

Minutes

Tempe Police Public Safety Personnel Retirement System Board

July 6, 2023

Minutes of the Tempe Police Public Safety Personnel Retirement System Board meeting hosted virtually via Cisco WebEx and in person at the Human Resources Conference Room located at 20 E. 6th Street Tempe, AZ 85281 on Thursday July 6, 2023 at 2:00 p.m.

Board Members Present (via Cisco WebEx):

Andy Arredondo

Board Members Present (in person):

Michael Bloomer
Keith Burke
Rob Ferraro

Board Members Absent:

Johnny Tse

City Staff Present (via Cisco WebEx):

Nicole Martinez, Workers Compensation Specialist
Rebecca Strisko, HR Director
Kathleen Broman, HR Manager

City Staff Present (in person):

Matt Quick, HR Specialist
Sarah Jenkins, Management Assistant II

Legal Counsel Present:

Lesli Sorensen
Dale Norris on behalf of Laura Berner,
Jeffrey Corder and Anthony Miller

Chair Keith Burke called the meeting to order at 2:00 p.m.

1. Consideration of Meeting Minutes

Motion by Rob Ferraro to approve the June 1, 2023 Police PSPRS Board Meeting Minutes; second by Michael Bloomer. Motion passed on a voice vote 4-0.

Ayes: Chair Burke; Boardmembers Arredondo, Bloomer and Ferraro
Nays: None
Absent: Boardmember Tse

2. Motion to Adjourn to Executive Session, if necessary

Motion by Rob Ferraro to adjourn to Executive Session for the purpose of obtaining legal advice from the Board's Legal Counsel and to discuss records confidential by law; second by Michael Bloomer. Motion passed on a voice vote 4-0.

Ayes: Chair Burke; Boardmembers Arredondo, Bloomer and Ferraro
Nays: None
Absent: Boardmember Tse

The Board adjourned to Executive Session at 2:03 p.m. The Board reconvened at 2:59 p.m.

3. Initial Hearing on the Application for Accidental Disability Benefits for Laura Berner

Chair Burke stated that this is the initial hearing on the application for accidental disability benefits for **Laura Berner**. At today's hearing, the Board must determine whether the documentation submitted is sufficient to conclude that the statutory requirements are satisfied for the Board to direct that they be sent for an Independent Medical Exam (IME).

Chair Burke opened the item for discussion and asked if anyone would like to address the Board.

Dale Norris, legal counsel for Ms. Berner said that the records presented to the Board are sufficient to allow the Board to send her for an IME.

Mr. Ferraro said that based on past applications received by the Board and the importance the Board's Medical Boards have placed on obtaining 6-12 months of evidence-based treatment, which includes medication management, he believes the applicant needs to seek additional treatment before the application can be considered permanent.

Motion by Rob Ferraro to table the application for six (6) months to allow the applicant to obtain additional treatment. The Board also requests Workers Compensation records, call for service records, and any records related to the Craig Tiger Act treatment as stated in the application. Second by Michael Bloomer. Motion passed on a voice vote 4-0.

Ayes: Chair Burke; Boardmembers Arredondo, Bloomer and Ferraro

Nays: None

Absent: Boardmember Tse

4. Hearing on the Application for Accidental Disability Benefits for Anthony Miller (continued from May 4, 2023 & June 1, 2023)

Chair Burke stated that this is a continuation of the hearing on the application for accidental disability benefits for **Anthony Miller**. At the May 4, 2023 meeting, the Board voted to table the application, tentatively to the August 2023 meeting, until a reassessment occurred, and the records are received. Additional documents have been provided to the Board. At today's hearing, the Board must determine whether the documentation submitted is sufficient to conclude that the statutory requirements are satisfied for the Board to direct that he be sent for an Independent Medical Exam (IME).

Chair Burke opened the item for discussion and asked if anyone would like to address the Board.

Dale Norris, legal counsel for Anthony Miller said that Mr. Miller has complied with the direction of the Board and provided records from Dr. Abdullah's office. Mr. Norris said that the additional records are sufficient to send Mr. Miller for an IME.

Motion by Rob Ferraro, based on evidence submitted, to accept the application, direct that the applicant be sent for an Independent Medical Exam (IME), and have the results sent to the Local Board. Second by Andy Arredondo. Motion passed on a voice vote 4-0.

