

CITY OF DOUGLAS LOCAL PENSION BOARD – FIRE  
MEETING MINUTES  
December 13, 2023

1. CALL TO ORDER:

Ms. Margaret Morales called the meeting to order at 3:01 p.m. in the HR Training Room at City Hall, 425 10<sup>th</sup> Street, Douglas, Arizona.

2. ROLL CALL:

Members Present: Oscar Elias, Margaret Morales, Mark Wilkinson

Members Absent: Frank Stevens, Matthew King

Others Present: Jairo Lopez (Applicant), Rocio Garcia-Pedroza (Board Secretary), Andrew Apodaca (Board Attorney)

3. REVIEW AND APPROVAL OF MEETING MINUTES FROM NOVEMBER 8, 2023.

Mark Wilkinson moved to approve the meeting minutes from November 8, 2023. Oscar Elias seconded the motion.

No discussion was made. All were in favor. Motion passed.

4. PURSUANT TO A.R.S. §38-431.03, (A)(3), THE BOARD MAY VOTE TO GO INTO EXECUTIVE SESSION FOR DISCUSSION OR CONSULTATION WITH ITS ATTORNEY, ANDREW APODACA, REGARDING ANY ITEM ON THE AGENDA; OR FOR THE PURPOSE OF DISCUSSION OR CONSIDERATION OF RECORDS EXEMPT BY LAW FROM PUBLIC INSPECTION, INCLUDING THE RECEIPT AND DISCUSSION OF INFORMATION OR TESTIMONY THAT IS SPECIFICALLY REQUIRED TO BE MAINTAINED AS CONFIDENTIAL BY STATE OR FEDERAL LAW PURSUANT TO A.R.S. §38-431.03(A)(2). Executive Sessions, for the purpose of obtaining Legal Advice and/or Confidential Medical Review from our PSPRS Attorney, if needed, are confidential under Arizona law.

Motion by Mark Wilkinson, second by Oscar Elias, to enter into an executive session for legal advice and confidential medical review, at 3:04 pm. All were in favor. Motion passed.

Motion by Mark Wilkinson, second by Oscar Elias to adjourn the executive session. All were in favor. Motion passed.

Open Session reconvened from executive session, at 3:21 pm.

5. REVIEW, DISCUSSION, AND APPROPRIATE ACTION ON APPLICATION FOR DISABILITY RETIREMENT SUBMITTED BY JAIRO LOPEZ, INCLUDING ANALYSIS OF FOLLOW-UP MEDICAL BOARD REPORT PURSUANT TO A.R.S. § 38-859.

Mrs. Margaret Morales asked Mr. Lopez if he wanted to make a statement. Mr. Lopez indicated he has seen what the reports say and he wished it was that simple. He appreciated the board's time.

Motion by Mark Wilkinson, second by Oscar Elias to deny the applications for accidental, ordinary and temporary disability filed by Jairo Lopez because in the Medical Board report dated September 22, 2023 and follow up report from November 20, 2023, Dr. Young concludes that:

- i. Mr. Lopez suffered "at most a possible lumbar strain" during the alleged incident on November 5, 2021 as noted on page 22 from the 9/22/23 report.
- ii. Mr. Lopez "does not have a physical condition that totally and permanently prevents him from performing a reasonable range of duties within his job classification" as noted on pages 24-25 from the 9/22/23 report and on pages 1-2 from the 11/20/23 report.

Although Dr. Young checked there was a conflict in evidence in the questionnaire responses, the board does not see a conflict of medical evidence.

All were in favor. Motion passed.

Mr. Wilkinson indicated he based his decision on what he previously stated and didn't see any conflict of evidence that would point to any type of disability.

Mr. Elias indicated he based his decision on the IME reports.

Mrs. Morales indicated she based her decision due to what was stated as presented.

6. DISCUSSION/DECISION TO APPROVE NEW DOUGLAS FIREFIGHTERS INTO PSPRS.

	Date of Hire	Eligibility Date	Tier
Francisco R Garcia	07/31/2023	11/30/2023	3
Ricardo Machado	10/09/2023	10/09/2023	3

Motion by Mark Wilkinson, second by Oscar Elias to find that Ricardo Machado and Francisco R Garcia meet all applicable PSPRS membership definitions, including the definition of Member, A.R.S. §38-842 (31), and all its related definitions, and regular assignment to hazardous duty, pursuant to A.R.S. §38-842 (42), effective for Machado's on his date of hire, 10/09/2023 and for Garcia with an effective Tier 3 date of 11/30/2023.

No discussion was made. All were in favor. Motion passed.

Motion by Mark Wilkinson, second by Oscar Elias to declare no pre-existing conditions for either member.

No discussion was made. All were in favor. Motion passed.

7. DISCUSS LATEST ACTUARIAL EMPLOYER VALUATION

Rocio Garcia-Pedroza explained to the members that the same as last year PSPRS Employer valuations can be found on [www.psprs.com](http://www.psprs.com); under Investments & Financials – Annual Reports – Employer Valuations. Rocio showed how to access the latest report online for Douglas Fire Department. Explained this report is used to obtain the new employer contribution rates and the funding status. The latest one on the website is from 2023 and it shows the Fire fund being 94.9% funded, when last year it was 100.3%. For next year, employer contribution rates will increase from 13.65% to 20.72% for Tier 1 and 2 members; for Tier 3 employer contributions will change from 9.56% to 15.47%.

8. REPORT TO THE BOARD MAILINGS RECEIVED FOR THE BOARD, IF ANY

Rocio Garcia-Pedroza reported there were none.

9. REQUESTS OF THE BOARD:

There were none.

10. ADJOURNMENT:

There being no further business to come before the board Mark Wilkinson moved to adjourn the meeting. Oscar Elias seconded the motion. All were in favor. Motion passed.

Ms. Margaret Morales adjourned the meeting at 3:35 p.m.



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Rocio Garcia-Pedroza, Board Secretary