

NOTICE OF MEETING
SAN LUIS POLICE DEPARTMENT PUBLIC SAFETY PERSONNEL LOCAL RETIREMENT BOARD

In accordance with §38-431.01 of the Arizona Revised Statutes of the State of Arizona, notice is hereby given to the Board and to the general public that the San Luis Police Department Public Safety Personnel Local Retirement Board will hold a meeting at 1:00PM., on Wednesday, March 29, 2023. The meeting will take place at the City Council Chambers, located at 1090 E. Union Street, San Luis, Arizona, 85349. Everyone from the public is invited to attend the open meeting.

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of San Luis does not discriminate on the basis of disability in the admission of or access to, or treatment of employment in its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities or services contact: ADA/Section 504 Coordinator, City of San Luis Human Resources Department, 1090 E. Union Street, San Luis, Arizona, 85349; (928) 341-8520.

Notice is hereby given that pursuant to A.R.S. §1-602.A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the Board are audio and/or video recorded, and, as a result, proceedings in which children are present may be subject to such recordings. Parents, in order to exercise their rights, may either file written consent with the City Clerk to such recordings or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. §1-602.A.9 have been waived.

THIS NOTICE IS GIVEN BY:

/s/ Mary Barajas, Human Resources Coordinator

AVISO DE JUNTA
JUBILACIONES DEL PERSONAL DE SEGURIDAD PUBLICA DE DEPARTAMENTO DE POLICIA DE
SAN LUIS

De acuerdo con los Estatutos del Estado de Arizona A.R.S. §38-431.01, se le informa a los miembros de la Mesa Directiva y al publico en general que la Junta Local de Jubilaciones del Personal de Seguridad Pública del Departamento de Policía de San Luis, tendran una junta a la 1:00PM, el dia Miercoles, 29 de Marzo. La junta se llevara a cabo en la Sala del Cabildo, ubicada en el 1090 E. Union Street, San Luis, Arizona, 85349. El publico este cordialmente invitado a la junta.

De acuerdo con el Acta de Americanos con Discapacidades y la Seccion 504 del Acta de Rehabilitacion del 1973, la Ciudad de San Luis, Arizona no discrimina por causa de discapacidad la admision y acceso a sus programas, actividades, servicios o en el trato en cuanto a empleo. Para mas informacion referente a derechos y provisiones del Acta de Americanos con Discapacidades o Sección 504, o para solicitar adaptaciones que sean razonables para la participacion en programas, actividades o servicios de la Ciudad, contactar al: Coordinador del Acta de Americanos con Discapacidades/Sección 504, Departamento de Recursos Humanos de la Ciudad de San Luis, Arizona, ubicado en el 1090 E. Union Street, San Luis, Arizona, 85349; (928) 341-8520.

Por medio de este aviso y de acuerdo con los Estatutos del Estado de Arizona A.R.S §1-602.A.9, sujeto a ciertas excepciones reglamentarias, los padres de familia tienen el derecho de dar el consentimiento ante el Estado o cualquiera de sus subdivisiones politicas para hacer una grabacion de audio o video de su hijo menor de edad. Las juntas de la Mesa Directiva se graban en audio y/o video y como resultado, el hecho de que hays menores presentes puede ser sujeto a que sean grabados. Para que los padres de familia puedan ejercer sus derechos pueden dar el consentimiento por escrito con la Secretaria de la Ciudad a tal grabacion, o tomar accion personal para asegurarse que su hijo menor no este presente cuando la grabacion se lleve a cabo. Si un menor de edad este presente en el momento de la grabacion, la Ciudad asumira que los padres de familia estan cediendo los derechos sobre una posible grabacion de acuerdo con los Estatutos del Estado de Arizona A.R.S. §1-602.A.9.

ESTE AVISO ES DADO POR:

/f/ Maria Barajas, Coordinadora de Recursos Humanos



AGENDA
San Luis Police Department
Public Safety Personnel
Local Retirement Board
San Luis Council Chambers
1090 E. Union Street
San Luis, Arizona 85349
March 29, 2023
1:00 PM



PLEASE TAKE NOTICE THAT MEMBERS OF THE BOARD WILL ATTEND EITHER IN PERSON, TELEPHONE, OR VIDEO CONFERENCE COMMUNICATION. THE CHAIR OR ACTING CHAIR FOR THIS MEETING MAY CHANGE THE ORDER OF THE ITEMS; IF AUTHORIZED BY LAW AND BY A MAJORITY VOTE OF A QUORUM OF BOARD MEMBERS PRESENT, AN EXECUTIVE SESSION WILL BE HELD IMMEDIATELY FOLLOWING THE VOTE IN ACCORDANCE WITH A.R.S. §38-431.03(A) AND THE MEETING WILL BE TEMPORARILY RECESSED WHILE THE BOARD RETIRES TO EXECUTIVE SESSION WHICH WILL NOT BE OPEN TO THE PUBLIC.

