

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

TUESDAY

11:00 a.m.

DECEMBER 11, 2012

PRESENT:

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

Amy Harvey, County Clerk
Katy Simon, County Manager
Paul Lipparelli, Legal Counsel
Charles Moore, Fire Chief

The Board convened at 2:31 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:

12-221F 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 Board of Fire Commissioners 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.”

Peggy Lear Bowen stated her concerns about the ownership of the land that was close to the fire station near Boomtown. She also urged the Board to maintain that fire station in order to meet the needs of the residents in that area.

12-222F AGENDA ITEM 3A

Agenda Subject: “Approval of TMFPD-SFPD Joint Board of Fire Commissioners Meeting minutes from September 25 and October 23, 2012.”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 3A be approved.

12-223F AGENDA ITEM 4 – FIRE CHIEF REPORT

Agenda Subject: “Fire Chief Report – A) Report and discussion related to fire district operations by Chief Charles A. Moore, B) Monthly Statistics, and C) Washoe County Volunteer Fire Fighters Association Report for October and November 2012.”

Fire Chief Charles Moore thanked Chairman Larkin and Commissioner Breternitz for their service to the citizens of Washoe County. He distributed Truckee Meadows Fire Protection District (TMFPD) commemorative belt buckles to all the Board members.

2:40 p.m. Chairman Larkin temporarily left the meeting. Vice Chairperson Weber assumed the gavel.

Chief Moore reminded the public to change the batteries in their smoke detectors and carbon monoxide detectors. He noted that the TMFPD had received a grant for hundreds of batteries and indicated there were many that could be dispensed to the public, particularly the senior citizen population. He explained that firefighters at the local fire stations would assist a citizen in their home if they needed batteries changed in those devices.

Chief Moore announced that Governor Brian Sandoval had proclaimed November 15, 2012 as “Rural Health Day.” He announced that the University of Nevada, School of Medicine had honored the TMFPD with a plaque for their work regarding rural health.

Chief Moore reported that November was an active fire month and reviewed data from the recent Lyon and Steamboat Fires. He displayed a map that showed the damage caused by the Lyon Fire, which was placed on file with the Clerk. He also showed a short video that highlighted the Steamboat Fire and how the firefighters fought that fire. The video was also placed on file with the Clerk. Chief Moore indicated that a resident lost a well house during the Lyon Fire. He said when the well house was destroyed, the local American Red Cross provided the labor to restore the well, but the owner needed an additional \$450 for the remaining repairs. He noted that Local 3895 reimbursed the owner the \$450 in parts to have the well fixed and then took it upon themselves to rebuild the well house.

Commissioner Humke thanked Local 3895 for contributing their services to a resident of Washoe Valley.

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

12-224F AGENDA ITEM 5

Agenda Subject: “Acceptance of Nevada Division of Emergency Management Federal Fiscal Year 2008 State Homeland Security Program (SHSP) grant award in the amount of \$63,900 for Thermal Imaging Cameras.”

Division Chief Tim Leighton explained that during the transition process to the new District, several operational planning meetings had occurred. Through those meetings, it was determined that Thermal Imaging Cameras needed to be placed on each of the first-out engines. He said staffed researched the available grant funding and then submitted an application to the Nevada Division of Emergency Homeland Security, which was accepted. He indicated that the Thermal Images would be used for several different incidents that the engine company responded to and was an important tool for the firefighters to locate fires hidden in structures.

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried with Chairman Larkin absent, it was ordered that Agenda Item 5 be accepted.

12-225F AGENDA ITEM 6

Agenda Subject: “Acceptance of Nevada Division of Emergency Management Federal Fiscal Year 2008 State Homeland Security Program (SHSP) grant award in the amount of \$53,556.00 for Multi Casualty Incident (MCI) Trailer.”

Division Chief Tim Leighton stated this item came about due to the planning meetings during the transition of the District. It was determined that the Multi-Casualty Incident (MCI) Trailer could be used as an incident command trailer, which could treat up to 10 patients for any type of multi-casualty incident.

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Breternitz, which motion duly carried with Chairman Larkin absent, it was ordered that Agenda Item 6 be accepted.

