



BOARD OF ADMINISTRATION

Meeting Minutes - Final Joint - Personnel Committee

Thursday, February 9, 2023

8:30 AM

MEETING TO BE HELD BY ZOOM CONFERENCE IN LIEU OF PHYSICAL LOCATION

zoom.us

Dial In: +1 669 900 9128 US (San Jose)

Meeting ID: 936 5681 0453

Pass Code: 305701

Police & Fire Committee Members

Eswar Menon, Chair

Andrew Gardanier, Trustee

Drew Lanza, Trustee

Federated Committee Members

Anurag Chandra, Vice Chair

Spencer Horowitz, Trustee

Julie Jennings, Trustee

Roberto L. Peña, CEO, Office of Retirement Services

Harvey Leiderman & Maytak Chin, General & Fiduciary Counsel

Present 6 - Drew Lanza, Andrew Gardanier, Julie Jennings, Eswar Menon, Anurag Chandra, and Spencer Horowitz

The Joint Personnel Committee met via zoom on Thursday, February 9, 2023. The meeting was called to order at 8:32 a.m. by Chair Menon.

Trustee Lanza departed at 10:00 a.m.

Staff Present via Zoom: Roberto Peña, Barbara Hayman, Ron Kumar, David Aung, Linda Alexander, Michelle San Miguel and Sherrell Aledo.

Others Present via Zoom: Harvey Leiderman, General and Fiduciary Counsel; Katie Kaneko, Koff & Associates; Valter Viola, Cortex; and Jennifer Schembri, OER.

AGENDA

- **Call to Order and Roll Call**
- **Orders of the Day**

Chair Menon read the following into the record:

A FEW GROUND RULES FOR THIS MEETING

- We are continuing to meet virtually at this meeting and are doing so pursuant to AB361.
- As such, all votes will be roll call votes.
- If you are not speaking, please be on mute to cut background noise.
- For discussion items, each trustee will have a turn to speak in roll call order, more than once if desired.
- The public will have an opportunity to speak on each item after trustees.
- The public will also have an opportunity to speak again at the end of the meeting on any other item not on the agenda that is within the subject jurisdiction of the Committee.

1. CONSENT CALENDAR

- a. Approval of the Minutes from the January 12, 2023 JPC meeting.

A motion was made to approve the Minutes from the January 12, 2023, Joint Personal Committee meeting.

Approved. (M.S.C. Chandra/Gardanier 6-0-0) The motion passed unanimously by roll call vote.

2. OLD BUSINESS

- a. Discussion and action on Investment Officer salary survey and potential salary range adjustments.

Trustee Gardanier spoke to the items for discussion and spoke to the attached on Investment Officer salary survey and potential salary range adjustments. Katie Kaneko, Koff & Associates spoke to the survey work that was completed and answered questions from the Committee. She also continued to work on the different approaches for potential salary range adjustments.

- b. Discussion and action on CEO salary survey and potential salary range adjustments.

This Item was heard after 2c.

Trustee Gardanier spoke to the items for discussion and spoke to the attached CEO salary survey and potential range adjustment. Katie Kaneko, Koff & Associates spoke to the survey work that was completed and answered questions from the Committee.

After the discussion, the CEO salary range was deferred to March JPC meeting.

- c. Discussion and action on CIO salary survey and potential salary range adjustments.

This item was heard together with 2a.

Trustee Gardanier spoke to the items for discussion and spoke to the attached on CIO salary survey and potential salary range adjustments. Katie Kaneko, Koff & Associates spoke to the survey work that was completed and answered questions from the Committee.

A motion was made to recommend to both Boards to increase 15.4% for both top and bottom potential salary range for the Investment Officer (IO), Senior Investment Officer (SIO) and Chief Investment Officer (CIO).

Approved. (M.S.C. Chandra/Jennings 6-0-0) The motion passed unanimously roll call vote.

- d. Discussion and possible action on the survey input metrics for the annual executive staff review process.

Valter Viola from Cortex presented and discussed to the items.

- e. Discussion and action on ways to improve the annual review process.

ORS Deputy Director Hayman spoke and discussed to the items. Revisit the CEO incentive program since performance is a big topic.

3. NEW BUSINESS

- a. Discussion and approval to amend the contract with Koff & Associates to add compensation for additional services for a not-to-exceed amount of \$10,000.

A motion was made to approve to amend the contract with Koff & Associates.

Approved. (M.S.C. Menon/Gsrdanier 6-0-0) The motion passed unanimously by roll call vote.

- b. Discussion of Incentive Compensation.

Trustee Gardanier spoke to the incentive compensation program options for investment professionals. A framework should be considered for incentive compensation program. The performance matrix should be tied to the alpha versus absolute value in creating incentive bonus program. Incentive was modeled after Orange County Employees Retirement System (OCERS).

- c. Discussion and action on factual findings for the use of California Assembly Bill AB361's abbreviated teleconferencing procedures.

Item 3c was heard after 3a.

Counsel Chin spoke to the item and explained the contents of the memo submitted to the Committee regarding evidentiary support for the Committee's consideration of factual findings necessary for election to adopt AB 361's abbreviated teleconferencing procedures, which included:

- (1) Governor's proclamation on the continued state of emergency due to the ongoing COVID-19 pandemic; and
- (2) the City Council's recent resolution that continued to impose and recommend social distancing in City facilities.

A motion was made to adopt the Committee's factual findings under AB361 to allow the Committee to continue meeting virtually for the next 30 days.

Approved. (M.S.C. Chandra/Gardanier 6-0-0) The motion passed unanimously by roll call vote.

- **PROPOSED AGENDA ITEMS**

None.

- **PUBLIC COMMENTS**

None.

- **ADJOURNMENT**

The meeting was adjourned at 10:24 a.m.

Minutes Recorded, Prepared and Respectfully Submitted by,

ROBERTO L. PEÑA, CEO
OFFICE OF RETIREMENT SERVICES

The Code of Conduct

(<https://www.sanjoseca.gov/home/showpublisheddocument/12901/63667000496663000>)

0) is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions: § No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors,

scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

3. Addressing the Council, Committee, Board or Commission:

- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
- b) Meeting attendees are usually given two (2) minutes to speak on any discussion item and/or during open forum; the total amount of time allocated for public testimony for each public speaker or for an agenda item is in the discretion of the Chair of the meeting and may be limited when appropriate. (California Government Code Section 54954.3; Council Policy 0-37) Applicants and appellants in land use matters are usually given more time to speak. Speakers using a translator will be given twice the time allotted to ensure non-English speakers receive the same opportunity to directly address the Council, Committee, Board or Commission.
- c) Speakers should discuss only the agenda item when called to speak for that item, and only topics related to City business when called to speak during open forum on the agenda.
- d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
- e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
- f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
- g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.