POR FAVOR TENGA EN CUENTA QUE LOS MIEMBROS DE LA JUNTA ASISTIRÁN EN PERSONA, POR TELÉFONO O COMUNICACIÓN POR VIDEOCONFERENCIA. EL PRESIDENTE O EL PRESIDENTE INTERINO DE ESTA REUNIÓN PUEDE CAMBIAR EL ORDEN DE LOS PUNTOS; SI LO AUTORIZA LA LEY Y POR MAYORÍA DE VOTOS DEL QUÓRUM DE MIEMBROS DEL CONSEJO PRESENTES, SE CELEBRARÁ UNA SESIÓN EJECUTIVA INMEDIATAMENTE DESPUÉS DE LA VOTACIÓN DE CONFORMIDAD CON A.R.S. §38-431.03(A) Y LA REUNIÓN SE CANCELARÁ TEMPORALMENTE MIENTRAS LA JUNTA SE RETIRA A LA SESIÓN EJECUTIVA QUE NO ESTARÁ ABIERTA AL PÚBLICO.

1. CALL TO ORDER/ROLL CALL

2. CONSENT AGENDA

All matters are considered to be routine by the Commission and will be enacted by one motion. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

2. A. MINUTES OF

PSPRS Local Board Meeting held March 20th, 2023

3. DISCUSSION AND POSSIBLE ACTION ITEM:

3. A. Discussion and possible action on any and all matters regarding reemployment of retiree Javier Nuno into a Public Safety position. **(Mary Barajas, Human Resources Coordinator)**

4. ADJOURNMENT



AGENDA ITEM REVIEW FORM



PSPRS - Police

2. A.

Meeting Date: 03/29/2023

Submitted By: Maria Barajas Gutierrez, Human Resources Coordinator, Human Resources Department

Summary

MINUTES OF

PSPRS Local Board Meeting held March 20th, 2023

Attachments

MNUTES 03.20.2023

MINUTES
Regular Meeting
San Luis Police Department Public Safety
Personnel Local Retirement Board
San Luis Council Chambers
1090 E Union Street
March 20, 2023
3:00pm

1. CALL TO ORDER/ROLL CALL: Board Member Alan Guevara called the meeting to order at approximately 03:04 p.m.

Contributing Member Nigel Reynoso requests to appoint an acting Chairman, Contributing Member Alan Guevara. There was no opposition from the board.

MOTION: Contributing Member Nigel Reynoso/Board Member Maria Munoz to approve Contributing Member Alan Guevara as acting Chairman. Motion passed unanimously.

The vote was as follows:

Board Member Maria Munoz	Aye
Contributing Member Nigel Reynoso	Aye
Contributing Member Alan Guevara	Aye

PRESENT: Nigel Reynoso, Contributing Member
Alan Guevara, Contributing Member
Maria Munoz, Board Member
Tadeo A. De La Hoya, Chairman (*arrived at approx. 3:09pm*)

OTHERS PRESENT: Cynthia Kelley, Local Board Attorney (remotely)
Sonia Cornelio, City Clerk
Ruben Lopez, IT Department
Domingo Sosa, IT Department
Michelle Boucher, Board Secretary
Adela Cortez, HR Department
Mary Barajas, HR Department

2. PRESENTATION:

2. A. Presentation of new elected board member, Lt. Nigel Reynoso, to serve on the San Luis Police Department Public Safety Personnel Local Retirement Board.

PRESENTATION: Presented by Acting Chairman Alan Guevara. Elected board member Lt. Marco Santana's term is expired as of October 2022. A secret ballot election was held, and Lt. Nigel Reynoso was selected by the Police Department. Lt. Reynoso was sworn in with the City Clerk on October 24, 2022.

No action needed by the board. Acting Chairman Alan Guevara asked the board if there were any questions. There were no questions from the board.

3. CONSENT AGENDA:

3. A. MINUTES OF

- Board meeting held on August 3rd, 2021.

MOTION: Acting Chairman Alan Guevara / Board Member Maria Munoz to approve consent agenda as presented. Motion passed unanimously.

The vote was as follows:

Nigel Reynoso, Contributing Member	Aye
Board Member Maria Munoz	Aye
Contributing Member Alan Guevara	Aye

4. DISCUSSION AND POSSIBLE ACTION ITEM

4. A. Discussion and possible action on any and all matters regarding new PSPRS membership applications. (Mary Barajas, Human Resources Coordinator)

Maria Barajas, Human Resources Coordinator, states the following:

The City of San Luis Human Resources Department is submitting appropriate information to be considered for rendering acceptance of membership of the following employees to participate in the Public Safety Personnel Retirement System Plan (PSPRS).

