

BOARD OF FIRE COMMISSIONERS, TRUCKEE MEADOWS FIRE PROTECTION DISTRICT

TUESDAY 9:00 A.M. JANUARY 19, 1999

PRESENT:

Jim Galloway, Chairman  
Ted Short, Vice Chairman  
Joanne Bond, Commissioner  
Pete Sferrazza, Commissioner  
Jim Shaw, Commissioner  
Amy Harvey, County Clerk  
Katy Simon, County Manager  
Roy Slate, Acting Fire Chief  
Madelyn Shipman, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 E. Ninth Street, Reno, Nevada and conducted the following business:

**AGENDA**

In accordance with the Open Meeting Law, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that the agenda for the January 19, 1999 meeting be approved.

**MINUTES**

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioners Sferrazza and Short "abstaining" Chairman Galloway ordered that the minutes of the regular meeting of November 17, 1998 be approved.

**99-1F MONTHLY OPERATIONS REPORT -DECEMBER, 1998**

Roy Slate, Acting Fire Chief, Truckee Meadows Fire Protection District, reviewed the Fire District Progress Report and Business Inspection Report for December, 1998 as outlined in the agenda memorandum dated January 11, 1999. Chief Slate recognized Battalion Chief Ray Winkler who was present in the audience, advising that he retired from the District as of January 5, 1999, and at the next regular meeting, his retirement and 26 years of service will be more formally acknowledged. He then commended the staff of the District's Fire Prevention Bureau and the entire TMFPD staff for their exemplary efforts during 1998, which was a tumultuous year.

Chief Slate then reported on an incident last week where a young girl was injured in a travel trailer fire. He introduced the following people who assisted in saving the young girl from the fire: Bob Harvey, Manager of the mobile home park where the incident took place who made forcible entry into the trailer and rescued the child; Bill Robbins of Coast To Coast, a neighboring business, who performed CPR on the girl; and Paul Millick of Coast To Coast who, together with Mr. Harvey, continued to search to determine if anyone else was in the trailer. He commended these citizens who acted as Good Samaritans beyond the call of duty to serve their fellow citizens and assisted until the fire crew on duty arrived. Chief Slate then introduced the following crew of Engine 3: Acting Captain Steve Graham, Operator Jack Fleiner, Operator Dan Tilzey, and Firefighters Ron Fye and Mike Kelbch. Commissioner Galloway thanked the citizens and firefighters who dealt with this incident and stated that this kind of support is vital and necessary in the community.

Mr. Slate then responded to questions of the Board relative to the Progress Report.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that the Fire District Operations Report for the month of December, 1998, be accepted.

**99-2F AGREEMENT - ARCHITECTURAL SERVICES - SUN VALLEY FIRE STATION - BORELLI SMITH ARCHITECTS DBA SMITH DESIGN GROUP**

Roy Slate, Acting Fire Chief, Truckee Meadows Fire Protection District, reviewed information relative to the Agreement for Architectural Services for the Sun Valley Fire Station, and responded to questions of the Board. He advised that the cost for the architectural services are set forth on Exhibit "A" of the agreement and total \$98,807.

Upon inquiry of Chairman Galloway, Battalion Chief Gary Neilson, Project Manager, advised that the proposed budget for the entire project is \$1.3 million.

Bob Hall, County Architect, responded to questions of the Board and advised that Borelli Smith Architects have built approximately six other stations in the area; and that the new building is necessary even if fire services are consolidated.

Upon recommendation of Roy Slate, Acting Fire Chief, Truckee Meadows Fire Protection District, on motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the Agreement for Architectural Services with Borelli Smith Architects DBA Smith Design Group for the design and construction of the Sun Valley Station be approved and Chairman Galloway be authorized to execute.

**99-3F REPORT - CONSOLIDATION OF FIRE SERVICES**

Chairman Galloway advised that he has received notes and messages from people in the audience that wish to speak on this matter; and that he is will ask those people to speak first so that staff might be able to respond to their comments.

Frank Partlow, Washoe County resident, reviewed issues of concern contained within the staff status report and stated that there is potential for improvement.

He advised that the report states that the District agrees that consolidation could be achieved by an interlocal agreement or by a joint board with a contract for Reno services, but goes on to say why the District prefers the option of examining a new fire protection district; that he believes that a new district would only create another bureaucracy to run services; and that the report concludes with several assertions, which he believes are unsubstantiated, and then recommends further study on these issues.

Lonnie Feemster, advised that he represented the Reno/Sparks NAACP and, specifically, 25 ethnic minority law enforcement and firefighters that are part of a law enforcement and firefighters subcommittee on affirmative action for Reno, Sparks and Washoe County. He stated that they believe it is necessary for the NAACP and its subcommittee to participate in developing an affirmative action program that will insure that all members of the community have the opportunity to participate in career choices; and that they would like the Board of Fire Commissioners to consider their involvement in the development of any policy that relates to hiring and promotion with regard to consolidation.

David Aiazzi, Reno resident, discussed issues of concern with comments contained in the staff status report and stated that a major consideration should be to cut taxes for all citizens of Washoe County; that he believes there would be a large group of citizens who would be in favor of consolidation because it would save them tax money; that good contracts can be used as a way of achieving the services that everyone needs; and that he would hope that the Board of Fire Commissioners would act on a policy with the City of Reno to approve a joint contract to save everyone some money.

Mike Gardner, Volunteer Fire Chief of Lemmon Valley, discussed his concerns relative to career fire stations being placed in areas that are served by volunteer firefighters. He then stated that no cost information relative to consolidation is contained in the status report and believes this information should be provided to the citizens; that there is a real concern that contracting with the City of Reno for fire services is a step towards annexation; and that the exclusive right to serve issue and the volunteer expense budgets are not addressed in this report, and they need some assurances relative to those issues. He then invited the

Board members to attend their monthly Volunteer Fireman's Association and district staff meetings to become more informed on what they do.

Chairman Galloway then reviewed correspondence receiving regarding this issue and advised that the Commissioners received a letter in December from the Washoe County Volunteer Fireman's Association stating their concerns that the volunteer program continue; that more recently a letter was received from retired Battalion Chief Ronald Johnson expressing great reservations about the proposed contract, his primary concern with public safety, and urging a more global scale of consolidation; and that he received a note from William Welch stating that he has problems with the contract management.

Sam Dehne, Reno and Washoe County resident, stated that he has been investigating and attending Reno City Council meetings for over four years and during that time and it has been his impression that the Council has only special interests in mind when they make decisions, and he would recommend that the Commission take that into account. He commented that there a lot of good workers in Reno but the top bureaucratic staff has only special interests in mind such as the casinos, developers, construction organizations, etc.

Chuc Lowden, Fire Chief, City of Reno, advised that it is very difficult to provide accurate financial information at this point in time when dealing with the existing budgets of two organizations; that the contracts proposed to date represent an attempt to address some of the issues and questions that have been presented; that he contacted the City of Sparks and the Airport Authority fire departments and they were not interested in talking about consolidation at this time; that a continuing theme since the first meeting was that for some reason Local 731, the local firefighters union with the City of Reno, was going to be the largest stumbling block as they were going to be impossible to deal with; that there are many issues including several labor issues that need to be negotiated and addressed through this process, and he made the choicethat the City of Reno not enter into negotiations with Local 731 until such time as a contract is developed that would provide guidelines for the issues that need to be resolved; and that over the last six months the process has moved significantly further than ever in the past towards putting the two organizations together. Upon inquiry of Commissioner Sferrazza relative to savings, Chief Lowden confirmed that consolidation would realize a minimum of \$250,000 in savings for both fire agencies, and he would be willing to put that figure in the contract.

Commissioner Sferrazza commented that there is a list of items that have not been responded to, one being shared savings, which he would prefer to see based on budgets. He stated that he would also want the City to guarantee a proportional General Fund contribution and a budgetary baseline that a master plan for the fire station location and staffing be developed; and that the volunteer companies be included and guaranteed that they would be able to continue their service. Chief Lowden advised that he believes those issues have already been addressed, noting that, however, until they get direction from the Fire Board and the City Council to proceed with an interlocal agreement and what the basic provisions of that agreement will be, it is very difficult to come up with final numbers. Chief Lowden responded to additional questions of the Board and advised that he believes the City of Reno would support a joint board, but this has not formally been presented to the City Council; and that their intent is not to take anything away from the volunteer fire service currently being provided, adding that he has suggested all along that the volunteers are needed in the outlying areas to continue to provide the current level of service.

