



# BOARD OF ADMINISTRATION

## Meeting Minutes - Final Joint - Personnel Committee

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Wednesday, January 31, 2024

11:00 AM

1737 N. 1st St. Suite 580, San Jose, CA  
95112

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### HYBRID MEETING

#### PHYSICAL LOCATION:

1737 North First Street, Suite 580  
San Jose, CA 95112

#### ZOOM INFORMATION:

zoom.us  
Dial In: +1 669-219-2599 US (San Jose)  
Meeting ID: 991 1791 1332  
Passcode: 770027

#### Police & Fire Committee Members

Eswar Menon, Chair  
Franco Vado, Trustee  
Andrew Gardanier, Trustee

#### Federated Committee Members

Anurag Chandra, Vice Chair  
Spencer Horowitz, Trustee  
Mark Linder, Trustee

#### Roberto L. Peña, CEO, Office of Retirement Services

#### Harvey Leiderman & Maytak Chin, General & Fiduciary Counsel

**Present** 6 - Eswar Menon, Anurag Chandra, Spencer Horowitz, Andrew Gardanier, Mark Linder, and Franco Vado

The Joint Personnel Committee met in person at 1737 N. First St., Suite 580 and via Zoom on Wednesday, January 31, 2024. The meeting was called to order at 11:00 a.m. by Chair Menon followed by roll call.

Committee members present: Eswar Menon, Andrew Gardanier, Mark Linder, Franco Vado, and Spencer Horowitz

Retirement Staff Present: Chris Ha, Edith Aldama, Cynthia Ayala, David Torres, Sherrell Aledo, Roberto Pena, and Barbara Hayman

Retirement Staff Present via Zoom: Linda Alexander

Also Present: Maytak Chin, General and Fiduciary Counsel, Sherrill Uyeda, Alliance Resource Consulting, LLC, and Trustee Anurag Chandra appeared by Zoom, but did not meet any of the Brown Act requirements to permit him to attend by teleconferencing, so Counsel Chin advised that Trustee Chandra was only permitted to participate as a member of the public for this meeting

**I. 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)**

None.

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

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**

Chair Menon called meeting to order at 11:00 A.M.

**• Orders of the Day**

Chair Menon read the following ground rules into the record:

**A FEW GROUND RULES FOR THIS MEETING**

- We are holding this meeting as a hybrid meeting, and so those who are attending virtually, please mute yourself unless you are speaking and if you wish to speak, please raise your hand and staff will alert the Chair.

**ORDERS OF THE DAY:**

- None.

**WAIVED SUNSHINE:**

This was heard after the Consent Calendar.

A motion was made to waive sunshine on the attachments for items 2a.

Approved. (M.S.C. Horowitz/Gardanier 5-0-0)

A motion was made to waive sunshine on the attachments for items 3ai and 3aii.

Approved. (M.S.C. Gardanier/Linder 5-0-0)

**1. CONSENT CALENDAR**

This was heard after roll call attendance and Orders of the Day.

A motion was made to approve the Consent Calendar.

Approved. (M.S.C. Horowitz/Gardanier 5-0-0)

- a. Approval of the Minutes from the December 22, 2023 Joint Personnel Committee meeting.

**2. OLD BUSINESS**

- a. Discussion and action on recommended changes to JPC Charter

This was heard after the committee’s Sunshine Ordinance vote.

Counsel Chin presented the proposed JPC charter changes and answered questions from the committee.

A motion was made to approve the proposed changes to the JPC Charter and to recommend them to the Boards.

Approved. (M.S.C.Horowitz/Vado 5-0-0)

**3. NEW BUSINESS**

- a. Presentation by Alliance Resource Consulting, LLC

Trustee Gardanier introduced this item. Sherrill Uyeda, Alliance Resource Consulting, LLC discussed the CEO search timeline and answered questions from the committee.

**CLOSED SESSION**

Closed session began at 11:26 A.M.

**CLOSED SESSION AGENDA ITEMS WILL BE HEARD AT 11:30 A.M.**

**I. CLOSED SESSION NEW BUSINESS**

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

Committee came out of closed session at 12:25 P.M. There was no reportable action from this

item from closed session.

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

Open session reconvened at 12:26 P.M.

- **PROPOSED AGENDA ITEMS**

None

- **PUBLIC COMMENTS**

None

- **ADJOURNMENT**

The meeting adjourned 12:27 P.M.

Minutes Recorded, Prepared and Respectfully submitted by,

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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.