Under ARS § 38-847.01 employer shall provide to Local Board: the date the employee was hired, the employee's position title, and the description of the essential functions.

To comply with this statute, HR is providing the requested information to render a decision on the employee's eligibility for membership:

Daniel Tafoya; DOH: October 4th, 2021; Police Officer.
Cynthia Andrade; DOH: October 4th, 2021; Police Officer.
Carlos Bermudez; DOH: October 12th, 2021; Police Officer.

While performing the duties of a Police Officer, the employee is frequently required to sit and stand; walk long distances; drive a vehicle; talk and hear, both in person and by radio; use hands to finger, handle, feel or operate equipment; engage in repetitive movements of hands and wrists; and occasionally lift or move up to twenty-five pounds. Police officers are also required to use written and oral communication skills; read and interpret data, information, and documents; and analyze and solve problems.

Under ARS § 38-842(31) all three applicants meet the Member Definition, which include:

1. be a paid municipal police officer who is regularly assigned to hazardous duty,
2. be a full-time employee, working a minimum of 40 hours per week,
3. be a certified peace officer, and
4. be hired for more than six months in a calendar year

Under ARS § 38-859 - Medical evaluations for these applicants were conducted in compliance with PSPRS Revised Model Uniform Rules of Local Board Procedure and relevant Arizona Revised Statutes.

As a requirement of membership, the City of San Luis and this board must ensure that employees who qualify for membership into PSPRS undergo a medical evaluation. This evaluation is completed to identify any physical or mental conditions that exist that may potentially affect the employee's future eligibility for disability benefits. These evaluations are strictly conducted for purposes related to PSPRS plan benefits and are not used in employment-related decisions such as hiring, promotion, or termination.

Human Resources received required medical evaluations and finds that:

- Carlos Bermudez, and Cynthia Andrade have met eligibility requirements and satisfactorily completed the PSPRS Membership Form with no pre-existing conditions.
- Daniel Tafoya has met eligibility requirements and satisfactorily completed the PSPRS Membership Form. Member Tafoya disclosed a pre-existing condition, which with a medical device, determined him to be able to perform the essential functions of a peace officer.

Chairman Tadeo De La Hoya asked the board if there were any questions. There were no questions from the rest of the members. Chairman asked Maria Munoz if all PD staff was submitted to the Board for approval. Chairman stated that Mr. Coleman from PSPRS had mentioned that some members needed to be approved formally through the Board without going through the process because they have been working for department for years. Chairman also explained that according to Mr. Coleman, in the past 18 months ago, no one had been approved through the board. Mary Barajas explained that Mr. Coleman is no longer with PSPRS, but she could reach out to another PSPRS contact (Joan) to verify if there were other members who had not been presented to the board. In the event we have not presented all members, we could hold another meeting and follow proper procedure.

MOTION: Chairman Tadeo A. De La Hoya / Contributing Member Alan Guevara to accept HR's findings and accept membership to participate in the Public Safety Personnel Retirement System for applicants Cynthia Andrade and Carlos Bermudez with no pre-existing conditions, and Daniel Tafoya with pre-existing condition. Motion passed unanimously.

The vote was as follows:

Chairman Tadeo A. De La Hoya	Aye
Contributing Member Alan Guevara	Aye
Contributing Member Nigel Reynoso	Aye
Board Member Maria Munoz	Aye

4. B. Discussion and possible action on any and all matters regarding hiring independent Legal Counsel for the City of San Luis PD Local Board. (Adela Cortez, Director of Human Resources).

Pursuant to A.R.S. 38-847 there was an amendment in 2021(HB2381). The City Attorney cannot provide legal counsel to the Board. Each local board shall hire an independent legal counsel who is not an employee of or contracted with the employer or any employee organization and owes its duty of loyalty only to the local board in connection with its representation of the local board. Attached you can find the agreement, through research we identified an agency that is providing this independent legal counsel to other municipalities within Arizona, one of them being the City of Yuma. We have Ms. Kelly on the phone in case of any questions. Chairman Tadeo De La Hoya asked the board if there were any questions for Ms. Cortez or Ms. Kelley. There were no questions from the rest of the members. Chairman asked if attorney needed to be a labor expert or just to represent the board; Ms. Cortez informed it would be just to represent the board.

MOTION: Chairman Tadeo A. De La Hoya / Contributing Member Nigel Reynoso to hire RYAN RAPP PACHECO & KELLEY, P.L.C., with the terms of contract presented, to provide independent legal counsel to the Board. Motion passed unanimously.

