



BOARD OF ADMINISTRATION

Action Minutes

Police & Fire Department Retirement Plan and Health Care Trust

Tuesday, December 13, 2022

10:00 AM

SPECIAL 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: 927 9089 9024

Pass Code: 370981

Drew Lanza, Chair, Public Member (Term Expires 4/30/23)
Franco Vado, Vice-Chair, Police Retiree Rep (Term Expires 11/30/24)
Sunita Ganapati, Trustee, Public Member (Term Expires 11/30/26)
Andrew Gardanier, Vice-Chair, Fire Active Rep (Term Expires 11/30/23)
David Kwan, Trustee, Public Member (Term Expires 11/30/24)
Howard Lee, Trustee, Public Member (Term Expires 11/30/26)
Eswar Menon, Trustee, Public Member (Term Expires 11/30/26)
Richard Santos, Trustee, Fire Retiree Rep (Term Expires 11/30/26)
Dave Wilson, Trustee, Police Active Rep (Term Expires 11/30/25)

Pam Foley, City Council Liaison to the Board

Harvey Leiderman & Maytak Chin, General and Fiduciary Counsel

Roberto L. Peña, CEO, Office of Retirement Services

The Board of Administration of the Police and Fire Department Retirement Plan and Health Care Trust met via Zoom on Tuesday, December 13, 2022. The meeting was called to order at 10:00 a.m. by Chair Lanza followed by roll call.

Trustee Santos and Trustee Kwan were absent. Trustee Lee joined at 10:01 a.m. Trustee Ganapati joined at 10:02 a.m.

Retirement Staff Present via Zoom: Roberto L. Peña, Barbara Hayman, Ron Kumar, Ellen Lee, Sherrell Aledo Linda Alexander, Khadijah Onyeije and Michelle San Miguel.

Also Present via Zoom: Harvey Leiderman, General and Fiduciary Counsel; and Kevin Balaod, Journalist-With Intelligence.

AGENDA

CALL TO ORDER AND ROLL CALL

OPEN SESSION

- ORDERS OF THE DAY

Chair Lanza read the following ground rules into the record:

We are continuing to meet virtually at this meeting and are doing so pursuant to AB 361.

- As such, all votes will be roll call votes.
- If you are not speaking, please be on mute to cut background noise.
- For discussion items, each trustee will have a turn to speak in roll call order, more than once if desired.
- The public will have an opportunity to speak on each item after trustees.
- The public will also have an opportunity to speak again at the end of the meeting on any other item not on the agenda that is within the subject jurisdiction of the Board.

Waive Sunshine (attachment posted late):

1a - Discussion and action on factual findings for use of California Assembly Bill 361's abbreviated teleconferencing procedures.

A motion was made to waive Sunshine on the attachment for 1a.

Approved. (M.S.C. Wilson/Menon 6-0-0) The motion passed unanimously by roll call vote. Trustee Santos and Trustee Kwan were absent. Trustee Ganapati did not vote.

- PUBLIC/RETIREE/GENERAL COMMENTS - Not Related to A Specific Agenda Item

None.

- 1. NEW BUSINESS

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

Counsel Leiderman spoke to the item and explained the contents of the memo submitted to the Board regarding evidentiary support for the Board's 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 Board's factual findings under AB361
to allow the Board to continue meeting virtually for the next 30 days.

Approved. (M.S.C. Vado/Lee 7-0-0) The motion passed unanimously by roll call
vote. Trustee Santos and Trustee Kwan were absent.

- **PROPOSED AGENDA ITEMS**

None.

- **ADJOURNMENT**

Next Meeting: January 5, 2023

The meeting adjourned at 10:04 a.m.

Minutes Recorded, Prepared and Respectfully Submitted by,

DREW LANZA, CHAIR
BOARD OF ADMINISTRATION

ATTEST:

ROBERTO L. PEÑA, CEO
OFFICE OF RETIREMENT SERVICES