

**LEGAL ACTION REPORT
TUCSON POLICE AND FIRE
PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM BOARDS
MEETING OF TUESDAY, AUGUST 5, 2008
CITY OF TUCSON FINANCE DEPARTMENT CONFERENCE ROOM
FIFTH FLOOR OF CITY HALL 255 W. ALAMEDA, TUCSON, AZ
9:09 A.M.**

1. ROLL CALL

Police Board Members:

Robert Walkup	- Chair	
Marion Pickens	- Member	Absent/Excused
Joe Ladenburg	- Member	
Mike Gurr	- Member	
JD Kragnes	- Member	

Fire Board Members:

Robert Walkup	- Chair	
Marion Pickens	- Member	Absent/Excused
Joe Ladenburg	- Member	
Roger Tamietti	- Member	
Brian Delfs	- Member	Absent/Excused

2. POLICE CONSENT AGENDA: ITEMS A – H

A. MINUTES FOR APPROVAL – 07/08/08

B. PENSION PAYROLL – Addition of Permanent Accidental Disability Benefits for Kathryn Anderson in the amount of \$2,621.03. Addition of Permanent Accidental Disability Benefits for Lynn Sharp in the amount of \$3092.29. Addition of Permanent Accidental Disability Benefits for Peggy Redman in the amount of \$2,861.00. Deletion of Normal Retirement Benefit for Walter R. Scott in the amount of \$2,629.96 due to his death on July 12, 2008.

C. PERMANENT ACCIDENTAL DISABILITY RETIREMENT

Kathryn Anderson – Last day worked 07/25/08 – Pension effective 08/01/08

Lynn Sharp – Last day worked 07/18/08 – Pension effective 08/01/08
Peggy Redman – Last day worked 07/30/08 – Pension effective 08/01/08

D. DEFERRED RETIREMENT OPTION PLAN

Armando Abrams - Election to participate in the DROP 07/31/08

E. PRE-EMPLOYMENT PHYSICAL REQUIREMENT

DOH: 02/07/08

PSPRS: 06/06/08 Class 08-1

Marco Acevedo	Passed Pre-Employment physical
Ana Alcorn	Passed Pre-Employment physical
Manuel Altamirano	Passed Pre-Employment physical
Abram Arellano	Passed Pre-Employment physical
Nadia Burruel	Passed Pre-Employment physical
Michael Burson	Passed Pre-Employment physical
Robert Chaplin	Passed Pre-Employment physical
Alexandra Chavez	Passed Pre-Employment physical
James Davis	Passed Pre-Employment physical
Michael Dufresne	Passed Pre-Employment physical
Michael Evans	Passed Pre-Employment physical
Andre Gamulo	Passed Pre-Employment physical
Lynsey Gould	Passed Pre-Employment physical
Ryan Green	Passed Pre-Employment physical
Steven Hager	Passed Pre-Employment physical
Sarah Haught	Passed Pre-Employment physical
Kyle Hicks	Passed Pre-Employment physical
Donald Jones	Passed Pre-Employment physical
Jon Jones	Passed Pre-Employment physical
Andrew Knapp	Passed Pre-Employment physical
Christopher Leas	Passed Pre-Employment physical
Andrew Lincowski	Passed Pre-Employment physical
Daniel Lucas	Passed Pre-Employment physical
John Martinez	Passed Pre-Employment physical
Philip Moore	Passed Pre-Employment physical
Alberto Moreno	Passed Pre-Employment physical
Curtis Mouwdy	Passed Pre-Employment physical
Angelica Ojeda	Passed Pre-Employment physical
Matt Petersen	Passed Pre-Employment physical
Alex Quiroz	Passed Pre-Employment physical
Alex Samorano	Passed Pre-Employment physical
Allen Ulbricht	Passed Pre-Employment physical
Belinda Morales	Passed Pre-Employment physical

Jeff Williams Passed Pre-Employment physical
Deanne Zeis Passed Pre-Employment physical

F. REDEMPTION OF PRIOR SERVICE

Mark Napier – 0.334 years of prior service with the Marshalltown, Iowa Police in the amount of \$4,237.00.

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

PHYSICAL for Tanya Merrill by Dr. Dennis Thrasher at Sunnyside Medcenter.

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

MOTION by Mr. Kragnes seconded by Mr. Gurr that Police Board Items A – H is adopted as written and the appropriate action taken. Motion **CARRIED** by a roll call vote of 4-0. (Ms. Pickens absent/excused).

3. FIRE CONSENT AGENDA: ITEMS A – F

A. MINUTES FOR APPROVAL – 07/08/08

B. PENSION PAYROLL – No Change

C. REDEMPTION OF PRIOR SERVICE

Timothy Egan – 1.958 years of prior service with the military in The amount of \$50,117.00.

