

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

TUESDAY

10:00 A.M.

MAY 24, 2011

PRESENT:

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

Amy Harvey, County Clerk
Katy Simon, County Manager
Melanie Foster, Legal Counsel
Tim O'Brien, Division Chief

The Board convened at 11:12 a.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:

11-49F AGENDA ITEM 8

Agenda Subject: “Update on Joint Fire Advisory Board Meeting and Interlocal Agreement review process status.”

An updated staff report for Agenda Item 9, dated May 23, 2011, was distributed to the Board and placed on file with the Clerk. Attachments containing a summary of the issues, as well as draft amendments for Articles 2, 3, 5, 6, 8, 9, 10, and 11, were referenced throughout the discussion of Agenda Item 8.

Commissioner Jung, Chairperson for the Joint Fire Advisory Board (JFAB), explained the process that had been used by the JFAB at its May 23, 2011 meeting. The JFAB reviewed each of the articles and proposed amendments to the First Amended Interlocal Agreement for Fire Services and Consolidation between the City of Reno and Washoe County. Staff indicated whether consensus had been reached and whether the JFAB had approved a draft of each article. City and County staff presented their perspectives on the issues if there was no consensus. The JFAB forwarded the outstanding issues to the Reno City Council and the Board of Fire Commissioners (BOFC) for further consideration and policy direction. Commissioner Jung noted the JFAB members would hold further emergency meetings if necessary.

Commissioner Larkin, also a JFAB member, indicated the JFAB had fulfilled its commitment to the BOFC. He stated the areas of agreement and disagreement had been brought forward, but the JFAB made no specific recommendation as to whether

or not the BOFC should renew the Interlocal Agreement. He referred to Attachment 1 of the updated staff report, which contained an overview of the issues.

Fire Services Coordinator Kurt Latipow reviewed Articles 1 through 12, as outlined in attachments to the updated staff report.

Article 1, Definitions: Chief Latipow explained that the definitions could not be drafted until the overall document had been tentatively agreed to.

Article 2, Purpose and Intent, Administration, Terms and Termination: (Consensus.) Chief Latipow indicated the draft of Article 2 provided for input from the BOFC whenever a Fire Chief was chosen. He stated staff was unable to get consensus for having a representative of the BOFC present during labor negotiations with the fire unions. However, the Fire Chief would solicit input from the BOFC before entering any formal negotiations. He said Commissioner Jung had requested taking another look at the language concerning representation.

Commissioner Jung said the proposed agreement called for the City and the County to be more like equal partners rather than contractor and contractee. The Truckee Meadows Fire Protection District (TMFPD) was also being asked to take on more risk. Since the TMFPD paid for 25 to 30 percent of the consolidated budget, she wanted to see a commensurate vote for input on any policy and control issues. She stated such language would not just apply to labor negotiations. She disagreed with the attorney's opinion that the BOFC could not participate in labor negotiations. Chief Latipow observed there was a difference of opinion between attorneys for the City and the County as to whether the BOFC could be involved in negotiations.

Article 3, Fire Suppression and Prevention: (Non-consensus.) Chief Latipow stated the proposed Article was written to be consistent with performance objectives. It memorialized a collaborative process in the event of any additional brownouts as well as the joint planning of any future fire stations. He noted a minimum staffing level was proposed by the County in order to give the Fire Chief some flexibility in staying within the TMFPD budget restraints. He indicated the City felt it was important to add language that tied staffing levels to their union contract.

Commissioner Larkin clarified there was disagreement about three-man versus four-man fire crews, as well as the two-year time period for the proposed labor agreement with International Fire Fighter (IFF) Local 731. He said maximum management flexibility was requested for the Fire Chief to deploy resources as necessary. He called attention to the financial analysis on page 4 of the updated staff report, which showed the TMFPD moving into an operating deficit during fiscal year 2011-12. He stated the JFAB did not bring a recommendation because of the inability to establish a sustainable operating surplus in the TMFPD budget using four-man staffing levels.

