

VERSION 1.0
February 17, 2021



BOARD OF DIRECTORS MEETING

FEBRUARY 17, 2021

SUPERSTITION FIRE & MEDICAL DISTRICT BOARD

KATHLEEN CHAMBERLAIN, BOARD CHAIRMAN

JEFF CROSS, BOARD CLERK

TODD HOUSE, BOARD DIRECTOR

JASON MOELLER, BOARD DIRECTOR

SHAWN KURIAN, BOARD DIRECTOR



Superstition Fire & Medical District

Board of Directors Meeting Agenda

February 17, 2021

Call-in Phone Number: 1-408-418-9388

Meeting Number: 126 875 2580

Password: 1234

Mission Statement

Preserve Life ~ Protect Property ~ Add Value to *OUR* Community

The Board will hold a meeting on Wednesday, February 17, 2021. 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.

- 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 January 2021 financial reports and bank reconciliations. (BOD #2021-02-01)**
- 2. Recognition of employee performance, achievements, and special recognition for community members. (BOD #2021-02-02)**
- 3. Call to the Public. (BOD #2021-02-N/A)**

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 listed below (BOD #2021-02-03):**

- A. Special Board Meeting Minutes from December 7, 2020
- B. Special Board Meeting Minutes from January 14, 2021
- C. Executive Session Minutes from January 14, 2021
- D. Board Meeting Minutes from January 20, 2021
- E. Special Board Meeting Minutes from January 28, 2021
- F. Renewal of contract for property and casualty insurance service

5. **Possible vote to go into Executive Session. The Board may vote to go into Executive Session pursuant to A.R.S. §38-431.03(A)(1) for personnel matters re: discussion of candidate qualifications and A.R.S. § 38-431.03(A)(3) for legal advice; re: pending Fire Chief's employment issues; the recruitment and selection of the Fire Chief position. (BOD #2021-02-04)**

Note: Executive Sessions are confidential pursuant to A.R.S. §38-431.03(C).

Note: Legal action involving a final vote or decision shall not be taken at an executive session.

6. **Public Session. Discussion and possible direction regarding the Fire Chief Selection process. (BOD #2021-02-05)**
7. **Discussion of the 2021 Fire District Tax Abstract / Levy Limit Worksheet for Pinal and Maricopa counties, and its impact on the development of the Fiscal Year 2021 / 2022 Revenue Budget. (BOD #2021-02-06)**
8. **Review and discussion regarding the Fireboard Bylaws. (BOD #2021-02-07)**
9. **Discussion regarding the Engagement and Retainer Agreement to retain Cynthia K. Kelley, Esq. of Ryan Rapp Underwood & Pacheco PLC as the Local Pension Board attorney. (BOD #2021-02-08)**

10. **Reports. (BOD #2021-02-09)**

Senior Leadership Team (SLT):

Fire Chief Mike Farber

Assistant Chief of Emergency Operations Richard Mooney

Assistant Chief of Planning & Logistics Richard Ochs

Acting Assistant Chief Jeff Cranmer

Administrative Services Director Anna Butel

Finance Director Roger Wood

Captain John Walka

11. **New Business / Future Agenda Items. (BOD #2021-02-12)**

12. **Announcements (BOD #2021-02-N/A)**

13. **Adjourn (BOD #2021-02-13)**

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: February 11, 2021

At: 1500 Hours

By: Sherry Mueller

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 24-hours before the Board Meeting.

Governing Board Meeting – February 17, 2021

Agenda Item: 1

BOD#: 2021-02-01

Agenda Item Title

Review and approval of the January 2021 financial reports and bank reconciliations.

Submitted By

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), Transport Services (150), 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), Transport Services (150), 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)

*Monthly Financials provided under separate cover

Recommended Motion

"Motion to approve the January 2021 financial reports and bank reconciliations."



Go to Item 2

Go to Agenda

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 **January 2021**:

1. Financial Statement
2. Bank Reconciliations
 - a. General (100) Fund
 - b. Transport Services (150) Fund
 - c. Capital Projects (200) Fund
 - d. Special Projects (400) Fund
 - e. Debt Principle (500) Fund
 - f. Debt Interest (600) Fund

Kathleen Chamberlain, Board Chair

Date



January 2021

Governing Board Meeting – February 17, 2021

Agenda Item: 2

BOD#: 2021-02-02

Agenda Item Title

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

Submitted By

Fire Chief Mike Farber

Assistant Chief Rick Ochs

Thin Red Line of Courage Flag

Made for us by Xavier Hansen using fire hose

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.

SFMD Historical Information

February Service Anniversaries

21 Years of Service:

Administrative Services Director **Anna Butel**

Fire Captain / Paramedic **Carlos Rivera**

12 Years of Service:

Fleet Services Manager **Vaughn Croshaw**

8 Years of Service:

Firefighter / Paramedic **Dave Endres**

Firefighter **Monte Fuller**

Firefighter / Paramedic **Chris Furgeson**

5 Years of Service:

Human Resources Generalist **Sherry Mueller**

2 Years of Service:

Firefighter **Matt Leon**

Paramedic **Ryan Markham**

Paramedic **Kyle Fischer**

Firefighters Graduate from the Phoenix Fire Academy on 1/29/2021

Shane Gereg

Caleb Brown

Sophie Boukatch

Thomas Merrill

Anthony Pezzino

Luke Mays



Go to Item 3

Go to Agenda

Governing Board Meeting – February 17, 2021

Agenda Item: 3

BOD#: 2021-02-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



Go to Item 4

Go to Agenda

Governing Board Meeting – February 17, 2021

Agenda Item: 4

BOD#: 2021-02-03

Agenda Item Title

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

- A. Special Board Meeting Minutes from December 7, 2020 – **Appendix A**
- B. Special Board Meeting Minutes from January 14, 2021 - **Appendix B**
- C. Executive Session Minutes from January 14, 2021 - **Appendix C**
- D. Board Meeting Minutes from January 20, 2021 - **Appendix D**
- E. Special Board Meeting Minutes from January 28, 2021 - **Appendix E**
- F. Renewal of contract for property and casualty insurance service - **Appendix F**

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 February 17, 2021.”



[Go to Item 5](#)

[Go to Appendices](#)

[Go to Agenda](#)

Governing Board Meeting – February 17, 2021

Agenda Item: #5

BOD#: 2021-02-04

Agenda Item Title

Possible vote to go into Executive Session. The Board may vote to go into Executive Session pursuant to ARS §38-431.03(A)(1) for personnel matters re: discussion of candidate qualifications and ARS § 38-431.03(A)(3) for legal advice; re: pending Fire Chief’s employment issues; the recruitment and selection of the Fire Chief position.

Note that executive sessions are confidential pursuant to ARS §38-431.03(C)

Submitted By

Legal Counsel William Whittington

Background/Discussion

Financial Impact(s)/Budget Line Item

N/A

Enclosure(s)

N/A

Recommended Motion

“Motion to go into Executive Session pursuant to ARS §38-431.03(A)(1) at (STATE TIME) for personnel matters and ARS §38-431.03(A)(3) for legal advice re: the recruitment and selection of the Fire Chief position”



Go to Item 6

Go to Agenda

Governing Board Meeting – February 17, 2021

Agenda Item: #6

BOD#: 2021-02-05

Agenda Item Title (Public Session)

Discussion and possible direction regarding the Fire Chief selection process.

Submitted By

Legal Counsel William Whittington

Background/Discussion

Financial Impact(s)/Budget Line Item

Enclosure(s)

N/A

Recommended Motion

TBD



Go to Item 7

Go to Agenda

Governing Board Meeting – February 17, 2021

Agenda Item: # 7

BOD#: 2021-02-06

Agenda Item Title:

Discussion of the 2021 Fire District Tax Abstract / Levy Limit Worksheet for Pinal and Maricopa counties, and its impact on the development of the Fiscal Year 2021 / 2022 Revenue Budget.

Submitted By:

Roger Wood, Finance Director
Fire Chief Mike Farber

Background/Discussion:

The Combined Pinal County & Maricopa County Fire District Levy Limit Worksheet (Tax Abstract) for FY 2020 / 2021 was delivered on February 8. A summary of the District’s Net Assessed Valuation (NAV) and its impact on the property tax revenues for FY 2021 / 2022 is as follows:

	Pinal	Maricopa	Total	% Increase
Centrally Assessed Property	11,055,630	29	11,055,659	4.09%
Locally Assessed Property	32,608,946	143,009	32,751,955	4.37%
Locally Assessed Personal Property	<u>414,571,126</u>	<u>318,662</u>	<u>414,889,788</u>	<u>6.70%</u>
Total	458,235,702*	461,700	458,697,402	6.47%

*NOTE: The FY 2021 / 2022 NAV total for Pinal County represents 93.7% of the FY 2010 / 2011 NAV (11 years ago).

At the current tax rate of \$3.25 per \$100 of Net Assessed Value, the NAV increase results in an additional \$905,014 in tax revenues for the General (100) Fund.

At the current special assessment rate of \$0.25 per \$100 of NAV, the NAV increase results in an additional \$69,616 in tax revenues for the Capital Replacement (200) Fund.

At the current special assessment rate of \$0.17 per \$100 of NAV, the NAV increase results in an additional \$11,450 in tax revenues for the Debt Principal (500) and Debt Interest (600) funds combined.

The District Salt River Project (SRP) NAV is still not known.

This information does not require Board action; it is being provided for FY 2021 / 2022 Budgeting purposes for the General (100), Capital Replacement (200), and the Debt Principal (500) and Debt Interest (600) funds.