12-226F AGENDA ITEM 7

Agenda Subject: “Discussion and action on Truckee Meadows Fire Protection District Resolution to transfer \$100,000 from the Truckee Meadows Fire Protection District General Fund Contingency Account to the Health Benefits Fund and to use that transfer to augment the District's FY 12-13 Health Benefits Fund Budget in the amount of \$100,000 for the purpose of paying group medical insurance costs.”

Mary Walker, District Financial Consultant, explained there were some old medical premiums from the former group medical insurance provider which were not provided to the District in a timely manner and needed to be paid; however, this had become known after the budget had been approved. She indicated that \$100,000 was taken from the Contingency Fund, which the Sierra Fire Protection District (SFPD) had contributed \$150,000, in order to pay those old bills and to augment the budget.

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried with Chairman Larkin absent, it was ordered that Agenda Item 7 be approved. The Resolution for same is attached hereto and made a part of the minutes thereof.

The following Agenda Item #8 and #9 will be heard by the Board of Fire Commissioners for the Truckee Meadows Fire Protection District only.

12-227F AGENDA ITEM 8

Agenda Subject: “Review and acceptance of the Truckee Meadows Fire Protection District's Audited Financial Statements for Fiscal Year ended June 30, 2012.”

Mary Walker, District Financial Consultant, stated that the audit report and a letter from the auditors were included in the staff report. She said the financial statements for the fiscal year ended June 30, 2012 were audited by Kafoury Armstrong and Company. The auditor’s opinion of the financial statements was an “unqualified” opinion, which meant that the financial statements present fairly, in all material respects the respective financial position of the District’s governmental activities. She indicated that the District conformed to all significant statutory constraints on their financial administration during the year. Ms. Walker indicated that one deficiency was noted regarding unrecorded accruals and explained that steps were now in place to ensure a more accurate recording of the accruals. She stated that the Truckee Meadows Fire Protection District (TMFPD) had made a significant turnaround in their finances due to the work completed and the decisions made by the Board of Fire Commissioners. She commented that the TMFPD was in a sound, solid financial condition today, and moving toward the future.

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried with Chairman Larkin absent, it was ordered that Agenda Item 8 be accepted.

12-228F AGENDA ITEM 9

Agenda Subject: “Discussion and possible Board approval of Truckee Meadows Fire Protection District Resolution to request State Grant per NRS 353.2735 for certain expenses incurred as a result of a disaster under the State’s Disaster Relief Fund for the expenditures of the Caughlin Fire in the amount of \$39,536.”

Mary Walker, District Financial Consultant, explained that Board approval was sought in order to move forward with the grant request from the State.

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Breternitz, which motion duly carried with Chairman Larkin absent, it was ordered that Agenda Item 9 be approved. The Resolution for same is attached hereto and made a part of the minutes thereof.

The following Agenda Item #10 and #11 will be heard by the Board of Fire Commissioners for the Sierra Fire Meadows Fire Protection District only.

12-229F AGENDA ITEM 10

Agenda Subject: “Review and acceptance of the Sierra Fire Protection District’s Audited Financial Statements for Fiscal Year ended June 30, 2012.”

Mary Walker, District Financial Consultant, stated that the Sierra Fire Protection District’s (SFPD) financial statements for the fiscal year ended June 30, 2012 were included and were audited by Kafoury Armstrong and Company. She said the auditor’s opinion of the financial statements was an “unqualified” opinion, which meant that the financial statements present fairly, in all material respects the respective financial position of the District’s governmental activities. The report stated that the auditors found the District conformed to all significant statutory constraints in their financial administration during the year and there were no material weaknesses of a magnitude to justify inclusion within their report. She indicated there were no audit deficiencies for the District’s operations; however, two deficiencies were noted regarding the Arrowcreek Fire Station construction grant, which was noted in the report. Due to the actions taken by the Board for sustainability, the SFPD finances had stabilized and were projected to remain stabilized in the upcoming years.

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried with Chairman Larkin absent, it was ordered that Agenda Item 10 be accepted.

12-230F AGENDA ITEM 11

Agenda Subject: “Discussion and possible Board approval of Sierra Fire Protection District Resolution to request State Grant per NRS 353.2735 for certain expenses incurred as a result of a disaster under the State's Disaster Relief Fund for the expenditures of the Caughlin Fire in the amount of \$23,132.”

