



Tucson Police and Fire PSPRS Boards
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MEETING MINUTES Tucson Fire PSPRS Board Thursday, March 7, 2024 at 9:00 a.m.

Members of the Boards, staff, and the public were able to attend in person or remotely, through technological means, as permitted under Arizona law. *For members of the public that wanted to attend remotely, a Microsoft Teams conference call bridge was established so the meeting could be accessed via telephone.*

To access the meeting by telephone through the Microsoft Teams conference call bridge, members of the public could dial (213) 293-2303 then enter access code 974 267 805#

Mr. Fimbres called the Tucson Fire PSPRS Board meetings to order at 9:00 a.m.

1. ROLL CALL

Fire Board Members:

Present:	Paul Fimbres	Member
	Anna Rosenberry	Member
	Nathan Weber	Member
	Jason Adler	Member

Also Present:	Mark Ewings	Police Board Member
	Alon Hackett	Incoming Police Board Member
	Steven Bossé	Board Attorney
	Susanna Horn	Board Secretary
	Tammy Webb	Local Board Office
	Genesis Cubillas	Mayor's Office, City of Tucson

A Fire Board quorum was established with Mr. Fimbres, Ms. Rosenberry and Mr. Weber attending in person. Mr. Adler attended remotely. Mayor Romero was absent/excused.

2. POLICE CONSENT AGENDA: ITEMS A – D

A. MINUTES FOR APPROVAL –February 01, 2024

B. PENSION PAYROLL – Additions and deletions to benefits

<u>Name</u>	<u>Transaction Type</u>	<u>LDW</u>	<u>Eff Date</u>	<u>Ben Amount</u>
Mechtler, Ramon	NSR out of DROP	02/29/2024	03/01/2024	\$5,736.39
Esquivel, Arturo	NSR out of DROP	02/29/2024	03/01/2024	\$4,798.30

C. ELECTION TO PARTICIPATE IN DROP

<u>Name</u>	<u>Yrs of Srv</u>	<u>Date</u>	<u>Eff. Date</u>
Dietzman, Matthew	25.221	02/29/2024	03/01/2024
Castillo, Eduardo	25.221	02/29/2024	03/01/2024

D. APPROVAL OF EXPENDITURES

<u>Company Name</u>	<u>Description</u>	<u>Date</u>	<u>Amount</u>	<u>Method</u>
Bossé Rollman PC	March Retainer	03/07/2024	\$ 400.00	Workday

No action taken by the Fire Board on this Police Item.

3. FIRE CONSENT AGENDA: ITEMS A – C

A. MINUTES FOR APPROVAL- February 07, 2023

B. PENSION PAYROLL – Additions and deletions to benefits

<u>Name</u>	<u>Transaction Type</u>	<u>LDW</u>	<u>Eff Date</u>	<u>Ben Amount</u>
No additions or deletions at this time				

C. APPROVAL OF EXPENDITURES

<u>Company Name</u>	<u>Description</u>	<u>Date</u>	<u>Amount</u>	<u>Method</u>
Bossé Rollman PC	March Retainer	03/07/2024	\$ 400.00	Workday

Motion by Mr. Weber, seconded by Mr. Adler, that Fire Items A-C are adopted as written. Motion **CARRIED** by a roll call vote of 4-0.

AUDIO RECORD ON FILE IN THE TUCSON POLICE AND FIRE PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM BOARDS’ OFFICE LOCATED AT THE TUCSON FIRE DEPARTMENT, FIRE CENTRAL, ROOM 131, 300 S. FIRE CENTRAL PLACE, TUCSON, ARIZONA – AVAILABLE UPON REQUEST.

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4. LINE OF DUTY DEATH FOR FIRE- Attachments

Thomas McNamara- DOD 06/21/2022, Surviving spouse Kathryn McNamara

Mr. Weber started by introducing Ms. McNamara who is submitting an application for Line Of Duty death on behalf of her spouse, Mr. Thomas McNamara, who passed away on 6/21/2022. Mr. Weber recognized Mr. McNamara as one of the most respected and experienced captains to have worked for the Tucson Fire Department.

Ms. McNamara provided the board materials containing information to support the presumption that his death was a direct result of his employment.

The Board having reviewed the materials, and feeling sufficient evidence was presented, moved forward to refer Mr. McNamara's file for an independent medical evaluation in connection with the Line of Duty Death application.

Motion made by Mr. Weber, seconded by Mr. Adler, to refer Mr. McNamara's medical file for an independent medical evaluation in connection with the Line of Duty Death application.

Motion **CARRIED** unanimously (4-0).

