

**BOARD OF FIRE COMMISSIONERS
TRUCKEE MEADOWS FIRE PROTECTION DISTRICT**

TUESDAY

4:15 P.M.

APRIL 10, 2007

PRESENT:

Bob Larkin, Chairman
David Humke, Commissioner
Jim Galloway, Commissioner
Pete Sferrazza, Commissioner

Amy Harvey, County Clerk
Katy Singlaub, County Manager
Melanie Foster, Legal Counsel
Marty Scheuerman, Division Chief

ABSENT:

Bonnie Weber, Vice Chairman

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

07-11F AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, it was ordered that the agenda for the April 10, 2007 meeting be approved with the deletion of item number seven.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, it was ordered that item number seven for the April 10, 2007 agenda, concerning the Mutual Aid Agreement with the City of Sparks, be continued to the next month's agenda.

PUBLIC COMMENT

There was no response to the call for public comment.

COMMISSIONERS'/MANAGER'S ANNOUNCEMENTS

Chairman Larkin asked Division Chief Marty Scheuerman to provide a future update, including anticipated resources for the current fire season.

Chief Scheuerman welcomed Kurt Latipow, Washoe County's new Fire Services Coordinator.

07-12F MINUTES

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, it was ordered that the minutes of the January 9, 2007 regular meeting be approved.

**07-13F AWARD BID – STATION 16 EMERGENCY GENERATOR
INSTALLATION**

This was the time to consider award of the bid for Station 16 emergency generator installation. One bid was received from Electrical Concepts.

Commissioner Galloway moved to award the bid to Electrical Concepts and Commissioner Sferrazza seconded the motion.

Commissioner Galloway asked about the adequacy of the bid distribution, since only one response was received. Roger Van Alyne, Deputy Director of Public Works, stated that the bid had been advertised in the local newspaper and nothing extraordinary was done to solicit additional bids. He observed that the work was somewhat specialized.

Commissioner Humke asked if there was a staff or engineering estimate and Mr. Van Alyne commented that he did not have one available.

Commissioner Humke thought it would be worthwhile to do additional advertising, perhaps over a wider geographic area and on the Internet.

Commissioner Galloway withdrew the motion and Commissioner Sferrazza agreed with the withdrawal.

Division Chief Marty Scheuerman noted that two stations had been budgeted for generator installation and the majority of the vendors in the local area were contacted at that time to get rough estimates. He stated that work had been done on this over the last two years and it seemed that costs were escalating. Chief Scheuerman identified Station 16 as a critical facility in Washoe Valley, which lost power on a regular basis due to the wind. He indicated there were temporary portable generator arrangements in place for essential services.

Commissioner Galloway asked what amount was budgeted. Chief Scheuerman stated that \$50,000 had previously been budgeted for generators at two stations. Commissioner Galloway questioned the capacity of the generator submitted in the bid. Chief Scheuerman was not entirely certain but responded that it was enough to keep the station and its well running. Chairman Larkin commented that more staff work needed to be done.

Commissioner Humke asked that details such as size and capacity of the generator be included in the staff report when the bid comes back before the Board. He suggested the University of Nevada, Reno, and the State of Nevada might be good sources of information.

Mr. Van Alyne advised that the bid should be rejected before advertising for additional bids could be done.

On motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried with Commissioner Weber absent, it was ordered that the bid for Station 16 emergency generator installation be rejected and the bid process reopened for additional advertising and staff research.

**07-14F RESOLUTION TO ADOPT COOPERATIVE AGREEMENT FOR
MUTUAL AID AGREEMENT – CARSON CITY**

Division Chief Marty Scheuerman placed a map on file with the Clerk that illustrated the Mutual / Automatic Aid Zone covered by the Agreement.

Commissioner Sferrazza asked if this document was any different from the prior Mutual Aid Agreement. Chief Scheuerman responded that it was more comprehensive and pointed out the last update with Carson City had been in 1989. He stated that legal counsel for Washoe County, the City of Reno and Carson City had updated the Agreement. Chief Scheuerman referenced page eight of the Agreement, and identified an automatic aid response area as the biggest change from the prior Agreement.

