

CITY OF SURPRISE
Public Safety Personnel Retirement System – Police Meeting
16000 N. Civic Center Plaza
Surprise, AZ 85374
Wednesday, May 13, 2020 @ 9:30 AM
COUNCIL CHAMBERS

Amended agenda 5/6/2020 at 10:50 AM - added item #5 Executive Session



NOTICE: In an effort to protect health and safety of city employees, residents, and visitors, the Council Chambers will be closed to the public during this meeting. The public may access the meeting by viewing a live stream or broadcast of the meeting. To watch live, please visit www.surpriseaz.gov/surprisetv, the Surprise City Gov Facebook page at www.facebook.com/cityofsurprise. Cox channel 11 and Century Link channel 8513 will also carry the meeting live.

For instructions on how to comment on agenda items and public hearings, please go to <https://bit.ly/2Yflf6D>

- A. Call To Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Current Events and Reports
- E. Staff Reports
- F. Public Safety Retirement Commission- Police Agenda

CALL TO THE PUBLIC:

To comment live by phone for Call to the Public for non-agenda items or for agenda items, please call 623-222-3542 prior to, or during, the meeting to have your name placed on a callback list. If you reach voicemail, please leave your name and phone number. The Board Secretary will call those wishing to comment from the dais during the meeting, and the call will be streamed through the Council Chamber audio system. Only calls received before Call to the Public for non-agenda items or before or during the time(s) designated for public comment by the Board Chair during the meeting on the subject agenda item will be accepted and streamed. No calls will be accepted after the time(s) designated by the Board Chair for public comment or after an agenda item has otherwise concluded.

CONSENT AGENDA:

- | | | | |
|----|----------|---|-----------------|
| 1. | Internal | Considerations and Actions pertaining to the review and approval of the March 11, 2020 PSPRS Local Police Board Executive Session Meeting Minutes | Human Resources |
| 2. | Internal | Considerations and Actions pertaining to the review and approval of the April 8, 2020 PSPRS Local Police Board Meeting Minutes | Human Resources |

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- | | | | |
|----|----------|--|-----------------|
| 3. | Internal | Considerations and Actions pertaining to the enrollment of Sgt. Thomas J. Hale, Jr. into the Deferred Retirement Option Plan (DROP) effective June 14, 2020. | Human Resources |
|----|----------|--|-----------------|

4. Internal Considerations and Actions pertaining to the enrollment of Officer Jason L. Washburn into the Deferred Retirement Option Plan (DROP) effective June 14, 2020. Human Resources

G. Other Business and Future Agenda Items

H. Executive Session

For information purposes: Upon a public majority vote of a quorum of the Public Safety Personnel Retirement Commission ("Commission"), the Commission may hold an executive session, which will not be open to the public, but for only the following purposes: discussion or consideration of records exempt by law from public inspection (A.R.S. §38-431.03(A)(2)); or discussion or consultation for legal advice with the Commission's attorneys (A.R.S. §38-431.03(A)(3)).

Confidentiality Requirements: Pursuant to A.R.S. §38-431.03(C)(D), any person receiving executive session information pursuant to A.R.S. §38-431.02 shall not disclose that information except to the Attorney General or County Attorney or by agreement of the Commission, or as otherwise ordered by a court of competent jurisdiction.

The Commission may vote to hold an executive session for the purpose of obtaining legal advice from the Commission's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

5. Internal Considerations and Actions to enter Executive Session to receive update on status of the Accidental Disability application for Glenn Cannon Human Resources

I. Adjournment

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: May 6, 2020 at 10:50 AM

SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.



CITY OF SURPRISE
Public Safety Personnel Retirement System –
Police Meeting

Council Meeting Date: May 13, 2020
Submitting Department: Human Resources
Staff Recommendations:

Contact Person:
District: Internal

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Considerations and Actions pertaining to the review and approval of the March 11, 2020 PSPRS Local Police Board Executive Session Meeting Minutes

Motion:

Motion to approve the PSPRS Local Police Board Executive Session Meeting Minutes from March 11, 2020

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



CITY OF SURPRISE
Public Safety Personnel Retirement System –
Police Meeting

Council Meeting Date: May 13, 2020
Submitting Department: Human Resources
Staff Recommendations:

Contact Person:
District: Internal

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Considerations and Actions pertaining to the review and approval of the April 8, 2020 PSPRS Local Police Board Meeting Minutes

Motion:

Motion to approve the PSPRS Local Police Board Meeting Minutes from April 8, 2020

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. PSPRS Police Meeting Minutes (Draft) 4-8-2020
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**PUBLIC SAFETY RETIREMENT SYSTEM
CITY OF SURPRISE LOCAL BOARD – POLICE**
Minutes, Wednesday, April 8, 2020
16000 N. Civic Center Plaza, Surprise, Arizona 85374

The following are the minutes from the PSPRS City of Surprise Police Board Meeting held at 9:41 a.m. Wednesday, April 8, 2020. The meeting was held in City Hall, Council Chambers. Due to COVID-19, the public was able to stream meeting live.

