



NORTHWEST FIRE/RESCUE DISTRICT

SERVING RESIDENTS OF THE NORTHWEST FIRE DISTRICT, THE FLOWING WELLS
COMMUNITY AND THE TOWN OF MARANA
ADMINISTRATION/LIFE SAFETY SERVICES 5225 W. MASSINGALE RD. TUCSON AZ 85743
PHONE: (520) 887-1010 FAX: (520) 887-1034 www.northwestfire.org

MINUTES OF THE NORTHWEST FIRE DISTRICT REGULAR GOVERNING BOARD MEETING September 28, 2010

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
Lee C. Mellor, Clerk
Anka Mischel
David Talas

Absent: Richard Nassi, Vice Chairman

It was determined a quorum existed with four of five members present.

Salute to the Flag of the United States of America

George Carter led the Pledge of Allegiance.

Presentation of Service Awards

Cynthia Dowdall, Behavior Health Services Director, presented service award pins to Dr. Dave Tetault, Heathre McAlees and Stacey Christian for their outstanding service. These individuals helped the CAP Team sustain service to the community for over 14 months while another Team member was deployed to the Middle East. Ms. Dowdall thanked the families, who were present at the meeting, for their support of the CAP Team.

Public Forum

Kyle Canty, President of Local Union 3572, commented on the following:

- On September 6, the Union presented a check to the Muscular Dystrophy Association slightly under \$13,000 from their Fill the Boot Campaign.



- The Memo of Understanding (MOU) has been completed.
- The Union requested that the agenda item concerning the purchase of the Ina Road commercial property be tabled until the Union has had an opportunity to discuss the item with Chief Piechura; the Union was not aware of the item until a week ago.
- The Union is holding a charity event at the Foothills Mall on October 2 between 4:00 p.m. and 10:00 p.m. in front of Thunder Canyon Brewery; all proceeds will be used to support the Union's various charities.

CONSENT AGENDA

Approval of Minutes of the August 24, 2010, Regular Governing Board Meeting

Approval to Purchase Five (5) Medtronic Life-Pak 15 Monitor/Defibrillators Utilizing Approved Capital Improvement Funds

Approval for Northwest Fire District to Enter into a Clinical Affiliation Agreement with Texas Engineering Extension Services (TEEX) to Permit a New Recruit to Complete the Required Clinical Ride Along with Northwest Fire District in Lieu of Completing the Clinical Requirement in Texas

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

Move to approve items A through C on the September 28, 2010, 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, Monthly Bond Report and Arizona State Land Billing and Payment Reports. The Board will be asked to approve the District's Monthly Disbursements Report

David Gephart reported on the following:

- The July and August financials were provided in the packet which included beginning fund balances.
- The audit was completed this past Wednesday.
- The Comprehensive Annual Financial Report is in progress and will include the auditor's opinion letter; completion is anticipated within the next 1 to 2 months.

George Carter made the following motion, seconded by Lee C. Mellor and approved unanimously with four ayes:

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

BUSINESS

Update, Discussion and Possible Action to Use Electronic Board Books in Place of Paper Books for Governing Board Meetings

Paul Wright explained that one of the delays in ordering Netbooks was because of the time involved for the IT Department to transfer the recent retirees' computer files to other departments. Another delay was because we requested Hewlett Packer to install Windows XP on the Netbooks in lieu of installing Windows 7. The order is anticipated to be placed this week and delivery time between 3 to 5 days; other means of home connectivity will be provided for the Board members during the interim.

There was discussion that the production of paper books has decreased from 22 books to 14 books; this amount will continue to decrease once Netbooks are in place and additional staff members were no longer requesting to receive paper books. The complete meeting packet has been posted on NWF's website for the past five months.

Discussion and Possible Action to Receive the Teal Blue Trail Boundary Change Impact Statement and Set an Annexation Hearing concerning Property Located East of Thornydale Road and North of Moore Road in Pima County, Arizona; Possible Discussion Concerning the Character of the Property and the Impact of bringing it into the District

Chief Piechura explained that the proposed annexation area is located near Fire Station No. 39; the estimated assessed valuation is slightly over \$3.8 million. The estimated general operating revenue is about \$84,000, and the current bond levy revenue is a little over \$11,000.

