

PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM
MINUTES OF **POLICE OFFICERS'** MEETING
MAY 08, 2007

The regular meeting of the Tucson **Police** Public Safety Personnel Retirement System Board was held on Tuesday, May 08, 2007, in the Fifth Floor Conference Room, 255 W. Alameda, City Hall, Tucson, Arizona. Co-Chair Joe Ladenburg Called the meeting to order at 9:15 a.m.

1. ROLL CALL

Board Members:

Present:	Joe Ladenburg	Co-Chair
	Tom Garrison	Member
	Mike Gurr	Member
Absent/excused	Robert Walkup	Chair
	Judith Patrick	Member
Staff Present:	Elizabeth Martinez – Police and Fire Board Secretary	
	David McEvoy - Police and Fire Board Attorney	
	Kathy Maish – Executive Assistant Finance Department	
Also Present:	Mike McKendrick - Fire Board Member	
	Roger Tamietti – Fire Board Member	
	Charles Blue – Police System Member left at 9:15 a.m.	

2. POLICE CONSENT AGENDA: ITEMS A – H

- A. MINUTES FOR APPROVAL – 04/10/07

- B. PENSION PAYROLL – Addition of Normal Service Retirement for Louis Apodaca in the amount of \$3,372.55. Addition of Normal Service Retirement for Sally A. Droban out of DROP in the amount of \$3,152.52. Addition of Normal Service Retirement for Marty Fuentes out of DROP in the amount of \$4,845.01. Addition of Permanent Accidental Disability Retirement for Richard Law in the amount of \$3,426.09.

- C. NORMAL SERVICE RETIREMENT

Louis Apodaca – Last day worked 04/27/07 – Pension effective 05/01/07
Sally Droban – Last day worked 04/30/07 – Pension effective 05/01/07
Marty Fuentes – Last day worked 04/11/07 – Pension effective 05/01/07

D. PERMANENT ACCIDENTAL DISABILITY RETIREMENT
Richard Law – Last day worked 04/10/07 – Pension effective 05/01/07

E. DEFERRED RETIREMENT OPTION PLAN
Kerin Fuller – Election to participate in the DROP 04/30/07
Lynnette Moody – Election to participate in the DROP 04/30/07
* Lynn Sharp – Election to participate in the DROP 04/30/07

F. PRE-EMPLOYMENT PHYSICAL REQUIREMENT
DOH: 11/30/06 PSPRS: 03/18/07 Class 06-4
Kelvin Boone Passed Pre-Employment physical
Bradley Barton Passed Pre-Employment physical
Matthew Brady Passed Pre-Employment physical
Skye Brown Passed Pre-Employment physical
David Cohen Passed Pre-Employment physical
Daniel Deloria Passed Pre-Employment physical
Nicholas Droban Passed Pre-Employment physical
Lissette Gomez Passed Pre-Employment physical
Jason Hochstettler Passed Pre-Employment physical
Coleman S. Hunter Passed Pre-Employment physical
Bethany Linaman Passed Pre-Employment physical
Eric Lucero Passed Pre-Employment physical
Cytierrione Parker Passed Pre-Employment physical
Angel Ramirez Passed Pre-Employment physical
John Tellmann Passed Pre-Employment physical

PRE-EMPLOYMENT PHYSICAL REQUIREMENT
DOH: 10/19/06 PSPRS: 03/18/07 Class 06-4
Pedro Hernandez Passed Pre-Employment physical
Joseph Wall Passed Pre-Employment physical

G. EXPENDITURE STATEMENT IN THE AMOUNT OF \$200.00 FOR ANNUAL PHYSICAL for Leanne Charlton by Dr. Dennis Thrasher at Sunnyside Medcenter

H. RETAINER FEE OF \$400 PLUS COSTS-DAVID McEVOY, ATTORNEY

MOTIONS by Mr. Gurr, seconded by Mr. Mr. Garrison that Police Board Items A-H are adopted including the additions and appropriate action taken. Motion **CARRIED** by a roll call vote of 3-0. (Mr. Walkup and Ms. Patrick Absent/Excused).

3. FIRE CONSENT AGENDA: ITEMS A – C

A. MINUTES FOR APPROVAL – 04/10/07

B. PENSION PAYROLL – No Change

C. RETAINER FEE OF \$400 PLUS COSTS-DAVID McEVOY, ATTORNEY

This is a fire board item no action required by the Police Board.

**4. APPLICATION FOR DISABILITY RETIREMENT EXECUTIVE SESSION
Discussion or consideration of records exempt by law from public inspection A.R.S. 38-431.03[2] and discussion or consultation for legal advice with attorney staff
A.R.S. 38-431.03 (A [3 & 4])**

Police

Charles Blue

There was no executive session.

**5. APPLICATION FOR DISABILITY RETIREMENT
Direction regarding Executive Session**

Police

Charles Blue

Mr. Garrison asked Mr. Blue questions regarding how his injury occurred and how it effected his position as a police officer.

Mr. Blue responded and stated that he was currently working in a light duty position at the police department.

Mr. Gurr also asked Mr. Blue questions regarding his injury and its connection to his duty.

Mr. Blue responded.

Mr. McEvoy also asked Mr. Blue question.

MOTION by Mr. Garrison, seconded by Mr. Gurr that based on the medical evidence presented by Mr. Charles Blue regarding his injury and subsequent application for

permanent accidental disability that he schedules an appointment to see Dr. Thrasher, Board Physician for a physical evaluation. Motion **CARRIED** by a roll call vote of 3-0. (Mr. Walkup and Ms. Patrick Absent/Excused).

6. REHEARING ON APPLICATION FOR DISABILITY RETIREMENT
EXECUTIVE SESSION Discussion or consideration of records exempt by law from public inspection A.R.S. 38-431.03[2] and discussion or consultation for legal advice with attorney staff A.R.S. 38-431.03 (A [3 & 4])

Police – Attachments
Jack Wixon

There was no executive session.

7. REHEARING ON APPLICATION FOR DISABILITY RETIREMENT
Direction regarding Executive Session

Police
Jack Wixon

Ms. Martinez informed the Board members that the letter from Dr. Thrasher was not available and had notified Mr. Wixon and Mr. Stillwell (Mr. Wixon's Attorney) that this item would be continued, per the Board Attorney's direction. She also stated that Mr. Thomas Stillwell would not be able to attend the June Board meeting due to a prior commitment.

Discussion ensued regarding the date that the Board members were available.

It was **DETERMINED** without Objection that this Item would be **CONTINUED** to the **July 10, 2007** Board Meeting.

8. COMPLIANCE WITH RULE 16 – ANNUAL PHYSICAL
EXECUTIVE SESSION Discussion or consideration of records exempt by law from public inspection A.R.S. 38-431.03[2] and discussion or consultation for legal advice with attorney staff A.R.S. 38-431.03 (A [3 & 4])

Police – Attachments
Leanne Charlton
Dennis Kubik

There was no executive session

**9. COMPLIANCE WITH RULE 16 – ANNUAL PHYSICAL
Board Direction Regarding Executive Session**

Police
Leanne Charlton
Dennis Kubik

MOTION by Mr. Gurr, seconded by Mr. Garrison that Ms. Leanne Charlton and Mr. Kubik have complied with rule 16 and continue to be eligible for their permanent accidental disability pensions based on the letters from Dr. Thrasher (Ms. Charlton) and Dr. McMains (Mr. Kubik). Motion **CARRIED** by a roll call vote of 3-0. (Mr. Walkup and Ms. Patrick Absent/Excused).

**10. CONSIDERATION OF RULE 16 – ANNUAL PHYSICAL
EXECUTIVE SESSION Discussion or consideration of records exempt by law from public inspection A.R.S. 38-431.03[2] and discussion or consultation for legal advice with attorney staff A.R.S. 38-431.03 (A [3 & 4])**

Police - Attachment
James Monaco – Hire date: 02/05/90 Retired: 07/27/00 Last Phy: 06/16/06

There was no executive session

**11. CONSIDERATION OF RULE 16 – ANNUAL PHYSICAL
Board Direction Regarding Executive Session**

Police
James Monaco

MOTION by Mr. Gurr, seconded by Mr. Garrison that in keeping with Rule 17 and Board policy of only requiring physicals every two years that James Monaco will not be required to take his annual physical this year, but will be reviewed again next year. Motion **CARRIED** unanimously by a roll call vote of 3-0. (Mr. Walkup and Ms. Patrick Absent/Excused).

12. LEGISLATION

Police and Fire - Attachment

Ms. Martinez stated that the Governor signed House Bill 2215 Retirement Plans; Domestic Relations Order April 18. The Public Safety Personnel Retirement System Office in Phoenix has requested assistance in informing members who are retiring (or entering the DROP program) to provide a certified copy of the divorce decree or Domestic Relations Order (DRO) for any divorce they may have had or are going through. If the divorce decree states that the ex-spouse was awarded no retirement benefits, the certified copy of the divorce decree will be sufficient. However, if the ex-spouse was awarded a portion of the members retirement benefits, the member must obtain a certified copy of a PSPRS approved Domestic Relations Order. Phoenix will be adding this documentation to forms and checklists later this year. The PSPRS legal coordinator, Judy North, must review and approve all DRO's prior to the first pension payment. If the necessary documents have not been turned in, Phoenix can hold Pension benefits for up to 90 days.

The other issue was House Bill 2268 Cancer Insurance; Firefighters; Peace Officers Retroactive to June 30, 2007, the firefighter's cancer insurance policy program administered by the Public Safety Personnel Retirement System is expanded to include peace officers. Employers of Peace officers must participate in the program and pay the associated costs, up to \$180 annually for each employee. It is waiting for the Governor's signature.

13. ELECTION

Police - update

Ms. Martinez stated that the election is in progress, she is working with Ms. Maish to order all the supplies that are necessary and update the memorandums, and she said that the calendar of events would be mailed out to the members before the next board meeting.

Mr. Gurr asked when an individual could submit their name to be a candidate.

Ms. Martinez stated that candidates can submit their names beginning August 1, 2007 and the deadline will be August 29, 2007.

14. BOARD STAFF

Police & Fire - Attachment

Mr. Ladenburg stated that the Finance Director told him that he was communicating with Human Resources Director to move forward with the job survey of board staff and one other staff member in T.S.R.S.

Mr. Garrison asked when the expected completion date would be.

Mr. Ladenburg said in the next two months.

15. FUND INFORMATION

Police & Fire

This was a fund information item only, no fund information discussed.

16. ADJOURNMENT (9:45 a.m.)

MOTION by Mr. Garrison, seconded by Mr. Gurr to Adjourn. Motion **CARRIED** Unanimously.

The next regular meeting of the Tucson Police and Fire Public Safety Personnel Retirement System Boards is scheduled for **9:00 A.M.** on Tuesday, **June 12, 2007**, in the Finance Department Conference Room, 5th floor, City Hall, 255 W. Alameda, Tucson, AZ.

Elizabeth Martinez, Board Secretary

Joe Ladenburg, Co-Chair

VERBATIM TAPE RECORD ON FILE IN THE TUCSON POLICE AND FIRE PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM BOARDS' OFFICE LOCATED AT CITY HALL, FINANCE DEPARTMENT, 1ST FLOOR WEST, 255 W. ALAMEDA, TUCSON, ARIZONA - AVAILABLE UPON REQUEST.