



# TUBAC FIRE DISTRICT

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TUBAC FIRE DISTRICT BOARD MEETING MINUTES  
REGULAR MEETING OF THE BOARD OF DIRECTORS  
February 28, 2024

1. Call to order and Pledge of Allegiance: The meeting was called to order at 1:30 p.m. by Sandy Johnson. The Pledge of Allegiance was recited.
2. Roll call of Board Members: Sandy Johnson, Pete Benequista, Herb Wisdom, Rich Bohman and Mary Dahl were present at Tubac Fire Station #2. Also, in attendance at Station #2, Fire Chief Ben Guerrero, Deputy Chief Hesly Guerrero, and Bianca Hamric. Sara Simonton attended on behalf of James Vincent Group. Scott Giles and Mervin Giles attended on behalf of D.L. Norton Commercial Contracting. Members of the public in attendance were John Combo, Genaro Rivera, and Mindy Maddock.
3. Reading of public comments submitted via email: None.
4. Call to the public: None.
5. Correspondence: None.
6. Report from Board Members: Sandy Johnson reported he had a discussion with Board clerk Mary Dahl regarding the Fire Chief evaluation process and possible future amendments for the Fire Chief job description. Herb Wisdom expressed his gratitude to the emergency team that responded to a call at his home.
7. Chief and Staff Report: Chief Guerrero and Deputy Chief Hesly Guerrero provided the following to the Board:
  - a. Operations Update.
  - b. Training.
  - c. Administration Update
8. Monthly Financial Report for January 2024: Sara Simonton presented the financial reports for the month of January 2024. Sara reported that total revenue for the month of January was \$260,112. Total revenue is under budget by \$36,384 for the month and is mostly driven by the Tax Levy revenue that is under budget by \$39,127. Non-Tax Levy revenue was at \$68,092 and over budget by \$2,743. Total expenses were \$329,265 which was under budget by \$30,088. Expenses in all categories came in under budget for the month except for the Communication and IT category that came in over budget at \$1,408. Fiscal Year to date, total revenue was at \$3,274,136 and total expenses were at \$2,494,720 at month's end.
9. Consent Agenda: Mary Dahl made a motion to approve the consent agenda. Rich Bohman seconded the motion; all were in favor; the motion passed.
  - a. Approval of minutes from January 31, 2024.
  - b. Approval of monthly financial reports.

10. Discussion only on Certificate of Necessity with the Arizona Department of Health Services.

Chief Benjamin Guerrero informed the Board that the Certificate of Necessity (CON) issued by the Arizona Department of Health Services requires that the District provide emergency medical response outside of the District boundaries. During Chief Horvath's administration, the decision was made to revise the CON for those areas currently being handled by the Rio Rico Medical and Fire District. This will significantly reduce the District's liability. When the revision is finalized, Rio Rico will accept responsibility for these areas. Coppersmith and Associates are continuing to help the District and the revision is currently under review with the Department of Health Services. Sandy Johnson asked Fire Chief Guerrero if the CON agreement includes fire protection and Fire Chief Guerrero stated it is only for Emergency Medical Services.

11. Discussion and possible action to Surplus Vehicle# 1038.

District staff are recommending the surplus of the 2009 Chevy pickup truck currently used as a staff vehicle. The vehicle needs repair to the front suspension that will cost the District \$8,413.50. Due to the high repair costs and high mileage the staff is requesting approval to proceed and have the vehicle sold at auction. Rich Bohman made a motion to approve this action and Peter Benequista seconded the motion. All were in favor; the motion passed unanimously.

12. Discussion and possible action to purchase a staff vehicle in an amount not to exceed \$26,217.84.

Chief Guerrero presented a request to approve the purchase of a staff passenger vehicle. The Chief stated that the vehicle will only be used to conduct official business for staff, and that American Rescue Plan Act (ARPA) funding would be used. Rich Bohman stated he was against this action at the last Board meeting but since then he was able to meet with the Chief to get answers to the questions he had regarding this purchase. Sandy Johnson asked the Chief to inform the Board of the ARPA Grant that was awarded to the District. The Chief explained that ARPA funds were awarded to the District as a reimbursement for COVID-19 related expenses. One purpose of this funding is for government municipalities to use the monies for necessary purchases that could not be funded during the pandemic due to the demand of COVID-19 related expenses. Government agencies with any remainder amount of ARPA funds not used by the end of the 2024 calendar year must be returned to the federal government. Mary Dahl made a motion to approve the purchase of a staff passenger vehicle not to exceed \$26,217.84. Herb Wisdom seconded the motion, Sandy Johnson and Rich Bohman were in favor and Peter Benequista opposed the motion. The motion passed.

13. Discussion and possible action to approve Resolution No. 2024-002 appointing Chief Guerrero as the District's designated agent for the purposes of seeking grant funding through the Governor's Office of Highway Safety (AZGOHS).