George Carter made the following motion, seconded by Lee C. Mellor and approved unanimously with four ayes:

Move to receive the Teal Blue Trail/Moore Annexation Boundary Change Impact statement and schedule the Annexation Hearing, at the next Regular Board Meeting, which will be Tuesday, October 26, 2010, at 6:00 p.m., at the Northwest Fire District Training Facility; further, authorize staff to take the steps necessary to begin the annexation process.

Discussion and Possible Action Concerning Approval of a Memorandum of Understanding ["MOU"] between the District's Administration and the Firefighters' Union Affecting Various Employment Policies and Practices; said MOU is the Product of the District's Meet and Confer Process which was Adopted by the Board, Pursuant to Board Resolution No. 2010-004

Chief Piechura and Union President Kyle Canty presented this item. Chief Piechura commented that the MOU reflects 13 years of annual Meet and Confer meetings; there will be annual reviews and addendums to the MOU. He commented that the document contains previous Meet and Confer issues that were adopted by the Board; the MOU formalizes issues that have been agreed to.

George Carter made the following motion, seconded by Lee C. Mellor and approved unanimously with four ayes:

Move to approve the Memorandum of Understanding between the Northwest Fire District and the International Association of Firefighters Local 3572 Northwest Firefighters.

During discussion of the motion, Mr. Carter asked if the items listed in the appendices were previously approved; Chief Piechura said they were.

In response to Mr. Talas asking how often the MOU would be reviewed, Mr. Canty explained the document would be reviewed yearly and that the Meet and Confer Committee would begin meetings next month; he anticipates bringing this item to the Board by next June. There was discussion that the MOU would also be presented to the Board during the budgetary process for approval. Mr. Benavidez remarked that the process should be completed in April in order to have the MOU in the budget process.

Update, Discussion and Action on the Early Retirement Proposals and Separation Incentive Plans and Employees Who Have Indicated their Intent to Participate, and the Potential Savings Derived from the Plans

Chief Piechura reported that seven individuals participated in the early retirement program that concluded on September 15; he discussed the following positions:

- Four of the vacated positions will not be replaced this fiscal year
- The maintenance clerk position is pending
- The CAP coordinator position is being contemplated
- The administrative services director position is being under filled which was previously approved by the Board
- The battalion chief position will be before the Board in October

Chief Piechura thanked everyone who has taken on added responsibilities because of the vacated positions. A current organization chart was provided in the packet.

Discussion and Possible Action Concerning HB 2209 and the Legal Options of Identifying the District's Website as One of the District's Official Notice Posting Locations for its Public Meetings Agendas, and Posting its Meetings Notice Disclosure Statement on its Website, Instead of Filing it with the Clerk of the Board of Supervisors

Attorney Benavidez explained that the recent law changed by HB 2209 gives NWFD the option to use our own website as one of our official posting places. He recommended continuing to post to the website for the next couple months and make the decision at the December meeting if we want to identify our website as one of our official posting locations. A copy of the current disclosure statement listing the designated physical locations was provided in the packet. Mr. Benavidez pointed out that website posting is mandatory for counties, cities and towns and is optional for Special Districts.

George Carter made the following motion, seconded by Lee C. Mellor and approved unanimously with four ayes:

Move to direct staff to continue both physical and website agenda posting; monitor reliability and timeliness of website postings; and bring the issues back to the Board in December for further consideration.

During discussion of the motion, Chief Piechura asked about the reliability of our website for postings, and Mr. Wright said there is very little down time. He explained that the Board packet is usually posted by the end of the day on Thursday prior to a meeting and that it could take an additional day to be visible to the public depending on various internet providers. There was discussion that our website is not currently accessible by cell phones but that it could be accomplished in the future.

In response to Mr. Talas asking if the information on the website was accessible for the disabled, Mr. Wright explained that we still need to review this for Section 208 code compliance, and the person's accessibility would depend on them having the proper computer equipment/programs that convert PDF files to speech enabled. It was stated there have not been any requests to date, and Mr. Talas' Board documents are converted to be speech enabled.

