



# BOARD OF ADMINISTRATION

## Meeting Agenda - Final-revised Federated City Employees' Retirement System and Federated City Employees' Health Care Trust

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Thursday, March 21, 2024

8:30 AM

City Hall, Wing Rooms 118 - 120  
200 E. Santa Clara St. San Jose, CA 95113

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### HYBRID MEETING

#### PHYSICAL LOCATION:

City Hall, Wing Rooms 118-120, 200 E. Santa Clara St. San Jose, Ca 95113

#### ZOOM INFORMATION:

zoom.us

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

Meeting ID: 997 3665 3298

Passcode: 126162

#### **BOARD MEMBERS**

*Spencer Horowitz, Chair (Term Expires 11/30/24)*  
*Julie Jennings, Vice-Chair (Term Expires 11/30/27) -- 855 E. Hilton Dr., Boulder Creek, CA 95006*  
*Deborah Abbott, Trustee (Term Expires 11/30/26)*  
*Prachi Avasthy, Trustee (Term Expires 11/30/25)*  
*Anurag Chandra, Trustee (Term Expires 11/30/26)*  
*Matthew Faulkner, Trustee (Term Expires 11/30/27)*  
*Mark Linder, Trustee (Term Expires 11/30/24)*

#### **CITY COUNCIL LIAISON TO THE BOARD**

*Dev Davis*

#### **COUNSEL**

*Maytak Chin, General and Fiduciary Counsel*

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

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### ADA ALERT

In accordance with the requirements of AB 2449, 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

Senate Bill 1439 ("Levine Act") amended Government Code Section 84308 and requires disclosure and recusal by a local elected official and some members of boards and commissions if they receive campaign contributions over \$250 from a party, a participant with a financial interest in a proceeding, or their respective agents. The Levine Act was an anti-corruption law intended to curb "pay-to-play" and enhance public trust so that decision-makers can maintain their independence from the influence of donations for political campaigns. SB 1439 expanded the scope from state agency appointees or appointed local officials to include local elected officials. Please visit <https://www.sanjoseca.gov/your-government/appointees/city-clerk/levine-act> for updated forms and information.

### I. AB 2449 REMOTE APPEARANCE(S)

#### a. Just Cause Circumstance(s) (Gov't Code § 54953)

i. The following Trustee(s) have notified the Board of a "Just Cause" to attend this meeting via teleconference.

NONE

ii. Call for Trustee(s) who wish to notify the Board of a "Just Cause" to attend this meeting via teleconference.

**b. Emergency Circumstance(s) (Gov't Code § 54953)**

i. The following Trustee(s) have requested the Board approve their attendance of this meeting via teleconference due to an "Emergency Circumstance."

**NONE**

ii. Call for Trustee(s) requesting the Board approve their attendance of this meeting via teleconference due to an "Emergency Circumstance."

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

**AGENDA**

**CALL TO ORDER AND ROLL CALL**

**CLOSED SESSION**

**CLOSED SESSION AGENDA ITEMS WILL BE HEARD AT 8:30 A.M.**

**II. CLOSED SESSION NEW BUSINESS/CONTINUED-DEFERRED ITEMS**

- A. CLOSED SESSION:** PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO GOVERNMENT CODE SECTION 54957(b)(1). Chief Executive Officer and counsel.
- B. CLOSED SESSION:** CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(1) - PENDING LITIGATION: Preservation of Benefit Plan Retirees Association v. City of San Jose, A. Board of Administration Et. Al., Santa Clara County Superior Court No. 17CV312610.
- C. CLOSED SESSION:** CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION 54956.9(e)(3) - RECEIPT OF CLAIM PURSUANT TO THE GOVERNMENT CLAIMS ACT - ONE CLAIM: Preservation of Benefit Plan Retirees Association v. Board of Administration of the Federated Employees Retirement System.
- D. CLOSED SESSION:** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to Section 54956.9(d)(2): Two cases.

