



BOARD OF ADMINISTRATION

Meeting Minutes Federated City Employees' Audit Committee

Thursday, December 15, 2022

11:10 AM

or immediately following the Special Federated Governance Committee meeting

MEETING TO BE HELD BY ZOOM CONFERENCE IN LIEU OF PHYSICAL LOCATION

zoom.us

Dial In: +1 669 900 9128 US (San Jose)

Meeting ID: 982 3296 6132

Pass Code: 311026

FCERS COMMITTEE MEMBERS

Mark Keleher, Chair

Julie Jennings, Trustee

Prachi Avasthy, Trustee

Roberto L. Peña, CEO, Office of Retirement Services

COUNSEL

Maytak Chin

*** COVID-19 NOTICE ***

Consistent with AB 361 and City of San Jose Resolution Number 80628, 80659, 80685, 80724 and 80758 this meeting will not be physically open to the public and the Board Members will be teleconferencing from remote locations.

How to submit written Public Comment:

- 1) By email to retirement.dept@sanjoseca.gov by 5:00 p.m. the day before the meeting.
- 2) By phone +1 669 219 2599 . Meeting ID: 982 3296 6132. The Chair will recognize public comment after each item and will be notified to speak.
- 3) By online <https://sanjoseca.zoom.us>
 - a. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
 - b. When the Chair calls for the item on which you wish to speak, click on "Raise Hand." Speakers will be notified shortly before they are called to speak.
 - c. When called, please limit your remarks.

- **Call to Order and Roll Call**

The Federated Audit Committee met via Zoom meeting on Thursday December 15, 2022. The meeting was called to order at 11:26 a.m. by Chair Jennings followed by roll call. Trustee Keleher was absent.

Retirement Staff Present via Zoom: Roberto L. Peña, Barbara Hayman, Ellen Lee, Linda Alexander, Sherrell Aledo, Khadijah Onyeije.

Also Present via Zoom: Maytak Chin, General and Fiduciary Counsel, Kevin Balaod, Public member.

- **Orders of the Day**

1. **Consent Calendar**

A motion was made to approve the Consent Calendar.

Approved (M.S.C.Avasthy/Jennings 2-0-0) The motion passed by a roll call vote.

Mark Keleher was absent

- a. Approval of the Minutes of the Special Audit Committee meeting from November 17, 2022.

Attachments: [1a - 11.17.22 SP AC - Final](#)

This Consent Calendar was accepted

2. **New Business**

- a. Discussion and action on factual findings for use of California Assembly Bill 361's abbreviated teleconferencing procedures.

Attachments: [2a - AB 361 FactFindingMemoFED1215](#)

Counsel Chin spoke to the item and explained the contents of the memo submitted to the Committee regarding evidentiary support for the Committee consideration of factual findings necessary for election to adopt AB 361's abbreviated teleconferencing procedures, which included:

- (1) Governor's proclamation on the continued state of emergency due to the ongoing COVID 19 pandemic; and
- (2) the City Council's recent resolution that continued to impose and recommend social distancing in City facilities.

A motion was made to adopt these as the Committee's factual findings under AB361 to allow

the Committee to continue meeting virtually for the next 30 days.

Approved. (M.S.C. Avasthy/Jennings 2-0-0) The motion passed unanimously by roll call vote.
Trustee Keleher was absent.

- **Proposed Agenda Items**

None.

- **Public Comments**

None.

- **Adjournment**

The meeting adjourned at 11:28 a.m.

Minutes Recorded, Prepared and Respectfully submitted by,

Roberto L. Peña, CEO, Office of Retirement Services