D. DEFERRED RETIREMENT OPTION PLAN

Marcus Wainwright - Election to participate in the DROP 07/31/08

E. PRE-EMPLOYMENT PHYSICAL REQUIREMENT

DOH: 02/17/08

PSPRS: 06/22/08 Class 08-1

Evan Barnard	Passed Pre-Employment physical
Wesley Bell	Passed Pre-Employment physical
Robert Black	Passed Pre-Employment physical
Patrick Burke	Passed Pre-Employment physical
Christopher Carter	Passed Pre-Employment physical
Chad Chop	Passed Pre-Employment physical
Christa Clayton	Passed Pre-Employment physical
Joseph Crandall	Passed Pre-Employment physical
Brent Culbertson	Passed Pre-Employment physical
Robert Felix	Passed Pre-Employment physical

Frank Flores	Passed Pre-Employment physical
Luis Flores	Passed Pre-Employment physical
Andrew Frame	Passed Pre-Employment physical
Todd Frederickson	Passed Pre-Employment physical
Joseph Fyffe	Passed Pre-Employment physical
Andrew Grimes	Passed Pre-Employment physical
Thomas Kehoe	Passed Pre-Employment physical
Andrew Knowlton	Passed Pre-Employment physical
Jacob Lindsey	Passed Pre-Employment physical
Travis Mague	Passed Pre-Employment physical
John Makovic	Passed Pre-Employment physical
Michael Martinez	Passed Pre-Employment physical
Sean McKenney	Passed Pre-Employment physical
Sean McLaughlin	Passed Pre-Employment physical
Christopher Mercer	Passed Pre-Employment physical
Jeffery Moat	Passed Pre-Employment physical
Jeff Nadler	Passed Pre-Employment physical
James Nissen	Passed Pre-Employment physical
Jason Patrick	Passed Pre-Employment physical
Nicholas Perez	Passed Pre-Employment physical
Jason Raymond	Passed Pre-Employment physical
Frank Sanchez	Passed Pre-Employment physical
Jeremiah Tabaj	Passed Pre-Employment physical
Matthew Trujillo	Passed Pre-Employment physical
Brian Wager	Passed Pre-Employment physical

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

MOTION by Mr. Tamietti, seconded by Mr. Ladenburg that Fire Board Items A – F is adopted as written and the appropriate action taken. Motion **CARRIED** by a roll call vote of 3-0. (Ms. Pickens and Mr. Delfs absent/excused).

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 – Attachments

Phase one - Medical Packet

John M. Cammarano - Permanent Accidental Disability Application

Phase two – Physician Letter

Charlotte Bilang – Permanent Accidental Disability Application

Gary DeSoto - Permanent Accidental Disability Application

Tanya Merrill – Permanent Accidental Disability Application

There was no executive session.

5. **APPLICATION FOR DISABILITY RETIREMENT**

Direction regarding Executive Session

Phase one

John M. Cammarano - Permanent Accidental Disability Application

Phase two

Charlotte Bilang

Gary DeSoto

Tanya Merrill

MOTION by Mr. Kragnes, seconded by Mr. Gurr that based on the medical evidence presented by Mr. Cammarano make an appointment with the Board Physician for a review to determine if he is eligible for a Permanent Accidental Disability retirement and with regard to phase two that based on the medical evidence provided and letters by Dr. Thrasher the Board approve the applications for permanent disability retirement for Ms. Charlotte Bilang, Mr. Gary De Soto, and Ms. Tanya Merrill to be effective upon separation from the Police Department. Motion **CARRIED** Unanimously. (Ms. Pickens absent/excused).

Mr. Gurr thanked Ms. Merrill and Mr. De Soto on behalf of the Board and Citizens of Tucson for their service to Tucson.

6. **COMPLIANCE WITH 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

Sean O'Brien

Jeffrey Thielen

There was no executive session.

**7. COMPLIANCE WITH RULE 17 – ANNUAL PHYSICAL Board Direction
Regarding Executive Session**

Police

Sean O'Brien

Jeffrey Thielen

MOTION by Mr. Kragnes, seconded by Mr. Gurr that Mr. Sean O'Brien and Mr. Jeffrey Thielen have complied with rule 17 and there is sufficient evidence that they continue to be eligible for a permanent accidental disability benefit based on the letters from Dr. Dennis Thrasher. Motion **CARRIED** unanimously. (Ms. Pickens absent/excused).

8. BOARD PHYSICIAN

Police & Fire - attachments

MOTION by Mr. Gurr, seconded by Mr. Kragnes to accept the new fee schedule from Dr. Thrasher's office until June 30, 2009. Motion **CARRIED** by a role call vote of 4-0. (Ms. Pickens absent/excused).

MOTION by Mr. Tamietti, seconded by Mr. Ladenburg to accept the new fee schedule from Dr. Thrasher's office until June 30, 2009. Motion **CARRIED** by a role call vote of 3-0. (Ms. Pickens and Mr. Delfs absent/excused).

9. LEGISLATION

Police & Fire - attachments

There was no action taken.

10. PSPRS BOARD OFFICE RELOCATION

Police & Fire

There was no action taken.

11. FUND INFORMATION

Police & Fire

There was no fund information.

12. ADJOURNMENT (9:23 a.m.)

The next regular meeting of the Tucson Police and Fire Public Safety Personnel Retirement System Boards is scheduled for **9:00 A.M.** on Monday, September 8, 2008 due to a conflict for some of the Board members, in the Finance Department Conference Room, Fifth floor of City Hall, 255 W. Alameda, Tucson, AZ.

MOTION by Mr. Kragnes, seconded by Mr. Gurr to adjourn. Motion **CARRIED** unanimously.

MOTION by Mr. Tamietti, seconded by Mr. Ladenburg to adjourn. Motion **CARRIED** unanimously.