



NORTHWEST FIRE/RESCUE DISTRICT

SERVING RESIDENTS OF THE NORTHWEST FIRE DISTRICT, THE FLOWING WELLS
COMMUNITY AND THE TOWN OF MARANA

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MINUTES OF THE NORTHWEST FIRE DISTRICT REGULAR GOVERNING BOARD MEETING May 24, 2011

Call to Order/Roll Call/Affirmation of Quorum

Chairman Carter called the meeting to order at 6:00 p.m. The meeting was held in the Northwest Fire District Training Facility Conference Room, 8165 N. Wade Road, Marana, Arizona.

Present: George Carter, Chairman
Bruce A. Kaplan, Clerk
Anka Mischel
Bill Daniell

Absent: Richard Nassi, Vice Chairman (excused)

It was determined a quorum existed with four of five members present at 6:00 p.m.

Salute to the Flag of the United States of America

The Pledge of Allegiance was led by George Carter.

Presentation of Service Awards

Chief Piechura presented an award to Tim Agan in recognition of 25 years of service with Northwest Fire District.

Public Forum

Kyle Canty, President of Local Union 3572, reported that the Union will begin their "Fill the Boot Campaign" this coming weekend; all proceeds will be donated to the MDA. Last year's donations were slightly over \$13,000; a report will be given at a future meeting.

Assistant Chief Pesqueira and Elsa Pesqueira provided copies of a DVD to the Board members, Thomas Benavidez, Chief Piechura and DC McCoy (for the Training Division) pertaining to the Pioneer Hotel Fire Documentary (Hot Pion) incident that occurred about 40 years ago.



The documentary was produced by Mr. and Mrs. Pesqueira, and two hundred DVDs were ordered; many were distributed to various entities throughout Tucson, Phoenix and Flagstaff.

AC Pesqueira spoke about the "Pay It Forward" program within the Community Assistance Program (CAP) and explained:

- The program provides credit cards to families who have experienced emergency incidents.
- Each card is in the amount of \$25.
- The cards can be used at various department and grocery stores.
- He presented a \$250 check to CAP Director Cynthia Dowdall from the proceeds received from the sale of the DVDs to be applied to the "Pay It Forward" program.
- All funds are received from donations; no District funds are utilized.

Ms. Dowdall thanked Chief Piechura and AC Pesqueira for implementing the program and keeping it in place and commented about stranded families who have been able to receive needed essential items, such as, food and clothing because of the program.

CONSENT AGENDA

Approval of Minutes of the April 12, 2011, Special Governing Board Meeting, the Minutes of the Executive Session of April 12, 2011, and the Minutes of the April 26, 2011, Regular Governing Board Meeting

Adoption of Resolution No. 2011-016 Rescinding Resolution No. 2011-014 (Submittal of a Grant Application) and Authorizing Submittal of a Grant Application to Receive Funds from the Governor's Office of Highway Safety (GOHS) for the 2012 Federal Fiscal Year Grant in the Amount of \$16,249 for the Installation of Retro Reflective Striping on 24 Emergency Response Vehicles Owned and Operated by the Northwest Fire District; Resolution No. 2011-014 is Being Rescinded Due to a Change in the Grant Amount from \$14,400 to \$16,249

Award of Invitation for Bid No. 1102 to FirstWatch Solutions, Inc., for the Purchase of Fire Department Performance Monitoring Software and Approval of Contract to Commence Work on Design, Planning and Installation of Fire Department Monitoring Software

Approval to Change the following District Policies: Section 4.21, Separation of Employment; Section 9.20, Paid Time Off; and Section 20.2, On Call Pay, Due to the April 25, 2011, Governing Board Meeting Approval of the Meet and Confer Items, to be Effective July 1, 2011

Notification of Decision made by the Pima County Board of Supervisors to not Validate the Petitions Submitted for the Proposed Rillito Annexation

Approval of a Second Amendment to the Declaration of Establishment of Covenants, Conditions, Easements and Restrictions to the Ina Road Model Home Center Clarifying Section 7.4, Rights of Mortgagees

George Carter made the following motion, seconded by Bill Daniell and approved unanimously with four ayes:

Move to approve items A through F on the May 24, 2011, Consent Agenda as presented.

