

Superstition Fire and Medical District

Board of Directors

December 16, 2015



Board Chairman Jeff Cross
Board Clerk Gene Gehrt
Board Director Todd House
Board Director Charlie Fox
Board Director Jason Moeller

Superstition Fire & Medical District Governing Board Meeting Agenda

PURSUANT TO A.R.S. §38.431.02

Notice is hereby given to the general public that the Superstition Fire & Medical District Governing Board will hold a meeting on **Wednesday December 16, 2015**. The meeting will be held at the Superstition Fire & Medical District's Administrative Office, located at 565 N. Idaho Road, Apache Junction, Arizona. The meeting will be open to the public and will begin at 5:30 p.m. local time.

AGENDA:

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call

The following agenda items are scheduled for discussion at the board meeting. The Governing Board may or may not decide to take action on any or all items. The order of the agenda items may or may not be taken in the order listed.

1. Review and approval of the November 2015 financial reports and bank reconciliations.
(BOD #2015-12-01)
2. Recognition of employee performance, achievements, and special recognition for community members.
(BOD #2015-12-02)
3. Call to the Public.
A.R.S. §38-431.01(H) A public body may make an open call to the public during a public meeting, subject to reasonable time, place, and manner restrictions, to all individuals to address the public body on any issue within the jurisdiction of the public body. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter, or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action.
4. Consideration and possible approval of all consent agenda items as listed below:
(BOD #2015-12-03)
 - a) Board Meeting Minutes from November 18, 2015
 - b) Executive Session Meeting Minutes from November 18, 2015 – Personnel Matters
 - c) Executive Session Meeting Minutes from November 18, 2015 – Attorney Advice
 - d) Approval of 10 Panasonic Toughbook CF-C2's for ePCR and Fire Reporting
 - e) Amended and restated Intergovernmental Agreement with the Topaz Regional Wireless Cooperative (TRWC)
5. Discussion and possible action regarding conflict of interest or potential conflict of interest of Governing Board Members. **(BOD #2015-12-04)**
6. Approval of disclosure statement of meeting notice posting locations and dates for Superstition Fire & Medical District Governing Board Meetings and Local Pension Board Meetings for 2016. **(BOD #2015-12-05)**
7. Discussion and possible action regarding the approval of adoption of a planning calendar and process for Fiscal Year 2016/2017 Revenue and Expenditure Budget. **(BOD #2015-12-06)**
8. Discussion and possible action regarding transferring funds for the January 1, 2016 Debt Service Interest Payment. **(BOD #2015-12-07)**
9. Discussion and possible approval providing Finance Director Roger Wood with the authority to transfer money between funds. **(BOD #2015-12-08)**
10. Discussion and possible approval of Tyler Technologies' proposal to terminate the contract with SFMD. **(BOD #2015-12-09)**
11. Discussion and possible approval of SFMD's billing policies and procedures and mailing profile for Intermedix regarding billing transport services. **(BOD #2015-12-10)**
12. Discussion and possible approval of the Arizona Public Safety Personnel Retirement System Qualifying Report for Fiscal Year 2016/2017. **(BOD #2015-12-11)**



13. Discussion and possible approval of changing to 7710 for the District's Worker's Compensation company. **(BOD #2015-12-12)**
14. Discussion and possible adoption of Resolution 2015-11 Adopting the SFMD Strategic Plan 2015-2020 and Resolution 2015-12 Adopting the Operational Plan for Fiscal Year 2015/2016. **(BOD #2015-12-13)**
15. Discussion and possible action concerning the Fire Chief's Performance Evaluation. **(BOD #2015-12-14)**
16. Senior Leadership Team Reports **(BOD #2015-12-15)**
 - a) Fire Chief
 - b) Emergency Services
 - c) Technical & Community Services
 - d) Administrative Services
 - e) Financial Services
17. Announcements **(BOD #2015-12-n/a)**
18. Adjourn **(BOD #2015-12-16)**

NOTICE: The governing board may go into executive session for the purpose of obtaining legal advice from the fire district's attorney(s) on any of the above agenda items pursuant to A.R.S. 38-431.03(A)(3).

One or more members of the governing board may attend the meeting telephonically.

Governing Board meeting agenda dated and posted (at least 24 hours before the scheduled meeting date and time):

Posted on December 10, 2015

At: 1700 hours

By: Jasmin Jones

The Superstition Fire & Medical District (SFMD) Administrative Office Board Meeting Room is accessible to the handicapped. In compliance with the American with Disabilities Act (ADA), those with special needs, such as large-type face print or other reasonable accommodations may request those through the SFMD Administration Office (480-982-4440) at least twenty-four hours before the board meeting.



Governing Board Meeting – December 16, 2015

Agenda Item: 1

BOD#: 2015-12-01

Agenda Item Title:

Review and approval of the November 2015 financial reports and bank reconciliations.

Submitted By:

Fire Chief Paul Bourgeois

Finance Director Roger Wood

Background/Discussion:

The district's accounting department staff prepares the monthly financial reports. The district's annual budget, which is adopted by the board each June for the following fiscal year (July 1 – June 30), is formatted to mirror the monthly financial statements. The financial reports provide the board with a monthly recap of expenditures and revenues, along with year-to-date account balance information.

In compliance with A.R.S. §48-807(O), the following reports have been added to the monthly financial statements packet:

1. **Cash Flow – All Governmental Funds.**

The Cash Flow report consists of the combined cash balances of all District Funds. These balances include the General (100), Capital Projects (200), Bond Proceeds (300), Special Revenue (400), Debt Principal (500), and Debt Interest (600) Funds. The Cash Flow report is updated monthly with the actual revenues deposited into and actual expenditures disbursed from the district's cash accounts. It is important to note the revenues and expenditures are reported on a Cash Basis. This report is generated to demonstrate that the fire district maintains sufficient cash available to satisfy the projected expenditures budgeted over the course of the fiscal year.

2. **Fund Account Bank Reconciliations.**

The reconciliation of each of the district's Fund Cash Accounts (General (100), Capital Projects (200), Bond Proceeds (300), Special Revenue (400), Debt Principal (500), and Debt Interest (600) Funds) between the Pinal County Treasurer's monthly bank statement and the District's Fund balance sheet report is provided. To signify board approval of the monthly financial statements and bank reconciliations, the Board Chairman is requested to sign the attached Letter of Acceptance which will be kept on file at the district.

Financial Impact(s)/Budget Line Item:

N/A

Enclosure(s):

Letter of Acceptance of the Fire District's Financial Statements and Bank Reconciliations.

*Financials provided under separate cover

Recommended Motion:

"Motion to approve the November 2015 financial reports and bank reconciliations."



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Superstition Fire & Medical District
Governing Board Acceptance of Fire District's
Financial Statements and Bank Reconciliations

Pursuant to A.R.S. §48-807, by the signature(s) below, the Governing Board of the Superstition Fire & Medical District attests to the review and approval of the following financial report(s) of the fire district for the month of **November 2015**:

1. Financial Statement
2. Bank Reconciliations
 - a. General (100) Fund
 - b. Capital Projects (200) Fund
 - c. Bond Proceeds (300) Fund
 - d. Special Projects (400) Fund
 - e. Debt Principle (500) Fund
 - f. Debt Interest (600) Fund

Jeff Cross, Board Chairman

Date



Governing Board Meeting – December 16, 2015

Agenda Item: 2

BOD#: 2015-12-02

Agenda Item Title:

Recognition of employee performance, achievements, and special recognition for community members.

Submitted By:

Fire Chief Paul Bourgeois

Background/Discussion:

This is a recurring monthly item to provide the board with information concerning superior employee performance, achievements, and special recognition for community members.

December Services Awards: *(presented for 5, 10, 15, 20, and 25 year anniversaries):*

N/A

December Service Anniversaries:

24 Years of Service
Fire Captain Jack Hafer
23 Years of Service
Fire Captain / Paramedic Doug Taylor
Deputy Fire Marshal / Paramedic John Suniga
3 Years of Service
Mechanic I George Nasello



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Governing Board Meeting – December 16, 2015

Agenda Item: 3

BOD#: 2015-12-n/a

Agenda Item Title:

Call to the Public

A.R.S. §38-431.01(H):

A public body may make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions, to allow individuals to address the public body on any issue within the jurisdiction of the public body.

At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda.

However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action.

Background / Discussion:

Call to the Public is provided so citizens may address the public body (Governing Board) with matters concerning the fire district. Arizona public meeting law provides that the public body may discuss, consider, or decide only matters listed on the agenda and other matters related thereto. Since the public body will generally not know what specific matters may be raised at call to the public, they will be unable to act until the matter is placed on a subsequent meeting agenda (at the board's discretion). The board may also direct staff to follow up on the issue with the citizen.

Scheduled:

None



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Governing Board Meeting – December 16, 2015

Agenda Item: 4

BOD#: 2015-12-03

Agenda Item Title:

Consideration and possible approval of all consent agenda items as listed below:

- a) Board Meeting Minutes from November 18, 2015 – **Appendix A**
- b) Executive Session Meeting Minutes from November 18, 2015 – **Appendix B** (Personnel Matters)
- c) Executive Session Meeting Minutes from November 18, 2015 – **Appendix C** (Attorney Advice)
- d) Approval of 10 Panasonic Toughbook CF-C2's for ePCR and Fire Reporting – **Appendix D**
- e) Amended and restated Intergovernmental Agreement with Topez Regional Wireless Cooperative (TRWC) – **Appendix E**

Background/Discussion:

The consent agenda allows the Board of Directors (BOD) to consider contracts, purchases, and other routine administrative matters having authorized funding within the current fiscal year budget as a single decision. Items may be withdrawn from the consent agenda and discussed separately upon request by any member of the BOD or staff. Information for each consent agenda item and corresponding supporting document is within the packet.

Recommended Motion:

"Motion to approve the consent agenda items for December 16, 2015."



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Governing Board Meeting – December 18, 2015

Agenda Item: 5

BOD#: 2015-12-04

Agenda Item Title:

Discussion and possible action regarding conflict of interest or potential conflict of interest of Governing Board Members.

Submitted By:

Fire Chief Paul Bourgeois

Board Secretary Jasmin Jones

Background/Discussion:

The Superstition Fire and Medical District (SFMD) per ARS §38-503, in conjunction with the Governing Board By-Laws, Article II, Item #12 which states:

Disclosure: Within a reasonable time following election or appointment, each board member shall disclose any conflicts of interest or potential conflicts of interest that each board member has or may have regarding the district. The board shall update its Disclosure each December.

The SFMD Disclosure Form will be kept for public inspection in a special file per ARS §38-509 which states:

“Every political subdivision and public agency subject to this article shall maintain for public inspection in a special file all documents necessary to memorialize all disclosures of substantial interest made known pursuant to this article.”

The board may use this time to disclose any conflict of interest or potential conflict of interest to the public body. Completed forms will be submitted to the board secretary to file.

Financial Impact:

N/A

Enclosure(s):

SFMD Disclosure Form

Recommended Motion:

N/A



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Superstition Fire & Medical District Disclosure Form



Pursuant to ARS §38-509, the Superstition Fire & Medical District maintains for public inspection in a special file, all documents necessary to memorialize all disclosures of substantial interest disclosed.

By submitting this Disclosure Form, I am requesting this Disclosure Form be kept according to ARS §38-509.

I, _____ am a Board Member of the Superstition Fire & Medical District and:

☐ I do not have a Conflict of Interest

or

☐ I have, or my relative has, a substantial interest in a decision of the Superstition Fire & Medical District

and/or

☐ I have a conflict of interest or potential conflict of interest regarding a decision of the Superstition Fire & Medical District or the business of the Superstition Fire & Medical District,

because: _____

Signature

Date

Article 8: Conflict of Interest of Officers and Employees

A.R.S. §38-503: Conflict of Interest; exemptions; employment prohibition

- A. Any public officer or employee of a public agency who has, or whose relative has, a substantial interest in any contract, sale, purchase or service to such public agency shall make known that interest in the official records of such public agency and shall refrain from voting upon or otherwise participating in any manner as an officer or employee in such contract, sale or purchase.
- B. Any public officer or employee who has, or whose relative has, a substantial interest in any decision of a public agency shall make known such interest in the official records of such public agency and shall refrain from participating in any manner as an officer or employee in such decision.
- C. Notwithstanding the provisions of subsections A and B of this section, no public officer or employee of a public agency shall supply to such public agency any equipment, material, supplies or services, unless pursuant to an award or contract let after public competitive bidding, except that:
 1. A school district governing board may purchase, as provided in sections 15-213 and 15-323, supplies, materials and equipment from a school board member.
 2. Political subdivisions other than school districts may purchase through their governing bodies, without using public competitive bidding procedures, supplies, materials and equipment not exceeding three hundred dollars in cost in any single transaction, not to exceed a total of one thousand dollars annually, from a member of the governing body if the policy for such purchases is approved annually.
- D. Notwithstanding subsections A and B of this section and as provided in sections 15-421 and 15-1441, the governing board of a school district or a community college district may not employ a person who is a member of the governing board or who is the spouse of a member of the governing board.

A.R.S. §38-509: Filing of disclosures

Every political subdivision and public agency subject to this article shall maintain for public inspection in a special file all documents necessary to memorialize all disclosures of substantial interest made known pursuant to this article.

Governing Board Meeting – December 16, 2015

Agenda Item: 6

BOD#: 2015-12-05

Agenda Item Title:

Approval of disclosure statement of meeting notice posting locations and dates for Superstition Fire & Medical District Governing Board meetings and Local Pension Board Meetings for 2016.

Submitted By:

Fire Chief Paul Bourgeois

Background/Discussion:

In accordance with ARS §38-431.02(A)(3) the district is required to execute a Disclosure Statement identifying the locations where the district will post notices of its public meetings; including governing board meetings and local pension board meetings. In addition to these locations, the district will continue to post its meeting notices and agendas on its website.

The statement also includes the 2016 SFMD regularly scheduled board meeting dates and times.

Staff Recommendation:

Approval of Disclosure Statement

Financial Impact:

N/A

Enclosure(s):

Disclosure Statement

Recommended Motion:

"Motion to approve filing the disclosure statement with board meeting dates and times for 2016 with the Pinal County Board of Supervisors and for posting meeting notices and agendas on the district website."



