



Tucson Police and Fire PSPRS Boards
P O Box 27210
Tucson, AZ 85726-7210
(520) 791-4282 (Voice)
(520) 791-2676 (Fax)

**Tucson Police and Fire PSPRS Boards
Thursday, March 6, 2025, at 9:00 a.m.
Fire Central, Room 280, Tucson Fire Department
300 S. Fire Central Place, Tucson, AZ**

LEGAL ACTION REPORT

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

To access the meeting by telephone through the Microsoft Teams conference call bridge, dial (213) 293-2303 then enter access code 901 633 955#

Mayor Romero called the Tucson Police and Tucson Fire PSPRS Board meetings to order at 9:08 a.m.

1. ROLL CALL

Police Board Members:

Regina Romero	- Chair
Paul Fimbres	- Member
Anna Rosenberry	- Member
Mark Ewings	- Member
Alon Hackett	- Member

Fire Board Members:

Regina Romero	- Chair
Paul Fimbres	- Member
Anna Rosenberry	- Member
Jason Adler	- Member
Anthony D'Onofrio	- Member

A Police Board quorum was established with Mayor Romero, Ms. Rosenberry, Mr. Ewing and Mr. Hackett attending in person. Mr. Fimbres was absent/excused.

A Fire Board quorum was established with Mayor Romero, Ms. Rosenberry, Mr. Adler and Mr. D'Onofrio attending in person. Mr. Fimbres was absent/excused.

2. POLICE CONSENT AGENDA: ITEMS A – D**A. MINUTES FOR APPROVAL – February 6, 2025****B. ELECTION TO PARTICIPATE IN DROP**

<u>Name</u>	<u>Yrs of Srv</u>	<u>Date</u>	<u>Eff. Date</u>
Dustin Dial			04/12/2025

C. 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>
Kimberly Frie	NSR	02/27/2025	03/01/2025	\$5,358.15
James Sullivan	NSR	04/11/2025	05/01/2025	\$3,504.19
Keith McCrocklin	NSR out of DROP		02/27/2025	\$2,958.61

D. APPROVAL OF EXPENDITURES

<u>Company Name</u>	<u>Description</u>	<u>Date</u>	<u>Amount</u>	<u>Method</u>
Bossé Rollman PC	February Retainer	02/01/2025	\$400.00	Workday
Bienville Orthopedic Spec. Jeremy Michel		03/19/2025	\$2,500	Workday

Motion by Mr. Ewings, seconded by Mr. Hackett, that Police Items A-D are adopted as written.

Motion **CARRIED** by a roll call vote 4-0.

3. FIRE CONSENT AGENDA: ITEMS A – D**A. MINUTES FOR APPROVAL- February 6, 2025****B. ELECTION TO PARTICIPATE IN DROP**

<u>Name</u>	<u>Yrs of Srv</u>	<u>Date</u>	<u>Eff. Date</u>
Marc Lewis			03/28/2025
Jesus Silva			02/28/2025
Brian Stevens			02/28/2025

C. 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>
Carlos Lopez	NSR out of DROP		02/27/2025	
Ronald Lopez	NSR out of DROP		05/30/2025	

Please note: Legal Action may be taken on any agenda item

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Tucson PSPRS office at 791-4282. Requests should be made as early as possible to allow time to arrange the accommodation.

* Pursuant to ARS 38-431.03(A)(3) and (4): the board may hold an executive session for the purposes of obtaining legal advice from an attorney or attorneys for the Board or to consider its position and instruct its attorney(s) in pending or contemplated litigation. The board may also hold an executive session pursuant to A.R.S. 38-431.03(A)(2) for purposes of discussion or consideration of records, information or testimony exempt by law from public inspection.

D. APPROVAL OF EXPENDITURES

<u>Company Name</u>	<u>Description</u>	<u>Date</u>	<u>Amount</u>	<u>Method</u>
Bossé Rollman PC	February Retainer	02/01/2025	\$ 400.00	Workday

Motion by Mr. Adler, seconded by Ms. Rosenberry, that Fire Items A-D are adopted as written.