Commissioner Jung requested clarification of the projected 2011-12 operating deficit. Mary Walker, District Financial Consultant, explained a \$450,000

savings was projected after recent union concessions, but there had been a \$1.2 million gap. Based on the latest information from the City, she noted the operating deficits shown on page 4 of the updated staff report would go from approximately \$374,000 to \$254,000 for fiscal year 2011-12, from approximately \$568,000 to \$448,000 in 2012-13, from approximately \$872,000 to \$752,000 in 2013-14, and from approximately \$870,000 to \$750,000 in 2014-15.

Commissioner Jung wondered if there was a law requiring a minimum ending fund balance. Ms. Walker stated disclosures had to be made to the Department of Taxation if the ending fund balance was less than 4 percent. She explained 8.3 percent, or one month's worth of operating expenses, was the general rule of thumb for a city or county. She pointed out property taxes accounted for 70 percent of the TMFPD's total revenues, but the taxes were not distributed until the end of August. Consequently, the TMFPD needed two months of cash flow to make it through each summer. Katy Simon, County Manager, pointed out the Board had recently approved an ending fund balance of 8 to 10 percent for all County budget units.

Commissioner Jung said she did not believe the BOFC had ever taken a vote regarding three-man versus four-man crews. She recalled the BOFC wanted the Fire Chief to be able to execute the adopted Standards of Cover for the TMFPD. The subsequent feedback from staff had been that adopting the Standards of Cover would require management to have the ability to move resources around.

Article 4, Workers' Compensation: (Non-consensus.) Chief Latipow noted legal counsel was still working on a draft of Article 4. The main area of non-consensus concerned continuance of the District's five-year buyout for workers compensation liability.

Commissioner Jung explained the compromise proposed by County staff was to remain on the five-year buyout model for three more years, and then go to a pay-as-you-go model. The City disagreed and wanted a pay-as-you-go model in place on July 1, 2011. She stated the payments were related to past claims and the TMFPD had experienced a few bad years for open claims. Chief Latipow indicated heart and lung claims were currently exempted from the five-year buyout calculation, and the County had offered to expand the exemption to cancer claims.

Commissioner Weber requested further clarification. Ms. Walker suggested the TMFPD could agree to a pay-as-you-go model after another two years. She noted the recommendation for five-year buyouts was based on actuarial reports. Although the TMFPD had paid some very large claims over the last three years, actuarial reports showed there would be lower claims over the next two years. Going to pay-as-you-go on July 1, 2011 would mean that the TMFPD would not get the anticipated benefit of the two low claims years.

Article 5, Real Property: (Consensus and agreement.) Please see the updated staff report.

Article 6, Vehicles and Equipment: (Consensus and agreement.) Please see the updated staff report.

Article 7, Insurance and Liability Coverage: (Non-consensus.) Chief Latipow stated the City was proposing that the County take on additional responsibility for liability. A meeting was scheduled for June 1, 2011 between each party's legal, risk management and insurance representatives to work through the language and the technical aspects. The concerns were also related to indemnification or the release of liability under Article 12.2.

Commissioner Breternitz asked for more explanation. Blaine Cartlidge, Deputy District Attorney, said service providers typically assumed liability for their own performance and indemnified other parties to which they provided service. He noted that had been the contractual arrangement between the City and County for about ten years. He acknowledged a philosophy that the City and the County were becoming more like partners. The City had requested a line item in the consolidated budget for the TMFPD to assume some financial liability, which would also limit indemnification. The upcoming meeting had been scheduled to address the technical aspects of such an arrangement and to help staff understand how participation in the City's risk program would influence the extent to which the TMFPD should share in the liability for any performance deficit by the City. Commissioner Breternitz observed that partnership agreements typically involved shared responsibilities, liabilities, roles of control, and decision making. He wondered if the City had offered shared decision making or a balancing of the roles and responsibilities. Mr. Cartlidge replied that had not yet been offered.

