Meeting Call-in Number (480) 646-1864 Access Pin Code: 1234

PURSUANT TO A.R.S. §38.431.02
Notice is hereby given to the General Public that the Superstition Fire & Medical District Governing Board will hold a work session on Wednesday, September 1, 2021. The meeting will be held at the Superstition Fire & Medical District’s Administration Office located at 565 N. Idaho Road, Apache Junction, Arizona. The meeting is open to the public and will begin at 9:00 a.m. local time.

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

The following agenda items are scheduled for discussion at the work session. The order of the agenda items may or may not be taken in the order listed.

1. Call to the Public. (BOD #2021-09)
   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.

2. Discussion, presentation, and review of the Superstition Fire & Medical Board of Directors Bylaws. (BOD #2021-09-01)
3. Discussion and presentation regarding automation of Board signatures on the District’s manual payables and payroll checks. (BOD #2021-09-02)
4. Policies for review, possible approval at the September 15th meeting. (BOD #2021-09-03)
5. Adjourn (BOD #2021-09-04)

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 August 30, 2021
At: 1730 Hours
By: Sherry Mueller

The Superstition Fire & Medical District (SFMD) Administrative Office Board Meeting Room is accessible to the handicapped. In compliance with the Americans with Disabilities Act (ADA), those with special needs, such as large-type face print or other reasonable accommodations, may request those through the SFMD Administration Office (480-982-4440) at least twenty-four hours before the board meeting.
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
Governing Board Meeting (Work Session) September 1, 2021
Agenda Item: #2
BOD#: 2021-09-01

**Agenda Item Title**
SFMD Bylaws Review & Discussion

**Submitted By**
Fire Chief John Whitney
Assistant Chief Richard Mooney

**Background/Discussion**
The SFMD Board Bylaws have not been reviewed or updated since August 16, 2017. The objective of the work session is to provide updates and potential recommendations to the SFMD Governing By-Laws.

**Financial Impact(s)/Budget Line Item**
No financial impact.

**Enclosure(s)**
Current SFMD Board Bylaws

**Recommended Motion**
N/A
SUPERSTITION FIRE & MEDICAL DISTRICT
GOVERNING BOARD BY-LAWS

GOVERNING BOARD MEMBERS
Board Chairperson
Kathleen Chamberlain
Board Clerk Jeff Cross
Board Director Todd House
Board Director Jason Moeller
Board Director Shawn Kurian

Adoption Dates
September 15, 2021
August 16, 2017
September 16, 2015
April 17, 2013
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Introduction

The Governing Board of the Superstition Fire & Medical District (SFMD) has approved this handbook of the Superstition Fire & Medical District Governing Board By-Laws to enforce the guidelines upon themselves and future governing board members needed to govern with excellence. This handbook has also been established as a guide to help new members of the Superstition Fire & Medical District Governing Board understand their roles and expectations relating to their performance and participation. Many sources, such as the Arizona Revised Statutes (A.R.S.), Arizona Fire District Association (AFDA) publications and educational seminars, and other related sources were consulted to establish these guidelines.

First Officials Acts

As part of the first official acts, all board members shall complete the required paperwork. Pursuant to A.R.S. §38-232, governing board members shall affirm and sign an oath of office at least twenty-four hours before the commencement of their term of office and each subsequent term. Pursuant to A.R.S. §38-431.01(G), all governing board members shall review the Open Meeting Law (O.M.L.) materials at least one day before taking office and sign a Statement of Compliance, indicating that they have done so.

In addition, the Governing Board Members shall complete a board member contact information form; confirmation of personal auto insurance form ensuring coverage of a personal vehicle when used while on
district business; annually sign a conflict of interest disclosure form to declare any potential conflicts of interest, and acknowledgment of the Board guidelines form shall be signed subsequent to reading and understanding the guidelines discussed in this handbook.

Orientation

All new Board Members will be invited to go through an orientation session to provide them a basic understanding of the District. The Fire Chief will administer the orientation session.

The following topics may be discussed:

- Familiarization and introduction of staff
- Familiarization and tour of the District and the fire stations within the District
- Chain of command
- Explanation of the Arizona Revised Statutes
- Whom the District serves
- Tour, explanation, and demonstration of various apparatus and equipment
- Description of the volunteer program

Board Members will be issued an iPad and an SFMD email address to be used for district business. Monthly board packets, study session information, and other pertinent district information will be distributed in an electronic format through the iPad. To protect the Board Member’s privacy, please use the email address provided by the District and not a personal email address to conduct all district business. All correspondences related to District business are subject to public records requests; if a personal email is used, it is subject to being searched for District-related correspondence.