**OPEN SESSION - will reconvene following Closed Session, estimated to be 10:00 a.m.**

**• ORDERS OF THE DAY**

**• PUBLIC/RETIREE/GENERAL COMMENTS - Not Related to a Specific Agenda Item**

**1. CONSENT CALENDAR**

### **1.1 Approval for a Change of Status to Service-Connected Disability Retirement**

- a. Norman Serrano**, Park Maintenance Repair Worker II, Parks, Recreation & Neighborhood Services, Request for Change of Status to Service-Connected Disability Retirement, effective July 28, 2018; 29.94\* years of service. (*Staff Disability Committee Recommendation: Approval*)
- b. Jose Villanueva**, Maintenance Worker I, Parks, Recreation & Neighborhood Services, Request for Change of Status to Service-Connected Disability Retirement, effective March 31, 2018; 17.07\* years of service. (*Staff Disability Committee Recommendation: Approval*)

### **1.2 Approval of Service Retirements**

- a. Michael Brilliot**, Deputy Director, Planning, Building and Code Enforcement, effective March 30, 2024; 26.54\* years of service.
- b. Steven Colby**, Senior Automation Engineer II, Environmental Services Department, effective March 30, 2024; 33.11\* years of service.
- c. Ted Cordero**, Lead Maintenance Worker II, Department of Transportation, effective March 30, 2024; 23.32\* years of service.
- d. John Ficklin**, Environmental Services Specialist, Environmental Service Department, effective March 16, 2024; 27.04\* years of service.
- e. Stephen V. Gaffaney**, Analyst II, Police Department, effective March 30, 2024; 17.15\* years of service.
- f. Bahar Ghofraniha**, Environmental Inspector II, Environmental Services Department, effective March 30, 2024; 16.98\* years of service.
- g. S. Shasta Greene**, Senior Deputy City Attorney, City Attorney's Office, effective March 30, 2024; 15.56\* years of service.
- h. Shelley W. Guo**, Division Manager, Public Works Department, effective March 30, 2024; 22.92\* years of service.
- i. Charles T. Hill**, Supervising Community Service Officer, Police Department, effective April 5, 2024; 9.55\* years of service.
- j. Rogelio O. Hurtado**, Analyst II, Fire Department, effective March 30, 2024; 9.23\* years of service.
- k. Khojasteh Khosraviani-Zadeh**, Associate Engineer, Environmental Services Department, effective March 30, 2024; 27.78\* years of service.
- l. Monique L. Melchor**, Division Manager, Office of Economic Development, effective March 30, 2024; 22.32\* years of service.
- m. Perihan Putman**, Senior Geographic Information System Specialist, Fire Department, effective March 30, 2024; 23.28\* years of service.
- n. Sharona Rozario**, Administrative Assistant, Housing Department, effective March 30, 2024;

23.65\* years of service. (*With Reciprocity - 23.47 CSJ + 0.18 PERS = 23.65 YOS*)

- o. Coco Salazar**, Public Communication Specialist, Police Department, effective March 30, 2024; 16.55\* years of service.
- p. Erwin Wong**, Associate Engineer, Environmental Services Department, effective March 31, 2024; 27.41\* years of service.
- q. Hua Q. Zeng**, Analyst II, Fire Department, effective March 30, 2024; 30.10\* years of service. (*With Reciprocity - 26.01 CSJ + 4.09 PERS = 30.10 YOS*)

### **1.3 Approval of Deferred Vested**

- a. Denise M. Cameron**, Senior Airport Operations Specialist I, Airport Department, effective March 25, 2024; 15.38\* years of service.
- b. Jeannie Fernandes**, Senior Account Clerk, Department of Transportation, effective March 23, 2024; 21.20\* years of service.
- c. Michael Rhoades**, Supervising Environmental Services Specialist, Environmental Services Department, effective April 15, 2024; 9.11\* years of service.

### **1.4 Approval of Board Minutes**

- a.** Approval of the Board Minutes of February 15, 2024.

**Attachments:**      [1.4a - FED Board 2-15-24 Minutes-Final.pdf](#)

### **1.5 Approval of Return of Contributions**

- a.** Voluntary | Involuntary

**Attachments:**      [1.5a - FED ROC Review - February 2024.pdf](#)

### **1.6 Acceptance of Communication/Information Reports**

- a.** Report of the Monthly Board Expenses for January and February 2024. Receive and file.

**Attachments:**      [1.6a\(1\) - FED Jan 2024 Monthly Expenses Report.pdf](#)  
                             [1.6a\(2\) - FED Feb 2024 Monthly Expenses Report.pdf](#)

- b.** Mayor's March Budget Message for Fiscal Year 2024-2025.

**Attachments:**      [1.6b - Mayor's Budget Message for FY 2024-2025.pdf](#)

- c. Educational Travel Reports:**

- CALAPRS, General Assembly 2024, Rancho Mirage, CA, March 2 - 5, 2024 - by Spencer Horowitz.

