

**MINUTES**  
**BOARD OF DIRECTORS REGULAR MEETING**  
**NORTH METRO FIRE RESCUE DISTRICT**  
**CONDUCTED ELECTRONICALLY**

Date: August 18, 2020

**BOARD MEMBERS PRESENT:**

Richard Miller, President  
Peter Billera, Vice President  
Tim Long, Treasurer  
Jenni Murphy, Secretary  
Robert Nielsen, Asst. Secretary

**STAFF PRESENT:**

David Ramos, Fire Chief  
David Anderson, Deputy Chief, Support Services  
Jeff Bybee, Deputy Chief, Operations  
Lisa Willis, Chief Financial Officer  
Steve Gosselin, Division Chief, Fire Prevention  
Eileen Gomez, Human Resources Manager  
Sara Farris, Public Information Officer

**LEGAL COUNSEL:**

Dino Ross

**A. Call to Order**

President Miller called the Board of Directors meeting to order at 4:00 p.m.

**B. Pledge of Allegiance - waived**

**C. Additions/Deletions to Agenda**

Attorney Ross had emailed a modification to proposed Action Item H3, an updated motion for the Guaranteed Maximum Price (GMP) Amendment to the construction contract for the Station 62 renovation project. He had hoped to present the GMP Amendment to the Board for consideration; however, the language is not yet finalized. The updated motion the Board will be asked to consider offers broader authorization. He will discuss the GMP Amendment further in Executive Session.

Director Long asked when he should suggest a new topic for Executive Session. Attorney Ross replied that now is the time. Director Long would like to hold an Executive Session on fiduciary duty and the roles of Board members at meetings. Attorney Ross responded that there would need to be a majority vote to add a topic to tonight's agenda. Attorney Ross stated that providing legal counsel on board governance and fiduciary duties is appropriate for executive session. President Miller suggested considering this topic for a future study session. Director Long agreed to discuss these topics at a later meeting. Attorney Ross explained the difference between special meetings, regular meetings and study sessions and stated that any two Board members can call for a special meeting at any time. President Miller suggested selecting a date for a special meeting to be held sometime after this meeting.

A MOTION WAS MADE BY DIRECTOR NIELSEN AND SECONDED BY DIRECTOR BILLERA TO ACCEPT THE POSTED AGENDA. THE MOTION PASSED UNANIMOUSLY.

**D. Executive Session**

A MOTION WAS MADE BY DIRECTOR MURPHY AND SECONDED BY DIRECTOR LONG TO GO INTO EXECUTIVE SESSION AT 4:11 P.M. PURSUANT TO C.R.S. § 24-6-402(4)(b) AND (e) TO RECEIVE ADVICE OF LEGAL COUNSEL REGARDING GUARANTEED MAXIMUM PRICE AMENDMENT TO THE OWNER-CONSTRUCTION MANAGER AGREEMENT WITH TAYLOR KOHRS. THE MOTION PASSED UNANIMOUSLY.

Attorney Ross certified for the record that Executive Session will constitute privileged attorney-client communications and will not be recorded.

A MOTION WAS MADE BY DIRECTOR NIELSEN AND SECONDED BY DIRECTOR LONG TO COME OUT OF EXECUTIVE SESSION AT 4:55 P.M. THE MOTION PASSED UNANIMOUSLY.

**E. Public Comment (Agenda Items Only)**

None.

A MOTION WAS MADE BY DIRECTOR MURPHY AND SECONDED BY DIRECTOR NIELSEN TO RECESS THE DISTRICT BOARD MEETING. THE MOTION PASSED UNANIMOUSLY.

**F. Convene as Community Foundation Board**

President Miller convened the Community Foundation (“Foundation”) Board meeting. The Foundation conducted its business as reflected in the Foundation Board meeting minutes.

The Foundation Board meeting was adjourned, and the District Board continued its meeting.

**G. Staff Reports**

1. CAD-to-CAD Project

Capt. Rob Morris provided a timeline update on the CAD-to-CAD project. Chief Ramos stated that Capt. Morris will provide a live demo of the CAD-to-CAD project once it is completed. The project will connect four dispatch centers: Thornton, ADCOM, Broomfield and Westminster, hosted through a central hub. ADCOM and Thornton anticipate going live in November, followed by Westminster by the end of the year. Functional Acceptance Testing (FAT) will begin in October. Broomfield is delayed in the process because their interface is being built brand new. It is unknown when Broomfield will go live. The project includes a Smart City component, which is a live map which will allow agencies to see all activity in the area during a large incident. The Smart City component will go live approximately a month after the CAD goes live.