Commitments

Board Members shall be committed to the following practices to accomplish their responsibilities to the best of their ability:

- Attend and actively participate at fire board meetings, work sessions, & public hearings
- Review Board packets prior to each meeting in order to arrive prepared; ensure adequate and current information is obtained to make informed decisions; keep informed of developments relevant to issues before the Board
- Work to accomplish the mission of the Fire District; unite for a common cause; respect the opinions of fellow board members and Fire District staff; refrain from being publicly critical of fellow Board Members’ opinions
- Exercise independent judgment on decisions that come before the Board
- Confidential proceedings of the Board shall not be discussed outside the Board meetings
- Accept, respect, and support majority decisions of the Board; recognize authority is vested in the Board as a group and not in individuals
- Recognize that the Board’s job is to ensure that the Fire District is well managed, not to manage the Fire District
- Avoid interfering with the duties of the Fire Chief or undermining the chief’s authority; recognize the chain of command
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 there to.

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 Rules" 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 Rules" 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. §48-605.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 balloting results 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 member’s term will be deemed vacant if 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 specific 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 speak 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. However, Board Members shall conduct themselves professionally and shall not interfere with the 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, Memorandum of Understanding (MOU.), 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 another 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 inform 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 (spouse or child) death;
   
   iv. **In the event an employee is permanently promoted, the Fire Chief shall notify the Board before making any formal announcement**;
   
   v. Whenever SFMD employees or apparatus leave the District for a mutual aid or an in or out of state wildland fire deployments/assignments, or any other reason other than auto aid responses, mutual aid responses, or patient transports;
   
   vi. Whenever any SFMD apparatus or vehicles are involved in an accident or placed out of service for a 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 significant, 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 P.I.O. or any member of the District;
   
   vi. Anything deemed by the Fire Chief to be of significant interest to the Board.

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 make decisions based on the best information available and use their best efforts to be sure each of the Board members has the same information available upon which decisions in the District’s best interest 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 that may arise during any board member’s term.
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 the appropriate procedure and that order and decorum are observed at the meetings.

6. **The Vice-Chairperson**: The Vice-Chairperson shall, in the event of the Chairperson's absence or inability to act, have all the powers of Chairperson.

7. **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 may also serve as the local Pension Board Chairperson. (SFMD Administrative Rule Public Safety Personnel Retirement System Local Board, page 4, Item B).

8. **A member of the Board**: The Clerk shall may also serve as the local Pension Board Chairperson. Each employer who participates in PSPRS or CORP must establish a five person Local Board, which includes a chairperson, two appointed persons, and two individuals who are contributing members of the Plan (elected by secret ballot election from all the contributing membership for that group). https://www.psprs.com/employers-local-boards/ SFMD Administrative Rule Public Safety Personnel Retirement System Local Board, page 4, Item B).

9. **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.

10. **Death or Resignation of Officers**: Any officer may resign at any time by giving the Board written notice of their resignation. Upon the death of an officer, the office shall be deemed to be vacant as of the date of death.

11. **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 they replaced.

ARTICLE IV: BOARD COMMITTEES

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

   To consider and recommend suitable action on a resolution, action, or other matter referred to it;
   a. To investigate a specific issue and report facts with its opinions thereon;
   b. To execute an order of the District; or
   c. To represent or act for the District in a specific matter.

2. **Term:** The committee may serve for a reasonable term, as designated by the Board. 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 committee’s objective. 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 the 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 Board requests the committee to review the report or recommendations and make modifications;
   b. The Board decides 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 created 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 members 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 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. The regular meeting of the Superstition Fire & Medical District is to be held on the third Wednesday of every month, at 5:30 p.m. at 565 N. Idaho Rd., Apache Junction, AZ 85119 unless otherwise changed.

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 ratifying a prior act taken in violation of Arizona law is 72 hours. Ratification must occur 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 given shall be appropriate to the circumstances generating the emergency; however, there are three (3) requirements that 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.

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**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.

9. **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. Recognition and Special Awards.
   d. Financial Reports.
   e. Consent agenda items, including the minutes of the previous meeting(s).
   f. Old business/New Business Items
   g. Chief's Report.
   h. Board Member Reports.*
   i. Announcements.
   j. The Chairperson or majority of the Board may change the order of the agenda.
   k. Future Agenda Items. A Governing Board Member may bring forth general topics for future meeting agenda. However, the Governing Board may not discuss, deliberate, or take any action on the topics presented pursuant to A.R.S. § 38-431.02[H]).
   l. Adjournment.

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

10. **Minutes:** The written minutes record 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.

11. **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.

12. 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 or Vice-Chairperson 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 any Board Member requests a roll call count, 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 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. Therefore, 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 Session 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 action’s basic subject matter.

6. **Emergency Executive Session**: An emergency executive session may be called provided that:
   (a) The reason for the emergency session is announced publicly immediately prior to the executive session; and
   (b) Within 24 hours after the emergency executive session, an agenda is posted setting forth the information required pursuant to Article VI paragraph 4.

**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. It is the responsibility of the Clerk to maintain all the records of the District and to keep such records in current order.

