



CITY OF SURPRISE
Public Safety Retirement Commission- Police
16000 N. Civic Center Plaza
Surprise, AZ 85374

Wednesday, May 8, 2019 @ 10:00 AM
COUNCIL OVERFLOW ROOM

- 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 Discussion and action pertaining to approval of PSPRS
Local Board-Police April 24, 2019 meeting minutes. Human Resources

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- 2. Internal Consideration and action pertaining to the acceptance of
the Normal Retirement Application for Phillip O. Hodgkins effective May 31, 2019. 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

POSTED: May 7, 2019 at 7:55 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 Retirement Commission- Police

Council Meeting Date: May 8, 2019
Submitting Department: Human Resources
Staff Recommendations:

Contact Person:
District: Internal

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

Agenda Wording:

Discussion and action pertaining to approval of PSPRS Local Board-Police April 24, 2019 meeting minutes.

Motion:

I move to approve PSPRS Local Board Police- April 24, 2019 meeting minutes.

Background:

N/A

Objective Analysis:

N/A

Policy Compliant:

N/A

Financial Impact:

N/A

Budget Impact:

N/A

FTE Impact:

N/A

ATTACHMENTS:

1. Draft PSPRS Police Minutes -2019.04.24
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**PUBLIC SAFETY RETIREMENT SYSTEM
CITY OF SURPRISE LOCAL BOARD – POLICE**
Draft Minutes, Wednesday, April 24, 2019
16000 North Civic Center Plaza, Surprise, Arizona 85374

The following are the minutes from the PSPRS City of Surprise Local Board – Police Meeting held at 10:00 a.m. Wednesday, April 24, 2019. The meeting was held in City Hall, Council Overflow Conference Room.

Call To Order:

Chairperson Scott Gwaltney called the meeting to order at 10:07 a.m.

A. Roll Call: Scott Gwaltney, Chairperson & Citizen Board Member - Present
Don Jeffrey, Citizen Board Member – Present
Jim Conner, Citizen Board Member – Present
Ian Murton, Employee Board Member – Police Dept. – Present
Courtney Hicks, Employee Board Member- Police Dept. – Absent
excused

In attendance: Chanda Washington, Board Administrator
Lindsey Steinhoff, Human Resources
Cynthia Kelley, Board Attorney
Rachael Tidd, Applicant
Edyta Tabor-Dakowicz, Applicant Support

B. Pledge of Allegiance: Completed

C. Current Events Reports: None

D. Staff Reports: Ms. Washington let the board know we need a meeting on 5/8/19 for an upcoming retirement she will have. Mr. Gwaltney let Ms. Washington know he will not be able to attend the May 8th meeting. Other board members were asked if they were able to attend to ensure there would be a quorum. If the 8th doesn't work for the board they will need to do a different date in May.

Mr. Conner can do any Wednesday in May except the 22nd. Mr. Jeffrey is good to do either May 8th or 15th. Mr. Murton would not be able to attend on May 8th, but will be able to attend the 15th. Ms. Washington will talk with Ms. Hicks to determine if she is able to the May 8th or 15th and will send out a meeting notification to the board members letting them know if we will have a meeting on May 8th or May 15th.

Call to the Public: None

Consent Agenda:

#1. Discussion and action pertaining to approval of PSPRS Local Board - Police February 6, 2019 Meeting Minutes. **-Approved**

Motion: Mr. Gwaltney
Second: Mr. Jeffrey
Opposed: None

Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes
Ian Murton- voted yes
Courtney Hicks- absent excused

Regular Agenda:

#2. Discussion pertaining to Jeremy G. Templeton's failure to satisfy the 90-day election period for enrollment in PSPRS membership and acknowledgement that there will be no effective date for PSPRS membership and no retirement plan election submitted with the City of Surprise. – **No Action Needed**

Ms. Washington explained this is the 2nd time the board has had the situation occur where the employee ended employment with the City of Surprise prior to reaching their 90-day election period for choosing a retirement plan with PSPRS and there will be no effective membership date with the City of Surprise. This is just a notification for the board and no action is needed.

#3. Consideration and action pertaining to further review of the Accidental Disability application of Rachael Tidd. The commission may further consider and take action to appoint an independent medical examination (IME) for Rachael Tidd to be conducted by the following IME professionals: MMRO as primary, MCN as secondary and Integrated Medical Evaluation Services Inc. as tertiary (third) choice. – **Approved**

Ms. Washington explained Ms. Tidd was present for the meeting and she did not sign a release for the board to discuss her medical information in an open meeting, so any discussions pertaining to her Ms. Tidd's medical information would need to be discussed in executive session with her present.

Mr. Gwaltney made a motion at 10:11am to go into modified executive session with Ms. Tidd and Ms. Tabor-Dakowicz.

Motion: Gwaltney
Second: Conner
Opposed: None

Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes
Ian Murton- voted yes
Courtney Hicks- absent

Mr. Gwaltney made a motion at 10:18am to end executive session and reconvene to regular session.