Enclosure:

2021 Pinal County Fire District Levy Limit Worksheet (Tax Abstract)
2021 Maricopa County Levy Limit Worksheet

Recommended Motion

N/A



Go To Item 8

Go to Agenda

2021 FIRE DISTRICT LEVY LIMIT WORKSHEET

Date: 2/10/2021

MARICOPA & PINAL COUNTIES - SUPERSTITION FIRE & MEDICAL
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ADJUSTMENTS FOR ANNEXED PROPERTY	PINAL * 2020
A.1. Net Assessed Value of Property Annexed for TY 2021	\$527,886
A.2. A.1. divided by 100	\$5,279
A.3. Prior Year Actual Tax Rate (excluding debt service tax rate)	\$3.2500
A.4. Adjustment for Annexed Property (A.2. multiplied by A.3.)	\$17,157

MAXIMUM ALLOWABLE LEVY LIMIT	2021
B.1. Prior Year Maximum Allowable Levy Limit (B.4 from prior year)	\$27,889,517
B.2. Line B.1. multiplied by 1.08	\$30,120,678
B.3. Plus amount attributable to annexed property (Line A.4.)	\$17,157
B.4. MAXIMUM ALLOWABLE LEVY LIMIT (Line B.2. + B.3.)	\$30,137,835

CURRENT YEAR NET ASSESSED VALUES	2021
C.1. Centrally Assessed Property	\$11,055,630
C.2. Locally Assessed Real Property	\$414,571,126
C.3. Locally Assessed Personal Property	\$32,608,946
C.4. Total Net Assessed Values (C.1. through C.3.)	\$458,235,702
C.5. C.4. divided by 100	\$4,582,357

CURRENT YEAR TAX RATE / LEVY LIMIT CALCULATION	2021
D.1. Current Year Net Assessed Values / 100 (Line C.5.)	\$4,582,357
D.2. Maximum Allowable Levy Limit (Line B.4.)	\$30,137,835
D.3. Tax Rate (D.2. divided by D.1.; rounded to 4 decimals)	\$6.5769
D.4. Maximum Tax Rate (lesser of D.3. or \$3.50) ¹¹	\$3.5000
D.5. Current Year Allowable Tax Rate ¹²	\$3.5000
D.6. Current Year Allowable Levy Limit (D.5. multiplied by D.1.)	\$16,038,250
D.7. Prior Year Excess Collections	
D.8. Prior Year Excess Levy	
D.9. Current Year Allowable Levy Limit (D.6. - D.7. - D.8.)	\$16,038,250

¹¹ Adjusted D.5. to avoid a levy that exceeds the maximum allowable levy limit (Line B.4.)

¹² On November 8, 2016, voters approved a budget override adjusting the maximum allowable tax rate from \$3.25 to \$3.50 for tax year 2017 through tax year 2021. The maximum tax rate will return to \$3.25 for tax year 2022. (Reference Session Law 2016, Chapter 219, SB 1244)

**** Preliminary Worksheet - a combined levy limit worksheet will be distributed by PTOC staff based on values for Pima and Pinal Counties.**

Note: The combined prior year maximum allowable levy limit for line B.1 is \$27,918,413 (or \$28,896 for Maricopa and \$27,889,517 for Pinal Counties).



2021 Levy Limit Worksheet

Superstition Fire & Medical

A. Annexed Property

A1	Net Assessed Value of Annexed Property (2020 for TY 2021)	\$0
A2	2020 Actual Tax Rate	\$3.2500
A3	Adjustment Annexed Property Levy (A1/100*A2)	0
A4	Total Adjustment for Annexed Property	\$0

B. Maximum Levy

B1	Actual Tax Levy (excluding debt service)	\$30,365
B2	B1 Multiplied by 1.08	\$32,794
B3	Annexed Property Amount (Line A4)	0
B4	Maximum Allowable Levy Limit (Line B2 + B3)	\$32,794

C. Current Net Assessed Value (2021)

C4	Net Assessed Value	\$461,700
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D. Levy Limit Calculation

D1	Current Net Assessed Value / 100	4,617
D2	Maximum Allowable Levy Amount (Line B4)	32,794
D3	Allowable Tax Rate (D2. divided by D1.)	7.1029
D4	Maximum Allowable Tax Rate (Lessor D3 or \$3.25)	3.5000
D5	Current Year Allowable Tax Rate	\$3.5000
D6	Current Year Maximum Allowable Levy Limit (D5. Multiplied by D1.)	\$16,160
D7	Prior Year Excess Collections	0.00
D8	Prior Year Excess Levy	0.00
D9	Current Year Allowable Levy Limit (D6. - D7. -D8.)	\$16,160

G. Sources

- G1. Maricopa County Assessor Reports: Abstracts (SR41110,SR41075,SR41070, SR41095 & SR41085)
- G2. Maricopa County Assessor Reports: Annexations (SF12090)
- G3. Arizona Department of Revenue Annexation Report



2021 Net Assessed Value Detail

Superstition Fire & Medical

Current Net Assessed (2021)	Primary	Primary Growth
C1. Net Centrally Valued Property	29	11.5%
C2. Net Real Property	318,662	5.0%
C4. Net Personal Property	143,009	0.4%
C4a Exemptions	55,328	4.9%
C5. Net Assessed	461,700	3.5%

Prior Year Net Assessed Value	February 10, 2020 Primary
F1. Net Centrally Valued Property	26
F2. Net Real Property	303,487
F4. Net Personal Property	142,419
F4a. Exemptions	52,767
F5. Net Assessed	445,932

0

G. Sources

- G1. Maricopa County Assessor Reports: Abstracts (SR41110,SR41075,SR41070, SR41095 & SR41085)
- G2. Maricopa County Assessor Reports: Annexations (SF12090)
- G3. Arizona Department of Revenue Annexation Report

H. Notes

- H1. The Levy Worksheets have been modified to reflect net assessed valuations for the Current Property Subject to Taxation in Prior Year, Current Net Assessed Valuations and Prior Year Net Assessed Valuations.
- H2. The Levy Worksheets have been modified for Tax Year 2013 to combine unsecured and secured Personal Property into a single net assessed valuations for the Current Property Subject to Taxation in Prior Year, Current Net Assessed Valuations and Prior Year Net Assessed Valuations.

Governing Board Meeting – February 17, 2021

Agenda Item: #8

BOD#: 2021-02-07

Agenda Item Title

Review and discussion regarding the Fireboard Bylaws

Submitted By

Chairman Kathleen Chamberlain

Background/Discussion

The Fireboard Bylaws were last reviewed in 2015. The Chairman has asked members of the Fireboard to review the current Bylaws and make updates for any changes. If accepted, revised Bylaws will be included in the March 17, 2021 Board Meeting for approval.

Financial Impact(s)/Budget Line Item

N/A

Enclosure(s)

Bylaws

Recommended Motion

"NA"



Go To Item 9

Go to Agenda



**SUPERSTITION FIRE & MEDICAL DISTRICT
GOVERNING BOARD BY-LAWS**

GOVERNING BOARD MEMBERS

Board Chairman Jeff Cross

Board Clerk Gene Gehrt

Board Director Todd House

Board Director Jason Moeller

Board Director Larry Strand

Adoption Dates

August 16, 2017

September 16, 2015

April 17, 2013

Table of Contents

ARTICLE I: GENERAL	2
ARTICLE II: THE BOARD.....	2
ARTICLE III: OFFICERS	5
ARTICLE IV: BOARD COMMITTEES.....	5
ARTICLE V: MEETINGS	7
ARTICLE VI: EXECUTIVE SESSIONS	9
ARTICLE VII: MAINTENANCE OF RECORDS	10
ARTICLE VIII: FINANCES	10
ARTICLE IX: EXECUTION OF DOCUMENTS	10
ARTICLE X: FIRE CODE.....	11
ARTICLE XI: PENSION BOARD	11
ARTICLE XII: CONSTRUCTION	11
ARTICLE XIII: AMENDMENT	12

ARTICLE I: GENERAL

1. Purpose: These By-Laws set forth the general rules and guidelines of conduct for the Superstition Fire & Medical District Governing Board.
2. Conflict with Applicable Law: In the event of any conflict in the laws governing the conduct of the Board, then such conflict shall be resolved by applying the regulating authority in the following order of priority: (a.) Arizona Revised Statutes Annotated; (b.) the By-Laws for the Superstition Fire & Medical District; (c.) the Standing Rules of the Board; and (d.) Robert's Rules of Order.
3. Reference to Applicable Law: Any reference made in the By-Laws to controlling or applicable law, rules or regulations shall include all pertinent amendments thereto.
4. Definitions: The following definitions shall apply to these By-Laws:
 - a. "Board" shall mean the governing body of the Superstition Fire & Medical District.
 - b. "District" shall refer to the Superstition Fire & Medical District.
 - c. "Standing Rule" shall mean the rules and regulations adopted by the Board from time to time as they are needed in the form of resolutions establishing guidelines for a District meeting which have been adopted by a majority vote of the Board with or without previous notice. Standing Rule may be amended by a majority vote of the Board.

ARTICLE II: THE BOARD

1. Members: There shall be five (5) members of the Board.
2. Qualifications: A member of the Board must be a resident of the District at the time of their election, and must remain so during their incumbency. Employees of the District shall not be members of the Board and conversely, a member of the Board shall not be an employee of the District ([A.R.S. §48-805.B.1](#)).
3. Election: Board Members will be elected in accordance with the laws of the State of Arizona.
4. Term: Board members are elected for a term of four (4) years. Each member shall be installed at the December meeting following their election. Each newly elected member shall be installed and shall take the Oath of Office ([A.R.S. §38-231](#)) following the date that the results of balloting are canvassed by the County Board of Supervisors. The term of each member shall begin on the first day of the month following that member's election.
5. Duties and Responsibilities: The members of the Board are vested with the authority for managing the affairs of the District, pursuant to the laws of the State of Arizona governing the management of fire districts.
6. Statutory Training: Beginning with the 2014 general election, Board members who are elected or appointed to the Board and a Fire Chief that is hired or appointed after November 5, 2014 shall attend six (6) hours of professional development training within 12 months of election or

appointment. The training is provided by the Arizona Fire District Association (AFDA) per [A.R.S §48-803\(G\)](#).