2. **Written Minutes**: The minutes must be taken of all public meetings and executive sessions, and contents follow Arizona Revised Statutes Annotated (A.R.S. §38-431.01(A)). Either written minutes or a meeting recording must be available for public inspection within three (3) working days after the meeting, except that no recording shall be made of any executive session. The following information must be in the minutes:
   (a) The date, time, and place of the meeting.
   (b) The members of the Board recorded as either absent or present.
   (c) A general description of the matters discussed or considered even where no formal action or vote is taken with respect to those matters. With respect to the executive session, the general description shall be deemed sufficient if it refers to the sub-section of Article VI, Section 1 under which the executive session was held.
   (d) An accurate description of all legal actions proposed, discussed, or taken and the names of persons who proposed and seconded each motion. The minutes must also reflect how the body voted and the numerical breakdown of the vote.
   (e) The name of each person making a statement or presenting material to the Board and a
specific reference to the action the statement or presentation relates to.

(f) A full description of the nature of any emergency matter, specifically including, but not limited to, the circumstances necessitating the emergency.

(g) In the event that a prior act in violation of the Open Meeting Laws of the State of Arizona is ratified, a copy of the disclosure statement is required for such ratification.

3. Maintenance of Records. A record of all notices, including a copy of each notice posted and information regarding posting date, time, and place, must be kept. Records are to be maintained for a period of at least five (5) years or as otherwise provided in the District’s records retention schedule.

4. Tape Recordings. Minutes may be taken in writing or may be recorded by tape recorder or videotape recorder.

5. Executive Sessions. The minutes of an executive session must be kept confidential. The Board must advise all persons present at the executive session as to the executive session’s confidential nature, and the minutes should reflect that such advice was given. The minutes of an executive session must contain the following information:

(a) The date, time, and place of the meeting.
(b) The members of the Board recorded as either present or absent.
(c) A general description of the matter considered, along with reference to the sub-section of the statute under which the executive session was held.
(d) A statement for the reasons for any emergency considerations of any matters not on the agenda.
(e) Such other information as the Board deems appropriate.

6. Disclosure of Minutes of an Executive Session. Minutes of an executive session may not be disclosed to anyone except as follows:

(a) Any member of the Board who met in the executive session, including members who did not attend the session.
(b) Any officer, appointee, or employee who was a subject of the discussion.
(c) Staff personnel to the extent necessary to perform their duties to prepare and maintain the executive session minutes.
(d) The attorney for the Board to the extent necessary for representation.
(e) The Auditor General, Attorney General, or County Attorney in the connection with the lawful performance of their duties to conduct a financial or performance audit, or an investigation, pursuant to A.R.S. § 38-431.03(B)(4) or 38-431.06.
(f) The Court for purposes of a confidential inspection. A.R.S. § 38-431.03(F).

7. Committees. Committees shall keep minutes of their proceeding. The committees shall present their reports and/or recommendations at a public meeting, and the minutes of such
public meeting must reflect the substance of the report and/or recommendation. The minutes should also reflect the names of the committee members supporting the report or recommendation and the names of those committee members not in support of the report or recommendation.

8. **Agendas.** The agendas for all meetings shall be preserved with the written minutes of each meeting and must be maintained as specified in the District’s records retention schedule.

**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 the 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. In all other ways, the annual estimate must 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. In addition, 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 the 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.

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 an amendment to these By-Laws for adoption shall be contained in the notice of the meeting.
APPROVED AND ADOPTED by the Superstition Fire & Medical District Governing Board at a public meeting on August 16, 2017.

STATE OF ARIZONA  }
               }  
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

Jasmin Jones
Notary Public
Governing Board Meeting (Work Session) September 1, 2021
Agenda Item: #3
BOD#: 2021-09-02

**Agenda Item Title**
Discussion and presentation regarding automation of Board signatures on the District’s payables and payroll manual checks.

**Submitted By**
Finance Director Roger Wood
Fire Chief John Whitney

**Background/Discussion**
The Board has asked Accounting Staff to research the possibility of automating the Board signatures on the District’s payroll and payables checks. The following are issues that require Board direction and or approval before Accounting Staff can move forward on this request:

1. The District’s Accounting software has the ability to support 5 combinations of the 10 potential combinations of two Directors’ signatures through the “template” process.

   In order to automate the check signing process, the Board would need to agree to specific combination(s) of signatures. For example, if the Board agreed that a template containing the automated signature of the Board Chair and Board Clerk REGARDLESS of who approved the check runs for payroll and payables, then every check from the District would bear those two automated signatures.

2. The Board will need to agree to an established approval process. Staff will not be able to move forward with printing the checks until the approval from 2 Directors has been received. The process of notifying Board of the need for approval, and the response of two Directors will need to be established.

3. The constraint(s) of the Open Meeting Law (OML) need to be considered. For example, if Accounting sends out a payroll and/or payables file to all five Board members, how do we comply with the OML unless each Director only responds back to Accounting? If so, then how will the Board know if two Directors have approved the file(s)?

Staff is requesting direction from the Board on if/how to move this initiative forward.