Mary Walker, District Financial Consultant, explained that Board approval was sought in order to move forward with the grant request from the State.

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried with Chairman Larkin absent, it was ordered that Agenda Item 11 be approved. The Resolution for same is attached hereto and made a part of the minutes thereof.

12-231F AGENDA ITEM 12

Agenda Subject: “Discussion and possible action regarding the City of Reno proposal for Automatic Aid.”

Fire Chief Charlie Moore explained that the City of Reno (City) had sent a letter outlining some points for a possible agreement concerning automatic aid. He said the Truckee Meadows Fire Protection District (TMFPD) had considerable costs in standing up the new District, as did the City. On that basis, he said it seemed fair that if a proposal was returned to the City, it honored that the City also had costs associated with the deconsolidation and hoped a solution could be reached that benefited the citizens of both jurisdictions. He said staff developed a possible framework that included the following:

- a) The District accepts zero dollars for “true up” of the Fire Consolidated Department budgets for fiscal years 2010/11 and 2011/12, acknowledging that it is thereby waiving the City’s obligation to the District of \$250,000 for FY 2010/11 and approximately \$350,000 for FY 2011/12, for a total of \$600,000. The District would not offer additional payment to the City of Reno.
- b) The District accepts resolution of all claims for damages to, or associated with, the condition, maintenance, repairs, use and transfer or distribution of any and all personal property supplies, equipment and rolling stock and all claims for damages associated with any real property and related appurtenances, as may have risen under the Interlocal.
- c) The District forgives the City’s return of some of the District’s equipment, estimated to be valued at \$160,000.
- d) Conditional upon approval of the Internal Revenue Service and other regulating bodies, the District would pay to the City within 30 days of the approval of this proposal by both governing boards, the amount of the Actuarial Accrued Liability

for the District's liability for retiree health payments to the City of Reno according to the Interlocal Agreement. The Actuarial Accrued Liability is determined by the District's Actuary as of July 1, 2012 less retiree health monthly payments made to Reno in FY 2012/13 and is estimated to be approximately \$2.9 million. This payment would be made from the District's OPEB Trust that has been set aside to fund retiree health benefits. The payment would be made for the purpose of the City of Reno funding the liabilities, holding TMFPD harmless for any further claims on retiree health liability.

- e) The District would retain liability for workers' compensation claim payments according to the Interlocal Agreement.
- f) This proposal is conditioned upon mutual agreement to a traditional operating plan for no-cost-automatic aid between the parties that would extend to June 30, 2014.

Commissioner Breternitz commended the City for taking the first step in presenting an offer since he had been struggling to arrive at a resolution. He felt this was an attractive proposal and, in regard to the Staffing for Adequate Fire and Emergency Response (SAFER) grants, the June 30, 2014 date was timely.

Commissioner Jung inquired on the total amount derived from the items listed in condition "b." Chief Moore estimated that would be approximately \$70,000. Commissioner Jung said in item "c" the District forgave the City's return for some of the equipment and asked if anything was outstanding.

Katy Simon, County Manager, indicated there was still equipment being returned so rather than specify which equipment would be returned, the District would state that the City keep what they had and the District would not continue debating who owned what. Commissioner Jung said that approximately \$2.9 million would be given from the OPEB Trust and asked if there were any stipulations to fund those liabilities. Ms. Simon stated that the County's Finance Director had posed questions to the County's tax attorney to clarify if there were any conditions. It was likely there were specific provisions that it could not go into a general fund, but could go into an OPEB Trust that the City would establish. She explained that the City was hoping to establish that Trust; however, they did not have the capital needed to start that Trust.

Commissioner Jung said the proposed agreement indicated that liability for workers' compensation claim payments would be retained and asked for whom and for how long. Mary Walker, District Financial Consultant, explained that would be the District's proportionate share of the employees that had accidents during the 2007/08 fiscal year through fiscal year 2012. Commissioner Jung questioned the June 30, 2014 date and asked why an ending date was included. Chief Moore stated mutual aid agreements with all the other partners had ending dates. Ms. Simon indicated that the Board had given direction to work toward a regionalized fire service and it was hoped there would be a different structure in place. She confirmed that all the mutual and automatic aid agreements occurring in the past had dates to terminate, be renegotiated or be renewed. Chief Moore indicated there was one piece of equipment the District wished

to identify as their own, which was an antique 1925 La France fire engine. He believed that was first owned by the TMFPD and it would be the intent to exclude that forgiveness portion.

