



CITY OF SURPRISE
Public Safety Retirement Commission Meeting - Fire
16000 N. Civic Center Plaza
Surprise, AZ 85374
Wednesday, October 14, 2020 @ 9:30 AM
COUNCIL CHAMBERS

- A. Call To Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Current Events and Reports
- E. Staff Reports
- F. Public Safety Retirement Commission- Fire Agenda

CALL TO THE PUBLIC:

NOTICE: In an effort to protect health and safety of city employees, residents, and visitors, the Council Chambers will be partially open to the public with limited seating. The public may access the meeting by viewing a live stream or broadcast of the meeting. To watch live, please visit www.surpriseaz.gov/surprisetv, the Surprise City Gov Facebook page at www.facebook.com/cityofsurprise. Cox channel 11 and Century Link channel 8513 will also carry the meeting live. For instructions on how to comment on agenda items and public hearings, please go to <https://bit.ly/3k2NIV1>

CONSENT AGENDA:

- | | | | |
|----|----------|--|-----------------|
| 1. | Internal | Considerations and possible action pertaining to the review and approval of the August 12, 2020 Public Safety Retirement Commission - Fire Board meeting minutes | Human Resources |
|----|----------|--|-----------------|

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- | | | | |
|----|----------|--|-----------------|
| 2. | Internal | Review and discussion of current IME providers | Human Resources |
| 3. | Internal | Review and discussion of FY 2020-2021 legal counsel fees | Human Resources |
| 4. | Internal | Considerations and Actions pertaining to the reexamination of disability recipients for the Surprise Fire Department pursuant to A.R.S. § 38844(E) | Human Resources |

- G. Other Business and Future Agenda Items
- H. Executive Session

For information purposes: Upon a public majority vote of a quorum of the Public Safety Personnel Retirement Commission ("Commission"), the Commission may hold an executive session, which will not be open to the public, but for only the following purposes: discussion or consideration of records exempt by law from public inspection (A.R.S. §38-431.03(A)(2)); or discussion or consultation for legal advice with the Commission's attorneys (A.R.S. §38-431.03(A)(3)).

Confidentiality Requirements: Pursuant to A.R.S. §38-431.03(C)(D), any person receiving executive session information pursuant to A.R.S. §38-431.02 shall not disclose that information except to the Attorney General or County Attorney or by agreement of the Commission, or as otherwise ordered by a court of competent jurisdiction.

The Commission may vote to hold an executive session for the purpose of obtaining legal advice from the Commission's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

I. Adjournment

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: Thursday, October 8, 2020 @12:35 p.m.

SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.



CITY OF SURPRISE
Public Safety Retirement Commission Meeting -
Fire

Council Meeting Date: October 14, 2020
Submitting Department: Human Resources
Staff Recommendations:

Contact Person:
District: Internal

Consent: Yes	Regular: No	Public Hearing: No	Report/Discussion: No
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Agenda Wording:

Considerations and possible action pertaining to the review and approval of the August 12, 2020 Public Safety Retirement Commission - Fire Board meeting minutes

Motion:

I make a motion to approve the August 12, 2020 Public Safety Retirement Commission - Fire Board meeting minutes

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. PSPRS - Fire Board Meeting Minutes (DRAFT)8.12.2020
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**PUBLIC SAFETY RETIREMENT SYSTEM
CITY OF SURPRISE LOCAL BOARD – FIRE**
Minutes, Wednesday, August 12, 2020
16000 N. Civic Center Plaza, Surprise, Arizona 85374

The following are the minutes from the PSPRS City of Surprise Fire Board Meeting held at 9:00 a.m. Wednesday, August 12, 2020. The meeting was held in City Hall, Council Chambers. Due to COVID-19, the public was able to stream meeting live.

A. Call To Order

Chair Hall called meeting to order at 9:00 a.m.

B. Roll Call: Skip Hall, Chairperson – Present
Chandler Brown, Citizen Board Member – Present
James Conner, Citizen Board Member – Absent
Christopher Preest, Fire Department – Present (*conference bridge*)
Rick Valdez, Fire Department – Present

In attendance: Connie Welsch, Human Resources Manager
Carrie O'Brien, Board Attorney (*conference bridge*)
Eric Boyles, Procurement Manager (*conference bridge*)
Ariana Reyna, Sr. Human Resources Analyst

C. Pledge of Allegiance – Completed

D. Current Events Reports - None

E. Staff Reports – None

F. Call to the Public – None

Consent Agenda:

- 1. Considerations and possible action pertaining to the review and approval of the July 15, 2020 PSPRS Local Fire Board Meeting Minutes - APPROVED**

Motion to Approve: Chandler Brown

Second: Rick Valdez

Opposed: None

Regular Agenda:

2. Summary and discussion of Arizona Supreme Court case as it relates to accrued leave vacation payouts for pension benefits – Information Only

Carrie O'Brien provided an update with a case from the City of Phoenix brought forward to the Arizona Supreme Court. The City of Phoenix had a practice where they would pay out accrued unused leave up to 2.5 years for an employee and they would include payout of these leave accruals in the calculation of pension retirement benefits. AZ Supreme Court affirmed lower courts' decision stating that those leave payouts are not pensionable and do not constitute salary or wages. Carrie O'Brien confirmed with the City of Surprise that this would be a non-issue for the City of Surprise as this is not a current practice.