**Financial Impact(s)/Budget Line Item**
N/A

**Enclosure(s)**
N/A

**Recommended Motion**
“TBD”
Policy Review – For possible approval in the September 15, 2021 Board Meeting.

John Whitney, Fire Chief
Anna Butel, Admin Services Director

SFMD has been reviewing selected policies to ensure consistency with our policies and practices. Similar to the process used during the creation of the 2019/20 policy manual, these policies are for review from September 1, 2021, to September 15, 2021. This time frame meets the 7-day minimum for board and membership review. Once the policies are approved in the September 15 meeting, the changes will go into effect.

The policies show markup for your convenience.

Financial Impact(s)/Budget Line Item
N/A

Enclosure(s)
1000 Recruitment and Selection
1002 Promotions and Transfers
1003 Position Descriptions
1004 Classification Specifications
1005 Career Tracks (For Removal)
1006 Fire Officer Development (For Removal)

Mandatory Hire Back for Overtime (New – Policy Number TBD)

Recommended Motion
“n/a”
Recruitment and Selection

1000.1 PURPOSE AND SCOPE
The purpose of this policy is to establish the recruiting, selection, training and retention processes utilized by the Superstition Fire & Medical District. This policy supplements any rules that govern employment practices for the Superstition Fire & Medical District.

1000.2 POLICY
In accordance with applicable federal, state and local law, the Superstition Fire & Medical District provides equal opportunities for applicants and district members regardless of race, gender expression, age, pregnancy, religion, creed, color, national origin, ancestry, physical or mental handicap, genetic information, veteran status, marital status, sex or any other protected class or status. The District does not show partiality or grant any special status to any applicant, member or group of members, unless otherwise required by law.

1000.3 RECRUITMENT
The Administrative Services Division should employ a comprehensive recruitment and selection strategy to recruit and select members from a qualified and diverse pool of candidates.

The strategy should include:

(a) Identification of racially and culturally diverse target markets.
(b) Use of marketing strategies to target diverse applicant pools.
(c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive district website and the use of district-managed social networking sites, if resources permit.
(d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities and the military.
(e) Member referral.
(f) Consideration of shared or collaborative regional testing processes.

The Administrative Services Division shall avoid advertising, recruiting and screening practices that tend to stereotype, focus on homogeneous applicant pools or screen applicants in a discriminatory manner.
The District should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of his/her status in the recruiting process.

1000.4 SELECTION PROCESS

All open positions in the classified service may be filled by transfer, promotion, demotion, re-employment, reinstatement, or from the appropriate employment list or other qualified applications. Current employees should be given first consideration to fill an open position.

The District shall actively strive to identify a diverse group of candidates that have, in some manner, distinguished themselves as being outstanding prospects. Minimally, the District should employ a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

- A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)
- Driving record
- Reference checks
- Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents (documentation may be requested upon hire)
- Information obtained from public internet sites
- Financial history consistent with the Fair Credit Reporting Act (FCRA) and Arizona law (15 USC § 1681 et seq.; ARS § 44-1692)
- Local, state and federal criminal history record checks
- Polygraph or computer voice stress analyzer (CVSA) examination (when legally permissible)
- Medical, pre-employment drug screening, and psychological examination (may only be given after a conditional offer of employment)
- Review board or selection committee assessment

1000.4.1 EMPLOYMENT ELIGIBILITY LISTS

The Fire Chief-Administrative Services Division should keep available applications for one year of all persons applying for positions with the SFMD. Qualified applicants who are not selected for hire will be placed on an employment eligibility list in ranked order of their final scores from the recruitment testing process.

Employment eligibility lists may remain in effect for one year unless exhausted before their expiration. The Fire Chief may extend an employment eligibility list for an additional period, not to exceed two years in total.

The name of any person appearing on an employment eligibility list should be removed under the
following circumstances:

- Upon the written request of the eligible person.
- Failure to respond to a notice of eligibility by phone, email, or mail to the last known address.
- Current employees who resign from service should automatically be removed from employment eligibility lists.

1000.4.2 VETERAN PREFERENCE
The District will provide veteran preference points as required (ARS § 38-492).

1000.5 BACKGROUND INVESTIGATION
Every candidate shall undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate’s unsuitability to perform duties relevant to the operation of the Superstition Fire & Medical District.

1000.5.1 NOTICES
The Administrative Services Division shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA and the Arizona consumer reporting law (15 USC § 1681d; ARS § 44-1693).

1000.5.2 CRIMINAL BACKGROUND INFORMATION
Criminal background information, whether directly from the Arizona Department of Public Safety Criminal History Records Section or provided by a third party, may have restrictions on the access, use, security and release of the information. The Administrative Services Division shall establish procedures to ensure compliance with any applicable requirements and security limitations.

1000.5.3 REVIEW OF SOCIAL MEDIA SITES
Due to the potential for accessing unsubstantiated, private or protected information, the Administrative Services Division should not require candidates to provide passwords, account information or access to password-protected social media accounts.

The Administrative Services Director should consider utilizing the services of an appropriately trained and experienced third party to conduct open source, internet-based searches and/or review information from social media sites to ensure that:

- The legal rights of candidates are protected.
- Material and information to be considered are verified, accurate and validated.
- The District fully complies with applicable privacy protections and local, state and federal law.

Regardless of whether a third party is used, the Administrative Services Director should ensure that potentially impermissible information is not available to any person involved in the candidate
selection process.

1000.5.4 RECORDS RETENTION
The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

1000.5.5 DOCUMENTING AND REPORTING
The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions.

The report and all supporting documentation shall be included in the candidate’s background investigation file.

1000.6 DISQUALIFICATION GUIDELINES
As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate’s qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

1000.7 EMPLOYMENT STANDARDS
All candidates shall meet the minimum standards required by state law. Candidates will be evaluated based on merit, ability, competence and experience, in accordance with the high standards of integrity and ethics valued by the District and the community.

Validated, job-related and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge and skills required to perform the position’s essential duties in a satisfactory manner (see the Position Descriptions Policy). Each standard should include performance indicators for candidate evaluation. The
Department of Human Resources Administrative Services Division should maintain validated standards for all positions.

Selection standards for promotional opportunities are detailed in the Promotions and Transfers Policy.

1000.7.1 STANDARDS FOR FIREFIGHTERS

Generally, the standards may include the following requirements. The candidate should:

(a) Be at least 18 years of age by the closing date of the recruitment period.

(b) Be in possession of a high school diploma or a General Equivalency Diploma (GED).

(c) Have good vision in both eyes, with the ability to distinguish Occupational Safety and Health Administration (OSHA) color codes for hazardous materials (e.g., blue, red, yellow, white), and have no depth or peripheral vision impairment.

(d) Meet the objectives and minimum standards established in the International Association of Fire Chiefs (IAFC)/International Association of Fire Fighters (IAFF) Fire Service Joint Labor Management Wellness-Fitness Initiative or similar validated health screening process.

(e) Meet the minimum standards established by the National Fire Protection Association (NFPA).

(f) Be in possession of, or have the ability to obtain, a valid state driver license in the class required for the position sought.

(g) Be a U.S. citizen or have proof of a legal right to work in the U.S.

1000.8 TRAINING

All entry-level firefighter candidates should complete training in an accredited fire training program established by the Arizona Center for Fire Service Excellence.

1000.89 RETENTION AUTHORIZED HEADCOUNT

At the discretion of the Fire Chief, qualified individuals may be hired in advance of a known departure to accommodate for training timelines and continuity of operations.

1000.109 RETENTION

The primary focus should be on hiring those who are the best fit for a particular position. In order to retain quality members, the District should:

- Seek member input on retention strategies.
- Develop a workplace that respects, encourages and enables a work/life balance.
- Facilitate training and career development opportunities.
- Develop and maintain quality supervisors.
Recruitment and Selection

- Provide regular and meaningful performance feedback.
- Promote an environment where members are able to speak freely.
- Treat members fairly, equitably and consistently.
- Consider ways to reward excellent performance.
- Follow up on any feedback acquired during an exit interview process.

Retention incentives may include items from a collective bargaining agreement, employment benefits, seniority benefits, forms of recognition, etc.
1002 - Promotions and Transfers

1002.1 PURPOSE AND SCOPE
The purpose of this policy is to describe the process of establishing required and desirable qualifications for promotion and transfer within the ranks of the Superstition Fire & Medical District.

1002.2 POLICY
The Superstition Fire & Medical District provides equal employment opportunities for employees regardless of race, sexual orientation, age, pregnancy, religion, creed, color, national origin, ancestry, physical or mental handicap, veteran status, marital status or sex. It is the policy of the Superstition Fire & Medical District to utilize the promotional testing criteria, study materials and testing instruments available from authenticated and validated local, regional and nationally recognized best practices in the fire service when feasible. This policy will establish the required and desirable qualifications for promotion and transfer within the ranks of the District based on these criteria.

Nothing in this policy is intended to supersede any contract language related to promotional requirements that may exist in a memorandum of understanding.

1002.3 GENERAL REQUIREMENTS
The following conditions will be used in evaluating members for promotion and transfer:

(a) Presents a professional, and neat appearance.
(b) Demonstrates the following traits:
   1. Emotional stability and maturity
   2. Stress tolerance
   3. Sound judgment and decision-making ability
   4. Personal integrity and ethical conduct
   5. Leadership
   6. Initiative
   7. Adaptability and flexibility
   8. Ability to conform to organizational goals and objectives in a positive manner
1002.4 PROMOTIONS
Promotional testing processes for classified positions may be conducted at any time, at the discretion of the Fire Chief. Only employees who meet the minimum requirements set forth in the job description and promotional testing announcement may participate in the promotional testing process.

Open classified positions constituting a promotional opportunity with the SFMD will be posted internally, and current employees should be given first consideration to fill these open positions. An open recruitment process may be utilized under the following circumstances:

- An insufficient number of internal candidates apply for the position.
- In the opinion of the Senior Leadership Team, the open position could be better filled by an open recruitment.

