

CITY OF SURPRISE
Public Safety Personnel Retirement System – Police Meeting
16000 N. Civic Center Plaza
Surprise, AZ 85374

Wednesday, July 15, 2020 @ 9:45 AM
COUNCIL CHAMBERS



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

Jim Conner went through the reappointment process as set forth by the City of Surprise City Clerk's office. He was presented by the Nominations Committee to City Council during the meeting held on June 16, 2020 and he was approved for reappointment with the PSPRS Police Board with a term of July 1, 2020 - June 30, 2024

- F. Public Safety Retirement Commission- Police Agenda

CALL TO THE PUBLIC:

Public comment will be taken through email or via phone. To submit email comments, including Call to the Public for non-agenda items, please email publiccomments@surpriseaz.gov. Comments for Call to the Public must be submitted prior to the start of the meeting. To comment on agenda items, emails must be submitted prior to the time(s) designated for public comment by the Board Chair during the meeting or before the agenda item has otherwise concluded.

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 | Consideration and action pertaining to the review and approval of the June 10, 2020 PSPRS Local Police Board Executive Session Meeting Minutes. | None |
| | | | Human Resources |

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- | | | | |
|----|----------|---|-----------------|
| 2. | Internal | Consideration and action pertaining to the review and approval of the June 10, 2020 PSPRS Local Police Board Meeting Minutes. | None |
| | | | Human Resources |
| 3. | Internal | Consideration and possible action to approve the selection panel to review responses of RFQ for Independent Legal Counsel. | Human Resources |
| 4. | Internal | Consideration and possible action pertaining to the enrollment of Police Officer Jason M. Kulfan into the Deferred Retirement Option Plan (DROP) effective 8/28/2020. | Human Resources |
| 5. | Internal | Consideration and possible action pertaining to the approval of the application for normal retirement for Police Sergeant John C. Vance effective 8/23/2020. | 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).

Consideration and possible action to enter Executive Session to review records exempt from public disclosure and/or legal advice related to the Accidental Disability application for Glenn Cannon

Consideration and possible action to enter Executive Session to receive legal advice regarding the adoption of a reevaluation process and criteria pertaining to accidental disability recipients pursuant to A.R.S. § 38-844 (E).

I. Adjournment

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: July 9, 2020 at 3:22 PM

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: July 15, 2020
Submitting Department: Human Resources
Staff Recommendations:

Contact Person:
District: Internal

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

Jim Conner went through the reappointment process as set forth by the City of Surprise City Clerk's office. He was presented by the Nominations Committee to City Council during the meeting held on June 16, 2020 and he was approved for reappointment with the PSPRS Police Board with a term of July 1, 2020 - June 30, 2024

Motion:

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: July 15, 2020
Submitting Department: Human Resources
Staff Recommendations: None

Contact Person:
District: Internal

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

Agenda Wording:

Consideration and action pertaining to the review and approval of the June 10, 2020 PSPRS Local Police Board Executive Session Meeting Minutes.

Motion:

I make a motion to approve the PSPRS Local Police Board Executive Session meeting minutes for June 10, 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: July 15, 2020
Submitting Department: Human Resources
Staff Recommendations: None

Contact Person:
District: Internal

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

Agenda Wording:

Consideration and action pertaining to the review and approval of the June 10, 2020 PSPRS Local Police Board Meeting Minutes.

Motion:

I make a motion to approve the PSPRS Local Police Board meeting minutes for June 10, 2020.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. PSPRS Police Meeting Minutes (Draft) 06.10.20_DM
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**PUBLIC SAFETY RETIREMENT SYSTEM
CITY OF SURPRISE LOCAL POLICE BOARD**
Meeting Minutes, Wednesday, June 10, 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 10:45 a.m. Wednesday, June 10, 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 10:45 a.m.

