BOARD OF ADMINISTRATION

Meeting Minutes - Final

Police & Fire Department Retirement Plan and Health Care Trust

Wednesday, August 19, 2026	9:00 AM	1737 N. First St. Suite 580, San Jose, CA 95112

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: 979 4963 3074

BOARD MEMBERS

Andrew Gardanier, Chair, Fire Active Rep (Term Expires 11/30/27)
Eswar Menon, Vice-Chair, Public Member (Term Expires 11/30/26)
Gretchen Flicker, Trustee, Public Member (Term Expires 4/30/27)
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) -- 3 Ethan Allen Ct, South Setauket, NY, 11720
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 11/30/29)

George Casey, City Council Liaison to the Board

Maytak Chin, General and Fiduciary Counsel

John Flynn, CEO, Office of Retirement Services

Present: 8 - Sunita Ganapati, Howard Lee, Eswar Menon, Richard Santos, Andrew Gardanier, David Kwan, David Woolsey and Gretchen Flicker

Absent: 1 - Franco Vado

The Board of Administration of the Police and Fire Department Retirement Plan and Health Care Trust met in person at 1737 N. First St., Suite 580, San Jose, CA 95112 and via Zoom on Wednesday, August 19, 2026 at 9:00 a.m. Chair Gardanier called the Pension Plan and Health Care Trust meeting to order at 9:02 a.m. followed by roll call.

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

Vice-Chair Menon arrived at 9:07 a.m.

Trustee Vado was absent.

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.

Retirement Staff Present: John Flynn, Amanda Hiew, Jay Kwon, Barbara Hayman, Dhinesh Ganapathiappan, Arun Nallasivan, Ellen Lee, Julie He, Jennifer You, Ron Kumar, David Aung, Edith Orosco, Nicholas Schlick, Gabriela Romero, and Sherrell Aledo.

Retirement Staff Present via Zoom: Benjie Chua-Foy, Shilpi Dwivedi, and Sylvia Mark.

Also Present: Maytak Chin, General and Fiduciary Counsel; and Colin Kowalski and Jonathan Camp, Meketa Investment Group.

Also Present via Zoom: Julie Becker and Benita Harper, Aon Consulting; Bill Gold, OER; Nate Weinstein, Public member; Bill Hallmark, Cheiron; Zack Cziryak, Public member; Laura Wirick, Meketa Investment Group; and Brett, Public member.

ADA ALERT

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.

AGENDA

CALL TO ORDER AND ROLL CALL

SB 707 REMOTE APPEARANCE(S)

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

• ORDERS OF THE DAY

Orders of the Day:

-Items 4c and 4d to be heard before Closed Session.

A motion was made to approve the Orders of the Day.

Approved. (M.S.C. Santos/Woolsey 7-0-0). This motion passed unanimously by roll call vote. Vice-Chair Menon was absent for this vote. Trustee Vado was absent.

A motion was made to waive sunshine on the asset liability study by Meketa Investments (attachment 2b).

Approved. (M.S.C. Santos/Gardanier 7-0-0). This motion passed unanimously by roll call vote. Vice-Chair Menon was absent for this vote. Trustee Vado was absent.

- **PUBLIC/RETIREE/GENERAL COMMENTS - Subject to Government Code Section 54954.3**
  - **Members of the public may comment on items not included on the agenda, provided that the matter is within the subject matter jurisdiction of the Board.**

None.

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:** PUBLIC EMPLOYEE PERFORMANCE EVALUATION 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:** PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO GOVERNMENT CODE SECTION 54957(b)(1). Position: Chief Executive Officer.

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

C. **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 9:57 a.m.

The Board took a break from 9:57 a.m. to 10:03 a.m.

OPEN SESSION - will reconvene following Closed Session, estimated to be 9:30 a.m.

Open Session re-convened at 10:03 a.m.

1. CONSENT CALENDAR

This item was heard after the Board took a break after Closed Session.

A motion was made to approve the Consent Calendar.

Approved. (M.S.C. Santos/Woolsey 8-0-0). This motion passed unanimously by roll call vote. Trustee Vado was absent.