A. Call To Order

Chair Hall called meeting to order at 9:41 a.m.

B. Roll Call: Skip Hall, Chairperson – Present
Chandler Brown, Citizen Board Member – Present
James Conner, Citizen Board Member - Present
Severin Hall, Police Department – Present (*absent during roll call*)
Ian Murton, Police Department – Present

In attendance: Vicki Moss, Human Resources Manager
Carrie O'Brien, Board Attorney (*conference bridge*)
Ariana Reyna, Sr. Human Resources Analyst

C. Pledge of Allegiance – Completed

D. Current events and reports – Ariana Reyna addressed the Police Board to provide an update on Police Member Severin Hall's term. She stated that during the March 11, 2020 meeting Severin Hall brought to her attention that there was a discrepancy with his term as reflected in the City Clerk's website showing June 2020 expiration date. She informed the Board that in their packets, she included an attachment of a notification from the previous Board Secretary acknowledging that Police Board Member Severin Hall would serve a full four year term from July 1, 2019 - June 30, 2023. As background information, on April 24, 2019, the Board was presented with recommendations from Ryan Rapp & Underwood, PLC in addressing Board Member Terms of Office. The Police Board voted for Option #2 presented, which stipulates that the Board would be able to hold a future special election to adjust terms to conform to a 2 year staggered expiration date. With this option, at the discretion of the Board, Severin Hall would be able to extend his term for one year then go through a normal secret ballot election process at term expiration in June, 2024. Ariana Reyna will request for records to be updated with both City Clerk's Office and PSPRS.



**PUBLIC SAFETY RETIREMENT SYSTEM
CITY OF SURPRISE LOCAL BOARD – POLICE**
Minutes, Wednesday, April 8, 2020
16000 N. Civic Center Plaza, Surprise, Arizona 85374

E. Staff Reports – None

F. Call to the Public – None

Consent Agenda:

- 1. Considerations and Actions pertaining to the review and approval of the March 11, 2020 PSPRS Local Police Board Meeting Minutes**

Motion to Approve: Chandler Brown

Second: Ian Murton

Opposed: None

Regular Agenda:

- 2. Considerations and Actions pertaining to the enrollment into the Deferred Retirement Option Plan (DROP) for Michael J. Donovan Jr. -**
Vicki Moss addressed the Board and stated that Michael Donovan submitted his paperwork to enter DROP effective 04/18/2020. Mr. Donovan has been employed with the Surprise Police Department since 04/17/1995. As of his date of DROP, Mr. Donovan will have 25.008 years of credited service.

Motion to Approve: Ian Murton

Second: Chandler Brown

Opposed: None

- 3. Discussion and possible action on Board Secretary providing the Board with additional information for review of disabilities as discussed in previous meeting –** Ariana Reyna addressed the Board and mentioned that as stated in the Board's bylaws, specifically section G) 2) a) regarding the reexamination of disability recipients, it is stated that at the direction of the Chair, a Subcommittee of the two elected Members of the Local Police Board shall review the list of Members prepared and report the Subcommittee's recommendations regarding medical reevaluation of such Members to the Local Police Board. She explains that this was listed as an agenda item to acknowledge that this is a pending matter. Even though the Joint Board hasn't reconvened to vote on its Board Secretary, in preparation for this, she has been doing research on what was gathered in the past, been in contact with PSPRS and again, like the bylaws mention, at the direction of the Chair, can move forward with presenting the Subcommittee a list for review for a future meeting.

Vicki Moss states that this list has been in place since last June but there was

missing information provided to the Board. There were some changes in staff so at this point we are having to start from scratch in gathering the information needed as we're unsure what was presented to the Board and what exactly was missing. The Chair then gave directive to move forward with presenting this information to Subcommittee in future meeting.

G. Other Business and Future Agenda Items

Discussion on upcoming term expiration for Citizen Board Member Jim Connor whose term is set to expire on June 30, 2020

Ariana Reyna mentioned that she has been in contact with City Clerk regarding the reappointment process for citizen members per the City Code. Since as a City, there are many term expirations for other boards and commissions coming up for June 2020, the City Clerk has started this process during this month of April. City Clerk stated that she needs to be informed about members who wish to seek reappointment so that she can timely distribute and collect reappointment applications. Ariana Reyna then asked Citizen Board Member Jim Conner if he will be seeking reappointment with the PSPRS Board to which Jim Conner answered that he already received an application from the City Clerk's Office secretary. He already filled it out and sent it back to her.