Motion: Gwaltney



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Second: Conner
Opposed: None

Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes
Ian Murton- voted yes
Courtney Hicks- absent excused

Mr. Gwaltney made a motion at 10:19am to go into executive session for legal advice.

Motion: Gwaltney
Second: Jeffrey
Opposed: None

Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes
Ian Murton- voted yes
Courtney Hicks- absent excused

Mr. Gwaltney made a motion at 10:23am to end executive session and reconvene to regular session.

Motion: Gwaltney
Second: Murton
Opposed: None

Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes
Ian Murton- voted yes
Courtney Hicks- absent excused

Regular session reconvened at 10:24am. Mr. Murton made a motion to accept for further review the Accidental Disability application for Rachael Tidd due the injury identified in executive session with Ms. Tidd present.

Motion: Murton
Second: Conner
Opposed: None

Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes



Ian Murton- voted yes
Courtney Hicks- absent excused

Mr. Murton made a subsequent motion, I move to appoint an independent medical exam (IME) for the Accidental Disability Retirement application for Rachael Tidd to be conducted by the following IME professionals: MMRO as primary, MCN as secondary and Integrated Medical Evaluations Inc. as tertiary (third) choice.

Motion: Murton
Second: Conner
Opposed: None

Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes
Ian Murton- voted yes
Courtney Hicks- absent excused

#4. Discussion and action pertaining to PSPRS board members' term of office. – Second option approved

Mr. Murton expressed he felt option #2 was the best since that is what the Police board has done in the past and what happened with his election.

Mr. Gwaltney explained the Fire board had a meeting today and looked at the same options for the board terms and chose option #1.

Ms. Washington explained Ian was elected to finish a term for a board member who left employment with the city and then when that term ended there was another election and Mr. Murton was re-elected.

Mr. Conner stated that option #2 makes more sense for Police and it's the least risk. He stated although the attorneys have indicated there is nothing wrong with either options but there is a chance under option #1 that someone could get upset with it and challenge it and you cannot challenge option #2

Ms. Washington let the board know that although Ms. Hick's could not attend the meeting today she did discuss with Ms. Washington her preference was to choose option #1.

Mr. Murton expressed he would like for things to stay consistent with how the board has elected members in the past and he would like for option #2.

A motion was made to approve the PSPRS Board Attorney's recommendation under Option #2 for staggered schedule as presented for the two board members' term of office.

Motion: Conner
Second: Murton
Opposed: None

Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes
Ian Murton- voted yes
Courtney Hicks- absent excused

#5. Consideration and action pertaining to placing items on future agenda.

Ms. Washington will obtain a list for disability retirement cases for the board to review, but this will likely not be for the May meeting.

Mr. Murton would like an agenda item to discuss in executive session legal guidance on information regarding the boards scope of view and what can and can't be introduced for review of an accidental disability or disability retirement cases.

#6. Executive Session: Consideration and action to enter into Executive Session pursuant to A.R.S. 38-431.03 (A) (2) and (3) for consideration or discussion of material deemed confidential by law and/or discussion or consultation for legal advice with the board attorney regarding the local board procedures.

The board went into modified executive session to discuss the Disability Retirement Application with Applicant Rachel Tidd and Ms. Tabor-Dakowicz at 10:11am. This executive session ended at 10:18am. The board then went into executive session for legal advice without the applicant or Ms. Tabor-Dakowicz in the room at 10:19am and this session ended at 10:23am.

Adjournment:

Chair Scott Gwaltney made a motion to adjourn the meeting at 10:34 a.m. – **Approved**

Motion: Gwaltney
Second: Murton
Opposed: None

Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes
Ian Murton- voted yes
Courtney Hicks- absent excused



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Scott Gwaltney, Chairperson

Donald Jeffrey – Board Member - Citizen

Jim Conner, Board Member - Citizen

Ian Murton, Board Member – Police Dept.

Courtney Hicks, Board Member - Police Dept.

Chanda Washington, Board Secretary



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Council Meeting Date: May 8, 2019
Submitting Department: Human Resources
Staff Recommendations:

Contact Person:
District: Internal

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

Agenda Wording:

Consideration and action pertaining to the acceptance of the Normal Retirement Application for Phillip O. Hodgkins effective May 31, 2019.

Motion:

I move to approve the acceptance of the Normal Retirement Application for Phillip O. Hodgkins effective May 31, 2019.

Background:

N/A

Objective Analysis:

N/A

Policy Compliant:

N/A

Financial Impact:

Both the employee and employer contributions will cease as of the May 31, 2019 retirement date.

Budget Impact:

Both the employee and employer contributions will cease as of the May 31, 2019 retirement date.

FTE Impact:

N/A

ATTACHMENTS:



CITY OF SURPRISE
Public Safety Retirement Commission- Police

Council Meeting Date: May 8, 2019
Submitting Department: Agenda Creation
Staff Recommendations:

Contact Person:
District: Citywide

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

Agenda Wording:

Executive Disclaimer (PSPRS)

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:
