



POUDRE FIRE AUTHORITY  
BOARD of DIRECTORS MEETING AGENDA  
VIRTUAL MEETING

February 23, 2021  
8:30 AM

**Prompt, Skillful, Caring**

\*Requires Board Action

Due to Covid-19, the February PFA Board meeting will be a virtual meeting. Instructions to join the meeting follow. Individuals who wish to make comments regarding items scheduled on the agenda or wish to address the PFA Board during public comment on items not specifically scheduled on the agenda must use the Q&A option within the meeting, or send comments to [publiccomment@poudre-fire.org](mailto:publiccomment@poudre-fire.org). Your comments/questions will be read by a moderator and answered by the Board.

Please click the link below to join the Board meeting: <https://tinyurl.com/7z2uecif>  
Or Telephone: +1 669 900 6833 or +1 253 215 8782  
Webinar ID: 897 1794 2251  
Passcode: 102

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENT**

**DISCUSSION ITEMS**

1. Chief Fire Officer Designation - Brandon Garcia
2. Poudre Fire Authority Board Agenda Planning Calendar

**CONSENT AGENDA**

3. January 26, 2021 Regular and February 4, 2021 Special Poudre Fire Authority Board Meeting Minutes \*
4. Appropriation of Insurance Recovery Revenue \*
5. Appropriation of Funds for Prior Year Encumbrances \*
6. Resolution Designating the 2021 Posting Location of Board Meetings \*

**DISCUSSION ITEMS**

7. Ethical Standards and Principles for Poudre Fire Authority Board of Directors and Fire Chief \*
8. Fire Chief Hiring Process and Naming of Finalists for Fire Chief Position \*

**BRIEFING PAPERS/OTHER BUSINESS**


9. Briefing Papers / Other Business

**CORRESPONDENCE**

10. Correspondence

**DISCUSSION ITEM**

11. Possible Executive Session to Provide Direction to the Fire Chief Search Fire on Matters Related to Fire Chief Hiring Process \*

 <p>Prompt, Skillful, Caring</p>	<p align="center"><b><u>DISCUSSION AGENDA ITEM SUMMARY</u></b></p> <p><b>Item #:</b> 1  <b>Meeting Date:</b> 02/23/2021  <b>PFA Staff:</b> Tom DeMint</p>
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**SUBJECT:**

Chief Fire Officer Designation - Brandon Garcia

**EXECUTIVE SUMMARY**

The Commission on Professional Credentialing (CPC) met on February 2<sup>nd</sup> and voted unanimously to award Poudre Fire Authority Interim Operations Chief, Brandon Garcia, the Chief Fire Officer designation. Chief Garcia has earned the professional designation as witnessed by a team of his peers and members of the CPC. Chief Garcia has demonstrated through his education, leadership, and management skills that he possesses the requisite knowledge, skills, and abilities required for the fire and emergency services profession.

**STAFF RECOMMENDATION**

That the Board congratulate and celebrate Chief Garcia's Center for Public Safety Excellence Chief Fire Officer designation.

**FINANCIAL / ECONOMIC IMPACTS**

None.

**ATTACHMENTS**

- a. CPSE Notice of Chief Fire Officer Designation - Garcia

**From:** Rick Mason <[rmason@cpse.org](mailto:rmason@cpse.org)>  
**Sent:** Tuesday, February 2, 2021 2:14 PM  
**To:** Brandon Garcia <[Brandon.Garcia@poudre-fire.org](mailto:Brandon.Garcia@poudre-fire.org)>  
**Subject:** [EXTERNAL] CPC Designation vote

Dear Brandon Garcia:

Congratulations! The Commission on Professional Credentialing (CPC) met on February 2<sup>nd</sup> and voted unanimously to award you the Chief Fire Officer designation. You have earned the professional designation as witnessed by a team of your peers and members of the Commission on Professional Credentialing. You have demonstrated through your education, leadership, and management skills that you possess the requisite knowledge, skills, and abilities required for the fire and emergency services profession.

In the coming weeks [Chris Welch](#) will be mailing you your certificate announcing your achievement (due to limited office hours due to the pandemic, this may be close to a month to receive).

On behalf of the Commission on Professional Credentialing, we commend your efforts and dedication in achieving this personal and professional milestone.

Please don't hesitate to contact me should you have any questions or if I can be of further assistance.

Lastly, are you aware of our virtual Excellence Conference next month. Being virtual you can attend several classes, but after the conference you will have availability to all 36 training classes offered!! Go to [Excellence Conference 2021 - Center for Public Safety Excellence \(cpse.org\)](#) to learn all about what will be offered and the registration process!

*Congratulations!*

Rick



**Richard "Rick" Mason, CFO, FIFireE**

**CPC Program Manager**

Office: 703-691-4620, x. 210

Mobile: 603-396-8604

Email: [rmasona@cpse.org](mailto:rmasona@cpse.org)


4501 Singer Court, Suite 180

Chantilly, VA 20151

[www.cpsc.org](http://www.cpsc.org)

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Attachment: CPSE Notice of Chief Fire Officer Designation - Garcia (9979 : Chief Fire Officer Designation - Brandon Garcia)

 <p>Prompt, Skillful, Caring</p>	<p align="center"><b><u>DISCUSSION AGENDA ITEM SUMMARY</u></b></p> <p><b>Item #:</b> 2  <b>Meeting Date:</b> 02/23/2021  <b>PFA Staff:</b> Tom DeMint, Kirsten Howard</p>
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**SUBJECT:**

Poudre Fire Authority Board Agenda Planning Calendar

**EXECUTIVE SUMMARY**

The Poudre Fire Authority Board Agenda Planning Calendar is attached for Board review and comment.

**STAFF RECOMMENDATION**

Item for Information and discussion.

**FINANCIAL / ECONOMIC IMPACTS**

None.

**ATTACHMENTS**


- a. PFA Board Agenda Planning Calendar

# PFA Board Agenda Planning Calendar

Work Session
Cancelled Meeting
Special Meeting
Executive Session
Change to Agenda
City Council Meeting
Revised: 2/16/2021

Unscheduled: Equity & Inclusion, Behavioral Health and Alternative Deployment Models (interagency group), PFA Committees, Mulberry Annexation, Peer Support Update, Community Survey, Cultural Survey, Tour new Burn Building, Mulberry Annexation

Month	Type	Detail
March 23, 2021	Regular	<ul style="list-style-type: none"> <li>• Accreditation Work Plan</li> <li>• Legislative Update</li> <li>• Chief Hiring Update</li> </ul>
April 27, 2021	Regular	<ul style="list-style-type: none"> <li>• Legislative Update</li> <li>• 2020 Annual Report Preview</li> <li>• Chief Hiring Update</li> </ul>
May 11, 2021	City Council /PVFPD joint Work Session	<ul style="list-style-type: none"> <li>• Dinner and 2020 Annual Report Presentation and Introduction of new Fire Chief</li> </ul>
May 25, 2021	Regular	<ul style="list-style-type: none"> <li>• Collective Bargaining Agreement Approval</li> <li>•</li> </ul>
June 22, 2021	Regular	<ul style="list-style-type: none"> <li>• 2020 Comprehensive Annual Financial Report</li> <li>•</li> </ul>
July 27, 2021	Regular	<ul style="list-style-type: none"> <li>• Chief's Mid-year Performance Review</li> <li>•</li> </ul>
August 24, 2021	Regular	<ul style="list-style-type: none"> <li>• Election of 5<sup>th</sup> Board Member, Board Officers, and Secretary</li> <li>•</li> </ul>
September 28, 2021	Regular	<ul style="list-style-type: none"> <li>• 2022 Preliminary Budget</li> <li>•</li> </ul>
October 26, 2021	Regular	<ul style="list-style-type: none"> <li>• Resolution Setting 2022 Meeting Dates</li> <li>•</li> </ul>
November 16, 2021	Work Session	<ul style="list-style-type: none"> <li>• 2022 Budget Work Session</li> <li>•</li> </ul>
December 14, 2021	Regular	<ul style="list-style-type: none"> <li>• 2022 Budget Adoption</li> <li>•</li> </ul>
January 25, 2022	Regular	<ul style="list-style-type: none"> <li>• Designation of 2022 Board Meeting Posting Location</li> <li>•</li> </ul>
February 22, 2022	Regular	<ul style="list-style-type: none"> <li>• Prior Year Encumbrance Appropriation</li> </ul>

 <p>Prompt, Skillful, Caring</p>	<p align="center"><b><u>CONSENT AGENDA ITEM SUMMARY</u></b></p> <p><b>Item #:</b> 3  <b>Meeting Date:</b> 02/23/2021  <b>PFA Staff:</b> Kirsten Howard</p>
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**SUBJECT:**

January 26, 2021 Regular and February 4, 2021 Special Poudre Fire Authority Board Meeting Minutes

**EXECUTIVE SUMMARY**

The purpose of this item is to approve the minutes from the January 26, 2021 regular meeting and the February 4, 2021 special meeting of the Poudre Fire Authority Board of Directors.