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2016 Statement of Disclosure Posting Locations, Date and Times of Meetings

Pursuant to ARS §38-431.02(A)(3), the Superstition Fire & Medical District (SFMD) hereby states that all notices of the meetings of the Superstition Fire & Medical District Governing Board and any of its committees and sub-committees, including the Local Pension Board will be posted at the following locations:

SFMD Administration Office
565 N. Idaho Rd.
Apache Junction, AZ 85119
Monday – Thursday 7:00 am – 6:00 pm (except holidays)
Posted in the outside enclosed bulletin board by front entrance

SFMD Regional Training Center
3700 E. 16th Ave.
Apache Junction, AZ 85119
Monday – Thursday 7:00 am – 6:00 pm (except holidays)
Posted by the front entrance

Fire Station 264 Community Room
7557 E. US 60
Gold Canyon, AZ 85119
Day-Time Hours
Posted by the entry way to the Community Room

District Website
www.sfmd.az.gov

Such notices will indicate the date, time, and place of the meeting and will include an agenda or information concerning the manner in which the public may obtain an agenda for the meeting. Pursuant to state statutes, these notices must be posted at least 24 hours before the meeting.

Please be advised that, pursuant to ARS §38-431.02(A)(3)(b), a technological problem or failure that either prevents the posting of public notices on a website or that temporarily or permanently prevents the use of all or part of the website does not preclude the holding of the meeting for which the notice was posted, if SFMD complies with all other public notice requirements.

2016 Governing Board Meeting Dates

Meetings are generally held at 5:30 p.m. at the SFMD Administration Office, 565 N. Idaho Rd., Apache Junction, AZ 85119. The schedule is subject to change. As needed, meetings may be cancelled or rescheduled and special meetings may be scheduled.

January 20, 2016	July 13, 2016
February 17, 2016	August 17, 2016
March 16, 2016	September 21, 2016
April 20, 2016	October 19, 2016
May 18, 2016	November 16, 2016
June 15, 2016	December 21, 2016

*LPB meetings will be scheduled quarterly or as needed.

Dated this 16th day of December, 2015.

SUPERSTITION FIRE AND MEDICAL DISTRICT

By: _____
Clerk of the Board

Governing Board Meeting – December 16, 2015

Agenda Item: 7

BOD#: 2015-12-06

Agenda Item Title:

Discussion and possible action regarding the approval and adoption of a planning calendar and process for the Fiscal Year 2016/2017 SFMD Revenue and Expenditure Budget.

Submitted By:

Fire Chief Paul Bourgeois

Finance Director Roger Wood

Background/Discussion:

Enclosed for reference and review is the proposed schedule and planning calendar for budget preparation over the next seven (7) months. This schedule represents a streamlined version of similar and successful methodologies and processes used in past years to ensure the most efficient use of Staff time.

The schedule details Governing Board planning, activity, and decisions occurring at the regularly scheduled Governing Board meetings (the third Wednesday of each month). The final adoption of the FY 2016/2017 budget is scheduled on Wednesday, July 13, 2016. Typically, this special meeting in July also serves as the regular meeting for the month as well, and the Board may designate it as such.

Following past practice, the proposed budget planning calendar considers key items such as:

- Labor and Management will be meeting throughout the budget planning process to ensure discussion and consideration of items of mutual interest. The Labor organization may choose to make a presentation to the Board at the March Governing Board meeting. This allows Staff approximately one month to provide funding information on any Labor proposals for the April Board meeting.
- Staff will also be meeting with the unrepresented employees to discuss their items of interest for the upcoming budget year, as is done for the represented employees.
- On February 17, 2016, the Governing Board will review the preliminary property tax abstracts from Pinal County and the preliminary Revenue Budget estimate will be presented. Staff typically presents several scenarios with a range of tax rates so the Board can begin considering the planning rate that will be used to move towards the March and April Board meetings.
- At the March 16, 2016 Governing Board meeting, Staff will present the FY16/17 Key Initiative(s) Cost Estimates and provide a Summary of the District's proposed Programs Cost Estimates. This meeting will also be a time when the Board may chose to discuss any funding or program additions or changes they feel may be necessary.
- After receiving specific direction from the Board at the March meeting, the Fire Chief and Staff will discuss the *Preliminary* Budget status at the April 20 Board meeting. At that meeting, the Board will be asked to set a Planning Tax Rate so that Staff can work to develop the Tentative Budget for the May 18 Board meeting.
- The Tentative Budget adoption is scheduled for the May 18 Board meeting. On May 19, the *Consolidated Tentative* Budget will be published twice in local news publications and posted for the required minimum 20 days for public comment as required by law.



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- At the June 15 meeting, the Board can encourage public comment for the official public hearing that will occur during the special board meeting scheduled in early July.

Staff is proposing a July 13 Board Meeting for the public hearing and adoption of the FY 2016/2017 budget. The adopted budget will then be submitted to both Pinal and Maricopa County and the State of Arizona before the July 31 deadline.

Staff Recommendation:

Approval of the proposed Fiscal Year 2016/2017 Budget Calendar

Financial Impact:

N/A

Enclosure(s):

2016/2017 Planning Budget Calendar

Recommended Motion:

"Motion to adopt the Fiscal Year 2016/2017 Budget Planning Calendar as presented and to schedule the July Governing Board Meeting for Wednesday, July 13, 2016 at 5:30 p.m."



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SUPERSTITION FIRE & MEDICAL DISTRICT

FISCAL YEAR 2016 / 2017 BUDGET CALENDAR - GOVERNING BOARD

<i>BUDGET TIMELINE ACTIVITY</i>	<i>DUE DATE</i>	<i>RESPONSIBILITY</i>
Board Meeting: <ul style="list-style-type: none"> Review / Establish Budget Planning Process and Schedule Distribute FY16/17 Budget Planning Calendar 	12/16/15	CHIEF BOURGEOIS
Board Meeting: Budget Development <ul style="list-style-type: none"> Review Tax Abstracts & Preliminary Revenue Budget Estimates Discuss Funding Priorities & Planning Tax Rate 	02/17/16	CHIEF BOURGEOIS
Board Meeting: Budget Development <ul style="list-style-type: none"> Discuss Initiative Cost Estimates Proposed Programs Cost Estimates Summary 	03/16/16	CHIEF BOURGEOIS
Board Meeting: Budget <ul style="list-style-type: none"> Discuss Preliminary Budget Status 	04/20/16	CHIEF BOURGEOIS
Budget Spending Cut-Off Date for Non-Essential Spending	05/01/16	DISTRICT
Board Meeting: Budget <ul style="list-style-type: none"> Tentative Budget Adoption for Fiscal Year 2016/2017 	05/18/16	GOVERNING BOARD
Publish & Post Consolidated Tentative Budget <ul style="list-style-type: none"> 20-Day Public Comment Period Begins (5/20/16 through 6/10/2016) 	05/19/16	ADMIN. STAFF
Board Meeting: Budget <ul style="list-style-type: none"> 1st Public Hearing Opportunity 	06/15/16	GOVERNING BOARD
Fiscal Year 2016 / 2017 Begins	07/01/16	
Board Meeting: Final Public Hearing & Adoption <ul style="list-style-type: none"> FINAL PUBLIC HEARING & BUDGET ADOPTION FOR FISCAL YEAR 2016/2017 	07/13/16	GOVERNING BOARD
Budget Submittal to Pinal County & State of Arizona	07/14/16	ADMIN. STAFF

Governing Board Meeting – December 16, 2015

Agenda Item: 8

BOD#: 2015-12-07

Agenda Item Title:

Discussion and possible action regarding transferring funds for the January 1, 2016 Debt Service Interest Payment.

Submitted By:

Fire Chief Paul Bourgeois

Finance Director Roger Wood

Background/Discussion:

The District has a Debt Service Interest payment of **\$164,534.88** due on January 1, 2016 to trustee U.S. Bank

Fund Account:	Debt Retirement Principal 2006 – account #6-11642-1408
Budget line item:	600-60-70550-10 titled Debt Service Expenditure – Interest

The current Principal Fund cash balance as of November 30, 2015 is \$212,019.46.

Staff Recommendation:

Approval of the transfer for the Debt Service Interest Payment

Financial Impact:

\$164,534.88 / Line item 600-60-70550-10

Enclosure(s):

U.S. Bank Notification – 2006 GADA Debt Service Payments Due

Recommended Motion:

“Motion to authorize payment by executing letter of direction to Pinal County Treasurer’s Office to wire transfer funds for the GADA debt service payments on December 31, 2015 due to U.S. bank on January 1, 2016.”



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Superstition Fire & Medical District

Phone (480) 982-4440 ~ www.sfmd.az.gov

Administration Office
565 North Idaho Road
Apache Junction, AZ 85119
Fax (480) 982-0183

Regional Training Center
3700 East 16th Avenue
Apache Junction, AZ 85119
Fax (480) 982-3268

Fleet & Facilities Services
1455 East 18th Avenue
Apache Junction, AZ 85119
Fax (480) 983-7443



December 16, 2015

Pinal County Treasurer's Office
Ms. Debbie Garcia/Bookkeeping
P. O. Box 729
Florence, AZ 85232

Dear Ms. Garcia,

Please accept this letter as Board Authorization to wire transfer funds in the amount of **\$164,534.88** from our Superstition Fire & Medical District Debt Retirement Interest 2006 Fund Account #6-11642-1408 for the GADA debt service payment due 01/01/2016 and payable to U.S. Bank N.A.

Wire Instructions: Requesting funding processing at U.S. Bank N.A. on **December 30, 2015.**

U.S. Bank N.A.

ABA # 091000022

Credit: US Bank Trust NA – Account # 180121167365

Contact: Michelle Anderson – Phone #651-466-6139

Further Credit: OBI #784668471

Reference: Apache Junction– GADA Infrastructure Revenue Bonds, Series 2006 B

Superstition Fire & Medical District

By:

Jeff Cross - Board Chairperson

By:

Gene Gehrt - Board Clerk



All of  serving you™

November 17, 2015

Apache Junction Fire District of Pinal County
Attn: Paul Bourgeois
565 N. Idaho Rd.
Apache Junction, AZ 85219

FAX NUMBER:
RE:

Roger.wood@ajfire.org
Greater Arizona Development Authority Infrastructure Revenue Bonds
(APACHE JUNCTION), Series 2006 B

For Payment Due Date January 1, 2016

Outstanding: \$	6,690,000.00
Interest: \$	164,543.75
Principal: \$	-
Total \$	164,543.75
Less Funds on Hand: \$	8.87
Total Due: \$	164,534.88

PAYMENT INSTRUCTIONS

WIRES MUST BE RECEIVED ON THE WIRE DUE DATE BY 11:30 AM CST** IF DEPOSITORY ELIGIBLE OR BY 3:00 PM CST IF NON DEPOSITORY ELIGIBLE *** CHECKS MUST BE RECEIVED AT LEAST FIVE BUSINESS DAYS PRIOR TO PAYMENT DATE IN ORDER TO RELEASE BONDHOLDER PAYMENTS*** FUNDS NOT RECEIVED WITHIN THESE TIME FRAMES MAY BE ASSESSED A LATE FEE FOR SPECIAL HANDLING.

**Please Confirm your Receipt of this invoice by phone or e-mail listed below.
Please confirm how and when funds will be sent.**

Wire Instructions

ABA = 091000022 US Bank
BBK = U.S. Bank N.A.
BNF = U.S. Bank Trust N.A.
A/C = 180121167365
OBI # 784668471

Check Instructions Overnight

U.S. Bank National Association
Lockbox Services--CM9705
ENER 0106
1200 Energy Park Drive
Saint Paul, MN 55108
784668471

Check Instructions First Class Mail

U.S. Bank National Association
784668471
Lockbox Services--CM9705
P.O. Box 70870
Saint Paul, MN 55170-9705

Michelle Anderson

Michelle Anderson
Trust Officer
651-466-8139 Telephone
866-404-8094 Fax
E-mail: michelle.anderson@usbank.com

CC:
Angie Valenzuela, phone 602-364-1313, Fax 602-364-1327
avalenzuela@azwifa.gov
Pat Beckwith
pat.beckwith@pinalcountyaz.gov

Governing Board Meeting – December 16, 2015

Agenda Item: 9

BOD#: 2015-12-08

Agenda Item Title:

Discussion and possible approval providing the Finance Director with the Authority to transfer money between funds.

Submitted By:

Fire Chief Paul Bourgeois

Finance Director Roger Wood

Background/Discussion:

As a result of the launch of the Transport Services division and the creation of the corresponding 150 Fund, combined with the way the Transport Services division is being funded in its initial months / years, there is a need to transfer money between the 200, 150, and 100 funds on a periodic basis. For example, the Transport Services division employees' payroll will be funded from the 100 fund, which creates the need for the 150 fund to reimburse the 100 fund.

To ensure timely availability of money in each fund, and to clarify / document the Governing Board's approval of all money transfers, Staff is proposing the Governing Board give Roger Wood, Finance Director, the authority to transfer funds as needed to facilitate the District's business. Each transfer will be supported by a Transfer Request form which will be included in the weekly check run, and will be signed by two Board Members prior to the money being transferred.

As an additional control, each transfer will be documented in the monthly bank account reconciliations to provide the public and the Governing Board complete transparency.

The first request for authority to transfer money between funds is attached and represents transferring \$500,000 from the 200 fund to the 150 fund to establish the checking for the Transport Services payroll and payables activity.

Staff Recommendation:

Approval of Finance Director to move funds

Financial Impact:

N/A

Enclosure(s):

Funds Transfer Request Form

Recommended Motion:

"Motion to approve the Finance Director with the authority to transfer money between funds based on a properly approved Transfer Request form signed by two Board Members, and approve the initial transfer of \$500,000 from the 200 fund to the 100 fund."



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ADVICE OF CHARGE

DATE ENTERED: 12/16/2015

ENTERED BY: Roger Wood

TRANSFER INSTRUCTIONS:

FROM: SFMD Fund 200

TO: SFMD Fund 150

AMOUNT: \$500,000.00

DESCRIPTION: December 2015 Transfer to establish the 150 Fund Checking Account

Authorized Signature

Date

Authorized Signature

Date

Governing Board Meeting – December 16, 2015

Agenda Item: 10

BOD#: 2015-12-09

Agenda Item Title:

Discussion and possible approval of Tyler Technologies proposal to terminate the contract with SFMD/

Submitted By:

Fire Chief Paul Bourgeois

Finance Director Roger wood

Background/Discussion:

SFMD entered into a contract with Tyler Technologies in November 2013 for the purchase of a new fully integrated Accounting / Human Resources software system. Tyler and Staff worked from January 2014 through September 2015 to convert the District's Finance and Human Resources systems to Tyler's system. Ultimately it was determined that Tyler's software system did not meet many of the key expectations of the District, and the Board approved the termination of the Tyler contract at the September 16, 2015 Board Meeting.

At the direction of the Board, Staff has been in negotiations with Tyler Technologies to reach a mutually agreed upon termination of the contract. The District's position is that Tyler breached the terms of the contract and initially requested full restitution of all monies paid to Tyler over the term of the contract. Tyler's counter is that the District's breach of contract position lacks a "defect" and that a "cure period was not triggered" and therefore the cure period "never lapsed", therefore they do not concede to the District's position that Tyler breached the terms of the contract and they initially offered to allow the District to terminate the contract for "convenience" if the District paid the \$70,068.75 in invoices outstanding.