Motion **CARRIED** by a roll call vote 4-0.

4. APPLICATION FOR DISABILITY PENSION

Fire - Attachments

<u>Name</u>	<u>Ret Date:</u>	<u>Eff Date:</u>	<u>Application Type</u>
Jacob Lindsey	N/A	N/A	Accidental

Motion by Mr. Adler, seconded by Mr. Mr. D’Onofrio to refer Mr. Lindsey for an independent medical evaluation in connection with his disability application.

Motion **CARRIED** by a roll call vote 4-0.

5. APPLICATION FOR DISABILITY PENSION

Police - Attachments

<u>Name</u>	<u>Ret Date:</u>	<u>Eff Date:</u>	<u>Application Type</u>
No additions or deletions at this time			

6. DISABILITY PENSION REVIEW OF IME REPORT

Fire - Attachments

<u>Name</u>	<u>Ret Date:</u>	<u>Eff Date:</u>	<u>Application Type</u>
No additions or deletions at this time			

7. DISABILITY PENSION REVIEW OF IME REPORT

Police - Attachments

<u>Name</u>	<u>Ret Date:</u>	<u>Eff Date:</u>	<u>Application Type</u>
Ian Hyde	02/26/2021		Annual IME
James Davis	11/29/2019		Annual IME
Robert Massie	11/19/2021		Annual IME

Please note: Legal Action may be taken on any agenda item

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Tucson PSPRS office at 791-4282. Requests should be made as early as possible to allow time to arrange the accommodation.

* Pursuant to ARS 38-431.03(A)(3) and (4): the board may hold an executive session for the purposes of obtaining legal advice from an attorney or attorneys for the Board or to consider its position and instruct its attorney(s) in pending or contemplated litigation. The board may also hold an executive session pursuant to A.R.S. 38-431.03(A)(2) for purposes of discussion or consideration of records, information or testimony exempt by law from public inspection.

Motion by Mr. Ewings, seconded by Mr. Hackett, that Mr. Hyde, Mr. Davis and Mr. Massie are in compliance with the bi-annual physical requirements and remain eligible to continue receiving disability pension benefits.

Motion **CARRIED** by a roll call vote 4-0.

8. **ADMINISTRATIVE ASSISTANT RECRUITMENT-** Recruitment closed this week with 130 applications received. Today the recruitment panel is scheduled to meet @ 11am where applications will be released to the panel for review. The panel is scheduled to meet again on March 12th to do a group review and make recommendations on which applicants to interview. Interviews are scheduled for March 25th. Mayor Romero said that the recruitment panel should move forward on making a job offer to the right candidate.
9. **PSPRS LOCAL BOARD BUDGET-** The recommended budget approved for submission by both the Tucson Police and Tucson Fire Local Boards during the February 6, 2025, PSPRS Local Boards meeting was submitted to the City of Tucson budget office. Mayor Romero asked Ms. Curbelo be involved in next year's budget process from the start as she wasn't able to do so this year due to timing. Ms. Rosenberry explained that the additional .50 fte request for the Admin Assistant position will need to be captured as a supplemental request. She further stated that the City Manager will present his recommended budget to Mayor and Council on April 22nd.
10. **RECORD RETENTION POLICY -**Ms. Curbelo reached out to City Records Manager Jesus Acedo who has been very busy with the elections. He explained that he didn't find any clear guidelines as they pertain to PSPRS local board record retention. He suggested that we follow a similar record retention schedule to that of Human Resources. He recommended keeping records 10 years after the death of a beneficiary. Ms. Curbelo suggested that the local board come up with their own guidelines. She recommended to consider keeping records 10 years after either a member passes away or their beneficiary. For disability cases, once the member reaches a point where annual IME's are no longer required, the member's medical records can be properly disposed of. Mr. Ewing suggested that once the local boards create a policy on record retention, they should have the Phoenix PSPRS office review the draft policy to make sure there are no concerns. Mayor Romero asked what the process would be to dispose of both paper and electronic records. Ms. Curbelo explained that disposal would be conducted via confidential shredding. Mayor Romero further stated that it would be nice to have a policy on both paper and electronic record retention and disposal. Ms. Curbelo will draft a policy for review.