The vote was as follows:

Chairman Tadeo A. De La Hoya	Aye
Contributing Member Alan Guevara	Aye
Contributing Member Nigel Reynoso	Aye
Board Member Maria Munoz	Aye

4. C. Discussion and possible action on any and all matters regarding the election of a non-voting secretary to serve on the San Luis Police Department Public Safety Personnel Local Retirement Board. (Tadeo A. De La Hoya, Chairman)

Chairman stated that the position of non-voting secretary for this board is vacant upon Ms. Michelle Boucher's resignation from this position. Ms. Mary Barajas, Human Resources Coordinator, has expressed interest in serving as the non-voting secretary for the Board. Meaning Mary Barajas will take over the duties of the non-voting secretary as per ARS 38-847 (M). "The local board shall elect a secretary who may, but need not, be a member of the local board." The secretary's duties include but are not limited to keeping a record and preparing minutes of all meetings and forwarding them within 20 days of the Board Meeting. Chairman Tadeo De La Hoya asked the board if there were any questions There were no questions from Board members.

MOTION: Chairman Tadeo A. De La Hoya / Board Member Maria Munoz to elect Mary Barajas as non-voting secretary of PSPRS Local Board for PD. Motion passed unanimously.

The vote was as follows:

Chairman Tadeo A. De La Hoya	Aye
Contributing Member Alan Guevara	Aye
Contributing Member Nigel Reynoso	Aye
Board Member Maria Munoz	Aye

5. ADJOURNMENT

Chairman Tadeo A. De La Hoya to adjourn the regular meeting at approximately 3:21 p.m.



AGENDA ITEM REVIEW FORM



PSPRS - Police

3. A.

Meeting Date: 03/29/2023

Submitted By: Maria Barajas Gutierrez, Human Resources Coordinator, Human Resources Department

ITEM:

Discussion and possible action on any and all matters regarding reemployment of retiree Javier Nuno into a Public Safety position. **(Mary Barajas, Human Resources Coordinator)**

SUMMARY:

The City of San Luis (COSL) Human Resources Department is submitting the appropriate information to be considered for acceptance of reemployment of the following retiree:

- Javier Nuno - DOH: March 27, 2023; Police Officer.

Mr. Javier Nuno was originally hired by COSL on February 16, 1997. Member retired from City of San Luis on December 27, 2012, while holding the rank of Police Captain (*Job description attached*). On October 17, 2022, a Police Officer-Lateral position was advertised on a continuous basis. During initial review of applications, from a total of 32 applicants, only seven (7) met the minimum requirements as outlined on the Job Description and were invited for pre-employment testing. Out of the seven applicants that tested, only two passed every phase of testing and were invited for an interview. Mr. Nuno was deemed the most qualified and was selected for hire.

Under A.R.S. 38-849 (G) - Limitations on receiving pension; violation; classification; reemployment after severance; reinstatement of service credits; reemployment of retired member or member with a disability; definition:

If after six months from the date of retirement a retired member becomes reemployed by the employer from which the member retired in a position other than the same position from which the member retired, employee contributions shall not be made on the retired member's account, and any service shall not be credited during the period of reemployment. The employer shall pay the alternate contribution rate pursuant to section 38-843.05.

Under A.R.S 38-843.05 - Retired members; return to work; employer contributions

A. An employer shall pay contributions at an alternate contribution rate on behalf of a retired member who returns to work in any capacity in a position ordinarily filled by an employee of the employer of an eligible group, unless the retired member is required to participate in another state retirement system and the retired member returned to work before July 20, 2011.

For the fiscal year ending on 2023, the Alternate Contribution Rate (ACR) is 8%.

The City of San Luis Human Resources Department finds that:

- Mr. Javier Nuno has met requirements of this statute of:
 - Waiting 6 months before returning to work for the same employer he retired from; and not be rehired in the same position; and
- Because he has been hired into a Public Safety position, the ACR will be payable.

RECOMMENDATION / SUGGESTED MOTION:

I MOVE TO accept Human Resources findings and approve the re-employment of Mr. Javier Nuno as a Police Officer.

Attachments

Job Description - Police Captain

Job Posting - Police Officer

ARS 38-849

ARS 38-843.05

POLICE CAPTAIN

SUMMARY: Under limited supervision, directs the day-to-day law enforcement and investigative functions of the San Luis Police Department.

ESSENTIAL FUNCTIONS: (Essential functions, as defined under the Americans with Disabilities Act, may include the following tasks, knowledge, skills, and other characteristics. This list is ILLUSTRATIVE ONLY and is not a comprehensive listing of all functions and tasks performed by incumbents of this class.)