Discussion pertaining to establishing a process to review and approve Executive Session Meeting Minutes

Ariana Reyna explained that during the March 11, 2020 Fire Board meeting, this process was inquired on. It was discussed that the Board could enter E-session to discuss previous meeting E-session minutes then exit E-session and approve minutes during public session. However, it's unclear on how the distribution of meeting minutes would take place. She questioned if Board members would get to see minutes prior to meeting or would this be reviewed for the first time and discussed during the following PSPRS Board meeting. Carrie O'Brien addressed the Board and explained that the Board has options which all comply to Open Meeting Law: one would be not to do anything with Executive Session meeting minutes just have the Board Secretary prepare meeting minutes. Second option would be to have the Board review those Executive Session meeting minutes in Executive Session then exit and approve those minutes during public meeting. A third option is what Chair Hall shared about Council's current procedure of councilmembers receiving an actual copy of the minutes and any corrections are sent back in writing. Chair Hall stated that they receive only a summary of what was discussed. Minutes are given to them in public meeting; they sign off on

them and give back to clerk. Carrie O'Brien continues to clarify that there are two circumstances where the Board would have to disclose audio recording or provide Executive Session Meeting Minutes: in the event that Attorney General is investigating Open Meeting Law complaint or a new Board Member wanted to review the work of the Board. The Board entered into discussion about retaining audio vs. maintaining meeting minutes. They also discussed options on distributing and approval of meeting minutes. The Board moved forward to provide a summary of the Executive Session Meeting Minutes but retaining the audio. It was decided that E-session Meeting Minutes would be distributed via (secure) email. Any corrections would have to be communicated to Board Secretary. At the public meeting, the only agenda item would be to approve Executive Session Meeting Minutes, no discussion.

H. Executive Session – None.

I. Adjournment

Motion to adjourn at 10:00 a.m. – APPROVED -

Motion: James Conner

Second: Chandler Brown

Opposed: None



CITY OF SURPRISE
Public Safety Personnel Retirement System –
Police Meeting

Council Meeting Date: May 13, 2020
Submitting Department: Human Resources
Staff Recommendations:

Contact Person:
District: Internal

Consent: No Regular: Yes Public Hearing: No Report/Discussion: No

Agenda Wording:

Considerations and Actions pertaining to the enrollment of Sgt. Thomas J. Hale, Jr. into the Deferred Retirement Option Plan (DROP) effective June 14, 2020.

Motion:

Motion to approve Sgt. Thomas J. Hale, Jr. into the Deferred Retirement Option Plan (DROP) effective June 14, 2020.

Background:

Sgt. Thomas J. Hale, Jr. filled out a DROP application and submitted all documentation as required by PSPRS. As of June 14, 2020, Sgt. Hale is eligible to enter the DROP with an accumulated 20.003 years of credited service; 19.529 years of service with the City of Surprise Police Department and 0.474 prior years of service with Maricopa County Sheriff's Office. Sgt. Hale designated a 60-month period to participate in DROP which establishes his separation date from employment on or before June 30, 2025.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



CITY OF SURPRISE
Public Safety Personnel Retirement System –
Police Meeting

Council Meeting Date: May 13, 2020
Submitting Department: Human Resources
Staff Recommendations:

Contact Person:
District: Internal

Consent: No Regular: Yes Public Hearing: No Report/Discussion: No

Agenda Wording:

Considerations and Actions pertaining to the enrollment of Officer Jason L. Washburn into the Deferred Retirement Option Plan (DROP) effective June 14, 2020.

Motion:

Motion to approve Officer Jason L. Washburn into the Deferred Retirement Option Plan (DROP) effective June 14, 2020.

Background:

Officer Jason L. Washburn filled out DROP application and submitted all documentation as required by PSPRS. As of June 14, 2020, Officer Washburn is eligible to enter the DROP with an accumulated 20.008 years of credited service; 19.485 years of service with the City of Surprise Police Department and 0.523 prior years of service with Maricopa County Sheriff's Office. Officer Washburn designated a 60-month period to participate in DROP which establishes his separation date from employment on or before June 30, 2025.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



CITY OF SURPRISE
Public Safety Personnel Retirement System –
Police Meeting

Council Meeting Date: May 13, 2020
Submitting Department: Human Resources
Staff Recommendations:

Contact Person:
District: Internal

Consent: No	Regular: Yes	Public Hearing: No	Report/Discussion: No
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Agenda Wording:

Considerations and Actions to enter Executive Session to receive update on status of the Accidental Disability application for Glenn Cannon

Motion:

Motion to request IME for Glenn Cannon to determine whether he suffered a permanent, disabling condition during the course of his employment with the Surprise Police Department

Background:

On the PSPRS Local Police Board meeting held on February 12, 2020, the Board made a motion to rescind its decision to deny the application of Glenn Cannon for Accidental Disability retirement based on the medical evidence and testimony provided by Mr. Cannon. The Board decide to order an IME after recovery from surgery of Glenn Cannon to determine whether he suffered a permanent, disabling condition during the course of his employment with the Surprise Police Department. Mr. Cannon had surgery on February 27, 2020.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS: