

Minutes Tempe Police Public Safety Personnel Retirement Board October 6, 2011

Minutes of the Tempe Police Public Safety Personnel Retirement Board, held on Thursday, October 6, 2011, 3:00 p.m., Tempe City Hall, third floor conference room, 31 E. 5th Street, Tempe, Arizona.

Board Members Present:

Todd Bailey
Penny Higginbottom
Jeff McHenry

Board Members Absent:

Mayor Hugh Hallman
Joe Brosius

City Staff Present:

Kay Savard, Deputy City Clerk
Lourdes Robertson, Human Resources representative
Angel Carbajal, Assistant Police Chief

Guests Present:

Cynthia Kelley, Legal Counsel
John Kelley, Law Clerk

Todd Bailey called the meeting to order at 3:07 p.m.

ITEM II- Consideration of Meeting Minutes

Motion by Jeff McHenry to approve the board meeting minutes of September 1, 2011; second by Penny Higginbottom. Motion passed unanimously on a voice vote 3-0.

ITEM III – Motion to Adjourn to Executive Session, if necessary

No action was taken.

ITEM IV – Retirement

Motion by Jeff McHenry to accept the retirement application of **Larry W. Wylie** from the **Deferred Retirement Option Plan (DROP program) to normal retirement**; second by Penny Higginbottom. Motion passed unanimously on a voice vote 3-0.

ITEM V – Reemployment of Retired Detective Tom Magazzeni

Jeff McHenry stated that since the passage of Senate Bill (SB) 1609, the State Public Safety Personnel Retirement System (PSPRS) Board implemented a procedure for employee rehires. The following documentation is now required and is included in the agenda packet:

- A signed affidavit stating there was not a pre-existing agreement at the time of retirement to return to work
- A previous job description and future job description
- Rehire Date: August 15, 2011
- Retirement Date: May 31, 2011

Previously, there was no uniform method of addressing rehire situations. SB1609 provides certain measures that must be in place. The purpose of this agenda item is to confirm that the above referenced documents are on file with the City of Tempe. Board members determined that it was not necessary to rescind the original motion made by the Board on August 4, 2011; Cynthia Kelley, Legal Counsel, agreed noting that there is no precedence for rescinding the action. The Board must be comfortable that the statutory requirements have been met for this action.

It was noted that Mr. Magazzeni's rehire date was more than the minimum number of 60 days from the date of retirement, which is required by PSPRS.

Motion by Jeff McHenry, that due to consideration of the new documentation provided in the Board meeting agenda packet, the Board reaffirms that the rehire of Tom Magazzeni meets the statutory requirements; second by Penny Higginbottom. Motion passed unanimously 3-0.

ITEM VI – Public Appearances

No one spoke.

ITEM VII- Future agenda items

Cynthia Kelley, Legal Counsel explained that the Phoenix Local Board is working on coordinating a meeting with PSPRS; Mesa and Chandler will be participating and Tempe has been invited to participate. The purpose of the meeting is to discuss how to make the new disability retirement forms more user-friendly; the forms are confusing.

Motion by Jeff McHenry to adjourn; second by Penny Higginbottom. Motion passed unanimously on a voice vote 3-0. The meeting adjourned at 3:17 p.m.

Kay Savard, Deputy City Clerk