REPORTS AND CORRESPONDENCE

Fire Chief's Report – This is a summary of the activities of the Fire Chief and Administrative Staff concerning each of the District's Divisions including: Fire Suppression, Emergency Medical Services, Administrative Services, Finance, Human Resources, Special Projects, Logistics, Life Safety Services and Wild Land Fire Fighting; the report might also include Administrative Activities in Annexations, Intergovernmental Relations, Community Assistance Programs, Fleet and Equipment, Labor and Management Relations, District Revenues and Expenditures, Strategic Planning, Information Technology, Status of Construction Projects, Status of Facilities, Public Outreach and Training

The reports were included in the packet; there was no discussion.

Finance Director's Reports – This report is a summary of the District's Financial Status including: Monthly Board Financial Report, Monthly Disbursements Report, Revenue and Expenditure Reports, Real Estate Tax Revenue Spreadsheets, Lease-Purchase Escrow Account Status, Arizona State Land Billing and Payment Reports. The Board will be asked to approve the District's Monthly Disbursements Report

The monthly financial reports were provided in the packet. Dave Gephart reported that this month's tax collections were received at the 2007 levels; he did not feel this was a financial issue. Positive fund balances are still being maintained in each fund.

George Carter made the following motion, seconded by Bruce A. Kaplan and approved unanimously with four ayes:

Move to approve the District's monthly disbursements report as presented.

BUSINESS

Discussion, Presentation and Possible Action to Approve a Change Order with Sundt Construction for Addition of a Building for Classrooms at the New Central Services Campus Utilizing Series C Bond Funds

Division Chief Emans remarked that this item was presented at the February meeting and is a continuation of Phase II of the Central Services Campus (CSC) that will be completed by utilizing remaining bond funds. The scope of the project is within budget and came in slightly under \$2 million which is less than the Board requested. He gave a presentation regarding some of the following designs and other related details:

- The building will be 10,700 square feet.
- One traditional classroom will remain
- There are two classrooms separated by a curtain wall divider.
- An outdoor space has been created to allow classroom overflow.
- A memorial/historical site is planned.
- Courtyard overflow will be for special events and other functions.
- All training staff offices will be located within the building.
- There will be separate break rooms for classes and staff meetings.
- Conference room space will be available.
- Estimated completion date is anticipated on December 14, 2011.
- The design plan is in line with the original documents.

There was discussion that Phase I of the project scope originally included construction of Fire Station No. 40. It was decided to forgo this construction and use the remaining unspent bond funds for the CSC project because costs to construct a new station were much higher than anticipated. Slow development growth in the area was another factor in determining there was not a need to build the station at this time; construction for a new administration building has also been halted because of cost increases.

In response to Mr. Kaplan's concerns about the District's liability to use bond funds on a project other than what the funds were first intended, Mr. Gephart clarified this was part of the original plan and was not an additional project that was added on; he did not feel this violated what was proposed to the public in 2004.

Mr. Kaplan asked Mr. Benavidez if there was a possibility of a conflict using bond funds, and he remarked that because he was not the District's Bond Counsel and did not have malpractice insurance regarding this area, he was not able to give an opinion. He offered to contact the District's Bond Counsel, Gust Rosenfeld, if the Board directed him to do so; no direction was given.

George Carter made the following motion, seconded by Bill Daniell and approved unanimously with four ayes:

Move to approve Change Order Request 121086-054 in the amount of \$1,974,256.00 for the Central Services Campus Project for the addition of Phase II training classrooms and Training Staff offices utilizing Series C Bonds.

Following the above motion, George Carter requested that the Public Forum be reopened to permit another speaker; there were no objections.

