



CITY OF SURPRISE
Public Safety Personnel Retirement System Meeting - police
16000 N. Civic Center Plaza
Surprise, AZ 85374

Wednesday, October 9, 2019 @ 10:00 AM
COUNCIL CHAMBER 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 September 10, 2019 meeting minutes. | None |
| | | | Human Resources |

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- | | | | |
|----|----------|--|-----------------|
| 2. | Internal | Consideration and action pertaining to the acceptance of three (3) new Police Officers into the PSPRS System. | None |
| | | | Human Resources |
| 3. | Internal | Consideration and action pertaining to the acceptance of John P. Bacon into the Deferred Retirement Option Plan (DROP) effective September 22, 2019. | None |
| | | | Human Resources |
| 4. | Internal | Consideration and action pertaining to further review of the Accidental Disability application for Richard Yost. The commission may further consider and take action to appoint an independent medical examination (IME) for Richard Yost. | None |
| | | | Human Resources |
| 5. | Internal | Consideration and action pertaining to the Accidental Disability Retirement application and IME summary for Glenn Cannon. | None |
| | | | 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: October 4, 2019 at 10:35 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: October 9, 2019
Submitting Department: Human Resources
Staff Recommendations: None

Contact Person:
District: Internal

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

Discussion and action pertaining to approval of PSPRS Local Board- Police September 10, 2019 meeting minutes.

Motion:

I move to approve the PSPRS Local Board-Police September 10, 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 -2019.09.10
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**PUBLIC SAFETY RETIREMENT SYSTEM
CITY OF SURPRISE LOCAL BOARD – POLICE**
Draft Minutes, Tuesday, September 10, 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. Tuesday, September 10, 2019. The meeting was held in City Hall, 1st floor lobby conference room.

Call To Order:

Chair Gwaltney called the meeting to order at 1:15 p.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
Severin Hall, Employee Board Member- Police Dept. – Present

In attendance: Chanda Washington, Board Administrator
Kelly Pedersen, Human Resources Admin.
David Niederdeppe, Board Attorney
Cynthia Kelley, Board Attorney
Donna Meuse, Human Resources
Mindy (Melinda) Bird, Deputy City Attorney
Philip Johnson, Police Commander
Rachael Tidd, Applicant (attended agenda item #6 only)
Kathryn Baillie, Attorney for Applicants Richard Yost and Rachael Tidd (attended agenda item #5 and #6)
Edyta Tabor-Dakowicz, Co-Worker of Ms. Tidd (attended agenda item #6 only)
Irene Hill, Mother of Applicant (attended agenda item #6 only)
Thomas (Tommy) Hale, Sergeant and former supervisor of Ms. Tidd (attended agenda item #6 only)
John Vance, Sergeant and supervisor during standby pay for Ms. Tidd (attended agenda item #6 only)
Austin Samuel Tidd, Son of Applicant Ms. Tidd (attended agenda item #6 only)
Chris Preest, PSPRS Fire Board member (attended at 3:27pm during agenda item #6)

B. Pledge of Allegiance: completed

C. Current Events Reports: None

D. Staff Reports: Ms. Washington explained to the board that the agenda item for Mr. Glenn Cannon was pulled due to no IME results received and the agenda item would be rescheduled for the next meeting in October.

Call to the Public: None

Consent Agenda:

- #1.** Discussion and action pertaining to approval of PSPRS Local Board - Police July 10, 2019 Meeting Minutes. -**Approved**

Motion: Jeffrey
Second: Conner
Opposed: None

Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes
Ian Murton- voted yes
Severin Hall- voted yes

Regular Agenda:

- #2.** Consideration and action pertaining to the acceptance of one (1) new Police Officer into the PSPRS System. – **Approved**

Motion made to approve the acceptance of one (1) new Police Officer into the PSPRS System as follows:

