



**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



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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



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Meeting Minutes Approval:

A handwritten signature in black ink, appearing to read "Skip Hall", is written over a horizontal line.

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**.

A handwritten signature in blue ink, appearing to read "A. Reyna", is written over a horizontal line.

Ariana Reyna, Human Resources