



**CITY OF MESA, ARIZONA
ARIZONA PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM
LOCAL PENSION BOARD MEETING – FIRE/POLICE
AUGUST 21, 2008**

A meeting of the Public Safety Local Fire and Police Pension Boards of Mesa, Arizona, was held in Conference Room 870, 20 E. Main, 8th Floor, on August 21, 2008 at 11:00 a.m.

MEMBERS PRESENT

Marty Whalen, Chairman
Chris Brady, City Manager
Charlie Cluff (Fire)
Kevin Kazmaier (Police)
Kathy Pace (Citizen Member)
Ty Perkins (Fire)
Floyd Smith (Police)

MEMBERS ABSENT

None

STAFF PRESENT

Lisa Angiano, Sr HR Specialist
Dee Ann Mickelsen, Sr Program Asst
Christine Stutz, Assistant City Attorney

OTHERS PRESENT

Orlando Dean, Applicant (Police)
Audrey Glemba, Applicant (Police)
Royed Hollick, Applicant (Police)

1. Approval of the minutes of the Public Safety Local Fire and Police Pension Boards meeting of July 10, 2008.

It was moved by Boardmember Pace, seconded by Boardmember Smith, that the minutes of the Public Safety Local Fire and Police Pension Boards meeting of July 10, 2008 be approved.

Carried unanimously.

2. Discuss and consider adding "Items from citizens present" to future agendas.

Discussion ensued relative to placing items on the agenda for discussion. Boardmembers requested that individuals wishing to speak on items not on the agenda be directed to request that an item be placed on a future agenda or pre-schedule to speak by submitting a request to the City Clerk's office.

3. Discuss action to comply with recent legislation that requires Local Boards to retain independent legal counsel.

Discussion ensued relative to retaining outside independent legal counsel as required by new legislation (HB 2058). Assistant City Attorney Christine Stutz indicated that the City Attorney's office has contacted Mr. Michael Anthony and Mr. David Niederdeppe, Legal Counsel for the City of Scottsdale and the City of Phoenix Public Safety Boards respectively and that their curriculum vitae's were submitted for Local Board review.

It was moved by Boardmember Brady, seconded by Boardmember Pace that the Local Board retain David Niederdeppe as independent legal counsel for the next scheduled Local Board meeting, subject to his availability. If Mr. Niederdeppe is unavailable, then Michael Anthony or his associate, Hannah Auckland, will be retained.

Carried unanimously.

FIRE PENSION BOARD

4 Certification of full-time Firefighters.

Subsequent to a review of all medical reports, Local Boardmembers requested that the record reflect that the following applicants have pre-existing medical conditions: Joel Cleare, Emmanuel Martinez, Daniel Pouliot, and Kael Sorrells.

It was moved by Boardmember Cluff, seconded by Boardmember Perkins, that the following four (4) firefighter applicants, Joel Cleare, Emmanuel Martinez, Daniel Pouliot, and Kael Sorrells, be certified, subject to the pre-existing medical conditions as noted.

Carried unanimously.

5. Discuss and consider the DROP application of Fire Captain Michael Wolfe.

It was moved by Boardmember Perkins, seconded by Boardmember Cluff, that the DROP application of Fire Captain Michael Wolfe be approved.

Carried unanimously.

Without objection, the meeting of the Local Fire Pension Board adjourned at 11:20 a.m.

POLICE PENSION BOARD

6. Discuss and consider supplemental earned income information from ordinary disability retiree Matthew Lejcar.

Discussion ensued relative to the supplemental information provided by Matthew Lejcar, which indicates that the income on Mr. Lejcar's 2007 tax return was earned prior to his disability retirement date, and income earned by his wife.

It was moved by Boardmember Pace, seconded by Boardmember Brady that no action is necessary and that the Local Board accept the earned income information as submitted by Matthew Lejcar.

Carried unanimously.

7. Discuss and consider the election of IA Investigator Tim "TJ" Newberry to terminate his participation in the DROP program and apply for Normal Retirement.

It was moved by Boardmember Smith, seconded by Boardmember Kazmaier, that the election of IA Investigator Tim "TJ" Newberry to terminate his participation in the DROP Program and apply for Normal Retirement be approved.

Carried unanimously.

8. Discuss and consider the Normal Retirement application of Police Sergeant Michael Collins.

It was moved by Boardmember Smith, seconded by Boardmember Kazmaier, that the Normal Retirement application of Police Sergeant Michael Collins be approved.