Jarrot J. Tevault, effective 8/5/2019 with pre-existing condition

Motion: Murton
Second: Hall
Opposed: None

Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes
Ian Murton- voted yes
Severin Hall- voted yes

- #3.** Consideration and action pertaining to the acceptance of Michael J. Forbrook into the Deferred Retirement Option Plan (DROP) effective August 25, 2019. – **Approved**

Motion: Jeffrey
Second: Murton
Opposed: None

Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes
Ian Murton- voted yes
Severin Hall - voted yes

#4. Consideration and action pertaining to the Application for a Survivor Benefit of Steven Reppert. – Approved

A motion was made to approve surviving spouse Terry Vernon Reppert's Application for Survivor Benefit of Steven Reppert.

Motion: Conner
Second: Hall
Opposed: None

Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes
Ian Murton- voted yes
Severin Hall - voted yes

#5. Consideration and action pertaining to further review of the Accidental Disability application for Richard Yost. The commission may further consider and take action to appoint an independent medical examination (IME) for Richard Yost. –Tabled

Mr. Gwaltney made a motion at 1:25pm to go into executive session for legal advice.

Motion: Gwaltney
Second: Murton
Opposed: None

Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes
Ian Murton- voted yes
Severin Hall - voted yes

Mr. Conner made a motion at 1:50 p.m. to end executive session and reconvene to regular session.

A motion was made to defer action on the accidental disability retirement until staff provides the board with additional information.

Motion: Conner
Second: Murton
Opposed: None

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



Ian Murton- voted yes
Severin Hall - voted yes

#6. Consideration and action pertaining to the rehearing of the Accidental Disability Retirement application and IME summary for Rachael Tidd. - **Approved**

Mr. Gwaltney made a motion at 1:53 p.m. to go into executive session for legal advice.

Motion: Gwaltney
Second: Conner
Opposed: None

Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes
Ian Murton- voted yes
Severin Hall - voted yes

Mr. Gwaltney made a motion at 2:19 p.m. to end executive session and reconvene to regular session.

There was extended discussion and presentation of evidence from various individuals during the rehearing concerning Ms. Tidd's duty status at the time of her accident, including her testimony, the testimony of her supervisors, and presentation and discussion of City Policies concerning work time and canine care. It was noted at the outset that the medical board's conclusions about Ms. Tidd's on/off duty status had been based on her comments to the examining physician at the time of the independent medical exam.

Mr. Murton made a motion at 4:27 p.m. to go into executive session for legal advice.

Motion: Murton
Second: Gwaltney
Opposed: None

Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes
Ian Murton- voted yes
Severin Hall - voted yes

Mr. Murton made a motion at 4:54 p.m. to end executive session and reconvene to regular session.

At the conclusion of all of the evidence being presented to the board, the board members voted on Ms. Tidd's application with each individual board member voicing their rationale for reaching the conclusion that even if no policy directly addressed the transportation of the service animal with Ms. Tidd, the City's K-9 policy should apply, and under that policy, time spent in the transportation of the animal at the time of the accident would constitute duty time. Board members also concluded that, given the unique circumstances surrounding Ms. Tidd's previous workday, which lasted well into the morning in question, and given the testimony of her on-call supervisor, Sgt. Vance, Ms. Tidd should be considered on duty at the time of the accident in continuation of her previous day's investigation while proceeding to the work place to pick up the materials needed to continue that investigation.

Motion to Approve Accidental Disability: Murton
Second: Conner
Opposed: None

Scott Gwaltney—voted yes
Don Jeffrey—voted yes
Jim Conner—voted yes
Ian Murton—voted yes
Severin Hall—voted yes

#7. Other Business and Future Agenda Items- None

#8. Executive Session- The board went into executive session for agenda items #5 and #6.

Adjournment:

Mr. Murton made a motion to adjourn the meeting at 5:01 p.m. – **Approved**

Motion: Murton
Second: Gwaltney
Opposed: None

Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes
Ian Murton- voted yes
Severin Hall- voted yes

Scott Gwaltney, Chairperson

Donald Jeffrey – Board Member - Citizen



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Jim Conner, Board Member - Citizen

Ian Murton, Board Member – Police Dept.

