

**LEGAL ACTION REPORT**

**TUCSON POLICE AND FIRE  
PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM BOARDS  
\*ANNUAL MEETING  
OF TUESDAY, NOVEMBER 14, 2006  
CITY OF TUCSON FINANCE DEPARTMENT CONFERENCE ROOM  
5TH FLOOR OF CITY HALL 255 W. ALAMEDA, TUCSON, AZ  
9:00 A. M.**

**1. ROLL CALL**

Police Board Members:

Robert Walkup - Absent- Chair  
Schuyler Lininger Co-Chair  
J. Scott Douthitt Member  
Mike Gurr Member  
Tom Garrison Member

Fire Board Members:

Robert Walkup - Absent- Chair  
Schuyler Lininger Co-Chair  
J. Scott Douthitt Member  
Mike McKendrick Member  
Roger Tamietti Member

Also present: David McEvoy – Board Attorney (Arrived at 9:15 a.m.)  
Elizabeth Martinez – Board Secretary  
Kathy Maish – Finance Department Head Secretary  
James Hartsuck – Police System Member (Left at 9:07 a.m.)

**2. POLICE CONSENT AGENDA: ITEMS A – I**

A. MINUTES FOR APPROVAL – 10/10/06

B. PENSION PAYROLL – Addition of Normal Service Retirement out of DROP in the amount of \$1,985.20 for James Bonnie; Addition of Normal Service Retirement for Charles Gall in the amount of \$4,020.26, Addition of Normal Service Retirement out of DROP in the amount of \$3,406.89 for John Gracie; Addition of Normal Service Retirement for Alison Holt in the amount of \$3,908.22; Addition of Normal Service Retirement out of DROP in the amount of \$3,809.41 for Roland Johnson; Addition of Normal Service Retirement for Jeffrey Rundquist in the amount of \$3,589.59. Deletion of Normal Service Retirement benefits for Robert Sinclair (\$2,591.05) due to his death on October 08, 2005 and addition of Survivors Benefit for Carolyn Sinclair in the amount of \$2,072.84. Deletion of Temporary Disability for Kelly Sheldon (\$1,920.09) and Addition of Permanent Accidental Disability for Kelly Sheldon in the amount of \$1,833.44

C. NORMAL SERVICE RETIREMENT

James Bonnie – Last day worked 10/30/06 – Pension effective 11/01/06  
Charles Gall – Last day worked 10/30/06 – Pension effective 11/01/06  
John Gracie – Last day worked 10/27/06 – Pension effective 11/01/06

**\*State Fire Marshall Report  
(For the purposes of the Firefighters Relief and Pension Fund)**

Alison Holt – Last day worked 10/28/06 – Pension effective 11/01/06  
Roland Johnson – Last day worked 10/27/06 – Pension effective 11/01/06  
Jeffrey Rundquist – Last day worked 10/13/06 – Pension effective 11/01/06

D. SURVIVOR'S PENSION

Carolyn Sinclair – Robert passed away 10/08/06

E. PERMANENT ACCIDENTAL DISABILITY RETIREMENT

Kelly Sheldon – Last day worked 11/29/05 – Pension effective 11/01/06

F. REDEMPTION OF PRIOR SERVICE

Armando Abrams – 3.00 years of prior military time in the amount of \$38,501.00

Charles Gall – 4.917 years of prior Borough of Baden PD service in the amount of \$76,004.00

Jose Galvan – 4.00 years of prior military time in the amount of \$81,815.00

Joseph Romero – 2.494 years of prior TPD service in the amount of \$47,964.00

Jeffrey Rundquist – 0.583 years of prior TSRS service in the amount of \$9,061.58

Jamie Turner - 3.00 years of prior military time in the amount of \$50,842.00

G. APPLICATION FOR A SEPARATION REFUND

Esteban Jacobo – Terminated 10/10/06 refund in the amount of \$809.13

H. EXPENDITURE STATEMENT – SUNNYSIDE MEDICENTER, P.C.

Annual Disability evaluation for Jeffrey Thielen (\$200.00).