**STAFF RECOMMENDATION**

That the Board approve the minutes as presented.

**FINANCIAL / ECONOMIC IMPACTS**

None.

**ATTACHMENTS**

- a. 1-26-2021 PFA Board Minutes
- b. 2-4-2021 PFA Board Special Meeting Minutes



Phone: (970) 416-2892  
 Fax: (970) 416-2809  
 Internet: www.poudre-fir

## **BOARD OF DIRECTORS MEETING January 26, 2021**

The Poudre Fire Authority (PFA) Board of Directors met virtually on January 26, 2021, at 8:30 a.m.. Directors Mike DiTullio, Dave Pusey, Ken Summers, Darin Atteberry, and Emily Gorgol were present. Also present was Fire Chief Tom DeMint, Administrative Services Director Ann Turnquist, Budget and Finance Supervisor Kirsten Howard, Interim Operations Division Chief Brandon Garcia, Support Division Chief Rick Vander Velde, Support Battalion Chief Chris Hill, Training Battalion Chief Tyson Barela, Fire Prevention and Community Risk Reduction Division Chief Jerry Howell, Planning and Analysis Battalion Chief Sean Jones, Fire Prevention Deputy Fire Marshal Ron Simms, Emergency Medical Services Battalion Chief Kevin Waters, Public Outreach Information Officer Annie Bierbower, Employee Labor and Relations Manager Janet Miller, Human Resources and Policy Administrator Greg Greaves, and Recording Secretary Shawn Williams.

### **PLEDGE OF ALLEGIANCE**

Mike DiTullio called the meeting to order at 8:30 a.m.

### **PUBLIC COMMENT**

There was no public comment.

### **CONSENT AGENDA**

#### **1. December 15, 2020 Poudre Fire Authority Board Meeting Minutes**

*Dave Pusey made a motion to approve the Consent Agenda. Darin Atteberry seconded the motion. The motion passed by unanimous vote of the Board.*

### **DISCUSSION ITEMS**

#### **2. Welcome Board Member Emily Gorgol**

#### **3. Poudre Fire Authority Board Agenda Planning Calendar**

Tom DeMint welcomed and introduced Emily Gorgol who is filling the Board member vacancy created by Kristin Stephens.

Tom DeMint noted the May 11, 2021 joint meeting between Fort Collins City Council, the PFA Board and Poudre Valley Fire Protection District Board, would possibly be held in person.

**STAFF REPORT****4. 2020 Accreditation Report/Recommendations Update**

Sean Jones provided a PowerPoint presentation on the 2020 Accreditation Report/Recommendations in an update to the Board.

Darin Atteberry expressed his appreciation and Mike DiTullio stated the Board was very proud of what staff has done for the 2020 Accreditation.

**DISCUSSION ITEMS**

- 5. Ethical Standards and Principles for Poudre Fire Authority Board of Directors and Fire Chief**
- 6. Fire Chief Selection Process Update and Process Planning**
- 7. Memorandum of Agreement: Training Center Cooperative Project with City Utilities**

**Ethical Standards and Principles for Poudre Fire Authority Board of Directors and Fire Chief** - Ann Turnquist reviewed the Ethical Standards and Principles for Poudre Fire Authority Board of Directors and Fire Chief with the Board. Ann advised the PFA's legal counsel has looked it over and given approval.

Discussion was held on Board members providing disclosures. Darin Atteberry asked if there was a protocol in Accreditation on how to manage conflicts. Dave Pusey asked about the Code of Ethics and the Fire Chief abiding with all campaign rules. Ann Turnquist stated she will check on these questions with the attorney.

**Fire Chief Selection Process Update and Process Planning** - Ann Turnquist updated the Board on the Fire Chief Selection Process and advised there is a meeting scheduled for next Thursday with the recruiter. Ann advised on Friday the Board will electronically receive portfolios of 11 - 12 candidates. Ann stated on Thursday, February 4<sup>th</sup> a Special virtual meeting is scheduled with the recruiter to go over those portfolios and narrow the list down to a semi-final pool. Ann advised the first round of interviews will be scheduled the week of the February 15<sup>th</sup> virtually.

Ann Turnquist advised the attorney reminded staff that final interviews between the Board and candidates must be done in public and the Board should keep that process in mind for discussion of final interviews. Ann also stated PFA must disclose the names of finalists publically.

The Board agreed they were comfortable holding the semi-final interviews virtually, and that the first round of interviews would be the Board only. The Board agreed to the first round of interviews the week of February 15<sup>th</sup>.

**Memorandum of Agreement: Training Center Cooperative Project with City Utilities** - Ann Turnquist provided background information on the Training Center Cooperative Project with City Utilities. Ann advised Brandon Garcia presented this a year ago but due to COVID-19 it has taken more time to get the Memorandum of Agreement completed.

Dave Pusey made a motion to adopt the Memorandum of Agreement between the City of Fort Collins and the Poudre Fire Authority for the Operation of Joint Training Facilities. Emily Gorgol seconded the motion. The motion passed by unanimous vote of the Board.

### **BRIEFING PAPERS/OTHER BUSINESS**

#### **8. Briefing Papers/Other Business**

### **CORRESPONDENCE**

#### **9. Correspondence**

The meeting adjourned at 10:06 a.m.



**Phone: (970) 416-2892**  
**Fax: (970) 416-2809**  
**Internet: [www.poudre-fire.org](http://www.poudre-fire.org)**

### **PFA BOARD OF DIRECTORS SPECIAL MEETING February 4, 2021**


The Poudre Fire Authority (PFA) Board of Directors met virtually on February 4, 2021, at 8:00 a.m. Directors Ken Summers, Dave Pusey, Mike DiTullio, Emily Gorgol, and Darin Atteberry were present. Also present was Administrative Services Director Ann Turnquist, Employee Labor and Relations Manager Janet Miller, Human Resources and Policy Administrator Greg Greaves, and Recording Secretary Shawn Williams. Timothy Sashko and John Storm, Fire Chief recruiters, were also present as guests.

Mike DiTullio called the meeting to order at 8:00 a.m.

Ken Summers made a motion as permitted by Colorado Revised Statutes Section 24-6-402(3.5) and (4)(e) that the Board enter executive session to provide direction to the Fire Chief Search Firm on matters related to the Fire Chief hiring process. Dave Pusey seconded the motion. The Board entered executive session at 8:02 a.m.

The Board adjourned the executive session at 10:27 a.m. Mike DiTullio reconvened the PFA Board meeting in public session and there was no action taken.

The meeting was adjourned at 10:30 a.m.

 <p>Poudre Fire Authority</p>	<p><b>CONSENT AGENDA ITEM SUMMARY</b></p>
<p>Prompt, Skillful, Caring</p>	<p>Item #: 4 Meeting Date: 02/23/2021 PFA Staff: Kirsten Howard</p>

**SUBJECT:**

Appropriation of Insurance Recovery Revenue

**EXECUTIVE SUMMARY**

In 2019, the Roving Alternative Medical (RAM) unit was involved in an accident while parked. A claim for repairs was requested from the insurance provider for the driver who struck the RAM unit, and that check in the amount of \$4,146.61 was deposited into the insurance recovery revenue account on February 3, 2021.

Poudre Fire Authority (PFA) staff requests that the PFA Board appropriate the \$4,146.61 into the Fleet Maintenance budget to offset the cost of the RAM vehicle repairs in 2021.

**STAFF RECOMMENDATION**

That the PFA Board approve Resolution 21 – 3.

**FINANCIAL / ECONOMIC IMPACTS**

Approval of Resolution 21 – 3 will appropriate insurance recovery funds within the Fleet Maintenance budget to offset repair costs for the RAM vehicle.

