



TUBAC FIRE DISTRICT

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TUBAC FIRE DISTRICT BOARD MEETING MINUTES
SPECIAL MEETING OF THE BOARD OF DIRECTORS
August 4, 2020

1. Call to order and Pledge of Allegiance: The meeting was called to order at 9:00 a.m. by Mary Dahl. The Pledge of Allegiance was recited.
2. Roll call of Board Members: Board Members present telephonically were Bill Kirkpatrick, Candy Clancy, Mike Connelly and Mary Dahl. Also, in attendance telephonically were Attorney Sam Coppersmith, Gabe Buldra, Keith Walters, and Steve Bitner. Present at Tubac Station #1 were Chief Horvath, Deputy Chief Rivera, Deputy Chief Guerrero, and Nancy Lindsey.
Convene into Executive Session: Mike Connelly made a motion to convene into Executive Session and Candy Clancy seconded the motion; all were in favor, the motion passed.
The Board concluded the Executive Session.
3. Discussion and possible action regarding modification of existing lease agreement with Simply Bits, which covers Simply Bits' use of the Peck Canyon cell tower as well as Stations 1 – 4. The Board might convene into Executive Session regarding this item in accordance with A.R.S. § 38-431.03(A)(7) (allowing executive session for discussion or consultation with designated representatives of the District in order to consider the District's position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property) and/or A.R.S. § 38-431.03(A)(3) (allowing executive session for discussion or consultation for legal advice with the District's attorney).
Candy Clancy made a motion to accept the modification of the existing lease agreement with Simply Bits contingent upon the sale of the Peck Canyon Tower to American Tower and Bill Kirkpatrick seconded the motion; all were in favor, the motion passed.
4. Discussion and possible action regarding an agreement for an easement that would allow access to property adjacent to the Peck Canyon cell tower site. The Board might convene into Executive Session regarding this item in accordance with A.R.S. § 38-431.03(A)(7) (allowing executive session for discussion or consultation with designated representatives of the District in order to consider the District's position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property) and/or A.R.S. § 38-431.03(A)(3) (allowing executive session for discussion or consultation for legal advice with the District's attorney).
Mary Dahl made a motion to approve signing the easement agreement with the provision of the District's Attorney making the final changes to items #3 and #5 and Candy Clancy seconded the motion; all were in favor, the motion passed.
5. Discussion and possible action regarding the potential sale of the District's Peck Canyon cell tower site. The Board might convene into Executive Session regarding this item in accordance with A.R.S. § 38-431.03(A)(7) (allowing executive session for discussion or consultation with designated representatives of the District in order to consider

the District's position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property) and/or A.R.S. § 38-431.03(A)(3) (allowing executive session for discussion or consultation for legal advice with the District's attorney).

Candy Clancy stated that prior to agreeing to the agreement for final sale of the Peck Canyon cell tower she wanted to make sure the language in the agreement was accurate and that the Board would agree to put aside proceeds from the sale to account for the loss of annual revenue and to prevent it from being spent as she has seen other organizations do. Gabe Buldra interjected that the James Vincent Group would make recommendations to the Board on how to allocate the proceeds in the best interest of the District and reminded the Board that the District would be recognizing a loss of revenue from the tower due to the Sprint cancellation. Gabe added that the Board can restrict the funds and that the Board would make the decisions to spend the funds as needed. Mary Dahl made a motion to approve the asset purchase agreement as presented with all schedules updated prior to closing and Bill Kirkpatrick seconded the motion; Mike Connelly was in favor and Candy Clancy was opposed, the motion passed 3:1.

6. Next meeting: August 26, 2020 at 1:30 p.m.
7. Adjourn Meeting: Bill Kirkpatrick made a motion to adjourn the meeting at 9:35 a.m. and Candy Clancy seconded the motion; all were in favor, the motion passed.