



PUBLIC SAFETY RETIREMENT SYSTEM
CITY OF SURPRISE LOCAL FIRE & POLICE BOARDS – JOINT
Minutes, Wednesday, December 15, 2021
16000 N. Civic Center Plaza, Surprise, Arizona 85374

The following are the minutes from the PSPRS City of Surprise Fire & Police Joint Board Meeting held at 8:30 a.m. Wednesday, December 15, 2021. The meeting was held in City Hall, Council Chambers.

A. Call To Order

Chair Hall called meeting to order at 8:30 a.m.

B. Roll Call:

Skip Hall, Chairperson – Present
Chandler Brown, Citizen Board Member – Present
James Conner, Citizen Board Member - Present
Severin Hall, Police Department – Present
Ian Murton, Police Department – Present
Christopher Preest, Fire Department – Present
Ricardo Valdez, Fire Department - Absent

In attendance:

Paige Gearhart, HR Manager
Cynthia Kelley, Board Attorney
Ariana Reyna, PSPRS Board Secretary

C. Pledge of Allegiance – Completed

D. Current Events Reports – None

E. Staff Reports

Review of FY 22 legal counsel fees. Chandler Brown inquired if the other cost incurred reflected the cost of the most recent Independent Medical Exam (IME) conducted to which the Board Secretary responded that it was not reflected and that the amount would be updated and depicted during the January's meeting.

Update on PSPRS Board Secretaries Luncheon

The Board Secretary informed the Board that the City of Surprise hosted the first PSPRS Board secretaries' luncheon. It was a great opportunity for Local Board Secretaries to gather, network, and discuss some of the upcoming changes. Attendees included: City of Avondale, City of Buckeye, City of Chandler, City of El Mirage, Town of Gilbert, City of Glendale, City of Goodyear, City of Maricopa, City of Mesa, City of Peoria, City of Phoenix, Town of Queen Creek, City of Scottsdale, City of Surprise, City of Tempe, City of Tolleson, Town of Wickenburg, Town of Youngtown, and the Dept. of Corrections. Two representative from PSPRS were onsite and answered many questions that secretaries had and it was realized that many different cities/towns are dealing with similar matters which the City of Surprise is also addressing. The Board Secretary wanted to remind the members of the upcoming PSPRS annual conference



which is scheduled for February 17, 2022. In addition, the Board Secretary mentioned that some of the changes coming in 2022 is that the Boards will no longer have to process retirements including entering into DROP. What the Board will be responsible to continue processing will be acceptance of new members into the system by reviewing their medical records, disability applications and line of duty deaths. Chair Hall made reference to the itinerary discussed during the luncheon and acknowledged that there were great questions for discussion during the January meeting. Christopher Preest asked if during the luncheon, receiving medical records from a former employer was addressed. The Board Secretary stated that in the event that these records were needed and the City was unsuccessful in retrieving these from a former employer, that the Board could certainly request these from PSPRS. Generally, obtaining these records are not really an issue as one can simply request from another municipality just as long as the record is still available pursuant to the AZ records retention schedule. James Conner inquired on disability applications to which the Board Secretary stated that it was usual for other Boards to send an employee with both a psychologist and a psychiatrist when reviewing disability applications for PTSD. Chair Hall inquired if the Board would still be notified of retirements and DROPS even though they would not be taking action. The Board Secretary responded that she had the responsibility to provide the member with a form, direct them to contact PSPRS, then she had 10 days from the date of notification to let PSPRS know that the particular member would be retiring so the notification would serve as a trigger on PSPRS' end knowing that the members has the intent to retire or DROP. Christopher Preest asked if the Board Secretary would still be available to assist members in calculating the benefit amounts, etc. to which the Board Secretary stated that she would still be able to assist members in gathering the information and walking them through the process, yet, the actual application itself would be solely processed by PSPRS. Ian Murton requested for the questions included in the PSPRS Board Secretaries Luncheon to be answered and put as an agenda item for discussion during the January 2022 meeting. Chair Hall thanked the Board Secretary for taking the initiative to host the first PSPRS Board Secretaries' luncheon.