**ATTACHMENTS**

- a. Resolution 21 - 3

Resolution 21-3  
Appropriating Insurance Recovery Revenue

Whereas, in 2019, the Roving Alternative Medical (RAM) unit was involved in an accident while parked, and

Whereas, a claim for repairs was requested from the insurance provider for the driver who struck the RAM unit, and

Whereas, PFA received an insurance check in the amount of \$4,146.61 that was deposited into the insurance recovery revenue account (8400.479020) on February 3, 2021, and


Whereas, PFA staff request the PFA Board appropriate these funds into the Fleet Maintenance budget (103070.533250) to pay for the reconstruction expenses.

Now Therefore, be it resolved, that the PFA Board of Directors hereby appropriates \$4,146.61 in insurance recovery revenue into the Fleet Maintenance budget to pay for the repairs to the RAM Unit.

Approved this 23<sup>rd</sup> day of February 2021, by the Poudre Fire Authority Board of Directors.

\_\_\_\_\_  
PFA Board Chair

\_\_\_\_\_  
Attest

 <p>Prompt, Skillful, Caring</p>	<p align="center"><b><u>CONSENT AGENDA ITEM SUMMARY</u></b></p> <p><b>Item #:</b> 5  <b>Meeting Date:</b> 02/23/2021  <b>PFA Staff:</b> Kirsten Howard</p>
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**SUBJECT:**

Appropriation of Funds for Prior Year Encumbrances

**EXECUTIVE SUMMARY**

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State law specifies that prior year encumbrances must be reappropriated, and staff requests approval of Resolution 21 - 4 to comply with that regulation.

Encumbrances are incurred when items are purchased late in the year or when funds are being withheld from vendors while the quality of the product or service is evaluated. The encumbrance of \$190,366 is made up of a Station 5 hose dryer, Board Room technology, facilities maintenance and fire apparatus repairs.

**STAFF RECOMMENDATION**

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That the Board approve Resolution 21 – 4.

**FINANCIAL / ECONOMIC IMPACTS**

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State law specifies that prior year encumbrances must be reappropriated, and staff requests approval of Resolution 21 – 4 to comply with state law.

**ASSOCIATED STRATEGIC GOALS**

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Strategic Initiative 4 – Financial Responsibility

**ATTACHMENTS**

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- a. Resolution 21-4

Resolution 21 - 4

Amending the 2021 Budget and Reappropriating Funds for  
Prior Year Encumbrances


The Poudre Fire Authority Board of Directors hereby reappropriates \$190,366 into the 2021 budget for prior year encumbrances.

Approved this 23<sup>rd</sup> day of February 2021, by the Poudre Fire Authority Board of Directors.

\_\_\_\_\_  
PFA Board Chair

\_\_\_\_\_  
Attest

Attachment: Resolution 21-4 (9977 : Appropriation of Funds for Prior Year Encumbrances)

	<b><u>CONSENT AGENDA ITEM SUMMARY</u></b>
Prompt, Skillful, Caring	Item #: 6 Meeting Date: 02/23/2021 PFA Staff: Kirsten Howard

**SUBJECT:**

Resolution Designating the 2021 Posting Location of Board Meetings

## **EXECUTIVE SUMMARY**

House Bill (HB) 19-1087 was signed into law on April 25, 2019 and allows and encourages local government entities to post a notice of public meetings electronically rather than in a physical location.

The Poudre Fire Authority (PFA) Board amended its bylaws in October 2019 (Resolution 19-17 attached), thereby complying with HB 19-1087, to allow for the posting of Board meetings on PFA's website rather than at a physical location. The PFA 2021 Board meeting schedule is posted on the PFA website (<https://www.poudre-fire.org/about-us/pfa-board-of-directors>).

## **DISCUSSION/BACKGROUND**

PFA staff was made aware by PFA legal counsel, Dino Ross, that at the first meeting of the year, the Authority is required to designate the location at which it will post notice of the Authority's Board meetings. In 2021, a Resolution will come before the Board at the second meeting of the year, and the annual designation of posting location will be added to the PFA Board Planning Calendar for the first meeting of 2022.

As best practice, it is recommended that the Authority Board pass a Resolution stating the website where the Authority will post its notices online, and the backup physical location for the posting of notices (102 Remington Street), and provide the website address where notices will be posted to the Colorado Department of Local Affairs.

## **STAFF RECOMMENDATION**

That the PFA Board approve Resolution 21 - 5.

## **FINANCIAL / ECONOMIC IMPACTS**

None.

## **ATTACHMENTS**

- a. Resolution 19-17
- b. Resolution 21-5

## Background Information

## Resolution 19 – 17

Amending the Poudre Fire Authority Bylaws to Comply with  
House Bill 19-1087, Local Public Meeting Notices  
Posted on Website

Whereas, House Bill (HB) 19-1087 was signed into law on April 25, 2019, and allows and encourages local government entities to post a notice of public meetings electronically rather than in a physical location, and

Whereas, the intent of the General Assembly with this Bill is:

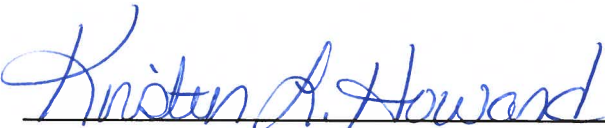
- That local governments transition from posting physical notices of public meetings in physical locations to posting notices on a website, social media account, or other official online presence of the local government.
- To relieve a local government of the requirement to physically post meeting notices, with certain exceptions, if the local government complies with the requirements of online posted notices of meetings.
- To closely monitor the transition to providing notices of public meetings online over the next two years and, if significant progress is not made, to bring legislation mandating in statute that all notices be posted online except in very narrow circumstances that are beyond the control of a local government, and

Whereas, the electronic posting of PFA Board meetings will save PFA staff time by eliminating the travel time to physically post meeting notices at multiple locations.

Now Therefore, the Poudre Fire Authority Board of Directors amends the Poudre Fire Authority Board of Directors Bylaws, Article II, Section 1 to read, "*Regular meetings of the Board shall be held on the fourth Tuesday of each month, at 8:30 a.m. Any changes to the meeting schedule will be made by the Board through a formal action. Notices of the time and place of regular meetings of the Board shall be posted on the Poudre Fire Authority website and the City of Fort Collins' electronic calendar at least three (3) days in advance.*

Approved this 22<sup>nd</sup> day of October, 2019, by the Poudre Fire Authority Board of Directors.

  
\_\_\_\_\_  
PFA Chair

  
\_\_\_\_\_  
Attest

## Resolution 21 – 5

Designating the Posting Location of 2021  
Poudre Fire Authority Board Meetings

Whereas, House Bill (HB) 19-1087 was signed into law on April 25, 2019, and allows and encourages local government entities to post a notice of public meetings electronically rather than in a physical location, and

Whereas, the intent of the General Assembly with this Bill is:

- That local governments transition from posting physical notices of public meetings in physical locations to posting notices on a website, social media account, or other official online presence of the local government.
- To relieve a local government of the requirement to physically post meeting notices, with certain exceptions, if the local government complies with the requirements of online posted notices of meetings.
- To closely monitor the transition to providing notices of public meetings online over the next two years and, if significant progress is not made, to bring legislation mandating in statute that all notices be posted online except in very narrow circumstances that are beyond the control of a local government, and

Whereas, the electronic posting of PFA Board meetings will save PFA staff time by eliminating the travel time to physically post meeting notices at multiple locations.

Whereas, the PFA Board of Directors amended the PFA Board of Directors Bylaws on October 22, 2019 to allow for the posting of meeting locations on PFA's website (<https://www.poudre-fire.org/about-us/pfa-board-of-directors>) and the City of Fort Collins' electronic calendar at least three days in advance of the meetings.

Now Therefore, the Poudre Fire Authority Board of Directors designates PFA's website and the City of Fort Collins' electronic calendar as the 2021 posting notice of PFA's Board meetings. As a backup, a hardcopy posting notice is located at 102 Remington Street near the front door.


Approved this 23<sup>rd</sup> day of February 2021, by the Poudre Fire Authority Board of Directors.

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 PFA Chair

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 Attest

	<b><u>DISCUSSION AGENDA ITEM SUMMARY</u></b>
Prompt, Skillful, Caring	Item #: 7 Meeting Date: 02/23/2021 PFA Staff:

**SUBJECT:**

Ethical Standards and Principles for Poudre Fire Authority Board of Directors and Fire Chief

**EXECUTIVE SUMMARY**

The purpose of this agenda item is to review the Code of Ethics for both the Board and the Fire Chief, make any desired modifications and approve resolutions to reaffirm the Codes. The Board discussed these resolutions at the January 2021 Board meeting and raised the following questions and suggestions:

1. Should Board Members sign annual conflict of interest disclosure statements?
2. What protocol should be followed for managing and highlighting possible conflicts of interest for Poudre Fire Authority (PFA) Board members?
3. Should there be a reference to the Colorado Fair Campaign Practices statute within the Fire Chief's Ethics Code?