5. FUND/OFFICE INFORMATION

- Staffing/Hiring
 - Fund Manager Advisory Opinion 2007-01
 - Mr. Weber mentioned that since there had been some questions at the last board meeting regarding the hiring of the PSPRS board staff, he went back to his files and found the Fund Manager Advisory Opinion 2007-01. He cited Arizona Revised Statute , § 38-847, A.R.S. , §38-847(A), §38-847(F); (ii), §38-847(K); (iii) and (iv) A.R.S. , §38-847(O), A.R.S. , §38-847(N) and A.R.S. , §38-893 all statutes that pertain to the employer being required to pay the wages and benefits awarded by a Local Board to its staff and appointment of Local Board Secretary.

Mr. Bossé said the issue was with Mr. Jesse's departure, the question was how the office should be structured and who should fill these positions. He mentioned that Ms. Horn had been appointed as interim Local Board Secretary at the last meeting to which Mr. Fimbres clarified that it was not an appointment but a nomination. Mr. Weber's concern was that currently the office is staffed with one full-time and one part-time staff and the

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workflow has grown and is not appropriate or sufficient and felt that now was the time to act.

Ms. Rosenberry said she followed up with the sub-committee and did not find a procedure as to the hiring of staff and how they came to be. Mr. Weber said in the past the city would post and collect resumes, the boards would form a sub-committee and interview the top candidates and return to the board with their suggestions. Ms. Horn added that all actions that have been taken in the past have been recorded in the Legal Action Reports and further detailed in Board Meeting minutes, all of which are on file with the City of Tucson Boards and Commissions Office. Ms. Rosenberry felt the

board lacked procedures and other members agreed having policies in place would be helpful.

Mr. Weber asked that the board move forward with appointing Ms. Horn as Local Board Secretary and designating job class, pay rates and benefits for both her and Ms. Webb as well as moving forward with the process of hiring an Administrative Assistant. Mr. Bossé advised that the current agenda was not specific enough to make a motion and suggested the board schedule a special meeting for further discussion. The board agreed to hold a special meeting that is scheduled for March 25, 2024 at 11:00 am at Fire Central. The board also requested that Mr. McNamara's application be added to this agenda if it was possible for the IME to expedite the review of his medical records. Ms. Horn said she would work with the IME to try to expedite the process.

- Job Descriptions -Current City of Tucson Job Board
- Job Descriptions Previous Versions

No discussion on the job descriptions.

- Disability Procedure

Mr. Bossé briefly addressed the materials in the binder however, Ms. Horn called attention to the Taxability of Disability Pension handout specifically, that “Retired members must file within a year of their departure to have their current retirement benefit considered for reclassification. In the case of an Accidental Disability (our most common type of application), if reclassification is awarded, there is absolutely no actuarial cost to the City of Tucson. The only thing gained is more favorable income tax treatment for the current benefit amount. That has no impact on the City.”

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- Medical Exam Specialist Panel

Mr. Bossé said that at the end of the previous meeting he had mentioned creating a medical panel and identifying specialist Independent Medical Examiners for disability evaluations. The board was open to that discussion, and Mr. Weber said that it should be added to a future agenda as an action item. Mr. Ewings added that it would also be helpful to have a panel and procedure in place.

- 2024 Board Election Timeline – One Fire Term, One Police Term Expiring

Mr. Bossé told the Police and Fire Boards that two board terms (one Police, one Fire) were expiring on June 30, 2024. As such, the PSPRS Local Board office would need to conduct an election for those board seats. Ms. Horn provided the timeline for holding the elections, determining the winners, and getting the newly elected members seated.

- Miscellaneous / Other

Mr. Weber said the PSPRS Annual Conference was held on March 6, 2024, and that there were 375 people in attendance. Mr. Weber felt that it was very beneficial with a lot of new information presented. However, he felt that it was disappointing that he and Ms. Horn were the only members from the City of Tucson that attended. Ms. Horn agreed and mentioned that as it was her first time attending, she felt that the information presented was new and relevant for all members of the board. She also mentioned that the materials from the conference would be available online as well as a training that would be taking place in June.

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6. ADJOURNMENT

The next regular meeting of the Tucson Police and Fire Public Safety Personnel Retirement System Boards is scheduled for **11:00 a.m.** on **March 25, 2024** in Fire Central **Room 262**, Tucson Fire Department, 300 S. Fire Central Place, Tucson, AZ.

Mr. Fimbres adjourned the Police Board meeting at 10:45 a.m.

Susanna Horn, Board Secretary

Date

Regina Romero, Chair

Date

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