President Miller asked when the CAD-to-CAD will go live. Capt. Morris replied that the team is shooting for end of 2020, but hopefully by mid-November.

Director Murphy asked about the contract with the vendor and their involvement through testing. Capt. Morris replied that there are multiple contracts, with each CAD vendor and with EDC which provides the hub. There will be maintenance for each CAD interface and the CAD-to-CAD. All vendors will participate in testing and continued product development until the product is fully functional and accepted by CAD-to-CAD agencies.

Director Long asked if the District is a part of ADCOM. Capt. Morris noted that the District's calls are dispatched by two different dispatch centers, Broomfield and ADCOM. There are fire dispatchers in each of the dispatch centers. Chief Ramos is on the Board of ADCOM and is involved in their operations. The District pays for fire dispatching to both Broomfield and ADCOM. Chief Ramos added that the CAD-to-CAD IGA is between the dispatch centers. The governance board for the CAD-to-CAD project has members from each dispatch center.

Director Billera asked about the city of Northglenn. Chief Ramos replied that Northglenn does all of its dispatching through ADCOM and is a party to the agreement through ADCOM. Director Billera asked about reduced response times after CAD-to-CAD goes live. Chief Ramos anticipated 1 to 2-minute reduction in call processing times for dispatching automatic aid units or transferring of calls from one dispatch center to another.

Director Murphy asked about Federal Heights. Chief Ramos noted that Federal Heights used to be part of ADCOM but has now built their own CAD and will not be a part of the initial CAD-to-CAD project. Capt. Morris noted that Federal Heights would have the availability to connect to the CAD-to-CAD hub in 2021.

President Miller thanked Capt. Morris for his presentation. President Miller and Director Billera stated they would also enjoy a tour of ADCOM.

## 2. PIO Report

PIO Farris shared clips from recent incidents, including a semi-truck that caught on fire and a fire in Adams County. There was a special insert in the Broomfield Enterprise on Coronavirus, which featured Lieutenant Randy Delaney. Firefighter Matt Chan, who won Titan Games on NBC, was featured in several print and video outlets. PIO Farris also discussed the Boulder County brush fire near the Anthem community. Three firefighters were transported to the hospital in an abundance of caution, but were released that same day. She noted that there is a wildland crew currently deployed to the Pine Gulch fire outside of Grand Junction.

PIO Farris announced that the 9/11 ceremony would be a combination of a livestream of a brief ceremony at the memorial site and a series of videos highlighting the making of the memorial and local perspectives and personal stories relevant to 9/11. This is a collaborative project with the City and County of Broomfield and the Broomfield Police.

President Miller appreciated the early notice about the firefighters who were taken to the hospital.

3. July 31, 2020, YTD Financial Statements – General Fund

CFO Willis reviewed the financial statements for the month ending July 31, 2020. She noted that the District had spent just over \$204,000 in COVID-19-related expenses which would be reimbursed by grants.

4. Cash Flow Projections

CFO Willis noted that the District had received its large property tax revenue deposit from the counties on July 10. Her investment strategy is to buy Treasury Bills with Morgan Stanley. She projected the District's cash needs for the next four to six months. She shared some charts of the funds and investments. New investments have been in Treasury Bills due to the investment advisor's recommendation for safety and liquidity at this time.

Director Long asked about the different rates of returns for the different Treasury Bills. CFO Willis replied that this depends on when the Treasury Bills were purchased and the length of investment. Director Long asked about C-SAFE investments. CFO Willis responded that the investment advisor notified the District about the safety of their investments in April 2020, and the District decided to invest elsewhere for the remainder of 2020. CFO Willis reminded the Board that Morgan Stanley charges no fees for this portfolio. This decision was based on risk factors for the investments.

5. Sale of District Vehicles and Apparatus

CFO Willis announced that the District had sold seven vehicles through Ritchie Bros. Auctioneers. The net proceeds were \$36,700. This will also save the District funds that paid for insurance and free up space at Fleet.

Director Nielsen asked about the ladder truck. CFO Willis replied this was the 2000 American LaFrance platform truck, originally stationed at Station 66. This truck sold for \$18,000. Chief Bybee added that these vehicles were originally listed at Brindlee without any interest.

6. Fire Engines Purchase Agreement

Chief Ramos noted that the District has the opportunity to purchase apparatus originally planned for 2021. Chief Bybee noted that the District is asking the Board to approve the purchase of two replacement apparatus, originally one engine and one quint. The District is now looking to purchase an engine for Station 65 and a tech rescue engine for Station 66. There were two apparatus which sustained damage in the recent Boulder County fire. One was a 2004 reserve that will probably be a complete loss after inspection by the insurance adjuster. The District strives to keep three engines in reserve. Prices for engines have increased substantially since the last purchase. If the District locks in the price now, it may save money for future price increases before 2021. Pierce receives many orders in the first quarter of the year, and purchasing the engines now will cut the build time by six weeks.

President Miller noted that this was already part of the 2021 Capital budget.

Director Murphy asked if the insurance money for the damaged engine would be better than the resale value. Chief Bybee anticipates that the replacement value for a totaled apparatus would be

more than the resale value. That insurance money would be applied to the purchase of the new engines.

7. COVID-19 Update

Chief Ramos noted that there wasn't much new to report on COVID-19. There is still a healthy work force. He had provided written reports recently to the Board. At the last meeting, the Board approved adding 48 hours to sick banks for the line firefighters. They have expressed gratitude for the support of the Board.

8. Station 62 Construction Remodel Amendment

Chief Anderson updated the Board on Station 62. The crews have been busy getting ready, and asbestos abatement is underway. He shared current photos of the station with some of the demolition underway. Chief Anderson noted that the crews would still have access to a day room, the fitness room and the bays during construction.

President Miller asked where the temporary trailers would be installed. Chief Anderson replied that two trailers would be installed to the east or behind the station. One will house the engine company, and the second will house the medic unit crew.

Director Nielsen asked about the fire sprinkler system. Chief Anderson noted that the station does not currently have a fire sprinkler system, but that this will be installed during the remodel.

Director Murphy commented that there is more space at Station 62 for the trailers than there was at Station 63. Chief Anderson agreed the contractors will have more space to work.

9. Station 61 Rebuild

Chief Anderson noted that he had appeared before Broomfield City Council last week to discuss the Special Use Application. The District has signed a lease agreement for 1/5 of an acre in the park for 100 years at the cost of \$10,300. This was the last public item to accomplish. The District is moving forward with the design and permitting process. The City Council also approved the temporary location next to headquarters. There will be a trailer and tent to house the apparatus. This will allow the contractor to have complete control of the construction site. He is looking to begin the Station 61 project in the first quarter of 2021, after the completion of the project at Station 62.

President Miller complimented Chief Anderson on the progress.

Director Nielsen complimented Chief Anderson on his appearance before City Council. Chief Anderson added that he is working with the neighbors on a reasonable solution to replacing the fence. He plans to meet with neighbors in person to discuss their wishes for the fence.

Director Long asked if an artwork design had been chosen yet. Chief Anderson responded that Staff is still working on a recommendation to present to the Public Art Commission for a review.

10. Fire Prevention Week

PIO Farris shared her plans for Fire Prevention Week, October 4-10, 2020. Most events will be virtual, including an art contest, a scavenger hunt, packets for senior citizens, and a safety card to be distributed by restaurants and food banks. The week will end with a drive-by event in both Northglenn and Broomfield.

Directors Billera and Murphy complimented PIO Farris on the plans.

11. 2020 Firefighter Academy

Chief Ramos informed the Board that the District had hired 19 new cadets, who have begun the pre-academy stage. The Fire Academy will begin on August 31.

Director Long asked about the total number of candidates in the North Area Fire Academy. Chief Ramos replied that there are 53 cadets in the North Area Academy, but the group is divided into three smaller groups for safety's sake. The District is partnered with Thornton Fire Department which has four candidates. Greater Brighton Fire Protection District and South Adams County Fire Protection District are training at South Adams County Fire. Westminster Fire Department and the Adams County Fire Protection District are training at Adams County Fire. There will be some rotation through the different locations.

Director Long inquired about the graduation ceremony. Chief Ramos replied that this is still under discussion as to how and if a graduation ceremony can be safely held during a pandemic.

12. Lieutenant Promotions

Chief Ramos discussed the two new lieutenants who were recently promoted. Two options for the swearing in ceremony have been discussed: a virtual swearing in with the Board present or a small ceremony on the apron of the bay at a station with employees and family members present. Chief Ramos prefers the latter, and would invite Board members to attend if they have time. Director Nielsen asked for the names of the promoted firefighters. Chief Ramos stated that Ed Feeley and John Cook were promoted to Lieutenant. Director Murphy stated that she enjoyed reading their biographies in the Chief's Report.

13. Project Updates

None.

**H. Action Items**

1. A MOTION TO APPROVE THE CONSENT CALENDAR WAS MADE BY DIRECTOR LONG AND SECONDED BY DIRECTOR MURPHY. THE MOTION PASSED UNANIMOUSLY.
  - a) Approval of accounts payable checks 50086 through 50226 and online Bill Pay 2020-50 through 2020-55 for a net total of \$559,620.20. Voided check number 50203.
  - b) Approval of minutes from the July 21, 2020 regular district board meeting.

2. A MOTION TO APPROVE RESOLUTION #NM20-006 DECLARING THE WEEK OF OCTOBER 4-10, 2020, AS NATIONAL FIRE PREVENTION WEEK WAS MADE BY DIRECTOR NIELSEN AND SECONDED BY DIRECTOR MURPHY. THE MOTION PASSED UNANIMOUSLY.
3. A MOTION TO AUTHORIZE CHIEF RAMOS AND LEGAL COUNSEL TO FINALIZE NEGOTIATIONS OF, AND FOR CHIEF RAMOS TO SIGN, EXHIBIT A - GUARANTEED MAXIMUM PRICE AMENDMENT TO OWNER-CONSTRUCTION MANAGER AGREEMENT WITH TAYLOR KOHRS ON STATION 62 CONSTRUCTION PROJECT WAS MADE BY DIRECTOR NIELSEN AND SECONDED BY DIRECTOR MURPHY. THE MOTION PASSED UNANIMOUSLY.
4. A MOTION TO AUTHORIZE THE FIRE CHIEF TO SIGN A PURCHASE AGREEMENT WITH PIERCE MANUFACTURING FOR THE PURCHASE OF TWO PIERCE FIRE ENGINES FOR A NOT-TO-EXCEED AMOUNT OF \$1,500,000 WAS MADE BY DIRECTOR LONG AND SECONDED BY DIRECTOR NIELSEN. THE MOTION PASSED UNANIMOUSLY.

Attorney Ross clarified that the fire engine manufacturer is Pierce but the contract may be through Front Range Fire Apparatus as the manufacturer representative.

#### **I. Attorneys' Report**

Attorney Ross stated that he had prepared a written report to the Board, included in the Board packet. He had been busy this month working with Chief Staff on many projects.

President Miller asked about House Bill 20-1017: Substance Use Disorder Treatment in Criminal Justice System and how it would affect the District. Attorney Ross replied that the Emergency Services Community is still trying to understand that question. This law will allow citizens to dispose of controlled substances at a fire station and to request assistance in gaining access to treatment for substance abuse. He recommends that the District collaborate with local law enforcement to set up written protocols and policies for receiving illegal controlled substances.

President Miller wondered if a suspect being chased by the police could run into a fire station to drop off illegal drugs before getting arrested. Attorney Ross agreed this could be an unforeseen problem with the legislation.

There is also a duty to inform anyone dropping off controlled substances of the behavioral crisis response system. President Miller added that the law also requires an assessment by paramedics to determine if the individual needs further treatment.

Director Long believes there will be unintended consequences to this legislation.

Director Billera asked if there are limitations to the amount of controlled substances that could be brought for disposal. Attorney Ross replied that there is no limitation. Director Billera does not think this legislation was well thought out.

Director Long asked if the Governor had signed the bill. Attorney Ross responded that it was signed by Governor Polis in July.

President Miller asked for Chief Ramos' response to House Bill 20-1044: Modifying Pension Plans Administered By FPPA. Chief Ramos responded that there are costs associated with this legislation. In the past, there was legislation to increase the employee contribution to the pension by 4%, at the rate of 0.5% per year. Now the employer will match this increase to ensure the pension fund stays well-funded. This will cost the district 0.5% more each year for the next eight years. This is already part of the 2021 budget.

Director Long asked about the Clinical Affiliation Agreement with St. Anthony Hospital. He was curious if the District would ever submit an RFP for this service to other providers in the metro area. Chief Ramos replied that he could prepare more information for a future Board meeting. He had met with the team at St. Anthony's recently regarding expectations and is impressed right now. The north area fire departments are looking to work under the same physician advisor for future CAD-to-CAD efforts. Director Long would like him to look at this again after 12 months and once COVID-19 has passed.

#### **J. Public Comment**

David Feineman, Skyestone resident, asked about the CAD-to-CAD Gantt chart for Phases 3 and 4. Chief Ramos confirmed that the chart was intended only as a reference and a lot of the details were "rolled up" (not visible) to stay high level. President Miller noted that of importance to Mr. Feineman is that Broomfield is delayed until the end of 2020. Chief Ramos added that he is hopeful for the December timeline. He will know more in the next three to four months.