**DISCUSSION/BACKGROUND**

**Issue Updates:**

Annual Financial Disclosures:

The Board discussed whether a reference to annual financial disclosures should be added to the Ethical Standards and Principles for Poudre Fire Authority Board Members. The Board noted that City Council members and the City Manager file annual financial disclosures that are on file with the City Clerk. In addition, District Board members complete a disclosure when they are elected, appointed, or reelected.

In discussing this question with legal counsel, staff learned that there is not any law that would require the PFA Board members to file additional financial disclosures beyond those that are made by City Council members or the District Board members. The PFA Board members could be asked to provide a copy of such a disclosure to be on file at PFA, but this step may not yield any additional benefits in terms of transparency.

Managing Conflicts of Interest:

Legal counsel reviewed the language that is included in the existing Ethical Standards and Principles statement to determine whether it is adequate to describe the procedures

necessary to address conflicts of interest. The current language is that which is typically recommended to Boards for their Board Manuals or Board Bylaws regarding disclosure of a conflict of interest. That language includes the following statement:

Board member who has a personal or private conflict of interest in any matter proposed or pending before the Board shall disclose such interest to the Board and shall not vote thereon and shall refrain from attempting to influence the decisions of the other members of the Board in voting on the matter. A Board member may vote notwithstanding the above sentence if his/her participation is necessary to obtain a quorum or otherwise enable the Board to act and if he/she makes the voluntary disclosure in writing to the Board and the Colorado Secretary of State not less than 72 hours in advance of the action as described at Sections 24-18-110, and 18-8-308, Colorado Revised Statutes. §§24-18-109, 110, and 18-8-308, C.R.S.

If the Board wishes to elaborate on the handling of potential conflicts of interest, the following language could be added to the Ethical Standards and Principles statement to clarify the method for disclosing potential conflicts of interest:

“A Board member who becomes aware of a potential conflict of interest may at any time file a voluntary disclosure of the potential conflict of interest with the Secretary of State and the Board.”

This additional clarification is included in the attached Resolution 21-1 Ethical Standards and Principles statement for Board consideration.

#### Political Activity for the Fire Chief:

Finally, the Board discussed whether the Fire Chief’s code should be amended to be more explicit in addressing political activity on the part of the Fire Chief. The original draft of this code includes the following statement, that the Chief shall:

- Comply with local laws and campaign rules when supporting political candidates and engaging in political activities.

If the Board wishes to make a more specific statement of these principles, the following language could replace the above statement:

- While on-duty strictly comply with the requirements and limitations on political activities set forth in the Colorado Fair Campaign Practices Act, including CRS 1-45-117. Ensure that any political activities I engage in while off-duty do not conflict with my duties as Fire Chief and do not create a conflict of interest with, or erode public trust in, Poudre Fire Authority.

The attached Resolution 21-2 includes this statement as a redlined adjustment. If the Board has concerns about this issue, it could also consider including such a requirement in the employment contract drafted for the incoming Fire Chief.

#### **Background—January 2021 Discussion:**

The Commission on Fire Accreditation International (CFAI) accreditation process recommends periodic reviews by the Board to assure key governing documents are up to date and reviewed on an ongoing basis.

One of the documents that has not been reviewed recently is the Poudre Fire Authority (PFA) Board of Directors Code of Ethics. The Code was last reviewed in 2014, when it was established. Since the Board is looking for a new Fire Chief, this is also an opportune time to review the Code of Ethics for the Fire Chief.

The 2014 Board of Directors Code of Ethical Standards and Principles was modeled after a compilation of ethics codes from the Special Districts Association and other fire boards of directors. The purpose of the standard is to clearly state the PFA Board's commitment to preventing any conflict of interest issues. The code is closely linked to State of Colorado Statutes contained in Title 24 - Government – State Administration, Article 18 - Standards of Conduct Part 1 - Code of Ethics. This statute was reviewed and updated in 2017, though none of the sections quoted in PFA's 2014 Ethical Standards and Principles declaration were affected by those State changes. Staff sought a review of the existing document by PFA's legal counsel who confirmed that the previous resolution continues to accurately reflect State Statute. He did not make any recommendations for changes or additions.

In 2014, the Board also adopted a statement of Ethical Standards and Principles for the PFA Fire Chief, modeled after the International Association of Fire Chiefs Code of Ethics. These ethical standards and principles are designed to guide the actions of the Fire Chief in his or her performance of their duties. Chief DeMint does not have any recommended additions or modifications to this code.

## **STAFF RECOMMENDATION**

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Staff recommends Board adoption of Resolution 2021-1 and Resolution 2021-2.

## **FINANCIAL / ECONOMIC IMPACTS**

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None.

## **ATTACHMENTS**

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- a. Resolution 14-11 - Background Information
- b. Resolution 14-12 - Background Information
- c. Resolution 21-1 Revised
- d. Resolution 21-2 Revised

**Resolution 14 – 11**  
**Establishing Ethical Standards and Principles for**  
**Poudre Fire Authority Board Members**

Whereas, the Poudre Fire Authority Board of Directors recognizes that the proper operation of the Poudre Fire Authority requires that Board members be independent and impartial and abide by all applicable rules of ethical conduct.

Now, therefore, the Poudre Fire Authority Board of Directors approves and establishes the following Ethical Standards and Principles for Poudre Fire Authority Board Members.

**Ethical Standards and Principles for Board Members**

The Colorado statutes (Title 24, Article 18, Parts 1 and 2) establish a code of ethics for all local government officials. Public office is a "public trust" built by the confidence, which citizens place in the integrity of its public officials. To operate under the highest ethical standards Poudre Fire Authority Board members must carry out their duties for the benefit of the citizens of the PFA, not their own self-interest. This code of ethics attempts to balance the conflicts of private interest with public duty. The following provisions summarize the statutory provisions.

**State Ethical Standards**

- Board member who has a personal or private conflict of interest in any matter proposed or pending before the Board shall disclose such interest to the Board and shall not vote thereon and shall refrain from attempting to influence the decisions of the other members of the Board in voting on the matter. A Board member may vote notwithstanding the above sentence if his/her participation is necessary to obtain a quorum or otherwise enable the Board to act and if he/she makes the voluntary disclosure in writing to the Board and the Colorado Secretary of State not less than 72 hours in advance of the action as described at Sections 24-18-110, and 18-8-308, Colorado Revised Statutes. §§24-18-109, 110, and 18-8-308, C.R.S.
- A potential conflict of interest exists when the Board member is an executive officer, or owns or controls directly or indirectly a substantial interest in any nongovernmental entity participating in a transaction with the PFA. §18-8-308, C.R.S.
- A Board member shall not disclose or use confidential information acquired in the course of official duties to further substantially personal financial interests. §24-18-104, C.R.S.
- A Board member shall not accept a gift(s) of substantial value or of substantial economic benefit tantamount to a gift of substantial value, which would tend to improperly influence a "reasonable person" in his/her public position to depart from the faithful and impartial discharge of his/her public duties or which he/she knows or which a reasonable person in his/her position should know under the circumstances is primarily for the purpose of rewarding him/her for official action he/she has taken. §24-18-104, C.R.S.

- A Board member shall not engage in a substantial financial transaction for his/her private business purposes with a person whom he/she inspects or supervises in the course of his/her official duties. §24-18-109, C.R.S.
- A Board member shall not perform an official act directly and substantially affecting to its economic benefit, a business or other undertaking in which he/she either has a substantial financial interest or is engaged as counsel, consultant, representative or agent. §24-18-109, C.R.S.
- A Board member shall not accept goods or services for his/her own personal benefit offered by a person who is at the same time providing goods or services to the PFA under a contract or other means by which the person receives payment or other compensation from the PFA, unless the totality of the circumstances attendant to the acceptance of the goods or services indicates that the transaction is legitimate, the terms are fair to both parties, the transaction is supported by full and adequate consideration, and the Board member does not receive any substantial benefit resulting from his/her official status that is unavailable to members of the public generally. §24-18-109, C.R.S.
- A Board member shall not be interested in any contract made in his/her official capacity or by any body, agency, or board of which he/she is a member or employee. §24-18-201, C.R.S.
- A Board member shall not be a purchaser at any sale or vendor at any purchase made by him/her in his/her official capacity. §24-18-202, C.R.S.
- A Board member shall not solicit, accept, or agree to accept any pecuniary benefit upon an agreement or understanding that his/her vote, opinion, judgment, exercise of discretion, or other action as a Board member will thereby be influenced. §18-8-302, C.R.S.
- A Board member shall not solicit, accept, or agree to accept any pecuniary benefit as compensation for having, as a Board member, given a decision, opinion, recommendation, or vote favorable to another or for having otherwise exercised a discretion in his/her favor, whether or not he/she has in so doing violated his/her duty. §18-8-303, C.R.S.

