Public Safety Police Personnel Retirement Board Regular Meeting

February 5, 2025 | 9 a.m.
Council Chambers Conference Room
88 E. Chicago St., Chandler, AZ



Commission Members

Bill Crawford
Valerie Remington
Ariel Werther
Cassandra Ynclan
Steven Turner

Pursuant to Resolution No. 4464 of the City of Chandler and to A.R.S. § 38-431.02, notice is hereby given to the members of the Public Safety Police Personnel Retirement Board and to the general public that the Public Safety Police Personnel Retirement Board will hold a REGULAR MEETING open to the public on Wednesday, February 5, 2025, at 9:00 a.m., Council Chambers Conference Room, 88 E. Chicago St., Chandler, AZ. One or more Board Members may be attending by telephone.

Persons with disabilities may request a reasonable modification or communication aids and services by contacting the City Clerk's office at (480) 782-2181 (711 via AZRS). Please make requests in advance as it affords the City time to accommodate the request.

Agendas are available in the Office of the City Clerk, 175 S. Arizona Avenue.

Public Safety Police Personnel Retirement Board
Regular Meeting Agenda - February 5, 2025

Call to Order/Roll Call

Unscheduled Public Appearances

Members of the audience may address any item not on the agenda. State Statute prohibits the Board or Commission from discussing an item that is not on the agenda, but the Board or Commission does listen to your concerns and has staff follow up on any questions you raise.

Consent Agenda

Items listed on the Consent Agenda may be enacted by one motion and one vote. If a discussion is required by members of the Board or Commission, the item will be removed from the Consent Agenda for discussion and determination will be made if the item will be considered separately.

1. **Regular Meeting Minutes of Wednesday, January 8, 2025**
   Move to approve the meeting minutes of the Chandler Local Police Public Safety Personnel Retirement Board Regular Meeting on January 8, 2025

Action Agenda

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

3. **Application for Accidental Disability Wiley**
   Consideration, Discussion, and Appropriate Action regarding the Application for an Accidental Disability for Paul Wiley.

4. **Membership Termination Price, Jaroszewski Pereira, and Martinoz**
   Consideration, Discussion, and appropriate Action regarding the termination of PSPRS membership for Eric Price and Thiago Jaroszewski Pereira, and Alex Martinoz.

Member Comments/Announcements

Calendar

5. The next meeting will be held on Wednesday, March 5, 2025, at City Hall, 2nd Floor Medium Conference Room, 175 S Arizona Ave., Chandler, AZ at 9:00 a.m.

Information Items

6. **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

Adjourn

Chandler Local Police Public Safety Personnel Retirement Board Human Resources

Date: 02/05/2025
To: Chandler Local Police Public Safety Personnel Retirement Board
From: Nichole Bombard, Medical Leave Coordinator
Subject: Minutes

Proposed Motion:

Move to approve the meeting minutes of the Chandler Local Police Public Safety Personnel Retirement Board Regular Meeting on January 8, 2025

Attachments

January 8, 2025 Minutes

Meeting Minutes
Public Safety Police Personnel Retirement Board
Regular Meeting

January 8, 2025 | 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 9:02 a.m.

Roll Call

Board Attendance
Chairperson Steven Turner
Citizen Member Valerie Remington
Police Member Elect Ariel Werther
Police Member Elect Cassandra Ynclan

Staff Attendance
Rae Lynn Nielsen, HR Director
Nichole Bombard, Medical Leave Coord.
Destinee Martinez Peru, Medical Leave Coord

Others Present
Andrew Apodaca, Board Attorney

Absent
Citizen Member Bill Crawford

Scheduled and Unscheduled Public Appearances

Consent Agenda and Discussion
1. **Regular Meeting Minutes of Wednesday, December 4, 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 December 4, 2024; Seconded by Police Member Elect Ynclan.

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 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 Hancock**
   Consideration, Discussion, and Appropriate Action regarding the Application for an Accidental Disability for Shawn Hancock.

   Shawn and his attorney attended the meeting remotely.

Executive Session – Police Member Elect Werther made the motion to end the Open Session and to move into Executive Session; Police Member Elect Ynclan seconded the motion, and the vote was unanimous to end the Open Session and move into Executive Session at 9:03 a.m.