Commissioner Humke questioned who was right or wrong in the negotiation. Mr. Cartlidge characterized it as a philosophical difference. He acknowledged there might also be some technical misunderstanding or lack of understanding. Commissioner Humke wondered how the philosophical difference varied from the legal difference. Mr. Cartlidge indicated any new policy for the County to share liability and assume some commensurate decision making power would legally impact how the District Attorney's office would try to protect the TMFPD. Commissioner Humke noted that one approach looked back for years and the other was prospective. He observed there had not yet been any shared decision making.

Article 8, Reporting, Data, Record Retention/Storage: (Consensus and agreement.) Please see the updated staff report.

Article 9, Ordinance Enforcement and Implementation: (Consensus and agreement.) Chief Latipow said Article 9 had been rewritten to empower the City to enforce the fire code within the TMFPD boundaries and to include the County's preferred administrative enforcement process.

Article 10, Volunteer and Auxiliary Programs: (Consensus and agreement.) Chief Latipow observed the Article dovetailed with volunteer contracts that

were currently in place for the TMFPD. The leadership of the Volunteer Firefighters Association had reviewed and agreed to it in concept.

Commissioner Humke asked if a volunteer could then be placed on a rig if a career firefighter was to call in sick. Michael Hernandez, TMFPD Fire Chief, said there was a clause in the tentative agreement with IFF Local 731 that gave career firefighters the sole right to provide services.

Article 11, Financial Provisions: (Non-consensus.) Chief Latipow stated the Finance team had come up with a true cost methodology to measure what percentage would be paid by the TMFPD. He noted the staff was very close to a consensus, but annexation credits were still an area of concern. He explained the TMFPD received a credit against its bill for property within the TMFPD that was annexed by the City. The City had raised concerns about continuing the current language regarding annexation. Chief Hernandez stated there were some areas of the District where the TMFPD had a station that was staffed by Reno personnel. The question had been raised as to whether there should be some percentage allocation of the credit in such areas. He indicated the specific language still needed to be worked out.

Commissioner Jung said it was an important policy issue that would probably take more work. She observed the annexation credits went on into perpetuity, and there seemed to be some basic unfairness to that. She suggested there should be some conditions under which the property tax reverted back to the City. Other than the clause in the existing Interlocal Agreement, she noted there was nothing to stop the City from annexing property and receiving the property taxes without any input from the County. She stated it might be a good idea for the BOFC or the County Commission to have a bill draft request (BDR) that would better delineate some of the annexation issues.

Commissioner Weber pointed out the Regional Planning Commission had recently approved about 270 properties for annexation. She stated the County was impacted when the Cities of Reno and Sparks used annexation for revenue generation.

Commissioner Larkin commented that one regional fire district would solve most of the issues and would provide a more efficient operation that better served the public.

Commissioner Humke asked whether mutual and automatic aid rules fell under Article 11. Chief Latipow said they were driven by Article 10.2, *Other District Agreements*. He noted there were well over 20 such agreements with various agencies. Commissioner Humke wondered how those types of aid agreements were working on a day-to-day basis. Chief Latipow characterized them as the absolute backbone for continuing a quality level of service throughout the County, regardless of the color of the fire truck. Commissioner Humke questioned whether there had been any discussion about changing to pay for performance or settling up. Chief Latipow said he had been asked by the BOFC to explore the concept of sending the closest resource regardless of jurisdiction in order to eliminate redundancy. He indicated there had been no discussion of pay for

performance. Commissioner Humke asked how that would work if one entity had five browned out stations. Based on his preliminary analysis, Chief Latipow said the impact of brown outs to the County was confined to Stations 9 and 13 in Stead. The current and proposed Interlocal Agreements contained a formula to compensate the TMFPD for such circumstances.

Commissioner Jung stated she had asked for some time series analysis of the brownouts. She indicated the issue of annexation needed to be worked out and backup plans needed to be in place because regionalization would take a while. She agreed with Commissioner Larkin that the majority of the issues would be resolved if there were no jurisdictional boundaries. Chief Latipow observed there were also some service delivery challenges on the eastern border, where the County depended on mutual aid with Lyon and Storey Counties. He said it was his understanding that Chief Hernandez had some browned out stations marked for reopening based on the tentative labor agreement and the pending acceptance of a grant.

Commissioner Breternitz suggested the annexing entity that received the tax revenue should be responsible for fire and police services. He wondered if the TMFPD received annexation credit for all of the cost. Ms. Walker observed that annexations typically took place in the spring when budgets were being done. She stated the revenues went out of the budget and there was usually no time to respond. She explained the annexation credits basically allowed the City to buy service from the County. She noted \$860,000 worth of annexation credits had accumulated over the last eleven years. Given several recent annexations, discontinuation of the annexation provisions could lead to a \$1.2 million loss of revenue to the TMFPD.

Article 12, Miscellaneous: (Non-consensus.) Chief Latipow explained there was a meeting scheduled June 1, 2011 to discuss the risk and liability issues contained in Article 12.2.

There was no action taken on this agenda item.

11-50F AGENDA ITEM 10

Agenda Subject: “Discussion and Action on the Truckee Meadows Fire Protection District Final Budget for FY 2011-12.”

Kurt Latipow, Fire Services Coordinator, called the Board’s attention to the updated staff report for Agenda Item 10 that was dated May 22, 2011. Mary Walker, District Financial Consultant, read from the summary on page 1 of the updated staff report. She noted the District’s finances were not sustainable, even with the budget cuts and concessions that had been negotiated with the International Fire Fighters Local 731. She described the two different methodologies included in the staff report – an actual cost methodology under an amended Interlocal Agreement and the existing consolidated budget methodology. She indicated the budget document to be submitted to the State contained the existing consolidated budget methodology based on the current Interlocal

Agreement. She projected the operating deficit at approximately \$254,000 for fiscal year 2011-12 under the actual cost methodology and \$756,000 under the existing consolidated budget methodology. She concluded that additional cost reduction measures would be necessary for the District to become financially sustainable in the long term. She pointed out the District would see about \$450,000 in savings from recently negotiated labor concessions.

Commissioner Larkin asked about the total contract amount. Ms. Walker said it was \$11.8 million under the existing contract and \$11.3 million using the new methodology. Commissioner Larkin wondered what the original contract amount had been in 2000. Commissioner Jung stated it had been \$11.4 million in 2000.

Commissioner Breternitz acknowledged there was no other choice but to approve the budget for fiscal year 2011-12, although it had considerable implications for moving into the future. He characterized it as “the definition of insanity” to keep going on in the same manner.

In response to the call for public comment, Cliff Low identified himself as a resident of West Washoe Valley. He hoped the Board would act in the best interests of the District’s taxpayers if the Interlocal Agreement or a move toward regionalization was not in their best interests.

William Steward indicated he had been a public servant in Washoe County for 15 years. He suggested the public safety model would look quite a bit different if the conversation about how to best serve the public had been held 11 years ago. He noted the Board had a window of opportunity to exercise leadership and provide great service to the citizens of Washoe County.

Commissioner Humke said he would vote to approve the budget because he had taken an oath to fulfill his statutory duty.

On motion by Commissioner Larkin, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10 be approved as submitted in the staff report dated May 22, 2011.

11-51F AGENDA ITEM 9

Agenda Subject: “Discussion and action on renewal, modification or termination of the Interlocal Agreement for Fire Services and Consolidation dated July 1, 2004, as amended, between the District and the City of Reno. (All Commission Districts)”

Kurt Latipow, Fire Services Coordinator, said there were limited options for long-term financial stability. Given the Board’s priority for keeping every fire station in the District open and operational, he recommended that staff be directed to prepare a cost-benefit analysis related to terminating or not terminating the Interlocal Agreement. If approved, the analysis would be presented to the Board no later than June 28, 2011.

