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>> Mollie Dent: So the meeting can be called to order. The board can discuss items that are agendaized and can listen to members of the public on items that are agendaized if that's its desire but the only action the board can take is to adjourn the meeting.

>> David Bacigalupi: Well, my question is why is it five present in San José for a quorum rather than four?

>> Mollie Dent: Because that's what the Brown Act says for teleconferencing, Dave.

>> David Bacigalupi: Well, no I think you're misunderstanding my question, Mollie. Do we have four people present in San José currently?

>> Mollie Dent: Yes.

>> David Bacigalupi: Okay, the board consists right now of seven people so that is a quorum.

>> Mollie Dent: No under the new governance ordinance once the board went to seven members, a nine -- nine members a quorum of the board becomes five. So once seven members were seated on the board, under the new governance ordinance, a quorum becomes a majority of the members regardless of whether they're seated. So a quorum of the board is now five.

>> David Bacigalupi: Okay but the other two positions haven't been seated as yet.

>> Mollie Dent: That doesn't matter under the new governance ordinance.

>> David Bacigalupi: Okay.

>> Conrad Taylor: Good morning everyone. I'd like to call to order the Police and Fire retirement plan on Thursday, February 3rd, 2011. Do roll call, board members. Dave Bacigalupi, chair, is present.

>> David Bacigalupi: Present by teleconference.

>> Conrad Taylor: Myself, Conrad Taylor, is present. Sean Bill.

>> Sean Bill: Present.

>> Conrad Taylor: Michael Flaherman is not present. Sean Kaldor is not present. Damon Krytzer.

>> Damon Krytzer: Present.

>> Conrad Taylor: Vincent Sunzeri.

>> Vincent Sunzeri: Present.

>> Conrad Taylor: And then we have two vacant trustee spots that are not here. We do not have a quorum, so I'm going to request that we just adjourn.

>> Mollie Dent: I'd like to clarify. We have a quorum, but not located in San José.

>> Conrad Taylor: Well, I would like to just -- since everything that we discuss on this we are going to have to repeat again, since we don't have everybody that's here. So I would like to just adjourn the meeting. Because we can't take an action on anything that's on here. So I would recommend that we just adjourn the meeting.

>> David Bacigalupi: Second.

>> Conrad Taylor: Okay, let's bring that to a -- all in favor?

>> David Bacigalupi: Aye.

>> Conrad Taylor: Meeting's adjourned.