B. Roll Call: Skip Hall, Chairperson – Present
Chandler Brown, Citizen Board Member – Present
James Conner, Citizen Board Member – Present
Severin Hall, Police Board Member – Absent
Ian Murton, Police Board Member – Present

In attendance: Connie Welsch, 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 – None

E. Staff Reports – None

F. Call to the Public – None

Consent Agenda:

1. **Considerations and possible action pertaining to the review and approval of the May 13, 2020 PSPRS Local Police Board Executive Session Meeting Minutes – APPROVED**

Motion to Approve: Chandler Brown

Second: Ian Murton

Opposed: None

Regular Agenda:

2. **Considerations and possible action pertaining to the review and approval of the May 13, 2020 PSPRS Local Police Board Meeting Minutes – APPROVED**

Motion to Approve: Ian Murton

Second: Chandler Brown

Opposed: None

- 3. Considerations and possible actions pertaining to the previously approved Deferred Retirement Option Plan (DROP) application of Lt. Michael J. Donovan Jr. Change of DROP effective date to April 19, 2020 – APPROVED**

Ariana Reyna stated there was a correction to Lt. Donovan's DROP date to coincide with pay period ending dates to ensure the full benefit for Lt. Donovan. PSPRS approved the change to Lt. Donovan's DROP effective date.

Motion to Approve: Ian Murton

Second: Jim Conner

Opposed: None

- 4. Considerations and possible actions pertaining to review of medical examination and the acceptance of one (1) new police officer (recruit), into the PSPRS system pursuant to A.R.S. § 38-859 – APPROVED with pre-existing condition as discussed during Executive Session**

Motion to Approve: Ian Murton

Second: Chandler Brown

Opposed: None

The Board entered Executive Session to review medical information not for public view for new police officer (recruit) – Approved

Motion to enter Executive Session at 10:51 a.m.: James Conner

Second: Chandler Brown

Opposed: None

Chair Skip Hall made a motion to exit Executive Session and resume regular session at 11:06 a.m.

After discussion ensued in Executive Session, Ian Murton made a motion to accept Police Officer (recruit) Collin Nevitt into the PSPRS system with pre-existing condition as identified during Executive Session.



**PUBLIC SAFETY RETIREMENT SYSTEM
CITY OF SURPRISE LOCAL POLICE BOARD**
Meeting Minutes, Wednesday, June 10, 2020
16000 N. Civic Center Plaza, Surprise, Arizona 85374

Motion: Ian Murton
Second: James Conner
Opposed: None

G. Other Business and Future Agenda Items – None.

H. Executive Session

I. Adjournment 11:16 a.m. – APPROVED

Motion: Skip Hall
Second: Chandler Brown
Opposed: None

Meeting Minutes Approval:

Skip Hall, Chair

CERTIFICATION:

I, Ariana Reyna, Sr. Human Resources Analyst – ADA & Leaves for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are true and correct minutes of the PSPRS Local Police Board Meeting of **Wednesday, June 10, 2020**.

Ariana Reyna, Human Resources



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Council Meeting Date: July 15, 2020
Submitting Department: Human Resources
Staff Recommendations:

Contact Person:
District: Internal

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

Agenda Wording:

Consideration and possible action to approve the selection panel to review responses of RFQ for Independent Legal Counsel.

Motion:

I make a motion to designate _____ to the selection panel to review responses of RFQ for Independent Legal Counsel

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



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Police Meeting

Council Meeting Date: July 15, 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:

Consideration and possible action pertaining to the enrollment of Police Officer Jason M. Kulfan into the Deferred Retirement Option Plan (DROP) effective 8/28/2020.

Motion:

I make a motion to approve the enrollment of Police Officer Jason M. Kulfan into the Deferred Retirement Option Plan (DROP) effective 8/28/2020.

Background:

Police Officer Jason M. Kulfan filled out a DROP application and submitted all documentation as required by PSPRS. As of 08/28/2020, Officer Kulfan is eligible to enter the DROP with an accumulated 20.003 years of service, all with the City of Surprise. Officer Kulfan has designated a 60 month period to participate in DROP which establishes his separation date from employment on or before 08/31/2025.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



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Police Meeting

Council Meeting Date: July 15, 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:

Consideration and possible action pertaining to the approval of the application for normal retirement for Police Sergeant John C. Vance effective 8/23/2020.