Public Forum

Douglas Howard, homeowner in one of the proposed annexation areas, expressed concerns about not having fire protection on his property after June 30 because his current fire service company will be discontinuing this service in his area. Mr. Howard signed the petition in favor of an annexation and requested the Board consider annexing his property that is contiguous to the District's boundaries; he noted this would not create an island. Mr. Carter explained that the Board could not discuss the matter at this time and invited Mr. Howard to address this issue at the next meeting so it could be discussed.

Adoption of Resolution No. 2011-017 Approving the Intergovernmental Agreement for Dispatch Services with the City of Tucson from July 1, 2011 to June 30, 2013

Jim Long explained that because this is a new contract with the City instead of a renewal, dispatch costs were reconfigured, and a 30% reduction is anticipated for 2011. He reported that NWDF's costs will be about 51% to 52% of the total amount which is based on usage of the system. He noted that costs for each fire district within the consortium are based on their individual usage.

George Carter made the following motion, seconded by Bill Daniell and approved unanimously with four ayes:

Move to adopt Resolution 2011-017 approving the Intergovernmental Agreement for Dispatch Services with the City of Tucson from July 1, 2011 to June 30, 2013.

Adoption of Resolution No. 2011-018 Approving Amendment No. 3 to the Intergovernmental Agreement for Dispatch Services with Avra Valley Fire District

Jim Long remarked that in addition to the dispatch fee, AVFD will pay an IT fee to NWFD to maintain the radio network and the internet between the two entities that will enable the station alerting systems to work; a one-time fee for the Intergraph CAD system will also be paid. A memo was provided in the packet showing the amounts and breakdowns of these payments.

George Carter made the following motion, seconded by Bill Daniell and approved unanimously with four ayes:

Move to adopt Resolution 2011-018 approving Amendment No. 3 to the Intergovernmental Agreement with Avra Valley Fire District for Dispatch services.

During discussion of the motion, Thomas Benavidez reported that the attorney for AVFD became ill some months ago, and his firm was approached to give representation as general counsel only on various matters unrelated to dispatch. He emphasized that his firm did not work with AVFD on dispatching services and did not negotiate any of the terms; only the form of the amendment was drafted by Mr. Benavidez.

Adoption of Resolution No. 2011-019 Approving Amendment No. 3 to the Intergovernmental Agreement for Dispatch Services with Golder Ranch Fire District

Jim Long reported that GRFD utilizes about 33% of the call volume; their monthly payments were provided in the memo that consists of fees for dispatch services, NWFD's IT services, and a one-time fee for Intergraph Software.

Mr. Benavidez remarked that GRFD and AVFD have the same attorney and because the attorney became ill, his firm assisted GRFD for a few months as general counsel on various matters unrelated to dispatch. He emphasized that his firm did not work with GRFD on dispatching services and did not negotiate any of the terms; only the form of the amendment was drafted by Mr. Benavidez.

George Carter made the following motion, seconded by Bruce A. Kaplan and approved unanimously with four ayes:

Move to adopt Resolution 2011-019 approving Amendment No. 3 to the Intergovernmental Agreement with Golder Ranch Fire District for Dispatch services.

Adoption of Resolution No. 2011-020 Approving Amendment No. 3 to the Intergovernmental Agreement for Dispatch Services with Picture Rocks Fire District

Jim Long explained that PRFD's usage is about 4.68%; their monthly payments were provided in the memo that consists of fees for dispatch services, NWFD's IT services, and a one-time fee for Intergraph Software.

George Carter made the following motion, seconded by Bill Daniell and approved unanimously with four ayes:

Move to adopt Resolution 2011-020 approving Amendment No. 3 to the Intergovernmental Agreement with Picture Rocks Fire District for Dispatch services.

Adoption of Resolution No. 2011-021 Approving Amendment No. 3 to the Intergovernmental Agreement for Dispatch Services with Three Points Fire District

Jim Long explained that TPFDD's usage is comparable to PRFD's usage. TPFDD's payments were provided in the memo that consists of fees for dispatch services, NWFD's IT services, and the one-time fee for Intergraph Software.