7. Authority of the Board: The authority of the Board is governed by the laws of the State of Arizona.
8. Compensation: The Board shall serve without compensation and will only be reimbursed for any actual and reasonable expenses incurred on behalf of the District.
9. Vacancies: In the event that there is a vacancy on the Board caused by the death, resignation, or any other reason, of a Board member, then this vacancy may be filled by an individual selected by a majority of the remaining Board members in a manner determined by the remaining Board members. An individual selected by the Board shall serve until the expiration of the term of the Board member whose position they replaced. Board members term will be deemed vacant of the person holding the office ceases to discharge the duties of office for the period of three (3) consecutive months per [A.R.S. §38-291\(6\),\(7\)](#).
10. Role of the Fire Board: The Board shall act through a majority of a quorum, by action taken at public meetings. The Board has the ULTIMATE RESPONSIBILITY TO ADMINISTER THE DISTRICT. The Fire Board's responsibilities are set forth, in part, in [A.R.S. §48-805](#).
 - a. The Board shall be responsible for setting the District's budget and setting the District's policy.
 - b. The Board may delegate authority to the Fire Chief to perform certain duties on behalf of the District.
 - c. The Board shall not engage in District operations and defers these duties to the Fire Chief to carry out in furtherance of the District's policies and standard operating guidelines.

Note:

- i. This provision is not to be interpreted that Board Members cannot talk to employees and employees cannot talk to Board Members, nor does it mean Board Members cannot visit District facilities including fire stations or participate in any scheduled ride-alongs. Board Members are encouraged to be exposed to the workings of the District to educate themselves to better represent both the District and the community they represent in their decisions and actions as a Board Member. Board Members shall conduct themselves professionally and shall not interfere with duties of SFMD personnel.
- ii. Consistent with section (d)(iv) below, in the event a Board Member obtains, from any source, information that may impact the District (in either a positive or negative manner), the Board Member shall report the information to the Fire Chief and where appropriate report the information to the Board pursuant to an appropriately noticed agenda item.
- d. Board Members shall respect the District's Chain of Command.
 - i. Board Members shall become familiar with the Districts Meet & Confer document and Administrative Policies.
 - ii. Board Members should defer all operations issues to the Fire Chief.
 - iii. Any Board Member approached by an employee regarding a personal or personnel matter involving the District shall refer the employee to the employee's direct supervisor, or other officer as may be set forth in Administrative Policy.

- iv. Each Board Member shall communicate, during a public meeting, (pursuant to an appropriately noticed agenda item), all substantive or significant information relevant to the District (whether positive or negative) that the Board Member obtained from sources apart from the board meetings or through correspondence addressed to all Board Members.
 - e. In addition to notifying the Board of District events during the Chief's Report at regular meetings of the Board, The Board shall instruct the Fire Chief to promptly notify the Board regarding certain types of events/incidents as they develop. In most situations, the Fire Chief may notify the Board by email and where possible within 24 to 48 hours with more serious events or incidents requiring more immediate notification. From time to time, the board shall instruct the Fire Chief as to the manner of notification and the timing of notification. Examples include:
 - i. For incidents that involve the arrest, termination, suspension, or demotion of an employee;
 - ii. When an employee is separated from employment for any reason;
 - iii. In the event of an employee's (on or off duty) death or an employee's immediate family death;
 - iv. In the event an employee is permanently promoted the Fire Chief shall notify the Board before making any formal announcement;
 - v. Whenever our on-duty employees or apparatus leave the District for mutual-aid or wildland fire dispatches or any other reason other than auto-aid response or patient transport;
 - vi. Whenever any SFMD apparatus or vehicles are involved in an accident or placed out of service for period of time other than regular maintenance;
 - vii. Whenever there is an incident whether inside or outside the District that the SFMD is involved in, that the public could view as major, such as structure fire, incidents that close major traffic arteries, or incidents that displace people from their home or place of work;
 - viii. Whenever a statement is issued to the media or an interview is conducted with the media by the PIO or any member of the District.
11. Role of Individual Board Members: Board members individually have no authority to act on behalf of the District and individual Board members have no more power or authority than any other resident of the District. Board members shall use their best efforts to be sure they make decisions based on the best information available and shall use their best efforts to be sure each of the Board members has the same information available upon which decisions in the best interest of the District are made.
12. 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 regularly update its Disclosure Statements each December. In addition, any Board Member is required to disclose any conflict or potential conflict which may arise during the term of any Board Member.

ARTICLE III: OFFICERS

1. Officers: The Board shall be administered by a Chairperson and a Clerk.
2. Qualifications: All officers must be members of the Board.
3. Election: All officers must be nominated by at least one Board Member and must be elected by a majority vote of the Board.
4. Term: All officers shall serve for a term of two (2) years. Officers may be reelected at the end of any term. The term of office shall be calculated from the date of the first meeting held in December of each year.
5. The Chairperson: The Chairperson is primarily responsible for ensuring that the business of the public meetings is transacted in a proper order and is reasonably expedited. The Chairperson must ensure that all members observe appropriate procedure and that order and decorum are observed at the meetings.
6. The Clerk: The Clerk is the official custodian of all the records of the District. The Clerk, in the event of the Chairperson's absence or inability to act, shall have all the authority of the Chairperson. The Clerk shall also serve as the local Pension Board Chairperson. (*SFMD Administrative Rule Public Safety Personnel Retirement System Local Board, page 4, item 9*).
7. Removal of Officers: An officer may be removed for documented valid and just cause in the following manner: at least two (2) members must propose the removal of any one officer. In order for an officer to be successfully removed from office, at least three (3) members of the Board must vote for such removal.
8. Death or Resignation of Officers: An officer may resign at any time by giving the Board written notice of his or her resignation. Upon the death of an officer, the office shall be deemed to be vacant as of the date of death.
9. Vacancies: In the event that an office of the Board becomes vacant, the Board shall elect a replacement at the next meeting after the occurrence of the vacancy to fill the vacant position or as soon thereafter as practical under the circumstances. The newly elected officer shall then serve until the expiration of the term of the officer whom he or she replaced.

ARTICLE IV: BOARD COMMITTEES

1. Formation: Any member of the Board who is present at a meeting may propose the establishment of a committee. A motion to establish a committee must be approved by a majority vote of the Board. A committee may be appointed for one of the following purposes or any other purpose deemed reasonable by the Board:

- a. To consider and recommend suitable action on a resolution, action or other matter referred to it;
 - b. To investigate a certain issue and report facts with its opinions thereon;
 - c. To execute an order of the District; or
 - d. To represent or act for the District in a certain matter.
2. Term: The committee may serve for a reasonable term, as designated by the Board, and, should the committee fail to make its recommendations or file its report within the designated term, the Board may extend such term or discharge the committee, as it sees fit.
 3. Membership Qualifications: Any individual residing within or out of the District may be appointed as a committee member. Nominations for membership to the committee may be made by the Board or made by appointment from the Chairperson. In the event that nomination is made from the Board, then the member may only qualify if they receive a majority vote of those Board Members present at the meeting. No more than two (2) members of the Board may be appointed as committee members.
 4. Authority of the Committee: A committee is authorized to perform only such acts as are within the reasonable scope of the objective of the committee. Expenses incurred by the committee must receive prior approval of the Board and must be reasonable in scope.
 5. Records of Committee Action: The committee is required to keep minutes of its meetings and abide by applicable [Open Meeting Laws](#).
 6. Reports to the Board: The committee shall present its written report or recommendations to the Board at a public meeting designated by the Board.
 7. Discharge: The committee is discharged at the time of making its report or recommendations to the Board, unless:
 - a. The committee is requested by the Board to review the report or recommendations and make modifications;
 - b. The decision of the Board is to discharge the committee prior to the making of the report; or
 - c. The committee is a standing committee.
 8. Structure: The Chairperson of the Board will appoint a Chairperson of the committee. The Chairperson is the member who reports to the Board. The committee may also select a Secretary.
 9. Committees Formed by Fire Chief: From time to time, the Board may direct the Fire Chief to form a committee to study any issue and report to the Board. Any such committee may be formed and shall conduct its business under the direction of the Fire Chief or his designee and shall not be governed by these By-Laws.

