



**CITY OF MESA, ARIZONA  
ARIZONA PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM  
LOCAL PENSION BOARD MEETING – FIRE/POLICE  
August 25, 2015**

A meeting of the Public Safety Local Fire and Police Pension Boards of Mesa, Arizona, was held in Conference Room 170 W., 20 E. Main Street, 1<sup>st</sup> Floor, on August 25, 2015 at 3:30 p.m.

**MEMBERS PRESENT**

Bryan Raines, Chairman  
Chris Brady, City Manager  
Barbara Jones, Citizen Member  
Kurt Castaneda (Fire)  
Stephen Lentz (Police)  
Ryan A. Russell (Police)

**MEMBERS ABSENT**

Rick Jamie (Fire)

**STAFF PRESENT**

Dee Ann Mickelsen, City Clerk  
Vanessa Wisneski, Sr. Prgm. Asst.

**OTHERS PRESENT**

James Baxter (Applicant)  
Jackie Ganier  
Agnes Goodwine  
Jackie Hale  
Nitra Hawkins  
Miles Moore (Applicant)  
Alfred Smith  
Christy Trevino

Chairman Raines excused Boardmember Jaime from the meeting.

**1. Approval of the minutes of the Public Safety Local Fire and Police Pension Boards meeting of July 20, 2015.**

It was moved by Boardmember Jones, seconded by Boardmember Russell, that the minutes of the Public Safety Local Fire and Police Pension Boards meeting of July 20, 2015 be approved.

Chairman Raines declared the motion carried unanimously by those present.

**2. Discuss and consider Local Board Attorney options.**

Deputy City Attorney Alfred Smith informed the Board that no motions have been filed which would disqualify Mr. Niederdeppe from representing the Local Board at this time. He added that the decision of Mr. Niederdeppe remaining as the local board attorney is at the discretion of the Local Board.

Boardmember Brady explained that the pending litigation as it relates to the Local Board's legal representation does not create sufficient issues in precluding Mr. Niederdeppe from representing the Local Board in the future.

Boardmember Jones stated that Mr. Niederdeppe showed integrity by informing the Local Board of the pending litigation.

Chairman Raines requested that the City Attorney's Office advise the Local Board if issues arise as a result of the litigation.

The Local Board concurred that Mr. Niederdeppe should remain as the local board attorney.

### **FIRE PENSION BOARD**

3. Certification of full-time Firefighters pursuant to A.R.S. §§38-842.24(B), 38-842.27, 38-842.31 and 38-847(D)1.

Subsequent to a review of all medical reports, Local Boardmembers requested the record reflect that the applicants Vincent Ayer, Michael Ballard, Eric Berge, Casey Christensen, Johnathan Converse, Sean Couden, Ryan Johnson, Joseph Kennedy, George McVey, Paul Matthew, Jason Richards, Raymon Rodriguez, Jessica Sample, and Benjamin Wehunt have pre-existing medical conditions.

It was moved by Boardmember Castaneda, seconded by Boardmember Brady, that Firefighter applicants Vincent Ayer, Michael Ballard, Eric Berge, Casey Christensen, Johnathan Converse, Sean Couden, Ryan Johnson, Joseph Kennedy, George McVey, Paul Matthew, Jason Richards, Raymon Rodriguez, Jessica Sample, and Benjamin Wehunt be certified, subject to the pre-existing medical conditions as noted.

Chairman Raines declared the motion carried unanimously by those present.

4. Approve the election to terminate participation in the DROP program and apply for the Normal Retirement of Fire Engineer Jeffrey Cosby.

It was moved by Boardmember Castaneda, seconded by Boardmember Jones, that the election to terminate participation in the DROP program and apply for the Normal Retirement of Fire Engineer Jeffrey Cosby be approved.

Chairman Raines declared the motion carried unanimously by those present.

Without objection, the meeting of the Local Fire Pension Board adjourned at 3:40 p.m.

### **POLICE PENSION BOARD**

5. Approve the election to terminate participation in the DROP program and apply for the Normal Retirements of Police Sergeant Robert Nesbit and Police Officer John Woods.

It was moved by Boardmember Lentz, seconded by Boardmember Russell, that the election to terminate participation in the DROP program and apply for the Normal Retirements of Police Sergeant Robert Nesbit and Police Officer John Woods be approved.

Carried unanimously.

6. Discuss and consider rescission of previous Board approval on the DROP application of Police Officer Robert Reyes.

It was moved by Boardmember Russell, seconded by Boardmember Lentz, that previous Board approval on the DROP application of Police Officer Robert Reyes be rescinded.

Carried unanimously.

7. Discuss and consider the Accidental Disability Retirement application of Police Officer James Baxter.

Chairman Raines welcomed Police Officer James Baxter to the meeting. Chairman Raines advised Officer Baxter that the members of the Local Board have reviewed his application and medical records. Chairman Raines outlined the process that would be followed by the Board and encouraged the members to pose any questions they may have regarding Officer Baxter's pending Accidental Disability application.

Chairman Raines advised Officer Baxter that the Local Board has reviewed the independent medical evaluation of Dr. Michael Seivert, and noted that Dr. Seivert is in agreement with the findings of Officer Baxter's attending physician and that, in view of the absence of questions from the Board, he would entertain a motion relative to this case.

It was moved by Boardmember Lentz, seconded by Boardmember Russell, that the Accidental Disability application of Police Officer James Baxter be approved.

Carried unanimously.

Chairman Raines thanked Police Officer James Baxter for his service to the City.

8. Discuss and consider the Accidental Disability Retirement application of Police Officer Miles Moore.

Chairman Raines welcomed Police Officer Miles Moore. Chairman Raines advised Officer Moore that the members of the Local Board have reviewed his application and medical records. Chairman Raines outlined the process that would be followed by the Board and encouraged the members to pose any questions they may have regarding Officer Moore's pending Accidental Disability application.

Discussion ensued relative to Officer Moore's disabling injury and subsequent treatments.

Chairman Raines stated that in view of the absence of additional questions from the Board, he would entertain a motion relative to this case.

It was moved by Boardmember Lentz, seconded by Boardmember Russell, that pending disability applicant Police Officer Miles Moore be referred to a local board physician for an independent medical evaluation.

Carried unanimously.

9. Adjournment.

Without objection, the meeting of the Local Fire and Police Pension Boards adjourned at 3:49 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Public Safety Local Fire and Police Pension Boards meeting of Mesa, Arizona, held on the 25th day of August, 2015. I further certify that the meeting was duly called and held and that a quorum was present.