Legal Counsel Shipman noted that this item was inadvertently placed on the agenda as a status report only and no Board action can be taken; but that the Board members can discuss their position on these items.

Commissioner Shaw commented that he is pleased with what he is hearing today, noting that a few months ago he made the comment that he had some real misgivings about contracts but it seems that there has been some good communications since that time.

Ron Johnson, Golden Valley resident, stated that something is missing at this point and he would hope that the Commissioners would consider something more global than just the contract, as he believes any significant savings through consolidation would come from something more global than what is being talked about today.

John Judge, private citizen, noted that a very comprehensive study of regionalization of fire services conducted by Ernst and Young at an approximate cost of \$75,000 was presented to the Board in 1989 or 1990; that another comprehensive study was done by a staff member of Washoe County; that the staff report indicates that now more study needs to be done; and that he would request that these previous studies be looked at before conducting any further studies at additional taxpayer expense.

Roy Slate, Acting Fire Chief, Truckee Meadows Fire Protection District, stated that the County and the Fire District share the vision of the Fire Board that consolidation of fire services can result in important benefits to the taxpayers in the form of cost efficiency and more effective service provisions; and that the County and District staff have worked diligently with the City of Reno to develop an agreement that represents the interests of the citizens. He advised that the Truckee Meadows Fire District has been committed to exploring options and negotiating in good faith but all factors must be given due consideration and, in his opinion, the establishment of the speed in which this can be accomplished has hampered the process of developing a comprehensive plan; and that any form of fire service consolidation will have long term affects and should encourage full participation of all agencies, should not have any preconceived outcome, and should establish the public's best interest as the first criteria. He then reviewed and discussed issues relative to the District's recommendations which include (1) not to enter into an agreement at this time between the Fire District and the City of Reno as proposed by the City's draft contract, (2) direct staff to coordinate the interaction of all willing fire service agencies within Washoe County to discuss a vision/plan for regional fire service and related services, and (3) further direct staff to continue identifying, planning for and implementing means of efficient, effective and cooperative fire protection and emergency services, with the best interests of the public at the forefront. He then responded to comments raised by speakers today and answered questions of the Board advising that he agrees that negotiations cannot be conducted at this time with the bargaining units; that the City of Reno's draft contract being presented today provides for a joint advisory board, which is not the same thing as a joint powers authority (JPA); that they will work with the NAACP subcommittee relative to affirmative action programs when the time is appropriate; and that previous studies are being looked at and are not being ignored.

Upon inquiry of Commissioner Bond, Legal Counsel Shipman advised that there are many issues that potentially have legal ramifications and whether or not they can be addressed depends upon what the Board is willing to agree to; that there is a legal problem with anything other than a JPA if this Board wishes to retain any form of control over the labor negotiation process, and the Board will have to make a policy decision relative to this issue; and that she agrees that it may be premature to deal with the collective bargaining groups unless there is an actual commitment to go forward with an agreement, adding that there are also legal concerns regarding labor agreements should the terms of a contract result in Truckee Meadows Fire District employees becoming City of Reno employees.

Howard Reynolds, Assistant County Manager, commented that the original Board direction to attempt to negotiate either a contract or a joint powers agreement created a conflict because they are separate animals; that the City of Reno's primary direction was to negotiate a contract; and that if this Board is primarily interested in the joint powers agreement, he felt it was necessary to delay this process to obtain clear Board direction; that he believes the best model is that of a District; and that it is possible to negotiate a contract, but that staff feels that some of the provisions they have proposed to be included in the contract have not been adequately addressed by the City of Reno.

He then discussed issues relative to negotiations between the City and Local 731 and the Truckee Meadows Fire District and Local 2487, and the exclusive right to serve matter.

Mr. Reynolds then responded to questions of the Board.

