



SOUTH METRO FIRE RESCUE
Special Board of Directors' Meeting
October 17, 2022
Station 21, 2250 S. Emporia Street, Denver, CO

I. SPECIAL BOARD MEETING – 6:00 P.M. – Bays

A. MEETING CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. PUBLIC COMMENT

Public Conduct at Meetings. Comments by members of the public shall be made only during the “Public Comment” portion of the meeting or a specified “Public Hearing,” and shall be limited to three minutes per individual and five minutes per group spokesperson unless additional opportunity is given at the Board’s discretion. Each member of the public wishing to speak shall identify themselves by name, address, and agenda item, if any, to be addressed. Disorderly conduct, harassment, or obstruction of or interference with meetings by physical action, verbal utterance, nuisance or any other means are prohibited. Such conduct may result in removal of person(s) responsible for such behavior from the meeting, a request for assistance from law enforcement, and criminal charges filed against such person(s).

E. DISCUSSION ITEMS

1. Partner Agency Update – 4 Square Mile – Mark Lampert
2. FAMLI Overview – Chapman
3. 2023 Board Election Overview – Dell’Orfano

F. INFORMATION ITEMS

1. Station Tour

G. EXECUTIVE SESSION (by motion)

N/A

H. NEXT MEETING(S)

Regular Board of Directors’ Meeting to be held on November 7, 2022, 6:00 p.m. at 9195 E. Mineral Avenue, Centennial, CO.

I. ADJOURNMENT



NOTICE

SPECIAL BOARD MEETING

SOUTH METRO FIRE RESCUE FIRE PROTECTION DISTRICT

Special Board of Directors' Meeting

scheduled for

October 17, 2022 at 6:00 p.m.

9195 East Mineral Avenue, Centennial, CO

Has been moved to

Station 21, 2250 S. Emporia Street, Denver, CO

SOUTH METRO FIRE RESCUE

BOARD AGENDA

MEETING DATE: 10/17/2022

AGENDA ITEM TYPE: DISCUSSION ITEM

SUBJECT: Colorado Paid Family and Medical Leave Insurance Program

BACKGROUND:

The Colorado Paid Family and Medical Leave Insurance Act (FAMLI) was a voter approved initiative in 2020. FAMLI ensures all Colorado workers have access to paid leave to take care of themselves or their family during life circumstances that pull them away from their jobs. This can be for a serious health condition, birth or adoption of a child, or other qualifying reasons. It provides eligible employees with up to twelve weeks of leave in a twelve-month period. This includes job protection and payment of benefits. FAMLI will start providing benefits to employees beginning January 1, 2024, with premium contributions beginning January 1, 2023. The Act applies to all employers in Colorado. However, as a special district, SMFR has the option to participate in or opt out of the program. A Board vote is required should the District desire to opt out.

FAMLI is operated by the Colorado Department of Labor (CDLE) similar to the State unemployment system. It requires a premium contribution of 0.90% of employee wages. The employer is responsible for contributing 0.45% of each qualifying employee's salary, and each employee contributes 0.45% of their salary. All employees of the District making over \$2,500 per year are eligible. If SMFR participates in the program, an annual premium of approximately \$360,000 will be paid by the District for 2023. When an employee has a qualifying event, they will apply for the benefit through CDLE. Benefits to the employee are determined based on a covered individual's average weekly wage up to the maximum total benefit established by statute. This is based on a percentage of the State's average weekly wage. The maximum weekly benefit is \$1,100 for 2024. Based on their formula, a SMFR Battalion Chief would receive the same weekly benefit as a SMFR Firefighter, for example.

SMFR has three options.

- 1) Participate in FAMLI (just like all private employers). This option will cost the District approximately \$360,000 and will cost employees between \$235 and \$1,321 for 2023.
- 2) Decline **all** participation. This option will cost the District and employees nothing and will have no negative effect on current employees. Employees still have the option of

participating in the program directly with CDLE on their own. Employees opting to participate must remain in the program for three years.

- 3) Decline employer participation. This option will cost the District administrative expenses to process employee contributions and will cost employees between \$235 and \$1,321 for 2023. This will allow employees to participate with the District submitting contributions to CDLE on the employees' behalf.

There are several benefits to the District to opt out of the program. Opting out will save the District approximately \$360,000, while not limiting an employee's ability to participate. Each employee can make an independent decision for themselves to participate and pay the monthly premium contribution on their own, with no impact to the premium. In addition, the benefits provided to employees by SMFR exceed those provided by the FAMLI program. Benefits such as paid sick, vacation, holiday, and parental/maternity leave; FMLA; sick leave donations; extended job protection under the disability guidelines; and short- and long-term disability benefits are provided to employees to be used in the situations provided under the FAMLI program. Many of these benefits provide full wages to the employee rather than partial wages based on a State-driven formula. Should the District participate in the program, offsets would be required when employees use District benefits, creating additional administrative burden on the District, as the rules do not allow an employee to receive more than 100% of their regular wages. This creates a situation where the employee would receive the same or greater benefit without participating in the FAMLI program, while eliminating any cost to the District or the employee.

RECOMMENDATION:

Staff is recommending the District decline participation and opt out of the program. This is recommended due to the current benefits provided to employees exceeding the benefit provided under FAMLI. This recommendation is supported by the Local 2086. In addition, a survey of several local fire departments revealed that 11 out of 12 are opting out of FAMLI. Should the Board elect to opt out of the FAMLI program, staff will prepare a resolution for reading at the next regularly scheduled District Board meeting. Employees will be notified of this meeting, so they can provide comments directly to the Board should they desire. A decision to opt out will be for a period of eight years, then a re-opt out is required.

SUBMITTED BY: Camie Chapman, Human Resources Director **APPROVED BY:** Mike Dell'Orfano

SOUTH METRO FIRE RESCUE

BOARD AGENDA

MEETING DATE: 10/17/2022

AGENDA ITEM TYPE: DISCUSSION ITEM

SUBJECT: May 2, 2023 Board of Director Election

BACKGROUND: In preparation for the upcoming board election, staff will be providing an overview of the process and asking for direction in order to prepare the necessary documents for the December board meeting when we “call for the election”. We’ll be discussing whether to use the same model as 2022 with a director-district, mail-ballot election, where directors will be elected by the eligible electors only within each director district. Attached are the costs for the 3-director-district, mail-ballot election in 2022, along with a comparison of costs since 2018.

RECOMMENDATION: N/A

SUBMITTED BY: Mike Dell’Orfano

APPROVED BY: Bob Baker

ELECTION STATISTICS

Election Year	Mail Ballot Election	Printing/Ballots	Total Cost
2022	26,921 ballots returned	\$91,007	\$357,436
	18,466 voted		
	8,429 returned undeliverable		
	141,471 not returned		
	168,369 ballots issued		
	195,000 ballots printed		

Election Year	Mail Ballot Election	Printing/Ballots	Total Cost
2020	37,596 ballots returned	\$97,098	\$399,394
	37,596 voted		
	13,725 returned undeliverable		
	1,673 ineligible electors		
	120 Rejected		
	326,456 not returned		
	364,052 ballots issued		
	380,000 ballots printed		

Election Year	Polling Place Election	Printing/Ballots	Total Cost
2018	1,126 ballots delv. to electors	\$11,404	\$153,944
	102 voted		
	8,024 ballots printed		