



**CITY OF MESA, ARIZONA
ARIZONA PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM
LOCAL PENSION BOARD MEETING – FIRE/POLICE
July 20, 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, 1st Floor, on July 20, 2015 at 10:02 a.m.

MEMBERS PRESENT

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

MEMBERS ABSENT

Stephen Lentz (Police)

STAFF PRESENT

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

OTHERS PRESENT

James Baxter (Applicant)
Jackie Ganier
Nitra Hawkins
David Niederdeppe
Teri Overbey
Jason Reed
Nikki Sullivan (Applicant)

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

Chairman Raines excused Boardmember Lentz from the meeting.

1. Hear a presentation regarding the status of the Local Board Attorney.

Local Board Attorney David Niederdeppe informed the Board that his law firm has chosen to represent a client in litigation against the City of Mesa. He indicated that although he did not agree with the decision, the matter had been reviewed by outside Counsel who determined that the representation would not be a violation of the rules of conduct that govern attorneys. He noted that he understood that this circumstance, even if in accord with ethical rules, would cause discomfort to Board Members.

2. Discuss and consider Local Board Attorney options.

Assistant City Attorney Jason Reed informed the Board that independent legal counsel is reviewing the pending litigation to determine the City's view of the propriety of Mr. Niederdeppe remaining as the local board attorney.

Assistant City Attorney Jackie Ganier provided a list of alternate legal counsel for the Board to consider if it is determined that new counsel is needed.

The Local Board concurred that Mr. Niederdeppe should remain as the local board attorney pending results of the review, at which time a final determination can be made.

3. Approval of the minutes of the Public Safety Local Fire and Police Pension Boards meeting of June 24, 2015.

It was moved by Boardmember Jones, seconded by Boardmember Castaneda, that the minutes of the Public Safety Local Fire and Police Pension Boards meeting of June 24, 2015 be approved.

Chairman Raines declared the motion carried unanimously by those present.

FIRE PENSION BOARD

(The Board recessed at 10:15 a.m. in order to convene an Executive Session and reconvened the Public Safety Local Fire Pension Board meeting at 10:45 a.m.)

4. Discuss and consider the Accidental Disability Retirement application of Firefighter Nikki Sullivan.

Chairman Raines welcomed Firefighter Nikki Sullivan. Chairman Raines advised Ms. Sullivan that the members of the Local Board have reviewed her 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 Ms. Sullivan's pending Accidental Disability application.

Discussion ensued relative to Ms. Sullivan's disabling condition, its potential causes, 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 Jaime, seconded by Boardmember Castaneda, that pending disability applicant, Firefighter Nikki Sullivan, be referred to a local board physician for an independent medical evaluation following verification by the Local Board Secretary that the local board physician feels capable of conducting the examination and completing the report as requested.

Chairman Raines declared the motion carried unanimously by those present.

POLICE PENSION BOARD

5. Discuss and consider the DROP applications of Police Officers Scott Breseman and Ralph Deven Elmer.

It was moved by Boardmember Russell, seconded by Boardmember Brady, that the DROP applications of Police Officers Scott Breseman and Ralph Deven Elmer be approved.

Chairman Raines declared the motion carried unanimously by those present.

6. Discuss and consider the Normal Retirement application of Police Officer Rudy Monarrez.

It was moved by Boardmember Russell, seconded by Boardmember Jones, that the Normal Retirement application of Police Officer Rudy Monarrez be approved.

Chairman Raines declared the motion carried unanimously by those present.

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

Chairman Raines welcomed Police Officer James Baxter. 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.

Discussion ensued relative to Officer Baxter'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 Russell, seconded by Boardmember Jones, that pending disability applicant, Police Officer James Baxter, be referred to a local board physician for an independent medical evaluation.

Chairman Raines declared the motion carried unanimously by those present.

Without objection, the meeting of the Local Police Pension Board adjourned at 10:15 a.m.

8. Adjournment.

Without objection, the meeting of the Local Fire Pension Board adjourned at 11:00 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 20th day of July, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

VW

DEE ANN MICKELSEN, CITY CLERK