### **State Ethical Principles**

- A Board member "should not acquire or hold an interest in any business or undertaking which that Board member has reason to believe may be directly and substantially affected to its economic benefit by official action to be taken by an agency over which the member has substantive authority." §24-18-105, C.R.S.
- A Board member "should not perform an official act directly and substantially affecting a business or other undertaking to its economic detriment when the member has a substantial financial interest in a competing firm or undertaking." §24-18-105, C.R.S.
- A Board member should not, within six months following termination of his/her office, obtain employment in which he/she will take direct advantage, unavailable to others, of matters with which he/she was directly involved during his/her term. §24-18-105, C.R.S.
- A Board member is discouraged from assisting or enabling members of his/her immediate family in obtaining employment, a gift of substantial value, or an economic benefit tantamount to a gift of substantial value from a person whom

the Board member is in a position to reward with official action or has rewarded with official action the past. §24-18-105, C.R.S.

### Board Standards

In addition to the ethics statements above, the PFA Board also subscribes to its own standards of conduct. As a member of the Board of Directors, each should strive to faithfully perform his/her duties, and to that end each Board member should agree to:

- Attend all regularly scheduled Board meetings insofar as possible and become informed concerning the issues to be considered at these meetings.
- Endeavor to make policy decisions only after full discussion at publicly held Board meetings.
- Render all decisions based on the available facts and independent judgment and refuse to surrender that judgment to individuals or special interest groups.
- Encourage the free expression of opinion by all Board members and respect each other's opinions and views on issues.
- Seek systematic communications between the Board and PFA staff (utilizing the proper chain of command) and all elements of the community.
- Work with other Board members to establish effective Board policies and delegate authority for the daily administration of the Authority to the Chief.
- Share with other Board members and the Fire Chief the communications from the public/constituents regarding Board policies and Authority programs and information.
- Support the employment of the best qualified to serve as Authority staff and insist on a regular and impartial evaluation of all employees, utilizing the chain of command.
- Avoid being placed in a position of conflict of interest and refrain from using a Board position for personal, financial, or partisan gain.
- Avoid private activities that will compromise the Board, the Authority's mission or the public trust and confidence.
- Respect and preserve the confidentiality of information that is privileged under applicable laws such as the contents of executive sessions.

Approved this 23<sup>rd</sup> day of September, 2014, by the Poudre Fire Authority Board of Directors.

  
PFA Board Chair

  
Attest

**Resolution 14 – 12  
Establishing Ethical Standards and Principles for  
Poudre Fire Authority Fire Chief**

Whereas, the Poudre Fire Authority Board of Directors recognizes that the proper operation of the Poudre Fire Authority requires that the fire chief be independent and impartial and abide by all applicable rules of ethical conduct.

Now, therefore, the Poudre Fire Authority Board of Directors approves and establishes the following Ethical Standards and Principles for the Poudre Fire Authority fire chief.

**Ethical Standards and Principles for the Poudre Fire Authority Fire Chief**

The purpose of the Ethical Standards and Principles for the Poudre Fire Authority fire chief is to actively support the advancement of the fire service, dedicated to the protection and preservation of life and property against fire, provision of emergency medical services and other emergencies. Towards this endeavor, the Poudre Fire Authority fire chief shall represent those ethical principles consistent with professional conduct as a member of the Poudre Fire Authority:

- Recognize that I serve in a position of public trust that imposes responsibility to use publicly owned resources effectively and judiciously.
- Not use public position to obtain advantages or favors for friends, family, personal business ventures, or myself.
- Use information gained from my position only for the benefit of those I am entrusted to serve.
- Conduct my personal affairs in such a manner that I cannot be improperly influenced in the performance of my duties.
- Avoid situations whereby my decisions or influence may have an impact on personal financial interests.
- Seek no favor and accept no form of personal reward for influence or official action.
- Engage in no outside employment or professional activities that may impair or appear to impair my primary responsibilities as a fire official.
- Comply with local laws and campaign rules when supporting political candidates and engaging in political activities.
- Handle all personnel matters on the basis of merit.
- Carry out policies established by elected officials and policy makers to the best of my ability.
- Refrain from financial investments or business that conflicts with, or is enhanced by, my official position.
- Refrain from endorsing commercial products through quotations, use of photographs, testimonials, for personal gain.
- Develop job descriptions and guidelines at the local level to produce behaviors in accordance with the code of ethics.
- Conduct training at the local level to inform and educate local personnel about ethical conduct and policies and procedures.
- Have systems in place at the local level to resolve ethical issues.

- Orient new employees to the Poudre Fire Authority's ethics program during new employee orientation.
- Review the ethics management program in management training experiences.
- Deliver accurate and timely information to the public and to elected policymakers to use when deciding critical issues.

Approved this 23<sup>rd</sup> day of September, 2014, by the Poudre Fire Authority Board of Directors.

  
PFA Board Chair

  
Attest

**Resolution 21 – 1  
Reaffirming the Ethical Standards and Principles for  
Poudre Fire Authority Board Members**

Whereas, the Poudre Fire Authority Board of Directors recognizes that the proper operation of the Poudre Fire Authority requires that Board members be independent, impartial, and abide by all applicable rules of ethical conduct; and,

Whereas, the Poudre Fire Authority Board of Directors approved Resolution 14-11 on September 23, 2014 establishing the Ethical Standards and Principles for Poudre Fire Authority Board members.

Now, therefore, the Poudre Fire Authority Board of Directors reaffirms the following Ethical Standards and Principles for Poudre Fire Authority Board Members.

**Ethical Standards and Principles for Board Members**

The Colorado statutes (Title 24, Article 18, Parts 1 and 2) establish a code of ethics for all local government officials. Public office is a "public trust" built by the confidence, which citizens place in the integrity of its public officials. To operate under the highest ethical standards Poudre Fire Authority Board members must carry out their duties for the benefit of the citizens of the PFA, not their own self-interest. This code of ethics attempts to balance the conflicts of private interest with public duty. The following provisions summarize the statutory provisions.

**State Ethical Standards**

- Board member who has a personal or private conflict of interest in any matter proposed or pending before the Board shall disclose such interest to the Board and shall not vote thereon and shall refrain from attempting to influence the decisions of the other members of the Board in voting on the matter. A Board member may vote notwithstanding the above sentence if his/her participation is necessary to obtain a quorum or otherwise enable the Board to act and if he/she makes the voluntary disclosure in writing to the Board and the Colorado Secretary of State not less than 72 hours in advance of the action as described at Sections 24-18-110, and 18-8-308, Colorado Revised Statutes. §§24-18-109, 110, and 18-8-308, C.R.S. [A Board member who becomes aware of a potential conflict of interest may at any time file the a voluntary disclosure of the potential conflict of interest with the Secretary of State and the Board.](#)
- A potential conflict of interest exists when the Board member is an executive officer or owns or controls directly or indirectly a substantial interest in any nongovernmental entity participating in a transaction with the PFA. §18-8-308, C.R.S.