Commissioner Breternitz said the City had expressed concerns about the equity and the cost for providing automatic aid. As Commissioners, they had acknowledged there may be a cost in providing automatic aid. He believed there was an intent expressed to establish a viable system for reimbursement of automatic aid through June 30, 2014, which would be in the best interest of the parties.

Commissioner Humke asked how Automatic Aid became linked with true-ups. Chief Moore replied that the discussions had been intertwined and a multitude of issues could be solved with one possible agreement. Commissioner Humke commented that the City stated the County owed them \$400,000 for past years through the Interlocal Agreement, which was not permitted under the contract terms as told to the Board by their Financial Consultant. He asked why that amount was being considered. Chief Moore replied that the counter proposal recommended that amount not be paid. Commissioner Humke stated it seemed that the District would pay that amount because they were giving up payments owed to the District by the City, plus was linked to Automatic Aid, which had nothing to do with each other. Chief Moore said the intent of the proposed framework was to acknowledge the City also had substantial costs with the deconsolidation and, if a point wanted to be reached in moving forward, there had to be some settlement of the disagreements. Commissioner Humke remarked that he was not very thrilled with this proposal.

Ms. Simon said staff had recognized that the City stood on their belief that the County owed them at least \$1 million. For them to ask the County for \$400,000 was the net of the \$250,000 and \$350,000 they had agreed to owe the District in the past. In speaking with City Manager Andrew Clinger, she said it was recognized that the entities were in a “they-said, they-said” mode and were attempting to craft a different solution. However, the Board could move forward with litigation, but Legal Counsel would caution the Board not to discuss that option without an attorney/client session. She stated that was a legitimate option for governments to settle the matter.

Vice Chairperson Weber appreciated all the work done by staff in an effort to reach a solution. She agreed this was a good first step and a way to further the conversation.

In response to the call for public comment, Peggy Lear Bowen thanked everyone for their hard work and for listening to the citizens.

3:45 p.m. Chairman Larkin returned and assumed the gavel.

Ms. Simon reminded the Board that if further conversations would be endorsed on this framework, it would be dependent upon the tax attorney’s guidance.

Commissioner Breternitz moved to accept the recommendation regarding the City of Reno's proposal for Automatic Aid and to include the Manager's comments concerning the tax attorney's guidance. Commissioner Weber seconded the motion.

Commissioner Humke stated his concern about the two issues being linked and felt that was a mistake. He said a station opened in Hidden Valley that was a response to the City stating they would not do automatic aid. He inquired what would occur on the other side of the valley to mitigate the problem of previous automatic aid. Chief Moore replied that the framework included an Automatic Aid Operating Plan that would address all the issues. He believed when an annual operating plan was crafted there would be enough quid-pro quo to where the citizens won. Commissioner Humke asked if it would be guaranteed that there would be no further financial demands from the City due to Automatic Aid. Chief Moore felt that would be deferred to and determined by legal counsel.

On call for the question, the motion passed on a 4 to 1 vote with Commissioner Humke voting "no."

Ms. Simon thanked Ms. Walker for drafting the creative and innovative proposal.

12-232F AGENDA ITEM 13

Agenda Subject: "Commissioners'/Chiefs announcements, requests for information, topics for future agendas, and statements relating to items not on the Agenda. (No discussion among Commissioners will take place on this item)."

Fire Chief Moore wished Chairman Larkin and Commissioner Breternitz success in moving forward.

12-233F AGENDA ITEM 14

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 Board of Fire Commissioners 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.

* * * * *

3:52 p.m. There being no further business to come before the Board, on motion by Commissioner Humke, seconded by Commissioner Jung, which motion duly carried, the meeting was adjourned.

