

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

TUESDAY

1:00 p.m.

MAY 11, 2010

PRESENT:

David Humke, Chairman
Bonnie Weber, Vice Chairperson
Bob Larkin, Commissioner
Kitty Jung, Commissioner
John Breternitz, Commissioner

Amy Harvey, County Clerk
Katy Simon, County Manager
Melanie Foster, Legal Counsel
Tim Alameda, Division Chief

The Board convened at 1:52 p.m. in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada, and conducted the following business:

10-32F AGENDA ITEM 2

Agenda Subject: “Public Comment. Comment heard under this item will be limited to two minutes per person and may pertain to matters both on and off the Commission agenda. The District will also hear public comment during individual action items, with comment limited to two minutes per person. Comments are to be made to the District as a whole.”

There was no response to the call for public comment.

10-33F AGENDA ITEM 3A

Agenda Subject: “Acceptance of volunteer/auxiliary report for March 2010 (including monthly operations report of Volunteer Fire Departments indicating response data, training activities/apparatus, administrative, radio communication and dispatch issues.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Jung, which motion duly carried, Chairman Humke ordered that Agenda Item 3A be accepted.

10-34F AGENDA ITEM 4

Agenda Subject: “Fire Chief Report – Report on operations and update on station brown outs by Reno/Truckee Meadows Fire Chief Michael Hernandez.”

Fire Chief Michael Hernandez reported that the Reno Fire Department and the Truckee Meadows Fire Protection District (TMFPD) responded to approximately 2,500 calls for service during the month of April. He stated there were 1,805 emergency medical calls, 284 fire alarm calls, 209 structural fires or actual fires, 175 automobile accidents, 14 hazardous material calls and one water rescue. Specifically, the six stations that encompassed the TMFPD responded to a total of 439 calls for service.

In regard to station brown-outs for the month of April, Chief Hernandez reported the following: Engine 19 in Somerset was reduced from a four person Engine Company to a patrol unit that occurred 97 percent of the time; Truck 10 on North Virginia was browned-out 9 percent of the time; Engine 9 in Stead was browned-out 33 percent of the time; Engine 8 on Kings Row was browned-out 5 percent of the time; and, Engine 7 on Skyline was browned-out 82 percent of the time.

Chief Hernandez indicated both entities focused on wild land urban interface training, which consisted of incident command system strategies and tactics, off-road apparatus operations and structural fire protection. He spoke on changes concerning the Reno Fire Department command staff that included a Chief Officer vacancy. He noted Captain Tim O’Brien had been promoted to Battalion Chief to fill that vacancy and said staff was working through several significant issues that would impact service, specifically the renewal contract. He remarked he was continually reviewing the data management system and was currently in on-going contract negotiations with the two local unions that comprised the Reno Fire Department.

Commissioner Jung stated in the *Reno Gazette Journal* a Letter to the Editor referred to the many service calls for medical. She asked if it was contractual for ladder trucks to respond to medical calls. Chief Hernandez explained if there was a multi-company station and the fire truck was out on a call, the ladder truck would respond to the call since all personnel in the organization were trained at an Emergency Medical Technician (EMT’s) level and, rather than have a separate vehicle come from out of the District, the ladder truck would be dispatched and arrive on scene within three to six minutes. He said the goal was to timely provide medically trained personnel for potentially life threatening calls. Chief Hernandez stated the position of the District was to support the Regional Emergency Medical Services Authority (REMSA) and have medically trained personnel on scene to stabilize the patient.

Commissioner Jung inquired about a fire at the Peavine Elementary School and inquired about protocol for a playground equipment fire. Chief Hernandez replied the position was to have more assets available and not need them, then to need them and not have them on scene. As a standard response, he indicated three engines, a

ladder company, a Battalion Chief and, if needed, REMSA would be dispatched to any fire.

Commissioner Breternitz commended the Chief on the thoroughness of the report.

Commissioner Weber stated she attended the Volunteer Firefighter meeting and was told that the response by the department to the volunteers by allowing them to know ahead of time if a certain station would be browned-out was beneficial and much appreciated. Chief Hernandez emphasized browning out a station was not taken lightly and he would reach out to the volunteer organizations to assist them in those affected areas. He emphasized the volunteers were considered part of the team and looked forward to that mutually beneficial relationship.

There was no action taken or public comment on this item.

10-35F AGENDA ITEM 5

Agenda Subject: “Review and approval of the Truckee Meadows Fire Protection District tentative budget for Fiscal Year 2010/11.”

Mary Walker, Walker and Associates, said the budget was compiled by April 15th and provided to the Department of Taxation per State law. Since then there were some changes and, if the Board approved the amended interlocal agreement, those changes would be made and brought back to the Board on May 17, 2010. She said if the Board of County Commissioners approved the establishment of a post-employment benefit trust for employees, the budget would be modified to show those transfers to Washoe County for this trust.

Ms. Walker reported although the revenues for the District had declined over the past two years, the budget for the District was in sound financial condition with no anticipated service level reductions necessary for fiscal year 2010/11. She said the decline in revenues reduced the District’s ability to fund the five-year Capital Improvement Program (CIP), but not their operations. Ms. Walker highlighted various parts of the General Fund, Capital Projects Fund and Emergency Fund. She stated the District’s tentative budget for Fiscal Year 2010/11 was financially sound and had established the necessary resources to fund its liabilities, current year’s CIP and on-going expenditures. She remarked the final budget would be presented May 17, 2010.

Kurt Latipow, Fire Services Coordinator, suggested holding the motion for Item No. 5 until staff presented the recommendations for Agenda Items 6 and 7.

Commissioner Larkin suggested opening Agenda Items 6 and 7 to continue the discussions and then have separate motions for each item.

There was no response to the call for public comment.

Following discussion, the Board made separate motions for Agenda Items 5, 6 and 7.

On motion by Commissioner Larkin, seconded by Commissioner Breternitz, which motion duly carried, Chairman Humke ordered that Agenda Item 5 be approved as presented.

10-36F AGENDA ITEM 6

Agenda Subject: “Update on April 19, 2010, Joint Fire Advisory Board (JFAB) meeting on the progress of the Joint Fire Advisory Board’s list of proposed interlocal agreement issues and provisions to be amended.”

For discussion pertaining to this item, see item 10-37F.

Kurt Latipow, Fire Services Coordinator, clarified the agenda item should have stated an update from the May 3, 2010 Joint Fire Advisory Board (JFAB) meeting. He indicated he had distributed an updated staff report and would be referring to that report.

There was no response to the call for public comment.

On motion by Commissioner Larkin, seconded by Commissioner Breternitz, which motion duly carried, Chairman Humke ordered that Agenda Item 6 be accepted.

10-37F AGENDA ITEM 7

Agenda Subject: “Discussion and possible approval of, or direction to staff concerning, a formal amendment to the First Amended Interlocal Agreement for Fire services and Consolidation, to possibly include, without limitation: a one-year extension of the notice of non-renewal; a requirement for a standards of cover analysis of the Reno Fire Department; Joint Fire Advisory Board role changes; and a list of projected deadlines, and if approved, authorize Chair to execute Amendment and Resolution.”

Kurt Latipow, Fire Services Coordinator, recognized the team effort that moved staff through a rapid process for the amendments and appreciated the efforts from everyone involved. He said this was a recommendation to consider approval of the amendment to the interlocal agreement. He indicated the four main topics to be considered within the amendment to the first interlocal agreement were: the Joint Fire Advisory Board (JFAB) functions, extension, standards of cover analysis and financial provision.

Commissioner Larkin stated the first topic considered expansion of the role of JFAB to include more than just the relevancy of the interlocal agreement. Blaine Cartlidge, Deputy District Attorney, explained the current role of the JFAB within the interlocal agreement was limited to operations. He referred to page 2 in the staff report that stated, "the JFAB shall create an environment that encourages cooperation between the City and the District in providing fire services, and shall provide input and recommendations on policy matters arising under this Interlocal Agreement, including without limitation amendments hereto, best practices, budget matters, additional parties, governance models, and fire dispatch issues as they relate to the established level of service provided pursuant to this Interlocal Agreement." He remarked the key word difference was "policy matters" and deleting what used to be stated as "operations." He indicated that would be a large expansion to the original concept of the role of JFAB. Mr. Cartlidge said the volunteer firefighters were added to the representative type boards that could be called upon to advise. Commissioner Larkin remarked the intent was to be all inclusive for other parties and to encourage the dialogue at the JFAB level.

Mr. Latipow said per a request from the JFAB, staff approached the City of Sparks to make an offer for them to enjoy within the economy of scale the Standard of Cover and the Regional Analysis that was forthcoming. He said as a result of that discussion, he would attend the May 24, 2010 Sparks City Council meeting where the staff report would be presented, which recommended the City of Sparks enter into a Standard of Cover Analysis and participate within the Regional Analysis.

Commissioner Larkin said during discussions surrounding extension of the termination clause, it was determined at any point during the 12 ensuing months, one party could notify the other, and then the time clock would begin. He said if the terms were not inclusive of what the original agreement stated, as a consequence, language was added that allowed each entity to be notified of non-renewal and then the actual time clock would not begin until June 30th of next year. Mr. Cartlidge commented that language was to maintain the one year understanding from the original interlocal agreement that would take to wind down and then begin a new department on both sides. He clarified at any time over the next year, either party could notice not to renew with the clock beginning the next fiscal year for that one year wind down.

In response to a question from Commissioner Jung, Katy Simon, County Manager, explained remaining with fiscal years was due to fire seasons and changes that occur with regard to employee benefits and employee costs. She said there was discussion on attempting, if possible, to target changes on January 1st because of the employee costs and the wildfire issues. Ms. Simon said it was recommended that it could be timelier if changes to fire service were not made on July 1st. Ms. Walker said the consideration for July 1st encompassed the beginning of the budget year; but that was simply a paper transaction. She said there were two concepts to be considered, July 1st helped with the budget, but was not good in terms of the fire season, whereas January 1st was out of the fire season. Ms. Walker stated those options may want to be considered.

Commissioner Jung commented notice could be given at anytime, but would not go into affect; however, staff could be working towards that date. Then if an impasse was reached staff could be directed to begin working toward that day. Commissioner Jung remarked the dates were written in the agreement, but the Board could give notice at any time. Mr. Latipow said the recommendation was consistent with the language crafted in the agreement.

Mr. Latipow stated the Standard of Cover analysis had undergone changes. He said under the Standard of Cover document the City of Reno preferred that they engage contactors themselves, produce their own purchase orders and manage their own contractual process in close coordination with the District. However, it was made clear that the Chief and County staff would coordinate the scope of work and the process of moving the Standard of Cover through the evolution of completion. Mr. Latipow stated once the City completed the Standard of Cover by the date certain, phase II would begin, which was the Regional Standard of Cover. He said the consultant would take the Standard of Cover from the TMFPD, Sierra Fire Protection District (SFPD), the City of Reno, and the County and, as directed by JFAB, would consider the two studies both unions had completed and create a Regional Standard of Cover. He said staff would take the recommendations from the Regional Standard of Cover and return to JFAB with performance objectives linked to levels of service. He said it was recommended that the TMFPD fund the cost of the Regional Standard of Cover.

Commissioner Jung clarified the performance objectives to be presented to the JFAB would happen on or before November 29, 2010.

Commissioner Larkin said there was an interlocal agreement evaluation process located in the packet that the Standard of Cover and the timeline were tied to the aggressive schedule. He said each article of the agreement was identified by sections and target times for review, which was a pre-condition of the Board, that the City of Reno agree to prior to implementation. He indicated this would go before the Reno City Council on May 12, 2010 and, if approved today, the burden fell to the City Council to approve "as-is." He explained the Standard of Cover was the standard the JFAB recommended to the Board of Fire Commissioners and that the City of Reno must enter into that Standard of Cover, which would be the same standard for everyone participating in the interlocal agreement.

Mr. Latipow said work had begun with Chief Hernandez on the draft scope of work to assure there was consistency with the work products. Chairman Humke said the consultant activity for the Standard of Cover was a \$15,000 estimate. Mr. Latipow remarked that estimate was for the Regional Standard of Cover. He said there was a proposal from a well-known firm and, in that proposal, the two products would be linked to achieve the economy of scale. Chairman Humke asked if that cost would be borne by the TMFPD. Mr. Latipow stated that was the recommendation. He added at this point there was no cost allocation to the City of Sparks Fire Department. He said if the City of Sparks took the steps to move forward with their Standard of Cover, staff would

return to the Board with a recommendation on how best to approach the City of Sparks entering into the regional evaluation.

Commissioner Larkin explained the financial component to the interlocal agreement was simple in the beginning, but became complex and as a consequence there was a lag in the true-up period. He indicated this section of the agreement would attempt to true-up and estimate the next true-up period, which was a pre-condition from the City of Reno for the continuance of the interlocal agreement. He said this would even-up the cash flow allowing the City of Reno an opportunity to plan the next fire budget and examine the current fire budget. He said the current true-up amount was about \$500,000; however, more was owed and because of the calculations the recommendation was to proceed with a pay-back of about \$544,000. He stated in the subsections there was a methodology that would be used in the interim, but would become part of the permanent agreement that was currently in full force and effect.

Commissioner Larkin asked if anything had changed since this was presented to JFAB. Ms. Walker replied in total the amount this year would be \$662,170, which included a \$500,000 true-up payment, plus a true-up for the prior two years of \$162,000 that would come before the Board later in the month for approval of the payment. She said this was in recognition of the City's budget cuts in areas having nothing to do with the TMFPD, allowing the City to retain those savings. She said the TMFPD would receive a benefit from jointly funded items, such as administration and prevention. Ms. Walker said next year the budget for the District would be \$1.2 million less than what was paid to the City two years ago.

Commissioner Jung clarified that during the JFAB meeting this was referred to as the "fair and square doctrine." She said if the City of Reno made decisions that only affected them and not the District, they would receive those savings. If a decision was made that affected everyone, then everyone received a reflected savings, but that was not anticipated in the contract.

Chairman Humke referred to page 5 in the staff report and asked if Section 11.1.1 was existing interlocal agreement language. Ms. Walker stated the change was to add the "fair and square" paragraph and noted the new language was located in subsection(h).

Commissioner Larkin explained the JFAB was presenting a document that did not eliminate the Board's options, did not foreclose any options and extended the time period for a thorough evaluation process of each component of the interlocal agreement. Any concerns or areas non-negotiable could be brought back to the Board. He said at any time the Board of Fire Commissioners could "pull the plug" and had complete control of the process with analysis and recourse. He recommended the Board of Fire Commissioner's accept the recommendation and forward it to the City of Reno for their approval.

Chairman Humke asked if this document had been approved by the City of Reno. Mr. Latipow indicated the JFAB gave direction to move forward to both governing bodies. He said the Fire Board met first and indicated this would be before the Reno City Council on May 12, 2010 with a resolution similar to the Fire Board.

Chairman Humke asked if there were any negotiations pursuant to the JFAB meetings concerning dispatch. Commissioner Larkin indicated that would be part of the expansion and another aspect of "other parties" and was indicated in the calendar provided.

Mr. Latipow said at the request of the JFAB the draft schedule would drive staff's work product and presentations to the JFAB. He said originally the schedule was proposed for 12 months; however, at the request of the JFAB it was compressed into six months. He explained the schedule broke down specific articles and sections of the current interlocal agreement. He said the review timeline and the month items would be presented to the JFAB were included on the calendar.

Mr. Latipow commented once adopted, staff would return to the Board on May 17, 2010 and, if this resolution was adopted, direction and/or necessary changes would be made in the final TMFPD budget to reflect the payment and the scheduling of payments.

There was no response to the call for public comment.

Chairman Humke thanked the JFAB and Commissioners Jung, Weber and Larkin for their diligent work and specifically thanked Reno Councilmembers Sharon Zadra and Dave Aiazzi, as well as City of Reno and County staff for the effort concerning this discussion.

On motion by Commissioner Larkin, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that the formal Amendment to the First Amended Interlocal Agreement be accepted and the Chairman be authorized to execute the one-year extension of the Notice of Non-Renewal, a requirement for a Standard of Cover analysis, the JFAB role changes and the list of project deadlines. It was further ordered that the Chairman be authorized to execute the Resolution and the Amendment.

10-38F AGENDA ITEM 8

Agenda Subject: "Commissioners'/Manager's Announcements, requests for information and identification of topics for future agendas. (No discussion among Commissioners or action will take place on this item.)"

Commissioner Larkin requested an update on the fuel load and a fire preparedness report.

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ADJOURNMENT

2:51 p.m. On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, the meeting was adjourned.

DAVID E. HUMKE, Chairman
Truckee Meadows Fire
Protection District

ATTEST:

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

*Minutes Prepared By:
Stacy Gonzales, Deputy County Clerk*