

Meeting Minutes

Public Safety Police Personnel Retirement Board

Regular Meeting

October 2, 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 9:01 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.

Others Present

Andrew Apodaca, Board Attorney

Absent

Scheduled and Unscheduled Public Appearances

Consent Agenda and Discussion

1. **Regular Meeting Minutes of Wednesday, September 4, 2024**

Consent Agenda Motion and Vote

Police Member Elect Ynclan moved to approve the meeting minutes of the Chandler Local Police Public Safety Personnel Retirement Board Regular Meeting on September 4, 2024; Seconded by Police Member Elect Werther.

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 the following items. The Board will take action on those items in open session.

Action Agenda Item No. 2 and Discussion

2. Application for Accidental Disability Mulliken

Consideration, Discussion, and Appropriate Action regarding the Application for an Accidental Disability for William Mulliken

Action Agenda Item No. 2 Motion and Vote

Mr. Mulliken was present and made a statement to the board regarding his medical history.

Police Member Elect Werther moved to find that the application for an Accidental Disability for William Mulliken, 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 William Mulliken, 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. 2 of the October 2, 2024, Regular Public Safety Police Personnel Retirement Board; Seconded by Police Member Elect Ynclan.

Motion carried unanimously (5-0)

The Board elected to move action item 3 to 6 from the originally posted agenda.

Action Agenda Item No. 3 and Discussion

3. New Membership for Roberts, DuPont, Gressley, and Royzengurt

Consideration, Discussion, and appropriate Action for New Membership for Zachary Roberts, Jeffry DuPont, Cort Gressley, and Artur Royzengurt.

Action Agenda Item No. 3 Motion and Vote

Police Member Elect Werther moved to find that the following employees met the applicable PSPRS membership definitions for service with the City of Chandler Police Department: Zachary Roberts, Police Officer Lateral-Not Certified, hire date May 7, 2024, with a Tier 3 service date of August 5, 2024; Jeffry DuPont, Cort Gressley, and Artur Royzengurt, Police Recruits, hire date May 21, 2024, with a Tier 3 service date of August 19, 2024 Agenda Item No. 2 of the October 2, 2024, Regular Public Safety Police Personnel Retirement Board; Seconded by Police Member Elect Ynclan.

Motion carried unanimously (5-0)

Action Agenda Item No. 4 and Discussion

4. Pre-Existing Medical Condition(s) Review for Roberts, DuPont, Gressley, and Royzengurt

Consideration, Discussion and Appropriate Action for review of Pre-Existing Medical

Condition(s) for Zachary Roberts, Jeffry DuPont, Cort Gressley, and Artur Royzengurt.

Action Agenda Item No. 4 Motion and Vote

Police Member Elect Werther moved to declare one pre-existing condition listed on the pre-existing cover sheet for Zachary Roberts.; Agenda Item No. 4 of the October 2, 2024, Regular Public Safety Police Personnel Retirement Board; Seconded by Police Member Elect Ynclan.

Motion carried unanimously (5-0)

Police Member Elect Werther moved to declare three pre-existing conditions listed on the pre-existing cover sheet for Jeffry DuPont; Seconded by Police Member Elect Ynclan.

Motion carried unanimously (5-0)

Police Member Elect Werther moved to declare three pre-existing conditions listed on the pre-existing cover sheet for Cort Gressley; Seconded by Police Member Elect Ynclan.

Motion carried unanimously (5-0)

Police Member Elect Werther moved to declare three pre-existing conditions listed on the pre-existing cover sheet for Artur Royzengurt; Seconded by Police Member Elect Ynclan.

Motion carried unanimously (5-0)

Action Agenda Item No. 5 and Discussion

5. 2025 Board Meeting Dates

Consideration, Discussion and Appropriate Action for 2025 Board meeting dates.

Action Agenda Item No. 5 Motion and Vote

Police Member Elect Ynclan moved to approve the 2025 Board meeting dates as present in the Board memo; Seconded by Police Member Elect Werther.

Motion carried unanimously (5-0)

Action Agenda Item No. 6 and Discussion

6. Application for Accidental Disability Hancock

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

Mr. Hancock and his attorney were present.

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 the applicant and attorney. Police Member Elect Werther made a motion to end the Open Session and to move into Modified Executive Session for confidential discussion 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 Modified Executive Session at 9:20 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; Police Member Elect seconded the motion, and the vote was unanimous to end the Modified Executive Session and move into Open Session at 9:24 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 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. Citizen Member Remington seconded the motion, and the vote was unanimous to end the Open Session and move into Executive Session at 9:25 a.m.

Open Session – Chairperson Turner made a motion to end the Executive Session and 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 11:15 a.m.

Chairperson Turner requested the Board Members to make a record prior to a motion and vote.

Citizen Member Crawford had concerns about a number of things heard during the evidentiary hearing continued to be troubled by submission of filing the application for disability relative the internal affairs process.

Police Member Elect Werther stated that his concerns have not been allayed the concerns about the applicant working full duty until the very day the investigation caused him unable to do so was relevant to Police Member Elect Werther but have taken great care to conceptualize the question that is before the board today.

Citizen Member Remington added that she has serious concerns over some of the information and the timing of the application as well.

Police Member Elect Ynclan reiterates what the other board members have expressed based on the mountain of information provided to go through and the previous discussions, the process is what it is. Police Member Elect Ynclan has significant reservations when the application for disability was submitted that the applicant's expectation was to come back to work as a sergeant and not a lieutenant.

Chairperson Turner commended Police Member Elect Werther and Ynclan for taking the amount of time and care to review the documentation and evidence presented to the Board to come to a full understanding. Chairperson Turner's opinions have not changed since the evidentiary hearing and the timelines are highly suspicious and he wants to be cognizant of that. He is aware of the process the Board has to go through and wants to echo what the Board has said and the concerns have been outlined.

Action Agenda Item No. 6 Motion and Vote

Police Member Elect Werther moved to rescind the Board's prior decision and move to table the application for accidental disability for Shawn Hancock 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. In addition, move to table the Board's decision whether Mr. Hancock's employment "terminated by reason of accidental disability", and whether Mr. Hancock's alleged disability was "incurred in the performance of the employee's duty".; Agenda Item No. 6 of the October 2, 2024, Regular Public Safety Police Personnel Retirement Board; Seconded by Police Member Elect Ynclan.

Police Member Elect Cassandra Ynclan voted Yay
Police Member Elect Ariel Werther voted Yay
Citizen Member Valerie Remington voted Yay
Citizen Member Bill Crawford voted Yay
Chairperson Steven Turner voted Nay as his decision had not changed from the evidentiary hearing and subsequent information.

Member Comments/Announcements

Calendar

7. **Next Meeting**

The next meeting will be held on Wednesday, November 6, 2024, at City Hall, Council Chambers Conference Room, 88 E Chicago St., 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**

- David Ramer, Assistant Chief, Enter DROP September 30, 2024

Adjourn

Chairperson Turner asked for a motion to adjourn. Police Member Elect Ynclan moved to adjourn the meeting; seconded by Police Member Elect Ynclan carried unanimously (5-0). The meeting was adjourned at 11:30 a.m.

Nichole Bombard, Secretary

Steve Turner, Chairperson