

MINUTES OF THE SCHEDULED MEETING OF THE  
**PHOENIX EMPLOYMENT RELATIONS BOARD**  
CITY OF PHOENIX, STATE OF ARIZONA  
**Tuesday, November 17, 2020**

**Members Present:**

Gregory E. Fretz, Chairman

**Telephonically/WebEx:**

Phillip Hanley, Management Member

Fernando Ortega, Public Member

William R. Brown, PERB Legal Counsel

**Member(s) Absent:**

Joseph Diggs, Labor Member

**Others Present:**

Kathy Schmidt, PERB Executive Director

**Also present telephonically were:**

Alisa Blandford, Attorney, City of Phoenix

Heidi Gilbert, Attorney, City of Phoenix

Mark Bizik, HR Department

Polly Rapp, Attorney, City of Phoenix

Shannon Bell, Attorney, City of Phoenix

Toni Maccarone, Deputy City Manager

1. **Call to Order: Chairman Gregory Fretz**, called the November 17, 2020 meeting to order with one-member present and two members' present telephonically via WebEx.
2. Roll Call – Quorum
3. **Review and approval of the August 18, 2020 Regular Minutes.**

A motion was made that the minutes of the August 18, 2020 Regular Meeting be approved by **Fernando Ortega, Public Member**. The motion was **seconded** by **Phillip Hanley, Management Member**, and carried by a vote of 3-0.

4. **N/A**
5. **Consideration, decision and action regarding the resumes of Carl C. Bosland, Esq. and Najeeb Nabil Houry, Esq.**

**Phil Hanley, Labor Member**, I certainly reviewed the resumes of both candidates and I think they are more than qualified as long as they understand our per diem daily reimbursement rate and exclusions regarding traveling, I think they are both fine.

**Fernando Ortega, Public Member**, I agree.

**Gregory Fretz, Chairman**, I agree. Do we officially need to ask for approval?

**Kathy Schmidt, Executive Director**, make a motion.

**Phillip Hanley, Management Member** made a **motion** to approve both of the candidates for addition to our hearing officer roster. The **motion** was **seconded** by **Fernando Ortega, Public Member**, and carried by unanimous vote of **3-0**.

6. **Discussion regarding the vacancy of Public Member, Peter Maydanis.**

**Greg Fretz, Chairman**, is it for sure that Peter is not wanting to come back.

**Kathy Schmidt, Executive Director**, yes. So this is on the agenda to let you know that I have started the process, I'm speaking with the Mayor's office to advertise for the position like it needs to be and then whoever applies will get an application and then that will be submitted to the Mayor and Council for approval. With advertising that takes a little bit longer but as long as everybody shows up to the meetings, we will continue to have a quorum and everything will be fine. I will update you as the process moves forward and fill the vacancy. Unless anybody has any questions that is how we will proceed for now.

**Gregory Fretz, Chairman**, questions?

7. **Kathy Schmidt, Executive Director** announced that the next meeting of the Board would be Tuesday, December 15, 2020 at 9:30 AM.

8. **Public Comment**

**Heidi Gilbert, City of Phoenix Attorney**, good morning chairman Fretz and the rest of the board. As you know the City and our labor groups are all gearing up for negotiations and there is an issue that is kinda hit or miss over the last few cycles. The City thinks it is an import part of the

process and that is that the code requires that the bargaining units submit a written proposed MOU by December 1<sup>st</sup> and the adherence to that requirement has been a bit sporadic and inconsistent. When we were in concession bargaining management understood and I think both sides understood that wasn't the most productive way to go. As things continue we do think it is important to get back to the letter of the code. We do think because it is such a compressed process that it is an important starting point. Of course, the code anticipates that City will respond to those proposals. That is a really good way for folks to get started. That has been a missing component over these last few cycles. We are optimistic that the bargaining groups will submit something by December 1<sup>st</sup> but I'm not convinced that all of them will. I think at some point as group we all need to get together and with your direction remind people really what the code requires to each about that process. Thank you.

**Gregory Fretz, Chairman**, do you think a letter from the chair to all the parties to follow the set-up process would help? What do you think?

**Heidi Gilbert, City of Phoenix Attorney**, I don't think it would hurt Mr. Fretz, I think it is a good reminder.

**Gregory Fretz, Chairman**, all right I'll do it. Anything else?

**Fernando Ortega, Public Member**, Kathy, how about the pending cases?

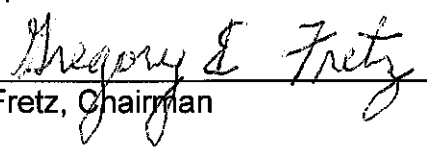
**Kathy Schmidt, Executive Director**, that is being skipped I did not make the revision in time for the 24 hour Open Meeting Law requirement.

9. **Fernando Ortega, Public Member** made a motion that the meeting be adjourned. The motion was **seconded** by **Phillip Hanley, Management Member**, and carried by a unanimous vote of **3-0**.

Submitted by:

  
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Kathy Schmidt, Executive Director

Approved by:

  
\_\_\_\_\_  
Gregory E. Fretz, Chairman