ARTICLE V: MEETINGS

1. Meetings: The Board will follow the [Open Meeting Law per A.R.S. §38-431](#) and all public meeting requirements under Arizona law.
2. Notice: Notice will be given per [A.R.S. §38-431.02\(A\)\(3\)\(a\)](#) and shall include an agenda of the matters to be discussed or decided at the meetings.
3. Quorum: Three (3) Members of the Board shall constitute a quorum. Board members must be present in person or in the manner authorized in [Article V, Section 13c](#) during the meeting. Should the Board membership present at the meeting fall below the required number for a quorum, then the meeting may be reconvened at a designated later time or date when a quorum is present.
4. Agenda: The agenda must be available at 24 hours in advance of the meeting, unless (a.) an actual emergency exists, or (b.) a meeting has been recessed and resumed as provided in [Article V Section 9](#). Except for an emergency situation, only matters listed on the agenda and other matters related thereto may be discussed, considered or decided at the meeting.
5. Regular Meetings: Regular public meetings shall be held monthly, on such a day and such time as the Board may from time to time determine.
6. Special Meetings:
 - a. The Chairperson may call a special meeting at any time, by giving the notice required by law and providing an agenda for the special meeting, as required by Arizona Revised Statutes.
 - b. At the written request of two (2) Board Members, the Chairperson shall call a Special Meeting by giving the notice required by law and providing an agenda for the Special Meeting as required by Arizona Revised Statutes. In the event the Chairperson fails to call a Special Meeting, at the written request of two (2) Board Members, the Clerk shall call the Special Meeting.
7. Ratification of a Prior Act: The notice requirement for ratification of a prior act taken in violation of Arizona law is 72 hours. Ratification must take place within 30 days after the discovery of the violation or after such discovery should have been made by the exercise of reasonable diligence. The procedure for ratification is prescribed in [A.R.S §38-431.05\(B\)](#).
8. Emergency Meetings: In the case of an actual emergency, less than 24 hours notice of a meeting may be given and the notice that is actually given shall be appropriate to the circumstances generating the emergency; however, there are three (3) requirements which must be met which are as follows:
 - a. An announcement must be made at the meeting of the reasons necessitating the emergency meeting;
 - b. A statement must be made in the minutes of the meeting setting forth the reasons for the emergency meeting; and
 - c. Within 24 hours after the meeting, a public notice must be posted declaring that an emergency session has been held and setting forth the information required under [Article V, Section 2](#).

9. Meeting Recessed: Less than 24 hours notice may be given when a properly noticed meeting is recessed to a later date. Prior to the recessing, notice must be publicly given as to the time and place of the resumption of the meeting or the method by which notice shall be publicly given. This notice must also comply with the agenda requirements respecting matters to be addressed when resumed.
10. Order of Business: The order of business at a Board meeting is generally as follows; however, the order of business may be changed by the Chairperson:
- a. Call to Order and Pledge of Allegiance.
 - b. Roll Call and a determination that a quorum exists.
 - c. Financial Reports.
 - d. Recognition and Special Awards.
 - e. A call to the public, for comments about the District (subject to any time limitation).
 - f. Consent agenda items, including the minutes of the previous meeting(s).
 - g. Old business/New Business Items
 - h. Chief's Report.
 - i. Board Member Reports.*
 - j. Announcements.
 - k. Future Agenda Items.
 - l. Adjournment.

*Board Member reports is the time for Board Members to report any classes, training, participating in community events, or other items.

11. Minutes: The written minutes record any and all official acts of the District taken by the Board. If any conflict exists between the minutes and any other record of a meeting of the District, then the minutes, as approved by the Board, shall prevail.
12. The Approval, Ratification and Amendments to the Minutes: The Board Meeting minutes shall be approved, amended or modified at the next regular or special meeting or as soon thereafter as is reasonable. Upon review and approval of the minutes, those minutes shall be signed by the Clerk. After the minutes have been approved, amended or modified, subsequent amendments or modifications may only be made in accordance with the following requirements:
- a. An amendment or modification of grammatical, typographical, or other non-substantive error in the minutes may be proposed at any time; and
 - b. A substantive amendment or modification to the minutes may be proposed, discussed, and adopted only at a regularly scheduled public meeting. A substantive amendment or modification to the minutes may only be voted if a majority of the Board Members who originally approved the minutes are present and can vote on the subsequent amendment or modification as Board Members.

13. Conduct of the Meeting: The Chairperson will preside at all regular, special or emergency meetings. In the event that the Chairperson is not present, then the Clerk will preside. In the absence of both the Chairperson and Clerk, the Board Member with the most seniority will preside. The meeting shall also be conducted pursuant to the following requirements:
- a. Voting will be done by voice vote or a show of hands in a manner sufficient to give the Chairperson notice of each member's vote. In the event that a roll call count is requested by any Board Member, then the Chairperson shall require a roll call vote.
 - b. The public shall have access to all meetings except for Executive Session.
 - c. The Board may arrange for participation by telephone or video conference for a Board Member otherwise unable to attend. In the event that a telephone or video conference is made available, then the following procedure must be followed:
 - i. the notice or the agenda should state that one or more members of the board will participate by such method to the extent this information is available at the time of posting the agenda;
 - ii. facilities must be set up in order to permit observation of telephone or video communications by those in attendance at the meeting;
 - iii. there should be a clear identification of all members participating by such method; and
 - iv. the minutes of the meeting should identify members participating by telephonic or video communications and should describe the procedures followed.
 - d. The Consent Agenda is intended to streamline the purchase of items or services which are included in the District's budget. Any Board Member may request that an item be removed from the Consent Agenda and considered separately. If such a request is made, the Chairperson may alter the order of business to consider the separate item either before or after the remainder, if any, of the Consent Agenda.

ARTICLE VI: EXECUTIVE SESSIONS

1. Requirements: Upon, and only upon, a public majority vote of sufficient members to constitute a quorum, an Executive Session may be held only for the purposes specified by [A.R.S. §38-431.03\(A\)](#).
2. Procedures: Before the Board goes into Executive Session, a majority of the members constituting a quorum must vote at a public meeting to hold such an Executive Session. The vote may permit the holding of an Executive Session during or immediately following the public meeting or at some later date whether specified or to be scheduled.
3. Notice: If an Executive Session is to be held, notice shall be given to the general public stating the specific provision of law authorizing the Executive Session.
4. Agenda: The agenda for an Executive Session shall include only a general description of the matters to be considered and shall not contain information that would defeat the purpose of the Executive Session.
5. Confidentiality: The Chairperson, or other person conducting the Executive Session in the absence of the Chairperson, shall advise all persons present of the confidential nature of Executive Sessions.

6. Limitation on Conduct in Executive Session: The Board may not take an informal or preliminary vote or a final vote or make a final decision in the Executive Session; such action must be taken at a public meeting convened for that purpose. At the public meeting after the Executive Session, sufficient information must be given to the public to apprise the public of the basic subject matter of the action to be taken.

ARTICLE VII: MAINTENANCE OF RECORDS

1. Records Retention: The Board follows all Arizona Revised Statutes Annotated and Arizona State Library, Archives and Public Records Retention Schedule for all records, including minutes and agendas.
2. Minutes: The minutes must be taken of all public meetings and executive sessions, and contents follow Arizona Revised Statutes Annotated.

ARTICLE VIII: FINANCES

1. Annual Report to Pinal County: The Board shall submit an annual report to Pinal County pursuant to the requirements of the law of Arizona, as amended from time to time.
2. Annual Budget: The Board shall prepare an annual budget containing detailed estimated expenditures for each fiscal year. The budget must clearly show the salaries payable to the employees of the District, including the Fire Chief. Notice of the budget must be given as required by the law of Arizona and must be adopted by the Board pursuant to those laws. Copies of the budget must be available to members of the public upon written request. Beginning in Fiscal Year 2013-2014, a complete copy of the adopted budget shall be posted in a prominent location on the [District's official website](#) per [A.R.S. §48-807\(G\)](#).
3. Annual estimate: No later than August 1st of each year, the Chairperson must submit to the Board of Supervisors of Pinal County an estimate, certified by items, of the amount of money required for the equipment and maintenance of the District for the ensuing year, less the amount due from the county Fire District Assistance Tax. The annual estimate must in all other ways comply with the requirements of the laws of the State of Arizona.
4. Authorized Expenditures: The Board is authorized to make expenditures as is permitted by Arizona laws, as amended from time to time. The Board may, by resolution of a majority of the members constituting a quorum, adopt a purchasing policy which may, among other things, include specific authority for officers, appointees, or employees of the District to make expenditures and have signature authority pursuant to the purchasing policy. The purchasing policy may be amended from time to time by a majority vote of the members constituting a quorum.

ARTICLE IX: EXECUTION OF DOCUMENTS

1. General: All documents, instruments or any written material whatsoever binding upon the District, shall be executed by the Chairperson of the Board for the District, or in the Chairperson's absence,

by the Clerk, provided, however, that the Board may authorize other Board Members, officers, employees, or appointees of the District to execute documents, instruments, or other written material on behalf of the District.

2. Finance Documents: All documents, instruments, and any written material whatsoever which evidence money owed by, or money owed to, the District should be executed by a minimum of two (2) Board Members. Notwithstanding the foregoing, the Board may authorize officers, appointees, or employees to sign checks pursuant to a purchasing policy adopted under [Article VIII, Section 4](#).

ARTICLE X: FIRE CODE

1. Adoption: The Board currently operates under the 2015 Edition of the International Fire Code, with amendments in accordance with Arizona statutes. The District must keep three (3) copies of the code, including amendments and revisions, on file for public inspection.
2. Amendments or Revisions: Amendments or revisions to the code may be adopted after a hearing. The proposed revisions and/or amendments shall be posted in three (3) public places and published in a newspaper of general circulation in the District 30 days prior to a public hearing to adopt the amendments and/or revisions.
3. Fire Protection Standards: The Board must assist the State Fire Marshal in the enforcement of fire protection standards within the District.
4. Professional Standards: The Board may adopt, amend, or revise such professional standards as it deems appropriate for administration of the District services, including but not limited to the International Fire Code and the National Fire Protection Association (NFPA) Codes and standards.

ARTICLE XI: PENSION BOARD

1. Participation in the Public Safety Personnel Retirement System (PSPRS) and Pension Fund: The Board shall have the authority to direct the District to participate in and conform to the state standards for the PSPRS. Nothing in this Article shall be construed in a manner contrary to PSPRS standards or requirements. The Local Pension Board shall be organized under, and follow procedures as set forth under [A.R.S. 38, Chapter 5, Article 4: Public Safety Personnel Retirement System](#).

ARTICLE XII: CONSTRUCTION

1. Construction of By-Laws: These By-Laws shall at all times be construed in a manner consistent with Arizona law and any applicable statutes, regulations, ordinances, or standards.
2. Enforcement: These By-Laws may be enforced by an action with the Pinal County Superior Court upon a vote of majority of a quorum of the Board.