Qualified candidates who are not selected for the open position will be placed on a promotional eligibility list in order of their final scores from the promotional testing process. Promotional eligibility lists may remain in effect for one year, unless exhausted before their expiration. The Fire Chief may extend a promotional eligibility list for an additional period, not to exceed two years in total.

Administrative Services will be responsible for publicly posting promotional eligibility lists.

Unclassified positions may be posted for internal promotion, open external recruitment or appointment, at the discretion of the Fire Chief.

All candidates shall meet the minimum standards required by state law. Candidates will be evaluated based on merit, ability, competence and experience, in accordance with the high standards of integrity and ethics valued by the District and the community.

Validated, job-related and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge and skills required to perform the position’s essential duties in a satisfactory manner (see the Position Descriptions Policy). Each standard should include performance indicators for candidate evaluation. The Human Resources Department should maintain validated standards for all positions.

Qualified candidates who are not selected for the open position will be placed on a promotional eligibility list in order of their final scores from the promotional testing process. Promotional eligibility lists may remain in effect for one year, unless exhausted before their expiration. The Fire Chief may extend a promotional eligibility list for an additional period, not to exceed two years in total.

The Human Resources Department will be responsible for publicly posting promotional eligibility lists.

1002.4.1 PROMOTIONAL PROBATIONARY PERIOD
Employees selected for promotion should serve a one-year probationary period in the new position. If the employee fails to sufficiently perform the duties of the position during the probation, the employee may be returned to their former position or transferred to a similar position (if available) at the discretion of the Fire Chief.

1002.5 TRANSFERS
The following positions are defined as transfers and are not considered promotions:

- Training Officer
- Battalion Safety Officer

1002.5.1 DESIRABLE TRANSFER QUALIFICATIONS
The following qualifications are considered for transfer:

- Three years of experience
- Completion of the probationary period with the Superstition Fire & Medical District
- Expressed interest in the transfer position
- Education, training and demonstrated abilities in areas related to the transfer position
- Completion of any local, regional or national training or certification for the transfer position

1002.5.2 TRANSFER CRITERIA
The following criteria apply to transfers:

(a) Administrative evaluation as determined by the Fire Chief. This shall include a review of supervisor recommendations. Each supervisor who has supervised or otherwise been involved with the candidate should submit these recommendations.

(b) The supervisor recommendations should be submitted to the Assistant Chief/Director for whom the candidate will work. The Assistant Chief/Director should schedule interviews with each candidate.

(c) Based on supervisor recommendations and those of the Assistant Chief/Director after the interview, the Assistant Chief/Director should submit his/her recommendation to the Fire Chief.

(d) Transfers will be made by the Fire Chief.

(e) Members transferred from a 56-hour schedule to a 40-hour schedule are entitled to a 5.5% incentive pay to keep the employee’s annual salary the same.

The policy and procedures for all positions may be waived for temporary assignments, for emergency situations or for training in accordance with any applicable memorandum of understanding.
1003—Position (Job) Descriptions

1003.1 PURPOSE AND SCOPE
The purpose of this policy is to establish a comprehensive description of overall duties and responsibilities of each rank or job classification within the District.

1003.2 POLICY
It is the policy of the Superstition Fire & Medical District to develop unique position descriptions for each assignment within an established rank or classification.

1003.3 PROCEDURE
The Department of Human Resources Administrative Services will generally develop and maintain classification and position specifications (e.g., firefighter, Captain, Battalion Chief). Within the classification specifications there may be multiple assignments. The descriptions will detail the unique duties and responsibilities of each assignment.

Position descriptions may be included in a memorandum of understanding.

Position descriptions should be considered living documents and should be reviewed and evaluated for modification. This should occur at least annually and any time duties or expectations of a specific position substantially change.

Position descriptions should be reviewed prior to hiring to ensure the candidate’s knowledge, skills and abilities are consistent with the current performance expectations of the position.
1004 - Classification Specifications

1004.1 PURPOSE AND SCOPE
The purpose of this policy is to establish the origin and maintenance processes of the job classifications applicable to the Superstition Fire & Medical District.

1004.2 POLICY
It is the policy of the Superstition Fire & Medical District to coordinate with the Department of Human Resources Administrative Services for the development of job classifications unique to the District.

1004.3 SERVICE CLASSIFICATION
SFMD recognizes two (2) employee service classification categories, unclassified and classified.

1004.3.1 - Unclassified service.
The unclassified (at-will) service is made up of employees in positions where administrative necessity dictates that the position be more responsive and accountable to District policy, including all management, executive, administrative, and professional positions as defined by the class and pay plan. A classified employee becomes an unclassified employee when he or she is appointed to an unclassified position.

The unclassified service includes specifically the following positions: Fire Chief, Assistant Chief, Deputy Chief, Battalion/Division Chief, Directors and other positions as defined by their job description.