Please note: Legal Action may be taken on any agenda item

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Tucson PSPRS office at 791-4282. Requests should be made as early as possible to allow time to arrange the accommodation.

* Pursuant to ARS 38-431.03(A)(3) and (4): the board may hold an executive session for the purposes of obtaining legal advice from an attorney or attorneys for the Board or to consider its position and instruct its attorney(s) in pending or contemplated litigation. The board may also hold an executive session pursuant to A.R.S. 38-431.03(A)(2) for purposes of discussion or consideration of records, information or testimony exempt by law from public inspection.

11. CITY MANAGER- Mr. Ewings stated that while there are different opinions on who has authority, regardless of the difference, it makes sense to attempt to work within the City Manager's framework. He stated that along with policies for record retention, it would be great to create policies on annual reviews. He further stated that Ms. Curbelo would be responsible for completing reviews on Ms. Webb and the Admin Asst positions while the Local Board members would be responsible for complete Ms. Curbelo's annual review. If we could put something in place that is structured such as knowing that evaluation reviews are due by a certain date, that would give us enough time to submit them if we were seeking wage increases. We could make improvements and policies that would hopefully align with what the City Manager wants. If we recommend something that the City Manager doesn't agree with, then we can make a decision at that time if we want to battle it out and in what form we want to battle it out. Thereafter, Mr. Bosse asked if the city has a form that the local board can work with. Ms. Rosenberry explained that a form is being developed in a module within Workday that could be shared once it is complete. Mayor Romero suggested that Ms. Curbelo start with the city performance evaluation review form and make a recommendation on when to complete it. Mayor Romero would like to see a written policy on protocols for evaluations. Mr. Ewings stated that written policies reduce conflict. He would like to receive feedback from members who have interacted with the Local Boards office staff on their experience with the staff to incorporate into the evaluation. Mayor Romero explained that the City Manager's office has started using a 360 evaluation where individuals provide feedback. Ms. Curbelo will come up with a list of questions to ask.

12. FUTURE AGENDA ITEMS

- Administrative Assistant Recruitment Update
- Record retention draft policy

13. FUND/OFFICE INFORMATION

- The PSPRS annual conference will not take place in 2025 due to training being done on the new STARS system scheduled to be in place July 1, 2025.
- There have been a couple of TPD members who were not aware that they needed to complete paperwork with the local board's PSPRS office for their retirement. Mr. Ewings explained that there are some members who do retire with very little notice but that he will remind them to contact the local board's PSPRS office when retiring.

14. CALL TO AUDIENCE

None

Please note: Legal Action may be taken on any agenda item

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Tucson PSPRS office at 791-4282. Requests should be made as early as possible to allow time to arrange the accommodation.

* Pursuant to ARS 38-431.03(A)(3) and (4): the board may hold an executive session for the purposes of obtaining legal advice from an attorney or attorneys for the Board or to consider its position and instruct its attorney(s) in pending or contemplated litigation. The board may also hold an executive session pursuant to A.R.S. 38-431.03(A)(2) for purposes of discussion or consideration of records, information or testimony exempt by law from public inspection.

15. ADJOURNMENT

The next regular meeting of the Tucson Police and Fire Public Safety Personnel Retirement System Boards is scheduled for **9:00 a.m.** on **April 3, 2025** in Fire Central **Room 262**, Tucson Fire Department, 300 S. Fire Central Place, Tucson, AZ.

Please note: Legal Action may be taken on any agenda item

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Tucson PSPRS office at 791-4282. Requests should be made as early as possible to allow time to arrange the accommodation.

* Pursuant to ARS 38-431.03(A)(3) and (4): the board may hold an executive session for the purposes of obtaining legal advice from an attorney or attorneys for the Board or to consider its position and instruct its attorney(s) in pending or contemplated litigation. The board may also hold an executive session pursuant to A.R.S. 38-431.03(A)(2) for purposes of discussion or consideration of records, information or testimony exempt by law from public inspection.