



## BOARD OF ADMINISTRATION

### Meeting Minutes - Final Federated City Employees' Retirement System and Federated City Employees' Health Care Trust

Thursday, December 18, 2025

8:30 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: 978 2685 3715

#### **BOARD MEMBERS**

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

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

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

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

*Matthew Faulkner, Trustee (Term Expires 11/30/27)*

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

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

*Pam Foley, City Council Liaison to the Board*

*Maytak Chin, General and Fiduciary Counsel*

*John Flynn, CEO, Office of Retirement Services*

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**Present:** 7 - Debbie Abbott, Matthew Faulkner, Spencer Horowitz, Mark Linder, Anurag Chandra, Nathan Nakagawa and Brian Chi

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**The Board of Administration of the Federated City Employees Retirement System and Health Care Trust met on Thursday, December 18, 2025, at City Hall, Wing Rooms 118-120, 200 E. Santa Clara St., San Jose, CA 95113 and via Zoom at 8:30 a.m. Chair Horowitz called the meeting to order at 8:31 a.m. followed by roll call.**

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

**Vice Mayor and City Council Liaison Foley was absent.**

**Retirement Staff Present:** John Flynn, Prabhu Palani, Barbara Hayman, Gabriela Romero, Edith Aldama, Amanda Hiew, Sherrell Aledo, Ryan Reynado, Sandra Castellano, Jay Kwon, Dhinesh Ganapathiappan, Christina Wang, Ron Kumar, Arun Nallasivan, Harrison Pierce, David Aung, and Jennifer You.

**Retirement Staff Present via Zoom:** Benjie Chua-Foy, Nam Cao, Veronica Solorio, Shilpi Dwivedi, Julie He, and Ellen Lee.

**Also Present:** Mariah K. Fairley, General and Fiduciary Counsel; Bill Hallmark and Jacqui King, Cheiron; Laura Wirick, Meketa Investment Group; Russ Richeda, Disability Counsel; Bill Gold, OER; and Sarah Steele, OER.

**Also Present via Zoom:** Kaci Boyer, Neuberger Berman; Colin Kowalski, Meketa Investment Group; Benita Harper, Aon; Kevin Baload, With Intelligence-Journalist; Rose Lara, Police Department; Brad Imamura, Public Member; Donald S. Ludwig; Public Member; Matthew Shelton, Public Member; Nate Weinstein, Public Member; Kehau Smith, Public Member; Thien, Public Member; and Rosemary Barnes, Applicant.

**ADA ALERT**

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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)**

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- 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**

**I. CLOSED SESSION NEW BUSINESS-DEFERRED/CONTINUED ITEMS-NONE**

**• ORDERS OF THE DAY**

This item was heard immediately after roll call attendance.

**Orders of the Day**

- Time Certain: 10:00 a.m. - Item 1a - Application for a Change of Status to Service-Connected Disability Retirement for Rosemary Barnes.

**WAIVE SUNSHINE (amended/attachments POSTED late):**

- None.

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

This item was heard after the Consent Calendar.

Public member, Brad Imamura, made public comments.

Chair Horowitz welcomed Trustee Chi to the Federated Board. Trustee Chi thanked Chair Horowitz, the rest of the Board, and public member Mr. Imamura. Trustee Chi and Chair Horowitz also made additional comments.

Chair Horowitz then referred back to the items pulled from the Consent Calendar. CEO Flynn recommended discussing the pulled Items 2.1a and 2.6b after the time certain Item 1a. Counsel Fairley recommended addressing Items 2.1a and 2.6b under New Business. Chair Horowitz also briefly discussed the PAFR, Item 2.6b, and asked CEO Flynn a question to which CEO Flynn addressed. Benjie Chua Foy, Accounting Division Manager, assisted in answering questions from Chair Horowitz. Additionally, Chair Horowitz answered a question from Trustee Abbott. CEO Flynn, Vice Chair Chandra, and Trustee Linder added comments.