F. Call to the Public – None

Consent Agenda:

- 1. Considerations and possible action pertaining to the review and approval of the September 9, 2020 Joint Public Safety Retirement Commissions - Fire & Police Meeting Minutes - APPROVED**

Motion to Approve: James Conner
Second: Chandler Brown



Opposed: None

2. Discussion and consideration following Legal Counsel’s update on PSPRS statutory changes for compliance of requirements for new law effective in 2022 – INFORMATION ONLY

The Board Attorney advised the Joint Board that she drafted a Memo detailing information on the approval of the final draft for statutory changes effective January 1, 2022. The final draft of the new procedures is still pending. The Board Attorney provided suggestions to PSPRS which she hopes they will take into consideration mainly because the procedures pertain to the Local Board and the Attorneys to follow. Per her opinion, some of the information included in the procedures did not pertain therein as it created confusion. The Board Attorney acknowledged that the “10 day notification” was unclear but what PSPRS is referring to is being notified within 10 days of an actionable item as opposed to starting/ending an application or process within the 10-day window. The Board Attorney discussed other issues with the current procedures and explained basis for needed change. PSPRS will be more involved and will be reviewing Board processes and actions more closely going forward. The Board Attorney stated that this stemmed from issues encountered with smaller jurisdictions who may not be as experienced with processing PSPRS related matters per se. The Board Attorney referenced Board consolidation and confirmed that the City of Surprise would not be interested in pursuing consolidation. Also, consent agendas were discussed which is not applicable to Surprise.

James Conner asked if the Board Attorney’s law firm was part of the process in modifying the model procedures to which the Board Attorney confirmed that the law firm provided feedback for PSPRS’ consideration. The Board Attorney then confirmed that the Boards need to adopt the model rules and if there are internal procedures that the Board wishes to retain, the Board should be ok to do so as long as these don’t conflict with statute. The Board Attorney stated that each Board needed to take action to adopt the model procedures in January. Chandler Brown stated that the Boards should review the bylaws to assess any potential conflict in advance as well as add anything new that the final draft includes which ours are potentially missing. Ian Murton requested for the Board Attorney to review the Boards’ bylaws to assess any potential conflict. Chair Hall confirmed that in January the Boards will adopt the final version to which the Board Attorney stated that this would be done as soon as the final version is available.

3. Discussion and possible action to enter Executive Session to discuss performance evaluation of the Boards’ Legal Counsel and the Boards’ Secretary – NO ACTION

Ian Murton acknowledged that the Board previously modified its bylaws in line with statute to address any issues with both the Secretary and the Board Attorney. He



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expressed uncertainty as to what spurred this particular agenda item but he proposed for the Board not to take action as he feels that the City is overstepping its boundaries when requesting the Board members to conduct an evaluation within. If any issues arise, the Board would address those internally, not thru Human Resources (HR). Chair Hall stated that the intent of this request was for the Board to discuss if there were any issues and allow HR to serve as a means and facilitate to rectify issues, if any. Discussion ensued and the Board Members acknowledged that there are no concerns with the service provided and that both the Board Secretary and the Board Attorney are doing a great job. James Conner stated that the Board should have a periodic evaluation but it should be independent from the City. Severin Hall added that as a Board, they have demonstrated that if an issue arises, the Board has previously taken the initiative to address and rectify any issue with the service provided with previous services.

HR Manager Paige Gearhart addressed the Board and explained the basis for the evaluation request. Paige mentioned that as the Board Secretary's supervisor, it was her job to ensure that Ariana was providing adequate service and support that met the Boards' needs. As part of her job, benefit vendors are evaluated on an annual basis; there was no intention to interfere with the Board's procedure. If the Board needs any assistance rectifying any issue, HR is able to assist. Chair Hall stated that in the future, a Board Member should add agenda items. Ian Murton stated that he feels a responsibility to defend both the Board Secretary and the Board Attorney as they are doing a great job for the Board and in the past there were issues with the City removing employees from post and bringing in new ones to which the Board had no control over. Paige acknowledged that paying for legal counsel fees was part of her budget line item, so she just wanted to reiterate that the intent of the evaluation was solely to assist the Board if needed. No action taken. Board Members expressed no dissatisfaction with either the Board Secretary or the Board Attorney.

G. Other Business and Future Agenda Items – Review of questions/answers as discussed during the PSPRS Board Secretaries' luncheon. Review of bylaws and adoption of model procedures in January.

H. Executive Session

I. Adjournment

Motion to adjourn at 9:10 a.m. – APPROVED

Motion: James Conner .

Second: Chandler Brown

Opposed: None



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Meeting Minutes Approval:

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

Skip Hall, Chair

CERTIFICATION:

I, Ariana Reyna, Human Resources Business Partner and PSPRS Board Secretary for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are true and correct minutes of the PSPRS Local Fire & Police Boards - Joint Meeting of **Wednesday, December 15, 2021.**

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

Ariana Reyna, PSPRS Board Secretary