1.1 Approval for a Service-Connected Disability Retirement

a. **Ian R. Cooley**, Police Officer, Police Department, Request for Service-Connected Disability Retirement, effective September 1, 2026; 31.57* years of service. (With Reciprocity - 28.43 CSJ YOS + 1.68 CSF + 1.46 PERS YOS) *(Disability Committee Recommendation: Approval)*

b. **Shayna L. Nail**, Police Officer, Police Department, Request for Service-Connected Disability Retirement, effective March 31, 2026; 10.30* years of service. *(Disability Committee Recommendation: Approval)*

1.2 Approval for a Change in Status to Service-Connected Disability Retirement

a. **Jesse D. Baliscao**, Fire Engineer, Fire Department, Request for Change of Status to Service-Connected Disability Retirement, effective September 14, 2023; 24.80* years of service. *(Disability Committee Recommendation: Approval)*

b. **Bryan W. Hodges**, Fire Captain, Fire Department, Request for Change of Status to Service-Connected Disability Retirement, effective January 21, 2023; 27.82* years of service. (With Reciprocity - 26.51 CSJ YOS + 1.31 PERS YOS) *(Disability Committee Recommendation: Approval)*

c. **Timothy Lewis**, Fire Prevention Inspector, Fire Department, Request for Change of Status to Service-Connected Disability Retirement, effective January 21, 2023; 22.11* years of service. (With Reciprocity - 21.11 CSJ YOS + 1 Costa County YOS) *(Disability Committee Recommendation: Approval)*

d. **Ray Ro**, Fire Captain, Fire Department, Request for Change of Status to Service-Connected Disability Retirement, effective August 19, 2023; 26.14* years of service. *(Disability Committee Recommendation: Approval)*

1.3 Approval Of Board Minutes

a. Approval of the Board Minutes of June 17, 2026.

1.4 Approval Of Travel and Reimbursements

a. John Flynn, CEO

- CALAPRS Administrators Institute, Carmel, CA, September 23 - 25, 2026.

b. Franco Vado

- NCPERS 2026 Public Safety Conference, Nashville, TN, October 25 - 28, 2026.

c. Reimbursements

- NCPERS Chief Officers Summit 2026, Newport Beach, CA, June 15 - 16, 2026 - John Flynn.

1.5 Approval of Return of Contributions

a. Voluntary | Involuntary

1.6 Communication and Information Reports

a. Police and Fire Department Retirement Plan Dashboard.

b. Report of the Monthly Board Expenses for May 2026. Receive and file.

c. Request for Consideration of Reasonable Good Cause for Trustee Vado's absence.

d. Report out of Closed Session from February 6, 2025 Police and Fire Board Meeting Regarding Existing Litigation (Government Code Section 54956.9(d)(4)). *LACERA v. County of Los Angeles* - Supreme Court of California.

e. City Council Adopted Resolution #RES2026-210 on June 16, 2026 - Approved changes to Compensation and Benefits for Executive Management and Professional Employees (Unit 99) for Fiscal Years 2026-2027, 2027-2028, and 2028-2029, effective June 21, 2026.

1.7 Education and Training

a. CALAPRS 2026 Program Calendar.

b. Quarterly Trustee Education Opportunities Report.

c. CALAPRS Virtual Trustees Roundtable, October 2, 2026.

d. NCPERS Fiduciary in Focus Workshop, Nashville, TN, October 24 - 25, 2026.

e. SACRS Annual Fall Conference 2026, Rancho Mirage, CA, November 10 - 13, 2026.

2. INVESTMENTS

a. Oral update by CIO, Jay Kwon.

CIO Kwon updated the Board and reported on the following unaudited estimated performance by Meketa Investment Group:

- For fiscal year that ended in June 2026, the Pension Plan was up 13.1% versus a benchmark of 14.6%.
- For fiscal year that ended in June 2026, the Health Care Trust was up 18.2% versus a benchmark of 17.5%.

- For FYTD as of August 17, 2026, the Pension Plan was up 1.29% versus a benchmark of 1.27%.
- For FYTD as of August 17, 2026, the Health Care Trust was up 1.9% versus a benchmark of 1.9%.

CIO Kwon addressed the asset liability study to be conducted. Trustee Ganapati asked a question to which CIO Kwon responded.

b. Presentation and discussion of asset liability study by Meketa Investments.

CIO Kwon introduced the item. Colin Kowalski and Jonathan Camp, Meketa Investment Group, presented the item and answered questions from Vice-Chair Menon and Trustees Lee, Ganapati and Kwan. CEO Flynn, Vice-Chair Menon, Chair Gardanier and Trustee Ganapati added comments. CIO Kwon and Bill Hallmark, Cheiron, assisted with answering questions.