Commissioner Larkin identified three outstanding major issues related to renewal of the Interlocal Agreement – a review of budgetary costs and benefits, resolution of three-man versus four-man staffing levels, and resolution of liability issues. He asked the County Manager if arrangements had been made to review costing of the District’s budget. Katy Simon, County Manager, indicated staff would require Board direction to make such arrangements. Commissioner Larkin noted that staffing levels were intricately tied to the Standards of Cover and to the labor contract with IFF Local 731. He made the following appeal: “731, you have an opportunity to correct this now. You see the numbers, you see where we are and if we don’t have resolution on this, then I will be forced, based on your decisions, to move toward terminating the contract. I don’t want to do that. I think it is working. You have come part of the way, but you have to come the rest of the way.” As to the liability issue, he said the County would either be full partners and share in the risks and the decision making, or the City of Reno would assume all of the risks and the decision making. He acknowledged there was a staff meeting scheduled for June 1, 2011 to work out the liability issues. He remarked that the Joint Fire Advisory Board had done its job and it was now up to the Board of Fire Commissioners.

Commissioner Jung suggested June 28, 2011 was far too late. She said it was her guiding principle to sustain a bridge to regionalization. She observed there were two different philosophies – to get out of the Interlocal Agreement and regionalize, or to approve amendments to the Interlocal Agreement and regionalize. She indicated it was in everyone’s best interest to regionalize, including the Sierra Fire Protection District (SFPD), the Truckee Meadows Fire Protection District (TMFPD), the City of Reno, the City of Sparks, and any surrounding counties that were interested. She stated it was imperative for staff reports to come back at the first Board meeting in June 2011 or for the Board to have a special meeting in June.

Chairman Breternitz pointed out that the Board knew its adopted budget would not work down the road and was borderline for the rest of fiscal year 2011-12. He indicated he wanted to look at regionalization to benefit all of the people in Washoe County, but believed there were too many changes necessary to make it work under the Interlocal Agreement. He said the Board had to find a way to provide sustainable fire services.

Commissioner Humke expressed support for regionalization but stated it might take ten or 15 years for cultures to change. Although the staff and the Joint Fire Advisory Board (JFAB) members had worked hard, he noted the items under discussion did not carry equal weight. Properly weighted, he suggested there was really about 90 percent disagreement.

Commissioner Weber stated agreement was quite a ways off. She said the Board needed to be included in the labor negotiations and the Fire Chief needed enough staffing flexibility to get the job done. She indicated minimum three-person crews and the use of volunteer firefighters needed to be looked at again. She expressed concern about

the brown-out situation. She stated a two-year labor contract was too long. She suggested it was appropriate to have a one-year contract followed by regionalization at the end of one year.

In response to the call for public comment, Sarah Thomas identified herself as a resident of Arrowcreek. She expressed concern about the City of Reno's funding practices, the potential for closure of more fire stations in the future, and the subsequent impact on fire services in the unincorporated areas of the County. She stated there were enough resources available in the TMFPD and the SFPD to redesign the County's emergency services. She suggested the Interlocal Agreement should not be renewed as long as the City held to its existing funding practices.

Cliff Low said the arrangement between the City and the County was a contentious one and he did not believe the issues could be resolved within the 37 days that remained. He indicated regionalization might result in services directed to the greatest number of people, while those who lived in the suburban and rural areas would be left to make do some other way.

Steven Perez talked about the City's proposal to remove the \$800,000 credit provided to the County for annexed properties. He suggested the City abused mutual and automatic aid pacts that were supposed to be reciprocal, and relied on the TMFPD and the SFPD to provide fire services in many of the areas they had annexed. He stated the City and County needed to work toward regionalization rather than a new Interlocal Agreement, and the County needed to have a say in future annexations.

William Steward recalled the voters had recently passed a Washoe County ballot measure in favor of regionalizing government services. He stated the fire and emergency medical services were businesses just like any other, and questioned how the business model could be fixed to make it more competitive. He emphasized that response time mattered and asked the Board to get it done right.

Commissioner Breternitz said he had received an email from constituent Jane Countryman expressing her support for termination of the Interlocal Agreement. A copy of Ms. Countryman's email was placed on file with the Clerk.

Commissioner Humke stated he had received an email from constituent Robert Parker. He asked that the email be placed into the record and on file with the Clerk.

Commissioner Jung asked that staff explore Article 2 further. She emphasized the County should have full partnership benefits with respect to providing direction, establishing policy, and hiring fire chiefs. She stated the Board should be privy to legal memos between staff and there should be a dedicated revenue source that did not come from the City's general fund.