**1. Application for a Change of Status to Service-Connected Disability Retirement**

a. **Rosemary Barnes**, Public Information Manager, Airport Department, Request for Change of Status to Service-Connected Disability Retirement, effective March 31, 2020; 28.03\* years of service. (*With Reciprocity - 16.16 CSJ + 11.87 PERS = 28.03 YOS*) (*Disability Committee Recommendation: Denial*)

**Time Certain: 10:00 a.m.**

This item was heard after the Board took a break after item 6c.

Chair Horowitz introduced the item. Ms. Barnes, the applicant, was present via Zoom. Russ Richeda, Disability Counsel; Sandra Castellano, Benefits Division Manager; and Sarah Steele, OER, were present in person. The applicant responded to Chair Horowitz's questions. Russ Richeda, Disability Counsel, discussed the evidence and addressed the applicant's injuries. Counsel Richeda recommended that the Board deny the applicant's request for a Change of Status to Service-Connected Disability Retirement.

Sandra Castellano, Benefits Division Manager, assisted in answering questions from Chair Horowitz. Ms. Barnes discussed her evidence, presented argument, and was given the opportunity to examine witnesses. Counsel Richeda responded to Ms. Barnes' comments, and answered questions from Trustees Nakagawa and Abbott, Vice Chair Chandra, and Chair Horowitz. Members of the Federated Disability Committee Chair Linder, Trustee Faulkner, and Trustee Nakagawa provided additional comments.

Brad Imamura, a member of the public, made comments, which were addressed by Chair Horowitz and Sandra Castellano, Benefits Division Manager.

After a lengthy discussion, a motion was made to approve the Disability Committee's recommendation to deny the applicant's request for a change of status to service-connected disability retirement.

Approved. (M.S.C. Chandra/Faulkner 7-0-0).

**2. CONSENT CALENDAR**

This item was heard after the Orders of the Day.

Chair Horowitz pulled Item 2.6b, the PAFR, from the Consent Calendar to discuss it as a separate item. Trustee Abbott questioned the attachment to Item 2.1a, noting that the memo contained an incorrect footer. CEO Flynn recommended pulling the item from the Consent Calendar and answered questions from Trustees Abbott and Faulkner, and Vice Chair Chandra.

A motion was made to approve the Consent Calendar, with the exception of items 2.1a and 2.6b, which were pulled for separate discussion.

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

## **2.1 Application for a Change of Status to Service-Connected Disability Retirement**

a. **Veronica Andrade**, Division Manager, Police Department, Request for Change of Status to Service-Connected Disability Retirement, effective June 15, 2024; 30.12\* years of service.  
*(Disability Committee Recommendation: Denial)*

**This item was heard as a separate item, following item 1a.**

Chair Horowitz introduced the item. Russ Richeda, Disability Counsel, spoke to the item and clarified that despite a typographical error in the footer of the backup memorandum, the substance of the memorandum was correct. Vice Chair Chandra made comments. Counsel Fairley and CEO Flynn added comments.

A motion was made to approve the Disability Committee's recommendation to deny the applicant's request for a change of status to service-connected disability retirement, and to approve the deletion of the footer in the memo.

Approved. (M.S.C. Abbott/Chandra 7-0-0).

## **2.2 Approval of Service Retirements**

a. **Ryan M. Buckert**, Public Safety Communications Specialist, Police Department, effective December 27, 2025; 30.01\* years of service.

b. **Sean Kanemoto**, Maintenance Worker I, Parks, Recreation, and Neighborhood Service, effective November 17, 2025; 8.73\* years of service.

c. **Sun Min Lee**, Library Assistant, Library Department, effective January 17, 2026; 30.09\* years of service.

d. **Armand Nascimento**, Building Inspector Combination Certified Senior, Public Works Department, effective January 17, 2026; 26.78\* years of service.

e. **Lillian L. Nguyen**, Senior Accountant, Environmental Services Department, effective December 20, 2025; 34.17\* years of service.

