

Meeting Minutes

Public Safety Police Personnel Retirement Board Regular Meeting

September 6, 2023 | 9:00 a.m.
City Hall, 2nd Floor,
Training Room B
175 S. Arizona Avenue., Chandler, AZ



Call to Order

The meeting was called to order by Chairperson Turner at 9:00 a.m.

Roll Call

Board Attendance

Chairperson Steven Turner
Citizen Member Valerie Remington
Police Member Elect Daniel Shellum
Police Member Elect Raymond Kieffer

Staff Attendance

Rae Lynn Nielsen, HR Director
Nichole Bombard, Medical Leave Coord.
Christine Jarosik, Medical Leave Coord.

Others Present

Andrew Apodaca, Board Attorney

Absent

Citizen Member Bill Crawford

Scheduled and Unscheduled Public Appearances

Consent Agenda and Discussion

1. August 2, 2023, Chandler Local Police Public Safety Personnel Retirement Board Minutes

Consent Agenda Motion and Vote

Police Member Elect Shellum moved to approve the Consent Agenda of the September 6, 2023, Regular Public Safety Police Personnel Retirement Board Meeting; Seconded by Police Member Elect Kieffer.

Motion carried unanimously (4-0).

Executive Session - Pursuant to A.R.S. Section 38-431.03 (A), the Chandler Local Police Public Safety Personnel Retirement Board may vote to convene in executive session to discuss or consider confidential records exempt by law from public inspection, and/or to consult with the Board's attorney for legal advice and to consider the Board's position and to instruct the Board's attorney regarding its position on items 2-4. The Board will take action on those items in open session.

Action Agenda Item No. 2 and Discussion

2. Application for Accidental Disability Moore

Consideration, Discussion, and Appropriate Action regarding the Application for an Accidental Disability for Michael Moore.

Executive Session – Chairperson Turner asked for a motion to end the Open Session and to move into Executive Session for legal advice. Police Member Elect Shellum made a motion to end the Open Session and to move into Executive Session for legal advice in matter Action Agenda Item No. 2. Police Member Elect Kieffer seconded the motion, and the vote was unanimous to end the Open Session and move into Executive Session at 9:01 a.m.

Open Session – Chairperson Turner asked for a motion to end the Executive Session and move into Open Session. Police Member Elect Shellum made the motion to end the Executive Session and to move into Open Session; Police Member Elect Kieffer seconded the motion, and the vote was unanimous to end the Executive Session and move into Open Session at 9:32 a.m.

Modified Executive Session – Chairperson Turner asked for a motion to end the Open Session and to move into Modified Executive Session for discussion with applicant and attorney. Police Member Elect Shellum made a motion to end the Open Session and to move into Modified Executive Session. Police Member Elect Kieffer seconded the motion, and the vote was unanimous to end the Open Session and move into Modified Executive Session at 9:34 a.m.

Open Session – Chairperson Turner asked for a motion to end the Modified Executive Session and move into Open Session. Police Member Elect Kieffer made the motion to end the Modified Executive Session and to move into Open Session; Citizen Member

Remington seconded the motion, and the vote was unanimous to end the Executive Session and move into Open Session at 9:46 a.m.

Action Agenda Item No. 2 Motion and Vote

Mr. Moore and his attorney, Thomas Griffin, were given an opportunity to make a statement to the Board.

Police Member Elect Kieffer moved to table the application for accidental disability for Michael Moore until additional medical records are received from providers as requested by the IME physician, Dr. Parker, so that he may review and clarify original report; Agenda Item No. 2 of the September 6, 2023, Regular Public Safety Police Personnel Retirement Board; Seconded by Citizen Member Remington.

Motion carried unanimously (4-0)

Action Agenda Item No. 3 and Discussion

3. Application for Accidental Disability O'Neill

Consideration, Discussion, and Appropriate Action regarding the Application for an Accidental Disability for Mary O'Neill.

Action Agenda Item No. 3 Motion and Vote

Executive Session – Chairperson Turner asked for a motion to end the Open Session and to move into Executive Session for legal advice. Police Member Elect Kieffer made a motion to end the Open Session and to move into Executive Session for legal advice in matter Action Agenda Item No. 3. Police Member Elect Shellum seconded the motion, and the vote was unanimous to end the Open Session and move into Executive Session at 9:51 a.m.

Open Session – Chairperson Turner asked for a motion to end the Executive Session and move into Open Session. Police Member Elect Shellum made the motion to end the Executive Session and to move into Open Session; Police Member Elect Kieffer seconded the motion, and the vote was unanimous to end the Executive Session and move into Open Session at 10:22 a.m.

Ms. O'Neill and her attorney, Cassidy Bacon were given an opportunity to make a statement to the Board. Ms. Bacon affirmed the application is only for the diagnosis listed.