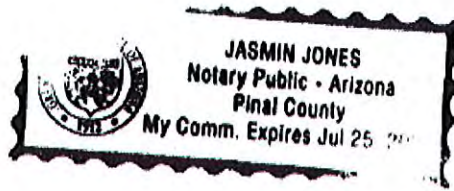
ARTICLE XIII: AMENDMENT

1. Interpretation: These By-Laws will be interpreted, to the fullest extent possible, in accordance with Arizona law. In the event any portion of these By-Laws is contrary to a provision of Arizona law, that portion shall be of no further force or effect; however, the remaining provisions of these By-Laws shall remain in full force and effect.
2. Amendment of By-Laws: Amendments to these By-Laws may be proposed in writing at any regular or special public meeting of the Board. Such proposed amendments shall be acted upon at the next regular public meeting of the Board or at a special public meeting called for that purpose, and shall be adopted by an affirmative vote of a majority of the Board Members present. Notice of intention to present amendment to these By-Laws for adoption shall be contained in the notice of the meeting.

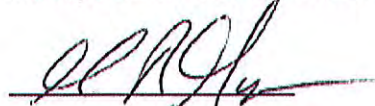
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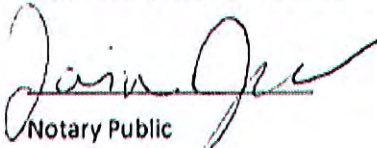
APPROVED AND ADOPTED by the Superstition Fire & Medical District Governing Board at a public meeting on August 16, 2017.

STATE OF ARIZONA)
)SS
COUNTY OF PINAL)



This instrument was acknowledged before me this 16th day of August, 2017 by Gene Gehrt, Clerk of the Governing Board of the Superstition Fire & Medical District.


Gene Gehrt, Clerk of the Board


Notary Public

Governing Board Meeting – February 17, 2021

Agenda Item: #9

BOD#: 2021-02-08

Agenda Item Title

Discussion regarding the Engagement and Retainer Agreement to retain Cynthia K. Kelley, Esq. of Ryan Rapp Underwood & Pacheco PLC as the Local Pension Board attorney.

Submitted By

Administrative Services Director Anna Butel

Background/Discussion

It was decided at the last Local Pension Board meeting on January 14, 2021, that the Pension Board would secure outside counsel for the matters of Medical Disability Retirements and other Pension Board matters. SFMD Labor Union representatives provided Cynthia K. Kelley, Esq. of Ryan Rapp Underwood & Pacheco PLC as their preferred choice.

Financial Impact(s)/Budget Line Item

Enclosure(s)

Engagement and Retainer Agreement

Recommended Motion

"N/A"



Go To Item 10

Go to Agenda



3200 N. Central Avenue, Suite 2250

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(602) 280-1000

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David L. Niederdeppe
dniederdeppe@rrulaw.com

Cynthia K. Kelley
ckelley@rrulaw.com

February 2, 2021

SENT VIA EMAIL ONLY

Sherry.mueller@sfmd.az.gov

Ms. Sherry Mueller

Superstition Fire and Medical District

565 N. Idaho Road

Apache Junction, Arizona 85119

Re: Engagement and Retainer Agreement

Dear Ms. Mueller

Thank you for the selection of Ryan Rapp Underwood & Pacheco, P.L.C., to represent the Superstition Fire and Medical District PSPRS Board (“the Board”). We recognize that the Board has a choice of legal counsel, and appreciate the confidence you have in our firm.

This letter is to confirm our understanding of the representation that Ryan Rapp Underwood & Pacheco has undertaken on the Board’s behalf, its scope and the terms of our engagement. In addition, under our professional rules of ethics, we have an obligation to inform the Board of the firm’s billing practices. Experience has shown that a letter such as this is useful both to the client and to the firm to express our respective expectations and undertakings.

We ask that you and the Board carefully review this letter. It is intended to be a formal Retainer and Engagement Agreement. If it meets with the Board’s approval and understanding of our respective responsibilities and duties, please sign where indicated and return it to us. Your signature on this Agreement will confirm the Board’s consent to the terms contained herein.

SCOPE OF REPRESENTATION

We understand that Ryan Rapp and Underwood & Underwood, P.L.C., has been retained to represent the Board in connection with the duties and responsibilities under the Arizona Public Safety Personnel Retirement System. The primary attorney engaged in this representation will be Cynthia Kelley. Attorneys David Niederdeppe and Lesli Sorensen will be available on an “as needed” basis. David has over 30 years of experience in Local Board representation and Lesli has a number of years of experience in this area as well.

The attorneys will, as requested, attend meetings of the Board, review agendas and supporting materials prior to the meetings and monitor compliance with open meeting law for

those meetings attended. The attorneys will, upon referral of a lawsuit or other legal matter by the Board, provide any necessary legal representation to the Board and any of its officers, employees, or agents as directed by the Board. The attorneys agree to perform all necessary legal services, including but not limited to investigation, legal research, preparation of legal memoranda, pleadings and briefs and making appearances before administrative tribunals and courts, in representing the Board.

The Board, as our client, agrees to cooperate with, and to timely provide assistance and requested documentation and information to us so that we may handle these legal matters on their behalf.

FEES AND COSTS AND RETAINER

All matters undertaken by the firm require that the client agree to terms of payment prior to the commencement of representation. In consideration of our services in connection with this representation, the Boards agree to pay Ryan Rapp Underwood & Pacheco according to the terms set forth in this Agreement. Any litigation necessitated by this representation is, by its very nature, time consuming, uncertain and often expensive. While the firm will work diligently on the Board's behalf, no predictions can be made as to the outcome of any particular matter. We normally send billings on a periodic basis, usually monthly. The periodic bills are to be paid upon presentation, and the amounts thereof are applied to the total fee. If the bills are not promptly paid, we reserve the right to withdraw from representation.

The normal fee arrangement of the firm is the "reasonable fee" arrangement which is based upon the criteria for reasonableness specified in the Arizona Rules of Professional Conduct. The factors set forth in the rules include the time required for tasks performed; the difficulty, novelty or complexity of the problem presented; the skill required to perform the services properly; the time constraints imposed by the clients or the nature of the matter; the amount involved and the results obtained for the clients; and the experience, reputation and ability of the lawyer or lawyers performing the service. We have established a normal hourly billing rate for each attorney and legal assistant, which is adjusted from time to time. Attorneys David Niederdeppe and Cynthia Kelley will be the primary attorneys in this matter and their hourly billing rates for this representation are \$275.00. If necessary, other attorneys may be involved in the matter and if that occurs, his/her hourly billing rate will be disclosed to you prior to that attorney commencing work on your cases. In addition to attorneys, there may be legal assistants involved in the matter. The firm's legal assistants are typically billed at rates between \$75 and \$150 per hour. In most circumstances, the total fee billed to the clients will be calculated primarily on the basis of the hourly rates and the amount of time expended for all attorneys and legal assistants involved in the matter. Such hourly totals, however, may be adjusted at the end of any particular case (and occasionally on an interim basis) to take account of the various factors described above.

For some cases, the fee arrangement may be a fixed hourly, fixed project, flat, or such other arrangement as is set forth in writing between the clients and the primary attorney performing the

work. In certain instances, modified or hybrid fee calculations may be appropriate as well. For example, in instances where the result achieved is particularly beneficial or advantageous to the clients when viewed against the amount(s) at stake or in controversy, the efforts expended and other like factors, the application of a “value billing” methodology above and beyond the base or customary hourly billing agreement may be appropriate. Of course, any such hybrid or value billing arrangement will be utilized only after prior consultation with, and concurrence of, the clients.

In addition to fees for legal services, the firm may incur various costs and expenses in performing legal services under this Agreement. These expenses will be itemized in our billing statements. Costs and expenses include, without limitation, filing fees, messenger and process services, special mailing expenses, express mail services, copying charges and other reproduction costs charged by an outside agency or vendor, expert fees, Westlaw research, long distance telephone calls, travel expenses and court reporter charges. We may send larger copying jobs to an outside copying service and charge the Boards for such service. We may ask that the Board pay court reporters' fees, outside copying charges and other large charges directly to the provider of the service.

To aid in the representation, our firm and the Board may agree that hiring expert witnesses, appraisers, accountants, consultants or investigators is necessary. Our firm will select such outside experts or entities, after consultation with the Board. The Board authorizes us to retain and the Board agrees to pay the fees or charges of these persons or entities hired by us, either directly to the outside person or entity, or to the firm, as appropriate.

In the event that the Board is involved in litigation, it may be possible to seek an award of the Board’s attorneys’ fees and costs from the opposing party. We will pursue such an award if appropriate, but we cannot and will not look to such an award as a source of payment for amounts owed to the firm under this Agreement. The Board is responsible for paying the fees and costs as set forth in this Agreement. If attorneys’ fees and costs are awarded, we will reimburse the Board for the amount of the award, or apply the award to fees and costs that are still being accrued or owing.

We ask and expect payment of our billings on a current basis because delayed payments add to our overall costs of providing services to all of our clients. To avoid burdening our clients who do pay promptly with these additional overhead costs, we reserve the right to charge interest at the rate of ten percent (10%) per annum on any balance which is not paid by the end of the month following the month in which the firm's billing statement is dated. Unless otherwise agreed, payment of each monthly billing statement is due upon receipt.