DUTIES AND RESPONSIBILITIES:

- Plans, organizes, and directs law enforcement and administrative functions for the Police Department.
- Oversees all special units and details of the department;
- Supervises and evaluates all police supervisory personnel;
- Prepares department directives and communicates to all police personnel via their immediate supervisors;
- Prepares and monitors budgets;
- Recommends personnel actions including hiring, disciplinary actions, and termination decisions;
- Assesses and evaluates all police operations and activities and makes recommendations for improvement;
- Prepares monthly reports on all police activities;
- Ensures proper storage of evidence, forwards evidence to proper laboratories for testing, releases evidence to officers for court admission, and destroys evidence upon case conclusion;
- Supervises major investigations as well as administrative/internal investigations;
- Reviews work and decisions made by department personnel for technical accuracy, merit, judgement and adherence to departmental policies and procedures;
- Responds to search warrant cases;
- Assumes command responsibilities as required in the absence of assigned supervisor;
- Coordinates the planning and implementation of programs;
- Counsels and develops police personnel and organizes employee recognition events;
- Performs in an operational capacity as a field force commander as required.

KNOWLEDGE, SKILLS, AND OTHER CHARACTERISTICS:

Knowledge of:

- law enforcement administration, organization, and operation;
- standard rules and regulations used within a recognized law enforcement agency;
- operating procedures of law enforcement agencies and defined departmental authority;
- methods and techniques of interrogation;
- preservation of evidence and applicable Federal/State/local laws and ordinances;
- principles and practices of leadership, effective management, and employee development;
- fiscal planning and administration.

Skill in:

- planning, organizing, directing, and evaluating the functions of a law enforcement department;
- analyzing and recommending solutions for complex law enforcement and administrative situations;
- applying current law enforcement principles and practices in management situations;
- supervising and evaluating staff;
- managing situations firmly, courteously, tactfully, and impartially;
- reacting quickly and calmly in emergencies;
- establishing and maintaining effective working relationships with others and communicating effectively.

MINIMUM QUALIFICATIONS: Certification as a Law Enforcement Officer with Arizona POST, possession of a valid Arizona driver's license, and four (4) years full-time supervisory level law enforcement work. Depending upon the needs of the City, the incumbent of this class may be required to demonstrate fluency in both Spanish and English as a condition of employment.

Receipt of job description

I have received a copy of this job description on _____ and certify that I can perform the essential functions of this position with or without reasonable accommodation.

Employee Printed Name

Employee Signature



CITY OF SAN LUIS
invites applications for the position of:

Police Officer (Lateral)

SALARY: \$23.47 - \$35.21 Hourly
\$48,817.60 - \$73,236.80 Annually

OPENING DATE: 10/17/22

CLOSING DATE: Continuous

DESCRIPTION:

POLICE OFFICER LATERAL TRANSFERS.

We are currently accepting applications for Lateral Police Officers from In-State and Out-of-State incumbents.

Our officers enjoy Tuition Reimbursement, Incentive Pay, Take Home Vehicle, Fitness Membership, Medical /Dental/Vision Benefits, Education Loan Forgiveness, a full Pension Plan and more.

Hiring Incentive, Retention Incentive and Relocation Allowance may be available, subject to budget availability.

HIRING PROCESS:

- POPAT
- Oral Interview
- Background Interview
- Background Investigation
- Polygraph Exam
- Psychological Exam
- Medical/Drug Screening

EXAMPLES OF DUTIES:

Eligibility list will be maintained for up to six months.

DUTIES AND RESPONSIBILITIES:

The duties listed below represent the various types of work that may be performed. The omission of specific statements of duties does not exclude them if the work is related or a logical assignment to this class.

- Under general supervision, performs a variety of law enforcement work associated with patrol, traffic enforcement, and investigations.
- Enforces laws and ordinances, maintains order, protects life and property, investigates crimes, and assists in crime prevention activities.
- Patrols assigned areas, responds to calls for assistance, and takes appropriate action.
- Controls and restrains potentially violent persons.
- Investigates suspicious conditions, activities, or persons.
- Assists other law enforcement agencies and provides needed backup when requested.
- Participates in rescue activities for sick and injured persons.
- Arrests, transports, and books violators and escorts prisoners to jail or court.

- Serves warrants, subpoenas, and other court orders.
- Prepares detailed reports of felony and misdemeanor crimes as well as criminal and civil traffic complaints.
- Conducts investigations of criminal cases and gathers, preserves, and analyzes facts and evidence.
- Conducts interviews and interrogations and records statements and testimony.
- Collects, prepares, and submits evidence for analysis, processing, or retention.
- Prepares material evidence and documentation for courtroom presentations and testifies in court as required.
- Provides information to attorneys and other authorized personnel.
- Participates in special enforcement details or special operations.
- Promotes crime prevention programs at local schools and within the community.
- Performs related duties as assigned.