Unless otherwise specifically provided, unclassified employees with the exception of volunteers, interns, personnel appointed to serve without pay, and temporary and part-time employees, are entitled to the same benefits and leaves as those to which classified employees are entitled.

1004.3.2 - Classified service.
The classified service is made up of all regular, full-time employees whose positions have not been included in the unclassified service. The classified service is designed to facilitate efficient and economical services to the public, and to provide for a fair and equitable system of human resources management. Tenure of employees in the classified service is subject to satisfactory work performance and attitude, necessity for the performance of work, the availability of funds, or other appropriate reasons.

Appointments, promotions and other employment decisions in the classified service shall be based on merit and ability, and not on seniority, unlawful or political considerations.

All classified employees are subject to a probationary period as established for their job classification. The employee's general manager may extend an employee's probation with the approval of the Administrative Services Director and the Fire Chief.
1004.43 COMPENSATION
The Fire Chief in coordination with the Senior Leadership Team (SLT) and/or a person or agency employed for that purpose, should prepare a compensation plan adopted concurrently with the annual budget of the SFMD covering all classes or positions in the classified service. In arriving at salary rates or ranges, consideration should be given to prevailing rates of pay and consideration of working conditions for comparable work in other public and private employment, to current cost of living, to suggestions of members of SLT, to the SFMD's financial condition and policies, and to other relevant factors.

1004.43.1 ADOPTION OF PLAN
The compensation plan should be adopted and may be amended, revised or revoked, from time to time by action of the Governing Board.

1004.43.2 APPLICATION OF RATES
Employees occupying a position in the classified service should be paid a salary or wage established for the position's class under the compensation plan as provided by the Classification Plan. The minimum rate for the class generally should apply to employees upon original appointment. However, when circumstances warrant, the Fire Chief may authorize original appointment or reinstatement at other than the minimum rate.

When an employee is under-filling a position or otherwise given a temporary assignment and does not possess all the necessary qualifications of the position appointed to, upon recommendation of the supervisor that the employee has thoroughly mastered all qualifications necessary, the employee may be eligible for the salary and title established for that position.

When an employee accepts a position in a higher job class the pay rate should become the step in the new class that provides at least a 5% increase or placed at the top step if a 5% gain is not achieved.

1004.43.3 ADVANCEMENT
No salary advancement should be made so as to exceed any maximum rate established in the pay for the class to which the advanced employee's position is allocated.

Advancement should not be automatic, but should depend upon increased service value of an employee to the SFMD as exemplified by recommendations of the supervisor, length of service, performance record, special training undertaken, or other pertinent evidence within the advancement policy established by the compensation plan.

1004.54 FAIR LABOR STANDARD ACT
The SFMD complies with FLSA regulations. The SFMD may, amend, revise or revoke, from time to time, its work period or payroll calculations as permitted by the FLSA.

1. Under the Federal Fair Labor Standards Act (FLSA), non-exempt personnel that are not first responder personnel are compensated at time and one-half the regular rate of pay for hours worked in excess of 40-hours in a week. Time off for
sick leave and vacation, or any absence will not be considered hours worked in calculating overtime.

2. The Federal Fair Labor Standards Acts allows a longer "work period" or "work week" for first responder personnel. The SFMD compensates first responder shift employees for overtime under the Department of Labor Rules and Regulations 29 U.S.C. 207K.

3. The SFMD has established executive, administrative, professional, computer professional, and highly compensated positions that are exempt from the overtime provisions of the Federal Fair Labor Standards Act. The exempt employees must meet duty and salary criteria testing established by the U.S. Department of Labor to determine their exemption status.

4. Improper pay classifications and/or deductions are prohibited. If an employee believes that an improper pay classification/deductions has occurred they should notify Financial Services immediately, improper pay classifications/deductions will be reimbursed. The SFMD is committed to FLSA compliance.

1004.65 BENEFITS
The SFMD provides benefits for all full-time employees and their eligible dependents. Benefits for employees that are not required by law should be approved by the Governing Board on an annual basis. Coverages may be amended, revised or revoked from time to time and may be further subject to requirements or limitations imposed by the provider.
1005 - Career Tracks

1005.1 PURPOSE AND SCOPE
The purpose of this policy is to establish specific career tracks for each classification specification within the Superstition Fire & Medical District.

1005.2 POLICY
It is the policy of the Superstition Fire & Medical District to ensure that each member is provided to the full extent, and without any limitation, the same access to advancement available to other members in each classification specification. To increase member job satisfaction and retain quality members, the District shall ensure each member understands his/her career track and the opportunity for career advancement. A career track change may also be available, if the member obtains additional education, certification or licensing, which could open other opportunities.

1005.3 PROCEDURE
The Superstition Fire & Medical Department of Human Resources shall maintain all information on classification specifications, promotional opportunities and career tracks.
1006 - Fire Officer Development

1006.1 PURPOSE AND SCOPE
The purpose of this policy is to outline the required and recommended competencies in the Superstition Fire & Medical District's fire officer development program.

1006.2 POLICY
It is the policy of the Superstition Fire & Medical District to use professionally recognized programs and resources to train and develop members for supervisory roles.

