



**PUBLIC SAFETY RETIREMENT SYSTEM
CITY OF SURPRISE LOCAL BOARD – JOINT**
Minutes, Wednesday, August 14, 2024
16000 N. Civic Center Plaza, Surprise, Arizona 85374

The following are the minutes from the Public Safety Retirement Commission – Fire Board Meeting held at 9:00 a.m. Wednesday, August 14, 2024. The meeting was held in City Hall, Council Chambers.

A. Call To Order

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

- B. Roll Call:** Skip Hall, Chair – Present
Kim Drayden, Citizen Board Member – Present
Ricardo “Rick” Valdez, Fire Member – Present
Daniel “Dan” Anderson, Fire Member – Absent
Richard Hernandez, Police Member – Present
James “Jim” Conner, Citizen Board Member – Absent (*Excused*)
Michael Robbins, Police Member – Absent (*Excused*)

In attendance: Cynthia Kelley, Legal Counsel
Ariana Reyna, PSPRS Board Secretary

C. Pledge of Allegiance –Completed

D. Current Events Reports – None.

E. Staff Reports –

Historical review of Legal Counsel and IME fees for FY17 – FY24 – Ariana Reyna stated that historically, at the end of each fiscal year cycle, the Local Board has reviewed an annual report illustrating a summary of the legal counsel and IME costs year to year to help track expenses, analyze the financial costs over time and potentially identify any trends.

Review of FY24 & FY25 Legal Counsel and IME fees.

Introduction of Michele D. Fite, HR Business Partners – Benefits – Ariana Reyna stated that she was present and she has been hired with the City of Surprise Benefits Team. She is an HR Business Partner that will be overseeing leave management – FMLA, accommodations, etc. Ariana Reyna stated that this is the role that she had held since starting with the City back in March, 2020 and that she has now transitioned into a new role working with the Risk Management Division, working with worker’s compensation claims. Ariana Reyna indicated that as she gets acquainted, trained up and running in her new role and



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responsibilities, she wanted to take the opportunity to introduce Michele to the Local Boards; a copy of Michele's resume was provided for reference. Ariana Reyna continued to share that the City of Surprise is very fortunate to have Michele onboard as she brings over 20 years of HR experience and she was the Local Board Secretary for the City of Buckeye. Ariana Reyna mentioned that ultimately, the Board appoints the Local Board Secretary and Counsel could speak more to that regards, but Michele would, ultimately, be assisting her with local board duties.

Chair Skip Hall welcomed Michele. Chair Skip Hall shared that Ariana Reyna is the best Secretary they have ever had and that in his role as Chair, the Board had gone through four Secretaries. Chair Skip Hall emphasized that communication was crucial and praised Ariana Reyna in her ability to communicate effectively, keep Board Members informed, and her service in responding to Board Members' inquiries expeditiously. He further commented that Board Members had other responsibilities besides serving on the Local Board, therefore, the role of the Secretary serves to help them work more efficiently.

Rick Valdez asked if the Local Board needed to go into Executive Session to talk amongst themselves about the transition of the Local Board Secretary. Ariana Reyna mentioned that this was a Staff Report item and asked Legal Counsel for a recommendation of action. Cindy Kelley stated that since this was not listed as an action item, only as a Staff Report, this could be an agenda item for a future meeting. Ariana Reyna addressed the Local Board and asked that if this was the direction that the Local Board wanted to take, that she would list this item for discussion and action in a future meeting.

F. Call to the Public - None

Consent Agenda:

- 1. Considerations and action pertaining to the review and approval of the August 16, 2023, Public Safety Retirement Commission – Joint Meeting Minutes – APPROVED.**

Motion: Kim Drayden
Second: Dan Anderson
Opposed: None



- 2. Considerations and action pertaining to the review and approval of the August 16, 2023, Public Safety Retirement Commission – Joint Executive Session Meeting Minutes – APPROVED.**

Motion: Kim Drayden
Second: Dan Anderson
Opposed: None

Regular Agenda:

- 3. Considerations and possible action to review and change language in the Local Fire and Police Board Rules of Procedure (Bylaws) – DISCUSSION ONLY.**

Ariana Reyna stated that with recent changes made to the composition of the Local PSPRS Police Board, there were questions posed related to the Local Board Members' term expiration and reappointment of a current, sitting, Board Member. Currently, there is no mention of the reappointment process in our combined Local PSPRS Fire and Police Boards' Bylaws. Ariana Reyna mentioned that with Rick and Lt. Robbins as the new Board Members it is an opportunity for the Board to review and see if there is any intent or desire to make any changes to the bylaws, mention something about reappointment. In addition, there is an email from Legal Counsel indicating that the Local Board is independent from the City.

Cindy Kelley mentioned that this has been an issue with one jurisdiction in particular and she has provided her opinion on the topic. That jurisdiction decided that they will do a declaratory action and try to get a court to rule that the City can make rules for the Board essentially about terms of office. Cindy Kelley mentioned that, currently, there's nothing mentioned in any of the statute or the model procedures by the state in Title 38 about term limits for elected members. Cindy Kelley stated that her position is what's stated in the email she drafted, that's included in the packet. She believes that the Local Board is an arm of the state, established under Title 38 (state statute) and that the municipality cannot dictate how to operate the Board. Cindy Kelley stated that the only section she thought to add something to the Local Board procedures is that under the composition of the Boards and conduct of meetings under #1 Composition, perhaps mention that there are no term limits for elected Local Board Members, if that's what the Board chose to do. Chair Skip Hall addressed Rick Valdez, given his long tenure sitting as a Board Members and asked if he had any feedback.