EMPLOYMENT STANDARDS:

Knowledge of:

- The roads and routes within the County.
- Methods and techniques of interrogation.
- Modern law enforcement methods and procedures, including case laws governing arrest, rules of evidence, probable cause, use of force, custody of evidence and property, and search and seizure.
- Principles and practices of leadership.
- Local community issues and regional community resources available to citizens.
- Duties, powers, authorities and limitations of a Police Officer.
- Federal, State and City criminal and traffic laws and related court decisions, department policies, General Operations Orders, Police Management Regulations, City of San Luis Management Procedures, Administrative Regulations, Memorandums of Understanding and Personnel Rules/Policies.
- City organization, operations, policies and procedures.
- State of Arizona criminal justice and court procedures and records management requirements.
- Methods and techniques of interrogation.
- Preservation of evidence and admission into court.
- Computers and specialized hardware and software for preparing reports and maintaining records.
- Principles and practices of leadership.
- Investigative methods and analysis techniques.

Ability to:

- Perform defensive tactics in which require quick reflexes, agility, coordination and strength.
- Gather, analyze, and evaluate facts and evidence.
- Prepare and maintain records and reports.
- Establish and maintain effective working relationships with others and interacting with the public.
- Recognize and control sources of personal stress in order to effectively perform class requirements.
- Effectively communicate verbal and written instructions by phone, police radio system, or in person in a group or one-to-one setting.
- Think and act quickly and effectively in emergencies, and under stressful situations.
- Observe or monitor objects or people's behavior to determine compliance with prescribed operating or safety standards and accurately recall details.
- Maintain moral integrity.
- Maintain acceptable level of physical fitness to meet department standards.
- Interpret and explain legal standards and procedures, applicable Federal and state rules and regulations, and City policies and procedures.
- Care for, maintain, and safely operate of a variety of law enforcement tools and equipment.
- Investigate and resolve conflicts, personnel issues, citizen inquiries, and complaints.
- Understand and follow written and oral instructions.

PHYSICAL AND MENTAL DEMANDS:

The physical and mental demands described here are representative of those that must be met by employees to successfully perform the essential functions of this class. Reasonable

accommodations may be made to enable individuals with disabilities to perform the essential functions.

Physical Demands

While performing the duties of this job, the employee is frequently required to sit and stand; walk long distances; drive a vehicle; talk and hear, both in person and by radio; use hands to finger, handle, feel or operate equipment; engage in repetitive movements of hands and wrists; reach with hands and arms; stoop, bend, kneel and crouch and occasionally lift or move up to twenty-five pounds.

Specific vision abilities required by this job include close vision, distance vision, color vision, the use of both eyes, depth perception, peripheral vision and the ability to adjust focus.

Mental Demands

While performing the duties of this job, the employee is frequently required to sit and stand; walk long distances; drive a vehicle; talk and hear, both in person and by radio; use hands to finger, handle, feel or operate equipment; engage in repetitive movements of hands and wrists; reach with hands and arms; stoop, bend, kneel and crouch and occasionally lift or move up to twenty-five pounds.

Specific vision abilities required by this job include close vision, distance vision, color vision, the use of both eyes, depth perception, peripheral vision and the ability to adjust focus.

Work Environment:

Work is performed in a standard office environment, and in the field on tactical assignments; may be exposed to physical attacks, hazardous chemicals, infectious and communicable diseases; may be required to physically restrain persons; must maintain a level of physical fitness to meet department standards.

This job is classified as Safety Sensitive, and subject to Federal and state regulations

TYPICAL QUALIFICATIONS:

MINIMUM QUALIFICATIONS:

- High school diploma or GED equivalency
- Must have been an Arizona Peace Officer Standards & Training Board (AZ POST) certified Officer; OR must have been a Certified Officer in another state. Out-of-State Certified Officers will be required to apply for reciprocity. For more information, visit the Arizona POST website to review the waiver process.
- Be a United States Citizen
- Be in sound physical and mental health
- Have at least 20/20 vision uncorrected; or 20/20 vision corrected by glasses or contact lenses. Vision capable of distinguishing basic colors groups against a favorable background.
- Must meet AZ POST and City of San Luis Police Department drug standards
- Must have good moral character and personal integrity

LICENSES AND CERTIFICATES:

- A valid driver license is required at the time of application and must be maintained throughout employment.
- Must obtain (if applicable) and maintain a Peace Officer Certification with AZ POST.

Special Requirements:

- Depending upon the needs of the City, some incumbents of the class may be required to demonstrate fluency in both Spanish and English as a condition of employment.
- Availability to work flexible schedule.
- Must successfully pass a comprehensive background investigation including credit check, polygraph, and psychological examination and meet the minimum POST standards for medical examination and physical ability.
- San Luis, Arizona residency preferred but not required.