CORRESPONDENCE, PLEADINGS AND DOCUMENTS

As a matter of course, the firm will forward to the Board copies of key correspondence, and any court pleadings and documents generated or received by us concerning the legal matter

being handled. This is an inexpensive and routine way to keep our clients advised of important developments and the status of the matter as it progresses. The Board should review the documents sent to them and contact us with any questions or comments about them. All communications to the Board is directed to the addresses provided to us. Because communications between the Board and the firm are critical, we must be kept informed of any changes in address, telephone number, and e-mail as appropriate.

RETENTION OF FILES AND FILE DESTRUCTION

Given the number of client matters the firm handles, the indefinite retention of each client's file is impractical. Therefore, once any particular matter is completed, the file will be marked "closed" by the firm. The Board has a right to obtain a copy of the files at any time, but given the firm's routine practice of copying clients with correspondence, pleadings and documents, the firm will only copy those documents the Board has not already been sent. Original documents will be returned to the Boards upon the closing of the file. If the Board needs another copy of the file after receiving copies from the firm, we will charge for the cost to re-copy the file. By executing this Agreement, you give the firm the Board's permission to destroy any files once they have remained closed, with no material activity, for a period of seven years.

CONFLICT OF INTEREST

The firm has conducted an internal conflict of interest check based upon the names of the persons and/or entities provided to us by you. No conflict of interest has appeared from this internal conflict check. The Boards agree to continue to provide any additional information to the firm regarding the names and identities of any other person or entity involved, or which may become involved, in any matters for which we provide representation.

TERMINATION OF REPRESENTATION AND CONCLUSION OF MATTERS

Once the representation of the Board in the matters described in this Agreement concludes, the firm will have no continuing obligation to represent the Board in any matter beyond the scope of representation as described herein unless an agreement for continued representation is reached.

The Board has the right to terminate the firm's representation with or without cause. However, should the Board determine to terminate our services, they must notify us in writing of the termination. Termination of our services does not negate any fees or costs owed to the firm in the representation.

The firm reserves the right to withdraw as set forth herein if our fees are not paid on a timely basis. The firm also reserves the right to withdraw for any reason permitted or required under the Arizona Code of Professional Responsibility. In the event the firm determines to terminate the representation, the Board will be notified in writing as to the termination, and agree

Ms. Sherry Mueller
February 2, 2021
Page 5

to execute an approval of a Motion to Withdraw or Substitution of Counsel, if applicable. In that event, the firm will cooperate in transitioning the matter to another attorney as appropriate.

After the Board has had an opportunity to review this Agreement, please sign it where indicated and return it to me for our file. The firm's attorneys will generally not proceed to work for a client beyond the initial consultation and initial research until a signed Agreement is received from the Board. In the event that legal services have been performed and costs expended on the Board's behalf, it is obligated to the firm for the value of such services and costs.

We recognize that this Agreement has a formal tone, but we believe that a complete understanding of our business relationship helps to assure a mutually beneficial attorney-client relationship. We appreciate this opportunity to be of assistance and look forward to working with the Board.

Very truly yours,

RYAN RAPP UNDERWOOD & PACHECO, P.L.C.

Cynthia K. Kelley

I have read and understand the foregoing terms set forth in the Ryan Rapp Underwood & Pacheco, P.L.C. Engagement and Retainer Agreement, and approve and agree to them as of the date that Ryan Rapp & Underwood, P.L.C., first provided services to the Board.

SUPERSTITION FIRE AND MEDICAL DISTRICT BOARD

By: _____ Date: _____

Printed Name: _____

Governing Board Meeting – February 17, 2021

Agenda Item: 10

BOD#: 2021-02-09

Agenda Item Title

Reports

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.

- **Senior Leadership Team**
- **Labor**

Recommended Motion:

N/A



Go to Item 11

Go to Agenda

Governing Board Meeting – January 17, 2021

Agenda Item: 11

BOD#: 2021-02-10

Agenda Item Title

New Business / Future Agenda Items

Submitted By

Board of Directors

Background/Discussion

This item is used as a placeholder to discuss New Business / Future Agenda Items, the Board may want on a future agenda.

Financial Impact

N/A

Enclosure(s)

N/A

Recommended Motion:

N/A



Go to Item 12

Go to Agenda

Governing Board Meeting – February 17, 2021

Agenda Item: 12

BOD#: 2021-02-n/a

Agenda Item Title

Announcements

Background / Discussion

The BOD and staff may share and discuss items to be placed on future BOD agendas.

Recommended Motion:

N/A



Go to Item 13

Go to Agenda

Governing Board Meeting – February 17, 2021

Agenda Item: 13

BOD#: 2021-02-11

Agenda Item Title

Adjournment

Recommended Motion:

“Motion to adjourn the Board meeting.”



[Go to Agenda](#)

Appendix A

A. Special Board Meeting Minutes from December 7, 2020

Submitted By

Board Secretary Sherry Mueller

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

Enclosure(s)

December 7, 2020 Special Board Meeting Minutes





Superstition Fire & Medical District

Serving the Communities of Apache Junction and Gold Canyon since 1955

Phone | (480) 982-4440

Website | sfmd.az.gov

Special Board Meeting Minutes

December 7, 2020

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 MONDAY, DECEMBER 7, 2020. 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 (VIA CONFERENCE CALL) AND BEGAN AT 5:07 PM.

A. Call to Order

Acting Chairman Cross called the meeting to order at 5:07 PM.

B. Pledge of Allegiance

The Pledge of Allegiance led by Acting Chairman Cross

C. Roll Call

Board Members in attendance were Chairman Todd House (arrived at agenda item #2), Clerk Kathleen Chamberlain, Director Jeff Cross, Director Shawn Kurian. Director Jason Moeller attended via conference call.

Senior Leadership Team in attendance were Fire Chief Mike Farber, Assistant Chief Richard Mooney, Assistant Chief Rick Ochs, Finance Director Roger Wood, Acting Assistant Chief Jeff Cranmer and Administrative Services Director Anna Butel. Also in attendance was Lauren Daniel, Information Systems Coordinator. Legal Counsel William Whittington attended via conference call.

1. Public Hearing in accordance with ARS §48-805.02(E) in order to hear taxpayer's comments on the proposed Superstition Fire & Medical District Amended Revenue and Expenditure Budget for Fiscal Year 2020/2021, scheduled for final approval on December 28, 2020. (BOD #2020-12-28)

No Public comments over the phone or in the audience.

No Motion

2. Discussion, consideration, and possible action regarding the approval of the tentative amended budget for Fiscal Year 2020/21 and the adoption of Resolution 12-7-12 relating to the same. (BOD #2020-12-28)

Chief Farber and Staff found areas in the budget in the 100 and the 150 Funds where funds could be reallocated to cover the need for overtime due to the Covid pandemic. Requesting Overtime Revenue of \$250,000 to maintain staffing levels. Battalion Safety Officers, Training Captain and EMS Coordinator

have been placed in the field. Assitant Chiefs and Fire Chief will fill in for Battalion Chiefs. All discretionary spending has been placed on hold until March 2021. The overall budget amount stays the same (\$23,690,999.57).

Motion by Director Cross to Adopt Resolution 2020-12-07-12 adopting a tentative amended budget in the amount of \$23,690,999.57 for the fiscal year beginning July 1, 2020 and ending June 30, 2021 and giving notice to the public of the tentative budget, as well as a time and place for a public meeting to hear comments prior to final adoption of the budget as required by law.

Seconded by Director Kurian

Vote 5 ayes, 0 nays, **MOTION PASSED**

- 3. Discussion, consideration, and possible action re: authorization for a Special Board Meeting to be held on December 28, 2020, at 5:00 pm for the possible adoption of the final Amended Revenue and Expenditure Budget for Fiscal Year 2020/2021.**

Motion by Clerk Chamberlain to authorize a Special Board Meeting to be held on December 28, 2020 at 5:00 p.m. for the possible adoption of the final Amended Revenue and Expenditure Budget for Fiscal Year 2020/2021.

Seconded by Director Cross

Vote 5 ayes, 0 nays, **MOTION PASSED**

- 4. Call to the Public. (BOD #2020-12-n/a)** A.R.S. §38-431.01(H) A public body may make an open call to the public during a public meeting, subject to a 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.

NONE

- 5. Ajourn** (BOD #2020-12-7)

Motion by Director Cross to ajourn the meeting at 5:23 p.m.

Seconded by Director Kurian

Vote 5 ayes, 0 nays, **MOTION PASSED**

Governing Board Approval:

Board Clerk Jeff Cross
Sherry Mueller

Appendix B

B. Special Board Meeting Minutes from January 14, 2021

Submitted By

Board Secretary Sherry Mueller

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

Enclosure(s)

January 14, 2021 Special Board Meeting Minutes





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Special Board Meeting Minutes

January 14, 2021

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 THURSDAY, JANUARY 14, 2021. 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 (VIA CONFERENCE CALL) AND BEGAN AT 4:30 PM.

A. Call to Order

Chairman Kathleen Chamberlain called the meeting to order at 4:31 PM.

B. Pledge of Allegiance

The Pledge of Allegiance led by Director Jason Moeller

C. Roll Call

Board Members in attendance were Chairman Kathleen Chamberlain, Clerk Jeff Cross, Director Todd House, Director Jason Moeller and Director Shawn Kurian.

Senior Leadership Team in attendance were Director Roger Wood and Administrative Services Director Anna Butel and Captain John Walka. Also in attendance was Sherry Mueller, Human Resources Generalist and Board Secretary. Legal Counsel William Whittington and Captain John Walka. Recruiter, Heather Renschler from Ralph Anderson & Associates attended via video conference call.

1. **Call to the Public. (BOD #2021-01-n/a)** A.R.S. §38-431.01(H) A public body may make an open call to the public during a public meeting, subject to a 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.