Commissioner Humke noted that the residents of Duck Hill felt forgotten and were particularly concerned about emergency medical response. Chief Scheuerman explained that accidents in the area would result in resources being dispatched from the Truckee Meadows Fire Protection District (TMFPD), who would notify the Regional Emergency Medical Services Authority (REMSA) and the Carson City Fire Department. The closest paramedic unit in Carson City would be out of their Airport Station, Station 2, which was included in the automatic aid response area. He stated that Carson-Tahoe Hospital would be faster for medical transport but the first responder on the scene would evaluate the situation. REMSA might take over medical care for accidents located in Washoe County and trauma cases might be taken by air transport to Renown Regional Medical Center. In response to Commissioner Humke's question, Chief Scheuerman clarified that REMSA had not been consulted about the Automatic Aid Agreement. He indicated that TMFPD response was not generally required for vehicular accidents in the developed residential areas located in Carson City, but TMFPD and the Carson City Fire Department would both respond to structure fires or wildland fires anywhere within the Automatic Aid Zone. Chief Scheuerman observed that an extra response unit could make enough difference to keep a fire small.

Commissioner Humke commented that intensification of development along the northern border of Carson City should provide benefits to citizens on the southern border of Washoe County via the Automatic Aid Agreement.

On recommendation by Division Chief Marty Scheuerman, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried with Commissioner Weber absent, it was ordered that Resolution 07-14F be adopted as follows below and the Chairman be authorized to execute the same. It was further ordered that the Cooperative Agreement for Mutual and Automatic Aid between the Carson City Fire Department and the City of Reno/Truckee Meadows Fire Protection District be approved and the Chairman be authorized to execute the same.

RESOLUTION NO. 07-14F

**RESOLUTION ADOPTING AND APPROVING
COOPERATIVE AGREEMENT FOR AUTOMATIC AND
MUTUAL AID BETWEEN CARSON CITY, CITY OF RENO AND
TRUCKEE MEADOWS FIRE PROTECTION DISTRICT**

WHEREAS, any two or more subdivisions of the State of Nevada may enter into cooperative agreements for the performance of any governmental function pursuant to NRS 277.045; and

WHEREAS, NRS 277.045 provides that every such agreement must be by formal resolution or ordinance of the governing body of each political subdivision included and must be spread at large upon the minutes, or attached in full thereto as an exhibit, of each governing body; and

WHEREAS, the parties to the Cooperative Agreement for Automatic and Mutual Aid between Carson City, City of Reno and Truckee Meadows Fire Protection District desire to adopt and approve such agreement as required by NRS 277.045. A copy of the agreement is placed on file with the Clerk; and

WHEREAS, all parties to the Cooperative Agreement for Automatic and Mutual Aid between Carson City, City of Reno and Truckee Meadows Fire Protection District are political subdivisions of the State of Nevada;

NOW, THEREFORE, BE IT RESOLVED that the terms and conditions of Cooperative Agreement for Automatic and Mutual Aid between Carson City, City of Reno and Truckee Meadows Fire Protection District are hereby adopted and approved; and

BE IT FURTHER RESOLVED that the Cooperative Agreement for Automatic and Mutual Aid between Carson City, City of Reno and Truckee Meadows Fire Protection District shall be placed on file with the Clerk, and that a copy of this

Resolution shall be sent to Carson City, the City of Reno and the Truckee Meadows Fire Protection District.

**07-15F COOPERATIVE AGREEMENT FOR MUTUAL AID
AGREEMENT – NORTH LAKE TAHOE**

Division Chief Marty Scheuerman indicated that the Agreement provided for automatic aid such that the Truckee Meadows Fire Protection District (TMFPD) would automatically respond within the North Lake Tahoe (Incline) jurisdiction on all second alarms or greater and the North Lake Tahoe Fire Department would respond within the Truckee Meadows jurisdiction on all third alarms or greater. He explained the mutual aid portion of the Agreement provided for assistance upon request of either party, which was particularly necessary for wildland threats and for any special/technical rescue issues that might arise. Chief Scheuerman stated that North Lake Tahoe had participated during the Mizpah Hotel fire by providing technical rescue personnel.

On recommendation by Division Chief Marty Scheuerman, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Commissioner Weber absent, it was ordered that Resolution 07-15F be adopted as follows below and the Chairman be authorized to execute the same. It was further ordered that the Cooperative Agreement for Mutual and Automatic Aid between the North Lake Tahoe Fire Protection District, the City of Reno, and the Truckee Meadows Fire Protection District be approved and the Chairman be authorized to execute the same.

