

TO: Board Members  
FROM: Mary Dahl, Chairman  
RE: Discussion and possible action on Board's generic process for conducting a performance evaluation for the Fire Chief.  
DATE: July 24, 2019

Background: The Chief's employment contract contains the following Section 5:

**Performance Evaluation.** *The Fire District may review the Chief's performance at any time during the term of this Agreement, up to and including an annual performance review. Said review shall be in accordance with and taking into consideration the Chief's job description, the requirements of this Agreement and any other specific criteria reasonably established by the Board. The performance review shall be in a format and process developed and mutually agreed upon by the Fire District's Governing Board and the Chief. Said performance criteria may be amended from one year to the next as agreed upon by both parties. The performance review process at a minimum shall include the opportunity for both parties to: (1) prepare a written evaluation, (2) meet and discuss the evaluation, and (3) present a written summary of the evaluation results. (Emphasis added)*

While the contract references a "performance review process", it does not spell out how that process should unfold for this or any Chief. In working with the District's attorney to prepare agenda items on the employment performance matter, he pointed out that the process used to review this or any Chief is a matter of Board policy and, therefore, should not be discussed or determined except in public session.

In an effort to comply with the terms of the contract in this regard, I suggest the following process be used to evaluate the Fire Chief position generally:

1. Each Board member shall complete an employment performance review form (attached).
2. The forms shall be submitted to the Chairman, who will compile the responses.
3. The Board will agenda an executive session, pursuant to ARS §38-431.03(A)(1) and give the Fire Chief notice in accordance with that law giving him/her an opportunity to have the Board's performance review conducted in a public session.
4. After the Board either holds the executive session or public session (should the Fire Chief so request), the Board will take final action on the performance review by either directing the Chair to finalize the compilation of the Board member's responses along with any other salient information into a written summary or taking any other action related to the performance evaluation.
5. This written summary along with the individual Board member's forms will be placed in the Fire Chief's personnel file.

In order to move forward, I suggest Board members be ready to suggest modifications of this proposed process and any modifications to the performance review form.

Ultimately, prior to the Executive Session, the Board should have a process in place in whatever form the Board deems necessary and useful.

In addition, as outlined in the contract, the performance criteria may be changed from year to year, as determined by the Board, so agreeing to the use of this form and process this year, does not bind the Board forever.

Suggested Motion: Madam Chair, I move to approve the Fire Chief's performance review process as outlined in this memo.