3. OLD BUSINESS CONTINUED-DEFERRED ITEMS - NONE

4. NEW BUSINESS

a. Oral update by CEO, John Flynn.

CEO Flynn updated the Board on the following:

• Labor Relations Update & Contingency Planning
• Personnel Updates
• City Policy Updates
• Governance Work Updates
• Internal Audit Work Updates
• Strategic Planning
• First Budget Committee Meeting
• Current Procurements – CEM Benchmarking
• Upcoming Quarterly Retirement Workshops
• ORS office closed for Labor Day

CEO Flynn answered a question from Trustee Santos.

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

There was no update.

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

This item was heard after the Board's vote to waive sunshine.

Chair Gardanier introduced the item.

A motion was made to appoint Chair Gardanier as the Labor Negotiator for the Chief Executive Officer position.

Approved. (M.S.C. Ganapati/Kwan 7-0-0). This motion passed unanimously by roll call vote. Vice-Chair Menon was absent for this vote. Trustee Vado was absent.

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

Chair Gardanier introduced the item.

A motion was made to appoint Trustee Lee as the Labor Negotiator for the Chief Investment Officer position.

Approved. (M.S.C. Gardanier/Ganapati 7-0-0). This motion passed unanimously by roll call vote. Vice-Chair Menon was absent for this vote. Trustee Vado was absent.

e. Discussion and action on the Proposed 2027 Board and Standing Committee Meetings Schedule.

This item was heard after item 4b.

CEO Flynn spoke to the item.

A motion was made to approve the Proposed 2027 Board and Standing Committee Meetings Schedule.

Approved. (M.S.C. Santos/Ganapati 8-0-0). This motion passed unanimously by roll call vote. Trustee Vado was absent.

f. Discussion and action to approve the deletion of the Executive Assistant position and the addition of a Senior Supervisor, Administration position within the Administration Division.

CEO Flynn spoke to the item.

A motion was made to approve the deletion of the Executive Assistant position and the addition of a Senior Supervisor, Administration position within the Administration Division.

Approved. (M.S.C. Santos/Woolsey 8-0-0). This motion passed unanimously by roll call vote. Trustee Vado was absent.

g. Discussion on ADA Title II and Web Content Accessibility Guidelines (WCAG) requirements for Board meetings, presented by John Flynn, CEO.

CEO Flynn presented the item.

h. Discussion on Strategic Initiative 2.4.1 Membership Voice Survey, presentation by John Flynn, CEO.

CEO Flynn presented the item.

5. RETIREMENTS

5.1 Service Retirements

Chair Gardanier read the Service Retirements into the record.

A motion was made to approve the Service Retirements.

Approved. (M.S.C. Santos/Gardanier 8-0-0). This motion passed unanimously by roll call vote. Trustee Vado was absent.

a. **Derrick Bradley**, Fire Captain, Fire Department, effective July 19, 2026; 25.12* years of service.

b. **Ramon Gamino**, Fire Captain, Fire Department, effective August 13, 2026; 35.52* years of service.

c. **Francis Ryan**, Fire Captain, Fire Department, effective July 18, 2026; 30.00* years of service.

d. **Eddie L. Warner,** Fire Captain, Fire Department, effective September 10, 2026; 25.00* years of service.

5.2 Early Retirement

Chair Gardanier read the Early Service Retirements into the record.

A motion was made to approve the Early Service Retirements.

Approved. (M.S.C. Woolsey/Santos 8-0-0). This motion passed unanimously by roll call vote. Trustee Vado was absent.

a. **Timothy L. Faye**, Police Officer, Police Department, effective July 27, 2026; 22.78* years of service.

5.3 Deferred Vested

Chair Gardanier read the Deferred Vested Retirements into the record. Chair Gardanier and Trustee Woolsey said a few kind words.

A motion was made to approve the Deferred Vested Retirements.