After additional negotiations, Tyler has offered to facilitate a mutually agreeable contract termination and waive the payment of the \$70,068.75 (see the attached letter from Tyler dated November 25, 2015, for more details). If this offer is not acceptable to the District, then non-binding mediation would be the next step in the process per the Tyler contract's terms.

Non-binding mediation would require a great deal of Staff time and result in legal expense with no guarantee of success. Therefore, Staff is recommending that the Governing Board consider approving the Tyler offer to mutually agree to terminate the Tyler contract and waive the \$70,068.75 in invoices outstanding.

Staff Recommendation:

Approval of the Tyler Termination Letter

Financial Impact:

Savings of \$70,068.75 in software conversion expense. Account 200-70-73515-15

Enclosure(s):

Tyler's Notice of Termination Letter dated November 25, 2015



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Recommended Motion:

"Motion to approve Tyler's November 25, 2015, proposal to terminate the contract between Tyler Technologies and Superstition Fire & Medical District resulting in the waiver of all invoices outstanding as of December 16, 2015."



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One Tyler Drive
Yarmouth, ME 04096

P: 800.772.2260
F: 207.781.2459

November 25, 2015

Paul Bourgeois
Fire Chief, Superstition Fire & Medical District
565 North Idaho Road
Apache Junction, AZ 85119

Via Email (paul.bourgeois@sfmd.az.gov)

Re: Notice of Termination

Dear Chief Bourgeois:

As my October 26 letter explained, Tyler does not agree that the SFMD has a basis for invoking a termination for cause of the parties' November 2013 contract. Your November 5 response does not change our position.

We do not pretend that your implementation was perfect, but your letter tells only part of the story. For present purposes, we will not provide a specific rebuttal to each of your statements. We stand by our efforts to accommodate the SFMD's preferences and requests, our provision of additional services at no charge to the SFMD, and the SFMD's ultimate go-live as representative examples of our good-faith performance under the contract. In addition, we continue to see your "failure to cure" arguments as misplaced, as they lack a "Defect" to point to and/or a cure period that was triggered and lapsed.

Based on our analysis of the full history of your implementation, the claims in your initial letter, and the contractual terms and conditions, we felt the two solutions we proposed in my October 26 letter were fair. The SFMD, however, has now rejected both. The focus of this letter is where we go from here.

We understand from your November 5 response that a re-engagement on the project is not something the SFMD will consider. Accordingly, we are willing to make an additional concession in order to facilitate a mutually agreeable contract



One Tyler Drive
Yarmouth, ME 04096

P: 800.772.2260
F: 207.781.2459

www.tyler-tech.com

termination. As you may recall, we had initially offered to terminate so long as the SFMD paid its outstanding invoices, which total \$70,068.75.

We will agree to terminate the contract and forgive the \$70,068.75. We will not refund the \$75,622.79 in previously paid fees and expenses. If you agree with this offer, I will prepare a draft termination agreement for your review. If you do not agree with this offer, then I will work with you to arrange for a non-binding mediation to resolve this impasse, in accordance with Section E(6) of our contract.

I look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Abby Diaz", written over a horizontal line.

Abby Diaz
Associate General Counsel
abigail.diaz@tylertech.com

CC: Dane Womble, Chief Operating Officer
(dane.womble@tylertech.com)
Sean Marlow, Vice President of Professional Services
(sean.marlow@tylertech.com)
Donna Aversa, SFMD Legal Counsel
(Donna.Aversa@sfmd.az.gov)
Roger Wood, SFMD Finance Director
(roger.wood@sfmd.az.gov)

Governing Board Meeting – December 16, 2015

Agenda Item: 11

BOD#: 2015-12-10

Agenda Item Title:

Discussion and possible approval of the SFMD's billing policies and procedures and mailing profile for Intermedix regarding billing transport services.

Submitted By:

Fire Chief Paul Bourgeois

Assistant Chief Mike Farber

Background/Discussion:

It is critical to the sustainability of the SFMD Transportation Services be able to bill and collect for transport services rendered by SFMD. As a result, the SFMD Board of Directors selected Intermedix as the billing service company for their expertise, innovations and technology in medical billing, especially with the newly required ICD 10 Code requirements.

Upon the Board of Director's approval, the enclosed SFMD Billing Policies and Procedures and the SFMD Mailing Profile forms will be used by Intermedix. These procedures are an algorithm that Intermedix will follow on when to invoice the patient, what type of credit cards SFMD will accept, if SFMD will offer payment plans and when SFMD will send accounts to collections. In addition, there are procedures on how to bill deceased patients that are not transported and whether or not we treat SFMD property owners differently than non-property owners.

These procedures have been reviewed with Intermedix and they have made recommendations based on the policies and procedures of other organizations they have as clients. These recommendations were then vetted by SLT and Transportation Services.

Staff Recommendation:

Approve the attached SFMD's Billing Policies and Procedures and the SFMD Mailing Profile for use by Intermedix.

Financial Impact:

N/A

Enclosure(s):

SFMD Billing Policies and Procedures

SFMD Mailing Profile

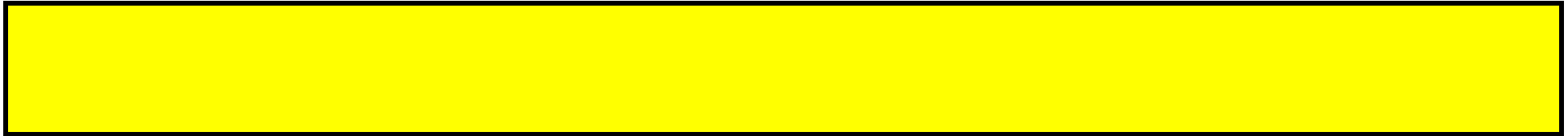
Recommended Motion:

"Motion to approve the SFMD Billing Policies and Procedures and the SFMD Mailing Profile to be used by Intermedix when billing transport services on the SFMD's behalf."



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Department Mailing Profile	IMX Default Values	IMX Client Values	Description
Department Name		Superstition Fire & Medical District	The department name as it appears on the Intermedix website.
Maximum invoice count	3	3	Number of invoices that will send out per account.
Days until first invoice	30	14	Number of days from the in-date before the first invoice is dropped on each account.
Days between invoices	30	30	Number of days between mailings.
Maximum invoice days	365	365	Number of days in which we will no longer send mailings.
Minimum invoice Balance	\$5.00	\$5.00	The minimum amount an account needs to have to send an invoice; any account with a balance less than this value will not receive invoices.
Maximum invoice count for deceased patient	3	2 and 1	Max number of invoices we will send to a deceased patient's account. 2 for Deceased Adult SFMD property owner and 1 for deceased child of a SFMD property owner
Maximum patient invoices since last payment	3	3	Number of invoices that will be sent since the last payment.
Invoice Medicaid	No	Yes	Send invoices to Medicaid.
Invoice in district	No	Yes	Invoice in-district patients.
Send to collections	No	Yes	Send eligible accounts to collections.
Send to collections for in district	Yes	Yes	Send in-district patient's accounts to collections.
Send to collections for deceased patient	Yes	Yes	Send invoices to deceased patients.
Send to collections Medicare	Yes	Yes	Send accounts belonging to Medicare patients, to collections.
Send to collections Medicaid	No	Yes	Send accounts belonging to Medicaid patients, to collections.
Send to collections for minor patient	Yes	Yes	Does the client send accounts belonging to minors, to collections?
Send subscription account to collections	No	No	We do not have subscription service.

Send NOPP on demand only	No	Yes	Send a Notice of Privacy Policy letter bundling into the initial invoice.
NOPP effective date	2009-01-01	NA	Date to start sending the NoPP letter.
NOPP terminate date	2016-01-01	NA	Date to end sending the NoPP Letter.
NOPP maximum waiting days	0	NA	First Invoice
Survey effective date	2009-01-01	NA	Date to start sending the survey.
Survey terminate date	2016-01-01	NA	Date to end sending the survey.
Survey maximum waiting days	30	NA	How many days from the In-date is the maximum amount of days before we have to send the client's survey?
Survey method	All		This is the method in which the client wants to send surveyers.
Survey amount			Based on the Survey Method, this is the specific numeric value that details exactly how often we will send surveys.
Accepts credit card	No	Yes ALL	Accept all credit cards. Including VISA, DISCOVER, MASTER CARD, and AMERICAN EXPRESS
Allow payment plans	No	Yes	Does the client allow Payment plans?
Payment plan grace period in days	10	10	How many days after the due date do we wait before we send the "Payment Past Due" letter.
Payment plan letter lead time in days	10	10	How far ahead of the next due date should we mail the reminder letter.
Payment plan maximum pay periods	0	12	This is the maximum amount of months in which the client will allow a payment plan to be completed.
Payment plan monthly payment amount	\$25.00	\$25.00	The minimum monthly amount in which the client will accept for a payment plan.

Governing Board Meeting – December 16, 2015

Agenda Item: 12

BOD#: 2015-11-11

Agenda Item Title:

Discussion and possible approval of the Arizona Public Safety Personnel Retirement System Qualifying Report for Fiscal Year 2016/2017.

Submitted By:

Fire Chief Paul Bourgeois

Finance Director Roger Wood

Background/Discussion:

Each year, the District applies for its share of the Volunteer Firefighter Relief Pension Fund credit that is associated with the Arizona's Fire Insurance Premium program. The District's application is accompanied by the annual audit which is completed as required by A.R.S. §48-253. Ms. Mays, Henry & Horne LLP will be attending the January 2016 Board meeting to present information regarding the audit, and will be available to answer questions from the Board at that time.

The application and audit report are due no later than January 31st of each year to qualify for the credit for the upcoming fiscal year. Missing the deadline means the District will miss out on its potential share of the Volunteer Firefighter Relief Pension Fund credit valued at approximately \$100,000. The District has been advised to submit the application in December to ensure we are included in the credit process, and to submit the application in January when it becomes available.

Staff Recommendation:

Approve the AZ PSPRS Qualifying Report

Financial Impact:

\$0 in FY15/16; an estimated \$100,000 credit in FY16/17

Enclosure(s):

Arizona Public Safety Personnel Retirement System Qualifying Report for Fiscal Year 2016/2017

Recommended Motion:

"Motion to approve the Arizona Public Safety Personnel Retirement System Qualifying Report for Fiscal Year 2016/2017."



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QUALIFYING REPORT
Arizona Public Safety Personnel Retirement System

Name of Department or District. _____

Mailing Address: _____ City _____ Arizona, Zip Code _____

Report of Fund for Fiscal Year Ended _____

Signature of Preparer: _____ Printed Name: _____

Business Address: _____ City: _____ Arizona, Zip Code _____

Business Hours Telephone Number _____ Email Address: _____

BOARD CHAIRPERSON: _____

REPORTING REQUIREMENTS

**A COPY OF THIS REPORT AND A COPY OF THE ANNUAL AUDIT SHALL BE ELECTRONICALLY
SUBMITTED TO: FFRPF@dfbls.az.gov
(A.R.S. § 9-956, Subsection C).
AND HARD COPY SENT TO:
Department of Library, Archives and Public Records, State Capitol, 1700 West Washington, Phoenix, AZ 85007.**

If the annual pension fund report is not received by the State Fire Marshal by the CLOSE OF BUSINESS on January 31, the participating Department is not eligible to receive its share of fire insurance premium tax monies under section 9-952. A.R.S. § 9-956, (D).

This report is used by the Office of State Fire Marshal to certify to the Arizona State Treasurer that the Fire Department or Fire District listed above is a participant to the Arizona Public Safety Personnel System. A.R.S. § 9-953.

Governing Board Meeting – December 16, 2015

Agenda Item: 13

BOD#: 2015-12-12

Agenda Item Title:

Discussion and possible approval regarding changing to 7710 for the District's Worker's Compensation company.

Submitted By:

Fire Chief Paul Bourgeois

Background/Discussion:

Information to be provided at Board Meeting

Financial Impact:

N/A

Enclosure(s):

N/A

Recommended Motion:

"TBD"



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Governing Board Meeting – December 16, 2015

Agenda Item: 14

BOD#: 2015-12-13

Agenda Item Title:

Discussion and possible adoption of Resolution 2015-11 Adopting the 2015-2020 SFMD Strategic Plan and Resolution 2015-12 Adopting the 2015/2016 Operational Plan.

Submitted By:

Clerk Gehrt

Background/Discussion:

At the November 18, 2015 Board Meeting, the Governing Board motioned to formerly adopt the Strategic Plan (every 5 years) and the Operational Plan (every Fiscal Year), to coincide with the Fire Chief's evaluation (BOD #2015-11-08).

Adopting these resolution show that the Board of Directors agree with the Strategic Initiatives laid out by the Fire Chief and his Senior Leadership Team.

Financial Impact:

N/A

Enclosure(s):

Resolution 2015-11

Resolution 2015-12

Recommended Motion:

"Motion to adopt Resolution 2015-11: Adopting the 2015-2020 Strategic Plan and Resolution 2015-12 Adopting the 2015/2016 Operational Plan"



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RESOLUTION 2015-11
Superstition Fire and Medical District Medical
ADOPTING THE 2015/2020 SFMD STRATEGIC PLAN

A RESOLUTION OF THE CHAIRMAN AND GOVERNING BOARD OF DIRECTORS OF THE SUPERSTITION FIRE & MEDICAL DISTRICT, FULLY ADOPTING THE 2015/2020 SFMD STRATEGIC PLAN.

WHEREAS, the Board acknowledges the importance of having a strategic plan as a tool to become the premier district in the State of Arizona; and

WHEREAS, the strategic plan is the compilation of initiatives to keep our district responsive, innovative, and professional;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF DIRECTORS OF THE SUPERSTITION FIRE & MEDICAL DISTRICT AS FOLLOWS:

That the Superstition Fire & Medical District Board of Directors fully adopts the 2015/2020 SFMD Strategic Plan.

PASSED AND ADOPTED THIS SIXTEENTH DAY OF DECEMBER 2015, BY THE CHAIRMAN AND GOVERNING BOARD OF DIRECTORS OF THE SUPERSTITION FIRE & MEDICAL DISTRICT.

Jeff Cross, Board Chairman

Gene Gehrt, Board Clerk

Jason Moeller, Board Director

Charlie Fox, Board Director

Todd House, Board Director

RESOLUTION 2015-12
Superstition Fire and Medical District Medical
ADOPTING THE 2015/2016 OPERATIONAL PLAN

A RESOLUTION OF THE CHAIRMAN AND GOVERNING BOARD OF DIRECTORS OF THE SUPERSTITION FIRE & MEDICAL DISTRICT, FULLY ADOPTING THE 2015/2016 SFMD OPERATIONAL PLAN.

WHEREAS, the Board acknowledges the importance of having an Operational Plan each Fiscal Year to determine the strategic initiatives set for the District throughout the fiscal year; and

WHEREAS, the Operational Plan continually has linkage to the SFMD Declaration of Ideals, the Code of Conduct, and the SFMD Strategic Plan;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF DIRECTORS OF THE SUPERSTITION FIRE & MEDICAL DISTRICT AS FOLLOWS:

That the Superstition Fire & Medical District Board of Directors fully adopts the 2015/2016 SFMD Operational Plan.

PASSED AND ADOPTED THIS SIXTEENTH DAY OF DECEMBER 2015, BY THE CHAIRMAN AND GOVERNING BOARD OF DIRECTORS OF THE SUPERSTITION FIRE & MEDICAL DISTRICT.

Jeff Cross, Board Chairman

Gene Gehrt, Board Clerk

Jason Moeller, Board Director

Charlie Fox, Board Director

Todd House, Board Director

Governing Board Meeting – December 16, 2015

Agenda Item: 15

BOD#: 2015-12-14

Agenda Item Title:

Discussion and possible action concerning the Fire Chief's Performance Evaluation.

Submitted By:

Donna Aversa

Human Resources Generalist Donny Le

Background/Discussion:

At the November 18, 2015 Board Meeting, the Governing Board directed Donna Aversa and Donny Le to prepare the Fire Chief's Evaluation including comments made during Item 10 (BOD #2015-11-09). This gave ample time for the board to present a professional document to the Fire Chief for his evaluation.

Per the Fire Chief Performance Timeline adopted at the September 2015 Board Meeting (BOD #2015-09-08), December also marks the month the Fire Chief can respond to the verbal evaluation given at the November meeting, the Board unanimously gave the Fire Chief an A – Exceeds Expectations in all categories.

Financial Impact:

N/A

Enclosure(s):

Fire Chief Evaluation

Recommended Motion:

"Motion to adopt the fire chief evaluation as written."



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SUPERSTITION FIRE/MEDICAL FIRE DISTRICT

2015 FIRE CHIEF EVALUATION FORM

Fire Chief:	Paul Bourgeois	Review Date:
Hire Date:	November 1, 2012	November 18, 2015
Governing Board of Directors: Chairman: Jeff Cross Clerk: Gene Gehrt Director: Todd House Director: Charlie Fox Director: Jason Moeller		Current Evaluation Period: Fall 2015

Business Environment, Grading Criteria, Key Results Areas

Business Environment

The Superstition Fire/Medical District covers nearly 62 square miles and serves a year round population of approximately 85,000 people, with the potential to double in geography and customers with planned growth. The current operating budget is nearing \$20 million dollars which includes land, facilities, personnel and infrastructure for 5 state of the art firefighting/paramedic units 24 hours per day.

Grading Criteria

The following grading scale and criteria will be utilized by the Superstition Fire/Medical Board of Directors (BOD) for the purpose of evaluating the fire chief's performance.

Grade (A) indicates outstanding performance. The fire chief is very proficient in his/her skills and strong performance is consistently observed.

Grade (B) indicates performance is admirable and above the level expected. Proficiency is developing and very good performance is frequently observed.

Grade (C) indicates performance is satisfactory and meeting reasonable expectations of a qualified fire chief. The chief is beginning to grasp concepts/skills.

Grade (D) means the fire chief does not yet understand concepts/skills that have been introduced and performance is well below what is reasonably expected of a qualified and fully functioning fire chief. An action plan should be mutually developed to identify performance deficiencies and where practical, a reasonable opportunity to improve should be provided.

Grade (F) indicates that performance is unacceptable and potentially places the fire district at risk and that a lack of performance may be grounds for dismissal as outlined in the chief's contract. An action plan may also be considered if the BOD believes such an endeavor may help in correcting serious performance deficiencies.

*Please note a Grade of B or below, please provide an explanation with clearly stated objective(s) and expectation(s) for improvement on next performance evaluation.

Key Results Areas

Business Acumen, Planning and Administration

- Prepares, submits, and maintains professional reports, analysis and recommendations about the financial condition of the fire district.
- Prepares and administers budgets; manages a comprehensive capital expenditure plan; manages labor costs (compensation and benefits) and other financial control systems.
- Oversees the purchase processes for expenditures within the approved budget.
- Manages and insures compliance with all contractual obligations; adheres to required financial practices, labor laws, and state/local regulations relative to the management of a fire district; and investigates complaints relative to the business and financial administration of the district.
- Plans for growth; presents cost effective initiatives to manage the future of the fire district and the community.
- Facilitates the accurate and timely reporting of district business and presents matters in a transparent and straightforward manner.

Human Resource Management

- Promotes a professional work environment that is both positive and productive and that is free of discrimination, prejudice, and unprofessional conduct.
- Takes effective personnel action with respect to hiring, promotions, compensation & benefits, discipline, and/or termination of SFMD employees.
- Establishes policy and Standard Operating Guidelines in accordance with the Board, senior leadership team, labor and other stakeholders as necessary.
- Insures district policy and practices are administered in a fair, consistent, and equitable manner and that investigation of employee complaints and any action(s) brought by Federal, State and local regulatory agencies are administered accordingly.
- Builds trust and motivates others.
- Is sensitive to the concerns of employees and other stakeholders.

Communications

- Is easy to talk to; is a good listener; is thoughtful, positive and articulate.
- Takes the initiative to communicate important and timely information to employees, the Board and the community.
- Facilitates the accurate and timely reporting of district business and presents matters in a transparent and straightforward manner.
- Keeps employees and the Board informed of changes within the organization and in the fire service environment.
- Sets clear direction for the organization and communicates his/her vision.
- Utilizes innovative approaches to enhance communications including the use of technology and social media.
- Is open to new ideas and suggestions for change.
- Communicates with stakeholders and works with them to further district initiatives.

Leadership

- Encourages “service excellence” and the delivery of high quality service.
- Promotes teamwork and inspires others with his/her vision.
- Is innovative and implements strategies that add value to the organization.
- Demonstrates a high degree of integrity and personal commitment to organizational improvement.
- Sets goals; motivates others to improve service delivery; and through others, achieves objectives that help move the organization forward.
- Makes good decisions that are in the best interest of all stakeholders.
- Is honest, builds trust, and motivates others.
- Is respected and commands top performance from staff.
- Shows initiative and creativity in dealing with issues, problems and unusual situations.
- Promotes a professional work environment that is both positive and productive and that is free of discrimination, prejudice, and unprofessional conduct.

AREAS OF SIGNIFICANT ACHIEVEMENT AND/OR KEY BARRIERS TO SUCCESS

BUSINESS ACUMEN, PLANNING AND ADMINISTRATION

Some highlights include:

- Successfully managed the District within the 2014-15 Budget
- Successfully Developed and got approval for 2015-16 Budget with no Taxpayer increase.
- Met or exceeded the Desired Outcome for 30 of the 35 strategic initiatives of the 2015 Operational Plan
- Updated Strategic Plan to 2015 -2020 and beyond
- Produced 2015-16 Operational Plan with 35 strategic initiatives

HUMAN RESOURCES MANAGEMENT

Some highlights include:

- Hires great people – the District is a team for which the Fire Chief is responsible
- Involves appropriate employees in the interview and hiring decision process
- Overall responsibility for 2015 recruiting/hiring of
 - 3 New Recruits
 - HR Generalist
 - Payroll Account Specialist
 - Medical Transportation Services Manager
 - 6 F/T Paramedics
 - 6 P/T EMTs
 - 14 F/T Paramedics
 - 14 P/T EMTs
 - Fire Mechanic I
- Launched Volunteer Program with 5 initial volunteers
- Succession Planning/Development
- Initiated 6 month acting assignments starting at Assistant Chief Administrative trickling down to Battalion Chief, to Battalion Safety Officer, to Company Captain to Firefighter/Engineer

- Provided 2 way evaluation
SLT can evaluate employee's actual ability and performance in the acting level
Employee gets real time opportunity to experience the job responsibilities first hand
- Implemented BLUE CARD Certification program for all Command Personnel
- Tina Gerola Fire and Life Safety Specialist awarded as AZ Fire & Burn Educator of the Year

COMMUNICATIONS

Some highlights include:

- Monthly YouTube video updates to Board
- Semi- regular YouTube video updates to all employees and conducts monthly employee meetings
- Regularly visits to stations
- Seizes opportunities to improve the District's public image to the people we serve

LEADERSHIP

Some highlights include:

- Surrounds himself with very good people encouraging and developing continuous personal and career advancement
Trusts his people
Empowers his people
Holds his people accountable
- Promotes Teamwork
Strong Team driven Manager/ Delegator
Gives his people opportunities
Trust his people
Results driven
Acknowledges and celebrates successes
- Strong communicator internal and external to the District
- Organized
- Developed "living" 5 yr. Strategic Plan
Develops and lives by an annual supporting Operational Plan with desired deliverables
- Visionary – identifies areas for future consideration, gets in front of issues

COMMUNITY & FIRE SERVICE BETTERMENT

(CATEGORY ADDED BY BOARD DURING EVALUATION PROCESS)

Some highlights include:

- Conducted 3rd annual Leadership Academy attracting noted and experienced authorities in Fire Service Education with a 43% increased attendance over previous year
- Bringing CPSE (Center for Public Service Excellence) President Chief Randy Bruegman to SFMD to present Exceeding Customer Expectations Workshop Jan 28 2016. Chief Bruegman was the 1st Commission Chairman of CFAI (Commission on Fire Accreditation International)
- AZ LAST (Local Assistance State Team) – Serves as AZ State Coordinator
- National Fallen Fire Fighters Foundation – Serves on work group to support the 7th Firefighter Life Safety Initiative which calls for the creation and maintenance of a fire service research agenda.

- Firehouse Magazine – Serves as Member of Editorial Advisory Board.
- Testified on behalf of Pinal County’s Economic Development Manager at a Joint Legislative Study Committee Hearing on AZ Fire Districts Funding and Taxation regarding a potential \$18 billion of income and 22k additional jobs over the next 2 to 7 years in Pinal County.
- United Way – Serves as Member of Pinal County United Way Board.
- Active and Influential In
 - AFCA – Arizona Fire Chiefs Association
 - AFDA – Arizona Fire District Association
 - AFSI – Arizona Fire Service Institute
 - Central Arizona Life Safety Response System Council
 - Pinal County Fire Chiefs Association
 - Chief Brunacini Baggers

ACHIEVEMENTS & HIGHLIGHTS

(CATEGORY ADDED BY BOARD DURING EVALUATION PROCESS)

Some highlights include:

- On track for improved ISO rating in February 2016
- Successfully launched grant-funded CCU Program with CCU263 - January 2015
- Applied and awarded CON - March 2015
- 13% increase in Incidents (calls) - Fiscal Year 14/15
- Reduced Average Response Time 3% from 4:53 minutes to 4:44 minutes - Fiscal Year 14/15
- Value of Property Saved \$3.3 Million - Fiscal Year 14/15
- Received \$93,000 grant for Video Conferencing Equipment in 2014
- Received \$347,000 grant for SCBA apparatus in 2013
- Received \$200,539 grant for ambulance purchase in 2014
- Received \$138,943 grants for radios in 2012
- Achieved 37.5% Cardiac Survival Rate (National Average is 9.5%) - Fiscal Year 14/15
- Majority of Name Change conversion completed only item remaining building signage
- Attained Chief Fire Officer status (CFAI)

PERFORMANCE EVALUATION *(completed and approved by the Board)*

The ratings below indicate a consensus opinion of the Superstition Fire/Medical District Governing Board regarding the Fire Chief's performance in the following 4 Key Results Areas:

Key Results Area	Rating
<i>Business Acumen, Planning and Administration</i>	*
<i>Human Resources Management</i>	*
<i>Communications</i>	*
<i>Leadership</i>	*
Overall Grade: *EXCEEDS IN ALL AREAS	

COMMENTS FROM THE BOARD

Additional comments include:

- The District is bigger than one individual and the Board recognizes that the District is the team behind the Fire Chief and the Fire Chief is responsible for that team.
- The Fire Chief's leadership has set a new and higher standard of measurement for the District and the Fire Chief's own performance.
- The Fire Chief has raised the District's profile of excellence at the State and National level.

(OPTIONAL) Goals And Objectives For Next Evaluation Period:

The Board is committed to continuous review of its method and format used in the evaluation process for the purpose of providing meaningful feedback to the Fire Chief, including changing the evaluation date for next year to September.

Fire Chief Signature

Name: Paul Bourgeois, Fire Chief
Date:

Signature:

Governing Board Signatures

Chairman: Jeff Cross
Date:

Signature:

Clerk: Gene Gehrt
Date:

Signature:

Director: Todd House
Date:

Signature:

Director: Charlie Fox
Date:

Signature:

Director: Jason Moeller
Date:

Signature:

Next Review: November 2016

NOTHING FOLLOWS ON THIS PAGE

Governing Board Meeting – December 16, 2015

Agenda Item: 16

BOD#: 2015-12-15

Agenda Item Title:

Senior Leadership Team Reports

- a. Fire Chief
- b. Emergency Services
- c. Technical & Community Services
- d. Administrative Services
- e. Financial Services

Background / Discussion:

This item is for the fire chief and his staff to share information with the board of items occurring within, or related to, the fire district. Any item shared is for information only. Upon request of the board, any item shared during this agenda item may be moved to the agenda for future meetings. Board discussion, other than clarifying questions, cannot occur and no action, position, or direction may occur until the specific item is placed on the agenda.

- Statistical Reports for November 2015

Governing Board Meeting – December 16, 2015

Agenda Item: 17

BOD#: 2015-12-n/a

Agenda Item Title:

Announcements

Background / Discussion:

The BOD and/or staff may share information at this time.

Governing Board Meeting – December 16, 2015

Agenda Item: 18

BOD#: 2015-12-16

Agenda Item Title:

Adjournment

Recommended Motion:

"Motion to adjourn the board meeting."