NONE

2. **Discussion and possible approval of the Consent and Waiver regarding the representation by William R. Whittington of the law firm of BOYLE, PECHARICH, CLINE, WHITTINGTON & STALLINGS, PLLC (“BPCWS”) of the SFMD Public Safety Personnel Retirement System Local Pension Board. (BOD #2021-01-01)**

Motion by Director House to approve the “Consent and Waiver” allowing William R. Whittington of BPCWS to represent SFMD and the Public Safety Personnel Retirement System Local Pension Board.

Seconded by Director Cross

VOTE 5 Ayes, 0 Nays. **MOTION PASSED**

3. **Possible vote to go into Executive Session. The Board may vote to go into Executive Session pursuant to ARS §38-431.03(A)(1) for personnel matters re: discussion of candidate qualifications and ARS § 38-431.03(A)(3) for legal advice re: the recruitment and selection of the Fire Chief position. (BOD #2021-01-02)**

Note: Executive Sessions are confidential pursuant to ARS §38-431.03(C).

Motion by Director Moeller to go into Executive Session at 4:46 p.m. pursuant to ARS §38-431.03(A)(1) for personnel matters. ARS § 38-431.03(A)(3) for legal advice; re: the recruitment and selection of the Fire Chief position.

Seconded by Director Kurian

Vote 5 ayes, 0 nays, **MOTION PASSED**

4. **Discussion and possible direction regarding the Fire Chief selection process. (BOD #2021-01-03)**

The public session resumed at 6:25 p.m.

Motion by Director Moeller to direct Heather Renschler with Ralph Anderson & Associates to set up interviews with the seven recommended candidates (out of the twenty nine candidates that were submitted).

Seconded by Director House

Vote 5 ayes, 0 nays, **MOTION PASSED**

5. **Discussion and possible direction regarding the next meeting date. (BOD #2021-01-04)**

Heather Renschler with Ralph Anderson & Associates recommends we have a brief meeting to go over the interview questions that are submitted. Questions are due to Heather by January 22, 2021. The meeting to go over the interview questions will be on Thursday, January 28, 2021 at 4:30 p.m. The group will also test the Zoom Meeting process at that time

Heather said we could split up the seven interviews over two days. The interviews will be on Thursday, February 11, 2021 in the afternoon and Friday, February 12, 2021 in the morning.

All agreed to these dates by consensus.

No Motion

6. Adjourn (BOD #2021-01-05)

Motion by Director Moeller to adjourn the meeting at 6:45 p.m.

Seconded by Director Kurian

Vote 5 ayes, 0 nays, **MOTION PASSED**

Governing Board Approval:

Board Clerk Jeff Cross
Sherry Mueller

Appendix C

C. Executive Session Minutes from January 14, 2021

Submitted By

Board Secretary Sherry Mueller

Background / Discussion

Executive Meeting Minutes are not provided to the public

Financial Impact/Budget Line Item

N/A

Enclosure(s)

No Enclosures



Appendix D

D. Board Meeting Minutes from January 20, 2021

Submitted By

Board Secretary Sherry Mueller

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

Enclosure(s)

January 20, 2021 Board Meeting Minutes





Superstition Fire & Medical District

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

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Governing Board Meeting Minutes

January 20, 2020

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, JANUARY 20, 2020. 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 (VIA CONFERENCE CALL) AND BEGAN AT 5:30 PM.

A. Call to Order

Chairman Chamberlain called the meeting to order at 5:30 PM.

B. Pledge of Allegiance

The Pledge of Allegiance led by Director House

C. Roll Call

Board Members in attendance were Chairman Kathleen Chamberlain, Clerk Jeff Cross, Director Todd House and Director Shawn Kurian. Director Jason Moeller attended via conference call just after Agenda Item #1. Senior Leadership Team in attendance were Fire Chief Mike Farber, Assistant Chief Richard Mooney, Assistant Chief Rick Ochs, Finance Director Roger Wood, Acting Assistant Chief Jeff Cranmer and Administrative Services Director Anna Butel. Also in attendance was Sherry Mueller, Human Resources Generalist and Board Secretary. Legal Counsel William Whittington attended via conference call.

1. Review and approval of the December 2021 financial reports and bank reconciliations. (BOD #2021-01-01)

Motion by Director House to approve the December 2020 financial reports and bank reconciliations.

Seconded by Director Kurian

Vote 4 ayes, 0 nays, **MOTION PASSED.**

2. Recognition of employee performance, achievements, and special recognition for community members. (BOD #2021-01-02)

Historical Review

Review of Special Operations Teams



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Thank-You to Billy Warren

Thank-you to Billy Warren for his dedicated service to SFMD; August 3, 2015 – January 24, 2021

January Anniversaries

32 Years of Service: John Christensen, Engineer

20 Years of Service: Rob Bessee, Captain / Paramedic

18 Years of Service: Chuck Hanson, Engineer / Paramedic

4 Years of Service: Brian Dover, Firefighter / Paramedic

3. Call to the Public. (BOD #2021-01-N/A)

Due to the Covid-19 virus, the Board Meeting was a closed-door meeting to the public. A notice was posted on our website, front door, Regional Training Center and Station 264 with our conference call number and pin code if anyone from the public wanted to call in and listen to the meeting. There was no person from the public over the conference phone.

NONE

4. Consideration and possible approval of all consent agenda items listed below (BOD #2021-01-03):

- A. Board Meeting Minutes from December 16, 2020
- B. Special Board Meeting Minutes from December 16, 2020
- C. Executive Session Minutes from December 16, 2020
- D. Special Board Meeting Minutes from December 28, 2020
- E. Cancer Screening Invoice from Vincere Cancer Center
- F. Special Board Meeting Minutes from December 3, 2020
- G. Disposition of Surplus Property – Computer Equipment
- H. Disposition of Surplus Property – Printer
- I. Disposition of Surplus Property – Fire Apparatus

Motion by Director House to approve all consent agenda items EXCEPT for item “E” for January 20, 2021.

Seconded by Director Cross

Vote 5 ayes, 0 nays, **MOTION PASSED**

Consent Agenda Item “E” was pulled for discussion.

Motion by Director Cross to approve consent agenda item “E” for January 20, 2021.

Seconded by Director House

Vote 5 ayes, 0 nays, **MOTION PASSED**



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5. Discussion, presentation, and possible approval for the SFMD's Financial Statements and Independent Auditor's Report for Fiscal year ending June 30, 2020. As required by Arizona Revised Statutes §48-253, submitted by Henry & Horne, LLP. (BOD #2021-01-04)

Aaron Funk, CPA with Henry & Horne gave a summary presentation to the Board of Directors. Mr. Funk discussed recommendations, long-term financial highlights and days / cash on hand. He stated that no audit findings were issued in fiscal year 2020.

Motion by Director House to approve the Fire District's Independent Auditor's Report and related Financial Statements for the fiscal year beginning July 1, 2019 and ending on June 30, 2020, as submitted by Aaron Funk, CPA, and to direct Staff to submit the auditor's report to Pinal County and Maricopa County as required by ARS§48-253."

Seconded by Director Kurian

Vote 5 ayes, 0 nays, **MOTION PASSED**

6. Discussion and possible action regarding the approval and adoption of a planning calendar and process for Fiscal Year 2021/2022 SFMD Revenue and Expenditure Budget. (BOD #2021-01-05)

Motion by Director House to adopt the Fiscal Year 2021/2022 Budget Planning Calendar as presented, and to schedule the July Governing Board Meeting for Wednesday, July 21, 2021 at 5:30 pm when the Fiscal Year 2021/2022 budget will be adopted.

Seconded by Director Cross

Vote 5 ayes, 0 nays, **MOTION PASSED**

7. Discussion of the Comprehensive Annual Financial Report (CAFR) that documents the consolidated actuarial valuation results for the Arizona Public Safety Personnel Retirement System as of June 30, 2020. (BOD #2021-01-06)

Per A.R.S. §38-847(D)(7), the Local Board is "To receive and review the actuarial valuation of the system for its group of members." This report is the consolidated result of the total fund for all of the Arizona PSPRS as of June 30, 2020.

The entire Comprehensive Annual Financial Report (CAFR) for the period ending June 30, 2020, can be accessed via the following link:

<http://www.psprs.com/investments--financials/annual-reports>

At the highest summary level, the report indicates the following key metrics for the consolidated PSPRS pension system:

A. Funded percentage as of June 30, 2020: 48.2% (including health insurance subsidy)

B. PSPRS received a clean audit opinion from Clifton Larson Allen LLP, their external audit firm.

No Motion



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8. Discussion of the annual actuarial valuation report as of June 30, 2020 for Superstition Fire & Medical District’s (148) participation in the Arizona Public Safety Personnel Retirement System. (BOD #2021-01-07)

This report is also to be received and reviewed per A.R.S. This report provides the annual actuarial valuation of the Superstition Fire & Medical District’s participation in the Arizona Public Safety Personnel Retirement System as of June 30, 2020, and applies directly to SFMD, with our current benefits and liabilities.

	July 1, 2020	July 1, 2021	
SFMD Tier 1 & Tier 2 Contribution Rate	31.84%	32.54%	+0.70%
SFMD Tier 2 Defined Contribution Rate	4.00%	4.00%	
SFMD Tier 3	26.01%	27.50%	+1.49%
SFMD Tier 3 Defined Contribution Rate	3.00%	3.00%	
Employee Contribution Rate	7.65% / 11.65%	7.65% / 11.65%	

SFMD’s Funded Status (including pension and health insurance subsidy)

Tier 1 & 2	67.7%	+ 0.50%
Tier 3	103.0%	-15.40%

The entire report can be accessed via the following link:

<https://members2.psprs.com/Estimators/actuarials.aspx>

Use the drop-down windows to choose Superstition Fire And Medial Dis (PSPRS) (148) and Fiscal year 2020 to retrieve the full report.