Approved. (M.S.C. Santos/Woolsey 8-0-0). This motion passed unanimously by roll call vote. Trustee Vado was absent.

a. **Andrew J. Binder**, Police Sergeant, Police Department, effective July 8, 2026; 28.81* years of service. *(With Reciprocity - 17.67 CSJ YOS + 11.14 PERS YOS)*

6. DEATH AND SURVIVORSHIP NOTIFICATIONS (Moment of Silence)

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

a. Notification of the death of **Alberta Anders**, Police Officer, retired October 4, 1991, died July 22, 2026. No survivorship benefits.

b. Notification of the death of **Lacy L. Atkinson**, Deputy Fire Chief, retired October 8, 2005, died July 28, 2026. No survivorship benefits.

c. Notification of the death of **Sam Coomer**, Fire Fighter, retired February 9, 1971, died April 23, 2026. Survivorship benefits to Arlene Coomer, spouse.

d. Notification of the death of **Lawrence Fernsworth**, Police Sergeant, retired December 22, 1994, died June 11, 2026. Survivorship benefits to Claudia Fernsworth, spouse.

e. Notification of the death of **Michael Hahn**, Police Lieutenant, retired January 9, 2010, died July 5, 2026. Survivorship benefits to Carey Hood, spouse.

f. Notification of the death of **Donald Hale**, Police Officer, retired June 1, 2000, died April 28, 2026. Survivorship benefits to Gloria Hale, spouse.

g. Notification of the death of **William J. Meyers**, Fire Captain, retired January 7, 1993, died June 11, 2026. Survivorship benefits to Kathleen Meyers, spouse.

h. Notification of the death of **Jaime Saldivar**, Police Officer, retired January 13, 2007, died April 21, 2026. Survivorship benefits to Antonia Saldivar, spouse.

i. Notification of the death of **Loren Warning**, Fire Engineer, retired August 1, 1979, died June 1, 2026. No survivorship benefits.

7. COMMITTEE MINUTES, REPORTS AND RECOMMENDATIONS

7.1 Investment Committee (Lee, Gardanier, Ganapati, Kwan)

Last Meeting: April 28, 2026 **Next Meeting: August 26, 2026**

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

Chair Lee announced that the next meeting will take place on August 26, 2026.

7.2 Audit/Risk Committee (Woolsey, Ganapati, Menon)

Last Meeting: May 21, 2026 **Next Meeting: August 20, 2026**

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

Chair Woolsey announced that the next meeting will take place on August 20, 2026.

7.3 Governance Committee (Flicker, Vado, Santos)

Last Meeting: June 17, 2026 **Next Meeting: September 16, 2026**

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

- Discussion and action on updates to the Governance Review Roadmap.
- Discussion on launch of new Governance Document sites.

- Discussion and action to recommend adoption of Q2'26 Policy Update: Board of Administration Charter.
- Discussion and action to recommend adoption of Q2'26 Policy Update: CEO Performance Evaluation Policy.
- Discussion and action to recommend adoption of Q2'26 Policy Update: CIO Performance Evaluation Policy.
- Discussion on Q3'26 policies: CEO Charter, CIO Charter, Board Education Policy.

Chair Flicker updated the Board on matters regarding the last meeting.

b. Minutes of the Governance Committee meeting from March 18, 2026. Receive and file.

The Minutes were received and filed.

c. Discussion and action on updates to the Governance Review Roadmap.

Amanda Hiew, Program Manager, presented the item.

A motion was made to approve the Governance Review Roadmap.

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

d. Discussion and action to approve the updated Board of Administration Charter.

Chair Flicker and CEO Flynn spoke to the item.

A motion was made to approve the updated Board of Administration Charter.

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

e. Discussion and action to approve the updated CEO Performance Evaluation Policy.

Chair Flicker spoke to the item.

A motion was made to approve the updated CEO Performance Evaluation Policy.

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

f. Discussion and action to approve the updated CIO Performance Evaluation Policy.

Chair Flicker spoke to the item. Trustee Santos thanked Chair Flicker.

A motion was made to approve the updated CIO Performance Evaluation Policy.

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

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

Last Meeting: August 10, 2026 **Next Meeting: September 14, 2026**

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

Chair Santos announced that the next meeting will take place on September 14, 2026 and thanked disability staff and committee for their work.

b. Minutes of the Disability Committee meeting from June 8, 2026. Receive and file.

The Minutes were received and filed.

7.5 Joint Personnel Committee (Menon/Gardanier/Lee)

Last Meeting: April 1, 2026 **Next Meeting: August 31, 2026**

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

Chair Menon announced that the next meeting will take place on August 31, 2026.

7.6 Joint Budget Ad Hoc Committee

a. Oral update from the Joint Budget Ad Hoc Committee.

There was no update.

• PROPOSED AGENDA ITEMS

None.

• ADJOURNMENT

Next Meeting: September 16, 2026

The meeting adjourned at 12:23 p.m.