- A Board member shall not disclose or use confidential information acquired in the course of official duties to further substantially personal financial interests. §24-18-104, C.R.S.
- A Board member shall not accept a gift(s) of substantial value or of substantial economic benefit tantamount to a gift of substantial value, which would tend to improperly influence a "reasonable person" in his/her public position to depart from the faithful and impartial discharge of his/her public duties or which he/she knows or which a reasonable person in his/her position should know under the circumstances is primarily for the purpose of rewarding him/her for official action he/she has taken. §24-18-104, C.R.S.
- A Board member shall not engage in a substantial financial transaction for his/her private business purposes with a person whom he/she inspects or supervises in the course of his/her official duties. §24-18-109, C.R.S.
- A Board member shall not perform an official act directly and substantially affecting to its economic benefit, a business or other undertaking in which he/she either has a substantial financial interest or is engaged as counsel, consultant, representative or agent. §24-18-109, C.R.S.
- A Board member shall not accept goods or services for his/her own personal benefit offered by a person who is at the same time providing goods or services to the PFA under a contract or other means by which the person receives payment or other compensation from the PFA, unless the totality of the circumstances attendant to the acceptance of the goods or services indicates that the transaction is legitimate, the terms are fair to both parties, the transaction is supported by full and adequate consideration, and the Board member does not receive any substantial benefit resulting from his/her official status that is unavailable to members of the public generally. §24-18-109, C.R.S.
- A Board member shall not be interested in any contract made in his/her official capacity or by any body, agency, or board of which he/she is a member or employee. §24-18-201, C.R.S.
- A Board member shall not be a purchaser at any sale or vendor at any purchase made by him/her in his/her official capacity. §24-18-202, C.R.S.
- A Board member shall not solicit, accept, or agree to accept any pecuniary benefit upon an agreement or understanding that his/her vote, opinion, judgment, exercise of discretion, or other action as a Board member will thereby be influenced. §18-8-302, C.R.S.
- A Board member shall not solicit, accept, or agree to accept any pecuniary benefit as compensation for having, as a Board member, given a decision, opinion, recommendation, or vote favorable to another or for having otherwise exercised a discretion in his/her favor, whether or not he/she has in so doing violated his/her duty. §18-8-303, C.R.S.

### **State Ethical Principles**

- A Board member "should not acquire or hold an interest in any business or undertaking which that Board member has reason to believe may be directly and

- substantially affected to its economic benefit by official action to be taken by an agency over which the member has substantive authority." §24-18-105, C.R.S.
- A Board member "should not perform an official act directly and substantially affecting a business or other undertaking to its economic detriment when the member has a substantial financial interest in a competing firm or undertaking." §24-18-105, C.R.S.
  - A Board member should not, within six months following termination of his/her office, obtain employment in which he/she will take direct advantage, unavailable to others, of matters with which he/she was directly involved during his/her term. §24-18-105, C.R.S.
  - A Board member is discouraged from assisting or enabling members of his/her immediate family in obtaining employment, a gift of substantial value, or an economic benefit tantamount to a gift of substantial value from a person whom the Board member is in a position to reward with official action or has rewarded with official action the past. §24-18-105, C.R.S.

### Board Standards

In addition to the ethics statements above, the PFA Board also subscribes to its own standards of conduct. As a member of the Board of Directors, each should strive to faithfully perform his/her duties, and to that end each Board member should agree to:

- Attend all regularly scheduled Board meetings insofar as possible and become informed concerning the issues to be considered at these meetings.
- Endeavor to make policy decisions only after full discussion at publicly held Board meetings.
- Render all decisions based on the available facts and independent judgment and refuse to surrender that judgment to individuals or special interest groups.
- Encourage the free expression of opinion by all Board members and respect each other's opinions and views on issues.
- Seek systematic communications between the Board and PFA staff (utilizing the proper chain of command) and all elements of the community.
- Work with other Board members to establish effective Board policies and delegate authority for the daily administration of the Authority to the Chief.
- Share with other Board members and the Fire Chief the communications from the public/constituents regarding Board policies and Authority programs and information.
- Support the employment of the best qualified to serve as Authority staff and insist on a regular and impartial evaluation of all employees, utilizing the chain of command.
- Avoid being placed in a position of conflict of interest and refrain from using a Board position for personal, financial, or partisan gain.
- Avoid private activities that will compromise the Board, the Authority's mission or the public trust and confidence.

- Respect and preserve the confidentiality of information that is privileged under applicable laws such as the contents of executive sessions.

Approved this 23<sup>rd</sup> day of February 2021, by the Poudre Fire Authority Board of Directors.

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PFA Board Chair

---

Attest

## Resolution 21 – 2 Reaffirming Ethical Standards and Principles for Poudre Fire Authority Fire Chief

Whereas, the Poudre Fire Authority Board of Directors recognizes that the proper operation of the Poudre Fire Authority requires that the fire chief be independent and impartial and abide by all applicable rules of ethical conduct; and,

Whereas, the Poudre Fire Authority Board of Directors approved Resolution 14-12 on September 23, 2014 establishing Ethical Standards and Principles for Poudre Fire Authority Fire Chief.

Now, therefore, the Poudre Fire Authority Board of Directors reaffirms the following Ethical Standards and Principles for the Poudre Fire Authority fire chief.

### Ethical Standards and Principles for the Poudre Fire Authority Fire Chief

The purpose of the Ethical Standards and Principles for the Poudre Fire Authority fire chief is to actively support the advancement of the fire service, dedicated to the protection and preservation of life and property against fire, provision of emergency medical services and other emergencies. Towards this endeavor, the Poudre Fire Authority fire chief shall represent those ethical principles consistent with professional conduct as a member of the Poudre Fire Authority:

- Recognize that I serve in a position of public trust that imposes responsibility to use publicly owned resources effectively and judiciously.
- Not use public position to obtain advantages or favors for friends, family, personal business ventures, or myself.
- Use information gained from my position only for the benefit of those I am entrusted to serve.
- Conduct my personal affairs in such a manner that I cannot be improperly influenced in the performance of my duties.
- Avoid situations whereby my decisions or influence may have an impact on personal financial interests.
- Seek no favor and accept no form of personal reward for influence or official action.
- Engage in no outside employment or professional activities that may impair or appear to impair my primary responsibilities as a fire official.
- ~~Comply with local laws and campaign rules when supporting political candidates and engaging in political activities.~~
- While on-duty strictly comply with the requirements and limitations on political activities set forth in the Colorado Fair Campaign Practices Act, including CRS 1-45-117. Ensure that any political activities I engage in while off-duty do not conflict with my duties as Fire Chief and do not create a conflict of interest with, or erode public trust in, Poudre Fire Authority.
- Handle all personnel matters on the basis of merit.
- Carry out policies established by elected officials and policy makers to the best of my ability.

- Refrain from financial investments or business that conflicts with, or is enhanced by, my official position.
- Refrain from endorsing commercial products through quotations, use of photographs, testimonials, for personal gain.
- Develop job descriptions and guidelines at the local level to produce behaviors in accordance with the code of ethics.
- Conduct training at the local level to inform and educate local personnel about ethical conduct and policies and procedures.
- Have systems in place at the local level to resolve ethical issues.
- Orient new employees to the Poudre Fire Authority's ethics program during new employee orientation.
- Review the ethics management program in management training experiences.
- Deliver accurate and timely information to the public and to elected policymakers to use when deciding critical issues.


Approved this 23<sup>rd</sup> day of February 2021, by the Poudre Fire Authority Board of Directors.

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PFA Board Chair

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Attest

	<b><u>DISCUSSION AGENDA ITEM SUMMARY</u></b>
Prompt, Skillful, Caring	<b>Item #:</b> 8 <b>Meeting Date:</b> 02/23/2021 <b>PFA Staff:</b> Ann Turnquist, Janet Miller

**SUBJECT:**

Fire Chief Hiring Process and Naming of Finalists for Fire Chief Position

**EXECUTIVE SUMMARY**

The purpose of this agenda item is to name finalist Fire Chief candidates and to finalize plans for interviewing candidates.

As of publication of this Board Agenda, initial board screening of semi-final candidates has not been completed and the Executive Search Firm has not made recommendations for finalists. These finalists will be presented to the Board at the meeting on February 23, 2021.

**DISCUSSION/BACKGROUND**

The Poudre Fire Authority (PFA) Board of Directors has been conducting a search process for a new Fire Chief over the last several months. Applications were accepted by GovHR until December 31, 2020.

The next stage of the selection process requires that the Board name finalists for the position. State law requires that these candidates be named publicly and that those names are posted on the PFA web site and in a public place. State law further requires that the Board's final interviews with these candidates be conducted in public and that a conditional job offer not be tendered to a candidate until at least 14 days after the names of finalists are published (March 9, 2021).

At this Board meeting, GovHR and staff will present a recommended list of finalists based on Board feedback developed during meetings between Board members and candidates during the week of February 15, 2021. If the Board agrees to the recommended list of candidates, the names will be published on the PFA web site and in a public place.