**Attachments:**      [1.6c - Spencer Horowitz CALAPRS Travel Content Report.pdf](#)

### **1.7 Approval of Travel / Conference Attendance**

- a. Matthew Faulkner, Trustee
  - Pension Bridge Annual 2024, Half Moon Bay, CA, April 15 - 17, 2024.
- b. Spencer Horowitz, Trustee
  - Pension Bridge Annual 2024, Half Moon Bay, CA, April 15 - 17, 2024.
- c. Mark Linder, Trustee
  - CALAPRS Advanced Principles of Pension Governance for Trustees, UCLA, Los Angeles, CA, March 27 - 29, 2024.

### **2. DEATH AND SURVIVORSHIP NOTIFICATIONS (Moment of Silence)**

- a. Notification of the death of **Kay Barrette**, Principal Account Clerk, retired September 3, 1989, died February 16, 2024. No survivorship benefits.
- b. Notification of the death of **Dorothy Braga**, Secretary, retired November 12, 1989, died January 12, 2024. No survivorship benefits.
- c. Notification of the death of **James H. Crabtree**, Electrician, retired November 12, 2004, died February 11, 2024. No survivorship benefits.
- d. Notification of the death of **Janice Hartman**, Secretary, retired July 16, 2000, died January 6, 2024. Survivorship benefits to Harvey Hartman, spouse.
- e. Notification of the death of **Sandra Haynes**, Senior Police Data Specialist, retired August 30, 2003, died February 1, 2024. No survivorship benefits.
- f. Notification of the death of **Mary E. Reynolds**, Library Clerk, retired October 4, 1987, died February 7, 2024. No survivorship benefits.
- g. Notification of the death of **Roger Tam**, Associate Civil Engineer, retired November 2, 1996, died January 15, 2024. No survivorship benefits.
- h. Notification of the death of **Cecil Valverde**, Street Sweeper, retired November 21, 1981, died January 5, 2024. No survivorship benefits.
- i. Notification of the death of **Donald G. Walizer**, Senior Maintenance Worker, retired November 7, 1992, died January 25, 2024. Survivorship benefits to Alvina Walizer, spouse.

### **3. INVESTMENTS**

- a. Oral update by CIO, Prabhu Palani.
- b. Presentation of Calendar 3rd Quarter 2023 Private Equity report by Neuberger Berman.

**Attachments:**      [3b - Investment Report for SJ Federated City Employees' Retirement.pdf](#)

- c. Presentation of Calendar 3rd Quarter 2023 Private markets report by Meketa Investment Group.

**Attachments:**      [3c - Q3 2023 PM Report SJ FED-PUBLIC.pdf](#)

- d. Presentation of Calendar 4th Quarter 2023 Performance report for Pension Plan by Meketa Investment Group.

**Attachments:**      [3d - Q4 2023 Performance Report-SJ FED Pension.pdf](#)

- e. Presentation of Calendar 4th Quarter 2023 Performance report for Health Care Trust by Meketa Investment Group.

**Attachments:**      [3e - Q4 2023 Performance Report-SJ FED HCT.pdf](#)

- f. Discussion and action on Capital Markets Assumptions by Meketa Investment Group.

**Attachments:**      [3f\(1\) - 24.02.20 Asset Allocation Analysis-SJ FED.pdf](#)

[3f\(2\) - Asset Allocation 2 Percent IBG to LTGB-SJ FED ERS.pdf](#)

- g. Discussion and action regarding the prefunding of the City's retirement contribution.

**Attachments:**      [3g\(1\) - Prefunding Cover Memo-FED Board.pdf](#)

[3g\(2\) - Reed Smith memo on prefunding.pdf](#)

[3g\(3\) - Prefunding Risk Mitigation Process Recommendation-1.pdf](#)

[3g\(4\) - Prefunding Risk Mitigation Process Update Recommendation to both ICs](#)

- h. Discussion and action to add funds for additional services to the following investment related subscription agreements and for the CEO to negotiate and execute amendments with the following firms (\*cost shared 50/50 with Police and Fire plan):

- \*Bloomberg Index Services (Term 8/1/2024 - 7/31/2025; NTE \$15,000)
- \*Frank Russell Company (Term 1/3/2024 - 6/30/2025; NTE \$1,600)
- \*JP Morgan (Term 8/20/2024 - 6/30/2025; NTE \$9,000)
- \*Bloomberg Finance, L.P. (Term 8/27/2024 - 8/28/2025; NTE \$165,000)
- \*Burgiss Group, LLC (Term 7/1/2024 - 6/30/2026; NTE \$44,000)
- \*eVestment (Term 7/1/2024 - 6/30/2025; NTE \$27,500)
- \*Institutional Limited Partners Association (Term 3/1/2024 - 6/30/2025; NTE \$7,500)
- \*Pitchbook Data, Inc. (Term 7/1/2024 - 6/30/2025; NTE \$29,000)
- \*Klarity Fx (Term 7/1/2024 - 6/30/2025; NTE \$22,500)
- \*Zeno (Abel Noser) Solutions (Term 7/1/2024 - 6/30/2025; NTE \$16,500)

**Attachments:**      [3h - FED Subscriptions Renewals 03-13-2024.pdf](#)

#### **4. OLD BUSINESS-DEFERRED/CONTINUED ITEMS-NONE**

#### **5. NEW BUSINESS**

- a. Oral update by CEO, Roberto L. Peña.

