



BOARD OF ADMINISTRATION

Meeting Minutes - Final

Police & Fire Department Retirement Plan and Health Care Trust

Thursday, August 7, 2025

9:00 AM

City Hall, Wing Rooms 118-120
200 E. Santa Clara St. San Jose, CA 95113

HYBRID MEETING

PHYSICAL LOCATION:

City Hall, Wing Rooms 118-120, 200 E. Santa Clara St. San Jose, Ca 95113

ZOOM INFORMATION:

zoom.us

Dial In: +1 408 638 0968 US (San Jose)

Meeting ID: 951 1119 4406

Franco Vado, Chair, Police Retiree Rep (Term Expires 11/30/28)

Andrew Gardanier, Vice-Chair, Fire Active Rep (Term Expires 11/30/27)

Eswar Menon, Trustee, Public Member (Term Expires 11/30/26)

Sunita Ganapati, Trustee, Public Member (Term Expires 11/30/26)

David Kwan, Trustee, Public Member (Term Expires 11/30/28)

Howard Lee, Trustee, Public Member (Term Expires 11/30/26) -- 126 Water Street, New York, NY

Richard Santos, Trustee, Fire Retiree Rep (Term Expires 11/30/26)

David Woolsey, Trustee, Police Active Rep (Term Expires 11/30/28)

Gretchen Flicker, Trustee, Public Member (Term Expires 04/30/27)

George Casey, City Council Liaison to the Board

Maytak Chin, General and Fiduciary Counsel

John Flynn, CEO, Office of Retirement Services

Present: 9 - Sunita Ganapati, Howard Lee, Eswar Menon, Richard Santos, Andrew Gardanier, David Kwan, David Woolsey, Gretchen Flicker and Franco Vado

The Board of Administration of the Police and Fire Department Retirement Plan and Health Care Trust met in person at City Hall Wing Rooms 118-120 and via Zoom on Thursday, August 7, 2025 at 9:00 a.m. Chair Vado called the Pension Plan and Health Care Trust meeting to order at 9:02 a.m. followed by roll call.

Board Members Present: Franco Vado, David Woolsey, Richard Santos, Andrew Gardanier, David Kwan, Sunita Ganapati, Eswar Menon and Gretchen Flicker.

Board Members Present via Zoom utilizing the Traditional Brown Act teleconferencing rules: Howard Lee. Counsel Chin questioned Trustee Lee on whether he met the qualifications to teleconference under the Brown Act, and Trustee Lee responded in the affirmative. Counsel Chin advised that all votes must be roll-call votes.

Retirement Staff Present: John Flynn, Prabhu Palani, Barbara Hayman, David Aung, Sandra Castellano, Ron Kumar, Chris Ha, Dhinesh Ganapathiappan, Jay Kwon, Christina Wang, Jennifer You, Arun Nallasivan, Sherrell Aledo, Edith Aldama, Gabriela Romero-Castrejon and Cynthia Ayala.

Retirement Staff Present via Zoom: Ellen Lee, Benjie Chua-Foy, Veronica Solorio and Nam Cao.

Also Present: Maytak Chin and Christopher Maldonado, General and Fiduciary Counsel; George Casey, Council Liaison; Julie Becker and Benita Harper, Aon Consulting, Inc.; Bill Gold, OER; and Terry Andrew Creighton, Public Member.

Also Present via Zoom: Cyril Espanol – With Intelligence; Andrew Roper, Public Member; Laura Wirick and Colin Kowalski, Meketa Investment Group; and Brett Johnson, Public Member.

ADA ALERT

In accordance with the requirements of AB 2449, the Board of Administration ("Board") will generally, upon request, provide appropriate aids and services leading to effective communication for individuals with disabilities so they can participate equally in the Board's meetings, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, vision or other disabilities.