3. Considerations and possible action pertaining to the enrollment of Fire Captain Nick A. Colombo into the Deferred Retirement Option Plan (DROP) effective 9/20/2020 – APPROVED

The PSPRS Board Secretary provided background information as follows: Fire Cpt. Nick A. Colombo filled out a DROP application and submitted all documentation as required by PSPRS. As of 09/20/2020, Cpt. Colombo is eligible to enter the DROP with an accumulated 26.141 years of service, all with the City of Surprise. Cpt. Colombo has designated a 60 month period to participate in DROP which establishes his separation date from employment on or before 09/30/2025.

Motion to Approve: Chandler Brown

Second: Rick Valdez

Opposed: None

4. Consideration and possible action pertaining to the review of medical examination and the acceptance of one (1) new firefighter (recruit): Eduardo Vera into the PSPRS system pursuant to A.R.S. § 38-859 APPROVED

Firefighter Recruit Eduardo Vera was hired with the Surprise Fire Department effective July 13, 2020. Mr. Vera has been notified of his Tier 3 status and 90 day waiting period before contributing into the PSPRS system. The Firefighter recruit has been notified of the Board's review of medical records today.

Motion made to accept Eduardo Vera into the PSPRS system with no pre-existing conditions.

Motion to Approve: Rick Valdez

Second: Chandler Brown

Opposed: None

5. Considerations and possible action for the Fire Board to finalize RFQ process for Independent Legal Counsel after receiving recommendation from selection panel review - APPROVED

Chandler Brown made the recommendation to the Board on behalf of the selection panel. He stated that they reviewed the three firms who applied and based on the scoring system, there was a unanimous decision to recommend Ryan Rapp Underwood & Pacheco as legal representation for the PSPRS Local Fire Board. Chair Hall asked Eric Boyles about the contract negotiation and wanted to know who specifically from the firm would represent the Board. Eric Boyles confirmed that it was a team of four attorneys representing the Board and that before executing the final contract, the specifics could be discussed in the next Board meeting to address the needs of the Board with the new firm. Chandler Brown stated that his understanding from the application reviewed was that Ryan Rapp Underwood & Pacheco had a team of four attorneys, each with their own specialty and would work collaboratively to assist the Local Board. Christopher Preest had a question about the firm based out of Tucson to which Chandler Brown answered. Christopher Preest then asked Rick Valdez if Cynthia Kelley was a previous attorney serving the Board, which the answer was yes. Christopher Preest added that from experience, David and Cynthia were present in all meetings in the past. A motion was made to select Ryan Rapp Underwood & Pacheco as a result of the RFQ process with the City of Surprise.

Motion to Approve: Rick Valdez

Second: Chandler Brown

Opposed: None

G. Other Business and Future Agenda Items – None.

H. Executive Session – None.

I. Adjournment

Motion to adjourn at 9:16 a.m. – APPROVED

Motion: Chandler Brown

Second: Rick Valdez

Opposed: None

Meeting Minutes Approval:



**PUBLIC SAFETY RETIREMENT SYSTEM
CITY OF SURPRISE LOCAL BOARD – FIRE**
Minutes, Wednesday, August 12, 2020
16000 N. Civic Center Plaza, Surprise, Arizona 85374

Skip Hall, Chair

CERTIFICATION:

I, Ariana Reyna, Sr. Human Resources Analyst – ADA & Leaves for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are true and correct minutes of the PSPRS Local Fire Board Meeting of **Wednesday, August 12, 2020.**

Ariana Reyna, Human Resources



CITY OF SURPRISE
Public Safety Retirement Commission Meeting -
Fire

Council Meeting Date: October 14, 2020
Submitting Department: Human Resources
Staff Recommendations:

Contact Person:
District: Internal

Consent: No Regular: Yes Public Hearing: No Report/Discussion: No

Agenda Wording:

Review and discussion of current IME providers

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



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Agenda Wording:

Considerations and Actions pertaining to the reexamination of disability recipients for the Surprise Fire Department pursuant to A.R.S. § 38844(E)

Motion:

Motion depending on how Fire Board wants to proceed with this process after reviewing list of 2 members receiving disability benefits.

Background:

As specified in the City of Surprise Public Safety Retirement Commission - Fire Board Rules Section G.(2)(a), the Fire Board may require Members receiving disability benefits to undergo an annual medical examination to determine whether they are still disabled and therefore, qualified for continued disability benefits.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS: