



**PUBLIC SAFETY RETIREMENT SYSTEM
CITY OF SURPRISE LOCAL BOARD – FIRE**

Minutes, Wednesday, June 12, 2019
16000 North Civic Center Plaza, Surprise, Arizona 85374

The following are the minutes from the PSPRS City of Surprise Local Board – Fire Meeting held at 9:00 a.m. Wednesday, June 12, 2019. The meeting was held in City Hall, Council Overflow Conference Room.

Call To Order:

Chair Gwaltney called the meeting to order at 9:08 a.m.

A. Roll Call: Scott Gwaltney, Chairperson & Citizen Board Member – Present
Don Jeffrey, Citizen Board Member – Present
Jim Conner, Citizen Board Member – Present
Rick Valdez, Vice-Chair & Employee Board Member – Present
Christopher Preest, Employee Board Member – Present

In attendance: Chanda Washington, Board Administrator
Lindsey Steinhoff, Human Resources
Donna Meuse, Human Resources
Cynthia Kelley, Board Attorney

B. Pledge of Allegiance: Completed

C. Current Events and Reports: None

D. Staff Reports: None

Call to the Public: None

Consent Agenda:

#1. Discussion and action pertaining to the approval of PSPRS Local Board – Fire April 24, 2019 Meeting Minutes. **-Approved**

Motion: Preest
Second: Jeffrey
Opposed: None

Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes
Rick Valdez- voted yes
Christopher Preest- voted yes

Regular Agenda:

#2. Discussion, review and action pertaining to annual review of accidental disability retirement cases. **- Approved**

Ms. Washington explained this is the first time we are doing an annual review of accidental disability retirements cases as a board. The bi-laws/board procedures do state that the board is able to review disability retirement cases on an annual basis and if the Chair wishes to he can appoint a subcommittee of two individuals. Ms. Washington stated it was at Chairman Gwaltney's discretion to choose a subcommittee. Ms. Washington discussed that since this is the first time the board is reviewing these cases the disability retirement information was provided to all of the board members to review. Ms. Washington explained the board will only look at any cases where individuals with disability retirements have less than 20 years of services from the time they retired plus their years of service at retirement. She explained there were only two employees that retired with disability retirements and the board would only be looking at the one individual, Joseph Spector, who does not have 20 years of service for his disability retirement. Ms. Washington advised the board that since some individuals may not have elected to have their medical information discussed in an open meeting, the board would need to go into executive session in order to discuss the medical information regarding the employees' disability retirements.

Ms. Kelley gave some background if the board chooses to send a retiree for a new IME and the individuals refuses then they would lose their pension benefit. If they do a new IME and the individual is recovered, then the City of Surprise would need to be willing to offer the retiree a job. If a job is offered they refuse the job, then they will lose their pension benefits.

Mr. Preest asked if the retiree was offered a job and refused it, what would happen to their pension check now they have 17 years of service instead of 20 years.

Ms. Kelley stated she would guess they would have to wait until they had 20 years in order to receive the normal pension at retirement. She stated she has never seen it happen.

Ms. Kelley advised that based upon all the retirees she has seen get re-examined, but they have always come back as still being disabled. Mr. Preest asked if the board was is going to send the retiree for an IME, the board is ultimately prepared to offer them a job assuming they are healed. Ms. Kelley confirmed this is correct.

Ms. Washington stated that from the standpoint of the City, we would have to determine whether or not we would be willing to offer a job or even if there were any positions available.

Ms. Meuse asked does the retiree have to be offered the same job or can they be offered any vacancy. Ms. Kelley said they would need to be offered the same position they were previous employed in.

Mr. Preest asked if the subcommittee would consist of the two individuals speaking with each other. Ms. Kelley stated yes and they would bring to the board any recommendations for re-examination.

Chairman Mr. Gwaltney stated asked if anyone would like to spearhead the committee?

Mr. Valdez asked what information would the subcommittee be evaluating. Does the board send the retiree in to be evaluated and then take the information into consideration or does the board consider the old information?

Ms. Kelley stated all the board would have is the old information to determine whether or not they want to have a person re-examined. Ms. Kelley stated the board would have to consider the injury and whether or not the person would be able to perform the duties of a firefighter. Ms. Kelley further stated for psychological injuries, the board would have to consider if they would want the person back working in a firefighter capacity.

Mr. Jeffrey summarized that the whole idea is to review the injuries to see if there is a chance that they have gotten better so they can get back to work. Ms. Kelley confirmed.

Mr. Preest stated he would recommend that he and Mr. Valdez be considered for the subcommittee since they are the subject matter experts and they know the personnel assuming everyone wants to have a subcommittee to begin with. If not, the board could leave the review in the same form that they currently have for all board members to review the cases.

Mr. Conner asked if there was something that triggered the board reviewing the one disability retirement case that will be reviewed. Mr. Preest stated that they could discuss further in executive session and Mr. Valdez can provide more information about the one case that they board will review since several of the board members were not present for the approval of the disability retirement case.

Ms. Washington recommended the board go into executive session to discuss medical information.

Mr. Gwaltney made a motion at 9:17am to go into executive session to discuss the medical information regarding Mr. Spector.

Motion: Gwaltney
Second: Preest
Opposed: None

Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes
Rick Valdez- voted yes
Christopher Preest- voted yes

Motion to move into regular session at 9:24 am

Motion: Conner
Second: Preest
Opposed: None

Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes
Rick Valdez- voted yes
Christopher Preest- voted yes

Mr. Valdez asked how long the subcommittee had and if there was a time limit for the recommendations to be brought before the board, such as 30 days or the next meeting.

Mr. Preest advised that for the record, Chairman Gwaltney would have to determine if he who he wants to have on the subcommittee and second, the board would have to determine if the subcommittee will be reviewing the disability retirement cases going forward and have the board review the one case today.

Chairman Gwaltney asked if we could have this listed on the next board meeting. Ms. Washington advised that it is really up to the board as to how they want to handle the review of these cases.

Mr. Gwaltney first made a motion to make Mr. Preest and Mr. Valdez head of the subcommittee to review disability retirement cases and bring their recommendations to the board.

Motion: Gwaltney
Second: Jeffrey
Opposed: None

Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes
Rick Valdez- voted yes
Christopher Preest- voted yes

Mr. Valdez would not like to make a decision the one case today as he would like to ensure they fully review the information and make contact with the retiree.

The board discussed they meet quarterly unless something comes up and so the subcommittee would have 90 days to review the information and bring it back to the board at their regularly scheduled next meeting.

Ms. Kelley did mention if anyone is sent out for an IME that they must be seen be a licensed Arizona physician, so if they have moved out of state the cost incurred could be greater.

The next regularly scheduled meeting will be Wednesday, September 11th. Mr. Connor made a motion for the subcommittee to present their findings to the board regarding the review of Mr. Spector's accidental retirement case to the board on 9/11/19.

Motion: Conner
Second: Jeffrey
Opposed: None

Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes
Rick Valdez- voted yes
Christopher Preest- voted yes

#3. Other Business and Future Agenda Items- None

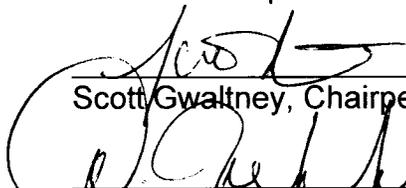
#4. Executive Session- the board did go into executive session at this meeting at 9:17 a.m. and ended at 9:24 a.m.

Adjournment:

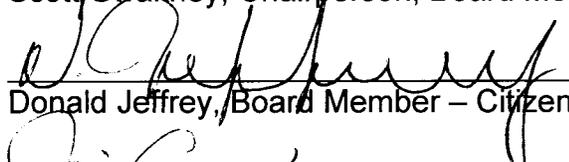
Chair Gwaltney made a motion to adjourn the meeting at 9:31 a.m. – **Approved**

Motion: Gwaltney
Second: Preest
Opposed: None

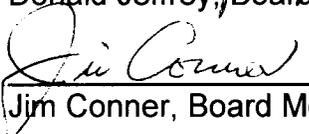
Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes
Rick Valdez- voted yes
Christopher Preest- voted yes



Scott Gwaltney, Chairperson, Board Member – Citizen

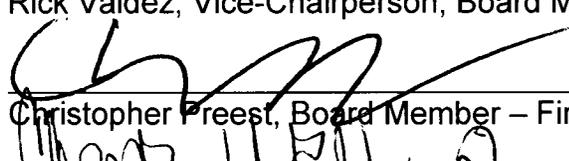


Donald Jeffrey, Board Member – Citizen

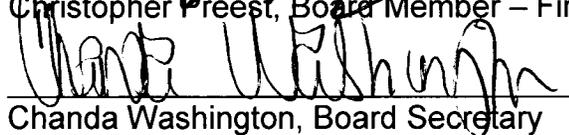


Jim Conner, Board Member – Citizen

Rick Valdez, Vice-Chairperson, Board Member – Fire Dept.



Christopher Preest, Board Member – Fire Dept.



Chanda Washington, Board Secretary