Commissioner Weber requested more consideration for the issue of annexation under Article 11.

Commissioner Larkin made a motion that was seconded by Commissioner Humke (see below). He clarified for Commissioner Weber that dialogue could continue on the various issues brought up during the discussion, but there were three main items in the motion that were deal killers if they could not be worked out.

Chairman Breternitz emphasized the importance of having a cost analysis for the option of exiting the Interlocal Agreement so the Board would have complete information available. Commissioner Larkin said he was not sure if staff could complete a cost-benefit analysis by the Board's first meeting in June 2011, but he was authorizing it as part of his motion.

Chief Latipow requested clarification about staffing levels and what the Fire Chief should take back to the City. Commissioner Larkin suggested he take the message back to IFF Local 731. Fire Chief Michael Hernandez indicated labor negotiations had already been completed. Commissioner Larkin noted IFF Local 731 had not yet ratified an agreement. Chief Hernandez agreed they were in the process of reviewing the terms of the negotiated settlement and there was a 30-day voting period. He said he would consult with the City's legal and management teams, but anticipated that it would be very difficult to go back to open up the agreement. Commissioner Larkin stated the message was directly to IFF Local 731, but the Chief was free to bring back an update to the Board on June 14, 2011. Chairman Breternitz observed that if both parties agreed to do anything, they had the ability to do it.

On motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, staff was directed to:

1. Engage an outside consultant or available staff member to review financials for the TMFPD, including budget projections for fiscal years 2011-12 through 2014-15 and an analysis of exit options, (initial costing and revenue projections in the event the Board decided to give notice to terminate the Interlocal Agreement).
2. Review staffing levels, with a plea to IFF Local 731 for reconsideration.
3. Report back on the results of the June 1, 2011 meeting concerning liability issues.
4. Report back to the Board at its regularly scheduled meeting on June 14, 2011 for reconsideration of Agenda Item 9.

1:14 p.m. The Board convened as the Board of Washoe County Commissioners and the Board of Fire Commissioners for the Sierra Fire Protection District with all members

present, and went into a Closed Session for the purpose of discussing negotiations per NRS 288.220.

2:19 p.m. The Board reconvened as the Board of Fire Commissioners for the Truckee Meadows Fire Protection District with all members present.

11-52F 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 Board of Fire Commissioners as a whole.”

There was no response to the call for public comment.

11-53F AGENDA ITEM 3

Agenda Subject: “Consent: Acceptance of volunteer/auxiliary reports for March 2011 (including monthly operations report of Volunteer Fire Departments indicating response data, training activities/apparatus updates, administrative, radio communication and dispatch issues, etc.)”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 3 be accepted.

2:22 p.m. The Board convened simultaneously as the Board of Fire Commissioners for the Truckee Meadows Fire Protection District and the Sierra Fire Protection District with all members present.

11-54F AGENDA ITEM 4

Agenda Subject: “Approve a Resolution to donate one surplus used 1988 Seagrave Fire Water Tender, VIN# 1F9EX3J8JCST2185 in “as is” condition to the Sierra Fire Protection District and if approved, authorize Chairman to execute Resolution for same and authorize the SFPD to accept the donation.”

There was no response to the call for public comment.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 3 be approved, authorized, executed, and accepted. The Resolution for same is attached hereto and made a part of the minutes thereof.

2:23 p.m. The Board reconvened as the Board of Fire Commissioners for the Truckee Meadows Fire Protection District with all members present.

11-55F **AGENDA ITEM 5**

Agenda Subject: “Fire Chief Report – Report and discussion related to Fire District operations by Reno/Truckee Meadows Chief Michael Hernandez.

