code Section 2.08.1010 requires that two of the seven members of the Board of Administration for the Federated Plan be employees who are also members of the Plan. One of the employee member seats on the Board is currently vacant.

Pursuant to San Jose Municipal Code Section 2.08.1070(A), whenever a vacancy exists in a seat on the Board held by a City employee, the City employees who are members of the Federated City Employees' Retirement System shall recommend, at an election to be conducted among them by the City Clerk, one of such employees as a successor for such seat; provided, however, upon any vacancy or vacancies in such office during the unexpired regular term, the City Council shall, in accordance with rules prepared by the City Clerk and approved by the City Council, appoint to such vacant seat for the remainder of the unexpired term, a City employee who is also a member of the Federated City Employees' Retirement System.

Further, the appointment of employee member is routine business on the Council agenda and may be an item on the consent calendar. Council may only reject the employee recommended by a majority of those voting in an election among employees, held in accordance with Section 2.08.1070(A), upon a finding of 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 the Federated Employees Retirement Plan as set forth in the San Jose Municipal Code.

The City Clerk held an election for City employees who are members of the Federated Plan to recommend a successor to the seat. All ballots for the current election were due to the Office

of the City Clerk by 2:00 p.m., Monday, January 6, 2020. Ballots were opened and counted immediately after the 2:00 p.m. deadline.

ANALYSIS

1. Federated Retirement Board:

At the close of the nomination period, there was one qualified nominee, Julie Jennings, for the Board of Administration for the Federated Department Retirement Plan. As required, the Office of the City Clerk collected a candidate's statement (if submitted) and a supplemental questionnaire/application from the nominee. The packet was then mailed to all qualified voters.

The election results are:

Candidate	Votes Received
Julie Jennings	160

In this election, Julie Jennings was nominated with 160 votes out of 167 ballots cast. Six additional write-in votes were cast for six additional employees, and one ballot was cast with no name submitted.

PUBLIC OUTREACH

The memo has been posted on the City Clerk's website as a part of the January 14, 2020 City Council Agenda. In addition, this information has been posted on the websites for the Federated Retirement Systems and copies of the memorandum have been distributed to appropriate employee and active employee organizations.

COORDINATION

This item has been coordinated with the City Attorney's Office and the Retirement Services Department.

CEQA

CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities.

TONI J. TABER, CMC
City Clerk

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