

CITY OF SURPRISE
PSPRS Police Disability Review Subcommittee Meeting
16000 N. Civic Center Plaza
Surprise, AZ 85374
Thursday, July 23, 2020 @ 10:00 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
- F. PSPRS Police Disability Review Subcommittee 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 | Considerations and possible action pertaining to the review and approval of the June 24, 2020 PSPRS Police Disability Review Subcommittee Executive Session Meeting Minutes | Human Resources |
| 2. | Internal | Considerations and possible action pertaining to the review and approval of the June 24, 2020 PSPRS Police Disability Review Subcommittee Meeting Minutes | Human Resources |

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- 3. Internal Further review, consideration and possible action to enter Executive Session to receive legal advice Human Resources regarding the adoption of the reevaluation process and criteria pertaining to accidental disability recipients pursuant to A.R.S. § 38-844 (E)
- 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).

- I. Adjournment

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: July 17, 2020 at 10:25 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
PSPRS Police Disability Review Subcommittee
Meeting

Council Meeting Date: July 23, 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 possible action pertaining to the review and approval of the June 24, 2020 PSPRS Police Disability Review Subcommittee Executive Session Meeting Minutes

Motion:

I make a motion to approve the PSPRS Police Disability Review Subcommittee Executive Session Meeting Minutes for June 24, 2020.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



CITY OF SURPRISE
PSPRS Police Disability Review Subcommittee
Meeting

Council Meeting Date: July 23, 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 possible action pertaining to the review and approval of the June 24, 2020 PSPRS Police Disability Review Subcommittee Meeting Minutes

Motion:

I make a motion to approved the PSPRS Police Disability Review Subcommittee Meeting Minutes for June 24, 2020

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. SubCommittee Meeting Minutes 6.24.2020
-



CITY OF SURPRISE
PSPRS Police Disability Review Subcommittee Meeting
Minutes, Wednesday, June 24, 2020
16000 N. Civic Center Plaza, Surprise, Arizona 85374

The following are the minutes from the City of Surprise PSPRS Police Disability Review Subcommittee meeting held at 1:00 p.m. Wednesday, June 24, 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

Meeting was called to order at 1:00 p.m.

B. Roll Call:

Severin Hall, Police Board Member – Present
Ian Murton, Police Board Member – Present

In attendance:

Lisa Angelini, Human Resources Director
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

Regular Agenda:

1. **Considerations and possible action pertaining to the review and approval of the May 27, 2020 PSPRS Police Disability Review Subcommittee Executive Session Meeting Minutes – APPROVED**

Motion: Ian Murton

Second: Severin Hall

Opposed: None

2. **Considerations and possible action pertaining to the review and approval of the May 27, 2020 PSRS Police Disability Review Subcommittee Meeting Minutes - APPROVED**



CITY OF SURPRISE
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Motion: Ian Murton
Second: Severin Hall
Opposed: None

3. Possible action to enter Executive Session to receive legal advice regarding inadvertent disclosure of sensitive information - APPROVED

Ian Murton made a motion to enter Executive Session and end Regular Session at 1:04 p.m.

Motion: Ian Murton
Second: Severin Hall
Opposed: None

DISCUSSION ENSUED DURING EXECUTIVE SESSION

Severin Hall made a motion to exit Executive Session and resume Regular Session at 1:19 p.m.

Motion: Severin Hall
Second: Ian Murton
Opposed: None

The subcommittee decided to swap agenda items #4 and #5 to give HR Director the opportunity to address Subcommittee members prior to tentative adoption of reevaluation process as outlined in agenda item #4.

5. Possible action to enter Executive Session to receive legal advice regarding the reevaluation process for accidental disability recipients - APPROVED

Severin Hall made a motion to exit Regular Session and enter Executive Session at 1:21 p.m.

Motion: Severin Hall
Second: Ian Murton
Opposed: None

Ian Murton made a motion to exit Executive Session and resume Regular Session at 2:17 p.m.

Motion: Ian Murton
Second: Severin Hall
Opposed: None



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4. **Further review, consideration and possible action to adopt a reevaluation process pertaining to accidental disability recipients pursuant to A.R.S. § 38-844(E) - TABLED**

Motion: Ian Murton
Second: Severin Hall
Opposed: None

Other Business and Future Agenda Items – None

G. **Executive Session – None**

H. **Adjournment - APPROVED**

Motion to adjourn at 2:19 p.m.

Motion: Ian Murton
Second: Severin Hall
Opposed: None

Meeting Minutes Approval:

Severin Hall, Police Board Member

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 Police Disability Review Subcommittee Meeting of **Wednesday, June 24, 2020.**

Ariana Reyna, Human Resources



CITY OF SURPRISE
PSPRS Police Disability Review Subcommittee
Meeting

Council Meeting Date: July 23, 2020
Submitting Department: Human Resources
Staff Recommendations:

Contact Person:
District: Internal

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

Agenda Wording:

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

Motion:

I make a motion to approve the reevaluation process proposal as presented in DRAFT format to be the approved process and criteria to be presented to the PSPRS Local Police Board for consideration as it pertains to the review of accidental disability recipients pursuant to A.R.S. § 38-844 (E)

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. Police Board Reevaluation process - DRAFT
-

Surprise Local Police Board Reevaluation Process Proposal

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. The Local Board shall consider the input of the Human Resources Department, which includes conference with Police Department management, when making a determination of whether to refer a member for an IME.
4. Members will not be required to undergo IME within one (1) year of initial approval for accidental disability retirement.
5. 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.