Fire Chief Michael Hernandez indicated Station 7 on Skyline, Station 9 in Stead, and Station 10 on North Virginia remained unstaffed. He indicated April 2011 had been a relatively quiet month. He reviewed the summary of activity for Stations 13 through 18, as shown on page 2 of the staff report. He said Engine 14 had rescued a resident from a smoke-filled apartment on April 2nd. He referenced an email report submitted to the commissioners through the Fire Services Coordinator and County Manager regarding three significant events that would be reflected in the May 2011 report. A summary of the tentative agreement between International Fire Fighters Local 731 and the City of Reno had also been provided by email.

11-56F **AGENDA ITEM 6**

Agenda Subject: “Approval of the Truckee Meadows Fire Protection District Five-Year Buy Out of Workers’ Compensation Claims for Fiscal Year 05-06 in the amount of \$775,005.00 per the First Amended Interlocal Agreement for Fire Service and Consolidation between the City of Reno and Truckee Meadows Fire Protection District.”

Kurt Latipow, Fire Services Coordinator, said the annual buyout was consistent with the current Interlocal Agreement, reserves were adequate for the obligation, and there was funding in the approved 2010-11 budget.

There was no response to the call for public comment.

On motion by Commissioner Larkin, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 6 be approved.

2:27 p.m. Commissioner Humke left the meeting.

11-57F **AGENDA ITEM 7**

Agenda Subject: “Discussion and possible approval of purchase of two (2) new Structural Fire Apparatus for replacement of Truckee Meadows Fire Protection District’s Engines 13 and 18, per award of Washoe County Bid No. 2776-11, from Rosenbauer-Central States LLC, in the amount of \$406,156 each, total of \$812,312; and consider two (2) prepayment options that are available, a chassis prepay reducing the price to \$400,049 per unit, or a total of \$800,098 for two, or a full prepay option that reduces the price per unit to \$392,401 per unit, or a total of

\$784,802 for two (staff recommends this option); and if approved authorize the County's Purchasing and Contracts Manager to issue the purchase order for same contingent on the vendor providing a 100% faithful performance bond as security in exchange for prepayment of the units."

Commissioner Larkin asked if there was still a need to purchase the equipment, given the economic and budget situation. Fire Chief Michael Hernandez stated the current apparatus was functioning but was facing a finite lifespan. He noted it would take 12 to 14 months to take delivery after approval of the purchase. He said he believed the purchase to be prudent and fiscally responsible, irrespective of whether or not the Interlocal Agreement between the City and the District was renewed.

Commissioner Breternitz observed the prices were about \$100,000 less per unit than what was originally anticipated. He said he had previously requested a thoughtful and objective analysis of new versus refurbished equipment. He characterized the information in the staff report as a cost comparison rather than an objective and thoughtful analysis. He indicated that Chief Hernandez and Division Chief Tim O'Brien had provided him with additional information that included a line-by-line breakout of parts, but did not include any labor. Although he recognized the ultimate need to purchase the equipment, he stated there was not a thorough cost comparison and the idea of spending more than \$800,000 on equipment did not sit well with him.

Commissioner Weber observed that equipment was passed down and around to other fire districts in the area. Chief Hernandez indicated a 20-year lifespan could be anticipated. He noted it was the norm in fire service for new apparatus to go to the busiest stations for two to five years, and to then be transferred to a slower station and used for an additional five to ten years. After that, equipment that was still relatively functional could be refurbished and offered to the volunteer system. Commissioner Weber pointed out that Stations 13 and 18 both had large rural districts.

A motion was made by Commissioner Weber and seconded by Commissioner Larkin to approve Agenda Item 7.

Commissioner Jung stated she would not support the motion. She recalled previous direction given to staff that there would be no equipment purchases because of the uncertainty about where the fire districts were going. She said she preferred to take a full inventory as a new regional board and figure out where to put the resources.

The motion failed on a 2 to 2 vote with Commissioner Humke absent, and Chairman Breternitz and Commissioner Jung voting "no."

Commissioner Weber asked if the Agenda Item could be brought back for another vote at a future meeting when Commissioner Humke could be present. Commissioner Larkin observed that only those on the prevailing side of a motion could ask for reconsideration, but it was unclear with a 2 to 2 vote. He wondered if the Chair would entertain a follow-up motion to continue the Agenda Item. Commissioner

Breternitz observed the Board had a longstanding policy that any commissioner could bring an item to the Board. He noted Commissioner Humke did not stand on either side of the vote. He suggested Commissioner Humke could request an agenda item if he chose to and the Board would respect his request.