Carried unanimously.

9. Consider termination of deceased member Sam Austin's normal pension benefit and approval of the Survivor's Benefit application of Bea Austin, spouse of deceased member.

It was moved by Boardmember Kazmaier, seconded by Boardmember Pace, that the normal pension benefit of deceased member Sam Austin be terminated and that the Survivor's Benefit application of Bea Austin, spouse of deceased member Sam Austin, be approved.

Carried unanimously.

10. Consider termination of deceased member Oral Moore's normal pension benefit and approval of the Survivor's Benefit application of Ora Moore, spouse of deceased member.

It was moved by Boardmember Kazmaier, seconded by Boardmember Smith, that the normal pension benefit of deceased member Oral Moore be terminated and that the Survivor's Benefit application of Ora Moore, spouse of deceased member Oral Moore, be approved.

Carried unanimously.

11. Consider termination of deceased member Joseph Quigley's normal pension benefit and approval of the Survivor's Benefit application of Elaine Quigley, spouse of deceased member.

It was moved by Boardmember Smith, seconded by Boardmember Pace, that the normal pension benefit of deceased member Joseph Quigley be terminated and that the Survivor's Benefit application of Elaine Quigley, spouse of deceased member Joseph Quigley, be approved.

Carried unanimously.

12. Discuss and consider the Accidental Disability Retirement application of Police Sergeant Orlando Dean.

Assistant City Attorney Christine Stutz declared a conflict of interest and refrained from advisement/discussion/participation on this agenda item.

Chairman Whalen welcomed Police Sergeant Orlando Dean to the meeting. Chairman Whalen advised Sergeant Dean 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 Sergeant Dean's pending Accidental Disability application.

Chairman Whalen stated 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 Smith, seconded by Boardmember Kazmaier, that pending disability applicant Police Sergeant Orlando Dean be referred to Local Board physician Dr. Richard Rosengard for an independent medical evaluation.

Carried unanimously.

13. Discuss and consider the Accidental Disability Retirement application of Police Sergeant Audrey Glemba. (The Applicant has requested to continue this case to the October 16, 2008 Local Board meeting.)

Boardmember Smith declared a potential conflict of interest and refrained from discussion/participation on this agenda item.

Chairman Whalen welcomed Police Sergeant Audrey Glemba to the meeting and encouraged the members to pose any questions they may have regarding Sergeant Glemba's pending Accidental Disability application.

In response to questions posed by Chairman Whalen, Sergeant Glemba indicated that the request for a further continuance is to provide time for additional treatment and testing that her attending physician has recommended. A continuance to the October 16th Local Board meeting would allow sufficient time to complete the recommended treatments and submit the additional information to Local Board physician Dr. Joseph Gimbel for review.

It was moved by Boardmember Pace, seconded by Boardmember Kazmaier, that the case of pending disability applicant Police Sergeant Audrey Glemba be continued to the October 16, 2008 Local Board meeting as requested by the applicant.

Carried unanimously.

14. Discuss and consider the Accidental Disability Retirement application of Police Officer Royed Hollick.

Chairman Whalen welcomed Police Officer Royed Hollick to the meeting. Chairman Whalen advised Officer Hollick that the Local Board has reviewed the independent medical evaluation of Dr. Joseph Gimbel and noted that Dr. Gimbel is in agreement with the findings of Officer Hollick's attending physician.

In response to questions posed by Boardmember Brady, Officer Hollick indicated that in the past he has been able to work around his injuries and after each injury his attending physician has left it up to him whether he would return to work and, until now, he has always chosen to return to full duty. Officer Hollick indicated that he feels he can no longer work around the injuries and continue to ensure the safety of himself and others and that he has spoken to fellow officers regarding his intent to seek a disability retirement.

Officer Hollick responded to questions from the Board relative to his retirement (timing issues, etc.) and Boardmember Brady thanked him for his input. Boardmember Brady stressed the

importance of ensuring the on-going integrity of the disability retirement process while maintaining the morale of Police personnel.

It was moved by Boardmember Smith, seconded by Boardmember Kazmaier, that the Accidental Disability Retirement application of Police Officer Royed Hollick be approved, based on the fact that Mr. Hollick has a physical condition which totally and permanently prevents him from performing a reasonable range of duties within his job classification of Police Officer and which was incurred during the performance of his duties.

Carried unanimously.

15. Adjournment.

Without objection, the meeting of the Local Police Pension Board adjourned at 11:50 a.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 21st day of August 2008. 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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