Chief Guerrero requested approval of Resolution No. 2024-02 appointing him as the designated agent to pursue grant funding through the Governor's Office of Highway Safety for equipment that would assist the District in highway related responses. Sandy Johnson asked if this grant required any match from the District. Chief Guerrero stated that there is no financial obligation on the District's behalf, only that the grant awarded is to be used toward highway related calls. Mary Dahl made a motion to approve Resolution No. 2024-02 as presented. Rich Bohman seconded the motion. All were in favor; the motion passed.

14. Discussion and possible action to approve Resolution No. 2024-003 appointing Chief Guerrero as the District's designated agent for the purposes of seeking grant funding through the Arizona Department of Forestry and Fire Management.

Chief Guerrero requested approval of Resolution No. 2024-03 appointing him as designated agent to pursue grant funding with the Arizona Department of Forestry and Fire Management. The grant, if awarded, will be used to purchase equipment for the District vehicles that do not have computer aided dispatch. The computer aided dispatch equipment purchased at the end of 2023 was for ambulances only to comply with the new requirements administered by the Arizona Department of Health Services. This grant award would furnish the remaining vehicles, fire trucks and other response vehicles, with the same equipment installed in the District ambulances.

Chief Guerrero stated that this grant does have a match of 20%. Mary Dahl made a motion to approve Resolution No. 2024-003 authorizing Chief Guerrero to act as designated agent to submit for a grant application through the Arizona Department of Forestry and Fire Management. Herb Wisdom seconded the motion. All were in favor; the motion passed.

15. Discussion and Possible action to approve an Intergovernmental Agreement (IGA) between Santa Cruz County and Tubac Fire District regarding the County server and Computer-Aided Dispatch access to comply with HB2609. Chief Guerrero requested approval of an IGA between Santa Cruz County and the Fire District. This agreement will allow for the District to have access to the County server for the computer aided dispatch. Mary Dahl moved to approve the Intergovernmental Agreement between Santa Cruz County and the Fire District. Rich Bohman seconded the motion. All were in favor; the motion passed.

16. Fire Station #1 items:

- a) Discussion and possible action to approve an Intergovernmental Agreement (IGA) between Santa Cruz County and Tubac Fire District establishing a partnership for the construction and the operation of a communication tower at the Station #1 site.

Chief Guerrero informed the Board that the County has approved the IGA for a new communication tower and equipment shelter at Station 1. This tower will serve the residents of the District. In this IGA, the County agrees to: construct the tower in the northeast corner of the property of Station #1, to work with the District to manage the tower asset, to accept the terms and conditions of the existing antenna lease agreement between the District and Simply Bits, to relocate their equipment to the new tower asset and to equitably share the tower asset revenues with the District in the future. The Chief also informed the Board that the District will provide the power to the new tower site during the construction of the Station #1 project. The District responsibilities include: providing locations for the new communications tower and communications equipment, assisting the County, as needed, in the construction of the tower, including the demolition and salvage of any tower equipment no longer needed, providing power with a separate meter and a generator back-up if required, and providing tower access for maintenance and operations. Mary Dahl made a motion to approve the IGA between the County and the District for the construction and operations of the communications tower. Peter Benequista seconded the motion. All were in favor; the motion passed.

- b) Discussion and possible action to approve and contract D.L. Norton as Construction Manager for the Tubac Fire Station #1 project.

Chief Guerrero requested approval of the Construction Management at Risk pre-construction-based services contract with D.L. Norton Commercial Contracting. Services to be provided include assisting the design team with construction documents and project estimating. Their work will also assist in the communications tower and gas line relocation, analyzing the flood zone at Station #1 and a traffic study conducted by ADOT. Sandy Johnson asked the contractors, Scott Giles and Mervin Giles with D.L. Norton, about the involvement of ADOT. Mervin Giles informed the Board that ADOT conducts a traffic flow study for vehicles entering and exiting Fire Station #1 onto the East Frontage Road. Mr. Giles stated that this study will give the District data to determine if a warning light may be warranted to slow traffic as needed when emergency vehicles are dispatched. Mary Dahl moved to approve the pre-construction-based services agreement for the Station #1 project with D.L. Norton. Rich Bohman seconded the motion. All were in favor; the motion passed.

- c) Discussion only USDA Rural Development grant update.

Chief Guerrero updated the Board on the USDA Rural Development grant progress. The Chief stated that he consistently contacts our USDA representative, Leisa Curtis, regarding the award. He reported that the USDA has requested additional budget documentation and he has responded to those requests. The Chief also reported that the grant is in review by the National Office which is the final step needed before the District receives a Letter of Obligation.

17. Future agenda items: Station #1 project.
18. Next meeting: March 27, 2024, at 1:30 p.m. and to be held at the Tubac Community Center in Tubac.
19. Adjourn meeting: Rich Bohman moved to adjourn the meeting at 2:40 p.m. and Peter Benequista seconded the motion; all were in favor; the motion passed.