

**Public Safety Personnel Retirement System  
Local Pension Board Meeting Agenda  
Superstition Fire & Medical District**

**PURSUANT TO A.R.S. §38.431.02**

Notice is hereby given to the general public the Superstition Fire & Medical District (SFMD) Public Safety Personnel Retirement System Local Pension Board will hold a meeting on **Thursday, January 14th, 2021**. The meeting will be held at the Superstition Fire & Medical District's Administrative Office, located at 565 N. Idaho Road, Apache Junction, Arizona. The meeting will be open to the general public and will begin at **2:30 pm** local time.

**AGENDA:**

- A. Call to Order.
- B. Pledge of Allegiance.
- C. Roll Call.

*The following items are to be discussed at the board meeting; action or decisions may or may not be taken on any or all items. Agenda items may or may not be considered in the order listed:*

1. Loyalty Oath of Office for three new Local Pension Board Members (Chairman Todd House, Engineer James Crowley and Firefighter Zachary Leon) for a four-year term.
2. Review and possible approval of the August 18, 2020 Local Pension Board meeting minutes.
3. Call to Public.  
A public body may make an open call to the public during a public meeting, subject to reasonable time, place, and manner restrictions, to allow individuals to address the public body on any issue within the jurisdiction of the public body. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter, or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action.  
**Scheduled:** none at time of printing
4. Discussion and possible approval of eight new hires retirement membership into the Public Safety Personnel Retirement System.
5. Discussion and possible approval of the consolidated results of the June 30, 2020 Arizona Public Safety Personnel Retirement System actuarial validation.
6. Discussion and possible approval of the annual actuarial valuation as of June 30, 2020 for the Superstition Fire & Medical (Apache Junction Fire District – 148) District's participation in the Arizona Public Safety Personnel Retirement System.

7. Discussion and possible approval of the Consent and Waiver regarding the representation by William R. Whittington of the law firm of BOYLE, PECHARICH, CLINE, WHITTINGTON & STALLINGS, PLLC (“BPCWS”) of the SFMD Public Safety Personnel Retirement System Local Pension Board.
8. Training, discussion and possible direction for the Local Pension Board regarding roles and responsibilities, approvals and various types of PSPRS retirements and specifically medical retirements, Open Meeting Law and Local Pension Board Bylaws.
9. Discussion and possible action to review the date / time of the next SFMD Public Safety Personnel Retirement System Local Board meeting.
10. Announcements and Information.
11. Adjourn.

Notice: The Local Pension Board may go into Executive Session for the purpose of obtaining legal advice from the Fire District’s attorney(s) on any of the above agenda items pursuant to A.R.S. 38-431.03(A)(3). One or more members of the Local Pension Board may attend the meeting telephonically.

Local Pension Board meeting agenda dated and posted:

On: January 12, 2021

At: 1730 hours

By: Sherry Mueller

January 14, 2021

## **Local Pension Board Meeting – January 14, 2021**

### **Agenda Item 1:**

**Agenda Item Title: Swearing in of three new Local Pension Board Members (Chairman Todd House, Engineer James Crowley and Firefighter Zachary Leon) for a 4-year term.**

#### **Background / Discussion:**

Board of Directors Member Todd House was appointed as the Chairman of the Pension Board. Engineer James Crowley and Firefighter Zachary Leon have been appointed as the Suppression members to the Local Pension Board and all will be sworn in.

#### **Recommended Motion:**

NONE

### **Agenda Item 2:**

**Agenda Item Title: Review and possible approval of the August 18, 2020 Local Pension Board meeting minutes.**

#### **Background / Discussion:**

The Local Pension Board meeting minutes are provided for Local Board review, comment, and approval. After approval, minutes are signed and kept as official public record and a copy is sent to Public Safety Personnel Retirement System.

**Recommended Motion:** *(please read motion as written)*

*“Motion to approve the August 18, 2020 Local Pension Board meeting minutes.”*

**Enclosure:** Local Pension Board Meeting Minutes from August 18, 2020.



## ***Superstition Fire & Medical District***

565 North Idaho Road, Apache Junction, AZ 85119

Phone (480) 982-4440, Fax (480) 982-0183

[www.sfmd.az.gov](http://www.sfmd.az.gov)

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### **Public Safety Personnel Retirement System**

#### **Local Pension Board Meeting Minutes**

**August 18, 2020**

PURSUANT TO A.R.S. 38.431.02, NOTICE IS HEREBY GIVEN TO THE GENERAL PUBLIC THAT THE SUPERSTITION FIRE & MEDICAL DISTRICT ("SFMD") PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM ("PSPRS"), THE LOCAL PENSION BOARD HELD A MEETING ON TUESDAY, AUGUST 18, 2020. THE MEETING WAS HELD AT THE SUPERSTITION FIRE & MEDICAL DISTRICT'S ADMINISTRATION OFFICE, AT 565 N. IDAHO ROAD, APACHE JUNCTION, ARIZONA. THE MEETING WAS OPEN TO THE GENERAL PUBLIC AND BEGAN AT 4:00 P.M.

