

Meeting Minutes

Public Safety Police Personnel Retirement Board

Regular Meeting

September 4, 2024 | 9:00 a.m.
Council Chambers Conference Room
88 E Chicago St., 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 Bill Crawford
Citizen Member Valerie Remington
Police Member Elect Ariel Werther
Police Member Elect Cassandra Ynclan

Staff Attendance

Rae Lynn Nielsen, Human Resources Director
Nichole Bombard, Medical Leave Coord.
Christine Jarosik, Medical Leave Coord.
Rowena Laxa, Assistant City Attorney

Others Present

Andrew Apodaca, Board Attorney

Absent

Scheduled and Unscheduled Public Appearances

Ratification of Past Action

- Regular Meeting Minutes of Wednesday, June 5, 2024**
Move to approve the meeting minutes of the Chandler Local Police Public Safety Personnel Retirement Board Regular Meeting of June 5, 2024.
- New Membership for Klipp, Ravelo, Johnson, Mrotzek, VanDusen, Arreola, Quintero, and LaDuca.**
Consideration, Discussion, and appropriate Action for New Membership for Morgan Klipp, Lydia Ravelo, Kevin Johnson, Shamus Mrotzek, Jackson VanDusen, Andres Arreola, Carlos Quintero, and Sean LaDuca

3. **Pre-Existing Medical Condition(s) Review for Klipp, Ravelo, Johnson, Mrotzek, VanDusen, Arreola, Quintero, and LaDuca**
Consideration, Discussion and Appropriate Action for review of Pre-Existing Medical Condition(s) for Morgan Klipp, Lydia Ravelo, Kevin Johnson, Shamus Mrotzek, Jackson VanDusen, Andres Arreola, Carlos Quintero, and Sean LaDuca

4. **Membership Termination for Diaz, David, and Davisson**
Consideration, Discussion, and appropriate Action regarding the termination of PSPRS membership for Police Officers Juan J Diaz, Connor David, and Hunter Davisson.

Ratification of Past Action Motion and Vote

Citizen Member Remington moved to ratify the following action and items from the August 7, 2024 PSPRS Police regular meeting due to improper posting; Seconded by Citizen Member Crawford.

Motion carried unanimously (5-0).

Consent Agenda and Discussion

5. **Regular Meeting Minutes of Wednesday, June 5, 2024**

Consent Agenda Motion and Vote

Police Member Elect Werther moved to approve the meeting minutes of the Chandler Local Police Public Safety Personnel Retirement Board Regular Meeting on August 7, 2024; Seconded by Police Member Elect Ynclan.

Motion carried unanimously (5-0).

***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 6-7. The Board will take action on those items in open session.*

Action Agenda Item No. 6 and Discussion

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

Modified Executive Session – Chairperson Turner asked for a motion to end the Open Session and to move into Modified Executive Session for legal advice. Citizen Member Crawford made a motion to end the Open Session and to move into Modified Executive Session for legal advice in matter Action Agenda Item No. 6. Police Member Elect Werther seconded the motion, and the vote was unanimous to end the Open Session and move into Executive Session at 9:02 a.m.

Open Session – Chairperson Turner asked for a motion to end the Modified Executive Session and move into Open Session. Citizen Member Remington made the motion to end the Modified Executive Session and to move into Open Session; Citizen Member Crawford seconded the motion, and the vote was unanimous to end the Modified Executive Session and move into Open Session at 9:06 a.m.

Executive Session – Chairperson Turner asked for a motion to end the Open Session and to move into Executive Session for legal advice. Citizen Member Remington made a motion to end the Open Session and to move into Executive Session for legal advice in matter Action Agenda Item No. 6. Citizen Member Crawford seconded the motion, and the vote was unanimous to end the Open Session and move into Executive Session at 9:06 a.m.

Open Session – Chairperson Turner asked for a motion to end the Modified Executive Session and move into Open Session. Citizen Member Crawford 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 Modified Executive Session and move into Open Session at 9:07 a.m.

Action Agenda Item No. 6 Motion and Vote

Police Member Elect Werther moved to find that the application for an Accidental Disability for Michael Moore, 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 his burden of proof to show that the statutory requirements can be met in his case and to table the application for an Accidental Disability for Michael Moore, so that he may be evaluated by doctor(s) of the Board's choice in the appropriate specialties for his claims, 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. 6 of the September 4, 2024, Regular Public Safety Police Personnel Retirement Board; Seconded by Police Member Elect Ynclan.