Anyone who requires an auxiliary aid or service for effective communication to participate in a Board meeting should contact the designated contact in Office of Retirement Services as far in advance of the scheduled meeting as possible. The Board strongly encourages individuals with disabilities to endeavor to submit requests for reasonable accommodation no later than five (5) business days before the scheduled meeting, as the Board may not be able to grant requests for reasonable accommodations without sufficient advance notice. The Board strongly encourages individuals with disabilities to submit their written requests via email or regular mail to facilitate tracking and response; however, if the submission of a written request constitutes a hardship, individuals may call the Office of Retirement Services to submit an oral request.

The designated contact in the Office of Retirement Services will endeavor to respond to each request within three (3) business days of receipt of the request. Depending on the request, the designated contact in the Office of Retirement Services may ask to schedule a time to discuss the request (which may occur virtually) to determine the most appropriate auxiliary aid or service, before the request is resolved.

ADA Designated Contact Information

Attention: Deputy Director/Chief Operations Officer, Office of Retirement Services
Address: 1737 N First St #600, San Jose, CA 95112
Email: #Retire_Admin@sanjoseca.gov
Phone: 408-794-1000 (ORS Main Line)

THE LEVINE ACT

The Levine Act requires a Party in a Proceeding before the City of San José that involves any action related to their contract, license, permit, or use entitlement to disclose any campaign contributions to City elected or appointed officials totaling more than \$500 within the 12 months prior to the City decision. A Participant to a Proceeding may voluntarily report a campaign contribution on the form located on the Levine Act webpage.

AB 2449 REMOTE APPEARANCE(S)

a. Just Cause Circumstance(s) (Gov't Code § 54953)

- i. The following Trustee(s) have notified the Board of a "Just Cause" to attend this meeting via teleconference.

NONE

- ii. Call for Trustee(s) who wish to notify the Board of a "Just Cause" to attend this meeting via teleconference.

b. Emergency Circumstance(s) (Gov't Code § 54953)

- i. The following Trustee(s) have requested the Board approve their attendance of this meeting via teleconference due to an "Emergency Circumstance."

NONE

- ii. Call for Trustee(s) requesting the Board approve their attendance of this meeting via teleconference due to an "Emergency Circumstance."

- iii. Take action on request(s) for remote appearance.

AGENDA

CALL TO ORDER AND ROLL CALL

CLOSED SESSION

CLOSED SESSION AGENDA ITEMS WILL BE HEARD AT 9:00 A.M.

I. CLOSED SESSION NEW BUSINESS

Closed Session was heard immediately after item 4d. The Board entered into Closed Session at 9:07 a.m.

- A. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a). *Robnett v. City of San Jose, et al.*, Northern District Court of California, Case No. 5:24-cv-02385-NC.**
There was no reportable action for this item from Closed Session.
- B. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION: Initiation of litigation pursuant to Government Code section 54956.9(d)(4): One Case.**
There was no reportable action for this item from Closed Session.
- C. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to Section 54956.9(d)(2): One Case.**
There was no reportable action for this item from Closed Session.
- D. CLOSED SESSION: PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO GOVERNMENT CODE SECTION 54957(b)(1). Title: Chief Investment Officer.**
There was no reportable action for this item from Closed Session.

- E. **CLOSED SESSION:** PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO GOVERNMENT CODE SECTION 54957(b)(1). Title: Chief Executive Officer.

There was no reportable action for this item from Closed Session.

- F. **CLOSED SESSION:** CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6(a). Agency designated representatives: To be determined in open session at the meeting.

There was no reportable action for this item from Closed Session.

The Board came out of Closed Session at 11:28 a.m.

OPEN SESSION - will reconvene following Closed Session, estimated to be 10:00 a.m.

Open Session re-convened at 11:30 a.m.

• **ORDERS OF THE DAY**

This was heard immediately after roll call.

Orders of the Day:

- Items 4c & 4d to be heard before Closed Session
- Items 3a & 4g to be discussed together
- Item 1.7a was deferred to the next scheduled meeting

• **PUBLIC/RETIREE/GENERAL COMMENTS - Not Related to A Specific Agenda Item**

None.

1. **CONSENT CALENDAR**

This item was heard after Closed Session.

Item 1.7a was deferred to the next scheduled meeting.

A motion was made to approve the Consent Calendar.