- A. Chairman Larry Strand called the meeting to order at 4:00 p.m.
- B. The Pledge of Allegiance was led by Director John Walka
- C. Roll Call showed Local Board Chairman Larry Strand, Board Member Ron Olm and Board Member John Walka were present. Board Member Charles Hanson and Jim Geil were not present. Also present were Fire Chief Mike Farber, Board Secretary Sherry Mueller, Administrative Services Director Anna Butel, Assistant Chief Richard Mooney, Acting Assistant Chief Jeff Cranmer and Finance Director Roger Wood.

12. *Review and possible approval of the June 16, 2020 Local Pension Board meeting minutes.*

**Motion** by Local Board Member Olm to approve the June 16, 2020 Local Pension Board minutes.

**Seconded** by Local Board Member Walka

Vote 3 Ayes, 0 Nays. **Motion passed.**

13. *Call to Public.*

None.

14. Discussion and possible approval of William (Bill) Tavares' application to retire from PSPRS on 9-4-2020.

Engineer William Tavares has applied to retire from PSPRS on 9/4/2020. He has completed all the necessary paperwork.

William must terminate employment with SFMD no later than 9/4/2020. William started with SFMD on 6/5/2006 and retires with 20.002 years of service.

January 14, 2021

**Motion** by Board Member Olm to approve William Tavares' application to retire on 9/4/2020 and acknowledge that William must terminate employment with Superstition Fire & Medical District on September 4, 2020.

**Seconded** by Local Board Member Walka  
Vote 3 Ayes, 0 Nays. **Motion passed.**

15. Discussion and possible approval of Paul Perkins' application for termination of his participation in the DROP program and to apply for normal retirement on 9/8/2020.

Captain Paul Perkins entered the DROP program on 2/28/2017 when he agreed to terminate his employment with SFMD on or before 2/28/2022. He has provided notice to SFMD of his retirement effective September 8, 2020.

**Motion** by Board Member Walka to approve Paul Perkin's termination of his participation in the DROP program and approve his application for normal retirement 9/8/2020.

**Seconded** by Local Board Member Olm  
Vote 3 Ayes, 0 Nays. **Motion passed.**

16. Discussion and possible approval of John Taylor's application to participate in the DROP program entering on 9/30/2020.

Engineer John Taylor has applied to enter the DROP program on 9/30/2020. He has completed all the necessary paperwork.

John must terminate employment with SFMD no later than 9/30/2025. John started with SFMD on 9/5/2000 and enters the DROP with 20.071 years of service.

**Motion** by Board Member Olm to approve John Taylor's application to participate in the DROP program and acknowledge that John must terminate employment with Superstition Fire & Medical District on or before September 30, 2025.

**Seconded** by Local Board Member Walka  
Vote 3 Ayes, 0 Nays. **Motion passed.**

17. Discussion and possible approval of John Suniga's application to retire from PSPRS on 10/22/2020.

Engineer John Suniga has applied to retire from PSPRS on 10/22/2020. He has completed all the necessary paperwork.

John started with SFMD on 12/18/1992 and retires with 27.847 years of service.

**Motion** by Board Member Walka to approve John Suniga's application to retire on 10/22/2020 and acknowledge that John must terminate employment with SFMD on October 22, 2020.

**Seconded** by Local Board Member Olm

Vote 3 Ayes, 0 Nays. **Motion passed**

18. Discussion and possible action to review the date / time of the next SFMD Public Safety Personnel Retirement System Local Board Meeting.

In accordance with ARS §38-847 (3), a local pension board meeting will be held at least twice annually, otherwise scheduled as needed. In the absence of a quorum (consisting of three member, at least one of whom shall be one of the members elected by secret ballot) for a scheduled meeting, the Chairperson or any two members of the Board may reschedule the meeting as a special meeting. Any meeting may be continued to a later date.

