

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Toni J. Taber, MMC
City Clerk

SUBJECT: SEE BELOW

DATE: November 5, 2025

**SUBJECT: APPOINTMENT TO THE BOARD OF ADMINISTRATION FOR THE
FEDERATED RETIREMENT PLAN AND TO THE CIVIL SERVICE
COMMISSION**

RECOMMENDATION

- (a) Appoint one (1) employee representative to the Board of Administration for the Federated Department Retirement Plan to a term ending November 30, 2029; and
- (b) Appoint one (1) Employee nominated public member to the Civil Service Commission to a term ending November 30, 2029.

BACKGROUND

A. Board of Administration for the Federated Plan

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 are due to the Office of the City Clerk by 2:00 p.m., Monday, November 17, 2025. Ballots will be opened and counted immediately after the 2:00 p.m. deadline. A supplemental memo will be issued with the results after the ballots are counted.

B. Civil Service Commission

The membership of the Civil Service Commission is established in the City Charter Section 1001, with additional information in the San Jose Municipal Code Sections 2.08.2000, *et seq.* The Civil Service Commission consists of five (5) members who must be residents in the City of San José and are appointed by the City Council.

The Employee Nominated Public Member must be nominated by all full-time officers and employees in the Civil Service of the City, other than members of the Council and members of Boards and Commissions. Under Section 1001(b) of the City Charter, the Office of the City Clerk conducts an employee nomination election to refer the names of the three persons receiving the highest number of votes to the City Council.

Gary DiQuisto was first appointed in 2023 to fill the unexpired term caused by the death of the previous employee nominated public member, William Brill.

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ANALYSIS

A Federated Retirement Board:

At the close of the nomination period, there were two qualified nominees, Brian Chi and Jeanne Sole, 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 by the noticed deadline) and a supplemental questionnaire/application from the nominee. The ballot was then mailed to all qualified voters.

B Civil Service Commission:

At the close of the nomination period, there was one qualified nominee, Gary Diquisto for the Civil Service Commission. As required, the Office of the City Clerk collected a candidate's statement (if submitted) and a supplemental questionnaire/application from the nominee. The ballot was then mailed to all qualified voters.

PUBLIC OUTREACH

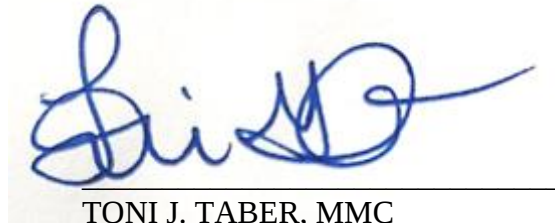
The memo has been posted on the City Clerk's website as a part of the November 18, 2025 City Council Agenda. In addition, this information has been posted on the websites for the Boards and Commissions and copies of the memorandum have been distributed to appropriate employee and active employee organizations.

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.

A handwritten signature in blue ink, appearing to read "Toni J. Taber", is written over a horizontal line.

TONI J. TABER, MMC
City Clerk

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