



# BOARD OF ADMINISTRATION

## Meeting Minutes - Final Police & Fire Department Retirement Plan and Health Care Trust

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Friday, July 29, 2022

10:00 AM

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### SPECIAL MEETING

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

[zoom.us](https://zoom.us)

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

Meeting ID: 936 4142 3008

Password: 006841

*Drew Lanza, Chair, Public Member (Term Expires 4/30/23)*  
*Andrew Gardanier, Vice-Chair, Fire Active Rep (Term Expires 11/30/23)*  
*David Kwan, Trustee, Public Member (Term Expires 11/30/24)*  
*Sunita Ganapati, Trustee, Public Member (Term Expires 11/30/22)*  
*Howard Lee, Trustee, Public Member (Term Expires 11/30/22)*  
*Eswar Menon, Trustee, Public Member (Term Expires 11/30/22)*  
*Richard Santos, Trustee, Fire Retiree Rep (Term Expires 11/30/22)*  
*Franco Vado, Trustee, Police Retiree Rep (Term Expires 11/30/24)*  
*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*

**Present:** 8 - Eswar Menon, Andrew Gardanier, David Kwan, Howard Lee, Andrew Lanza,  
Richard Santos, Dave Wilson and Franco Vado

**Absent:** 1 - Sunita Ganapati

The Board of Administration of the Police and Fire Department Retirement Plan and Health Care Trust met via zoom on Friday, July 29, 2022 at 10:00 a.m. Chair Drew Lanza called the Pension Plan and Health Care Trust meeting to order at 10:01 a.m. followed by roll call.

Retirement Staff Present via Teleconference: Roberto L. Peña, Barbara Hayman, Ron Kumar, Ellen Lee, Marti Zarate, Linda Alexander and Michelle San Miguel.

Also Present via Teleconference: Maytak Chin, General and Fiduciary Counsel; Kevin Balaod, Journalist.

**AGENDA**

**CALL TO ORDER AND ROLL CALL**

**OPEN SESSION**

• **ORDERS OF THE DAY**

Chair Lanza read the following Orders of the Day into the record:

- All votes will be roll call votes.
- If you are not speaking, please be on mute to cut background noise.
- We run great, open meetings. But we need a different etiquette. Do not interrupt a presenter. Take notes and ask later during the comment period.
- Board Members please stay on this Zoom meeting call after the Regular meeting ends – The public special meetings for each Committee to address California Assembly Bill No. 361 will take place using the same Zoom meeting ID and password.

WAIVE SUNSHINE (amended/attachments received 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. Santos/Gardanier 7-0-0) The motion passed unanimously by roll call vote. Trustee Lee was unable to vote. Trustee Ganapati was absent.

• **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 Chin introduced and spoke to the item. Ms. Chin 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) As a result of proclaimed state of emergency, meeting in person would present imminent risks to the health and safety of attendees due to the current situation with COVID19.

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. Santos/Gardanier 8-0-0) The motion passed unanimously by roll call vote.  
Trustee Ganapati was absent.

- **PROPOSED AGENDA ITEMS**

None.

- **ADJOURNMENT**

The meeting adjourned at 10:06 a.m.

\*Estimated

Minutes Recorded, Prepared and Respectfully Submitted by,

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DREW LANZA, CHAIR  
BOARD OF ADMINISTRATION

ATTEST:

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ROBERTO L. PEÑA, CEO  
OFFICE OF RETIREMENT SERVICES