



City of Surprise
Personnel Appeals Board Agenda
Minutes, Tuesday, May 3, 2022
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 2:00 p.m. Tuesday, May 3, 2022. The meeting was held in the City Hall, Council Overflow Conference Room.

A. Call To Order:

Ted Grove, Vice Chair called the meeting to order at 2:01 pm.

B. Roll Call: Jim Conner, Board Member – Present
Mitchell Friedlander, Board Member – Present
Ted Grove, Board Member – Present
Thomas Russell, Board Member - Present
LaCoya Shelton, Board Member – Present
Eric Lochner, Board Member – Excused Absence

In attendance: Connie Welsch, Human Resources, HR Manager, Board Liaison
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 October 15, 2020 Personnel Appeals Board meeting minutes. - **Approved**

Motion to Approve: LaCoya Shelton
Second: Thomas Russell
Opposed: None; 6 yes votes

Regular Agenda:

#2. Consideration and action pertaining to the approval of amendments to the Personnel Appeals Board Rules of Practice and Procedure pursuant to Municipal Code - **Approved**

Motion to Approve: LaCoya Shelton
Second: Thomas Russell



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Opposed: None; 6 yes votes

Carrie O'Brien, Board Attorney provided background explaining that there was some question on what the Board's authority was regarding discipline for classified employees. City Council revised Municipal Code to provide clarity to this question and to conform to state law. The Code clarifies that the Board has limited authority to decide whether just cause exists for discipline. The Board's determination then goes to the City Manager who will accept, reject or modify the decision. The Board rules have been cleaned up to include language from state law and Municipal Code.

Ted Grove sought clarification on the Board's determination of whether or not discipline was excessive and how that relates to just cause. Carrie clarified that there are two paths. One for classified employees and the other for sworn Peace Officers. She clarified that the Board would look to find that the disciplinary action would not be excessive as part of their decision of just cause discipline. This conforms to the Peace Officers Bill of Rights.

#3. Consideration and action pertaining to the selection of Board Chair for the Personnel Appeals Board - Approved

Motion to Approve: Thomas Russell

Second: LaCoya Shelton

Opposed: None; Unanimous

Background was provided explaining that Board Chair Ira McCullough resigned his position effective April 25, 2022 thereby creating a vacancy for Chair.

Discussion took place and Ted Grove was nominated for Chair. The Board unanimously elected Ted Grove as Chair.

#4. Consideration and possible action pertaining to the selection of Vice-Chair for the Personnel Appeals Board - Approved

Motion to Approve: Jim Connor

Second: Tom Russell

Opposed: None; Unanimous

Since Ted Grove was elected Chair on previous item, a vacancy for Vice-Chair was created.

Discussion took place to garner interest in the position. Mitchell Friedlander expressed interest. He disclosed that he is running for political office on the County level and was inquiring if this would pose a problem. Carrie O'Brien clarified that there would not be a statutory conflict of interest unless he had a financial or familial relationship with someone who came before the Board. Carrie clarified that if there were a conflict of any sort, then the duty for any member of the Board would be to recuse themselves.



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Discussion took place and Mitchell Friedlander was nominated for Vice-Chair. The Board unanimously elected Mitchell Friedlander as Vice-Chair.

Adjournment:

Board member Jim Connor made the motion to adjourn at 2:15 p.m. Board member Mitchell Friedlander seconded the motion. None opposed.

Meeting Minutes Approval:

A handwritten signature in black ink, appearing to read "Ted Grove", written over a horizontal line.

Ted Grove, 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 Tuesday, May 3, 2022.

A handwritten signature in black ink, appearing to read "Connie Welsch", written over a horizontal line. To the right of the signature, the words "for Connie Welsch" are written in a similar cursive style.

Connie Welsch, HR Manager/Board Liaison