## **2.3 Approval of Deferred Vested**

a. **Falguni N. Amin**, Engineer II, Public Works Department, effective December 30, 2025; 28.34\* years of service. *(With Reciprocity - 5.47 CSJ + 22.87 PERS = 28.34 YOS)*

b. **Dorselle D. Bowles**, Senior System Application Programmer, Information Technology Department, effective December 31, 2025; 30.38\* years of service. *(With Reciprocity - 5.36*

*CSJ + 25.02 PERS = 30.38 YOS)*

- c. **Pankti S. Clerk**, Planner II, Planning, Building, and Code Enforcement, effective January 17, 2026; 5.90\* years of service.
- d. **Kelly A. Doyle**, Associate Transportation Specialist, Department of Transportation, effective December 30, 2025; 30.91\* years of service. (*With Reciprocity - 15.52 CSJ + 15.39 PERS = 30.91 YOS*)
- e. **Gaurav Garg**, Deputy Director, Information Technology Department, effective December 6, 2025; 41.47\* years of service. (*With Reciprocity - 0.90 CSJ + 40.57 PERS = 41.47 YOS*)
- f. **Deborah M. Gregg**, Senior Crime & Intelligence Analyst, Police Department, effective December 13, 2025; 8.50\* years of service.
- g. **Freddie L. Mullins**, Custodian, Convention/Arts/Entertainment, effective November 29, 2025; 9.85\* years of service. (*With Reciprocity - 4.79 CSJ + 5.02 PERS = 9.85 YOS*)
- h. **Carlotta Royal**, Public Safety Communication Specialist, Police Department, effective December 30, 2025; 35.16 \* years of service. (*With Reciprocity - 10.31 CSJ + 24.85 PERS = 35.16 YOS*)
- i. **Cindy Safe**, Analyst II, Parks, Recreation, and Neighborhood Services, effective December 31, 2025; 18.05\* years of service. (*With Reciprocity - 4.29 CSJ + 13.75 PERS = 18.05 YOS*)

#### **2.4 Approval of Board Minutes**

- a. Approval of the Board Minutes of November 20, 2025.

#### **2.5 Approval of Return of Contributions**

- a. Voluntary | Involuntary

#### **2.6 Communications and Information Reports**

- a. Report of the Monthly Board Expenses for October and November 2025. Receive and file.
- b. Approval of Federated City Employees' Retirement Plan's Popular Annual Financial Report (PAFR) for year ended June 30, 2025.

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This item was heard as a separate item, following item 6d.

Chair Horowitz presented the item and outlined his recommended modifications needed to page 3 of the PAFR before publication, which included adding the 2025 actuarial valuation year to the "Schedule of Funding Progress, Pension" Chart and updating the language to reflect the 2025 funding progress under the "Funding" section to the right of the same chart on page 3 PAFR.

A motion was made to approve the Federated City Employees' Retirement Plan's Popular Annual Financial Report for the fiscal year that ended June 30, 2025, and to revise page 3 before publication, in accordance with Chair Horowitz's recommended modifications.

Public member, Brad Imamura, made public comments.

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

## **2.7 Approval of Reimbursements**

- a.** John Flynn, CEO
  - NCPERS Accredited Fiduciary (NAF) Program (Module 1 & 2), Hollywood, FL, October 25 - 26, 2025.
  
- b.**
  - NCPERS Fall Conference, Hollywood, FL, October 26 - 29, 2025.

## **3. DEATH AND SURVIVORSHIP NOTIFICATIONS (Moment of Silence)**

Chair Horowitz asked for a moment of silence for those who served and passed away.

- a.** Notification of the death of **Frank E. Chavez**, Heavy Equipment Operator, retired December 29, 2018, died November 3, 2025. Survivorship benefits to Melody Chavez, spouse.
  
- b.** Notification of the death of **Len Heriman**, Yard Clerk, retired August 21, 1986, died October 3, 2025. Survivorship benefits to Buford Heriman, spouse.
  
- c.** Notification of the death of **Sandra LLanos**, Gardener, retired March 23, 2019, died November 13, 2025. Survivorship benefits to Victor Llanos, spouse.
  
- d.** Notification of the death of **Frank R. Nerviaz**, Senior Pump Maintenance Worker, retired September 27, 2003, died October 30, 2025. No survivorship benefits.
  
- e.** Notification of the death of **John Reed**, Plant Mechanic, retired October 15, 2013, died September 27, 2025. Survivorship benefits to Julie Reed, spouse.
  