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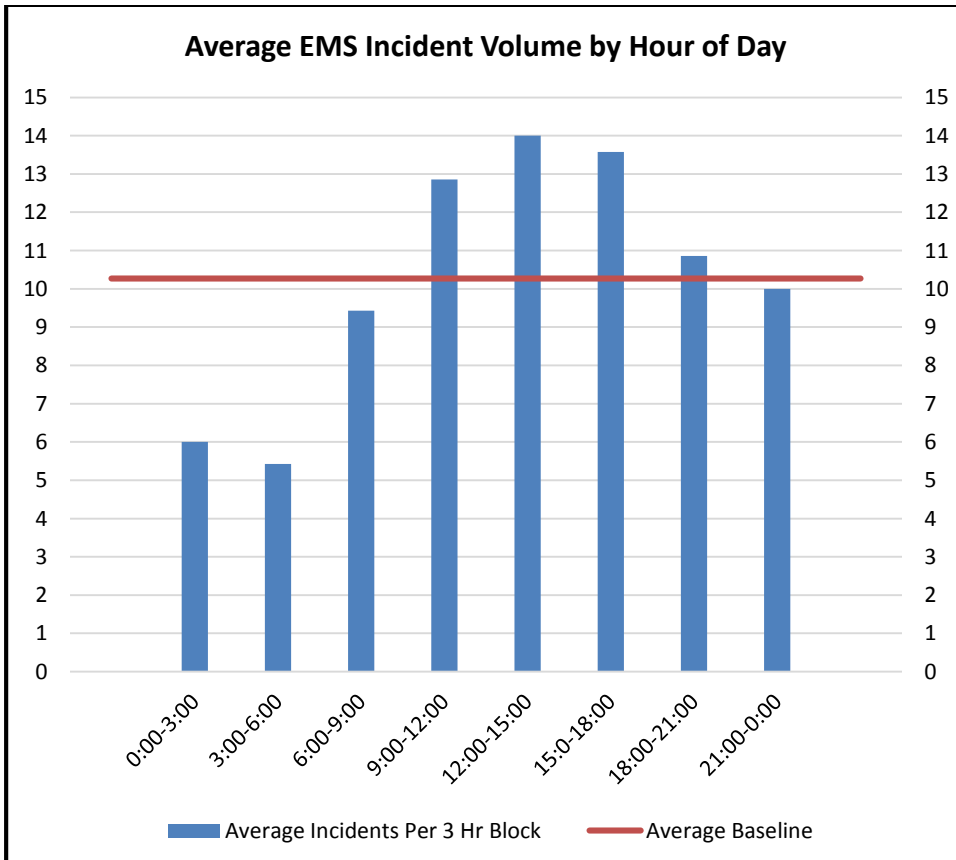
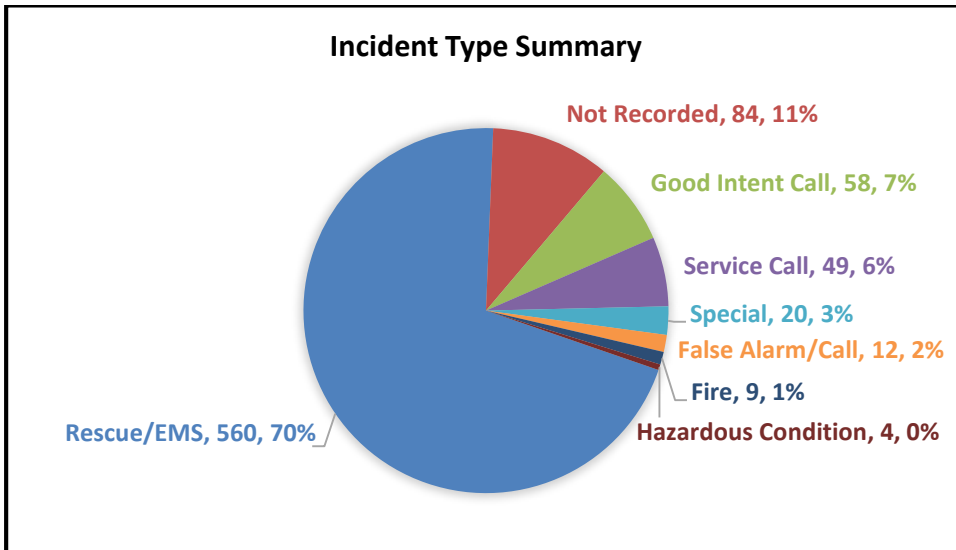
Go To Statistical Reports

Superstition Fire & Medical District

November 2015 - Monthly Report

Average Travel Time				
	<u>Metro</u>	<u>Urban</u>	<u>Suburban</u>	<u>Rural</u>
Travel Time Goal	5:12	5:12	6:30	13:00
Average Travel Time by Population Density	4:38	5:11	5:42	5:34
Average Travel Time District Wide	4:58			

Dispatches by Unit		
<u>Unit</u>	<u>Dispatches</u>	<u>Fiscal YTD</u>
B261	21	97
E261	256	1180
E262	97	435
L263	281	1383
L264	97	421
E265	51	199
CCU263	114	507
TRV263	2	4
U262	1	10
BR262	3	37
BR263	4	13
BR265	0	16
RH264	2	21



Population Density Definitions
Metropolitan An area with a population density of 3,000 or more people per square mile. 15%
Urban An area with a population density of 2,000-2,999 people per square mile. 8%
Suburban An area with a population density of 1,000-1,999 people per square mile. 10%
Rural An area with a population density of 0-1,000 people per square mile. 67%

Superstition Fire & Medical District November 2015 - Operational Report

Community Services & Activities

Description	Nov 2015	Fiscal YTD
Blood Pressure Check Events	12	45
Car Seats Installed/Placed	5	38
CCR Demonstrations	4	19
CCR Demo Students	120	489
Community Events/Festivals	11	30
Community PSAs Produced	0	2
CPR & 1st Aid Classes	0	5
CPR & 1st Aid Students	0	28
CPR & AED Classes	2	25
CPR & AED Students	8	109
Fire Investigations	0	3
Fire Station Tours	1	5
Inspections - Business	8	52
Inspections - Specialty/Complaint	15	71
Juvenile Fire Setter Program	0	2
Neighborhood Canvass - Post-Drowning	0	0
Neighborhood Canvass - Post-Fire	0	1
Plan Reviews	11	79
Safety Classes - Fire & Water	3	11
School - Fire Drills	0	3
School - Pub Ed Classes	0	0
Smoke Alarms Placed	22	70

Injury Report

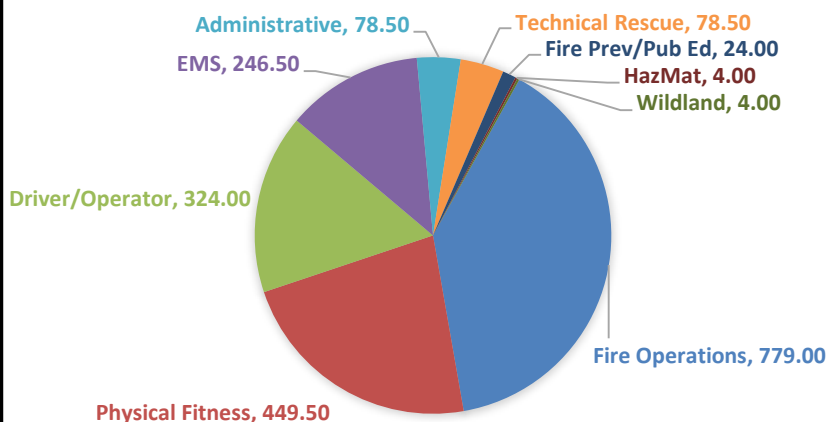
	Nov 2015	Fiscal YTD
Injuries	1	4
Exposures	0	0
Sharps	0	0



Fire & Life Safety Specialist, Tina Gerola (right) and Director of the AJ Active Adult Center, Terry Crawford, completed NFPA's "Remembering When" Conference in Orlando, Florida.

They were one of 30 teams selected from many applicants to receive a full scholarship to learn the Fire & Fall Prevention Program for Older Adults. It was a 3-day conference packed with everything they will need to combine efforts and positively impact our aging population.

Training Hours by Category



SFMD's Transportation Services EMS Academy started on Nov. 23.

Their first day included a Swearing In Ceremony, kicked off by Pipes and Drums.

SFMD welcomes our 40 new members!

Appendix A

a) Board Meeting Minutes from November 18, 2015

Submitted By:

Fire Chief Paul Bourgeois

Board Secretary Jasmin Jones

Background / Discussion:

The board meeting minutes of the previous meeting(s) are provided for the BOD to approve. If the BOD would like to discuss the minutes, they may be removed from the consent agenda. After approval, minutes are signed by the Clerk of the Board and kept as the official public record.

Financial Impact/Budget Line Item:

N/A

Staff Recommendation:

Staff recommends approval of November 18, 2015 board meeting minutes.

Enclosure(s):

November 18, 2015 Board Meeting Minutes



Go to Appendix B

Go to Agenda



**Governing Board Meeting Minutes
November 18, 2015**

PURSUANT TO A.R.S. §38.431.02, NOTICE IS HEREBY GIVEN TO THE GENERAL PUBLIC THAT THE SUPERSTITION FIRE & MEDICAL DISTRICT GOVERNING BOARD OF DIRECTORS HELD A MEETING ON WEDNESDAY, NOVEMBER 18, 2015. THE MEETING WAS HELD AT THE SUPERSTITION FIRE & MEDICAL DISTRICT'S ADMINISTRATION OFFICE, 565 N. IDAHO ROAD, APACHE JUNCTION, ARIZONA.

THIS MEETING WAS OPEN TO THE GENERAL PUBLIC AND BEGAN AT 5:30 P.M.

- A. Chairman Cross called the meeting to order at 5:30 p.m.
- B. The Pledge of Allegiance was led by Director House
- C. Roll Call showed Chairman Jeff Cross, Clerk Gene Gehrt, Director Todd House, Director Charlie Fox, and Director Jason Moeller as present.

Senior Leadership in attendance: Fire Chief Paul Bourgeois (telephonically), Assistant Chief Jerome Schirmer, Assistant Chief Dave Montgomery, Assistant Chief Mike Farber, Acting Assistant Chief Brett Broman, and Finance Director Roger Wood were present.

Legal Counsel Donna Aversa and Executive Assistant acting as Board Secretary Jasmin Jones were also present for the meeting.

Item 1: *Review and approval of the October 2015 financial reports and bank reconciliations.*
(BOD #2015-11-01)

Motion by Director House to approve the October 2015 financial reports and reconciliations.
Seconded by Director Fox.

Vote 5 ayes, 0 nays. Motion passed.

Item 2: *Recognition of employee performance, achievements and special recognition for community members.* (BOD #2015-11-02)

Assistant Chief Jerome Schirmer presented July Ritschel with her 15 Year Service Award.

Assistant Chief Dave Montgomery read the list of the following November Service Anniversaries

Software Administrator & IT Specialist Lauren Daniel	9 Years
Fire Chief Paul Bourgeois	3 Years
Account Clerk Specialist Jennifer Burke	2 Years

Item 3: *Call to the Public.* (BOD #2015-11-n/a)
None

Item 4: *Consideration and possible approval of all consent agenda items listed below:*
(BOD #2015-11-03)

- a) *Board Meeting Minutes from October 21, 2015*
- b) *Purchase of equipment to upgrade and enhance the G2 alerting system for Fire Station 261*

& 264.

c) *Amended and restated Intergovernmental Agreement with Topaz Regional Wireless Cooperative (TRWC).*

Motion by Clerk Gehrt to approve consent agenda items for November 18, 2015. Seconded by Director Fox.

Vote 5 ayes, 0 nays. Motion passed.

Item 5: *Discussion and possible approval of the Pinal County Letter Line of Credit – Letter of Declaration. (BOD #2015-11-04)*

Finance Director Roger Wood stated this Line of Credit – Letter of Declaration is for districts that will be issuing less than \$10 million in tax exempt debt during the calendar year, and is required by Pinal County's servicing bank and the IRS. If the letter is not returned or a district will be issuing more than \$10 million in tax exempt debt, it will be charged a higher rate of interest when borrowing against the line of credit.

Motion by Director House to approve the Pinal County Line of Credit Letter of Declaration for 2016. Seconded by Director Fox.

Vote 5 ayes, 0 nays. Motion passed.

Item 6: *Discussion and possible approval of Resolution 2015-10: To Define Volunteer "Compensation" – for clerical volunteers for the purpose of establishing worker's compensation premiums. (BOD #2015-11-05)*

Finance Director Roger Wood explained to the Board that CopperPoint is the District's provider of worker's compensation insurance. In order to determine or "define" the compensation for volunteers to be used in calculating the District's worker's compensation cost for the clerical volunteers who are helping the District, CopperPoint is requiring the Governing Board pass a resolution defining the volunteers "assume" monthly compensation.

Absent the approval of this resolution, CopperPoint will assume the monthly compensation for the District's clerical volunteers to be equal to the compensation of a starting firefighter.

Staff is recommending that the Governing Board consider approving Resolution 2015-10 defining the assumed monthly compensation for the District's clerical volunteers to be equal to \$400 per month.

Motion by Director Moeller to adopt Resolution 2015-10: Defining Volunteer Compensation. Seconded by Clerk Gehrt.

Vote 5 ayes, 0 nays. Motion passed.

Item 7: *Discussion and possible action regarding state land annexations and adoption of Resolution 2015-11: Annexing State Land. (BOD #2015-11-06)*

Assistant Fire Chief Dave Montgomery asked the Board of Directors to table this item.

Item 8: *Executive Session pursuant to ARS §38-731.03(A)(1) for personnel matters regarding the Fire Chief's Performance Evaluation. (BOD #2015-11-07)*

Chairman Jeff Cross asked Fire Chief Paul Bourgeois if he received at least 24 hours advanced notice of this proposed executive session and if Chief Bourgeois would like this item discussed in an executive session. Chief Bourgeois answered yes to both questions.

Motion by Director House to go into Executive Session pursuant to §38-731.03(A)(1) at 5:41 pm for personnel matters regarding the Fire Chief's Performance Evaluation. Seconded by Director Fox.

Vote 5 ayes, 0 nays. Motion passed.

Regular Session reconvened at 6:44 pm, Chairman Cross reminded those in attendance of the Executive Session that items discussed are confidential.

Item 10: *Discussion and possible action regarding the Fire chief's annual performance evaluation. (BOD #2015-11-09)*

Legal Counsel Donna Aversa asked to move Item 10 before Item 9 on the agenda, all Board Members agreed.

Clerk Gehrt led the conversation regarding Fire Chief Paul Bourgeois' performance evaluation.