Ayes: Chair Burke; Boardmembers Arredondo, Bloomer and Ferraro

Nays: None

Absent: Boardmember Tse

5. Hearing on the Application for Accidental Disability Benefits (continued from April 7, 2022, October 6, 2022, March 2, 2023, May 4, 2023) for Jeffrey Corder

Chair Burke stated that this is the continuation of the hearing on the application for accidental disability benefits for Jeffrey Corder. At the April 7, 2022 meeting the Board approved moving Mr. Corder forward to an Independent Medical Examination (IME). At the October 6, 2022 meeting the Board agreed to table the application for no more than 12 months so the applicant can obtain treatment as recommended by the Board's Medical Board. Mr. Corder, or his attorney, shall provide updated treatment records and other relevant information by April 3, 2023 and July 31, 2023 so that the matter may be considered at a future meeting.

At the May 4, 2023 meeting, the board voted to send the updated treatment records to the Medical Board for further review. The updated IME report has been received by the Board. At today's hearing, the Board must determine whether the documentation submitted is sufficient to make a determination on Mr. Corder's application.

Chair Burke opened the item for discussion and asked if anyone would like to address the Board.

Dale Norris, legal counsel for Jeffrey Corder said that Mr. Corder has met all the requirements for the disability being a permanent condition. There were some notes regarding the conflict of medical opinions but those were not sufficient to change the opinion that the condition is permanent. Mr. Norris believes the records are sufficient for the Board to approve the application for accidental disability benefits.

Motion by Rob Ferraro to approve the Application for Accidental Disability Benefits for Jeffrey Corder based on the information provided in the application and the Independent Medical Examinations. Second by Andy Arredondo. Motion passed on a voice vote 4-0.

Ayes: Chair Burke; Boardmembers Arredondo, Bloomer and Ferraro

Nays: None

Absent: Boardmember Tse

The following questions from the Accidental Disability Questionnaire, Form P5-LB-A were read out loud and verbally affirmed by the Board:

1. Did the employee file the application after the disabling incident, or within one year of ceasing to be an employee?
Yes
2. Did (or will) the employee terminate by a reason of disability? **Yes**
3. Did employment terminate based on a disciplinary action? **No**
4. If the member's period of DROP has ended, if applicable, did (or will) the employee terminate by a reason of disability? **Yes**
5. Is the employee still working a position within their job classification that the Local Board considers a reasonable range of duties position? **No**
6. Has the employee refused a position within their job classification that the Local Board considered a reasonable range of duties? **No**
7. Did the injury or condition occur prior to the current PSPRS membership date? **No**
8. Was the injury or condition the result of an event incurred during the performance of the employee's duty? **Yes**

6. New Member Status Update for Gonzalo Quiroz, Jr.

Acting Board Secretary Kathleen Broman said that at the June 1, 2023 meeting, the Board conditionally approved the new membership for Gonzalo Quiroz, Jr. Police staff are in contact with the physician who conducted the physical and the updated information will be submitted for the Board's consideration once it is received by HR staff. There was no further discussion.

7. Revised PSPRS Valuation Report for Tempe Police (028)

Ms. Broman said that the revised PSPRS Valuation Report was provided in the Board packet. There was no further discussion.

8. PSPRS Updates

Ms. Broman said that the Q3 2023 PSPRS Newsletter and the Revised Public Safety Consolidated & Employer Valuation update were included in the board packet. There was no further discussion.

9. Future Meeting Date

The next meeting is scheduled for August 3, 2023

10. Future Agenda Items

Chair Burke noted that Boardmember Ferraro's request from the May 4, 2023 meeting regarding the development of board policies regarding accidental disability applications will appear on the August meeting agenda. There was no further discussion.

11. Public Appearances

There were no public appearances.

Adjournment


Motion to adjourn by Rob Ferraro; second by Michael Bloomer. Motion passed on a voice vote 4-0.

Ayes: Chair Burke; Boardmembers Arredondo, Bloomer and Ferraro

Nays: None

Absent: Boardmember Tse

The meeting adjourned at 3:13 p.m.



Rebecca Strisko, Local Board Secretary