Motion:

I make a motion to approve the normal retirement application for Sgt. John C. Vance effective 8/23/2020.

Background:

Police Sergeant John C. Vance filled out an application for normal retirement and submitted all documentation as required by PSPRS. As of 08/23/2020, Sgt. Vance will retire with an accumulated 20.027 years of service, all with the City of Surprise.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



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Council Meeting Date: July 15, 2020
Submitting Department: Human Resources
Staff Recommendations:

Contact Person:
District: Internal

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

Agenda Wording:

Consideration and possible action to enter Executive Session to review records exempt from public disclosure and/or legal advice related to the Accidental Disability application for Glenn Cannon

Motion:

I make a motion to _____ in regards to the Accidental Disability application for Glenn Cannon.

Background:

The PSPRS Local Police Board met on May 13, 2020 to receive status update from Glenn Cannon in relation to his pending disability application. The Board requested medical records from Glenn Cannon pertaining to his recovery of injury and a timeline of his return to work to be presented during the July meeting.

Glenn Cannon provided the Board Secretary with updated medical notes following his appointments with treating physician on May 21, 2020 and July 7, 2020.

PSPRS Legal Counsel received applicant's request for continuance on 7/8/2020 requesting Police Board to reconvene on matter after August 10, 2020.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



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Police Meeting

Council Meeting Date: July 15, 2020
Submitting Department: Human Resources
Staff Recommendations:

Contact Person:
District: Internal

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

Agenda Wording:

Consideration and possible action to enter Executive Session to receive legal advice regarding the adoption of a reevaluation process and criteria pertaining to accidental disability recipients pursuant to A.R.S. § 38-844 (E).

Motion:

Background:

The PSPRS Police Disability Review Subcommittee met on May 27, 2020 and June 24, 2020 to discuss, review and present a tentative adoption of a reevaluation process and criteria pertaining to accidental disability recipients pursuant to A.R.S. § 38-844 (E). Presented herein for the consideration of the PSPRS Local Police Board.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. Reevaluation Process & Criteria for Review of Disability Applications - DRAFT
-

**Surprise Local Police Board
Reevaluation Process Proposal - **DRAFT****

**For Consideration by the Reevaluation Process Subcommittee and in compliance with
Local Police Board Rules**

Process

1. The Local Board Secretary shall maintain a running spreadsheet of the disability retirements awarded – including the Date of Membership, Date of Retirement, Last Exam, Type, Date when 20 years of service is met, whether there is a possibility of recovery based on independent medical evaluation (“IME”) report (Yes or No).
2. The Local Board shall receive updates periodically from the Local Board Secretary regarding the information maintained above.
3. If a member is referred to an IME for reevaluation, the Local Board will receive the IME and determine whether any further action necessary in a public meeting with appropriate notice to the member.

Criteria for Review

1. The Local Board may consider whether members receiving accidental disability retirement should be referred for an IME up to one time every two years to determine whether member remains eligible for disability retirement.
2. The Local Board may consider whether members receiving accidental disability retirement should be referred for an IME upon receipt of information by the Board that the member may have sufficiently recovered. The Local Board shall provide the information to the member so that the member has an opportunity to respond to the information prior to the Local Board taking action on a recommendation for an IME.
3. Members will not be required to undergo IME within one (1) year of initial approval for accidental disability retirement.
4. Members who will reach normal retirement within five (5) years of being awarded accidental disability retirement shall not be considered for reevaluation.

The Local Board shall apply these criteria when deciding who to recommend for an IME to determine whether the member has sufficiently recovered. The Local Board shall clearly and in detail explain this process and the decision regarding recommendation for IME during a public meeting.

This process shall be uniformly and consistently applied to all members in similar circumstances. Local Board members will recuse themselves from any matter in which they have a conflict of interest, as defined under Arizona law or an appearance of impropriety.