



CITY OF SURPRISE
Public Safety Personnel Retirement System Meeting - Police
16000 N. Civic Center Plaza
Surprise, AZ 85374
Wednesday, April 21, 2021 @ 10:00 AM
COUNCIL CHAMBERS

- 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:

INSTRUCTIONS: In order to address the Board\Commission, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the Secretary before the meeting begins.

Note: A.R.S. 38-431.01(H) - During this time members of the public may address the Board\Commission only on issues within the jurisdiction of the Board\Commission which are not an item on the agenda. At the conclusion of the open call, the Board\Commission may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.

CONSENT AGENDA:

- | | | | |
|----|----------|--|-----------------|
| 1. | Internal | Considerations and action pertaining to the review and approval of the March 10, 2021 Public Safety Retirement Commission – Police Executive Session Meeting Minutes | Human Resources |
| 2. | Internal | Considerations and action pertaining to the review and approval of the March 10, 2021 Public Safety Retirement Commission – Police Meeting Minutes | Human Resources |

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- | | | | |
|----|----------|---|-----------------|
| 3. | Internal | Review and possible discussion of FY 2020-2021 legal counsel fees | Human Resources |
| 4. | Internal | Considerations and discussion on Board Attorney's summary of legislative update | Human Resources |
| 5. | Internal | Consideration and possible action pertaining to the approval of the application for normal retirement for Police Officer Michael D. Leszcynski effective 03/29/2021 | Human Resources |
| 6. | Internal | Consideration and possible action pertaining to the acknowledgement of the end of the DROP period for Police Commander James A. Rodriguez (James Jackson) who will separate employment effective 04/08/2021 | Human Resources |
| 7. | Internal | Consideration and possible action pertaining to the enrollment of Police Officer Mike P. Baldwin into the Deferred Retirement Option Plan (DROP) effective 04/30/2021 | Human Resources |

- 8. Internal Discussion and possible action to potentially approve the change drafted by Board Attorney to the Police Board's bylaws specifically section F. Disability Benefit Applications, subsection 4. Mental Examinations. Human Resources
- 9. Internal Considerations and possible action to vote on how to proceed following the PSPRS Police Disability Review Subcommittee's recommendation regarding the reexamination of disability recipients for the Surprise Police Department pursuant to A.R.S. § 38-844 (E) 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).

- I. Adjournment

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: April 8, 2021 at 9:40 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
Meeting - Police

Council Meeting Date: April 21, 2021
Submitting Department: Human Resources
Staff Recommendations:

Contact Person:
District: Internal

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

Agenda Wording:

Considerations and action pertaining to the review and approval of the March 10, 2021 Public Safety Retirement Commission – Police Executive Session Meeting Minutes

Motion:

I make a motion to approve the March 10, 2021 Public Safety Retirement Commission – Police Executive Session Meeting Minutes

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



CITY OF SURPRISE
Public Safety Personnel Retirement System
Meeting - Police

Council Meeting Date: April 21, 2021
Submitting Department: Human Resources
Staff Recommendations:

Contact Person:
District: Internal

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

Agenda Wording:

Considerations and action pertaining to the review and approval of the March 10, 2021 Public Safety Retirement Commission – Police Meeting Minutes

Motion:

I make a motion to approve the March 10, 2021 Public Safety Retirement Commission – Police Meeting Minutes

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. Police Meeting Minutes 3.10.2021 DRAFT
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**PUBLIC SAFETY RETIREMENT SYSTEM
CITY OF SURPRISE LOCAL BOARD – POLICE**
Minutes, Wednesday, March 10, 2021
16000 N. Civic Center Plaza, Surprise, Arizona 85374

The following are the minutes from the City of Surprise Public Safety Retirement Commission – Police Meeting held at 10:00 a.m. Wednesday, March 10, 2021. 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 10:00 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
Ian Murton, Police Department – Present

In attendance: Paige Gearhart, Human Resources Manager
Cynthia Kelley, Board Attorney
Ariana Reyna, PSPRS Board Secretary
Michelle Reardon, Sr. Human Resources Specialist

C. Pledge of Allegiance – Completed

D. Current Events Reports - None

E. Staff Reports – None

F. Call to the Public – None

Consent Agenda:

- 1. Consideration and possible action pertaining to the review and approval of the February 10, 2021 Public Safety Retirement Commission-Police Executive Session Meeting Minutes-APPROVED**

Motion to Approve: Ian Murton
Second: Chandler Brown
Opposed: None

- 2. Considerations and possible action pertaining to the review and approval of the February 10, 2021 Public Safety Retirement Commission – Police Meeting Minutes – APPROVED**



**PUBLIC SAFETY RETIREMENT SYSTEM
CITY OF SURPRISE LOCAL BOARD – POLICE**
Minutes, Wednesday, March 10, 2021
16000 N. Civic Center Plaza, Surprise, Arizona 85374

Motion to Approve: Chandler Brown

Second: James Conner

Opposed: None

Regular Agenda:

3. Review and discussion of FY 2020-2021 legal counsel fees – INFORMATION ONLY

No questions nor comments from Board Members.