Achievements & Highlights

- ISO Rating
- Grant funded CCU Program
- Applied / Awarded CoN
- 13% in call volume with a decrease in response times (3% reduction)
- Value of property saved from Fires \$3.4 million
- Received \$93k grant money for video conferencing equipment
- SCBA Grant
- Ambulance Grant
- Achieved 37.5% cardiac save rate (national average is 9.5%)
- SFMD Name Change conversion complete
- Obtained CFO through the CPSE

Business Acumen

- Successfully managed District finances
- 2015/2016 Budget with no tax increase for tax payers
- Updated the Strategic Plan – New Name & Years
- Produced the 2015/2016 Operational Plan with 35 Strategic Initiatives

Human Resources

- Hired great people
- Involves employees in review / hiring process
- Overall Responsible for the hiring of 49 people this fiscal year
- Launched Volunteer Program
- Succession Planning / Development
- Provides 2 way evaluations to members
- Blue Card Certification Program
- Fire & Burn Educator of the Year – Tina Gerola

Communication

- Monthly YouTube videos to Board Members
- Regular update videos to the entire membership
- Conducts monthly ALL Staff Meetings
- Uses every opportunity to better the SFMD image in the community

Leadership

- Surrounds self with strong leadership team
- Trusts his team
- Empowers employees / holds them accountable
- Promotes team work
- Strong motivator and delegator
- Results driven

- Acknowledges hard work
- Celebrates successes
- Organized
- Hosted / Organized SFMD Leadership Academy with nationally accredited speakers – 43% increase in enrollment this year.
- Bringing the CPSE to our RTC for a class that is open to all departments in the State of Arizona
- State Coordinator for the Arizona LAST Team
- Currently in DC with the National Fallen Firefighter Foundation working on issues to bring before the Senate for the 7 Firefighter Life Safety Initiatives
- Editorial Advisory Committee with Firehouse Magazine
- Testified in front of the Joint Fire District Committee
- Serves on the Pinal County United Way Board
- Active and influential in
 - Arizona Fire District Association
 - Arizona Fire Chiefs Association
 - Arizona Fire Service Institute
 - Arizona Life Safety Council
 - Bagger's Club

Director House added that Chief Bourgeois' leadership skills raised the SFMD profile in the State of Arizona and nationally. He sets a new standard of measurement for the Fire Chiefs roles and responsibilities. Chief Bourgeois exceeds all of Director House's expectations. Director House reminded Fire Chief Paul Bourgeois to remember to take time for himself away from work.

Chairman Cross stated it is a pleasure working with Chief Bourgeois. The SFMD has grown by leaps and bounds because of Chief Bourgeois. He has brought everyone to their level of excellence and has allowed them to move up into positions. The amount of grant money and the ability to bring ambulance service to our community is outstanding.

Chief Bourgeois thanked the Board for the kind words and evaluation. He stated that he has an outstanding team, and that he could not do any of the items mentioned without the assistance of the membership. He also thanked the Board for being so supportive on the all of the initiatives brought before them.

Chairman Cross stated that he would like the membership to know that the grade of A is reflective on the entire membership and all of their hard work with Chief Bourgeois as their leader. He extended his thanks to all of their hard work, with late nights and weekends to accomplish all that we do.

The Board directed Donna Aversa and Donny Le to prepare the evaluation based on the discussion and add it to the December Board Agenda, which will keep in time with the timeline adopted at the September 2015 Board Meeting.

Motion by Clerk Gehrt to give a verbal evaluation with the final document to come next month (December), further moved to give Chief Bourgeois an A rating, Exceeds Expectations in all categories. Seconded by Director Fox.

Vote 5 ayes, 0 nays. Motion passed.

Item 9: *Discussion and possible action concerning an amendment to the Fire Chief's Evaluation Process Policy. (BOD #2015-11-08)*

Clerk Gehrt lead the discussion regarding the Fire Chief's evaluation process.

He stated today our Fire Chief's annual evaluation process is totally subjective. Nothing is quantitative or measurable. He went on to read a document he created which said the following:

We all know we have a great Fire Chief. He's expected to have great business acumen which he has. He is expected to have great planning skills, which he has as illustrated by SFMD's Strategic Plan and annual Operational Plans. He doesn't have to be nor should he be a Human Resource Manager nor Finance Manager. Our Fire Chief has surrounded himself with great people who are demonstrated experts in those respective fields. We also know our Fire Chief has demonstrated to us that he is a great communicator and leader.

But all of this is our opinion as Board members. In business, opinions are just that, opinions formed on differing views and criteria. CEOs of corporations are not evaluated on traits and skills like those we are using. At that level those are expected. CEOs are evaluated on results!

Consider that as Board members, we are comparable to the board of a corporation with a 20 million dollar (mostly tax generated) annual budget. Our Fire Chief is Our CEO and our taxpayers are our investors, shareholders and owners.

Clerk Gehrt suggested the following:

1. Utilize SFMD's Strategic Plan with a primary focus on SFMD's Annual Operational Plan as a true measuring stick.

The Operational Plan is results (desired outcome) driven. Currently we do not acknowledge, recognize or report any progress or accomplishment of the Desired Outcomes of the plan. The Board as the responsible governing party should annually adopt both the updated Strategic Plan and the Operational Plan establishing the Desired Outcomes as the Measurements on which Our Chief is to be evaluated.

All SFMD's Strategic initiatives with their sub initiatives have defined **Desired Outcomes, 2015-16 has 35.**

2. Revise the Board's Fire Chief Evaluation Process Policy to utilize SFMD's Annual Operations Plan as the MEASURING STICK for Our Chief's performance beginning with fiscal year 2015-16.

Everything in the District is driven by the FISCAL YEAR (July 1 thru June 30) with the exception of hiring anniversary dates. The Fire Chief's annual evaluation is also based on his calendar year anniversary of Nov. 1.

3. Move his annual evaluation date to Sept. 1 so that his evaluation can be based on the prior fiscal year (July 1 thru June 30) results, making his annual evaluation results driven rather than subjective like it is today.

His annual evaluation would be based on his accomplishments of the last fiscal year operational plan strategic initiatives by comparing the plans Desired Outcomes to the Actual Outcomes (Tangible Measurements). His annual evaluation should also include previous year-end budget results which are also measurable and an area for Unplanned Achievements and Accomplishments.

Clerk Gehrt said if we truly want to accomplish our vision of being the Premier Fire District in the state of Arizona we must think out of the box and start treating our Fire Chief as the CEO he is. His job is not to fight fires. His job is to run a Public Service Organization with a 20 million dollar mostly tax generated annual budget whose mission is to Preserve Life, Protect Property and to Add Value to the Community we serve in a Responsive, Innovative and Professional way.

The Board briefly discussed the possibility of changing the process for evaluating the Fire Chief. They had some concerns how to quantify the strategic initiatives as a grade level on the evaluations.

Motion by Clerk Gehrt to change the Fire Chief's evaluation date to September 1st of each years and to formerly adopt on an annual basis the Strategic and Operational Plans. Seconded by Director House.

Vote 5 ayes, 0 nays. Motion passed.

Item 11: *Executive Session pursuant to ARS §38-431.03(A)(1) for legal advice with the attorney of the public body. (BOD #2015-11-10)*

Motion by Chairman Cross to go into Executive Session pursuant to ARS §38-431.03(A)(1) at 7:20 pm for legal advice from the attorney of the public body regarding Thunder Mountain Middle School. Seconded by Director House.

Vote 5 ayes, 0 nays. Motion passed.

Regular Session reconvened at 7:55 pm, Chairman Cross reminded those in attendance of the Executive Session that items discussed are confidential.

Item 12: *Discussion, update, and possible action on the lease/purchase agreement with the Apache Junction Unified School District (AJUSD) regarding Thunder Mountain Middle School. (BOD# 2015-11-11)*

Legal Counsel Donna Aversa stated that if the Board is inclined to pursue discussions and potential acquisition of Thunder Mountain Middle School keeping in mind the AJUSD owns the buildings and BLM owns the land, to direct the Fire Chief and Staff to move forward with the AJUSD and report back to the Board.

Motion by Director House to give the Fire Chief the ability to negotiate a lease purchase agreement with the Apache Junction Unified School District for the acquisition of Thunder Mountain Middle School. Seconded by Clerk Gehrt.

Vote 5 ayes, 0 nays. Motion passed.

Item 13: *Discussion and update of the CCU Program and Transportation Operations implementation. (BOD# 2015-11-12)*

Assistant Chief Schirmer stated he would speak to this item during his division report.

Item 14: *Senior Leadership Team Reports. (BOD# 2015-11-13)*

➤ **Fire Chief Report**

- 2016 AFDA Winter Conference – January 14th – 16th
 - Conference will be in NV time this year
 - Turn registration into Jasmin ASAP
- Required Training Classes Per SB1387
 - Now Available as correspondence classes through AFDA
 - Classes are \$50 per class – see Jasmin for further details
- Save Our Fire Districts Arizona
 - www.saveourfiredistrictsaz.com
 - Please Contact Your Legislature – simple steps on their website with a letter already written and will go directly to your legislature.
- Camp F.I.R.E.S.
 - 11 participants
 - News Coverage from Channel 10
 - Surveys will be sent to participants for future planning for years to come
 - Thank you to Captain Amy Brooks for heading up the program and FF July Ritschel and Jackie Anderson for their great mentorship during the Camp.

➤ **Emergency Services / Operations**

- Completion of the Fire Captain Promotional Process
 - 5 candidates on Eligibility List
- Implementation of new medical devices – Revel Automatic Ventilator

- Fire Recruit Process
- Ambulance Operations
- **Technical & Community Services**
 - Community Services
 - Actively working on the adoption of the 2015 International Fire Code
 - Two new ordinances we will be looking into to address portable and gas fire pits and Chinese sky lanterns
 - Compliance Engine Reports
 - Working with the AJ Chamber of Commerce to make a presentation about the new software and about the Self-Inspection Program.
 - October 204th staff and crews participated in the Anthony Bates Foundation Cardiac Screening event at AJHS
 - Tina Gerola recently completed a training program in Orlando Florida on a full-ride scholarship – “Remembering When”
 - December 5th is the Annual City Holiday Celebration – All day event include Light Parade.
 - Technical Services
 - Working to complete the transition to ImageTrend Elite – NEMSIS 2 to NEMIS 3
 - IT finalizing crew evaluations on the new ePCR tablets
 - Equipment purchase and Telesftaff programming are under way for our new ambulances and Transport Division
 - All of the video conferencing equipment attained through a regional grant has now been installed and is being used for training and communication purposes.
 - We received a check from the Gila River Indian Community for \$200,00+ for one of the new ambulances.
- **Administrative Services**
 - Ambulance Operations Orientation – Historic Event
 - November 23rd & 24th
 - Pipes & Drums, Swearing In, Admin/HR Responsibilities, Station Life, BBQ
 - Policy Revisions
 - Working Closely with the Labor Group on revisions
 - Creating new policies for Ambulance Operations.
 - 2016 Benefit Renewals
 - Meeting with Brokers, etc. in preparation
- **Financial Services**
 - Worker’s Compensation – Code Audit
 - National Council on Compensation Insurance (NCCI) was on site
 - SFMD was successful in getting 6 codes instead of 2
 - Changes are retroactive to 7/1/2015 resulting in premium savings in FY 15/16 of \$19k and future savings of \$40k
 - Tyler Update
 - SFMD and Tyler are working to terminate contract
 - Two letters have been sent to Tyler
 - The second letter provided clarity on the extent and nature of the District’s position of “breach of contract”
 - Tyler has agreed to provide their response no later than November 30, 2015

Item 15: *Announcements (BOD# 2015-11-n/a)*

Chairman Cross thanked Tina Gerola for arranging to teach CPR and First Aid to a Boy Scout's Troop.

Item 16: *Adjourn (BOD# 2015-11-14)*

Motion by Director House at 9:20 p.m. to adjourn the meeting. Seconded by Director Fox.

Vote 5 ayes, 0 nays. Motion passed.

Governing Board Approval:

Gene Gehrt, Board Clerk

Jasmin Jones

Appendix B

b) Executive Session Meeting Minutes from November 18, 2015 – Personnel Matters

Submitted By:

Fire Chief Paul Bourgeois

Board Secretary Jasmin Jones

Background / Discussion:

The executive session board meeting minutes are provided for the BOD approval. If the BOD would like to discuss the minutes, they may be removed from the consent agenda. After approval, minutes are signed by the Clerk of the Board and kept as the official public record.

Financial Impact/Budget Line Item:

N/A

Staff Recommendation:

Staff recommends approval of the November 18, 2015 executive session board meeting minutes (personnel matters).

Enclosure(s):

Confidential Minutes to be provided at the board meeting.



Go to Appendix C

Go to Agenda

Appendix C

c) Executive Session Meeting Minutes from November 18, 2015 – Attorney Advice

Submitted By:

Fire Chief Paul Bourgeois

Board Secretary Jasmin Jones

Background / Discussion:

The executive session board meeting minutes are provided for the BOD approval. If the BOD would like to discuss the minutes, they may be removed from the consent agenda. After approval, minutes are signed by the Clerk of the Board and kept as the official public record.

Financial Impact/Budget Line Item:

N/A

Staff Recommendation:

Staff recommends approval of the November 18, 2015 executive session board meeting minutes (attorney advice).

Enclosure(s):

Confidential Minutes to be provided at the board meeting.



Go to Appendix D

Go to Agenda

Appendix D

d) Review and approval of 10 Panasonic Toughbook CF-C2's for ePCR and Fire Reporting

Submitted By:

Fire Chief Paul Bourgeois
Planning & Technology Anna Butel

Background / Discussion:

After an extensive evaluation period SFMD members have selected the CF-C2 as the laptop/tablet of choice. These devices will go in-service upon configuration and setup. Our existing CF-H2 tablets have passed the 3-year mark, are showing signs of degradation, and require replacement.

These devices were budgeted for during the annual budgeting process and have not exceeded the budgeted amount.

Financial Impact/Budget Line Item:

200-70-73515-15 \$16,575 12/16/2015 BOARD APPROVAL

200-70-73515-15 \$18,961.12 EMERGENCY PROCUREMENT

Staff Recommendation:

Staff recommends approval of the purchase

Enclosure(s):

Purchase Orders
Quote



Go to Appendix E

Go to Agenda



CLH International, Inc.

1337 E. University Dr.
Tempe, AZ 85281
(480) 829-1582 FAX
(480) 829-1350
www.clh.com

Quote

Acct. No.	Date	Quote#
2560	12/2/2015	Q010686

Quote To	Ship To
Superstition Fire & Medical District 565 N. Idaho Rd. Apache Junction AZ 85119 United States	Superstition Fire & Medical District 565 N. Idaho Rd. Apache Junction AZ 85119 United States

Expires	Sales Rep	Shipping Met...	Terms	Contact Name
1/1/2016	Levi Ouellette	CLH Free Delivery	Net 30 Days	Anna Butel

Contract	Memo
	CF-C2 Toughbooks, Warranty, & Docks

Item	QTY	MPN	Description	Unit Price	Tax	Amount
CLH-ITEM	5		Panasonic Toughbook CF-C2CKEZFCM - Win7 (Win8.1 Pro COA), Intel Core i5-4300U 1.90GHz, vPro, 12.5" HD 5-pt Multi Touch+Digitizer, 128GB SSD, 4GB, Intel WiFi a/b/g/n, TPM, Bluetooth, 4G LTE Multi Carrier (EM7355), 5MP Cam, Webcam, No Drive, Toughbook Preferred	3,080.00	Yes	15,400.00
NBPW0031	5	CF-SVCLTNF3Y	Panasonic Warranty Protection Plus - 3-Year	235.00		1,175.00

				Subtotal	16,575.00
				Shipping Cost (CLH Free Delivery)	0.00
				Tax (AZ_TEMPE 8.1%)	1,247.40
				Total	\$17,822.40

Prices are subject to change and are only good for up to 30 days - please contact your sales rep for current pricing.