- b. Oral update from the City Council Liaison to the Board.
- c. Discussion and action regarding approval to increase the FY 2023-2024 administrative budget for 1) personnel services by \$150,000 to a total of \$4,456,000 and 2) professional services by \$300,000 to a total of \$1,231,000.  
**Attachments:**      [5c - Administrative Budget Increase 3.21.24.pdf](#)
- d. Discussion and action on the proposed administrative budget for fiscal year 2024-2025.  
**Attachments:**      [5d\(1\) - FED FY 24-25 Budget Presentation 3.21.24.pdf](#)  
                                 [5d\(2\) - FED Proposed Admin Budget for FY2025.pdf](#)
- e. Discussion on proposed City Ordinance to amend San Jose Municipal Code Part 4.12 and Sections 3.28.155 and amendments to Section 7 of the City's Sunshine Resolution.  
**Attachments:**      [5e - Memo re Proposed Amendment - Signed.pdf](#)
- f. Discussion and action to authorize the CEO to negotiate and retain separate tax counsel to evaluate City's Proposed Municipal Code changes on contracting and procurement for ORS.
- g. Discussion and action on recommendations to City Council for changes to City Policies for ORS operations.  
**Attachments:**      [5g\(1\) - CPM 213 Discipline Policy \(Revised for ORS Operations\).pdf](#)  
                                 [5g\(2\) - CPM 532 Check Processing \(Final Redline\).pdf](#)  
                                 [5g\(3\) - CPM 534 Recording Payments \(Final Redline\).pdf](#)  
                                 [5g\(4\) - CPM 536 General Guidelines for AR & Rev Collection\(Final Redline\).pdf](#)  
                                 [5g\(5\) - CPM 537 General Guidelines for Chk Handling Proc\(Final Redline\).pdf](#)
- h. Discussion and action on amendments to Federated Board Charter to reflect changes from Joint Personnel Committee regarding CEO and CIO employment issues.  
**Attachments:**      [5h - FED-REDLINED-Board Charter Amendments in Light of JPC Tie Breaker .r](#)

## **6. COMMITTEES/REPORTS/RECOMMENDATIONS**

### **6.1 Investment Committee (Chandra, Horowitz, Faulkner)**

**Last Meeting: February 20, 2024      Next Meeting: April 23, 2024**

- a. Oral update from the Chair of the Investment Committee.
- b. Approval of the Minutes of the Federated Investment Committee meeting from December 13, 2023.  
**Attachments:**      [6.1b - FED IC 12-13-24 Minutes-Final.pdf](#)



## **6.2 Audit Committee (Avasthy, Jennings, Abbott)**

**Last Meeting: March 1, 2024      Next Meeting: April 11, 2024**

- a. Oral update from the Chair of the Audit/Risk Committee.
- b. Minutes of the Joint Audit Committee meeting from October 19, 2023. Receive and file.

**Attachments:**      [6.2b - JAC 10-19-23 Minutes-Final.pdf](#)

- c. Discussion and action on ORS Management's Amended Response on Finding 1 in "Audit: Procurement and Contract Oversight" Report by ORS Senior Internal Auditor, dated May 18, 2023, regarding Granicus contract.

**Attachments:**      [6.2c - 2023 JAC Response to Findings\\_02082024.pdf](#)

- d. Discussion and action on ORS Management's Amended Response on Finding 3 in "Audit: Procurement and Contract Oversight" Report by ORS Senior Internal Auditor, dated May 18, 2023, regarding laptop purchase during COVID 19.

**Attachments:**      [6.2d - 2023 JAC Response to Findings\\_02082024.pdf](#)

- e. Discussion and action on Annual Audit Plan following discussion from October 2023 Joint Audit Committee meeting.

**Attachments:**      [6.2e\(1\) - ORS Internal Audit Charter.pdf](#)

[6.2e\(2\) - ORS Five-Year Internal Audit Plan FY 2019-2024.pdf](#)

- f. Update from the City Auditor, Joseph Rois.