#### **K. Directors' Reports**

Director Long is concerned about individuals dropping off drugs at the fire stations, pursuant to HB20-1017. He is nervous about investing in Treasury Bills without pursuing another investment opportunity. He was pleased to see the large class for the Fire Academy. He was impressed with PIO Farris' Fire Prevention Week plans. He is pleased with the project management for the remodel of Station 61.

Director Murphy was proud of the Board's conduct in the meeting and that they had covered important updates and projects.

Director Billera applauded Attorney Ross for his attention to detail. He thanked the District for the iPad to navigate the virtual Board meetings. He asked Chief Ramos if the District was recognizing FF Chan on his win on the Titan Games. Chief Ramos replied that the District is celebrating FF Chan's win internally and on social media. FF Chan is bringing new well-being programs to the District, including bloodwork testing.

Director Nielsen asked about Director Murphy's request for an in-person Board meeting. Director Murphy noted that Broomfield and Northglenn City Councils are still meeting virtually. Director Nielsen then discussed the Board's ability to meet without legal counsel. Attorney Ross replied that the Board may host a public meeting or Executive Session without an attorney present. There are certain criteria for calling an Executive Session.

Director Nielsen asked about the Boulder County grass fire and to which fire district it belongs. Chief Ramos replied that this occurred in Boulder County open space, co-owned by the Cities of Boulder and Lafayette. This was not in North Metro Fire's jurisdiction but the District would have responded anyway because of the proximity to its boundaries. Chief Bybee noted that the original call came as Ellingwood Drive, which is in Broomfield. Director Nielsen noted that the residents of Anthem praised the firefighters for their work putting out the grass fire.

President Miller suggested that he had possibly confused the Board about the need for an attorney for a public meeting or Executive Session. He agreed to work with Director Long to set up a special meeting. Director Long would like to discuss board governance and fiduciary duty with Attorney Ross present. President Miller welcomed other Board members to add to this agenda if they wished.

**L. Executive Session**

A MOTION WAS MADE BY DIRECTOR NIELSEN AND SECONDED BY DIRECTOR MURPHY TO GO INTO EXECUTIVE SESSION AT 7:30 P.M. PURSUANT TO CRS 24-6-402(4)(b), (e) AND (f) TO RECEIVE ADVICE OF LEGAL COUNSEL REGARDING 1) LEGAL CRITERIA FOR EVALUATING POTENTIAL NEW HIRES WITH FELONY CONVICTIONS, 2) REQUESTS FOR PUBLIC RECORDS UNDER THE COLORADO OPEN RECORDS ACT, 3) UPCOMING COLLECTIVE BARGAINING WITH LOCAL 2203, AND 4) TWO PERSONNEL MATTERS. THE MOTION PASSED UNANIMOUSLY.

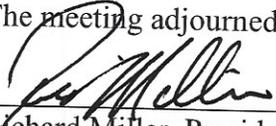
Attorney Ross certified for the record that Executive Session will constitute privileged attorney-client communications and will not be recorded.

A MOTION WAS MADE BY DIRECTOR NIELSEN AND SECONDED BY DIRECTOR MURPHY TO COME OUT OF EXECUTIVE SESSION AT 8:43 P.M. THE MOTION PASSED UNANIMOUSLY.

**M. Recess/Adjournment**

A MOTION TO ADJOURN THE MEETING WAS MADE BY DIRECTOR MURPHY AND SECONDED BY DIRECTOR LONG. THE MOTION PASSED UNANIMOUSLY.

The meeting adjourned at 8:43 p.m.

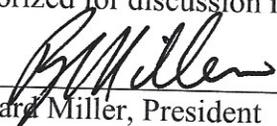
  
Richard Miller, President

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Jenni Murphy, Secretary

I hereby attest that the information communicated during the Executive Sessions, which were not recorded, constituted privileged attorney-client communications.

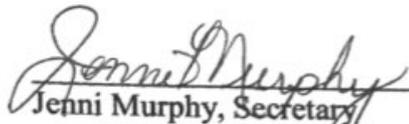
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Dino Ross, Esq.

I hereby attest that the Executive Sessions, which were not recorded, was confined to the topics authorized for discussion in Executive Session pursuant to C.R.S. §24-6-402(4)(b), (e) and (f).

  
Richard Miller, President

The meeting adjourned at 8:43 p.m.

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Richard Miller, President

  
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Jenni Murphy, Secretary

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Dino Ross, Esq.

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Richard Miller, President

The meeting adjourned at 8:43 p.m.

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Richard Miller, President

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Jenni Murphy, Secretary

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Dino Ross, Esq.

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Richard Miller, President