George Carter made the following motion, seconded by Bill Daniell and approved unanimously with four ayes:

Move to adopt Resolution 2011-021 approving Amendment No. 3 to the Intergovernmental Agreement with Three Points Fire District for Dispatch services.

Review, Discussion and Possible Action on Providing Staff Direction for Determining the Costs, Services, Staffing and Management in the Event the Board Wishes to Offer a Separation Incentive Program and a Voluntary Reduction in Workforce Program in Fiscal Year 2011-2012 for Qualified Employees

A copy of a survey that was sent to all employees inquiring if there was interest in offering another Separation Incentive Program (SIP) was provided in the Board packet. The survey results were:

- 55 employees responded to the survey.
- 8 responded affirmatively.
- 27 were possibly interested.
- 6 employees from Operations were interested, and 23 said "maybe".

Chief Piechura felt there would not be budget capacity next fiscal year to replace vacated positions and did not feel it was fiscally responsible to offer a SIP this year.

In response to Bill Daniell asking if incentives would be offered with a voluntary separation, Chief Piechura stated the same incentives that were offered in last year's SIP would be offered. He commented that a SIP does not have to be offered by July 1 and has to be offered to all eligible employees. Through discussion, some of the Board

members commented they were not in favor of offering a SIP at this time nor were they in favor of any reductions in personnel.

Anka Mischel requested an analysis be performed showing results of any positions that could be eliminated or consolidated in order to give employees an opportunity if they were interested. There was discussion that a voluntary Reduction in Workforce (RIF) could be developed and an analysis completed to show the costs involved and affected positions.

George Carter made the following motion, seconded by Anka Mischel and approved unanimously with four ayes:

Move to direct staff to develop a voluntary reduction in workforce based on a detailed analysis of the fire district's programs, services and personnel needs.

Review, Discussion with the Fire Chief, and Possible Action regarding Amendments, if any, to the Fire Chief's Job Description and Completion of the Fire Chief's Annual Performance Appraisal for the Period of July 1, 2010 through June 30, 2011, Based on the Schedule Presented by Staff; Possible Discussion and Action regarding the Process for Evaluating the Fire Chief

Provided in the packet were copies of: (1) Fire Chief's Job Description (2) the Performance Appraisal used in the past and (3) an updated Performance Appraisal form. The Board members were given the updated appraisal form on a CD that can be filled in using a computer. Patricia Aguilar discussed the following:

- The old form uses an evaluation on a numbered scale from 1 to 5.
- The new form is represented by:
 - "U" for Unsatisfactory
 - "M" for Meets Standards
 - "E" for Exceeds Standards
- Guidelines have been added to assist in the types of comments the Board might want to provide.
- Five areas have been added for basing the evaluation.
- The completed evaluation is due to Ms. Aguilar no later than June 6.

There was discussion that an updated organizational chart was on the website that identifies the various departments supervised by the Fire Chief. In response to Mr. Kaplan asking if the job description covered what was needed, Chief Piechura felt it was a good description and met the needs of the organization. He remarked that it could always be enhanced and adjusted and could be compared with other job descriptions throughout the nation.

George Carter made the following motion, seconded by Anka Mischel and approved unanimously with four ayes:

Move to approve the Fire Chief's job description as presented by staff.

Discussion and Possible Action to Approve the State of Arizona Department of Homeland Security, Urban Area Security Initiative Grant for the Purchase of Mobile Communication Equipment

Jim Long explained that the grant application was submitted about two months ago. \$129,000 was requested, and we received \$74,000. He felt this amount was sufficient to cover first response vehicles for data modems that will enable NWFD to connect to the City's new CAD system. No matching funds are required, and no funds will be taken out of the general or capital funds.

George Carter made the following motion, seconded by Bill Daniell and approved unanimously with four ayes:

Move to approve the Federal Fiscal Year 2009 Homeland Security Grant Program, Mobile Communication Equipment project, Grant Agreement Number 555901-03 in the amount of \$74,000.