Open Session – Chairperson Turner asked for a motion to end the Executive Session and move into Open Session. Police Member Elect Ynclan made the motion to end the Executive Session and to move into Open Session; Police Member Elect Werther seconded the motion, and the vote was unanimous to end the Executive Session and move into Open Session at 9:55 a.m.

Mr. Andrew Apodoca left the meeting at 9:55 a.m.

Ms. Judith Abramsohn explained her motions request to the Board. She has requested to depose the Independent Medical Exam physician to receive more information including the doctor's CV and the testing results he performed with the applicant. The second motion was a request for continuance as she was unable to prepare for the meeting today due to the holidays being in the middle of the week. Ms. Abramsohn continues to take issue with how the board has handled the disability application because it hasn't been normal per the board manual and what documentation is eligible to be sent to the IME doctor.

Action Agenda Item No. 2 Motion and Vote

Police Member Elect Werther moved to deny both motions presented by Ms. Abramsohn. The IME report is through and clear and provides a sufficient basis for making a decision on the matter. The request for continuance was based on the claim that a hearing should be rescheduled until a reasonable time after the deposition of Dr. Kirkorsky and to prepare for his cross examination at the hearing as well as to fully understand and interpret his forensic evaluation of the applicant. It is unclear what cannot be fully understood without this process being undertaken. There is not a compelling reason to engage in a deposition of the IME doctor and cross examination.

Police Member Elect Ynclan agrees with Police Member Elect Werther The motions that were presented, the request for a deposition of the doctor. Based on looking through the report she doesn't see any glaring issues or any conflicts within the report. It appears to be thorough and to be based on his examinations and his experience. She thinks the request for a deposition or continuing for a hearing isn't necessary so Ms. Abramsohn can prepare for a deposition, that the board isn't willing to entertain.

Citizen Member Remington also stated the report was clear and she does not see any other reason to go back to the doctor.

Motion carried unanimously (4-0)

Police Member Elect Werther moved to deny of the Application for an Accidental Disability for Shawn Hancock, based on the medical board opinion of Dr. Scott Kirkorsky, as set forth in the Independent Medical Exam report and PSPRS Questionnaire dated December 6, 2024. There was not sufficient valid or credible evidence to conclude that Mr. Hancock meets the criteria for the diagnosis on the application and there is no conflict in the medical evidence based on the review of the records and the evaluation performed by Dr. Kirkosky.

Ms. Abramsohn raised again the application process has violated the public safety personnel retirement statutes and has denied her client due process under the law and equal protection under the law. She asked that the board to order a new IME with another doctor, or the board send a normal letter asking just for what the statute required, and only his medical records and no extraneous personnel matters.

Chairperson Turner stated that the board is reliant upon independent medical examinations for all disability requests. This application was not different and Mr. Hancock has not been treated differently than any other applicant previously. Since he has been chair of the board, the board has maintained the standards and have abided by PSPRS rules and the board has spent extensive time with this application including an evidentiary hearing and rehearing and numerous discussions on this item both in executive sessions while receiving legal counsel, and also in the public settings. He feels the board has done overwhelmingly amount of due diligence to come to a decision.

The motion was seconded by Police Member Elect Ynclan. Motion carried unanimously (4-0).

Member Comments/Announcements

Calendar

3. **Next Meeting**
   The next meeting will be held on Wednesday, February 5, 2025, at City Hall, Council Chambers Conference Room, 88 E. Chicago St., Chandler, AZ at 9:00 a.m.

Informational Items

4. **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

5. **Member Updates**
   - Daniel McQuillin, Police Sergeant, Enter DROP December 28, 2024
   - Gary Pearsall, Police Officer, Enter DROP February 8, 2025
   - Cameron Jacobs, Police Officer, Exit DROP January 23, 2025

- Charles Cote, Police Lieutenant, Exit DROP January 23, 2025
- Stephen Dieu, Police Officer, Exit DROP January 31, 2025

Adjourn

Chairperson Turner asked for a motion to adjourn. Police Member Elect Werther moved to adjourn the meeting; seconded by Police Member Elect Ynclan. The motion carried unanimously (4-0). The meeting was adjourned at 10:24 a.m.

_____ _____

Nichole Bombard, Secretary Steve Turner, Chairperson