4. Consideration and possible action pertaining to the acknowledgement of the end of the DROP period for Police Officer Guadalupe J. Garcia who will separate employment effective March 21, 2021 and who will start collecting retirement pension benefit – APPROVED

Ariana informed the Board that Officer Garcia's DROP application was approved on 7/18/2018 with the first DROP benefit credited date effective as 8/31/2018.

Motion: James Conner

Second: Ian Murton

Opposed: None

5. Consideration and possible action pertaining to the review of medical examinations and the acceptance of four (4) new Police Officer recruits; Anthony G. Anderson, Anton E. Merchant, Michael F. Perozzi and Randall T. Timas into the PSPRS system pursuant to A.R.S § 38-859 – APPROVED

Ariana informed the Board that the Police Officer recruits Anthony G. Anderson, Anton E. Merchant, Michael F. Perozzi and Randall T. Timas have been hired with the Surprise Police Department effective 2/22/2021. During new hire orientation with Human Resources, they were informed of their Tier 3 status and 90-day waiting period before contributing into the PSPRS system. The Police Officer recruits have been notified of the Board's review of medical records.

Motion to Approve: Chandler Brown

- Anthony G. Anderson with preexisting conditions
- Anton E. Merchant with preexisting conditions
- Michael F. Perozzi without preexisting conditions
- Randall T. Timas with preexisting conditions

Second: Ian Murton

Opposed: None

- 6. Consideration and possible action to enter Executive Session and discuss potential changes to the Police Board’s bylaws specifically section F. Disability Benefit Applications, subsection 1. Disability Applications and subsection 4. Mental Examinations. - TABLED**

Motion: Ian Murton

Second: Chandler Brown

Opposed: None

DISCUSSION ENSUED DURING EXECUTIVE SESSION, WHICH TOOK PLACE FROM 10:05 A.M. – 10:30 A.M.

Future Agenda item to review and update the language for the disability application and mental health in the police bylaws.

G. Other Business and Future Agenda Items

- a. Future Agenda Item #1: Update language for disability application and mental health in the Police bylaws.
- b. Future Agenda Item #2: PSPRS subcommittee will be making a presentation to the Board.

H. Executive Session – None

I. Adjournment

Motion to adjourn at 10:34 a.m. – **APPROVED**

Motion: Severin Hall

Second: Ian Murton

Opposed: None

Meeting Minutes Approval:

Skip Hall, Chair
Public Safety Retirement Commission - Police



**PUBLIC SAFETY RETIREMENT SYSTEM
CITY OF SURPRISE LOCAL BOARD – POLICE**
Minutes, Wednesday, March 10, 2021
16000 N. Civic Center Plaza, Surprise, Arizona 85374

CERTIFICATION:

I, Ariana Reyna, Board Secretary and 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 Public Safety Retirement Commission – Police Meeting of **Wednesday, March 10, 2021**.

Ariana Reyna, Board Secretary
Public Safety Retirement Commission - Police



CITY OF SURPRISE
Public Safety Personnel Retirement System
Meeting - Police

Council Meeting Date: April 21, 2021
Submitting Department: Human Resources
Staff Recommendations:

Contact Person:
District: Internal

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

Agenda Wording:

Review and possible discussion of FY 2020-2021 legal counsel fees

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



CITY OF SURPRISE
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Meeting - Police

Council Meeting Date: April 21, 2021
Submitting Department: Human Resources
Staff Recommendations:

Contact Person:
District: Internal

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

Agenda Wording:

Considerations and discussion on Board Attorney's summary of legislative update

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



CITY OF SURPRISE
Public Safety Personnel Retirement System
Meeting - Police

Council Meeting Date: April 21, 2021
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 pertaining to the approval of the application for normal retirement for Police Officer Michael D. Leszcynski effective 03/29/2021

Motion:

I make a motion to approve the normal retirement for Police Officer Michael D. Leszcynski effective 03/29/2021

Background:

Police Officer Michael D. Leszcynski filled out an application for normal retirement and submitted all documentation as required by PSPRS. As of 03/29/2021, Officer Leszcynski will retire with an accumulated 20.000 years of service: 17.5 years with the City of Surprise and 2.5 years of service purchased through the system.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



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Staff Recommendations:

Contact Person:
District: Internal

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

Agenda Wording:

Consideration and possible action pertaining to the acknowledgement of the end of the DROP period for Police Commander James A. Rodriguez (James Jackson) who will separate employment effective 04/08/2021

Motion:

I make a motion for the Board to acknowledge the end of DROP period for Police Commander James A. Rodriguez (James Jackson) and approve PSPRS retirement with an effective date of 04/08/2021

Background:

The PSPRS Local Police Board met and approved Commander Rodriguez (James Jackson) DROP application on 02/14/2018. Commander Rodriguez submitted his resignation to the Surprise Police Department effective 04/08/2021

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



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Council Meeting Date: April 21, 2021
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 pertaining to the enrollment of Police Officer Mike P. Baldwin into the Deferred Retirement Option Plan (DROP) effective 04/30/2021

Motion:

I make a motion to approve the enrollment of Police Officer Mike P. Baldwin into the Deferred Retirement Option Plan (DROP) effective 04/30/2021

Background:

Police Officer Mike P. Baldwin filled out a DROP application and submitted all documentation as required by PSPRS. As of 04/30/2021, Officer Baldwin is eligible to enter the DROP with an accumulated 20.016 years of service; 19.619 years with the City of Surprise and .397 with the City of Chandler. Officer Baldwin has designated a 60 month period to participate in DROP which establishes his separation date from employment on or before 04/30/2026.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



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Council Meeting Date: April 21, 2021
Submitting Department: Human Resources
Staff Recommendations:

Contact Person:
District: Internal

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

Agenda Wording:

Discussion and possible action to potentially approve the change drafted by Board Attorney to the Police Board's bylaws specifically section F. Disability Benefit Applications, subsection 4. Mental Examinations.

Motion:

I make a motion to approve the change drafted by Board Attorney to the Police Board's bylaws on section F. Disability Benefit Applications, subsection 4. Mental Examinations

Background:

For the Board's review and consideration, following the discussion held by Members during the 3/10/2021 Board meeting, attached is the drafted recommendation to potentially change language in Bylaws.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. Pages from 38N7473-POLICE BY-LAWS
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such as the Claimant's continued work status or the Claimant's performance of a reasonable range of duties. In the alternative, the Local Police Board may continue the Hearing on the matter to a date and time when any additional documentation requested by the Board is available.

3. Independent Medical Board. Pursuant to A.R.S. §38-859(B), medical boards appointed pursuant to A.R.S. §38-859(A)(2)-(5) shall be composed of a designated physician or a clinic other than a regular employee or contractee of the City of Surprise.
4. Mental Examinations. In the event of a ~~psychological~~ disability application ~~for a mental condition~~, the medical board will consist of a doctor of medicine who is a psychiatrist or has a specialty in psychiatry. ~~If the psychiatrist is unable to perform psychological testing required by the Board as part of his/her examination, the Board shall appoint a psychologist to conduct those tests which will be provided to the psychiatrist for review prior to issuing a report containing his/her conclusions to the Local Police Board. The psychiatrist shall issue a report containing his/her conclusions to the Local Police Board.~~

When a member submits a disability application for a mental health condition, if the applicant has not been undergoing treatment for at least 12 months the Board will presume, subject to rebuttal, that the condition is temporary.

5. Prompt Hearing. If a medical board is appointed, the Secretary shall reconvene the Hearing at the first feasible Meeting after the Local Police Board members' receipt of the medical board's report, unless the Claimant requests in writing otherwise.
6. Disability Findings. Pursuant to A.R.S. §38-859(C), a finding of disability shall be based on medical evidence provided by the medical board appointed by the Local Police Board. The Local Police Board shall resolve material conflicts in the medical evidence. If required, the Local Police Board may employ other physicians or clinics to report on special cases. With the approval of the Local Police Board, a physician or clinic employed by the Local Police Board may employ occupational specialists to assist the physician or clinic in rendering an opinion.
7. Approval of Disability Claim. If a Claim for disability benefits is approved by the Local Police Board, the Secretary will obtain Employer certification of the Claimant's employment termination date and indicate the determination of the Board on the disability pension on proscribed Plan forms. If the Board Secretary cannot obtain certification of the termination of the Claimant's



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Council Meeting Date: April 21, 2021
Submitting Department: Human Resources
Staff Recommendations:

Contact Person:
District: Internal

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

Agenda Wording:

Considerations and possible action to vote on how to proceed following the PSPRS Police Disability Review Subcommittee's recommendation regarding the reexamination of disability recipients for the Surprise Police Department pursuant to A.R.S. § 38-844 (E)

Motion:

Based on the Police Disability Review Subcommittee's recommendation regarding the reexamination of disability recipients for the Surprise Police Department pursuant to A.R.S. § 38-844 (E), I motion to: _____

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:
