

South Metro Fire Rescue Fire Protection District
Special Board of Directors' Meeting Minutes
October 17, 2022

Present:	Jim Albee, Chair	Bob Baker, Fire Chief
	Renee Anderson, Vice Chair	Mike Dell'Orfano, Chief Govt. Affairs Officer
	William Shriver, Treasurer	John Curtis, Deputy Chief – Emergency Services
	Sue Roche, Secretary	Jon Adams, Deputy Chief - Internal Services
	Cindy Hathaway	Kristin Eckmann, Deputy Chief – Community Services (absent)
	Kevin Leung	Dillon Miskimins, CFO Business Services
	Rich Sokol	Camie Chapman, CHRO Employee Services
		Bob Cole, Legal Counsel (absent)

Others Present: SMFR Staff & Citizens

MEETING CALLED TO ORDER

Chair Albee called the special meeting of the South Metro Fire Rescue Fire Protection District to order at 6:15 p.m. at Station 21, 2250 South Emporia Street in Arapahoe County & welcomed everyone to the meeting.

PLEDGE OF ALLEGIANCE

Chair Albee led the Pledge of Allegiance to the United States of America.

ROLL CALL

All of the Board Members were present in person.

PUBLIC COMMENT

N/A

DISCUSSION ITEMS

Chief Dell'Orfano asked that a discussion item be added to the agenda to discuss the City of Littleton Downtown Development Authority ballot question. Chair Albee and the board had no objection to the request.

Partner Agency Update – 4 Square Mile– Mark Lampert

Mark Lampert, Four Square Mile Planning Committee Member (former Cunningham Fire Protection District Board Member), presented a PowerPoint presentation which provided the Board and audience with an overview of the 4 Square Mile Area Plan including the following:

- Zoning history
- Land use area
- Rate of growth
- Population
- Demographics
- Future development

DISCUSSION ITEMS

The Colorado Paid Family and Medical Leave Insurance Act (FAMLI) – CHRO Camie Chapman

CHRO Camie Chapman presented an overview and PowerPoint presentation of the act and the options available for consideration to participate or opt out of The Colorado Paid Family and Medical Leave Insurance Act (FAMLI) Act benefit.

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.

Director Sokol asked for clarification on the cost associated to SMFR opting into the benefit, as well as why would an employee opt into the benefit independently. CHRO Camie Chapman confirmed the cost to SMFR would be approximately \$360,000 and explained, independently opting in as an employee would benefit a new employee that does not have a current FAMLI benefit of job protection for the first year of employment.

After Camie Chapman's presentation to the Board and further discussion, it was a consensus by the Board to decline all participation. A resolution will be prepared for reading at the next regularly scheduled District Board meeting.

Director Anderson suggested that verbiage written in the resolution of opting out of the FAMI Act benefit should reiterate that SMFR benefits outweigh the benefits of the FAMLI Act benefits provided.

Director Rich Sokol left the meeting at 7:10pm.

2023 Board Election Overview – Chief Dell’Orfano

Chief Dell’Orfano asked the Board, in preparation for the upcoming 2023 board election, if it would be preferred to continue a mail ballot and director district process. Chief Dell’Orfano provided an overview of the process, as well as brief history on previous elections and asked for direction in order to prepare the necessary documents for the December board meeting when we “call for the election.” Chief Dell’Orfano reminded the board that the 2022 election was a director-district, mail-ballot election, where directors were elected by the eligible electors only within each director district. Included in the packet are the costs for the 3-director-district, mail-ballot election in 2022, along with a comparison of costs since 2018 and the potential of higher cost increases to come.

Chief Dell’Orfano provided an update of the move to odd-year elections and the counties’ ability to assist with special district elections. This is an on-going discussion at this time. Arapahoe County is one that will need more time due to having a high volume in elections and redistricting. Jefferson County is not willing to help with election or use their drop boxes so far. Douglas County is very willing to help, however they are pulling back just a bit until the election in November to see who the County Clerk will be. It may be January until this is resolved and if this is a possible solution, particularly utilizing drop boxes.

Director Anderson wanted clarification on the use of CRS for the upcoming election. Chief Dell’Orfano stated that we have limited CRS’s scope over the past few elections and they concentrate on everything to do with processing the ballots. Bob Cole’s office finishes the voter list with property owner verifications and provides oversight of CRS’s work. It seems to work better having CRS, Cole’s staff, and SMFR staff work together with each entity having a role.

After discussion, it was a consensus of the Board to continue on a mail ballot and director district election for 2023.

City of Littleton Downtown Development Authority Ballot Question – Chief Dell’Orfano

Chief Dell’Orfano informed the Board that the City of Littleton is in the process of creating a Downtown Development Authority which would include a funding option that utilizes property taxes from all taxing entities, sales tax, and a separate mill levy. Similar to an Urban Renewal Authority, the DDA would utilize tax increment financing to fund reinvestment projects. In order to establish the DDA, they will need a vote of the public. It will only apply to the residents, property owners and leasee’s within the DDA boundaries. We are the leasee of Station 11, therefore we will receive a ballot to vote for this DDA. Chief Dell’Orfano asked the Board where they stand on the issue of voting on this ballot and which Board member would cast the vote.

Director Andersen asked if this would affect the organization as it did Parker. During discussion, Chief Dell’Orfano stated that the impact is unknown as we do not know the extent of investment and the impact on taxes. We currently receive about \$486,000 from the DDA boundaries. Compared to Parker’s URA, there is less open land so the DDA may not have the same dramatic effect on the ultimate TIF.

Kevin Leung left at 8:00pm and was not included in the final determination.

Chair Albee expressed the importance of partnership with Littleton, however needing more information, time and clarity is necessary and based on the limited information learned at the City of Littleton, City Manager’s Meet and Greet today was not sufficient time or information to make a decision at this time. Therefore, the direction from the Board was to abstain from the vote.

Chief Dell’Orfano suggested that we ask for a financial model and meeting with a consultant for clarity if it passes the election.

INFORMATION ITEMS

Correspondence items in the Board's packet are summarized below as well as other information items that were communicated:

Chief Baker announced our Annual Compliance Report was approved for accreditation.

Chief Baker mentioned that when the four new medic unit replacement takes place, the existing units would be donated to Ukraine.

Chief Baker encouraged the Board to listen to the newest podcast which spells out the thought process of the restructure of the organization.

Chief Baker expressed his gratitude that Matt Searcy is back online and running the station tour tonight after his amazing recovery.

Chief Dell'Orfano stated that the dedication at the Troy Jackson Training Center will be taking place in mid-November, date is not yet ready to communicate.

Mark Dzengelewski expressed gratitude from all members in regard to the approval of no longer having cell phone towers.

Mark Dzengelewski notified of the Top Golf Foundation Event on Nov. 10 benefiting Children's Hospital.

Mark Dzengelewski thanked Mark Lampert for all the work he has done on the Board especially during the consolidation, all members appreciate it.

Station Tour – Lieutenant Searcy and his crew provided the Board with a tour of the station.

EXECUTIVE SESSION (UPON MOTION)

N/A

NEXT MEETING

The next Regular Board of Directors' meeting to be held on November 7, 2022, 6:00 p.m. at 9195 East Mineral Avenue, Centennial, CO

ADJOURNMENT

Chair Albee adjourned the meeting at 8:45 p.m.

Attested by:  Date: Nov 7, 2022