1006.3 RESOURCES
To assist members in developing the needed competencies for supervisory roles, the Superstition Fire & Medical District will utilize such resources as:

- The Arizona Center for Fire Service Excellence.
- The Arizona Fire Chiefs Association Fire and EMS Leadership Conference.
- The Arizona State University (ASU) Certified Public Manager Program.
- The ASU Management and Leadership Institute.
- The Center for Public Safety Excellence's (CPSE) Fire Officer Designation (FO).
- The National Fire Academy's (NFA) Executive Fire Officer Program (EFOP).
- The National Fire Protection Association (NFPA) 1021, Standard for Fire Officer Professional Qualifications.
- The International Association of Fire Chiefs' (IAFC) Officer Development Handbook.
- Other district-approved certification programs for the professional development of fire officers.
Subject: Mandatory Hire Back for Overtime

PURPOSE
Hiring back for overtime may be deemed necessary to maintain adequate staffing levels to provide essential emergency service delivery to the community. If voluntary overtime signups are exhausted, mandatory overtime hire backs up to 24 hours will be used as a last resort option for any remaining vacancies.

POLICY
Policy 200 – Organizational Structure
Section 200.6 – Directives and Orders
Members shall comply with lawful directives and orders from any district supervisor or person in a position of authority, absent a reasonable and bona fide justification.

Policy 1009 – Reporting for Duty
Section 1009.4 – Relief
Members are required to remain on duty until relieved.

Policy 1001 – Overtime
Section 1011.3 – Procedure
Overtime may be available due to unforeseen personnel absences, emergency incidents, or constant staffing requirements.

MANDATORY OVERTIME (OT) DEFINITIONS
Fill By Rules List – Telestaff list allows members to voluntarily sign up to work a full or partial shift on a day other than a member’s typical shift workday. This list will follow specific algorithms to ascertain which qualified individuals are available for overtime and in what order employees should be offered overtime vacancies.

Mandatory Holdover – Employee stays the day following their regular shift.

Mandatory Hire-Back – Employee called in from 4-day.

PROCEDURE
When the Battalion Chief (BC) determines that the voluntary Fill By Rules list in TeleStaff will be exhausted and full or partial shift vacancies still exist, the BC will utilize the Mandatory Overtime List. The individual picked will be contacted by the BC and is expected to work up to 24 hours.
Before utilizing the Mandatory Overtime List, the BC will send an “All Call” email/text to all on-duty and off-duty shift personnel, notifying them that the Mandatory Overtime List will be activated. This message states this will be the last opportunity for voluntary OT before filling the Mandatory Overtime List to fill the vacancy. If a volunteer accepts the OT after the “All Call” email/text, the OT will count toward that individual’s Mandatory OT worked bank. This individual will be moved lower on the Mandatory Fill By Rules list, depending on dates and hours worked.

**Terms of the Mandatory Over Time List:**
- All members are eligible for Mandatory Overtime will be placed on the Mandatory Overtime List sorted by the following information:
  1. Reverse seniority
  2. Rank for rank
  3. Last date of Mandatory OT
  4. Total number of Mandatory OT hours (this total will move with the employee if promoted)
  5. TeleStaff Seniority Number as defined by the Adjusted Seniority list (to be used as a tie-breaker if there is no date/zero hours, or the same date/same hours match)
  6. The Mandatory Overtime List in TeleStaff will not reset annually, as with regular Shift OT lists
- Probationary employees will be included on the Mandatory Overtime List.
- Overworked Rules – Mandatory Overtime selection shall not result in any member working more than 72 consecutive hours without at least a 12-hour break. A member’s regular 48-hour shift rotation, work trades, and other Shift OT will be included as time worked.

**Shift Rotation Day 1 – Mandatory Holdover**
- When the Mandatory Overtime List is activated for a vacancy on Day 1 of a shift rotation, the Mandatory Fill By Rules list will target employees that are scheduled to go off shift that morning.
- Personnel on approved leave, participating in a work trade (requesting or accepting), or working an Overtime shift will not be considered on the Mandatory Overtime List.

**Shift Rotation Day 2 – Mandatory Hire Back**
- When the Mandatory Overtime List is activated for a vacancy on Day 2 of a shift rotation, the Mandatory Fill By Rules list will target all employees that are off-duty that day.

**Replacement Volunteer for Mandatory OT:**
- The individual selected for Mandatory OT is expected to work up to 24 hours. However, that individual has an option to find a replacement with the appropriate rank and certifications to fill their mandatory hire-back vacancy. If a replacement volunteer is found, that individual must notify the on-duty BC by email to approve the trade and make the change in TeleStaff.
- Any member that has been selected for mandatory OT who arranges a replacement will be considered AWOL if the replacement volunteer does not report for duty.
- A member who volunteers as a replacement for Mandatory OT will have those hours count toward their Mandatory OT worked bank.
Recommended Motion:
“Motion to adjourn the Board meeting.”