Motion carried unanimously (5-0)

Executive Session – Chairperson Turner asked for a motion to end the Open Session and to move into Modified Executive Session for legal advice. Citizen Member Crawford made a motion to end the Open Session and to move into Executive Session for legal advice in matter Action Agenda Item No. 6. Police Member Elect Werther seconded the motion, and the vote was unanimous to end the Open Session and move into Executive Session at 9:15 a.m.

Open Session – Chairperson Turner asked for a motion to end the Executive Session and move into Open Session. Police Member Elect Werther made the motion to end the Executive Session and to move into Open Session; Police Member Elect Ynclan seconded the motion, and the vote was unanimous to end the Executive Session and move into Open Session at 9:36 a.m.

Action Agenda Item No. 7 and Discussion

7. Application for Accidental Disability Hancock

Consideration, Discussion, and Appropriate Action regarding the request for rehearing for Shawn Hancock

Chairperson Turner stated it is September 4, 2024, at 9:39 a.m., in the Council Chambers Conference Room, the time and place set for a Rehearing as Requested by Claimant Shawn Hancock.

Applicant and his counsel, Ms. Judith Abramsohn, are present. Pursuant to Local Board Rules, the Department is represented by counsel, Ms. Katherine Baker, who is also present.

Chairperson Turner continued, on April 18th, 2024, this Board voted to deny Hancock's application for an Accidental Disability. Specifically the Board "made a motion to deny the Application for an Accidental Disability for Shawn Hancock, based on the following finding: Mr. Hancock's employment was not 'terminated by reason of accidental disability', as required by A.R.S. 38-844 (B) because when he resigned on or about October 23, 2023, he was aware that he was being terminated from his employment with the Police Department due to serious ethical and integrity violations."

Mr. Hancock filed his Request for Rehearing, through his attorney, and the Request alleged that "The action of the local board in its motion on April 18, 2024 denying Shawn Hancock's Application for Accidental Disability was arbitrary and capricious, contrary to law, unsupported by substantial evidence, and an abuse of discretion."

The scope of this hearing today is whether or not the Local Board was correct in denying Mr. Hancock's application, and more specifically whether the Local Board was correct in determining that Mr. Hancock's employment was not 'terminated by reason of accidental disability', as required by A.R.S. 38-844 (B).

The Board only has only a limited amount of time today so anyone wishing to address the Local Board should focus their discussion on the purpose of this hearing today.

Chairperson Turner remind the parties that the Local Board has the full transcript of, and all exhibits from the Evidentiary Hearing that was conducted for the purpose of determining if Mr. Hancock's employment was not 'terminated by reason of accidental disability'. The Board Members unanimously agreed they have read the full transcript.

Chairperson Turner informed the parties that there is not a court reporter today. If parties are going to address the Local Board to please make sure that they speak clearly and in a loud enough voice that the recorder may clearly record. Since this is not a trial there should be no reason for anyone to talk over someone else, but he reminded everyone to refrain from doing so. Only one person should be talking at a time.

Modified Executive Session – Chairperson Turner asked for a motion to end the Open Session and to move into Modified Executive Session for confidential discussion with applicant and applicant's attorney. Police Member Elect Werther made a motion to end the Open Session and to move into Modified Executive Session for confidential discussion regarding Action Agenda Item No. 7. Police Member Elect Ynclan seconded the motion, and the vote was unanimous to end the Open Session and move into Modified Executive Session at 9:42 a.m.

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

Executive Session and to move into Open Session; Police Member Elect Ynclan seconded the motion, and the vote was unanimous to end the Modified Executive Session and move into Open Session at 10:46 a.m.

Action Agenda Item No. 7 Motion and Vote

Police Member Elect Ynclan moved to table the rehearing for the applicant for accidental disability for Shawn Hancock to a future date to be determined.; Agenda Item No. 7 of the September 4, 2024, Regular Public Safety Police Personnel Retirement Board; Seconded by Citizen Member Crawford.

Motion carried unanimously (5-0)

Member Comments/Announcements

Calendar

8. Next Meeting

The next meeting will be held on Wednesday, October 2, 2024, at City Hall, Council Chambers Conference Room, 88 E Chicago St., Chandler AZ at 9:00 a.m.

Informational Items

9. 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

10. Member Updates

- Jason Hunsaker, Police Officer, Exit DROP August 31, 2024
- Michael West, Police Officer, Exit DROP September 27, 2024

Adjourn

Chairperson Turner asked for a motion to adjourn. Police Member Elect Werther moved to adjourn the meeting; seconded by Citizen Member Remington carried unanimously (5-0). The meeting was adjourned at 10:50 a.m.

Nichole Bombard, Secretary

Steve Turner, Chairperson