The following date(s) is recommended for the next Local Board Meeting:

- **Tuesday February 16, 2021**

In accordance with ARS §38-847 (3), a local pension board meeting will be held at least twice annually, otherwise scheduled as needed. In the absence of a quorum (consisting of three member, at least one of whom shall be one of the members elected by secret ballot) for a scheduled meeting, the Chairperson or any two members of the Board may reschedule the meeting as a special meeting. Any meeting may be continued to a later date.

**Motion** by Board Member Olm to confirm **Tuesday, February 16, 2021** as the date of the next scheduled Local Pension Board Meeting.

**Seconded** by Board Member Walka  
Vote 3 Ayes, 0 Nays. **Motion passed**

19. Announcements.

Board Member John Walka announced that the Labor Union met and voted in two new members

to sit on the Local Pension Board in replacement of Engineer Charles (Chuck) Hanson and Captain

John Walka. The new Suppression members will be sworn in at the next Local Pension Board Meeting.

20. Adjourn.

**Motion** by Board Member Olm to adjourn the meeting at 4:07 p.m.

**Seconded** by Board Member Walka  
Vote 3 Ayes, 0 Nays. **Motion passed.**

**Board Approval:**

**Preliminary minutes emailed to PSPRS on August 19, 2020.**

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*Board Chairman Todd House*

Sherry Mueller

January 14, 2021

## **Local Pension Board Meeting – January 14, 2021**

### **Agenda Item: 3**

#### **Agenda Item Title: Call to Public.**

A public body may make an open call to the public during a public meeting, subject to reasonable time, place, and manner restrictions, to allow individuals to address the public body on any issue within the jurisdiction of the public body. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter, or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action.

#### **Background / Discussion:**

Call to Public is provided so citizens may address the public body (Local Pension Board) with matters concerning the retirement system. Arizona public meeting law provides that the public body may discuss, consider, or decide only matters listed on the agenda and other matters related thereto. Since the public body will generally not know what specific matters may be raised at call to public, they will be unable to act until the matter is placed on a subsequent meeting agenda (at the Local Board's discretion). The Local Board may also direct staff to follow up on an issue.

**Recommended Motion:** Not applicable

#### **Enclosure:**

None



**Local Pension Board Meeting – January 14, 2021**

**Agenda Item: 4**

**Agenda Item Title:**

Discussion and possible approval of eight new hires retirement membership in to the Public Safety Personnel Retirement System.

**Background / Discussion:**

Participation in the PSPRS requires that the Local Board approve new membership and note if there are any pre-existing medical conditions as employees are hired. Currently, HR staff reviews the medical reports and advises the Local Board of any pre-existing conditions. Human Resources confirmed that two of the new hires have a medical history, but none of the eight have any pre-existing conditions.

**Recommended Motion:** (please read motion as written)

***“Motion to approve Firefighter Benjamin Young with a start date of November 23, 2020, Firefighter Steven Schaeken with a start date of December 7, 2020, Firefighters Shane Gereg, Sophie Boukatch, Caleb Brown, Thomas Merrill, Anthony Pezzino and Luke Mays with a start date of January 29, 2021, all with no pre-existing conditions”.***

**Enclosures:**

None

## **Local Pension Board Meeting – January 14, 2021**

### **Agenda Item: 5**

#### **Agenda Item Title:**

Discussion and possible approval of the Comprehensive Annual Financial Report (CAFR) that documents the consolidated actuarial valuation results for the Arizona Public Safety Personnel Retirement System as of June 30, 2020.

#### **Background / Discussion:**

Per A.R.S. §38-847(D)(7), the Local Board is “To receive and review the actuarial valuation of the system for its group of members.” This report is the consolidated result of the total fund for all of the Arizona PSPRS as of June 30, 2020.

The entire Comprehensive Annual Financial Report (CAFR) for the period ending June 30, 2020, can be accessed via the following link:

<http://www.psprs.com/investments--financials/annual-reports>

At the highest summary level, the report indicates the following key metrics for the consolidated PSPRS pension system:

- A. Funded percentage as of June 30, 2020: 48.2% (including health insurance subsidy)
- B. PSPRS received a clean audit opinion from Clifton Larson Allen LLP, their external audit firm.

#### **Recommended Motion:** (please read motion as written)

*“Motion to approve the Comprehensive Annual Financial Report that documents the consolidated actuarial valuation results of the Arizona Public Safety Personnel Retirement System as of June 30, 2020”.*

#### **Enclosures:**

None

**Meeting – January 14, 2021**

**Agenda Item: 6**

**Agenda Item Title:**

Discussion and possible approval of the annual actuarial valuation report as of June 30, 2020 for Superstition Fire & Medical District’s (148) participation in the Arizona Public Safety Personnel Retirement System.