An interview process for finalists is currently scheduled for March 2 and 3, 2021. This process will include the following elements:

**Monday, March 1 (evening)**      Candidates arrive in Fort Collins

**Tuesday, March 2**

Morning	Candidate tours
Afternoon	Employee forum via zoom (with written feedback to Board)

Evening Community forum via zoom (with written feedback to Board)

**Wednesday, March 3**

Morning

Interviews with Senior Leadership Team

Afternoon

Interview with PFA Board of Directors (public Board Meeting)

Board executive session to discuss entering into contract negotiations with final candidate

**STAFF RECOMMENDATION**


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Staff looks forward to discussing the details of the interview process with the Board.

**FINANCIAL / ECONOMIC IMPACTS**

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None.

 <p>Poudre Fire Authority</p> <p>Prompt, Skillful, Caring</p>	<p><b><u>BRIEFING PAPERS/OTHER BUSINESS</u></b></p> <p>Item #: 9 Meeting Date: 02/23/2021 PFA Staff: Tom DeMint</p>
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**SUBJECT:**

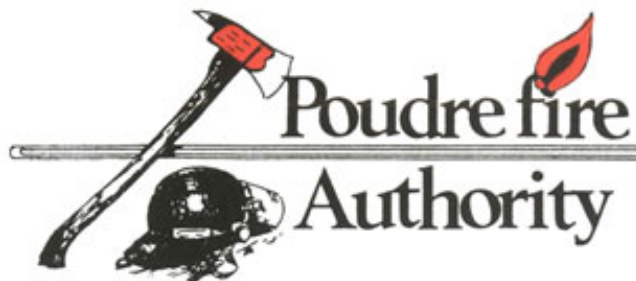
Briefing Papers / Other Business

**EXECUTIVE SUMMARY**

The briefing papers this month include:

**ATTACHMENTS**

- a. 2-23-21 Monthly Financial Reports - January 2021
- b. 1-25-2021 PVFPD Minutes
- c. PVFPD - Support HB535 and S. 91 Special District Essential Services Act



102 Remington Street  
Fort Collins, CO 80524









Phone: (970) 416-2892  
Fax: (970) 416-2809  
Internet: [www.poudre-fire.org](http://www.poudre-fire.org)

TO: Poudre Fire Authority Board of Directors  
FM: Kirsten Howard, Finance and Budget Supervisor *KLH*  
DT: February 16, 2021  
RE: January 2021 Financial Reports

The general fund and capital fund financial statements for the month ending January 31, 2021 are attached.

Financial Variances:

Figure 1

Category	January 31, 2021 Variance from Monthly Budget
Revenues	\$3,511 or 0.14% 
Revenues Key:  >5%  Between $\geq$ -5% and $\leq$ 5% of Budget  < -5%	
Operating Expenses	-\$329,317 or -12.49% 
Expenses Key:  >5%  Between $\geq$ -5% and $\leq$ 5% of Budget  < -5%	

Clarification for the General Fund report (Figure 1):



-  The variance in revenue is due to fees and charges for service revenue received at a higher rate than budgeted.
-  The variance in operating expenses is due to the annual workers' compensation expense paid in January, and new positions not yet hired in January.
- The Revenue Over Expenditures in the Budget column of -\$1,132,279 (Table 1) is due to the transfer to capital of \$467,370 for Station 6 Shop, appropriations in subsidiary maintenance and replacement funds from reserve of \$1,375,616, appropriation of \$136,419 from KFCG reserve, and appropriation of \$87,614 from insurance liability reserve.

Table 1

General Fund  
Statement of Revenues, Expenditures and Changes in Fund Balances--  
Actual and Budget  
For the Month Ended January 31, 2021

	January 2021			Year-to-Date 2021			Annual Budget	
	Actual	Monthly Budget	Percent Monthly Budget Received/ Expended	Actual	Year-to-Date Budget	Percent Year-to-Date Budget Received/ Expended	Annual Budget	Percent Actual Year-to-Date Budget Received/ Expended
<b>REVENUES</b>								
Intergovernmental	\$2,402,919	\$ 2,402,919		\$2,402,919	\$2,402,919		\$36,813,541	
Fees and charges for services	97,170	76,188		97,170	76,188		914,255	
Earnings on Investments	2,216	3,333		2,216	3,333		40,000	
Grants		0			0		0	
Miscellaneous revenue		22,125			22,125		265,500	
<b>Total Revenues</b>	<b>2,502,305</b>	<b>2,504,566</b>	<b>99.91%</b>	<b>2,502,305</b>	<b>2,504,566</b>	<b>99.91%</b>	<b>38,033,296</b>	<b>6.58%</b>
<b>EXPENDITURES</b>								
Administration	594,946	87,703		594,946	4,636,700		4,636,700	
Fire Prevention & Comm Risk Reduction	176,050	240,911		176,050	2,890,928		2,890,928	
Grants		0			0		0	
Support	385,661	655,819		385,661	7,869,825		7,869,825	
Operations	1,479,135	1,980,677		1,479,135	23,768,122		23,768,122	
<b>Total Expenditures</b>	<b>2,635,792</b>	<b>2,965,109</b>	<b>12.49%</b>	<b>2,635,792</b>	<b>39,165,575</b>	<b>-93.27%</b>	<b>39,165,575</b>	<b>-93.27%</b>
Excess or Deficiency of Revenues Over or Under Expenditures	<u>(\$133,488)</u>	<u>(\$460,544)</u>		<u>(\$133,487)</u>	<u>(\$36,661,009)</u>		<u>(\$1,132,279)</u>	
Fund Balance January 1, 2020				\$16,358,529				
Fund Balance January 31, 2021				\$16,225,042				

Clarification for the Capital Fund report (Table 2):

- The Excess or Deficiency of Revenues Over or Under Expenditures is shown because these are non-lapsing projects, so the appropriations and fund balances carryover from year-to-year, rather than being spent in the year in which they are appropriated. The Capital Projects have been reduced to three projects in 2021: Fleet Maintenance Capital, Station 6 Shop, and Station 7.

Table 2

Capital Fund  
Statement of Revenues, Expenditures and Changes in Fund Balances--  
Actual and Budget  
For the Month Ended January 31, 2021

	Year-to-Date		Percent Received/ Expended
	Actual	Annual Budget	
<b>REVENUES</b>			
Fleet Maintenance Capital	\$115,425	\$1,391,592	
Burn Building			
Station 6 Shop	\$64,067	\$1,262,901	
Station 7	\$260	\$13,606	
<b>Total Revenues</b>	<b>\$179,751</b>	<b>\$2,668,099</b>	<b>6.74%</b>
<b>EXPENDITURES</b>			
Current:			
Fleet Maintenance Capital	\$359,539	\$1,404,297	
Burn Building			
Station 6 Shop		\$1,132,397	
Station 7		\$35,551	
<b>Total Expenditures</b>	<b>\$359,539</b>	<b>\$2,572,245</b>	<b>13.98%</b>
Excess or Deficiency of Revenues Over or Under Expenditures	<u>(\$179,788)</u>	<u>\$1,566,429</u>	
Fund Balance January 1, 2020	\$9,765,569		
Fund Balance January 31, 2021	\$9,585,781		



## Poudre Valley Fire Protection District

102 Remington Street ♦ Fort Collins, CO 80524  
 Phone: (970) 416-2837 ♦ Fax: (970) 416-2809  
 Internet: [www.PoudreValleyFireProtectionDistrict.org](http://www.PoudreValleyFireProtectionDistrict.org)

### POUDRE VALLEY FIRE PROTECTION DISTRICT BOARD OF DIRECTORS MEETING January 25, 2021

The Poudre Valley Fire Protection District (PVFPD) Board of Directors met virtually at 8:30 a.m. on January 25, 2021. Present were Board members Mike DiTullio, Dave Pusey, Tess Heffernan, and Cory Younie. James Gentry was excused absent. Present were Fire Chief Tom DeMint, Administrative Services Director Ann Turnquist, Administrative Assistant Patti Forsythe, and Recording Secretary Shawn Williams. Rob Spangler and Jeff Arnold with Leading Associations were present as guests.

Tess Heffernan called the meeting to order at 8:30 a.m.

#### Pledge of Allegiance

#### Public Comment

##### 1. Consideration and Possible Action to Approve the Minutes of the December 14, 2020 Regular Meeting

*Mike DiTullio made a motion to Approve the December 14, 2020 Regular Meeting Minutes. Dave Pusey seconded the motion. The motion passed by unanimous vote of the Board.*

##### 2. Consideration and Possible Action to Continue Resolution 2020-03 A Continuation of Declaration of Local Disaster Emergency

*Dave Pusey made a motion to Continue Resolution 2020-03 A Continuation of Declaration of Local Disaster Emergency. Mike DiTullio seconded the motion. The motion passed by unanimous vote of the Board.*

##### 3. Consideration and Possible Action to Approve the 2020 Fourth Quarter Financial Statement and Revenue Report.

Patti Forsythe reviewed the 2020 Fourth Quarter Financial Statement and Revenue Report with the Board.

