

# Minutes

## Tempe Police Public Safety Personnel Retirement System Board

### September 5, 2024

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. 6<sup>th</sup> Street Tempe, AZ 85281 on Thursday September 5, 2024 at 2:00 p.m.

**Board Members Present (via Webex):**  
None

**Board Members Present (in person):**  
Andy Arredondo  
Keith Burke  
Alex Moreno  
Bill Munch

**Board Members Absent:**  
Michael Bloomer

**City Staff Present (via Webex):**  
Matt Quick, HR Specialist

**City Staff Present (in person):**  
Sarah Jenkins, Management Assistant II  
Tammy Milhon, HR Specialist  
Kathleen Broman, HR Manager

**Legal Counsel Present (in person):**  
Lesli Sorensen

*Chair Keith Burke called the meeting to order at 2:01 p.m.*

#### 1. **Consideration of Meeting Minutes**

Motion by Andy Arredondo to approve the June 6, 2024 Police PSPRS Board Meeting Minutes and the June 6, 2024 Police PSPRS Board Executive Session Meeting Minutes; second by Alex Moreno. Motion passed on a voice vote 3-0.

Ayes: Chair Burke; Boardmembers Arredondo, Moreno  
Nays: None  
Absent: Boardmember Bloomer  
Abstain: Boardmember Munch

#### 2. **Motion to Adjourn to Executive Session, if necessary**

No Executive Session was held.

#### 3. **Hearing on the Application for Accidental Disability Benefits for Laura Berner (continued from July 6, 2023, January 4, 2024, April 4, 2024 and June 6, 2024)**

Chair Burke said this is a continuation of the hearing on the application for accidental disability benefits for Laura Berner. At the July 6, 2023 meeting the Board voted to table the application for six months to allow the applicant to obtain additional treatment. At the January 4, 2024 meeting, the Board requested additional records as stated in the application. At the April 4, 2024 meeting, the Board tabled the application and directed their attorney to subpoena all body worn camera footage videos related to IR 22-78584, so the Board may view them during Executive Session. At the June 6, 2024 meeting, the Board approved sending Ms. Berner to an Independent Medical Exam. The results of the two exams have been submitted to the Board.

At today's hearing, the Board must determine whether the documentation submitted is sufficient to make a determination on Ms. Berner's application. Chair Burke asked if anyone would like to address the Board. Ms. Berner's attorney, Kathryn Baillie, attended the hearing and said that both IME results support the disability claim and she hopes that the Board will accept that recommendation. There was no further discussion.

Motion by Alex Moreno to approve the application for accidental disability benefits for Laura Berner based on the results of the Independent Medical Exam; Second by Andy Arredondo. Motion passed on a voice vote 4-0.

Ayes: Chair Burke; Boardmembers Arredondo, Moreno, and Munch

Nays: None

Absent: Boardmember Bloomer

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? **Not Applicable**
5. Is the employee still working in 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**

#### 4. New Members

Motion by Alex Moreno to approve the new member applications of **Justin Brush** (pre-existing condition), **Samantha Chaloupka** (pre-existing condition), **Zachary Cummings** (pre-existing condition), **Miguel Gavaldon** (pre-existing condition), and **Julio Yazzie** (pre-existing condition); Second by Andy Arredondo. Motion passed on a voice vote 4-0.

Ayes: Chair Burke; Boardmembers Arredondo, Moreno, and Munch

Nays: None

Absent: Boardmember Bloomer

#### 5. Review of Retirees Returning to Work

Board Secretary Kathleen Broman said that per Arizona Revised Statutes, the city needs to bring before the Local Board any PSPRS retiree that has obtained employment with the City of Tempe regardless of which PSPRS employer they retired from. The names and statutes are in the Board's packet for review.

Boardmember Moreno asked if anyone who was in PSPRS, in any other organization, and obtained employment with the City of Tempe, would be in ASRS? Ms. Broman said that the Board would need to confirm whether the employee is eligible for the ACR or PSPRS.

Motion by Alex Moreno to approve said that after having reviewed the information presented, he recommends that the Board finds that **Joshua Gonzalez, David Dunn, and Brian Shumway** retired from an employer other than the City of Tempe and are not in a position ordinarily filled by an employee of an eligible group. An alternative contribution rate is not required; Second by Andy Arredondo. Motion passed on a voice vote 4-0.

Ayes: Chair Burke; Boardmembers Arredondo, Moreno, and Munch

Nays: None

Absent: Boardmember Bloomer

**6. Board Expenditures – 1<sup>st</sup> & 2<sup>nd</sup> Quarters of 2024**

Ms. Broman said that the Board expenditures for quarters one and two of 2024 are in the packet. There was no further discussion.

**7. Future Meeting Date**

The next meeting is scheduled for October 3, 2024.

**8. Future Agenda Items**

Chair Burke asked if the Board Guidelines for Disability Benefits could be placed on the next Joint Board Meeting agenda.

**9. Public Appearances**

There were no public appearances.

**Adjournment**

Motion to adjourn by Alex Moreno; second by Andy Arredondo. Motion passed on a voice vote 4-0.

Ayes: Chair Burke; Boardmembers Arredondo, Moreno, and Munch

Nays: None

Absent: Boardmember Bloomer

The meeting adjourned at 2:11 p.m.

*Kathleen Broman*

[Kathleen Broman \(Oct 3, 2024 15:08 PDT\)](#)

Kathleen Broman, Local Board Secretary