Discussion and Possible Action Concerning an Offer Made to the District to Sell to the District a Commercial Property Located at 3067 W. Ina Road, Tucson, Arizona, for Use by the District as Administrative Office Space. If the Board Wishes to Pursue Negotiations for the Property then it Might Vote to Go into Executive Session

Chief Piechura discussed the following items:

- This item came before the Board last year when it was in a pre-bankruptcy stage; the asking price at that time was \$3 million.
- Following a foreclosure this past January, the price decreased to \$2.6 million.
- About 40 days ago, the price decreased to \$2 million.
- The building is being sold "as is" with no express warranty.
- The contract is non-binding, and we would be liable for mold and building inspection fees which are nonrefundable.
- The building is about \$93.23 a square foot; a new facility is about \$170 a square foot
- There would be added expenses to construct additional restrooms and meeting rooms.
- The complex management will be responsible for costs to correct drainage issues.
- It is undetermined if the mold issues found last year have been corrected; NWFD would need to hire an industrial hygienist to conduct an inspection.
- Funds to purchase the facility would be taken from the capital reserve fund.
- Country Companies is currently leasing a portion of the building that produces \$56,000 a year; it is undetermined if the company will continue with the lease if we purchase the building.

David Gephart explained that the capital reserve fund is utilized to carry the District through times when there is not budgetary funding through normal tax levy for purchasing needed capital items.

Mr. Gephart emphasized the Board should consider utilizing capital reserve funds for the following future projects:

- ✓ PCWin project
- ✓ defibrillator purchases
- ✓ monitor purchases
- ✓ additional needed safety equipment

In response to Mr. Talas asking about the locations of various facilities, Chief Piechura explained:

- The IT Department is in a leased building at \$20,000 a year.
- The CAP Team will be moving to the administration facility because their building will be demolished in October.
- We are considering moving our official records storage to Fire Station No. 30; records are currently stored at IT's leased location.
- EMS is currently at the La Cholla facility.

Chief Piechura remarked that by purchasing the Ina Road building, these departments would be centralized.

Mr. Gephart explained the following approximate funds that will be needed in future years for capital improvement items:

- 2011-2012 – \$1.44 million
- 2012-2013 – \$2.1 million; \$750,000 will be used for SCBA upgrades
- 2013-2014 – \$2.2 million
- This does not include needed funds for the PCWin project

Following discussion about moving into executive session, Mr. Benavidez advised that the Board would need to make a decision during the open meeting if they wanted to move forward with the building purchase prior to going into an executive session.

Chief Piechura explained that any earnest monies would be refunded if we decided not to purchase the building. The District would need to pay for a mold inspection of approximately \$4,000 and a commercial building inspection of approximately \$10,000; these costs are not refundable.

George Carter made the following motion, seconded by David Talas; Mr. Talas and Mr. Carter voted aye; Mr. Mellor and Ms. Mischel voted nay; the motion did not pass:

Move to table this item to a subsequent meeting for further review.

George Carter made the following motion, seconded by Lee C. Mellor and approved with three ayes; Ms. Mischel voted nay:

Move to authorize staff to enter into a purchase proposal to perform the due diligence process for the 3067 West Ina Road office building property for the maximum price of \$2,000,000 and authorize staff to expend funds, not to exceed \$15,000, for the purpose of evaluating the conditions for possible purchase.

After the votes were taken on the above motion, Chief Piechura remarked that a special meeting would be held if the inspection costs were found to exceed a significant amount other than what has been approved.

Executive Session, Pursuant to A.R.S. 38-431.03 (A)(3) & (7), for Legal Advice, and to Instruct the District's Representatives Concerning the Board's Position with Respect to Negotiations for Acquisition of the Above-Referenced Commercial Property

An executive session was not held.

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).]

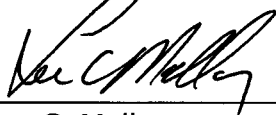
Discussion and update about Southwest Ambulance service within the Northwest Fire District

ADJOURNMENT

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

Move to adjourn the meeting at 7:10 p.m.

Minutes approved by the Northwest Fire District Board at its October 26, 2010, Regular Governing Board Meeting.



Lee C. Mellor
Clerk of the Board