- f.** Notification of the death of **Jay Terrado**, Deputy Director, retired June 27, 2025, died November

1, 2025. Survivorship benefits to Cristina Kay Punsalang, spouse.

g. Notification of the death of **Gary D. Thompson**, Deputy Director, retired March 29, 2003, died October 19, 2025. No survivorship benefits.

**4. INVESTMENTS**

a. Oral update from the CIO of Retirement Services, Prabhu Palani.

**CIO Palani updated the Board on the following unaudited estimated performance, as reported by Meketa Investment Group:**

- For the fiscal year-to-date, as of December 16, 2025, the Pension Plan was up 5.48%.
- For the fiscal year-to-date, as of December 16, 2025, the Health Care Trust was up 6.77%.
- For the calendar year-to-date, the Pension Plan was up 12.84%.
- For the calendar year-to-date, the Health Care Trust was up 15.57%.

b. Presentation of Calendar 2nd Quarter 2025 Private Equity report by Neuberger Berman.

**Kaci Boyer from Neuberger Berman presented the item and responded to questions from Trustee Faulkner. Dhinesh Ganapathiappan, Senior Investment Officer, assisted in answering from Vice Chair Chandra, Trustee Faulkner, and Chair Horowitz.**

c. Presentation of Calendar 2nd Quarter 2025 Private markets report by Meketa Investment Group.

**Laura Wirick from Meketa Investment Group presented the item. Ms. Wirick responded to questions from Trustee Faulkner and Vice Chair Chandra. Dhinesh Ganapathiappan, Senior Investment Officer, assisted in addressing Vice Chair Chandra's questions.**

d. Presentation of Calendar 3rd Quarter 2025 Performance report for Pension Plan by Meketa Investment Group.

**Laura Wirick from Meketa Investment Group presented the item and answered questions from Trustee Abbott and Vice Chair Chandra. Chair Horowitz and Trustee Linder added comments.**

e. Presentation of Calendar 3rd Quarter 2025 Performance report for Health Care Trust by Meketa Investment Group.

**Laura Wirick from Meketa Investment Group presented the item.**

**5. OLD BUSINESS-DEFERRED/CONTINUED ITEMS-NONE**

**6. NEW BUSINESS**

a. Oral update from the CEO of Retirement Services, John Flynn.

CEO Flynn welcomed Trustee Chi and updated the Board on:

- 2026 Board Meeting schedule
- Staffing
- DCIO Overstrength request
- Investment Compensation Study
- Open Enrollment
- Procurements and Contracts
- Strategic Planning
- Suite 560
- ORS Offices will be closed during the City's Holiday Closure from December 24, 2025 to January 4, 2026
- Quarterly Trustee Educational Opportunities

CEO Flynn answered questions from Trustees Nakagawa and Abbott. Sandra Castellano, Benefits Division Manager, assisted in addressing their questions.

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

**Vice Mayor and City Council Liaison Foley was absent. There was no update.**

c. Discussion on preliminary results for the June 30, 2025, OPEB Valuation to be presented by Cheiron.

**Jacqui King and Bill Hallmark from Cheiron presented the item and answered questions from Chair Horowitz and Trustee Abbott.**

**The Board took a break from 9:44 a.m. to 10:02 a.m.**

d. Discussion and action on the final results for the June 30, 2025, Actuarial Valuation to be presented by Cheiron.

**This item was heard after item 2.1a.**

**Bill Hallmark and Jacqui King from Cheiron presented the item and answered questions from Trustees Chi and Nakagawa.**

**Brad Imamura, a member of the public, made public comments.**

**A motion was made to approve the final results for the June 30, 2025, Actuarial Valuation.**

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

e. Election of Chair of Board.

- Chair Nominee
  - Spencer Horowitz

**This item was heard after item 2.6b.**

**Chair Horowitz introduced the item. CEO Flynn read out the relevant provisions from the**

**Election of Board Officers Policy and answered questions from Chair Horowitz.**

The Board took action by open vote to elect Spencer Horowitz as Chair for the 2026 calendar year.

Chair Horowitz received the following affirmative votes: Deborah Abbott, Anurag Chandra, Brian Chi, Matthew Faulkner, Mark Linder, and Nathan Nakagawa. Spencer Horowitz abstained from the vote.