Police Member Elect Shellum moved to find that the application for an Accidental Disability for Mary O'Neill, is complete under the Local Board's Rules & Procedures, section(s) (11, 19 - 21), and A.R.S. sections § 38-844 (B) and § -842 (1), because sufficient documentation has been provided

to suggest that the Applicant can meet her burden of proof to show that the statutory requirements can be met in her case.

In addition, Police Member Elect Shellum moved to table the application for an Accidental Disability for Mary O'Neill, so that she may be evaluated by doctor(s) of the Board's choice in the appropriate specialties for her claim once additional medical records are received, pursuant to A.R.S. sections 38-859 (A, C - E), as to any and all disabling condition(s) which may be supported by the evidence.; Agenda Item No. 3 of the September 6, 2023, Regular Public Safety Police Personnel Retirement Board; Seconded by Police Member Elect Kieffer.

Motion carried unanimously (4-0)

Action Agenda Item No. 4 and Discussion

4. Accidental Disability Review for Wiley

Consideration, Discussion, and Appropriate Action regarding the review of the Accidental Disability for Paul Wiley.

Action Agenda Item No. 4 Motion and Vote

Executive Session – Chairperson Turner asked for a motion to end the Open Session and to move into Executive Session for legal advice. Police Member Elect Shellum made a motion to end the Open Session and to move into Executive Session for legal advice in matter Action Agenda Item No. 4. Police Member Elect Kieffer seconded the motion, and the vote was unanimous to end the Open Session and move into Executive Session at 10:26 a.m.

Chairperson Turner made a motion to pause Executive Session for a recess. Police Member Elect Kieffer seconded the motion, and the vote was unanimous to pause Executive Session at 10:36. The Executive Session reconvened at 10:43.

Open Session – Chairperson Turner asked for a motion to end the Executive Session and move into Open Session. Police Member Elect Shellum made the motion to end the Executive Session and to move into Open Session; Police Member Elect Kieffer seconded the motion, and the vote was unanimous to end the Executive Session and move into Open Session at 10:52 a.m.

Police Member Elect Shellum moved to find that Paul Wiley no longer meets the requirements for an Accidental Disability based on the independent medical examination completed by Dr. Michael Chang on July 28, 2023. Per Dr. Chang's report and completion of the PSPRS form P5-LB-A, Mr. Wiley is no longer permanently prevented or totally unable to perform a reason range of duties within his job classification. Police Member Elect Shellum directs the City of Chandler Human

Resources to make an offer of re-employment. Agenda Item No. 4 of the September 6, 2023, Regular Public Safety Police Personnel Retirement Board; Seconded by Police Member Elect Kieffer.

Motion carried unanimously (4-0)

Action Agenda Item No. 5 and Discussion

5. Hiring PSPRS Retiree

Consideration, Discussion, and appropriate Action for hiring John Salazar, a PSPRS retiree.

Action Agenda Item No. 5 Motion and Vote

Police Member Elect Shellum moved to approve the hiring of John Salazar, a retired Town of Gilbert Police Officer, as a Temporary Management Support Clerk with a hire date of July 31, 2023. The position is not a Public Safety eligible position; therefore, the City of Chandler is not responsible for paying the PSPRS alternate contribution rate. Agenda Item No. 5 of the September 6, 2023, Regular Public Safety Police Personnel Retirement Board; Seconded by Police Member Elect Kieffer.

Motion carried unanimously (4-0)

Action Agenda Item No. 6 and Discussion

6. Membership Termination for Kimosh

Consideration, Discussion, and appropriate Action regarding the voluntary resignation of employment and termination of PSPRS membership for Stephanie Kimosh (a Police Officer - Lateral Certified) effective August 8, 2023.

Action Agenda Item No. 6 Motion and Vote

Police Member Elect Shellum moved to terminate the PSPRS membership for Stephanie Kimosh (a Police Officer - Lateral Certified) effective August 8, 2023, the date of her voluntary resignation. Agenda Item No. 6 of the September 6, 2023, Regular Public Safety Police Personnel Retirement Board; Seconded by Police Member Elect Kieffer.

Motion carried unanimously (4-0)

Member Comments/Announcements

Police Member Elect Kieffer recognized the retirement of former Board Member Elect George Arias. The Board thanks him for his service to the City of Chandler and the Local Board.

Calendar

7. Next Meeting

The next meeting will be held on Wednesday, October 4, 2023, at City Hall, 2nd Floor, Training Room B, 175 S. Arizona Ave, Chandler AZ at 9:00 a.m.

Informational Items

8. Board Reports

- a. Police Board DROP Report
- b. Police Board Billing Report
- c. PSPRS Police Board Action Reports
 - Normal Retirements
 - DROP
 - Disability Retirements
 - Military Leave
 - Service Purchase

9. Member Updates

- George Arias Exit DROP September 11, 2023

Adjourn

Police Member Elect Shellum moved to adjourn the meeting; seconded by Police Member Elect Kieffer carried unanimously (4-0). The meeting was adjourned at 10:56 a.m.

Nichole Bombard, Secretary

Steve Turner, Chairperson