RESOLUTION NO. 07-15F

**RESOLUTION ADOPTING AND APPROVING
COOPERATIVE AGREEMENT FOR AUTOMATIC AND
MUTUAL AID BETWEEN NORTH LAKE TAHOE, CITY OF RENO
AND TRUCKEE MEADOWS FIRE PROTECTION DISTRICT**

WHEREAS, any two or more subdivisions of the State of Nevada may enter into cooperative agreements for the performance of any governmental function pursuant to NRS 277.045; and

WHEREAS, NRS 277.045 provides that every such agreement must be by formal resolution or ordinance of the governing body of each political subdivision included and must be spread at large upon the minutes, or attached in full thereto as an exhibit, of each governing body; and

WHEREAS, the parties to the Cooperative Agreement for Automatic and Mutual Aid between North Lake Tahoe Fire Protection District, City of Reno and Truckee Meadows Fire Protection District desire to adopt and approve such agreement as required by NRS 277.045. A copy of the agreement is placed on file with the Clerk; and

WHEREAS, all parties to the Cooperative Agreement for Automatic and Mutual Aid between North Lake Tahoe Fire Protection District, City of Reno and Truckee Meadows Fire Protection District are political subdivisions of the State of Nevada;

NOW, THEREFORE, BE IT RESOLVED that the terms and conditions of Cooperative Agreement for Automatic and Mutual Aid between North Lake Tahoe Fire Protection District, City of Reno and Truckee Meadows Fire Protection District are hereby adopted and approved; and

BE IT FURTHER RESOLVED that the Cooperative Agreement for Automatic and Mutual Aid between North Lake Tahoe Fire Protection District, City of Reno and Truckee Meadows Fire Protection District shall be placed on file with the Clerk, and that a copy of this Resolution shall be sent to the North Lake Tahoe Fire Protection District, the City of Reno and the Truckee Meadows Fire Protection District.

07-16F REPORT – STRATEGIC PLAN UPDATE

Division Chief Marty Scheuerman stated there had been three meetings of the Strategic Planning Committee, which was made up of representatives from volunteer departments and staff from the Reno Fire Department. The new Washoe County Fire Services Coordinator was also being invited to participate. He indicated the committee was now working on teambuilding to identify individual roles, discuss how individuals and entities treat one another, and define shared values before moving on to develop a good operational strategic plan. Chief Scheuerman pointed out that John Schuler, President of the Washoe County Volunteer Firefighters Association and Chief of the Pleasant Valley Volunteer Fire Department, had been instrumental in getting a good dialogue going among committee members. Chief Schuler was also present to answer any questions.

Commissioner Galloway asked about the role of the new Fire Services Coordinator. Kurt Latipow, Fires Services Coordinator, indicated he had just begun to review the information forwarded to him so far and it was part of the plan for him to participate. Chief Scheuerman stated that the Truckee Meadows Fire Protection District (TMFPD) was also participating in the Washoe County strategic planning process for public safety, as well as coordinating with Sierra Fire Protection District Chief Michael Greene and Sheriff Michael Haley.

Commissioner Galloway offered to pass along a color copy of the fuels reduction planning document provided by Terri Marceron, Tahoe Basin Manager for the U.S. Forest Service.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, it was ordered that the strategic planning update report for the Truckee Meadows Fire Protection District be accepted.

DISCUSSION/DIRECTION – VOLUNTEER CONTRACTS

Division Chief Marty Scheuerman observed there were five volunteer fire departments operating under the umbrella of the Truckee Meadows Fire Protection District (TMFPD) that were all independent 501(c)(3) nonprofit organizations. He explained they had different issues and liability concerns because they were not employees. He thought the last volunteer contract had expired toward the end of 2006. Chief Scheuerman recommended to the Board that a team be put together to negotiate contracts with the five volunteer departments: Pleasant Valley, Wadsworth, Silver Lake, Lemmon Valley and Cold Springs. He suggested the team consist of the Washoe County Fire Services Coordinator, representatives from Reno Fire, a representative from the County Manager's Office, and legal representatives from Washoe County and the City of Reno.

Chairman Larkin asked for input from the volunteers. John Schuler, President of the Washoe County Volunteer Firefighters Association, stated they were anxious about moving forward since the contract actually expired December 31, 2005. He added that putting the contract together was part of the strategic planning process.

Commissioner Galloway asked if there was agreement about the length of future contracts. Chief Scheuerman thought that would be part of the negotiation process. Commissioner Galloway suggested a ten-year contract would be beneficial in avoiding future situations with no contract. Chief Scheuerman pointed out that the prior contract contained a renewal clause for two subsequent four-year terms that could have been instituted by a letter of intent but the individual responsible for those particular agreements, who was no longer with the organization, had failed to do that. He added there were some issues of concern to the volunteers that needed to be addressed with a new contract.

Commissioner Galloway asked legal counsel if it would be worthwhile to do a temporary reactivation of the expired contract rather than to go without one during negotiations. Assistant District Attorney Melanie Foster explained that agreements could not be reactivated once they had expired. Although it would still require the full adoption process, she indicated a new contract with very few changes from the expired one could be drawn up while negotiations were underway.

Ms. Foster clarified that, under Chapter 41, volunteer firemen were defined as employees of the entity for which they volunteered and were therefore entitled to the same immunities and statutory protections as employees. Commissioner Galloway asked if there was a compelling reason to temporarily fill the gap with some sort of contract to protect the firefighters and the citizens of Washoe County. Ms. Foster replied that it was acceptable to proceed with negotiations because the law provided protections for the individual firefighters and insurance provisions for the volunteers were still in place. She asked Chief Scheuerman to let the District Attorney's office know if there were time limits by which agreements must be returned.

Commissioner Humke agreed with Chief Scheuerman's recommendation in the staff report to work with a team of negotiators under the City of Reno. Chief Scheuerman commented that this approach was beneficial because the City of Reno had to administer the contracts. Chairman Larkin reminded the Board that agreements with each of the volunteer fire departments provided that Washoe County do the negotiating. He clarified for the volunteers that the City of Reno would be asked to step in and assume responsibility for much of the negotiation, with participation by Washoe County staff. Chief Schuler expressed agreement with that approach.

Commissioner Galloway wondered about setting a target to have the team's work product presented to the Board. Chairman Larkin pointed out it was really a matter between the Joint Fire Advisory Board and the volunteers. Commissioner Humke did not think it would be helpful for the Board to set a specific timeline, although he agreed that the negotiating team should be urged to move with all due haste because the contract had already expired.

On recommendation by Division Chief Marty Scheuerman, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, the Reno Fire Staff was directed to jointly renegotiate volunteer agreements using a team comprised of two Reno Fire Staff, the Washoe County Fire Services Coordinator, an Assistant County Manager, assigned legal counsel from the Washoe County District Attorney's office, and assigned legal counsel from the Reno City Attorney's office. In light of the fact that the previous contract had expired, the Board further directed Reno Fire Staff to move with all due haste to come back with a satisfactory contract.

07-18F REPORT – WILDLAND FIRE PROBLEMS FOR 2007

Division Chief Marty Scheuerman remarked that there had been a major wildland fire every month in 2007, including the loss of structures in wildland-urban interface areas close to town. He stated that wildland fuels in the valley were burning as they normally would burn in late June and more resources were being expended than would normally be necessary for this time of year. Chief Scheuerman indicated that response levels had already been jumped up to normal wildland responses and a task force concept was being developed for the wildland-urban interface areas when structures were immediately threatened.

Chief Scheuerman referenced a report from the Inspector General to the U.S. Department of Agriculture. He talked about the disturbing trend for local governments to end up bearing most of the responsibility for wildland fires. Chief Scheuerman stated that the federal government considered it the local government's responsibility to regulate development in wildland-urban interface areas because the cost of fire suppression increased when people were allowed to live in those areas. Homeowner reliance on the federal government to provide wildfire suppression services in the areas bordering federal lands placed enormous burdens on the U.S. Forest Service

and removed incentives for landowners to take responsibility for ensuring their homes were constructed and landscaped in ways that reduced wildfire risk.