No Motion

9. Discussion, presentation and possible approval of changing the EMS Coordinator position from civilian to sworn. (BOD #2021-01-08)

This item was pulled from the agenda to be discussed at a future date.

No Motion

10. Reports (BOD #2021-01-09)

Senior Leadership Team (SLT):

Fire Chief Mike Farber



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- Annexation – Meeting with the City of AJ
- Ongoing IGA Meeting with the City of AJ
- Graduation of Firefighter Recruits on 1/29/2021
- Captains Testing begins next week – Written exam 1/26/2021
- Overtime savings
- COVID Vaccinations update

Acting Assistant Chief Jeff Cranmer

- Recruits update – Phoenix Fire Academy
- Review of Incidents

Assistant Chief Rick Ochs

Fire Prevention & Community Events

- Meeting with City of AJ regarding IGA and Fire Code
- 2021 edition of International Fire code
- Amendments to Fire Code
- Plan Review

New Pierce Velocity Pumper

- Review and update of apparatus build
- Apparatus upgrades (current fleet)
 - WARD Diesel Filtration Systems
 - “Clean Cab” conversions

Assistant Chief Richard Mooney

- December 2020 was record month for transports.
- SFMD ran 551 transports for December.
- Previous high was 550 in March of 2019.
- Accepted as a Peer Assessor-Level 2.
- Preparing to meet with SLT members to get status updates.

Administrative Services Director Anna Butel

- Records Management / Retention Overview
- New Employees – Transportation
 - Bradley Powers, EMT
 - Brady Harmon, EMT
 - Andrew Silva, Paramedic

Finance Director Roger Wood



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- District is joining the Health Information Exchange, which will increase on-line efficiency of completing billing records for the Transportation Division.
- Small up-front programming cost to incorporate Patient Rights Process verbiage into Image Trend.
- Cost of programming more than offset by Medicaid Eligibility Payment of \$5,000.
- Patients will automatically participate in the PRP unless they opt out

11. New Business / Future Agenda Items. (BOD #2021-01-10)

- A. Need to review Bylaws for the Pension Board to assure accuracy
- B. Need to review Bylaws for the Regular Board to assure accuracy

12. Announcements (BOD #2021-01-N/A)

NONE

13. Adjourn (BOD #2021-01-11)

Motion by Director House to adjourn the meeting at 7:07 p.m.

Seconded by Director Kurian

Vote 5 ayes, 0 nays. **MOTION PASSED.**

Governing Board Approval:

Board Clerk Jeff Cross
Sherry Mueller

Appendix E

E. Special Board Meeting Minutes from January 28, 2021

Submitted By

Board Secretary Sherry Mueller

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

Enclosure(s)

January 28, 2021 Special Board Meeting Minutes





Superstition Fire & Medical District

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Special Board Meeting Minutes

January 28, 2021

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, JANUARY 28, 2021. 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 (VIA CONFERENCE CALL) AND BEGAN AT 4:32 PM.

A. Call to Order

Chairman Kathleen Chamberlain called the meeting to order at 4:32 PM.

B. Pledge of Allegiance

The Pledge of Allegiance led by Director House

C. Roll Call

Board Members in attendance were Chairman Kathleen Chamberlain, Director Todd House, Director Shawn Kurian and Captain John Walka. Clerk Jeff Cross and Director Jason Moeller attended via Zoom Meeting conference call.

Senior Leadership Team in attendance were Director Roger Wood and Administrative Services Director Anna Butel. Also in attendance was Sherry Mueller, Human Resources Generalist and Board Secretary. Legal Counsel William Whittington and Recruiter, Heather Renschler from Ralph Anderson & Associates attended via Zoom video conference call.

1. **Call to the Public. (BOD #2021-01-n/a)** A.R.S. §38-431.01(H) A public body may make an open call to the public during a public meeting, subject to a 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.

NONE

2. **Discussion and possible direction from the executive recruiter, Ralph Andersen & Associates, via Zoom regarding the upcoming Fire Chief candidate interview process. (BOD #2021-01-01)**

Heather Renschler addressed the group and said she extended seven invitations for interviews for the search for the next Fire Chief of SFMD. All seven invitations were accepted. Heather also let all others know they would not be interviewing for the position.

Heather discussed the format of the upcoming interviews. Four would be done in the afternoon on one day and three would be done in the morning of the next day. The first half-hour on the first day would be to get everyone organized and review the interview questions. The candidates will be scheduled every hour. 45 – 50 minutes of each hour will be for interviewing the candidate(s). The candidate(s) will have five minutes in the beginning to give the interview panel an overview of their experience. Each candidate will be asked the same questions and scored on each question. The candidate(s) will be given five minutes at the end for closing statements.

Heather recommended that we schedule an Executive Session at our next regular Fireboard Meeting on Wednesday, February 17, 2021 so the Board can discuss the scores of the interviews.

No Motion

3. **Discussion and possible direction regarding the Fire Chief selection process. (BOD #2021-01-02)**

No Motion

4. **Discussion and possible direction regarding the next meeting date. (BOD #2021-01-03)**

The following dates have been selected for the next meetings:

- Thursday, February 11, 2021 at 1:00 p.m.
- Friday, February 12, 2021 at 8:00 a.m.

No Motion

5. **Adjourn (BOD #2021-01-04)**

Motion by Director House to adjourn the meeting at 5:19 p.m.

Seconded by Director Kurian

Vote 4 ayes, 0 nays, **MOTION PASSED**

Governing Board Approval:

Board Clerk Jeff Cross
Sherry Mueller

Appendix F

F. Renewal of contract for property and casualty insurance service

Submitted By:

Fire Chief Mike Farber
Finance Director Roger Wood

Background / Discussion:

Cindy Elbert Insurance Services is our current broker for our ESIP insurance property damage and liability policies. The quote we received from Cindy Elbert Insurance Services for the period March 1, 2021 – February 28, 2022 is \$169,739, an increase of \$10,102. The increase is due to the following:

	Last Year	This Year	Change	Coverage
A. Auto & Property:	\$124,767	\$133,794	+ 9,027	Vehicle, Buildings, contents
B. Inland Marine:	21,860	23,494	+ 1,634	Portable equipment
C. Umbrella Liability:	<u>13,010</u>	<u>12,451</u>	<u>- 559</u>	Umbrella, General, Professional
	\$159,637	\$169,739	\$10,102	

The increase in Auto & Property and Inland Marine (A & B above) is caused by the following:

- A. The value of the buildings insured increased \$1,302,546 (5.0%), and the value of vehicles insured increased \$170,965 (1.5%). \$45,370 of the increase in vehicles is due to the addition of two (2) Polaris UTVs (2019 and 2021).
- B. Considering the \$1.47 million increase in assets insured, the actual cost per dollar of insured assets decreased 3.1% year-over-year.
- C. The slight reduction in Umbrella Liability insurance (C above) represents the relative stability in operations in the District, including ambulance transport calls.

Additional Items for Consideration.

1. Terrorism Coverage.
 - a. Annual premium = \$2,748.
 - b. The Terrorism Risk Insurance Act of 2002 requires insurance companies to offer terrorism coverage.
 - c. The District can deny this coverage.

Financial Impact/Budget Line Item:

\$10,102 additional cost

Accounts 100-10-61700-10 and 150-10-61700-10 (Vehicle / Property / Liability Insurance)

Staff Recommendation:

Staff recommends the approval of the ESIP insurance for property and vehicle damage, and liability. Staff also recommends the Board reject the Optional Terrorism coverage.

Enclosure(s):

Cindy Elbert Insurance Services Premium Quote





**CINDY ELBERT
INSURANCE
SERVICES**

- ◆ Business Insurance Programs & Risk Management Services
- ◆ Competitive Comprehensive Coverage
- ◆ Professional Prompt Service

January 14, 2021

Emailed

Chief Mike Farber
Superstition Fire & Medical District
Mike.Farber@sfmd.az.gov

**RE: Arch Insurance Renewal Proposal
Effective: 3/1/2021 – 3/1/2022**

Dear Chief Farber,

We are pleased to enclose your quote this year with Arch Insurance Co for your package, inland marine and umbrella policies as follows. Please review and let us know if there are any changes.

Network Security & Data Breach Liability is now included in this policy.

This proposal does not include worker's compensation or group health benefits.

Package Policy -	\$133,738.00
AZ Auto Fee -	\$ 56.00
Inland Marine -	\$ 23,494.00
Umbrella -	<u>\$ 12,451.00</u>
Total Annual Premium	\$169,739.00

***Terrorism is excluded in the above premiums. If you would like terrorism coverage, please include an additional \$2,748.00 with your down payment**

Interest Free Payment Plan:

Down Payment due	3/1/21	\$42,726.75 payable to McNeil & Company
Installment due	6/1/21	\$42,670.75
Installment due	9/1/21	\$42,670.75
Installment due	12/1/21	\$42,670.75

We can request the insurance coverage quoted subject to the following:

- * 1. Down payment of \$42,726.75 made payable to McNeil & Company
- 2. Please sign & date **Declaration of Terrorism**
- 3. Please sign & date **Statement of Values**
- 4. Please sign & date **driver guidelines**
- 5. **Optional quote for Accident & Sickness, please sign either accepting or rejecting**

* Down payment needs to be sent directly to:
McNeil & Company
PO Box 292
Canajoharie, NY 13317

Once we receive the following in our office by fax with originals in the mail No Later Than 2/22/2021, we can request the **Binder of Insurance, Certificates of Insurance and Vehicle ID Cards.**

Thank you for your business, if you have any questions please call us at 888-681-1020 X 308.

Sincerely,

Cindy Elbert
Enclosure(s)