Rick Valdez talked about the importance of having someone with historical knowledge in place, someone who is familiar with Local Board past practices



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over the years is helpful. Institutional knowledge is valued as it helps to move forward and potentially make the right decisions for the management of the pension board. Rick Valdez posed a question that if a limit on the term was placed, was that limit only specific to employees or would the limit be placed on all members of the Local Board? Cindy Kelley stated that for the position of Chairman, he is appointed by the statute to be the Chair of the Board so changes on term limit would not apply. This language was directed mostly at elected members. Chair Skip Hall addressed the Board Members and said he didn't care for term limits on the local PSPRS Boards. Chair Skip Hall agreed with Rick Valdez and mentioned that the Fire group appoints the two (2) fire people by election and therefore, the people that have been sitting Members have institutional knowledge. Cindy Kelley stated that if this is who the members want and they elect that person, they should be able to stay in place and represent.

Kim Drayden stated that the only reason for changes in members would be to keep that knowledge continually going and moving forward and that's why members have staggered limits with the end of their terms. Therefore, if a new representative comes in, there are experienced members in place and helps the new members learn. Kim Drayden also recognized that on the other side of that, keeping the same members serve over an indefinite period of time, might keep the Local Board set in an old-long-term mentality and opinions.

Rick Valdez stated that if the Board needed to make a motion that the consensus was that there is no need to put a limit on the terms of any elected members serving in the local PSRPS Board. Cindy Kelley indicated that the Board did not have to add any changes to the procedures if the Members didn't want to.

Ariana Reyna that another attachment added to the packet was a depiction of the Board Members' terms to show the staggering end dates, however, the only term that is different is that of Rick Valdez which currently shows an end date of July, 2025 and the reason for that being that he will end his DROP participation at that time. Like it's been done in previous instances, once Rick decides to separate from the City, the Secretary would open a new secret ballot election with the Fire Department and the chosen member would finish out Rick's remaining term, through the end of June 2028.

4. Discussion regarding option to combine Local PSPRS Fire and Police Board meetings, per Legal Counsel's recommendation – DISCUSSION ONLY.

Ariana Reyna mentioned that this was a follow up discussion regarding the option to combine both fire and police meetings at the same time going forward. This was discussion that ensued following the last Police Board meeting, held on



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June 27. Ariana Reyna asked Cindy Kelley if she could elaborate on how this works for other Boards and how effective it was. Cindy Kelley stated that other Boards don't combine the meetings, but both are scheduled at the same time. For example, City of Phoenix schedules a 9:00 a.m. meeting for both Police and Fire. The agenda that has the shortest number of items on it goes first and the other Board comes right after that. Therefore, she explained, there's no lag time because sometimes here, we've had a meeting take six minutes and then we're waiting for the other meeting to take place given that the agenda is posted like that. It is her opinion that if the Board schedules both Fire and Police at the same time, it is more time efficient for everyone. Cindy Kelley shared that a lot of her bigger boards schedule them both at the same time or schedule the Joint Board meeting first as needed. Ariana Reyna asked that if scheduling Board meetings at the same time has worked for her bigger boards, did Cindy Kelley consider that it would also be efficient for City of Surprise to follow this model? Cindy Kelley responded that she thinks it would also work for smaller boards as well given that the City of Surprise typically only has one of the Boards that reviews more information than the other. Ariana Reyna stated that as the Board Secretary, she can review the information in advance and have discretion in making an educated guess whether the meeting should only take about 15 or 30 minutes and schedule the meetings accordingly. Ariana Reyna stated that historically, we haven't had the Fire Board meetings to take a long time, however, today was the exception as there is an agenda item that will require a longer review time than usual. Rick Valdez expressed a concern of what would happen in the event that the Board that goes first, asks to go into Executive Session than the other Board waiting to meet would just have to wait around until they are done. Cindy Kelley stated that once the Fire Board ended, they could just be excused from the meeting and the Police Board would continue having their meeting until finished. Additional discussion ensued clarifying that the meetings would not be combined per se, they would just both be scheduled at the same time and deciding on who goes first based on the agenda items, can be decided at the beginning of the meeting. Rick Valdez asked if this was discussion only and asked for decision to be made during a future meeting so that both Jim Conner and Lt. Michael Robbins could, hopefully, join in. Chair Skip Hall stated that the Board Members should just decide since Jim Conner was part of the discussion last meeting and he was all for it. Ariana Reyna stated that the agenda item was listed as discussion only, not for action.

Motion: Dan Anderson

Second: Rick Valdez

Opposed: None



G. Other Business and Future Agenda Items – None.

H. Executive Session – None

I. Adjournment

Motion to adjourn at 9:23 a.m. – **APPROVED**

Motion: Jim Conner

Second: Rick Valdez

Opposed: None

Meeting Minutes Approval:

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

Skip Hall, Chair
Public Safety Retirement Commission – Fire

CERTIFICATION:

I, Ariana Reyna, Board Secretary and Human Resources Business Partner for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are true and correct special session minutes of the Public Safety Retirement Commission – Fire Meeting of **Wednesday, August 14, 2024.**

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

Ariana Reyna, Board Secretary
Public Safety Retirement Commission – Fire