SUPPLEMENTAL INFORMATION:

APPLICATIONS MAY BE FILED ONLINE AT:
<https://www.sanluisaz.gov/>

Position #181-16
POLICE OFFICER (LATERAL)
MM

P.O. Box 1170
1090 E. Union Street
San Luis, AZ 85349
(928) 341-8579

hrdept@sanluisaz.gov

38-849. Limitations on receiving pension; violation; classification; reemployment after severance; reinstatement of service credits; reemployment of retired member or member with a disability; definition

A. If a member is convicted of, or discharged because of, theft, embezzlement, fraud or misappropriation of an employer's property or property under the control of the employer, the member shall be subject to restitution and fines imposed by a court of competent jurisdiction. The court may order the restitution or fines to be paid from any payments otherwise payable to the member from the retirement system.

B. A person who knowingly makes any false statement or who falsifies or allows to be falsified any record of the system with an intent to defraud the system is guilty of a class 5 felony. If any change or error in the records results in any member or beneficiary receiving from the system more or less than the member or beneficiary would have been entitled to receive had the records been correct, the local board shall correct such error, and as far as practicable shall adjust the payments in such manner that the actuarial equivalent of the benefit to which such member or beneficiary was correctly entitled shall be paid. If a member is convicted of a crime specified in this subsection, section 13-713 applies.

C. If a member who received a severance refund on termination of employment pursuant to section 38-846.02 becomes reemployed with the same employer within two years after the former member's termination date, the member may have forfeited credited service attributable to service rendered during a prior period of service as an employee restored on satisfaction of each of the following conditions:

1. The member files with the system a written application for reinstatement of forfeited credited service within ninety days after again becoming an employee.
2. The retirement fund is paid the total amount previously withdrawn pursuant to section 38-846.02 plus compound interest from the date of withdrawal to the date of repayment. Interest shall be computed at the rate of nine percent for each year compounded each year from the date of withdrawal to the date of repayment. Forfeited credited service shall not be restored until complete payment is received by the fund.
3. The required payment is completed within one year after returning to employee status.

D. If a member who received a severance refund on termination of employment, as provided in section 38-846.02, is subsequently reemployed by an employer, the member's prior service credits shall be cancelled and service shall be credited only from the date the member's most recent reemployment period commenced. However, a present active member of the system who forfeited credited service, received a severance refund pursuant to section 38-846.02 and becomes reemployed with the same employer two years or more after the member's termination date or becomes reemployed with another employer may elect to redeem any part of that forfeited credited service by paying into the system any amounts required pursuant to this subsection. A present active member who elects to redeem any part of forfeited credited service for which the member is deemed eligible by the board shall pay into the system the amounts previously paid or transferred to the member as a severance refund plus an amount that is computed by the system's actuary that is necessary to equal the increase in the actuarial present value of projected benefits resulting from the redemption calculated using the actuarial methods and assumptions prescribed by the system's actuary. On satisfaction of this obligation, the member's prior service credits shall be reinstated.

E. If a retired member becomes reemployed in any capacity by the employer from which the member retired before six months after the date of retirement or in the same position at any time following retirement:

1. The following apply:
 - (a) Within ten days after the retired member is reemployed, the local board shall advise the system in writing of the retired member's reemployment.
 - (b) The system shall not make pension payments to the retired member during the period of reemployment.
 - (c) Employee contributions shall not be made on the retired member's account, nor shall any service be credited during the period of reemployment. On subsequent termination of employment by the retired member, the retired member is entitled to receive a pension based on the member's service and compensation before the date of the member's reemployment. The employer shall pay the alternate contribution rate pursuant to section 38-843.05.

(d) Any pension payments received by the retired member, who retired on or after July 1, 2009, during the period of reemployment are considered overpayments pursuant to section 38-850, unless subsection B of this section applies. If the board determines in the board's sole discretion, for a member who retired on or after July 1, 2009, that the retired member's reemployment during the six-month period and the failure of the employer or the local board to suspend the member's pension were not intentional to circumvent the requirements of this subsection, the pension payments received by the retired member after the retired member's reemployment are subject to repayment up to only the amount received between the date of the member's reemployment and the expiration of the six-month period.

2. The retired member, who retired on or after July 1, 2009 and who is reemployed terminates employment, may be subsequently reemployed with the employer from which the member retired and resume receiving pension payments after a period of six months, less the period of time the retired member was not reemployed after retirement with the employer from which the member retired, if at least sixty days of the six months are consecutive.

