



# BOARD OF ADMINISTRATION

## Meeting Minutes - Final Police and Fire Governance Committee

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Thursday, November 4, 2021

11:40 AM

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or immediately following the conclusion of the P&F Audit/Risk Committee meeting

### SPECIAL MEETING

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

zoom.us

Dial In: +1 669 219 2599 US (San Jose)

Meeting ID: 923 0190 5674

Pass code: 471095

#### COMMITTEE MEMBERS

*Franco Vado, Chair*

*Sunita Ganapati, Trustee*

*Richard Santos, Trustee*

#### COUNSEL

*Harvey Leiderman & Maytak Chin, General and Fiduciary Counsel*

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

The P&F Governance Committee met on Thursday, November 4, 2021 via Zoom. The meeting was called to order at 11:06 a.m. by Chair Vado.

Staff present: Roberto Peña, Prabhu Palani, Barbara Hayman, Marti Zarate, Linda Alexander and Michelle San Miguel.

Others Present: Harvey Leiderman, General Counsel; Maytak Chin, General Counsel; Drew Lanza, Public Attendee.

### • ORDERS OF THE DAY

Chair Vado read the following into the record:

#### A FEW GROUND RULES FOR THIS MEETING

- 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 (attachments received late):**

- 2a - 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 2a.

Approved. (M.S.C. Santos/Ganapati 3-0-0) The motion passed unanimously by roll call vote.

**1. Consent Calendar**

A motion was made to approve the Consent Calendar.

Approved. (M.S.C. Santos/Ganapati 3-0-0) The motion passed unanimously by roll call vote.

- a. Approval of the Minutes of the Special Governance Committee meeting from October 7, 2021.

**2. NEW BUSINESS**

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

**Counsel Chin introduced and spoke to the item. Ms. Chin explained the contents of the memo submitted to the Committee regarding evidentiary support for the Committee'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 and 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. Santos/Ganapati 3-0-0) The motion passed unanimously by roll call vote.

- b. Discussion and action on recommendation of Board policy for making determinations regarding benefit adjustments based on a member's felony conviction, pursuant to the provisions of the San Jose Municipal Code and San Jose City Charter.

This Item was deferred to the next meeting.

**PROPOSED AGENDA ITEMS**

None.

**PUBLIC COMMENT**

None.

**ADJOURNMENT**

The meeting adjourned at 11:12 a.m.

Minutes Recorded, Prepared and Respectfully submitted by,

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Roberto L. Peña, CEO, Office of Retirement Services