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

**MOTION** by Mr. Garrison, seconded by Mr. Gurr that fire consent agenda Items A-I be adopted and appropriate action taken. Motion **CARRIED** by a roll call vote of 4-0. (Mr. Walkup absent/excused).

**3. FIRE CONSENT AGENDA: ITEMS A – D**

A. MINUTES FOR APPROVAL – 10/10/06

B. PENSION PAYROLL – Addition of Normal Service Retirement out of DROP in the amount of \$2,343.18 for Paul Adams. Addition of Normal Service Retirement out of DROP in the amount of \$3,218.80 for Phillip Gibson.

C. NORMAL SERVICE RETIREMENT

Paul Adams – Last day worked 10/30/06 – Pension effective 11/01/06

Phillip Gibson – Last day worked 10/30/06 – Pension effective 11/01/06

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

**MOTION** by Mr. McKendrick, seconded by Mr. Tamietti that fire consent agenda Items A-D be adopted and appropriate action taken. Motion **CARRIED** by a roll call vote of 4-0. (Mr. Walkup 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  
James Hartsuck

There was no executive session.

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

Police  
James Hartsuck

**MOTION** by Mr. Garrison, seconded by Mr. Gurr that based on the letter from Dr. Thrasher dated November 10, 2006, James Hartsuck’s application for Permanent Accidental Disability be approved. Motion **CARRIED** by a roll call vote of 4-0. (Mr. Walkup absent/excused).

6. **COMPLIANCE WITH ANNUAL PHYSICAL REQUIREMENT - RULE 17**  
**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  
Patrick Hannigan  
Stephen Hippel

There was no executive session.

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

Police  
Patrick Hannigan  
Stephen Hippel

This item was continued to the December 12, 2006 Board Meeting.

8. **COMPLIANCE WITH FINANCIAL AUDITS - RULE 18**

**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])**

Fire – Attachments

Marne Plaster - Received

Police – Attachments

Anthony Pappas - Received

Dennis Keys – Received/waiting for 1099R

Pleas Ransom – Received

There was no executive session.

**9. COMPLIANCE WITH FINANCIAL AUDITS - RULE 18  
Board Direction Regarding Executive Session**

Fire

Marne Plaster

**MOTION** by Mr. McKendrick, seconded by Mr. Tamietti that Ms. Plaster has complied with the 2006 audit for 2005 income, she has not gone over the financial limit and continues to be eligible for benefits. Motion **CARRIED** unanimously. (Mr. Walkup absent/excused).

Police

Anthony Pappas

Dennis Keys

Pleas Ransom

**MOTION** by Mr. Gurr, seconded by Mr. Garrison that Mr. Pappas has complied with the 2006 audit for 2005 income, he has not gone over the financial limit and continues to be eligible for benefits, and to continue Mr. Keys and Mr. Ransom to December 12, 2006 Board meeting. Motion **CARRIED** unanimously. (Mr. Walkup absent/excused).

**10. PROFORMA BUDGET 2006/07\*\***

Police & Fire - Attachments

The Board Members reviewed the Budget for fiscal year 2007/08.

\*\*Scriveners error should have been typed on the Agenda as Budget 2007/08.

**11. REPORT FOR STATE FIRE MARSHAL**

Fire – Attachments 6 Board Meeting)

**MOTION** by Mr. McKendrick, seconded by Mr. Tamietti to continue this item until the December 12, 2006 board meeting. Motion **CARRIED** unanimously. (Mr. Walkup absent/excused).

**12 FUND INFORMATIONAL ITEM**

Police and Fire

There was no fund information discussed

**13. ADJOURNMENT – 9:17 a.m.**

Fire

**MOTION** by Mr. McKendrick, seconded by Mr. Douthitt to adjourn. Motion **CARRIED** unanimously. (Mr. Walkup absent/excused).

Police

**MOTION** by Mr. Garrison, seconded by Mr. Douthitt to adjourn. Motion **CARRIED** unanimously. (Mr. Walkup absent/excused).

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, December 12, 2006, in the Finance Department Conference Room, 5th floor, City Hall, 255 W. Alameda, Tucson, AZ.