

Fire Public Safety Personnel Retirement Board

Goodyear City Hall, Room 117
190 North Litchfield Road
Goodyear, AZ 85338

**Thursday, April 29, 2021****Immediately Following the
Police PSPRB
that begins at 8:00 a.m.****Meeting Agenda****CALL TO ORDER****ROLL CALL****PUBLIC COMMENTS**

Before you begin to speak, identify yourself by clearly stating for the record, your name and address. This is the time for citizens who would like to address the Board on any non-agenda item within the jurisdiction of the Board. The Board will listen to comments, and may take any one of the following:

- Respond to criticism
- Request that staff investigate and report on the matter
- Request that the matter be scheduled for on a future agenda.

BUSINESS**1. APPROVE THE DRAFT MINUTES**

Approve the draft minutes of the February 25, 2021 Fire Public Safety Personnel Retirement Board meeting.

2. Review, consideration and possible action on retirement from the Deferred Retirement Option Plan (DROP) - Arnoldo Rivera effective April 30, 2021**3. Review, consideration and possible action on retirement from the Deferred Retirement Option Plan (DROP) - Russell Braden effective May 29, 2021****4. Review, consider, and possible action on the application and medical records for Accidental Disability - Michael Bort (continued from February 25, 2021)****EXECUTIVE SESSION**

Per ARS §38-431.03, upon a public majority vote of the members constituting a quorum, the Goodyear Fire Public Safety Personnel Retirement Board may hold an executive session for any item on the agenda.

SEPARATIONS

None.

INFORMATION ITEMS

Comments, Commendations, Report on Current Events and Presentations by Board, Commission or Committee Members, staff or members of the public. The members may not propose, discuss, deliberate or take any legal action on the information presented pursuant to A.R.S. § 38-431.02.

NEXT MEETING

The next meeting of the Fire Public Safety Personnel Retirement Board meeting is tentatively scheduled for May 27, 2021.

ADJOURNMENT

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Board and to the general public that the Board will hold a meeting open to the public. Public body members of the city of Goodyear will attend either in person or by telephone conference call and/or video communication.

THE CITY OF GOODYEAR ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. With 48-hour advance notice, special assistance can be provided for sight and/or hearing-impaired persons at this meeting. Reasonable accommodations will be made upon request for persons with disabilities or non-English speaking residents. Please call the City Clerk (623) 882-7830 or Arizona Relay (TDD) 7-1-1 to request an accommodation to participate in this public meeting.

LA CIUDAD DE GOODYEAR PROCURA HACER TODA JUNTA PUBLICA ACCESIBLE A PERSONAS CON DISCAPACIDADES. Con un aviso de 48 horas por adelantado se puede proveer asistencia especial a personas con discapacidades visuales o auditivas durante la junta. Se harán adaptaciones razonables con previa solicitud para personas con discapacidades o para residentes que no hablan inglés. Favor de llamar a la Secretaria Municipal al (623) 882-7830 o Retransmisión de Arizona (TDD) 7-1-1 para solicitar adaptaciones para participar en la junta pública.

AGENDA ITEM #: 1.
DATE: 04/29/2021



Fire PSPRB

SUBJECT

APPROVE THE DRAFT MINUTES

Recommendation:

Approve the draft minutes of the February 25, 2021 Fire Public Safety Personnel Retirement Board meeting.

Attachments

022521 Fire PSPRB draft minutes

Fire Public Safety Personnel Retirement Board

Goodyear City Hall, Room 117

190 North Litchfield Road

Goodyear, AZ 85338



Thursday, February 25, 2021

8:00 a.m.

Meeting Minutes

CALL TO ORDER

Chairman Kaino called the meeting to order at 8:04 a.m.

ROLL CALL

Present: Chairman Laura Kaino; Vice Chair Michael Stewart; Board Member Patrick Doyle; Board Member Jay Mathias; Board Member Liam Tierney

Staff Board Attorney Lesli Sorensen; Board Secretary Darcie McCracken; Human Resources

Present: Director Lyman Locket; Total Compensation Administrator Jeanni Ruddy

Attendees: Pamela Griffin, Court Reporter, Michael Bort, Applicant

PUBLIC COMMENTS

There were no public comments.

BUSINESS

1. Approve the Minutes

MOTION BY Board Member Jay Mathias, SECONDED BY Board Member Patrick Doyle to APPROVE the draft minutes of the September 24, 2020 Fire Public Safety Personnel Retirement Board meeting. The motion carried by the following vote:

AYE: Chairman Laura Kaino, Vice Chair Michael Stewart, Board Member Patrick Doyle, Board Member Jay Mathias, Board Member Liam Tierney

2. Review, consider, and possible action on the application and medical records for Accidental Disability - Michael Bort

Chair Kaino introduced the item and clarified that Michael Bort, who was in attendance, agreed to hear the item in Open Session, and asked if the Board had questions. The Board asked about the injury to the applicant's femur and if there was a correlation to the current injury. Mr. Bort was in attendance and stated that prior to his injury he was very active and was in close to his black belt in martial arts, ran marathons. He added that it took a year and a half to recover to come back to take his black belt exam. Mr. Bort said that the femur break was not connected to the hip. Mr. Bort agreed that he didn't seek treatment until December and was asked to explain. He said he was very active and thought that he was sore from the activity and an increase in weight. He said that he was off the pain medications from a shoulder injury and believed he was feeling things more but wanted to verify he wasn't

covering up a fracture. He added that he had even gone back to Cross Fit prior to visiting the doctor in December. Chair Kaino asked if the City's injury form was completed at the time of the current injury on 6/29/16, and specifically asked about the Supervisor's report of industrial injury. Mr. Bort said that he did complete the form the day of the injury.

Chair Kaino reviewed the timeline and that the applicant had been cleared to duty. She added that it appeared that after the hip replacement is when the issues began. Mr. Bort agreed and spoke about the issues he had with Copperpoint, the city's workman's compensation administrator including time lapses between the time of being assigned a treatment such as physical therapy and being scheduled for the therapy.

Chair Kaino confirmed he was released to duty with restrictions in March 2020. Mr. Bort confirmed he was released with weight restrictions. Chair Kaino confirmed that he has been on light duty for about a year and in June 2020, it appears that it was the first indication that he may not be able to continue his duties. Mr. Bort agreed.

Chair Kaino asked about the ADA form that was completed in January 2021. Human Resources Director Locket said that once the 180 days of light duty have been exhausted, it is a trigger for the ADA form to be completed to allow the employee to remain employed and return to their job with reasonable accommodations. Accommodations were not able to be provided. Mr. Bort stated that he did not request any accommodations.

Chair Kaino confirmed that in the paperwork the doctor indicated that it was a permanent injury and that Mr. Bort had plateaued in his recovery. Mr. Bort confirmed and that due to the location of the injury he can't serve from any heights.

Chair Kaino asked about any other injuries. Mr. Bort responded that there were several injuries but only one or two that stood out. He explained that he had a wrist injury and a separate a finger injury.

The Board voted to hold an Executive Session and convened at 8:26 a.m.

Board Member Stewart left the meeting at 8:30 a.m.

Chair Kaino reconvened the Board meeting at 8:44 a.m.

Mr. Bort thanked the Board for their time and asked if he would be able to make a statement at a later time. Board Attorney Sorensen explained to Mr. Bort that the action by the Board was normal and that Mr. Bort would be contacted for the IME and would also have the ability to address the Board at a later time.

MOTION BY Board Member Patrick Doyle, SECONDED BY Board Member Jay Mathias to send Michael Bort for an Independent Medical Examination to further investigate the disability application. The motion carried as follows:

AYE: Chairman Laura Kaino, Board Member Patrick Doyle, Board Member Jay Mathias,
Board Member Liam Tierney

Other: Vice Chair Michael Stewart (Excused)

EXECUTIVE SESSION

Per ARS §38-431.03, upon a public majority vote of the members constituting a quorum, the

Goodyear Fire Public Safety Personnel Retirement Board may hold an executive session for any item on the agenda.

MOTION BY Board Member Patrick Doyle, SECONDED BY Board Member Liam Tierney to CONVENE an Executive Session. The motion carried as follows:

AYE: Chairman Laura Kaino, Vice Chair Michael Stewart, Board Member Patrick Doyle, Board Member Jay Mathias, Board Member Liam Tierney

[Times noted above.]

SEPARATIONS

3. Separation of Michael Murphy - January 26, 2021

The Board acknowledged the separation of Michael Murphy as of January 26, 2021.

4. Separation of Joshua Rains - September 28, 2020

The Board acknowledged the separation of Joshua Rains as of September 28, 2020.

INFORMATION ITEMS

There were no information items.

NEXT MEETING

The next meeting of the Fire Public Safety Personnel Retirement Board is tentatively scheduled for March 25, 2021.

ADJOURNMENT

There being no further business to discuss, Chairman Kaino adjourned the meeting at 8:47 a.m.

Darcie McCracken, Board Secretary

Laura Kaino, Chairman

Date: _____