Discussion and Possible Action to Authorize Staff to begin an Invitation for Bid No. 1103 Process for the Purchase of Mobile Data in-Vehicle Modem Systems

Jim Long clarified that the grant previously discussed was a regional grant for the consortium and not specific to only NWFD. An Invitation for Bid was requested to purchase the mobile data in-vehicle modem system that will support the new City's CAD system. He noted that the grant funds need to be spent by July 31. This item will be brought back to the Board at a later meeting with bid results.

George Carter made the following motion, seconded by Bruce A. Kaplan and approved unanimously with four ayes:

Move to authorize staff to begin an Invitation for Bid No. 1103 process for the purchase of Mobile Data in-Vehicle Modem Systems.

Discussion and Possible Action to Approve Amendment No. 3 to the State Forester's Cooperative Fire Rate Agreement by Increasing the Ironwood Hotshots Fire Assignment Pay Rate from \$38.00 per Hour to \$39.50 per Hour

Greg Smith, Superintendent of the Ironwood Hotshots, presented this item and requested its approval; there was no discussion.

George Carter made the following motion, seconded by Anka Mischel and approved unanimously with four ayes:

Move to approve the amendment to the State of Arizona Cooperative Agreement by increasing the Ironwood Hotshots fire assignment pay rate from \$38.00 an hour to \$39.50 an hour.

Overview, Discussion and Possible Action on Tentative 2011-2012 Baseline Package and Secondary Assessed Values for Tax Year 2011-2012 Abstract from the Pima County Assessor's Office; Possible General Fund and Capital Fund Additions to the Draft Baseline Budget; Any and All District Revenues and Expenses May Be Discussed and Acted Upon; the 2011-2012 Budget Process May also be Discussed; the Draft Budget's Potential Impact on the District's Tax Rate May also be Discussed; Advantages and Disadvantages of Any Budget Options Will also be Discussed; Proposed Timing of Capital Expenses May also be Discussed

Prior to discussion of this item, Anka Mischel recused herself from the meeting at 7:10 p.m. because she would have a conflict discussing any compensation issues due to her husband working for NWFd. A quorum of three Board members was maintained through the remainder of the meeting; Ms. Mischel did not return to the dais at the conclusion of this item.

Dave Gephart remarked that this was another opportunity to review the tentative budget that was approved at the last meeting. He referenced page 11 of the form provided in the packet that is anticipated to be proposed for adoption at the June 28 Board meeting. In response to Mr. Carter asking about the contingency fund, Mr. Gephart stated it will be about \$6.2 million. He discussed the following items:

- The target level is about \$5.4 million.
- Operating revenues for the general fund would be about \$27 million.
- \$32 million is in the total resources, less \$5 million cash on hand.

Mr. Gephart explained that part of the reason for increasing the contingency fund was because he believed there could be a deficit at the end of this fiscal year, and the increase would protect the District from a deficit next fiscal year.

In response to Mr. Daniell asking how the monies for deferring vehicle purchases was allocated, Mr. Gephart explained that it was equally divided between the general fund and the capital fund. Mr. Kaplan remarked that he would like to have more funds in the contingency fund rather than funds being spread out throughout the budget because it would allow for more flexibility for unexpected expenditures. General discussion pursued; this item will be presented at the next meeting.

FUTURE AGENDA ITEMS

Future Agenda Items [A Governing Board Member may bring forth general topics for a future meeting agenda. The Governing Board may not discuss, deliberate or take any action on the topics presented, pursuant to A.R.S. § 38-431.02 (H).]

1. Discussion, update and possible action regarding the annexation process
2. Discussion and possible action regarding the Fire Chief's contract and annual performance appraisal
3. Discussion, update and possible action regarding development of a voluntary reduction in the workforce

ADJOURNMENT

George Carter made the following motion, seconded by Bill Daniell and approved unanimously with three ayes; Anka Mischel was recused and left the meeting at 7:10 p.m.:

Move to adjourn the meeting at 7:26 p.m.

Minutes approved by the Northwest Fire District Board at its June 28, 2011, Regular Governing Board Meeting.



Bruce A. Kaplan, Board Clerk