Chairman Galloway stated that his position in the past was that he really did not support a contract and he has not seen information that changes that position; that he does like the idea of an independent district which would be a JPA; that he could compromise on something where both the County and the City might contract to a JPA that would dedicate a certain amount of their tax rates, assure that everyone in the district had representation, and provide that funding for services does not depend on whether the County or the City needed money for other purposes.

Further discussion commenced and Mr. Reynolds responded to additional questions of the Board, advising that no contract has been submitted to the City of Reno because it would have to first be approved by the Board, but that all of the Board and staff concerns have been presented to the City in the form of a report. Discussion was then held relative to what issues could be included in a contract, the possibility of developing a two-year contract with the ultimate goal to move into a joint powers agreement, etc. Chairman Galloway stated that he could only support a joint powers contract and if there is a trial period he would rather see it done through that venue with dedicated resources rather than through a contract trial where one entity controls all operations.

In response to questions asked by Chairman Galloway, Chief Lowden stated that if the Board has a preferred approach they are willing to put down in writing, such as a JPA, which could be presented to the City Council, perhaps some common ground could be reached. He advised that he did present the JPA issue at the last City Council meeting and their feedback was that they were not opposed to hearing the proposal; that he has previously worked within a joint powers organization and, if the only way the Board will have a JPA is by forming a new organization complete and separate from the City and the TMFPD, he personally will not recommend that to the City Council because of the complexity of the JPA; that one thing a JPA needs is trust between the elected officials of both agencies which he does not think is the case here; but that he will provide all the facts to the City and any report would include input from the Fire Commission, and the City Council will speak for themselves. He further stated that what he is hearing the Commissioners say today with regard to consolidation is not significantly different that what he hears at the City Council; and that he would recommend that a meeting be held between the Fire Board and the City Council to determine whether it is of interest to both Boards to proceed.

Commissioner Bond stated that she does not want this process to stop; that she believes there have been some suggestions and comments made that should be carried back to the City of Reno; that she is very adamant that the issue of volunteers be addressed whether a contract or a JPA is established; and that she does not have a lot of discomfort with a contract if it is limited in scope or time and would eventually move in another direction.

Commissioner Sferrazza agreed that this should move forward but was not sure whether it should be through a JPA or a contract; that he would like staff to come back with language for both a JPA and a contract that they would be comfortable with which would be limited in time, possibly two years, and that specifically addresses the concerns mentioned relative to base budget for the Reno Fire Department, the volunteer status, shared savings, guaranteed minimum savings, etc.; that he would like this expanded to include the Airport Authority; and that once the County determines its position, a joint meeting could be held with the City of Reno to see if the differences can be resolved. He further stated that his constituents have expressed concern that this is being used as a pretext for annexation and at some point he would like it on the table that spheres of influence extensions will not continue to happen and that the City in good faith would be willing to hold back on those in order to move forward on this process.

Commissioner Short agreed that a direct proposal should be developed on what the County wants on a JPA or will accept in a contract which should then be presented to the City Council and all concerned parties, after which time a joint meeting could be held in order to come up with something that will work for everybody.

Chairman Galloway stated that he does not object to having staff draw up the documents and present them to the Board for approval, noting that staff has already indicated that they are not very comfortable with a contract, but they could indicate what they would be comfortable with in a contract. He further stated that he would like to see options setting forth the method that staff feels the most comfortable with and has the least problems, hopefully with a limited time frame; that he is not committing to ever supporting a contract because he does not believe that would meet his criteria for representation for the citizens; that if staff does recommend a JPA, he would like it to be backed up with a contract specifying dedicated resources to the extent possible, that would insure level of service and, hopefully, lead to a truly regional district at some time in the future, noting that he thinks a regional district would be far easier to accomplish under the joint board scenario as it would be easier for other parties to join in; and that the prime considerations that have been identified today have to be addressed.

Upon inquiry of Commissioner Shaw, Chief Slate advised that the requested information could be presented to the Board by next month's meeting.

**PUBLIC COMMENTS**

There was no response to the call for public comments.

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There being no further business to come before the Board, the meeting adjourned.

JIM GALLOWAY, Chairman

Truckee Meadows Fire Protection District

ATTEST: AMY HARVEY, County Clerk

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