



City of Surprise
Personnel Appeals Board Agenda
Minutes, Wednesday, October 15, 2020
16000 North Civic Center Plaza, Surprise, Arizona 85374

The following are the minutes from the City of Surprise Personnel Appeals Board (PAB) – meeting held at 3:00 p.m. Thursday, October 15, 2020. The meeting was held in the City Hall, Council Overflow Conference Room.

A. Call To Order:

Connie Welsch, HR Manager/Board Liaison called the meeting to order at 3:01 pm.

B. Roll Call: Ira McCullough, Board Member – Present (*via WebEx*)
Ted Grove, Board Member – Present (*via WebEx*)
LaCoya Shelton, Board Member – Excused Absence
Mitchell Friedlander, Board Member – Present
Thomas Russell, Board Member - Present
Jim Conner, Board Member – Unexcused Absence
Eric Lochner, Board Member – Excused Absence

In attendance: Connie Welsch, Human Resources, HR Manager, Board Liaison
Lisa Angelini, Human Resources Director
Donna Meuse, Human Resources Manager
Carrie O'Brien, Board Attorney

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 action pertaining to the approval of the September 23, 2020 Personnel Appeals Board meeting minutes. - **Approved**

Motion to Approve: Ira McCullough
Second: Thomas Russell
Opposed: None; 4 yes votes

Regular Agenda:

#2. Consideration and action pertaining to the nomination and election of Ted Grove as Vice-Chair for the Personnel Appeals Board. - **Approved**



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Motion to Approve: Ira McCullough
Second: Mitchell Freidlander
Opposed: None; 4 yes votes

At the September 22, 2020 Board meeting, Ted Grove was nominated as Vice-Chair, voted on, and elected unanimously. However, a formal motion and second was not made and the item was tabled. Ted Grove was nominated as Vice-Chair of the Personnel Appeals Board and elected with a unanimous yes vote today.

#3. Discussion and action pertaining to approval of amendments to the Personnel Appeals Board Rules of Practice and Procedure. - **Approved**

Board Attorney, Carrie O'Brien reviewed the final proposed amendments to the Board Rules of Practice and Procedure discussed over the September 22, 2020 and September 23, 2020 meetings. The Board Attorney clarified the following: in Section 303, regarding public hearings, that the Peace Officers Bill of Rights explicitly states that hearings are conducted in public, except if the Board is to receive legal advice. Legal advice would be conducted in executive session. Discussion took place concerning public hearings for non-peace officers and if the hearing should be conducted in public or executive session. It was determined that further research needs to be completed for clarification regarding public hearings for non-peace officers, which will be brought forward at the next meeting. In addition, in Section 303, it is noted that the Board's final decision on the appeal shall be made in public; Section 306,b,5 that participating members may ask questions of the witnesses in a hearing. Lisa Angelini clarified that alternates cannot ask questions unless they need to step in for a board member. Otherwise, alternates are observing only; Section 501 regarding pre-hearing conference, procedural guidelines were established to assist the Board with managing the hearing.

In addition, in general, if there is a conflict to the rules, state statute, or ordinance, the state statute and ordinance control. The Board Attorney also clarified that the Board decision is final concerning elements of just cause and the Board cannot make a recommendation for alternative corrective action.

Motion to Approve: Ira McCullough
Second: Ted Grove
Opposed: None; 4 yes votes

Adjournment:

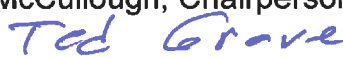
Board member Mitchell Friedlander made the motion to adjourn at 3:32 p.m. Board member Thomas Russell seconded the motion. None opposed.



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Meeting Minutes Approval:



Ira McCullough, Chairperson


CERTIFICATION:

I, Connie Welsch, Human Resources Manager/Board Liaison for the City of Surprise, Maricopa County, Arizona, do hereby certify that these are true and correct minutes of the Personnel Appeals Board Meeting of Wednesday, September 23, 2020.



Connie Welsch, HR Manager/Board Liaison