



**CITY OF MESA, ARIZONA
ARIZONA PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM
LOCAL PENSION BOARD MEETING – POLICE
JULY 17, 2012**

A meeting of the Public Safety Local Police Pension Board of Mesa, Arizona, was held in Conference Room 170 West, 20 E. Main, 1st Floor, on July 17, 2012 at 11:00 a.m.

MEMBERS PRESENT

Marty Whalen, Chairman
Chris Brady, City Manager
Stephen Lentz (Police)
Bryan Raines, Citizen Member
Floyd Smith (Police)

MEMBERS ABSENT

None

STAFF PRESENT

Linda Crocker, City Clerk
Vanessa Datson, Sr. Program Asst.
Jackie Hale, HR Specialist II
Dee Ann Mickelsen, Deputy City Clerk
Teri Overbey, HR Administrator

OTHERS PRESENT

James Boubelik (Applicant)
Michael Duke (Applicant)
Cindy Kelley
Lindsay Leavitt
Ryan Russell

(Items on the agenda were discussed out of order, but for the purposes of clarity will remain as listed on the agenda.)

POLICE PENSION BOARD

1. Certification of full-time Law Enforcement Officer pursuant to A.R.S. §§ 38-842.24, 38-842.27, 38-842.31 and 38-847(D)1.

Subsequent to a review of all medical reports, Local Boardmembers requested that the record reflect the following applicant has pre-existing medical conditions: Sandor Binkley.

It was moved by Boardmember Smith, seconded by Boardmember Lentz, that law enforcement officer applicant Sandor Binkley be certified, subject to the pre-existing medical conditions as noted.

Carried unanimously.

2. Discuss and consider public records request.

Discussion ensued relative to a recent public records request.

3. Discuss and consider the DROP applications of Police Officer Steven Johnson and Police Sergeant Warren Solomon.

It was moved by Boardmember Smith, seconded by Boardmember Lentz, that the DROP applications of Police Officer Steven Johnson and Police Sergeant Warren Solomon be approved.

Carried unanimously.

4. Approve the election to terminate participation in the DROP program and apply for Normal Retirement for Police Officer Todd Ruch.

It was moved by Boardmember Lentz, seconded by Boardmember Smith, that the election of Police Officer Todd Ruch to terminate participation in the DROP Program and apply for Normal Retirement be approved.

Carried unanimously.

5. Discuss and consider the Normal Retirement application of Police Officer Michelle Garcia.

It was moved by Boardmember Lentz, seconded by Boardmember Smith, that the Normal Retirement application of Police Officer Michelle Garcia be approved.

Carried unanimously.

(The Board recessed at 11:02 a.m. in order to convene an Executive Session and reconvened the Public Safety Local Police Pension Board meeting at 11:29 a.m.)

6. Discuss and consider the Accidental Disability Retirement application of Police Officer James Boubelik.

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

In response to questions posed by Boardmember Raines, Officer Boubelik outlined the nature and cause of his disabling injury.

Chairman Whalen stated that in view of the absence of further questions for the Board, he would entertain a motion relative to this case.

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

Carried unanimously.

7. Discuss and consider the Accidental Disability Retirement application of Police Sergeant Michael Duke.

Chairman Whalen welcomed Police Sergeant Michael Duke and his attorney, Lindsay Leavitt to the meeting. Chairman Whalen advised Sergeant Duke that the Local Board has reviewed the independent medical evaluation of Dr. Richard Rosengard and noted that Dr. Rosengard is in agreement with the findings of Sergeant Duke's attending physician.

Discussion ensued relative to Dr. Rosengard's Independent Medical Examination.

Chairman Whalen stated the opinion that Dr. Rosengard's report supports Sergeant Duke's application for an Accidental Disability Retirement 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 Brady, seconded by Boardmember Lentz, that the Accidental Disability Retirement application of Police Sergeant Michael Duke be approved, based on the fact that he has a mental condition which totally and permanently prevents him from performing a reasonable range of duties within his department, and which was incurred during the performance of his duties.

Carried unanimously.

8. Adjournment.

Without objection, the meeting of the Local Police Pension Board adjourned at 11:40 a.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Public Safety Local Police Pension Board meeting of Mesa, Arizona, held on the 17th day of July, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

LINDA CROCKER, CITY CLERK

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