Severin Hall, Board Member - Police Dept.

Chanda Washington, Board Secretary

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CITY OF SURPRISE
Public Safety Personnel Retirement System
Meeting - police

Council Meeting Date: October 9, 2019
Submitting Department: Human Resources
Staff Recommendations: None

Contact Person:
District: Internal

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

Consideration and action pertaining to the acceptance of three (3) new Police Officers into the PSPRS System.

Motion:

I move to approve the acceptance of three (3) new Police Officers into the PSPRS System as follows:

Dennis G. Bloodworth, effective 9/16/2019 with pre-existing condition
Barry S. Bre'Dell, effective 9/16/2019 with pre-existing condition
Alayna K. Nash, effective 9/22/2019 with pre-existing condition

Background:

All three employees are Tier 3 members and have satisfied their 90 day waiting period and will be participating in the Defined Benefit Plan. The employee contribution rate is 9.94% of the applicable gross wages per pay period and the employer contribution rate is 26.04% of the applicable gross wages per pay period.

Objective Analysis:

N/A

Policy Compliant:

N/A

Financial Impact:

The employer contribution rate is 26.04% of the applicable gross wages.

Budget Impact:

The employer contribution rate is 26.04% of the applicable gross wages.

FTE Impact:

N/A

ATTACHMENTS:



CITY OF SURPRISE
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Meeting - police

Council Meeting Date: October 9, 2019
Submitting Department: Human Resources
Staff Recommendations: None

Contact Person:
District: Internal

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

Agenda Wording:

Consideration and action pertaining to the acceptance of John P. Bacon into the Deferred Retirement Option Plan (DROP) effective September 22, 2019.

Motion:

I move to approve the acceptance of John P. Bacon into the Deferred Retirement Option Plan (DROP) effective September 22, 2019.

Background:

N/A

Objective Analysis:

N/A

Policy Compliant:

N/A

Financial Impact:

Both the employer and employee contributions will cease effective September 22, 2019.

Budget Impact:

N/A

FTE Impact:

N/A

ATTACHMENTS:



CITY OF SURPRISE
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Council Meeting Date: October 9, 2019
Submitting Department: Human Resources
Staff Recommendations: None

Contact Person:
District: Internal

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

Consideration and action pertaining to further review of the Accidental Disability application for Richard Yost. The commission may further consider and take action to appoint an independent medical examination (IME) for Richard Yost.

Motion:

I move to accept for further review the Accidental Disability application for Richard Yost.

Subsequent Motion: I move to appoint an independent medical examination (IME) for the Accidental Disability Retirement application for Richard Yost to be conducted by the following IME professionals: MMRO as primary, MCN as secondary and Integrated Medical Evaluation Inc. as tertiary (third) choice.

Background:

N/A

Objective Analysis:

N/A

Policy Compliant:

N/A

Financial Impact:

N/A

Budget Impact:

N/A

FTE Impact:

N/A

ATTACHMENTS:



CITY OF SURPRISE
Public Safety Personnel Retirement System
Meeting - police

Council Meeting Date: October 9, 2019
Submitting Department: Human Resources
Staff Recommendations: None

Contact Person:
District: Internal

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

Agenda Wording:

Consideration and action pertaining to the Accidental Disability Retirement application and IME summary for Glenn Cannon.

Motion:

I move to _____ (approve or disapprove) the Accidental Disability Retirement application and IME summary for Glenn Cannon.

Background:

N/A

Objective Analysis:

N/A

Policy Compliant:

N/A

Financial Impact:

N/A

Budget Impact:

N/A

FTE Impact:

N/A

ATTACHMENTS:



CITY OF SURPRISE
Public Safety Personnel Retirement System
Meeting - police

Council Meeting Date: October 9, 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: