

MINUTES
Special Meeting
San Luis Police Department Public Safety
Personnel Local Retirement Board
San Luis Council Chambers
1090 E Union Street
March 29, 2023
1:00pm

1. CALL TO ORDER/ROLL CALL: Chairman Tadeo De La Hoya called the meeting to order at approximately 1:02 p.m.

PRESENT: Nigel Reynoso, Contributing Member
Alan Guevara, Contributing Member
Maria Munoz, Board Member
Tadeo A. De La Hoya, Chairman (*via zoom*)

OTHERS PRESENT: Sonia Cornelio, City Clerk
Ruben Lopez, IT Department
Domingo Sosa, IT Department
Mary Barajas, HR Department

2. CONSENT AGENDA:

2. A. MINUTES OF

- Board meeting held on March 20, 2023.

MOTION: Chairman Tadeo De La Hoya / Contributing Member Alan Guevara to approve consent agenda as presented. Motion passed unanimously.

The vote was as follows:

Chairman Tadeo A. De La Hoya	Aye
Nigel Reynoso, Contributing Member	Aye
Board Member Maria Munoz	Aye
Contributing Member Alan Guevara	Aye

3. DISCUSSION AND POSSIBLE ACTION ITEM

3. A. Discussion and possible action on any and all matters regarding reemployment of retiree Javier Nuno into a Public Safety position. (Mary Barajas, Human Resources Coordinator)

Mary Barajas, Human Resources Coordinator, states the following:

The City of San Luis Human Resources Department is submitting information to be considered for acceptance of reemployment of the following retiree:

- Javier Nuno - DOH: March 27, 2023; Police Officer.

Mr. Javier Nuno was originally hired by COSL on February 16, 1997. Member retired from City of San Luis on December 27, 2012, while holding the rank of Police Captain (*Job description attached*).

On October 17, 2022, a Police Officer-Lateral position was advertised on a continuous basis. During initial review of applications, from a total of 32 applicants, only seven (7) met the minimum requirements as outlined on the Job Description and were invited for pre-employment testing. Out of the seven applicants that were tested, only two passed every phase of testing and were invited for an interview. Mr. Nuno was deemed the most qualified and was selected for hire.

Under A.R.S. 38-849 (G)

If after six months from the date of retirement a retired member becomes reemployed by the employer from which the member retired in a position other than the same position from which the member retired, employee contributions shall not be made on the retired member's account, and any service shall not be credited during the period of reemployment. The employer shall pay the alternate contribution rate pursuant to section 38-843.05 which states the following:

An employer shall pay contributions at an alternate contribution rate on behalf of a retired member who returns to work in any capacity in a position ordinarily filled by an employee of the employer of an eligible group.

For the fiscal year ending on 2023, the Alternate Contribution Rate (ACR) is 8%.

The City of San Luis Human Resources Department finds that:

- Mr. Javier Nuno has met requirements of this statute of:
 - Waiting 6 months before returning to work for the same employer he retired from; and not be rehired in the same position; and
- Because he has been hired into a Public Safety position, the ACR will be payable.

Chairman Tadeo A. De La Hoya asked HR if the ACR was applied to the salary and Mary Barajas stated that it was applied to gross salary. Then, Chairman proceeded to ask how much the ACR would be. HR did not have calculation at the moment. In addition, Chairman asked if Mr. Nuno is not return to the same position he had, if his would exclude him from returning to the same position in the future. HR proceeded to explain that member is not allowed to return to same position, it must be a different

position. Board member Maria Munoz explained that Mr. Nuno was hired as a lateral and years of experience were considered when he was hired. He started at the mid of the paygrade which was approximately between \$29.35-29.65 per hour. Local Board concluded that ACR would be approximately \$4800-\$5000 a year.

MOTION: Contributing Member Nigel Reynoso / Contributing Member Alan Guevara to accept Human Resources findings and approve the re-employment of Mr. Javier Nuno as a Police Officer.

The vote was as follows:

Chairman Tadeo A. De La Hoya	Aye
Contributing Member Alan Guevara	Aye
Contributing Member Nigel Reynoso	Aye
Board Member Maria Munoz	Aye

5. ADJOURNMENT

Chairman Tadeo A. De La Hoya to adjourn the regular meeting at approximately 1:12 p.m.

APPROVED:

Nieves Riedel, Chairman

ATTEST:

Mary Barajas, Board Secretary

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the San Luis Police Department Public Safety Personnel Local Retirement Board of the City of San Luis, Arizona, held on March 29, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Mary Barajas, Board Secretary