



# BOARD OF ADMINISTRATION

## Action Minutes - Final

### Joint Boards of Administration for the Federated City Employees' Retirement System and the Police and Fire Department Retirement Plan

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Wednesday, February 11, 2026

8:30 AM

1737 N. First St. Suite 580, San Jose, CA 95112

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#### Hybrid Meeting

#### PHYSICAL LOCATION:

1737 N. First St. Suite 580

San Jose, CA 95112

#### ZOOM INFORMATION:

zoom.us

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

Meeting ID: 978 7966 3308

#### *Police & Fire Board Members*

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

*Eswar Menon, Vice-Chair, Public Member (Term Expires 11/30/26) -- 515 River Street, Troy, NY, 12180*

*Gretchen Flicker, Trustee, Public Member (Term Expires 11/30/28)*

*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)*

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

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

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

#### *Federated Board Members*

*Spencer Horowitz, Chair (Term Expires 11/30/28)*

*Matthew Faulkner, Vice Chair Term Expires 11/30/27)*

*Deborah Abbott, Trustee (Term Expires 11/30/26)*

*Anurag Chandra, Trustee (Term Expires 11/30/26)*

*Brian Chi, Trustee (Term Expires 11/30/29)*

*Mark Linder, Trustee (Term Expires 11/30/28)*

*Nathan Nakagawa, Trustee (Term Expires 11/30/27)*

*John Flynn, CEO, Office of Retirement Services*

*Maytak Chin, General & Fiduciary Counsel*

The Boards of Administration of the Police and Fire Department and the Federated Retirement Plan met in person at 1737 N. First St., Suite 580, San Jose, CA 95112 and via Zoom on Wednesday, February 11, 2026.

The Federated Board was called to order at 8:30 A.M. by Chair Horowitz.  
The Police and Fire Board was called to order at 8:31 A.M. by Chair Gardanier.

P&F Board Members Present: Franco Vado, Richard Santos, David Woolsey, David Kwan, Gretchen Flicker, Andrew Gardanier, Howard Lee, and Sunita Ganapati.

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

Federated Board Members Present: Spencer Horowitz, Matthew Faulkner, Mark Linder, Anurag Chandra, Deborah Abbott, Nathan Nakagawa, and Brian Chi.

Retirement Staff Present: Cynthia Ayala, John Flynn, and Prabhu Palani.

Also Present: Mariah K. Fairley and Maytak Chin, General and Fiduciary Counsel; and Sherrill Uyeda, Alliance Resource Consulting.

**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.

### Call To Order and Roll Call

#### SB 707 REMOTE APPEARANCE(S)

i. Take action on request(s) for remote appearance.

- Orders of the Day

This was heard immediately after roll call.

Orders of the Day:

None.

Waive Sunshine:

None

### AGENDA

#### 1. Consent Calendar

A motion was made to approve the Consent Calendar.

Police and Fire Board Approved. (M.S.C. Santos/Woolsey 9-0-0). This motion passed by roll call vote.

FCERS Board Approved. (M.S.C. Chandra/Linder 7-0-0).

- a. Approval of the Joint Board Meeting Minutes of July 1, 2024.

#### 2. NEW BUSINESS

- a. Discussion and action to appoint a labor negotiator to negotiate an employment contract with the selected candidate for the ORS Chief Investment Officer position.

This item was discussed.

A motion was made to appoint Trustee Chandra as a labor negotiator to negotiate an employment contract with the selected candidate for the ORS Chief Investment Officer position.

Approved. (M.S.C. Linder/Nakagawa 7-0-0).

This item was discussed.

A motion was made to appoint Vice Chair Menon as a labor negotiator to negotiate an employment contract with the selected candidate for the ORS Chief Investment Officer position.

Approved. (M.S.C. Ganapati/Vado 9-0-0). This motion passed by roll call vote.

### CLOSED SESSION

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

**3. CLOSED SESSION NEW BUSINESS**

The Committee entered into Closed Session at 8:39 a.m.

- a. **CLOSED SESSION:** PUBLIC EMPLOYEE APPOINTMENT PURSUANT TO GOVERNMENT CODE SECTION 54957(b)(1). Position: Chief Investment Officer

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

- b. **CLOSED SESSION:** CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6(a).

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

Vice Chair Faulkner left the meeting at 1:02 p.m.

The Committee came out of Closed Session at 1:11 p.m.

**OPEN SESSION- will reconvene following Closed Session, estimated 12:00 P.M.**

Open Session re-convened at 1:12 p.m.

• **PROPOSED AGENDA ITEMS**

None.

• **PUBLIC COMMENT**

None.

• **ADJOURNMENT**

The meeting adjourned at 1:12 p.m.

Minutes Recorded, Prepared and Respectfully submitted by,

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John Flynn, CEO, Office of Retirement Services

**\*Estimated**

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of Retirement Services, 1737 N. First Street, Suite 600, San José CA 95112 at the same time that the public records are distributed or made available to the legislative body.

Access the video or audio, the agenda, related reports, and supplemental materials for this meeting by visiting the Retirement Services website at <http://sjrs.legistar.com/calendar.aspx>. If you have any questions, please contact the Office of Retirement Services at (408) 794 - 1000.

Supplemental agenda materials may be made available less than 72 hours before a regular meeting, provided that they are: (1) distributed to a majority of the legislative body and made available for public inspection at the Office of Retirement Services, 1737 N. First Street, Suite 600, San José CA 95112, at the same time; and (2) posted on the Office of Retirement Services' website at <http://sjrs.legistar.com/calendar.aspx> in a manner that explains the document is related to an agenda item for an upcoming meeting.

### **The Code of Conduct**

(<https://www.sanjoseca.gov/home/showpublisheddocument/12901/636670004966630000>) 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**

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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.