Approved. (M.S.C. Santos/Gardanier 9-0-0). This motion passed unanimously by roll call vote.

1.1 **Service Connected Disability**

- a. **Dalia Castaneda Herbert**, Police Officer, Police Department, Request for Service-Connected Disability Retirement, effective May 8, 2025; 7.11* years of service. (With Reciprocity - 6.41 CSJ YOS + 0.70 PERS YOS). (*Disability Committee Recommendation: Approval*)

- b. **Eliel Leo Velazquez**, Fire Fighter, Fire Department, Request for Service-Connected Disability Retirement, effective September 27, 2025; 18.92* years of service. (*Disability Committee Recommendation: Approval*)

1.2 Approval Of Minutes

- a. Approval of the Board Minutes of June 5, 2025.

1.3 Approval Of Travel & Reimbursements

- a. John Flynn, CEO
- CALAPRS Administrators Institute 2025, The Quail Lodge, Carmel, CA, September 24-26, 2025.
 - CALAPRS Virtual Information Technology Round Table, October 10, 2025.
 - CALAPRS Virtual Investments Round Table, November 21, 2025.
 - CALAPRS Virtual Benefits Roundtable, December 11, 2025.
 - NCPERS Accredited Fiduciary (NAF) Program (Module 1 & 2), Omni Fort Lauderdale Hotel, Fort Lauderdale, FL, October 25-26, 2025.
 - NCPERS Fall Conference, Omni Fort Lauderdale Hotel, Fort Lauderdale, FL, October 26-29, 2025.
- b. Prabhu Palani, CIO
- TIDE SPARKS 2025, Laguna Cliffs Marriott Resort, Dana Point CA, July 9-10, 2025.
 - FIS Stanford 2025, Stanford University, Stanford, CA, September 16-18, 2025.
 - Collective Global 2025 Founders' Summit, Grand Hotel, Stockholm, Sweden, September 22-24, 2025.
- c. Reimbursements
- SACRS Annual Spring Conference 2025, Omni Rancho Palmas Resort & Spa, Rancho Mirage, CA, May 13 - 16, 2025 - Gretchen Flicker.
 - SACRS Annual Spring Conference 2025, Omni Rancho Palmas Resort & Spa, Rancho Mirage, CA, May 13 - 16, 2025 - Andrew Gardanier.
 - SACRS Annual Spring Conference 2025, Omni Rancho Palmas Resort & Spa, Rancho Mirage, CA, May 13 - 16, 2025 - Franco Vado.
 - NCPERS 2025 Chief Officers Summit, New York Marriott Downtown, NY, June 16 - 18, 2025 - John Flynn.

1.4 Return of Contributions

- a. Voluntary | Involuntary

1.5 Communication/Information

- a. Police and Fire Retirement System Dashboard.
- b. Report of the Monthly Board Expenses for May 2025. Receive and file.
- c. Educational Travel Reports:
 - SACRS Annual Spring Conference 2025, Omni Rancho Palmas Resort & Spa, Rancho Mirage, CA, May 13 - 16, 2025 - by Franco Vado.

1.6 Education and Training

- a. CALAPRS 2025 Program Calendar.
- b. CALAPRS Virtual Trustees' Roundtable, October 3, 2025.
- c. NCPERS Fall Conference, Omni Fort Lauderdale Hotel, Fort Lauderdale, FL, October 26-29, 2025.
- d. SACRS Fall Conference 2025, Hyatt Regency Huntington Beach Resort & Spa, Huntington Beach, CA, November 11 - 14, 2025.
- e. CALAPRS Virtual Investments Round Table, November 21, 2025.

1.7 Change of Retirement Application

- a. Approval for a change in effective date for **George Constantin**, Police Sergeant, Police Department, from July 6, 2025, to September 27, 2025, for a service retirement approved at the June 5, 2025 Board meeting.

1.8 Notice of Alternate Payee Benefit Election

- a. Approval of Alternate Payee Benefit election of Unreduced Retirement Option to be paid to Tina S. Franco, ex-spouse of Fire Engineer, **Pedro C. Franco** to be effective September 4, 2025 under Part 17, Section 3.36.3600 of the San Jose Municipal Code.

2. INVESTMENTS

- a. Oral update by CIO, Prabhu Palani.

CIO Palani provided an update and reported on the following unaudited estimated performance by Meketa Investment Group:

- For FYTD as of July 1, 2025, the Pension Plan was up 0.69%.
- For FYTD as of July 1, 2025, the Health Care Trust was up 0.85%.
- The CIO further reported that of June 30, 2025, the Plan was up 10%. On a 3 year basis, the Plan was up 9.1%. On a 5- year basis, the Plan was up 9.3%. The CIO commented that this was 250 to 275 basis points over the discount rate.

- b. Discussion and action on the results of the Request for Proposals (“RFP”) for Trading Cost Analysis/Foreign Exchange Trading Cost Analysis (“TCA/FX TCA”) provider, including Board authorization for the Chief Executive Officer (“CEO”) to negotiate and execute an agreement with ACA Group for a term of three (3) years for an amount not-to-exceed \$56,250.

CIO Palani introduced the item. Christina Wang and Ron Kumar, Investment Officers, presented the item.

A motion was made to authorize the CEO to negotiate and execute an agreement with ACA Group for a term of three (3) years for an amount not-to-exceed \$56,250.

Approved. (M.S.C. Santos/Woolsey 9-0-0). The motion passed unanimously by roll call vote.

3. OLD BUSINESS CONTINUED-DEFERRED ITEMS

- a. Discussion and action on Board’s designation of 1737 N. First St, Suite 580, San Jose, CA 95112 as its meeting location for the Regular Board and Standing Committee Meetings.

Chair Vado introduced the item. CEO Flynn read the Board Meeting Location Informational Memo that was provided as back-up material for this agenda item. Chair Vado asked City Council Liaison, Councilmember Casey, to share his thoughts on moving future Board meetings to ORS’ office location, and he responded he had no concerns and had no comments. Trustee Santos and Chair Vado added comments.

A motion was made to designate 1737 N. First St, Suite 580, San Jose, CA 95112 as its meeting location for the Regular Board and Standing Committee Meetings.

Approved. (M.S.C. Santos/Menon 9-0-0). The motion passed unanimously by roll call vote.

4. NEW BUSINESS

- a. Oral update by CEO, John Flynn.

This item was heard after item 4g.

The CEO updated the board on the following topics:

- ORS staffing update
- Cybersecurity Assessment closeout
- Current state of 2026 projected Anthem Medicare Advantage rates and possible impact on eligibility for reimbursements
- Procurements and contracting update
- Onboarding of Aon as the Board's Governance Consultants
- ORS Office space update
- ORS Staff Climate Surveys
- ORS Summer Picnic held in June
- Quarterly Retirement Workshops on August 28, 2025, at 8:30 a.m.

- b. Oral update from the City Council Liaison to the Board.

City Council Liaison, Councilmember George Casey, had no updates for the Board.

- c. Discussion and action of appointment of Labor Negotiator for the Chief Executive Officer position.

This item was heard after Orders of the Day.

CEO Flynn presented to the item.

A motion was made to appoint Chair Vado as the Labor Negotiator for the Chief Executive Officer position. Chair Vado accepted the nomination for appointment.

Approved. (M.S.C. Menon/Santos 9-0-0). The motion passed unanimously by roll call vote.

- d. Discussion and action of appointment of Labor Negotiator for the Chief Investment Officer position.

CEO Flynn presented to the item.

A motion was made to appoint Trustee Menon as the Labor Negotiator for the Chief Investment Officer position. Trustee Menon accepted the nomination for appointment.

Approved. (M.S.C. Ganapati/Santos 9-0-0). The motion passed unanimously by roll call vote.

- e. Discussion and action on adoption of updated City Policy Manual #1.7.9 - Website and Digital Services Governance Policy with Revised Date of June 3, 2025, for ORS Operations, approved by City on June 3, 2025.

This item was heard after item 4b.

Chair Vado introduced the agenda item. CEO Flynn presented the item. Barbara Hayman, Deputy Director, added comments.

A motion was made to adopt updated City Policy Manual #1.7.9 - Website and Digital Services Governance Policy with Revised Date of June 3, 2025, for ORS Operations.

Vice Chair Gardanier departed at 11:58 a.m.

Approved. (M.S.C. Santos/Ganapati 8-0-0). The motion passed unanimously by roll call vote.
Vice Chair Gardanier was absent.

- f. Discussion and action on adoption of new City Policy Manual #1.7.13 - Data Governance Policy with Effective Date of June 3, 2025, for ORS Operations, approved by City on June 3, 2025.
CEO Flynn presented the item and answered questions from Trustee Ganapati.

A motion was made to adopt new City Policy Manual #1.7.13 - Data Governance Policy with Effective Date of June 3, 2025, for ORS Operations.

Approved. (M.S.C. Woolsey/Santos 8-0-0). The motion passed unanimously by roll call vote.
Vice-Chair Gardanier was absent.

A public member, Terry Andrew Creighton, made comments and Chair Vado addressed his comments and questions.

- g. Discussion and action on the 2026 Scheduled Board and Standing Committee Meetings.

This item was heard after item 3a.

Chair Vado introduced the item. CEO Flynn presented the item and explained the Alternative Option as outlined in the back-up material for this agenda item. Chair Vado answered questions from Trustee Santos and Trustee Ganapati. CEO Flynn also answered questions from Trustee Ganapati and Trustee Flicker. Trustee Santos, Chair Vado, and CEO Flynn added comments.

A motion was made to approve the Alternate 2026 Scheduled Board and Standing Committee Meetings.

Approved. (M.S.C. Santos/Flicker 9-0-0). The motion passed unanimously by roll call vote.

5. RETIREMENTS

5.1 Service Retirements

This item was heard together with item 5.2, but on voted separately.

The Board took a break between 12:07 p.m. and 12:14 p.m. to account for a fire alarm.

Chair Vado read the Service Retirements into the record.

A motion was made to approve the Service Retirements.

Approved. (M.S.C. Santos/Woolsey 8-0-0). The motion passed unanimously by roll call vote.
Vice-Chair Gardanier was absent.

- a. **Julian P. Molloy**, Fire Captain, Fire Department, effective August 4, 2025; 27.27* years of

service.

- b. **Peter Nguyen**, Fire Fighter, Fire Department, effective August 2, 2025; 25.18* years of service.
- c. **Jermaine Thomas**, Police Lieutenant, Police Department, effective July 5, 2025; 26.72* years of service.
- d. **Joshua D. Warren**, Fire Captain, Fire Department, effective July 5, 2025; 27.24* years of service.

5.2 Deferred Vested

This item was heard together with item 5.1, but voted on separately.

Chair Vado read the Deferred Vested Retirements into the record.

A motion was made to approve the Deferred Vested Retirements.

Approved. (M.S.C. Santos/Woolsey 8-0-0). The motion passed unanimously by roll call vote.
Vice-Chair Gardanier was absent.

- a. **Harry G. Felix**, Police Officer, Police Department, effective July 4, 2025; 15.61* years of service.

6. DEATH AND SURVIVORSHIP NOTIFICATIONS (Moment of Silence)

Chair Vado read the Death Notifications into the record and asked for a moment of silence for those who have served and passed away. Trustee Santos and Trustee Woolsey said a few kind words.

- a. Notification of the death of **Thomas Frazier**, Deputy Chief, retired February 9, 1995, died May 16, 2025. No survivorship benefits.
- b. Notification of the death of **Paul F. Giles**, Fire Engineer, retired May 6, 1995, died April 16, 2025. Survivorship benefits to Diane Giles, spouse.
- c. Notification of the death of **Stephen Greenlee**, Police Officer, retired August 4, 2011, died June 15, 2025. Survivorship benefits to Elizabeth Greenlee, spouse.
- d. Notification of the death of **Jeffrey Hunter**, Fire Fighter, retired August 3, 1995, died June 3, 2025. No survivorship benefits.
- e. Notification of the death of **Oliver F. Kraemer**, Police Sergeant, retired September 13, 1986, died June 20, 2025. No survivorship benefits.

- f. Notification of the death of **Leo G. Plinski Jr.**, Police Officer, retired June 17, 1983, died June 12, 2025. No survivorship benefits.
- g. Notification of the death of **Curtis Reeves**, Police Officer, retired January 31, 2004, died June 6, 2025. No survivorship benefits.
- h. Notification of the death of **Michael Ross**, Police Lieutenant, retired January 26, 2008, died May 13, 2025. Survivorship benefits to Lezlie Ross, spouse.

7. COMMITTEE MINUTES, REPORTS and RECOMMENDATIONS

7.1 Investment Committee (Menon - CH/Gardanier/Kwan/Lee)

Last Meeting: April 22, 2025

Next Meeting: August 26, 2025

- a. Oral update from the Chair of the Investment Committee.

There was no update.

7.2 Audit/Risk Committee (Lee - CH/Ganapati/Woolsey)

Last Meeting: May 15, 2025

Next Meeting: August 28, 2025

- a. Oral update from the Chair of the Audit/Risk Committee.

Chair Lee updated Board on matters regarding the last committee meeting.

- b. Discussion and action to accept 25 internal audit recommendations as “Complete” in the absence of an internal auditor.

A motion was made to accept 25 internal audit recommendations as “Complete” in the absence of an internal auditor.

Approved. (M.S.C. Santos/Ganapati 8-0-0). The motion passed unanimously by roll call vote. Vice-Chair Gardanier was absent.

- c. Discussion and action on FY 2024-2025 Office of Retirement Services Plans Audit Plan by Macias Gini & O’Connell LLP (MGO).

CEO Flynn presented to the item.

A motion was made to approve FY 2024-2025 Office of Retirement Services Plans Audit Plan by Macias Gini & O’Connell LLP (MGO).

Approved. (M.S.C. Ganapati/Woolsey 8-0-0). The motion passed unanimously by roll call vote.
Vice-Chair Gardanier was absent.

7.3 Governance Committee (Santos - CH/Vado/Flicker)

Last Meeting: March 14, 2025

Next Meeting: August 7, 2025

- a. Oral update from the Chair of the Governance Committee.

Chair Santos announced that the next meeting will take place after this meeting adjourns.

7.4 Disability Committee (Santos - CH/Woolsey - Alts: Lee/Vado/Gardanier)

Last Meeting: June 9, 2025

Next Meeting: August 11, 2025

- a. Oral update from the Chair of the Disability Committee.

Chair Santos announced that the August 11, 2025 Disability Committee meeting was cancelled. The next meeting will take place on September 8, 2025.

- b. Minutes of the Disability Committee meeting from May 5, 2025. Receive and file.

The Minutes were received and filed.

7.5 Joint Personnel Committee (Menon/Gardanier/Vado)

Last Meeting: April 2, 2025

Next Meeting: August 18, 2025

- a. Oral update from the Chair of the Joint Personnel Committee.

Chair Menon announced that the next meeting will take place on September 10, 2025.

7.6 Joint Audit Adhoc Committee (Ganapati)

Last Meeting: August 6, 2025

Next Meeting: August 12, 2025

- a. Oral update from the Joint Audit Adhoc Committee.

CEO Flynn updated the Board.

7.7 Actuarial Services Joint Adhoc Committee (Kwan)

- a. Oral update from the Actuarial Services Joint Adhoc Committee.

CEO Flynn updated the Board and responded to a question from Trustee Ganapati.

7.8 Investment Governance Adhoc Committee (Kwan/Menon)

- a. Oral update from the Investment Governance Adhoc Committee.

Trustee Menon updated the Board.

• **PROPOSED AGENDA ITEMS**

None.

• **ADJOURNMENT**

Next Meeting: September 4, 2025

The meeting adjourned at 12:24 p.m.

*Estimated

Minutes Recorded, Prepared and Respectfully Submitted by,

FRANCO VADO, CHAIR
BOARD OF ADMINISTRATION
ATTEST:

JOHN FLYNN, 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.