**f. Election of Vice Chair of Board.**

- Vice Chair Nominees
  - Anurag Chandra
  - Matthew Faulkner

Chair Horowitz introduced the item. Vice Chair Chandra added comments and encouraged Trustee Faulkner to accept the role of the Vice Chair, recommending him to the Board.

Trustees Linder and Faulkner added comments. Trustee Faulkner also thanked Vice Chair Chandra for his encouragement and accepted his recommendation.

Brad Imamura, a member of the public, made comments, which were addressed by Chair Horowitz.

The Board took action by open vote to elect Matthew Faulkner as Vice Chair for the 2026 calendar year.

Trustee Faulkner received the following affirmative votes: Anurag Chandra, Brian Chi, Mark Linder, Nathan Nakagawa, and Spencer Horowitz. Matthew Faulkner abstained from the vote.

Vice Chair Chandra received the following affirmative votes: Deborah Abbott.

**7. COMMITTEE MINUTES, REPORTS AND RECOMMENDATIONS**

**7.1 Investment Committee (Chandra, Horowitz, Faulkner)**

**Last Meeting: December 16, 2025    Next Meeting: February 24, 2026**

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

Chair Chandra updated the Board on the items discussed at the last meeting. Trustee Faulkner added comments.

**b. Minutes of the Federated Investment Committee meeting from September 8, 2025. Receive and file.**

The Minutes were received and filed.

**7.2 Audit/Risk Committee (Abbott, Linder, Vacant)**

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**Last Meeting: October 30, 2025    Next Meeting: February 19, 2026**

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

**There was no update.**

**7.3    Governance Committee (Abbott, Nakagawa, Vacant)**

**Last Meeting: December 4, 2025    Next Meeting: March 18, 2026**

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

- Discussion on term limits for committee assignments, including committee chairs.
- Discussion and action on updates to the Board Operations Policy.
- Discussion and action on the Trustee Educational Travel Policy.
- Discussion on the Strategic Planning project status - Oral update by Aon.

**Chair Abbott updated the Board on the items discussed at the last meeting. CEO Flynn and Chair Horowitz added comments.**

b. Minutes of the Governance Committee meeting from August 7, 2025. Receive and file.

**The Minutes were received and filed.**

**7.4    FCERS Disability Committee (Linder, Faulkner, Nakagawa)**

**Last Meeting: December 2, 2025    Next Meeting: February 10, 2026**

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

**Chair Linder advised the Board that the committee's next meeting is February 10, 2026.**

b. Minutes of the Federated Disability Committee meeting from September 2, 2025. Receive and file.

**The Minutes were received and filed.**

**7.5    Joint Personnel Committee (Chandra, Horowitz, Linder)**

**Last Meeting: December 12, 2025    Next Meeting: January 8, 2026**

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

Chair Chandra updated the Board on the items discussed at the last meeting and answered a question from Trustee Abbott. Trustees Horowitz and Linder added comments.

Brad Imamura, a member of the public, made comments.

b. Minutes of the Joint Personnel Committee meeting from October 24, 2025. Receive and file.

The Minutes were received and filed.

#### **7.6 Joint Personnel Adhoc Committee (Chandra)**

a. Oral update from the Joint Personnel Adhoc Committee.

There was no update. CEO Flynn made comments.

#### **8. EDUCATION & TRAINING**

The Education & Training was received and filed.

a. Quarterly Trustee Education Opportunities Report.

b. CALAPRS 2025 Program Calendar.

c. NCPERS 2026 Legislative Conference & Policy Day, Capitol Hill, Washington, DC, January 26 - 28, 2026.

d. CALAPRS General Assembly 2026, The Westin Carlsbad Resort & Spa, Carlsbad, CA, March 8 - 11, 2026.

- **PROPOSED AGENDA ITEMS**

None.

- **ADJOURNMENT**

The meeting adjourned at 11:52 a.m.

- **Next FCERS Board Meeting: January 22, 2026**

\*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 and related reports 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.

**Minutes Recorded, Prepared and Respectfully Submitted by,**

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**SPENCER HOROWITZ, CHAIR  
BOARD OF ADMINISTRATION**

**ATTEST:**

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**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

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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.