3. Paragraph 1, subdivisions (a), (b) and (d) of this subsection do not apply if any of the following occurs:

(a) The retired member becomes reemployed after sixty consecutive days from the member's retirement date as a result of participating in an open competitive new hire process except if the retired member is hired for the same position or if the retired member has a prearranged reemployment agreement with the employer.

(b) The retired member is hired as a fire inspector or arson investigator.

(c) The retired member who is receiving an accidental disability, ordinary disability, catastrophic disability or temporary disability pension accepts a job reassignment as an accommodation in accordance with the Americans with disabilities act of 1990 due to a disability that is directly related to the retired member being awarded an accidental disability, ordinary disability, catastrophic disability or temporary disability benefit.

F. If a retired member is assigned voluntary duties acting as a limited authority peace officer, pursuant to the Arizona peace officer standards and training board rules, employee contributions shall not be made on the retired member's account, and any service shall not be credited during the period of reemployment. The employer shall not pay the alternate contribution rate pursuant to section 38-843.05.

G. If after six months after the date of retirement a retired member becomes reemployed by the employer from which the member retired in a position other than the same position from which the member retired, employee contributions shall not be made on the retired member's account, and any service shall not be credited during the period of reemployment. The employer shall pay the alternate contribution rate pursuant to section 38-843.05.

H. At any time following retirement, if the retired member becomes employed by an employer, other than the employer from which the member retired, in a position ordinarily filled by an employee of an eligible group, employee contributions shall not be made on the retired member's account, and any service shall not be credited during the period of reemployment. The employer shall pay the alternate contribution rate pursuant to section 38-843.05.

I. If a member who retired under an accidental or ordinary disability becomes reemployed as an employee of an eligible group, section 38-844 applies and a determination shall be made by the local board as to whether subsection E, F, G or H of this section applies.

J. The local board shall review all reemployment determinations and voluntary assignments as described in subsection F of this section. If the local board or the system is not provided the necessary information required by the system to make a reemployment determination, the local board and the system shall suspend pension payments until information is received and a determination is made regarding whether the reemployment meets the requirements of subsection E, F, G, H or I of this section.

K. A person who defrauds the system or who takes, converts, steals or embezzles monies owned by or from the system and who fails or refuses to return the monies to the system on the board's written request is subject to civil suit by the system in the superior court in Maricopa county. On entry of an order finding the person has defrauded the system or taken, converted, stolen or embezzled monies owned by or from the system, the court shall enter an order against that person and for the system awarding the system all of its costs and expenses of any kind, including attorney fees, that were necessary to successfully prosecute the action. The court shall also grant the system a judicial lien on all of the nonexempt property of the person against whom judgment is entered pursuant to this subsection in an amount equal to all amounts awarded to the system, plus interest at the rate prescribed by section 44-1201, until all amounts owed are paid to the system.

L. Notwithstanding any other provision of this article, the board may offset against any benefits otherwise payable by the system to an active or retired member or survivor any court ordered amounts awarded to the board and system and assessed against the member or survivor.

M. Notwithstanding any other provision of this article, a member who retires having met all of the qualifications for retirement and who subsequently becomes an elected official, by election or appointment, is not considered reemployed by the same employer.

N. For the purposes of this section, "same position" means a position in which the member performs substantially similar duties that were performed and exercises substantially similar authority that was exercised by the retired member before retirement.

38-843.05. Retired members; return to work; employer contributions

A. An employer shall pay contributions at an alternate contribution rate on behalf of a retired member who returns to work in any capacity in a position ordinarily filled by an employee of the employer of an eligible group, unless the retired member is required to participate in another state retirement system and the retired member returned to work before July 20, 2011. For the purposes of this subsection, "returns to work in any capacity" includes a retired member who returns to work and is ineligible for benefits pursuant to section 38-849, subsection E.

B. The alternate contribution rate shall be equal to that portion of the individual employer's total required contribution that is applied to the amortization of the unfunded actuarial accrued liability for the fiscal year beginning July 1, based on the system's actuary's calculation of the total required contribution for the preceding fiscal year ended on June 30. The alternate contribution rate shall be applied to the compensation, gross salary or contract fee of a retired member who meets the requirements of this section.

C. The alternate contribution rate shall not be less than eight percent in any fiscal year.

D. All contributions made by the employer and allocated to the fund are irrevocable and shall be used as benefits under this article or to pay the expenses of the system. Payments made pursuant to this section by employers become delinquent after the due date prescribed in section 38-843, subsection D, and thereafter shall be increased by interest from and after that date until payment is received by the system.

E. An employer of a retired member shall immediately notify the local board after the employment of a retired member and shall submit any reports, data, paperwork or materials that are requested by the board or the local board that are necessary to determine the compensation, gross salary or contract fee associated with a retired member who returns to work or to determine the function, use, efficacy or operation of the return to work program.