Peripherals like printers, scanners, and other components that are attached outside of a computer are covered under the manufacturer warranty. All software, licenses, and special orders are non-returnable - all sales are final. *There is a minimum of a 15% restocking fee for any unopened equipment returned in original packaging with all parts that came with the unit.



Q010686



Superstition Fire & Medical District

Purchase Order

565 North Idaho Rd. Apache Junction, AZ 85119-4014
Phone: (480) 982-4440 Fax: (480) 982-0183



Date: December 08, 2015

TO: CLH International, Inc. dba
ACT Computer Solutions
1337 E University Dr
Tempe, AZ 85281

Vendor ID: CLHII

Purchase Order #: 012557

Requisition #: 11,658

Buyer: PRA

Created by: AMB

Created Date: 12/8/2015

Updated by: AMB

Updated Date: 12/8/2015

Ship To: Administration Building
565 N. Idaho Road
Apache Junction, AZ 85219

Page #: 1

Order Description:

Line	AJFD Product #	Description	GL Acct #	Quantity	Unit Price	Amount
1	200COMPEQUIPMCF-C2	Panasonic Toughbook & Warranty	200707351515	5.00	\$3,792.2240	\$18,961.12
See Attached Quote Q010694						

Important Conditions

1. Invoice in Duplicate
2. If price(s) are higher than specified, do not ship, advise us.
3. Do not ship or render any service prior to specified date, unless noted.
4. Goods subject to our inspection on arrival, not withstanding prior payment to obtain cash discount.
5. Goods rejected due to inferior quality or workmanship will be returned to you with charge for transportation both ways, and are not to be replaced except upon receipt of replacement PO from us.
6. Orders not shipped on date specified may be cancelled by us.
7. If these conditions are not acceptable, please advise us on receipt of the orders and before you make any shipment.

TOTAL **\$18,961.12**

Purchasing Manager

Fire Chief

PURCHASING / PROCUREMENT FORM by PURCHASE ORDER (PO)

BOD # _____

PO # 012557

LIMITS	REQUIREMENTS	APPROVALS
\$0.00 - \$2,999.00	FORM Not Required	Budget Manager, BC, Executive Assist., Facilities Specialist
\$3,000.00 - \$4,999.99	FORM Not Required	Budget Manager, BC, Executive Assistant, Facilities Specialist AND (+2) Fire Chief, Assistant Chief or Finance Manager
\$5,000.00 - \$24,999.99	3 Written Bids	Budget Manager, BC, Executive Assistant, Facilities Specialist AND (+2) Fire Chief, Assistant Chief or Finance Manager
\$25,000 or MORE	3 Written Bids	Budget Manager, BC, Executive Assistant, Facilities Specialist AND (+2) Fire Chief, Assistant Chief or Finance Manager AND Governing Board

Quote # 1

Vendor Name: CLH International Vendor Phone #: (480) 829-1350
 Vendor Address: 1333 E. University Dr. Tempe, AZ 85281
 Quote Description: Panasonic Toughbook C2 WIN7 Intel Core i5
Warranty Protection Plus 3 yr.
 See Attached Written Quote \$ 3,248.00 per unit

Quote # 2

Vendor Name: PCS Mobile Vendor Phone #: (480) 539-4590
 Vendor Address: 3529 E. Broadway Phoenix AZ 85040
 Quote Description: Panasonic Toughbook C2 WIN7 Intel Core i5
Did not quote product
 See Attached Written Quote \$ UTO

Quote # 3

Vendor Name: Mooring Tech Vendor Phone #: 877-532-8088
 Vendor Address: 488 Edgewood Ave. Atlanta, Georgia 30312
 Quote Description: Panasonic Toughbook C2 WIN7 Intel Core i5
Warranty Protection Plus 3 year
 See Attached Written Quote \$ ~~3,510.00~~ 3,510.00 per unit

COMPETITIVE QUOTES / BIDS CAN BE WAIVED FOR THE FOLLOWING REASONS:

- ☐ STATE CONTRACT /INTERGOVERNMENT (State Contract Number or Government Agency Must be on
- ☐ SOLE SOURCE PROCUREMENT (Supporting Documentation Must be with PO)
- ☒ EMERGENCY ACTION (Explanation Sent to Gov. Board Must be with PO)
- ☐ COMPETITION SOLICITED WITH NO OFFERS
- ☐ STANDARDIZATION / COMPATABILITY REQUIREMENTS for EQUIPMENT
- ☐ TRAVELING EXPENSES with GOVERNMENTAL RATE (Standard Rate Must be Specified on PO)
- ☐ PRODUCT / SERVICE / AGENCY for EDUCATIONAL, TRAINING, EXPERIMENTAL, DEVELOPMENTAL or RESEARCH WORK
- ☐ EQUIPMENT ALREADY INSTALLED, CONNECTED, IN SERVICE AND IT IS DETERMINED ADVANTAGEOUS TO PURCHASE SAME
- ☐ ITEMS ARE SUBJECT TO RAPID PRICE FLUCTUATION OR IMMEDIATE ACCEPTANCE (Attach Supporting Documents to PO)

APPROVAL:

12/8/15

DATE

12/8/15

DATE

12/8/2015

DATE

12/8/2015

DATE

DEPT. HEAD SIGNATURE

FINANCE MANAGER

ASSISTANT CHIEF SIGNATURE

FIRE CHIEF SIGNATURE



Quote

CLH International, Inc.

1337 E. University Dr.
Tempe, AZ 85281
(480) 829-1582 FAX
(480) 829-1350
www.clh.com

Acct. No.	Date	Quote#
2560	12/8/2015	Q010694

Quote To	Ship To
Superstition Fire & Medical District 565 N. Idaho Rd. Apache Junction AZ 85119 United States	Superstition Fire & Medical District 565 N. Idaho Rd. Apache Junction AZ 85119 United States

Expires	Sales Rep	Shipping Met...	Terms	Contact Name
1/7/2016	Levi Ouellette	CLH Drop Ship	Net 30 Days	Anna Butel

Contract	Memo
	CF-C2 Toughbooks & Warranty

Item	QTY	MPN	Description	Unit Price	Tax	Amount
CLH-ITEM	5		Panasonic Toughbook CF-C2CKFZFCM - Win7 (Win8.1 Pro COA), Intel Core i5-4300U 1.90GHz, vPro, 12.5" HD 5-pt Multi Touch+Digitizer, 128GB SSD, 8GB(4+4), Intel WiFi a/b/g/n, TPM, Bluetooth, 4G LTE Multi Carrier (EM7355), 5MP Cam, Webcam, No Drive, Toughbook Preferred	3,248.00	Yes	16,240.00
NBPW0031	5	CF-SVCLTNF3Y	Panasonic Warranty Protection Plus - 3-Year	235.00		1,175.00

	Subtotal	17,415.00
	Shipping Cost (CLH Drop Ship)	230.68
	Tax (AZ_TEMPE 8.1%)	1,315.44
	Total	\$18,961.12

Prices are subject to change and are only good for up to 30 days - please contact your sales rep for current pricing.

Peripherals like printers, scanners, and other components that are attached outside of a computer are covered under the manufacturer warranty. All software, licenses, and special orders are non-returnable - all sales are final. *There is a minimum of a 15% restocking fee for any unopened equipment returned in original packaging with all parts that came with the unit.



Q010694



5 items (\$ 3,045.00 in total)

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Home 5 items (\$ 3,045.00 in total)

Product name

Quantity

Price

**Custom Built CF-C2**

1

\$ 3,045.00 X**Screen Options:** \$2,350.00 - 10-Point Capacitive Multi Touch + Digitizer**Operating System:** Windows 7 Professional 64-bit (Win8.1 Pro COA)**Internal 4G LTE (Verizon, AT&T, Sprint):** \$295.00 (C2GOBI5000FU) 4G LTE Multi Carrier w/ satellite GPS**Hard Drive Upgrades:** \$150.00 - 128GB Solid State Hard Drive**CF-C2 RAM:** \$0.00 - 4GB RAM Total (4GB x 0GB Configuration)**Accidental Damage Warranty Upgrades:** \$250.00 (CF-SVCLTNF3Y)**3-Year Protection Plus**[Edit Item](#)

Note for seller (optional):

Total payment:

\$ 3,045.00[Update](#)[Proceed to checkout](#)**Guides & More**

- Laptop Mounts
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Models

- Toughbook CF-19
- Toughpad FZ-G1
- Toughbook CF-31
- Toughpad FZ-M1
- Toughbook CF-54
- Toughpad FZ-B2
- Toughbook CF-53
- Toughpad 4K
- Toughbook CF-52
- Toughpad FZ-E1
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Return Policy**Terms of Use**

- Toughpad FZ-X1
- Toughbook CF-SX2
- Toughbook CF-H2
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- REFURBISHED

67 reviews

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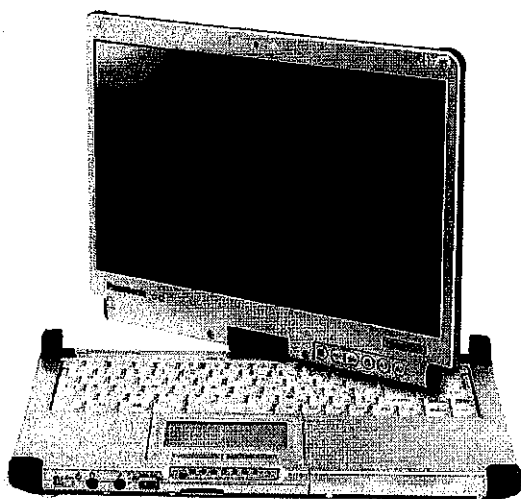
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Toughbook C2



Additional Details

- [Official Specification Sheet](#)
- [Protection Plus Warranty Upgrade](#)
- [Standard Warranty Brochure \(Toughbook Preferred\)](#)
- [Absolute Computrace Brochure](#)
- [Toughbook Product Comparison](#)

Answers to Frequently Asked Questions

Recovery or Restore DVD's

Panasonic no longer provides physical restore DVDs with their Toughbooks per restrictions set forth by Microsoft. Customers can use a restore partition on their hard drive to re-image a unit and can also burn their own restore DVDs. Panasonic also allows customers to purchase an official restore DVD for \$35.00. Call for details.

AC Adapter for External Battery Charger and Desktop Docking Station

The external battery charger and desktop docking station do NOT come with their own AC Adapter. Panasonic expects customers to either use the AC Adapter that comes standard with their laptop or to purchase an additional one.

LCD Film Protectors

All Toughbook C2's come with touchscreen as a standard feature and will thus come with a LCD Film Protector pre-installed by default.

Custom Built CF-C2

Standard on all units:

Intel Core i5-4300U 1.90GHz Processor
 Standard 500GB HD
 Standard HD 1.3MP webcam with mic
 HDMI Port
 USB 3.0 (x2), USB 2.0 (x1)
 Wi-Fi, Bluetooth and Ethernet
 Standard Bridge Battery (Enables Hot-swap Battery Replacement for Continuous Use)
 Primary AC Adapter and Battery

Screen Options:

- ☐ \$1,950.00 - 10-Point Capacitive Multi Touch
- ☒ \$2,350.00 - 10-Point Capacitive Multi Touch + Digitizer

Operating System:

- ☐ Windows 7 Professional 32-bit (Win8.1 Pro COA)
- ☒ Windows 7 Professional 64-bit (Win8.1 Pro COA)
- ☐ Windows 8.1 Professional 64-bit

Special Order Options (long lead-time, choose 1):

- ☐ NONE
- ☐ \$150.00 - Serial Port
- ☐ \$150.00 - VGA Port
- ☐ \$150.00 - 56K Modem
- ☐ \$550.00 - 1D/2D Barcode Reader (EA11)
- ☐ \$550.00 - 1D/2D Barcode Reader (EA21)

Additional Special Order Options:

- ☐ NONE
- ☐ \$195.00 - Fingerprint Scanner
- ☐ \$195.00 - Smartcard Reader full-size, No Expresscard slot

Internal 4G LTE (Verizon, AT&T, Sprint):

- ☒ \$295.00 (C2GOBI5000FU) 4G LTE Multi Carrier w/ satellite GPS

Hard Drive Upgrades:

- ☐ \$0.00 - 500GB (7200rpm) Hard Drive
- ☐ \$150.00 - 128GB Solid State Hard Drive
- ☐ \$250.00 - 256GB Solid State Hard Drive
- ☒ \$395.00 - 512GB Solid State Hard Drive
- ☐ \$595.00 - 1TBD Solid State Hard Drive

CF-C2 RAM:

- ☐ \$0.00 - 4GB RAM Total (4GB x 0GB Configuration)
- ☐ \$95.00 - 8GB RAM Total (4GB x 4GB Configuration)
- ☒ \$145.00 - 12GB RAM Total (4GB x 8GB Configuration)

CF-C2 Power Options:

- ☒ \$75.00 (CF-AA6413CM) Spare AC Adapter
- ☐ \$135.00 (CF-AAV1601AU) Panasonic 12 Volt Car Adapter
- ☐ \$145.00 (CF-LNDDC120) LIND Car Adapter 120W
- ☐ \$135.00 (CF-VZSU80U) Spare Standard Battery
- ☐ \$185.00 (CF-VZSU83U) Spare Long-Life Battery
- ☐ \$105.00 (CF-VZSU82U) Spare Lightweight Battery
- ☐ \$175.00 (CF-VCBTB3W) External Battery Charger
- ☐ \$565.00 (CF-LND3BAYC2) LIND 3-Bay C2 Battery Charger

CF-C2 Accessories:

- ☐ \$385.00 (CF-VEBC21U) C2 Desktop Dock with DVD Multi Drive
- ☐ \$25.00 (CF-VNP020AU) Spare Stylus Pen
- ☐ \$40.00 (CF-VNP016AU) Spare Digitizer Pen
- ☐ \$15.00 (CF-VNT004U) Spare Tether
- ☐ \$65.00 (CF-VPF25U) Spare LCD Film Protector
- ☐ \$135.00 (TBCC2CASE-P) Convertible Case
- ☐ \$100.00 (TBCBPK-P) InfoCase Backpack
- ☐ \$80.00 (TBCCOMUNV-P) Toughmate ComUniversal

Standard Warranty Extension:

- ☐ NONE
- ☐ \$200.00 (CF-SVCLTEXT1Y) Extends Standard Warranty to 4th Year
- ☐ \$350.00 (CF-SVCLTEXT2Y) Extends Standard Warranty to 4th/5th Year