Chief Scheuerman expected to see substantial changes in new cooperative agreements with the Bureau of Land Management (BLM) and the U.S. Forest Service, and hoped to have those agreements before the Board soon. He indicated the new agreements could result in higher costs to local government for wildland fires and the billing of some resources that had not been billed before. He described the federal wildland fire management policy, which declared that structure protection was not the responsibility of federal organizations and that all fire protection agreements should be renegotiated to reflect federal policy and ensure that state and local responsibilities were apportioned appropriately. Chief Scheuerman explained that the definitions of structure protection and perimeter control varied widely from one agency to another and, at times, were dependent on the level of cost avoidance to the detriment of the local agencies. He pointed out that Washoe County and the TMFPD previously had great federal agreements that covered big-ticket items such as air tankers, bulldozers and hand crews but the federal agencies were no longer willing to supply those items unless a direct threat could be established. Even then, the cost would now be apportioned to the affected jurisdiction based on a cost share, usually in terms of acres burned. Chief Scheuerman noted that Washoe County and the other jurisdictions would be receiving bills from the federal agencies for fires on private land that used federal resources.

Chief Scheuerman said the State of Nevada agreement was under negotiation and there was no indication at this time whether it might reflect the same attitude. He identified the Fire Management Assistance Grant (FMAG) as the only other venue for reimbursement of major fire costs. The FMAG only allowed recovery of three-quarters of the approved fire costs and the process was becoming more difficult to qualify every year with tighter constraints on what was and was not approved. Chief Scheuerman emphasized timely requests made while a fire was still active, good record keeping, and perseverance once requests were filed as the keys to obtaining reimbursements.

Chief Scheuerman noted there was a concentrated effort to strengthen relationships among local cooperators in the region as a result of the federal policies. He stated that participation in the newly revised State Mutual Aid Plan and with organizations such as the Lake Tahoe Fire Chiefs' Association had helped to position local agencies for help and support, particularly in the first 24 hours of a fire response. Chief Scheuerman indicated that cooperative agreements with other local agencies also provided reinforcement. He noted the Board would be reviewing and adopting those agreements in the upcoming months, including one with the California Department of Forestry. Chief Scheuerman said he was meeting with the Governor as the Nevada Fire Chiefs' representative on mutual aid and the State mutual aid plan. He was looking for a commitment from the State to help make this work. In addition to working with local partners to minimize risks and impacts, Chief Scheuerman emphasized the importance of redoubled efforts in terms of fuels management and education.

Chairman Larkin asked if homeowners associations that did not maintain defensible space would receive bills from the TMFPD. Chief Scheuerman was not sure of the legal ramifications and indicated this would have to be explored with legal counsel. He underscored the message to the public that defensible space started on each homeowner's property. That might mean fireproofing fences, building fences that would not carry a fire into the structure or into ornamentals, not replacing natural vegetation with ornamentals that were more flammable than what was removed, and ensuring good housekeeping. He discussed problems with people throwing their grass clippings and tree cuttings over the back fence into a common area, thus creating piles of fuel that could generate a tremendous amount of heat and wreak havoc.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Commissioner Weber absent, it was ordered that the Report on Wildland Fire Problems for 2007 be accepted.

**07-19F GRANT OF PUBLIC UTILITY EASEMENT – SIERRA PACIFIC
POWER COMPANY – SILVER LAKE FIRE STATION**

On recommendation by David Solaro, Capital Projects Division Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, it was ordered that the grant of a public utility easement to Sierra Pacific Power Company for the Silver Lake Fire Station be approved and the Chairman be authorized to execute grant documents upon presentation.

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Commissioner Humke commented on his recent attendance at the Red Cross recognition of "Real Heroes", where Division Chief Tim Alameda had nominated several individuals for their efforts during the Mizpah Hotel Fire. He commended all command staff and agencies for their help with that fire and noted that Chief Alameda was particularly deserving of recognition.

John Schuler, President of the Washoe County Volunteer Firefighters Association and Chief of the Pleasant Valley Volunteer Fire Department, indicated that progress was being made to arrange background checks for all volunteers. He noted that things were coming along with the Strategic Planning Committee. Chief Schuler stated that Michael Greene, Fire Chief for the Sierra Fire Protection District, was doing an excellent job and morale for the volunteers was very high right now due to Chief Greene's efforts.

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There being no further business to come before the Board, the meeting was adjourned at 5:49 p.m.

ROBERT M. LARKIN, Chairman
Truckee Meadows Fire
Protection District

ATTEST:

AMY HARVEY, Washoe County Clerk
and Ex-Officio Clerk, Truckee Meadows
Fire Protection District

*Minutes Prepared By
Lisa McNeill
Deputy County Clerk*