

**PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM
MINUTES OF FIRE FIGHTER'S MEETING
FEBRUARY 12, 2008**

The regular meeting of the Tucson **Fire** Public Safety Personnel Retirement System Board was held on Tuesday, February 12, 2008, on the 5th Floor, Finance Conference Room, City of Tucson, City Hall, 255 W. Alameda, Tucson, Arizona. Co-Chair Marion Pickens called the meeting to order at 9:05 A.M.

1. ROLL CALL

Board Members:

Present:	Marion Pickens	Co-Chair
	Joe Ladenburg	Member
	Mike McKendrick	Member
	Roger Tamietti	Member
Absent/Excused:	Robert Walkup	Chair
Staff Present:	Elizabeth Martinez – Police and Fire Board Secretary	
	Dee Dee Roberts-Meech – Police and Fire Board Staff	
	David McEvoy - Police and Fire Board Attorney	
Also Present:	Mike Gurr – Police Board Member	
	J.D. Kragnes – Police Board Member	

2. POLICE CONSENT AGENDA: ITEMS A – G.

- A. MINUTES FOR APPROVAL – 12/11/07 AND 01/08/08
- B. PENSION PAYROLL – Addition of Normal Service Retirement for Lorraine Thompson out of DROP in the amount of \$ 2,970.20. Deletion of Childs benefit for Robert Oehmke due to him turning 23 on January 30, 2008.
- C. NORMAL SERVICE RETIREMENT
Lorraine Thompson – Last day worked 01/11/08 – Pension effective 02/01/08
- D. DEFERRED RETIREMENT OPTION PLAN
Mark Fuller – Election to participate in the DROP 01/31/08
Anthony Kadous – Election to participate in the DROP 01/31/08
- E. REDEMPTION OF PRIOR SERVICE

Timothy Milbourn – 2.502 years of prior service from Ball State University Police for \$51,817.00.

F. REQUEST FOR SEPARATION REFUND

Sam Thompson – From 08/17/07 – 11/19/07 in the amount of \$730.11

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

This is a Police board item no action required from the Fire board.

3. FIRE CONSENT AGENDA: ITEMS A – H*

A. MINUTES FOR APPROVAL – 12/11/07 AND 01/08/08

B. PENSION PAYROLL – Addition of Normal Service Retirement for David D. Hanneman out of DROP in the amount of \$ 6,598.18. Addition of Ordinary disability Retirement for Roscoe Ealey in the amount of \$1,875.36. Deletion of Survivors pension for Norma Putney in the amount of \$2,399.32, she passed away on January 21, 2008.

C. NORMAL SERVICE RETIREMENT

David D. Hanneman– Last day worked 1/30/08 – Pension effective 02/01/08

D. ORDINARY DISABILITY RETIREMENT

Roscoe Ealey – Last day worked 1/16/08 – Pension effective 02/01/08

E. DEFERRED RETIREMENT OPTION PLAN

Dan Holladay – Election to participate in the DROP 01/31/08

Dave Siwarski – Election to participate in the DROP 01/31/08

James Smith – Election to participate in the DROP 01/31/08

F. REDEMPTION OF PRIOR SERVICE

Michael Jones – 1.5 years of prior service from the Military for \$66,297.00.

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

H. EXPENDITURE STATEMENT IN THE AMOUNT OF \$250.00 FOR

PHYSICAL for Roscoe Ealey by Dr. Dennis Thrasher at Sunnyside Medcenter

MOTION by Mr. McKendrick, seconded by Mr. Tamietti that Fire Board Items A – H are adopted and the appropriate action taken. Motion **CARRIED** by a roll call vote of 4-0. (Mr. Walkup absent/excused)

4. APPLICATION FOR DISABILITY PENSION 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 (was approved for a temporary March 07)
Dennis Widener

There was no executive session.

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

Police
Dennis Widener

This is a Police board item no action required from the Fire board.

**6. CONSIDERATION OF RULE 17 – 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
Richard Douglas - DOR: 01/30/02 DOH: 05/28/95 Last Physical: 03/01/06
Kristina Thacker - DOR: 02/26/99 DOH: 11/14/93 Last Physical: 03/08/07

There is no executive session.

**7. CONSIDERATION OF RULE 17 – ANNUAL PHYSICAL
Board Direction Regarding Executive Session**

Police
Richard Douglas
Kristina Thacker

This is a Police board item no action required from the Fire board.