**Attachments:**      [6.2f\(1\) - Memorandum from Mayor 10.23.23.pdf](#)

[6.2f\(2\) - Memorandum from Mayor Davis and Foley 8.9.23 Rules.pdf](#)

[6.2f\(3\) - Retirement Services Interim Audit Report 10.23.pdf](#)

- g. Discussion and action on request to custodial bank (Bank of New York Mellon) to correct fiscal years 2016-2023 Pension Plans returns based on the results of the Agreed Upon Procedures work completed by Macias Gini & O'Connell LLP audit firm.

**Attachments:**      [6.2g - Memo Requesting BNYM to Correct FY 2016-2023 PP Returns.pdf](#)

## **6.3 Governance Committee (Linder, Abbott, Avasthy)**

**Last Meeting: March 7, 2024      Next Meeting: June 20, 2024**

- a. Oral update from the Chair of the Governance Committee.
- b. Approval of the Minutes of the Governance Committee meeting from January 29, 2024. Receive and file.

Attachments:      [6.3b - JGC 1.29.24 Minutes-Final.pdf](#)

- c. Discussion and action on proposed Board's Trustee Educational Travel Policy.

Attachments:      [6.3c\(1\) - March 2024 - SJ Plans - Joint Board Travel Policy \(Fed\).pdf](#)  
                             [6.3c\(2\) - SJ Plans - Travel Policy Comparison with City\(177192716.3\).pdf](#)

#### **6.4 FCERS Disability Committee (Linder, Jennings, Faulkner)**

**Last Meeting: March 5, 2024      Next Meeting: April 2, 2024**

- a. Oral update from the Chair of the Disability Committee.
- b. Approval of the Minutes of the Federated Disability Committee meeting from February 6, 2024.  
Receive and file.

Attachments:      [6.4b - FED DC 2-6-24 Minutes-Final.pdf](#)

- c. Training on the new disability retirement checklist.

Attachments:      [6.4c - FED Checklist Slide.pdf](#)

#### **6.5 Joint Personnel Committee (Chandra, Horowitz, Linder)**

**Last Meeting: March 19, 2024      Next Meeting: TBD**

- a. Oral update from the Chair of the Joint Personnel Committee.
- b. Approval of the Minutes from the January 31, 2024 Joint Personnel Committee meeting.  
Receive and file.

Attachments:      [6.5b - JPC 1-31-24 Minutes-Final.pdf](#)

#### **7. EDUCATION & TRAINING**

- a. The Cortex Report - March 2024, Conferences, Seminars and Educational Programs.

Attachments:      [7a - San Jose Cortex Report - March 2024 Edition.pdf](#)

- b. CALAPRS, Advanced Principles of Pension Governance for Trustees, UCLA Luskin Conference Center, Los Angeles, CA, March 27 - 29, 2024.

Attachments:      [7b - CALAPRS Advanced Principles of Pension Governance for Trustees.pdf](#)

- c. Pension Bridge The Annual 2024, Ritz-Carlton, Half Moon Bay, CA, April 15 - 17, 2024.

Attachments:      [7c - Pension Bridge The Annual 2024 Agenda.pdf](#)

- d. CALAPRS, 2024 Management/Leadership Academy, The Westin Hotel, Pasadena, CA, April 22 - 23, June 10 - 12, and July 22 - 24, 2024.

Attachments:      [7d - CALAPRS 2024 Management Leadership Academy.pdf](#)

• **PROPOSED AGENDA ITEMS**

• **ADJOURNMENT**

• **Next FCERS Board Meeting: April 18, 2024**

\*Estimated

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 and related reports 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.

## **The Code of Conduct**

(<https://www.sanjoseca.gov/home/showpublisheddocument/12901/63667000496663000>) 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.

### **1. Public Meeting Decorum:**

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

### **2. Signs, Objects or Symbolic Material:**

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions: § No objects will be larger than 2 feet by 3 feet.
  - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
  - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can

openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

**3. Addressing the Council, Committee, Board or Commission:**

- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
  - b) Meeting attendees are usually given two (2) minutes to speak on any discussion item and/or during open forum; the total amount of time allocated for public testimony for each public speaker or for an agenda item is in the discretion of the Chair of the meeting and may be limited when appropriate. (California Government Code Section 54954.3; Council Policy 0-37) Applicants and appellants in land use matters are usually given more time to speak. Speakers using a translator will be given twice the time allotted to ensure non-English speakers receive the same opportunity to directly address the Council, Committee, Board or Commission.
  - c) Speakers should discuss only the agenda item when called to speak for that item, and only topics related to City business when called to speak during open forum on the agenda.
  - d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
  - e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
  - f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
  - g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.
- Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.