No further action was taken on this item.

11-58F AGENDA ITEM 11

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.)”

There were no announcements.

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2:40 p.m. There being no further business to come before the Board, on motion by Commissioner Larkin, seconded by Commissioner Jung, which motion duly carried with Commissioner Humke absent, the meeting was adjourned.

JOHN BRETERNITZ, 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*

RESOLUTION

A RESOLUTION TO DISPOSE OF ASSETS BY DONATION TO THE SIERRA FIRE PROTECTION DISTRICT FROM THE TRUCKEE MEADOWS FIRE PROTECTION DISTRICT

WHEREAS, The Truckee Meadows Fire Protection District has determined that a piece of fire equipment is no longer needed as part of its service delivery program; and

WHEREAS, The Truckee Meadows Fire Protection District is proposing to dispose the following piece of fire equipment, which is surplus to the District's needs, described as:
One 1988 Seagrave Fire Water Tender VIN#1F9EX3J8JCST2185; and

WHEREAS, The Sierra Fire Protection District is in need of this piece of fire equipment.

NOW, THEREFORE, BE IT RESOLVED by the **BOARDS OF FIRE COMMISSIONERS FOR THE TRUCKEE MEADOWS FIRE PROTECTION DISTRICT AND THE SIERRA FIRE PROTECTION DISTRICT** that they support and authorize donation and acceptance of the fire equipment as stated, and declare:

Section 1. NRS 474.470(7) empowers the Boards of Fire Commissioners to dispose of personal property provided it is determined that the property is no longer needed, and to accept donations.

Section 2. The piece of fire equipment described above is no longer required for its public use and the equipment is hereby donated by the TRUCKEE MEADOWS FIRE PROTECTION DISTRICT in "as is" condition, and said donation is hereby accepted by the SIERRA FIRE PROTECTION DISTRICT. All costs for registration, title transfer and smog fees will be the responsibility of The Sierra Fire Protection District.

Section 3. This Resolution shall be effective upon passage and approval by both Boards of Fire Commissioners.

Section 4. The County clerk is hereby directed to distribute copies of this Resolution to the Comptroller's Office, Finance, Purchasing, and Equipment Services.

ADOPTED this 24th day of May, 2011.

TRUCKEE MEADOWS FIRE PROTECTION DISTRICT

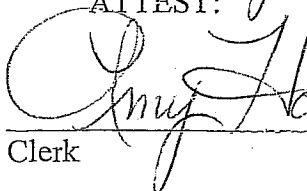
SIERRA FIRE PROTECTION DISTRICT

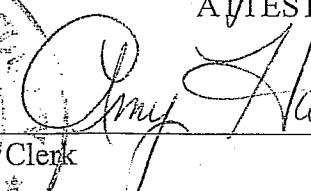
By: 
John Breternitz, Chair

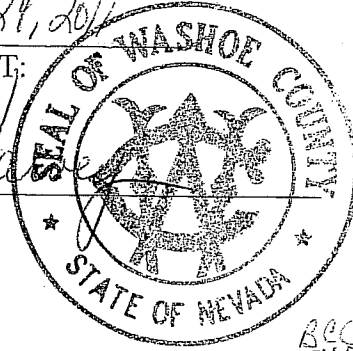
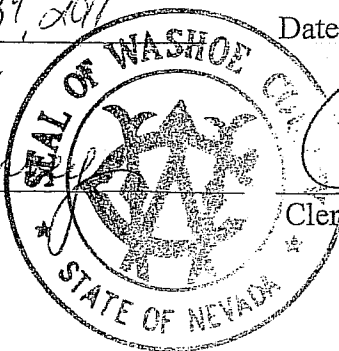
By: 
John Breternitz, Chair

Date signed: May 24, 2011
ATTEST:

Date signed: May 24, 2011
ATTEST:


Clerk


Clerk



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