8. ELECTIONS

Police & Fire

The Board members reviewed a memo from Board staff requesting permission to hold a mail ballot election and spend the funds allocated for it.

MOTION by Mr. McKendrick, seconded by Mr. Tamietti to direct staff to hold a mail ballot election, and to allocate and expend the funds necessary to run the election. Motion **CARRIED** by a roll call vote of 4-0. (Mr. Walkup absent/excused)

9. LEGISLATION

Police & Fire

The Board members reviewed the 2008 legislation.

Ms. Martinez stated that each month she would update the Board Members on the current legislation.

Ms. Pickens asked if there were any concerns regarding the current legislation.

Mr. Ladenburg asked about House Bill 2058 and the timeline involved with the disability process.

Ms. Martinez explained the process of a disability application.

Mr. McEvoy stated that he had concerns with House Bill 2058; he interpreted this legislation to mean that, when a member files his paperwork in the board office, the local board has 60 days from that date to make a determination on his claim or else the claim is deemed approved. The problem is that, under our normal process, it takes approximately 60 days under the best circumstances for the local board to hear and decide whether to grant a member's application. Moreover, if a member is aware of this "deemed approved" law (assuming it passes the legislature and governor), the member on purpose can slow the process (for example, by not being readily available for a medical exam by the local board's doctor) to the point of getting to the "deemed approved" status. That will result in members being approved on applications that, under the law, should not be approved, thereby adversely affecting the PSPRS financial viability.

MOTION by Mr. McKendrick, seconded by Mr. Ladenburg that Board Staff send a letter to the fund manager voicing their concerns and requesting an explanation of the HB 2058 and that Mr. Tamietti will contact the union lobbyist. Motion **CARRIED** unanimously. (Mr. Walkup absent/excused)

**10. LOCAL BOARD SEMINAR
TUCSON CONVENTION CENTER
FRIDAY, MARCH 28, 2008**

Police & Fire

The Board reviewed the agenda for the local board seminar and Ms. Martinez stated that she would like permission to spend the funds and asked for those interested in attending to let her know so she can make reservations.

MOTION by Mr. McKendrick, seconded by Mr. Tamietti to appropriate the funds necessary for the individuals that choose to attend the seminar. Motion **CARRIED** by a roll call vote of 4-0. (Mr. Walkup absent/excused)

**11. RETIREMENT SEMINAR FOR POLICE AND FIRE
TPD SUBSTATION 1310 W. MIRACLE MILE
REQUEST FOR FUNDS**

Police & Fire

The Board Members reviewed the request for \$300.00 for refreshments from Dr. Mary-Wales North, Behavioral Science unit, Tucson police department, and the agenda for the upcoming seminar.

Ms. Pickens asked if both the Police officers and Fire fighters were invited.

Ms. Martinez stated that yes that both police and fire members were invited to attend.

MOTION by Mr. Tamietti, seconded by Mr. McKendrick to send the police department \$300.00 for refreshments at the Police and Fire Retirement Seminar. Motion **CARRIED** by a roll call vote of 4-0. (Mr. Walkup absent/excused)

12. FUND INFORMATION

Police & Fire

Medical Benefits

Ms. Martinez stated that Mr. Roscoe Ealey called the board office regarding his medical benefits; he was concerned about the statement in the paperwork that he had to sign in order to receive benefits, it states, "The benefits offered for retirees and dependents may change if these benefits revised in the future. It should not be construed as giving to any retiree or dependent any vested rights that cannot be modified by subsequent revision of benefits." She said that she spoke to Mr. Ladenburg regarding it.

Mr. Ladenburg stated it is in a standard form for employee benefits use, the verbiage was written by the city attorney's office years ago and means that if the city changes providers the retirees will also change provider.

Mr. Tamietti said that maybe the verbiage should be revised so a retiring employee would feel comfortable signing it.

Mr. Ladenburg stated that he would look into it.

13. ADJOURNMENT: 9:45 A.M.

MOTION by Mr. McKendrick, Seconded by Mr. Tamietti 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, March 11, 2008, in the Finance Department Conference Room, Fifth floor of City Hall, 255 W. Alameda, Tucson, AZ.

Elizabeth Martinez, Board Secretary

Marion Pickens, 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.