***Estimated**

Minutes Recorded, Prepared and Respectfully Submitted by,

ANDREW GARDANIER, CHAIR
BOARD OF ADMINISTRATION
ATTEST:

JOHN FLYNN, CEO
OFFICE OF RETIREMENT SERVICES

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 City of San José's Code of Conduct for Public Meetings in the Council Chambers and Committee Rooms (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.

In furtherance of these principles, the Board's Public Comment Policy establishes reasonable regulations governing public comment at its meetings and Committee meetings, consistent with the Ralph M. Brown Act, Government Code §§ 54950 et seq. Relevant provisions of the Public Comment Policy are listed below, and the full policy is available here: https://www.sjretirement.com/Resources/8e9a12ff-9d1d-4999-a547-6a1d804b6e34/Public%20Comment%20Policy%20%20-asterisk-.pdf

A. Public Speaker Recognition & Identification: Members of the public who wish to address the Board or its committees may state their name and affiliation for the record. Speakers will be called on in turn, and time limits as prescribed below will be set to ensure the meeting runs orderly.

B. Public Comment on Agenda Items: The public shall be afforded the opportunity to address the Board or Committee on each item on the agenda, limited to the matters directly related to the item under consideration, including closed session items prior to adjournment into closed session.

For each agenda item, the Chair shall invite public comment after the staff presentation and before Board or committee deliberation and action.
No individual shall be permitted to address the Board or Committee more than once on the same agenda item.

Each speaker is normally limited to two minutes per agenda item. Moreover, a speaker may not yield their time to another member of the public, bypassing the two-minute limit. If more than twelve individuals request to speak on a single agenda item, the Chair may reduce individual speaker time to one minute.

In all cases, the meeting Chair will allow twice the allotted time for a speaker who requires the use of a translator to address the Board or Committee.

C. General Public Comment: Each agenda shall include a designated General Public Comment item during which the public may address the Board or Committee on the subject matters within its jurisdiction that are not otherwise listed on the agenda.

D. Remote Public Comment: When remote public comment is offered, speakers participating remotely shall be subject to the same rules, time limits, and procedures as in-person speakers.

The Chair may, for meeting management purposes, sequence speakers by taking in-person public comment before remote public comment. Remote speakers shall be afforded the same individual time limits and total comment times as in-person speakers.

E. Chair Authority and Orderly Conduct: The Chair is responsible for maintaining the orderly conduct of meetings.

The Chair shall:

1) Enforce time limits and procedural rules established by this Policy

2) Provide notice and redirect speakers who stray from the subject of the agenda, or the subject matter jurisdiction of the Board or Committee

3) Remove or mute speakers who engage in disruptive conduct, including behavior that impedes the orderly conduct of the meeting, after appropriate warning that their behavior is disorderly and that their failure to cease such behavior may result in their removal, consistent with the Ralph M. Brown Act.

For the purpose of this Policy, "disruptive conduct" shall mean:

(1) Behavior during a meeting of the Board or Committee that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting;

(2) a failure to comply with this Policy; and

(3) Behavior that constitutes use of force or a true threat of force that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat of use of force by person making the threat.

This Policy supports open, lawful public comment and does not restrict the public's right to express criticism or viewpoints regarding the Board, its committees, staff, or the department.

F. Signs and Symbolic Materials: Members of the public may bring objects and symbolic materials, such as signs or banners, to meetings of the Board or its committees, subject to the following restrictions:

1) Size and Construction – No object shall be larger than two feet by three feet. No sticks, posts, poles, or similar items shall be attached to any sign or symbolic material. Items may not create a building maintenance problem or a fire or safety hazard.

2) Display and Conduct – Persons displaying signs or symbolic materials must remain seated while doing so and may not raise items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the conduct of the meeting.

3) Prohibited Items – Objects deemed a threat to persons at the meeting or to facility infrastructure are not permitted. ORS staff and building security are authorized to remove items and/or individuals from the meeting room if a threat exists or is perceived to exist. This restriction does not apply to firearms carried by active or retired law enforcement officers authorized to carry under applicable law. All other weapons, dangerous materials, and items unrelated to the meeting that create a safety or security concern are prohibited.

4) Prohibited Obscenity – Images or content of lewd material depicting sexual acts shall not be permitted.

Exceptions to the Board's Public Comment Policy may be made in the discretion of and by direction of the Chair.

Failure to comply with the City's Code of Conduct and the Board's Public Comment Policy will disturb, disrupt, or impede the orderly conduct of the meeting and may result in removal from the meeting