



**PUBLIC SAFETY RETIREMENT SYSTEM
CITY OF SURPRISE LOCAL BOARD – POLICE**
Minutes, Wednesday, May 12, 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 9:45 a.m. Wednesday, May 12, 2021. The meeting was held in City Hall, Council Chambers.

A. Call To Order

Chair Hall called the meeting to order at 9:46 a.m.

B. Roll Call: Skip Hall, Chair – 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: Cynthia Kelley, Board Attorney
Ariana Reyna, PSPRS Board Secretary

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 review and approval of the April 21, 2021 Public Safety Retirement Commission-Police Executive Session Meeting Minutes-APPROVED**

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

- 2. Considerations and action pertaining to the review and approval of the April 21, 2021 Public Safety Retirement Commission – Police Meeting Minutes – APPROVED**



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Motion to Approve: Chandler Brown

Second: Ian Murton

Opposed: None

Regular Agenda:

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

No questions nor comments from the Board Members

4. Consideration and possible action pertaining to the review of medical examination and the acceptance of one (1) new Police Officer (Recruit) Trevor M. Marty into the PSPRS system pursuant to A.R.S. § 38-859 – APPROVED

Ariana Reyna explained that Police Officer Recruit has been hired with the Surprise Police Department effective 05/03/2021. Marty was notified of the Board's review of his medical records today.

Motion to Approve WITHOUT Pre-existing conditions: Severin Hall

Second: Chandler Brown

Opposed: None

5. Considerations and possible action to approve a change in Police Officer Edyta Tabor-Dakowicz membership date with PSPRS effective 03/10/2008 – APPROVED

Ariana Reyna provided the following as background information: Human Resources conducted an internal audit on PSPRS Police members and compared their recorded service dates of when the employees switched from recruits to actual Police Officer status versus what PSPRS has on file for service credit purposes. HR found a discrepancy for Edyta. Employee and employer contributions to PSPRS started immediately after her date of hire, which was 03/10/2008. Specifically, the first contribution made into PSPRS was made on 03/23/2008. However, her membership date currently reflects 08/29/2008. The request to change Edyta's membership date to 03/10/2008 is to give her credit for the contributions already made on her behalf and is consistent with the City's previous practice on fixing a similar issue for another Officer.



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

6. Considerations for the reevaluation and possible action concerning disability benefits for Gary W. Hicks pursuant to A.R.S. § 38-844 (E) – TABLED

Motion to ENTER Executive Session: James Conner
Second: Chandler Brown
Opposed: None

Police Board Member Ian Murton informed the Board that he would be recusing himself from participating in Mr. Hicks' reevaluation process due to possible conflict with the matter. Ian Murton stayed in Council Chambers apart from the Executive Session Meeting Room.

DISCUSSION ENSUED DURING EXECUTIVE SESSION, WHICH TOOK PLACE FROM 9:51 A.M. – 10:15 A.M.

Chandler Brown stated that after review of Gary Hicks' records and in compliance with the Surprise Local Police Board Reevaluation Process, he makes a motion to provide Mr. Hicks with the information reviewed by the Board and give him 14 days to respond prior to moving forward with sending him for an IME.

Motion: Chandler Brown
Second: James Conner
Opposed: None

7. Considerations for the reevaluation and possible action concerning disability benefits for Michael J. Kennedy pursuant to A.R.S. § 38-844 (E) - TABLED

Motion to ENTER Executive Session: Chandler Brown
Second: James Conner
Opposed: None

DISCUSSION ENSUED DURING EXECUTIVE SESSION, WHICH TOOK PLACE FROM 10:16 A.M. – 10:38 A.M.

Chandler Brown stated that after review of Michael Kennedy's records and in compliance with the Surprise Local Police Board Reevaluation Process, he made a motion for the Board Secretary to obtain updated medical records to be provided within



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14 days for the Board to determine the member's current medical status pursuant to A.R.S. § 38-844 (E)

Motion: Chandler Brown
Second: James Conner
Opposed: None

8. Discussion and possible action for review of the Independent Medical Exam reports and medical records exempt from public inspection regarding the accidental disability application for Police Officer Edyta Tabor-Dakowicz - APPROVED

Ariana Reyna summarized that during the February 10, 2021 meeting, the Board made a motion (vote passed 3-2) stating that there was sufficient medical evidence presented and moved forward with ordering Independent Medical Exams for Mrs. Tabor-Dakowicz. IME findings are included in the packet for the Board's review and consideration in regards to Mrs. Tabor-Dakowicz accidental disability application.

Motion to ENTER Executive Session: James Conner
Second: Ian Murton
Opposed: None

DISCUSSION ENSUED DURING EXECUTIVE SESSION, WHICH TOOK PLACE FROM 10:39 A.M. – 10:57 A.M.

Motion to Approve: Severin Hall
Second: James Conner
Opposed: None

James Conner voiced concerns about the validity of the reports in relation to a long-term disability benefit for the applicant. Chandler Brown agreed and added that there is conflicting information between the psychologist and psychiatrist reports but ultimately they both concluded with the same diagnosis and feels like he doesn't have a choice but to approve. Ian Murton stated that there is also a concern for the way that the application was filed and how the records were presented alluded to dates of diagnosis after the application was filed.

Kathryn Baillie, legal counsel for Edyta Tabor-Dakowicz, stated that ultimately the Board's medical examiners concluded that her client meets the standards for disability under PSPRS as she's unable to function even in another position with the City of Surprise.



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Motion passed 4-1. Voice Vote from Members as follows:

Chandler Brown – YES

Skip Hall – YES

James Conner – YES

Ian Murton – NO

Severin Hall – YES

G. Other Business and Future Agenda Items

H. Executive Session – None

I. Adjournment

Motion to adjourn at 11:03 a.m. – **APPROVED**

Motion: Chandler Brown

Second: James Conner

Opposed: None

Meeting Minutes Approval:

A handwritten signature in blue ink, appearing to read "Skip Hall", is written over a horizontal line.

Skip Hall, Chair

Public Safety Retirement Commission - Police

CERTIFICATION:

I, Ariana Reyna, Board Secretary and HR Business Partner 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, May 12, 2021**.

A handwritten signature in blue ink, appearing to read "A. Reyna", is written over a horizontal line.

Ariana Reyna, Board Secretary

Public Safety Retirement Commission - Police