**Background / Discussion:**

This report is also to be received and reviewed per A.R.S. This report provides the annual actuarial valuation of the Superstition Fire & Medical District’s participation in the Arizona Public Safety Personnel Retirement System as of June 30, 2020, and applies directly to SFMD, with our current benefits and liabilities.

	July 1, 2020	July 1, 2021	
SFMD Tier 1 & Tier 2 Contribution Rate	31.84%	32.54%	+0.70%
SFMD Tier 2 Defined Contribution Rate	4.00%	4.00%	
SFMD Tier 3	26.01%	27.50%	+1.49%
SFMD Tier 3 Defined Contribution Rate	3.00%	3.00%	
Employee Contribution Rate	7.65% / 11.65%	7.65% / 11.65%	

SFMD’s Funded Status (including pension and health insurance subsidy)

Tier 1 & 2	67.7%	+ 0.50%
Tier 3	103.0%	-15.40%

The entire report can be accessed via the following link:

<https://members2.psprs.com/Estimators/actuarials.aspx>

Use the Drop Down windows to choose Superstition Fire And Medial Dis (PSPRS) (148) and Fiscal year 2020 to retrieve the full report.

**Recommended Motion:** (please read motion as written)

*“Motion to approve the annual actuarial valuation report as of June 30, 2020 for Superstition Fire & Medical District’s participation in the Arizona Public Safety Personnel Retirement System.”*

**Enclosures:**

None

**Meeting – January 14, 2021**

**Agenda Item #7**

**Agenda Item Title:**

Discussion and possible approval of the Consent and Waiver regarding the representation by William R. Whittington of the law firm of BOYLE, PECHARICH, CLINE, WHITTINGTON & STALLINGS, PLLC (“BPCWS”) of the SFMD Public Safety Personnel Retirement System Local Pension Board.

**Background Discussion:**

Please see the attached explanation letter

**Recommended Motion:** (please read motion as written)

*“Motion to approve the CONSENT and WAIVER allowing William R. Whittington of BPCWS to represent SFMD and the Public Safety Personnel Retirement System Local Pension Board”*

**Enclosures:**

Consent and Waiver explanation letter

Consent and Waiver Form

LAW OFFICES

BOYLE, PECHARICH, CLINE, WHITTINGTON & STALLINGS, P.L.L.C.

Robert S. Pecharich	125 North Granite Street	G. Eugene Neil
William R. Whittington	Prescott, Arizona 86301	Bryon M. Ackerman
John C. Stallings	Telephone: (928) 445-0122	Nancy Hargiss-Tatlock
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Jonathan A. Millet	www.prescottlawoffices.com	Tyler J. Godbehere
		Hans N. Clugston, Of Counsel
		James P. Boyle, Jr. (1913-2003)
		Barry B. Cline (1938-2016)
		<i>Serving Arizona since 1950</i>

January 12, 2021

*Via Email*

Anna Butel, Director of Admin. Services  
Superstition Fire & Medical District  
565 N. Idaho Road  
Apache Junction, AZ 85119  
[Anna.butel@sfmd.az.gov](mailto:Anna.butel@sfmd.az.gov)

**Re: Superstition Fire & Medical District PSPRS Board**

Dear Anna:

As you know, our office represents the Superstition Fire & Medical District Governing Board, on an ongoing basis, and now the Superstition Fire & Medical District PSPRS Local Board. It has recently been suggested to us that we should obtain consents from both the Public Safety Board and the Fire Board, consenting to our representation of the PSPRS Local Board. This is because the expenses incurred by the PSPRS Board are paid out of the budget approved by the Fire Board. We do not see this as an issue of significant concern, as we exercise independent judgment while representing the PSPRS Board, and exercise no control over the budget development by the District. Nevertheless, this letter is intended to inform you of the various issues relating to that representation.

The nature of our firm's role in advising the District Board and the Pension Board does not preclude effective representation. While the matter is not anticipated to produce contentious matters, each entity may have subtly different interests which need to be taken into account in deciding whether or not we can assist on each participant's behalf. Rest assured that if different needs or perspectives arise which interfere with our independent professional judgment, we would recommend that any affected party secure alternate, independent counsel to resolve the issues.

There is little to no expectation that our firm's individual relationship with each client would change. In such a representation, possible effects on confidentiality and the attorney/client privilege can be of consideration. In this matter, discussions relating to the matter will not be privileged among or between the districts. That being said, confidences

Anna Butel, Director of Admin. Services  
Superstition Fire & Medical District  
Re: Superstition Fire & Medical District PSPRS Board

January 12, 2021  
Page 2 of 2

between the parties in unrelated matters remain as such. No confidential information will be utilized to the advantage or disadvantage of the other.

If you understand the issues outlined above and believe that proceeding with our representation of the Pension Board is desirable, please have both Consent and Waivers approved and executed, and return them to our office. If you have any questions or concerns, please do not hesitate to contact me directly.

Please make sure to place these on the Agenda's for the upcoming respective meetings for each Board's consideration and approval.

Should you have any questions, please feel free to contact us.

Sincerely,

BOYLE, PECHARICH, CLINE,  
WHITTINGTON & STALLINGS, P.L.L.C.

A handwritten signature in black ink that reads "W. R. Whittington". The signature is written in a cursive style with a large, looped "D" at the end.

William R. Whittington, Esq.

WRW/aro

Enclosures

C: Fire Chief  
Sherry Mueller  
Todd House  
Kathleen Chamberlain

**CONSENT AND WAIVER**

The undersigned hereby consents to the representation by WILLIAM R. WHITTINGTON of the law firm of BOYLE, PECHARICH, CLINE, WHITTINGTON & STALLINGS, PLLC ("BPCWS"), of the Superstition Fire & Medical District Public Safety Personnel Retirement System Local Board.

In connection therewith, the undersigned acknowledges that William R. Whittington and the law firm of BPCWS represent the Superstition Fire & Medical District regarding a variety of matters unrelated, and does hereby waive any conflict of interest arising thereby.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2021.

**SUPERSTITION FIRE & MEDICAL DISTRICT  
PUBLIC SAFETY PERSONNEL  
RETIREMENT SYSTEM LOCAL BOARD**

By: \_\_\_\_\_  
Board Chair

**Meeting – January 14, 2021**

**Agenda Item: 8**

**Agenda Item Title:**

Training, discussion and possible direction for the Local Pension Board regarding roles and responsibilities, approvals and various types of PSPRS retirements and specifically medical retirements, Open Meeting Law and Local Pension Board ByLaws.

**Background / Discussion:**

All PSPRS training for the Local Pension Board will be provided by William Whittington.

**Recommended Motion:**

No Motion

**Enclosures:**

None



Meeting – January 14, 2021

Agenda Item: 9

**Agenda Item Title: Discussion and possible action to review the date / time of the next SFMD Public Safety Personnel Retirement System Local Board Meeting.**

**Background / Discussion:**

In accordance with ARS §38-847 (3), a local pension board meeting will be held at least twice annually, otherwise scheduled as needed. In the absence of a quorum (consisting of three member, at least one of whom shall be one of the members elected by secret ballot) for a scheduled meeting, the Chairperson or any two members of the Board may reschedule the meeting as a special meeting. Any meeting may be continued to a later date.

The following date is recommended for the next Local Board Meeting:

<b>Tuesday, February 9, 2021</b>
<b>Tuesday, February 16, 2021</b>

In accordance with ARS §38-847 (3), a local pension board meeting will be held at least twice annually, otherwise scheduled as needed. In the absence of a quorum (consisting of three member, at least one of whom shall be one of the members elected by secret ballot) for a scheduled meeting, the Chairperson or any two members of the Board may reschedule the meeting as a special meeting. Any meeting may be continued to a later date.

Additional meetings may need to be held to address the following, with the actual dates to be determined at a future date.

All meetings would be held at 4:00 p.m. in the SFMD Administration Board Room.

If it is determined that there is no need for one of these regularly scheduled meetings, the Local Board Chairperson will have the authority to reschedule or cancel any meeting.

**Recommended Motion:** *Motion to confirm \_\_\_\_\_ as the date of the next scheduled Local Pension Board meeting.*

**Enclosures:** None.

January 14, 2021

**Local Pension Board Meeting – January 14, 2021**

**Agenda Item: 10**

**Agenda Item Title: Announcements and Information.**

*Local Board may direct staff to act on any of these items or request that they be added to the next meeting agenda.*

None.

**Agenda Item: 11**

**Agenda Item Title: Adjourn.**

**Recommended Motion:** *“Motion to adjourn the Local Pension Board meeting.”*