*Dave Pusey made a motion to approve the 2020 Fourth Quarter Financial Statement and Revenue Report. Cory Younie seconded the motion. The motion passed by unanimous vote of the Board.*

**4. Consideration and Possible Action to Approve the PVFPD Strategic Planning Session Scope of Work and Letter of Engagement with Leading Associations.**

Ann Turnquist reviewed the PVFPD Strategic Planning Session Scope of Work and Letter of Engagement with Leading Associations with the Board. Ann Turnquist and Patti Forsythe advised they met with Rob Spangler and Jeff Arnold of Leading Associations and stated they were present at the board meeting.

Rob Spangler addressed the Board and answered questions. Dave Pusey requested Rob Spangler or Jeff Arnold make a mini presentation of what Leading Associations could accomplish for the Board. Jeff Arnold advised they would continue with the initial work completed by the Board as well as gathering additional data.

*Dave Pusey made a motion to enter into an agreement with Leading Associations to connect the Strategic Plan Process to the District Letter of Engagement with Leading Associations and asked staff to further negotiate the details. Cory Younie seconded the motion. The motion passed by unanimous vote of the Board.*

**5. Discussion Items**

**a. Poudre Fire Authority (PFA) Accreditation Recommendations**

**b. 2020 Fourth Quarter Activity Reports**

**Poudre Fire Authority (PFA) Accreditation Recommendations** - Tom DeMint stated he was very pleased with the Accreditation Hearing and congratulated Ron Simms for guiding efforts that allowed the hearing to take place virtually during the PFA Board meeting.

Tom DeMint advised Ron Simms would be assuming the Deputy Fire Marshal position in Fire Prevention and Community Risk Reduction. Tom stated Sean Jones will be assuming the duties of the Planning and Analysis position.

Sean Jones provided the Board with a PowerPoint presentation on what the Accreditation process is for the future.

Tom DeMint commended staff for a job well done and the Board was in full agreement. Tom also thanked the PFA Board of Directors for their support.

**6. Poudre Fire Authority Agenda Review**

Tom DeMint reviewed the PFA Agenda Review with the Board.

**7. Administrative Business**

**a. Fire Capital Expansion Fee Update**

**b. PFA Fire Chief Recruitment Discussion**

**Fire Capital Expansion Fee Update** - Tom DeMint stated staff continues to work with the Town of Timnath on the Fire Capital Expansion Fees. Tom advised he has a meeting scheduled with the new Town of Timnath Attorney Robert Rogers and new Town Manager Aaron Adams.

**PFA Fire Chief Recruitment Discussion** - Ann Turnquist suggested discussion on how the Board wants to structure the interview committees in the Fire Chief Recruitment process. Ann advised preliminary interviews have been conducted and the PFA Board will be receiving 11 or 12 portfolios to review electronically on January 29th. Ann stated there will be a meeting with the recruiter on February 4th to review the candidates and narrow the field to between five to eight candidates for initial interviews with Board.

**8. Other Business**  
**a. Planning Calendar**  
**b. Information Sharing**

Tom DeMint advised the firefighters are currently getting their second COVID-19 vaccinations. Tom stated there is a high acceptance rate for the vaccine.

The meeting adjourned at 9:46 a.m.

# Poudre Valley Fire Protection District Agenda Item

**Date:** February 22, 2021

**From:** Tom DeMint

**Item:** #4 – Consideration and Possible Action to Support Special Districts’ Access to COVID-19 Relief for Local Governments by Joining National Special Districts Advocacy Call\*

**Recommendation:** That the Board Support Special Districts’ Access to COVID-19 Relief for Local Governments by Joining National Special District Advocacy Call and to Send a Letter of Support to Colorado’s Elected Delegates\*

**Attachments:**

- Fact Sheet for Districts - Senate Special Districts Provide Essential Services Act 117
- Letter Supporting H.R. 535 and S. 91, the Special Districts Provide Essential Services Act

## EXECUTIVE SUMMARY

### *Special Districts Provide Essential Services Act*

Special Districts do not have the ability to receive COVID-19 relief under existing legislation throughout the nation. This precludes the Poudre Valley Fire Protection District (PVFPD) from receiving any relief as other local jurisdictions may. The Special Districts Association (SDA) of Colorado has asked that special districts throughout the state contact their Senators and Representatives in Washington, DC to express those desires. Staff has prepared a letter of support for H.R. 535 and S. 91, the Special Districts Provide Essential Services Act addressed to Senators Bennet and Hickenlooper as well as Congressman Neguse. The correspondence explains the pandemic’s impact on operations, services, and staff of special districts throughout Colorado and the country.

In addition to the proposed letter to our Congressional Delegation a four-page fact sheet prepared by SDA is attached. This fact sheet highlights specific issues addressed in the legislation as well as answers many questions that may be asked.

Staff recommends that the Board approve the letter attached for delivery to the Congressional Delegation representing the PVFPD.



These bills are identical to the bipartisan S. 4308 from the 116<sup>th</sup> Congress. H.R. 535 and S. 91 would allow the vital services that communities rely upon to continue unhindered, while also providing greater certainty for these governments to retain their essential workers. Specifically, the legislation would establish a federal definition of “special district”, allow special districts’ access to future Coronavirus Relief Fund allocations, and designate special districts as “eligible issuers” of the Federal Reserve Board’s Municipal Liquidity Facility.

Without ready access to pandemic relief available to other units of local government, the risk of special districts’ inability to continue providing uninterrupted, vital services to their communities will continue to grow. We look forward to working with you to ensure all essential workers and the vulnerable communities they serve receive equitable access to these important relief funds.

Thank you for your consideration of our request.

Sincerely,

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James Gentry  
Chair

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Teresa Heffernan  
Vice Chair

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Dave Pusey  
Secretary/Treasurer


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Mike DiTullio  
Director

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Cory Younie  
Director

Poudre Valley Fire Protection District

 <p>Prompt, Skillful, Caring</p>	<p style="text-align: right;"><b><u>CORRESPONDENCE</u></b></p> <p><b>Item #:</b> 10 <b>Meeting Date:</b> 02/23/2021 <b>PFA Staff:</b> Kirsten Howard</p>
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**SUBJECT:**

Correspondence

## **EXECUTIVE SUMMARY**

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Correspondence has been included that may be of interest to Board members, community members, and employees.

## **ATTACHMENTS**

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- a. Smith Correspondence


Thank You



Dear Poudre Fire Authority,

Thank you for all you did to help stop the spread and burning of the East Troublesome Fire. You're a hero to so many!

Ella and Grace Smith

 <p>Prompt, Skillful, Caring</p>	<p align="center"><b><u>DISCUSSION AGENDA ITEM SUMMARY</u></b></p> <p><b>Item #:</b> 11  <b>Meeting Date:</b> 02/23/2021  <b>PFA Staff:</b> Ann Turnquist, Janet Miller</p>
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**SUBJECT:**

Possible Executive Session to Provide Direction to the Fire Chief Search Fire on Matters Related to Fire Chief Hiring Process

**EXECUTIVE SUMMARY**

Board Motion to go into Executive Session:

As permitted by Colorado Revised Statutes Section 24-6-402(3.5) and (4)(e), I make a motion that the Board go into executive session to provide direction to the Fire Chief Search Firm on matters related to the Fire Chief hiring process.

Applicable Statutory Provision:

24-6-402(3.5): “Nothing in this subsection (3.5) shall be construed to prohibit a search committee [i.e., the PFA Board] from holding an executive session to consider appointment or employment matters not described in this subsection (3.5) and otherwise authorized by this section [i.e., 24-6-402(4)].”

24-6-402(4): “The members of a local public body subject to this part 4, upon the announcement by the local public body to the public of the topic for discussion in the executive session, including specific citation to the provision of this subsection (4) authorizing the body to meet in an executive session and identification of the particular matter to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized, may hold an executive session only at a regular or special meeting and for the sole purpose of considering any of the following matters; except that no adoption of any proposed policy, position, resolution, rule, regulation, or formal action... shall occur at any executive session not open to the public...”

**STAFF RECOMMENDATION**

That the PFA Board make a motion to go into Executive Session.

**FINANCIAL / ECONOMIC IMPACTS**

None.