



**PUBLIC SAFETY RETIREMENT SYSTEM
CITY OF SURPRISE LOCAL BOARD – POLICE**
Minutes, Wednesday, October 13, 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 10:00 a.m. Wednesday, October 13, 2021. The meeting was held in City Hall, Council Chambers.

A. Call To Order

Chair Hall called the meeting to order at 10:00 a.m.

B. Roll Call: Skip Hall, Chair – Present
Chandler Brown, Citizen Board Member – Present *(telephonically)*
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
Michelle Reardon, Sr. Human Resources Specialist
Paige Gearhart, Human Resource Manager

C. Pledge of Allegiance – Completed

D. Current Events Reports - None

E. Staff Reports – FY 22 legal counsel fee reports.

F. Call to the Public – The Board Secretary notified the Board that there was a Call to the Public from Michael J. Kennedy who currently resides in Sandy OR and would like to ask questions on his reevaluation, agenda item #5.

Consent Agenda:

- 1. Considerations and action pertaining to the review and approval of the September 8, 2021 Public Safety Retirement Commission – Police Meeting Minutes – APPROVED**

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



2. Considerations and action pertaining to the review and approval of the September 8, 2021 Public Safety Retirement Commission – Police Executive Session Meeting Minutes – APPROVED

Motion to Approve: Ian Murton

Second: James Conner

Opposed: None

Regular Agenda:

3. Consideration and possible action pertaining to the review of medical examinations and the acceptance of three (3) new Police Officer (Recruit): Hunter E. Reade, Trent M. Campbell and Juan A. Chavez into the PSPRS system pursuant to A.R.S. § 38-859 – APPROVED

The Board Secretary notified the Board that the three aforementioned Police Officer (Recruits) have been hired with SPD effective 9/7/2021. They were all notified of the Board's review of their medical records today.

Motion to Approve Hunter E. Reade WITH Pre-existing conditions:

Severin Hall

Second: Ian Murton

Opposed: None

Motion to Approve Trent M. Campbell WITH Pre-existing conditions:

Severin Hall

Second: Ian Murton

Opposed: None

Motion to Approve Juan A. Chavez WITHOUT Pre-existing conditions: Severin Hall

Second: Ian Murton

Opposed: None

4. Consideration and possible action pertaining to the approval for the application for normal retirement for Police Officer David P. Daniels effective 11/1/2021 – APPROVED

The Board Secretary notified the Board that Police Officer David P. Daniels filled out an application for normal retirement and submitted all documentation as required by



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PSPRS. As of 11/01/2021, Officer Daniels will retire with an accumulated 20.137 years of service: 14.185 years with the City of Surprise and 5.952 years worked at the State of AZ.

Motion to Approve: Ian Murton
Second: James Conner
Opposed: None

5. Discussion and possible action for review of the Independent Medical Evaluation and medical records exempt from public inspection regarding the reevaluation of disability status of former Police Officer Michael J. Kennedy- NO ACTION

Motion to ENTER Executive Session at 10:05 a.m.: Ian Murton
Second: James Conner
Opposed: None

DISCUSSION ENSUED DURING EXECUTIVE SESSION, WHICH TOOK PLACE FROM 10:05 AM – 10:39 AM

Michael J. Kennedy joined the public session meeting and addressed the Board. Mr. Kennedy asked for clarification on how often retirees (members receiving disability benefits) needed to provide updated medical records to the Board. Legal Counsel responded that they do not have to provide ongoing updates unless the members are asked for the records by the Board as part of an annual reevaluation process. Mr. Kennedy then asked why the letter that he provided from his medical provider did not suffice. The Board Secretary reiterated that this was a discretionary process and that communication had been ongoing since April 2021. Mr. Kennedy acknowledged the ongoing communication from the Secretary but was seeking understanding on how often the Board would be requiring medical updates. The Board Secretary stated that the Subcommittee would reevaluate, at their discretion, previous Police members receiving a disability benefit on January of every year.

Mr. Kennedy then summarized the Local Board's reevaluation process in relation to the bylaws, specifically the criteria for review under section #2. Legal Counsel stated that because there was a lack of notes received by the Board on his ongoing treatment, the Board went back to the original IME, which stated that he had the potential to recover from his condition. Legal Counsel further explained that based on that statement and the lack of records, the Board discretionarily voted to send him to undergo an IME. Mr. Kennedy wanted to state on record



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that he was not required to be continually updating the Board of his ongoing treatment following the approval of his retirement.

Mr. Kennedy acknowledged that talking openly about his condition and path to improve is part of his treatment plan. Mr. Kennedy shared additional comments regarding his current condition and his aim to recover and get better. Mr. Kennedy thanked the Board for allowing him the opportunity to speak and ask questions.

Police Board Member Severin Hall directed the Board Secretary to provide Mr. Kennedy with a copy of the recent IME conducted as the doctor made recommendations for his improvement, which Mr. Kennedy would benefit from.

James Conner stated that no action be taken. Board consented.

6. Discussion and possible action to enter Executive Session and review medical records exempt from public inspection regarding the accidental disability retirement application for Police Officer Jonathan W. Huston – TABLED

Motion to ENTER Executive Session at 10:54 a.m.: Ian Murton
Second: James Conner
Opposed: None

DISCUSSION ENSUED DURING EXECUTIVE SESSION, WHICH TOOK PLACE FROM 10:54 AM – 11:10 AM

Motion to TABLE: James Conner
Second: Ian Murton
Opposed: None

Police Board Member Ian Murton commented that the reason to table the decision was to see if Mr. Huston would consider refileing for a temporary benefit as the report does not support basis for a permanent condition.

G. Other Business and Future Agenda Items- Legal Counsel to discuss and do presentation on PSPRS pending changes for compliance of requirements for new law effective in 2022.

H. Executive Session – None



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I. Adjournment

Motion to adjourn at 11:12 a.m. – **APPROVED**

Motion: Ian Murton

Second: Chandler Brown

Opposed: None

Meeting Minutes Approval:

A handwritten signature in black 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 meeting minutes of the Public Safety Retirement Commission – Police Meeting of **Wednesday, October 13, 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