



Tucson Police and Fire PSPRS Boards
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MEETING MINUTES

Tucson Police PSPRS Board

Tuesday, August 2, 2016

The regular meeting of the Tucson Police Public Safety Personnel Retirement System Board was held on Tuesday August 2, 2016 on the 1st floor, Tucson Fire Department, Room 121, Fire Central, 300 S. Fire Central Place, Tucson, Arizona.

Mayor Rothschild called the Tucson Police PSPRS Board meeting to order at 9:02 a.m.

1. ROLL CALL

Police Board Members:

Present:	Jonathan Rothschild	Chair
	Max Parks	Member
	Michael Dietsch	Member
	Terrance O'Hara	Member

Also Present:	Nathan Weber	Fire Board Member
	David McEvoy	Board Attorney
	Michael Jesse	Board Secretary
	Susanna Horn	PSPRS Office
	Robert Callan	
	Mark Davis	
	James Fedor	
	Dale Norris	

A Police Board quorum was established with Ms. Hill absent/excused.

2. POLICE CONSENT AGENDA: ITEMS A – E**A. MINUTES FOR APPROVAL – July 5, 2016****B. PENSION PAYROLL – Additions and deletions to benefits**

<u>Name</u>	<u>Transaction Type</u>	<u>LDW</u>	<u>Eff Date</u>	<u>Ben Amt</u>
Schur, Mark	NSR Out of DROP	07/21/2016	08/01/2016	\$ 3,182.17
Espinoza Jr., Martin	NSR Out of DROP	07/21/2016	08/01/2016	\$ 5,482.56
Griffith Todd	NSR Out of DROP	07/29/2016	08/01/2016	\$ 3,451.12
Dunham, Mack	NSR Out of DROP	07/14/2016	08/01/2016	\$ 3,517.39
Hitchcock, Virgil	Death of Retiree	06/09/2016	07/01/2016	(\$ 3,372.81)
Pyle, Gary	Death of Retiree	07/09/2016	08/01/2016	(\$ 4,323.46)

C. ELECTION TO PARTICIPATE IN DROP

<u>Name</u>	<u>Yrs of Srv</u>	<u>Date</u>	<u>Eff. Date</u>
Hubbard, David	20.053	07/30/2016	08/01/2016

D. REFUND OR TRANSFER OUT OF MEMBER CONTRIBUTIONS

<u>Name</u>	<u>Yrs of Srv</u>	<u>EE Contr Bal</u>	<u>Type</u>
Garza, Jeffrey	2.89	\$ 11,569.28	Refund
Marshall, Virgilio	0.95	\$ 5,624.07	Refund

E. APPROVAL OF EXPENDITURES

<u>Company Name</u>	<u>Description</u>	<u>Date</u>	<u>Amount</u>	<u>Method</u>
McEvoy, Daniels, Darcy	August Retainer	08/02/2016	\$ 400.00	DA-23
Sunnyside Medicenter	Disability Evals	08/02/2016	\$ 2,150.00	DA-23

Motion by Mr. Dietsch, seconded by Mr. O’Hara, that Police Items A-E are adopted and appropriate action taken. Motion **CARRIED** by a roll call vote of 4-0.

3. FIRE CONSENT AGENDA: ITEMS A – E**A. MINUTES FOR APPROVAL – July 5, 2016****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				

C. REDEMPTION, TRANSFER OR PURCHASE OF SERVICE

<u>Name</u>	<u>Yrs of Srv</u>	<u>Cost</u>	<u>Type / From</u>
Oppel, Matthew	3.000	\$ 61,080.00	Redemption/Military

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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APPROVED
09/06/2016

D. REFUND OR TRANSFER OUT OF MEMBER CONTRIBUTIONS

<u>Name</u>	<u>Yrs of Srv</u>	<u>EE Contr Bal</u>	<u>Type</u>
Cuffel, Dominic	16.130	\$ 138,050.52	Refund

E. APPROVAL OF EXPENDITURES

<u>Company Name</u>	<u>Description</u>	<u>Date</u>	<u>Amount</u>	<u>Method</u>
McEvoy, Daniels, Darcy	August Retainer	08/02/2016	\$ 400.00	DA-23

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

4. ANNUAL DISABILITY PHYSICAL – REQUIREMENT

Police-

<u>Name</u>	<u>DOM:</u>	<u>DOR:</u>	<u>Last Exam</u>	<u>Type</u>
Steward, Kelly	12/31/2000	11/29/2005	08/20/2015	Accidental
Thielen, Jeffrey	09/12/1999	08/29/2002	07/24/2014	Accidental
Marcotte, Douglas	11/23/2008	09/29/2010	08/01/2014	Accidental

Motion made by Mr. Dietsch, seconded by Mr. O’Hara, that Ms. Steward is in compliance with the bi-annual physical requirements and remains eligible to continue receiving disability pension benefits. Motion **CARRIED** unanimously.

Motion made by Mr. Dietsch, seconded by Mr. O’Hara, that Mr. Thielen and Mr. Marcotte be referred to the board physician for their required bi-annual physical in order to remain in compliance and eligible to continue receiving disability pension benefits. Motion **CARRIED** unanimously.

5. ANNUAL DISABILITY PHYSICAL – RESULTS

Police- Attachments

<u>Name</u>	<u>DOM:</u>	<u>DOR:</u>	<u>Last Exam</u>	<u>Type</u>
Bejarano, Eric	08/16/1998	07/30/2014	07/07/2016	Accidental

Motion made by Mr. Dietsch, seconded by Mr. O’Hara, that Mr. Bejarano is in compliance with the bi-annual physical requirements and remains eligible to continue receiving disability pension benefits. Motion **CARRIED** unanimously.

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6. APPLICATION FOR DISABILITY PENSION-Review of ReportPolice - Attachments

<u>Name</u>	<u>LDW:</u>	<u>Eff Date:</u>	<u>Application Type</u>
Callan, Robert	12/28/2015	TBD	Accidental
Davis, Mark	TBD	TBD	Accidental

Motion made by Mr. Dietsch, seconded by Mr. O'Hara, to table Mr. Callan's application until additional testing results are evaluated by Dr. Thrasher and his supplemental comments on those results are submitted. Motion **CARRIED** unanimously.

Motion made by Mr. O'Hara, seconded by Mr. Parks that based on Dr. Thrasher's medical report, Mr. Davis is eligible to receive an Accidental Disability retirement benefit upon his separation from employment with the City of Tucson Police Department.

Motion **CARRIED** unanimously with Mr. Dietsch recusing himself from the vote.

7. APPLICATION FOR DISABILITY PENSION-Re-hearingPolice - Attachments

<u>Name</u>	<u>LDW:</u>	<u>Eff Date:</u>	<u>Application Type</u>
Fedor, James	05/01/2015	TBD	Accidental

Motion made by Mr. Dietsch, seconded by Mr. O'Hara, to enter Executive Session for discussion of Mr. Fedor's Accidental Disability application . Motion **CARRIED** unanimously.

Upon exit from Executive Session there was a discussion regarding additional information being needed before a decision could be reached.

The hand written notes of Dr. Luz Cornell, the provider that Mr. Fedor visited while still an employee of the Tucson Police Department, were found to be overall difficult to read. The board asked that these notes be transcribed. Mr. Fedor's attorney, Dale Norris, agreed to pursue the transcription of those notes.

The board also requested that Mr. Fedor provide a signed and notarized release granting permission to access other records including information in his personnel file and the police reports for incidents that Mr. Fedor cited in his disability application as contributing factors to his condition. The board was of the opinion this was required for a better foundation upon which to make a determination regarding his application. Mr. Norris agreed to this in principle but indicated he would need to see the terms of that release before he would have Mr. Fedor sign it.

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Mr. Dietsch noted that the records from Amy White dated January 11, 2016 indicate Mr. Fedor stated, in his questionnaire submitted to her, that his disabling condition had been diagnosed in July 2015. Mr. Dietsch also noted there was no documented finding of that diagnosis prior to the information provided by Amy White. Mr. Norris stated the typed notes provided by Dr. Cornell included the observation of symptoms characteristic of the condition upon which Mr. Fedor's disability claim is based. The board reiterated they wanted to get clarified and more complete information upon which to make a decision.

Motion made by Mr. Dietsch, seconded by Mr. O'Hara to table Mr. Fedor's Accidental Disability application in order to gather more clear information.
Motion **CARRIED** unanimously.

Mr. Fedor's Accidental Disability application will be placed on the September 6, 2016 meeting agenda. If there is not enough information to move forward the item will be tabled again until all information is received.

8. FUND/OFFICE INFORMATION

- Legislative Update – Summary of July 26 session held at PSPRS headquarters

Mr. Jesse gave a brief summary of the Legislative Update session that he and Mr. Weber attended on July 26 at the PSPRS headquarters. A copy of the presentation was provided that summarized the bills that passed.

SB 1152 perpetuates the retirement system for another 8 years.

HB 2019 will reduce the purchase cost of certain types of eligible service (out-of-state, Rural Metro, and pre-joinder) effective August 6, 2016 through June 30, 2017. The cost of all service purchases will increase July 1, 2017.

Mr. Weber indicated that PSPRS would be offering an after-tax payroll deduction agreement to provide members another method of payment for their service purchase.

SB 1428 (Pension Reform) calls for a new Tier 3 to be established effective July 1, 2017 which includes the option of participating in a new defined benefit structure or a defined contribution plan. This applies to those that enter the plan on or after July, 2017. Those that choose the new defined benefit structure will also

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participate in the new defined contribution plan – just at a lower employee contribution rate than those that choose the defined contribution plan.

For those entering the defined benefit plan January 1, 2012 through June 30, 2017, participation in the Tier 2 defined benefit plan is mandatory but the option to also participate in the new defined contribution plan (at a lower employee contribution rate than Tier 3) will be available.

Mr. Weber stated his concern that the Tier 3 irrevocable decision to participate in the new defined benefit structure or the new defined contribution plan would have a lasting impact on members. He told the board that he had suggested to PSPRS headquarters that they create a webinar or presentation to ensure that a new member would get a centralized, consistent message regarding the participation decision.

Mayor Rothschild requested that Mr. Jesse provide him with an outline of the work that needs to be done to implement these enacted PSPRS changes.

- Jerry Skeenes – Update on requested IME for disability application

Mr. Skeenes has decided that he will travel to Tucson to see our board physician eliminating the need to search for a provider in his area.

9. 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 Tuesday, September 6, 2016**, in Fire Central **Room 121**, Tucson Fire Department, 300 S. Fire Central Place, Tucson, AZ.

Mayor Rothschild adjourned the Police and Fire Boards at 9:24 a.m.

Michael J. Jesse, Board Secretary

Date

Jonathan Rothschild, Chairman

Date

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