Accidental Damage Warranty Upgrades:

- ☐ NONE
- ☒ \$250.00 (CF-SVCLTNF3Y) 3-Year Protection Plus
- ☐ \$500.00 (CF-SVCLTNF4Y) 4-Year Protection Plus
- ☐ \$800.00 (CF-SVCLTNF5Y) 5-Year Protection Plus

On-site Warranty Options:

- ☐ NONE
- ☐ \$175.00 (CF-SVCLTOSUS3Y) 3-year On-Site Service
- ☐ \$425.00 (CF-SVCLTOSUS4Y) 4-year On-Site Service
- ☐ \$625.00 (CF-SVCLTOSUS5Y) 5-year On-Site Service

Computrace Data & Theft Protection:

- ☐ NONE
- ☐ \$125.00 (CF-SVCASCTC3Y) 3-Year Computrace Complete
- ☐ \$155.00 (CF-SVCASCTC4Y) 4-Year Computrace Complete
- ☐ \$185.00 (CF-SVCASCTC5Y) 5-Year Computrace Complete

Software Applications:

- ☐ \$225.00 - Microsoft Office Home & Business 2016 (Outlook, Word, Excel, PowerPoint, and OneNote)
- ☐ \$395.00 - Microsoft Office Professional 2016 (Outlook, Publisher, Access, Word, Excel, PowerPoint, and OneNote)
- ☐ \$450.00 - Adobe Acrobat Pro DC 2015 - Box pack - 1 user - DVD - Windows
- ☐ \$80.00 - McAfee Internet Security 2016 - Box pack (1 year) - unlimited devices (mini-box) - Windows - English - United States
- ☐ \$95.00 - McAfee Total Protection 2016 - Box pack (1 year) - unlimited devices (mini-box) - Windows - English - United States
- ☐ \$200.00 - Dragon NaturallySpeaking Premium - (v. 13) - box pack - 1 user - DVD - Win - English - United States

TOTAL: \$ 3,510.00

Quantity:

1

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Appendix E

e) Amended and restated Intergovernmental Agreement with the Topaz Regional Wireless Cooperative (TRWC)

Submitted By:

Fire Chief Paul Bourgeois

Assistant Fire Chief Dave Montgomery

Background / Discussion:

This item comes back to the board for review and approval of an amended and restated intergovernmental agreement to allow Fort McDowell Yavapai Nation to participate in the Topaz Regional Wireless Cooperative (TRWC). The IGA reviewed and approved in the November 2015 board meeting was revised again thereafter, so a clean copy is now back before the board for final approval.

Background:

In 2008 the fire district entered into an original agreement with the TRWC (BOD 2008-06-10) establishing an organizational and management structure for ongoing network administration, operation, and maintenance; and established a budget, accounting, and cost allocation process for the various members.

This communications cooperative was originally made up of the following agencies participating on the City of Mesa (Topaz) 800MHz radio system (City of Mesa, Town of Gilbert, City of Apache Junction PD, Town of Queen Creek, and the Superstition Fire & Medical District [formerly Apache Junction Fire District]).

In 2012 an amended IGA was approved to add the Rio Verde Fire District to the TRWC.

This current proposed amendment will add the Fort McDowell Yavapai Nation as the newest member of the TRWC.

This new addition to the participating entities will have a neutral to slightly negative cost effect for SFMD, however; for the TRWC system as a whole, this addition will add valued equipment to the TRWC resources at no-cost.

Financial Impact/Budget Line Item:

N/A

Staff Recommendation:

Staff recommends approval of this agreement as revised. Legal has reviewed said amended IGA with no comments.

Enclosure(s):

Amended and Restated Agreement



Go to Item 5

Go to Agenda

When Recorded Return To:

William H. Anger
Engelman Berger, P.C.
3636 N. Central Ave., Suite 700
Phoenix, AZ 85012

**FIRST AMENDMENT TO AMENDED AND RESTATED INTERGOVERNMENTAL
AGREEMENT TO
PLAN, DESIGN, CONSTRUCT, OPERATE, MAINTAIN AND FINANCE
THE TOPAZ REGIONAL WIRELESS COOPERATIVE NETWORK**

1. Parties. This First Amendment to Amended and Restated Intergovernmental Agreement ("First Amendment") is entered into by and between the City of Mesa, the City of Apache Junction, the Superstition Fire and Medical District (formerly known as Apache Junction Fire District), the Town of Gilbert, the Town of Queen Creek, the Rio Verde Fire District and the Fort McDowell Yavapai Nation ("Parties").

2. Recitals.

2.1. The City of Mesa, the City of Apache Junction, the Apache Junction District, the Town of Gilbert and the Town of Queen Creek entered into an Intergovernmental Agreement to Plan, Construct, Operate, Maintain and Finance the TRWC Network Contract Number 2008-3002-0359 and dated August 7, 2008 ("August 7, 2008 Agreement").

2.2. The City of Mesa, the City of Apache Junction, the Apache Junction District, the Town of Gilbert, the Town of Queen Creek and the Rio Verde Fire District entered into an Amended and Restated Intergovernmental Agreement to Intergovernmental Agreement to Plan, Construct, Operate, Maintain and Finance the TRWC Network Contract Number 2008-3002-0359 with an Effective Date of May 1, 2012 ("Amended and Restated Agreement") that superceded and replaced in its entirety the August 7, 2008 Agreement.

2.3. The Parties enter into this First Amendment to add the Fort McDowell Yavapai Nation as a Party to the Amended and Restated Agreement and the Fort McDowell Yavapai Nation agrees to be bound by all terms and conditions of the Amended and Restated Agreement as amended by this First Amendment.

2.4. The Parties are authorized to enter into this First Amendment by the joint exercise of powers provisions of Title 11, Chapter 7, Article 3 (§§ 11-951 et seq.), Arizona Revised Statutes and the authorization of their legislative or other governing bodies.

**FIRST AMENDMENT TO AMENDED AND RESTATED INTERGOVERNMENTAL
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3. Incorporation of Recitals; Date and Duration of First Amendment.

3.1. The accuracy of the Recitals set forth in Subsections 2.1 through 2.4 above are hereby acknowledged and such Recitals are incorporated into this First Amendment by this reference.

3.2. The "Effective Date" of this First Amendment is February 1, 2016. All Parties shall execute this First Amendment and comply with the requirements of A.R.S. § 11-952, which includes appropriate action by the legislative or other governing body of the Party for the approval of this First Amendment, determination by the Party's attorney that the First Amendment is within the powers and authority of the Party, and the proper filing of the First Amendment.

3.3. The Parties agree to modify and amend the Amended and Restated Agreement under the same terms and conditions as originally agreed subject to the additional terms and modifications set forth in this First Amendment. The Parties reaffirm their respective rights and obligations under the Amended and Restated Agreement except as modified by this First Amendment.

4. TRWC Network Definition.

4.1 When used in the Amended and Restated Agreement and this First Amendment the "TRWC Network" shall mean the public safety and general government communications system originally procured and built by the City of Mesa and commonly referred to as "TOPAZ" or the "Trunked Open Arizona Network" that is planned, designed, constructed, operated, maintained, and financed by the TRWC and its Members, including all real estate, real property and personal property that is purchased, leased or licensed by the TRWC or owned or licensed by a Member and allowed to be used by TRWC in connection with the TRWC Network. Unless the context clearly requires otherwise, capitalized terms used herein shall have the same meaning as in the Amended and Restated Agreement.

5. A New Section 25 is added to the Amended and Restated Agreement that states as follows:

"Waiver of Sovereign Immunity. The Fort McDowell Yavapai Nation agrees to waive its sovereign immunity solely and exclusively for the strictly limited purpose of resolving a claim or dispute that may arise with respect to the interpretation or enforcement of the Amended and Restated Agreement as amended by the First Amendment or the Fort McDowell Yavapai Nation's use of or participation in the TRWC Network. In addition, the First Amendment shall not become effective until and unless the Fort McDowell Yavapai Nation 1) waives its sovereign immunity solely and exclusively for the strictly limited purpose of resolving a claim or dispute that may arise with respect to the interpretation or enforcement of the First Amendment and 2) consents to the jurisdiction of the federal or state courts authorized in Section 22 of the Amended and Restated Agreement solely and exclusively for the strictly limited purpose of resolving a claim or dispute that may arise with respect to the interpretation or enforcement of the Amended

**FIRST AMENDMENT TO AMENDED AND RESTATED INTERGOVERNMENTAL
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THE TOPAZ REGIONAL WIRELESS COOPERATIVE NETWORK**

and Restated Agreement as amended by the First Amendment or the Fort McDowell Yavapai Nation's use of or participation in the TRWC Network."

6. **Conflict of Interest.** The Parties understand and acknowledge that this First Amendment and the Amended and Restated Agreement may be subject to cancellation under A.R.S. § 38-511 (Arizona's public employee conflict of interest law) in the event there is a conflict of interest of the type specified in A.R.S. § 38-511 by persons significantly involved in initiating, negotiating, securing, drafting or creating this First Amendment.

7. **Entire Agreement.** The Amended and Restated Agreement as amended by this First Amendment, including the Governance Agreement attached as Exhibit A to the Amended and Restated Agreement, contains the entire agreement and understanding among the parties regarding the formation, governance and operations of the TRWC, and supersedes and replaces all related prior negotiations, agreements and proposed agreements, written or oral. Each Party acknowledges that no other Party, nor any agent or attorney of any Party, has made any promise, representation, or warranty whatsoever, expressed or implied, not contained in the Amended and Restated Agreement as amended by this First Amendment and acknowledges that the Amended and Restated Agreement and this First Amendment have not been executed in reliance on any promise, representation or warranty not contained in the Amended or Restated Agreement or this First Amendment. The Amended and Restated Agreement as amended by this First Amendment shall not be amended, modified or supplemented at any time unless in writing.

8. **Governing Law.** This First Amendment and the Amended and Restated Agreement shall be governed by and construed in accordance with the laws of the State of Arizona applicable to contracts executed and intended to be performed entirely within the State of Arizona by residents of the State of Arizona. Any action at law, suit in equity or judicial proceeding for the enforcement of the Amended and Restated Agreement as amended by this First Amendment or any provision thereof shall be instituted only in the courts of Maricopa County, Arizona.

9. **Counterparts.** This First Amendment may be signed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

10. **Amended and Restated Agreement Still Effective .** All provisions of the Amended and Restated Agreement shall remain in full force and effect except as amended by this First Amendment.

[Signatures on following pages]

**FIRST AMENDMENT TO AMENDED AND RESTATED INTERGOVERNMENTAL
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PLAN, DESIGN, CONSTRUCT, OPERATE, MAINTAIN AND FINANCE
THE TOPAZ REGIONAL WIRELESS COOPERATIVE NETWORK**

IN WITNESS WHEREOF, the Parties have caused this First Amendment to be
executed by their duly authorized officers.

TOWN OF GILBERT

Date: _____

By _____
Town Manager

Printed Name

ATTEST:

Town Clerk

Printed Name

**APPROVED AS TO FORM and within the
powers and authority granted under the laws
of Arizona to the Town of Gilbert**

Town Attorney

Printed Name

**FIRST AMENDMENT TO AMENDED AND RESTATED INTERGOVERNMENTAL
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THE TOPAZ REGIONAL WIRELESS COOPERATIVE NETWORK**

IN WITNESS WHEREOF, the Parties have caused this First Amendment to be
executed by their duly authorized officers.

CITY OF MESA

Date: _____

By _____
City Manager

Printed Name

ATTEST:

City Clerk

Printed Name

APPROVED AS TO FORM and within the
powers and authority granted under the laws
of Arizona to the City of Mesa

City Attorney

Printed Name

**FIRST AMENDMENT TO AMENDED AND RESTATED INTERGOVERNMENTAL
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THE TOPAZ REGIONAL WIRELESS COOPERATIVE NETWORK**

IN WITNESS WHEREOF, the Parties have caused this First Amendment to be
executed by their duly authorized officers.

TOWN OF QUEEN CREEK

Date: _____

By _____
Town Manager

Printed Name

ATTEST:

Town Clerk

Printed Name

**APPROVED AS TO FORM and within the
powers and authority granted under the laws
of Arizona to the Town of Queen Creek**

Town Attorney

Printed Name

**FIRST AMENDMENT TO AMENDED AND RESTATED INTERGOVERNMENTAL
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THE TOPAZ REGIONAL WIRELESS COOPERATIVE NETWORK**

IN WITNESS WHEREOF, the Parties have caused this First Amendment to be
executed by their duly authorized officers.

**SUPERSTITION FIRE & MEDICAL
DISTRICT (FORMERLY KNOWN AS THE
APACHE JUNCTION FIRE DISTRICT**

Date: _____

By _____

Board Chair

Printed Name

ATTEST:

Board Clerk

Printed Name

**APPROVED AS TO FORM and within the
powers and authority granted under the laws
of Arizona to the County of _____**

Attorney for the Board

Printed Name

**FIRST AMENDMENT TO AMENDED AND RESTATED INTERGOVERNMENTAL
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THE TOPAZ REGIONAL WIRELESS COOPERATIVE NETWORK**

IN WITNESS WHEREOF, the Parties have caused this First Amendment to be
executed by their duly authorized officers.

CITY OF APACHE JUNCTION

Date: _____

By _____
City Manager

Printed Name

ATTEST:

City Clerk

Printed Name

APPROVED AS TO FORM and within the
powers and authority granted under the laws
of Arizona to the City of Apache Junction

City Attorney

Printed Name

**FIRST AMENDMENT TO AMENDED AND RESTATED INTERGOVERNMENTAL
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THE TOPAZ REGIONAL WIRELESS COOPERATIVE NETWORK**

IN WITNESS WHEREOF, the Parties have caused this First Amendment to be
executed by their duly authorized officers.

RIO VERDE FIRE DISTRICT

Date: _____

By _____

Its: _____

Printed Name

ATTEST:

Board of Directors, Clerk

Printed Name

**APPROVED AS TO FORM and within the
powers and authority granted under the laws
of Arizona to the County of Maricopa**

County Attorney

Printed Name

FIRST AMENDMENT TO AMENDED AND RESTATED INTERGOVERNMENTAL
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THE TOPAZ REGIONAL WIRELESS COOPERATIVE NETWORK

FORT MCDOWELL YAVAPAI
NATION

Date: 10-28-2015

By Ruben Balderas

Ruben Balderas
Printed Name

ATTEST:

Selen Castaneda

Selena Castaneda
Printed Name

APPROVED AS TO FORM and within the
powers and authority granted under the laws
of Arizona to the Fort McDowell Yavapai Nation

F. O. ...
Fort McDowell Yavapai Nation Attorney

Tracy D. ...
Printed Name