ROBERT M. LARKIN, Chairman
Truckee Meadows Fire Protection District/
Sierra Fire Protection District

ATTEST:

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

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

**TRUCKEE MEADOWS FIRE PROTECTION DISTRICT
RESOLUTION TO APPROVE A REQUEST FOR STATE GRANT PER NRS 353.2735 FOR
CERTAIN EXPENSES INCURRED AS A RESULT OF A DISASTER UNDER THE
STATE'S DISASTER RELIEF FUND
FOR THE EXPENDITURES OF THE CAUGHLIN FIRE**

WHEREAS, on November 18, 2011, the Truckee Meadows Fire Protection District (District) experienced a catastrophic wildland fire, the Caughlin Fire, which burned 1,935 acres, destroyed or damaged 43 homes, threatened an estimated 4,500 homes and which destroyed structures whose market value was over \$10,000,000; and

WHEREAS, State Emergency Declarations were issued for the Caughlin Fire by the City of Reno, Washoe County and the Nevada Governor Brian Sandoval and a Federal Fire Management Assistance Grant (FMAG) was approved to assist in the recovery of expenses for firefighting and public safety efforts for the Caughlin Fire; and

WHEREAS, approximately 445 personnel on 59 fire fighting apparatus, hand crews and support vehicles responded to this incident from fire agencies from Northern Nevada, Lake Tahoe and Northern California; and

WHEREAS, the Caughlin Fire was only one of two catastrophic fires the District experienced in FY 11-12 which were deemed federal emergencies and therefore eligible for FMAG reimbursements and included the Washoe Drive Fire which destroyed or damaged 34 homes and destroyed property whose market value loss was over \$9,000,000; and

WHEREAS, the District experienced several other wildland fires which were not eligible for the FMAG reimbursement and were paid for by the District including the Chocolate Fire, Lockwood Fire, Bain Fire, Nixon Fire, Geiger Fire, Narrows Fire and others, which combined with the Caughlin and Washoe Fires resulted in District wildland fire costs of nearly \$1.5 million to date; and

WHEREAS, the District's Wildland Fire Emergency Fund Balance has been depleted to \$65,284.15 as of October 31, 2012; and

WHEREAS, the District has suffered financially from a \$1.1 Billion or 37% decrease in Assessed Value since 2008-09 due to the economic recession; and

WHEREAS, the District has suffered the loss of \$4.1 Million of on-going revenues or 22.2% from FY 08 through FY 12 requiring the reduction of 25% of its firefighting force from 4 person to 3 person engine staffing; and

WHEREAS, the District is in desperate need to replace 40 year old aging fire stations, fire engines which are in continuous repair and rescue and safety equipment requiring millions of dollars in necessary capital expenditures in order to provide for public safety.

TMFPD
BOFC
12-11-12

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Truckee Meadows Fire Protection District is unable to cover the remaining District portion or 25% of the FMAG eligible expenses resulting from the Caughlin Fire disaster and requests a grant in the amount of \$39,536 from the State Disaster Relief Fund.

Upon motion by Fire Board Commissioner, Tung, seconded by Commissioner Breternitz, the foregoing Resolution was passed and adopted this 11th day of December, 2012 by the following vote:

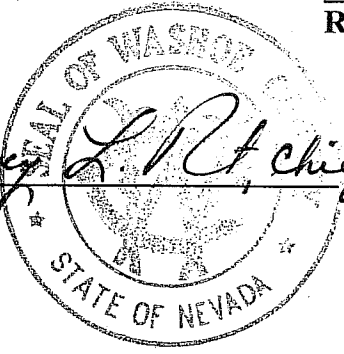
AYES: 4 NAYS: 0
ABSENT: Larkin ABSTAIN: _____

BOARD OF FIRE COMMISSIONERS

Robert M Larkin
Robert M. Larkin, Chair

ATTEST:

Dorey L. P. Chief Deputy
CLERK



**SIERRA FIRE PROTECTION DISTRICT
RESOLUTION TO APPROVE A REQUEST FOR STATE GRANT PER NRS 353.2735 FOR
CERTAIN EXPENSES INCURRED AS A RESULT OF A DISASTER UNDER THE
STATE'S DISASTER RELIEF FUND
FOR THE EXPENDITURES OF THE CAUGHLIN FIRE**

WHEREAS, on November 18, 2011, the Sierra Fire Protection District (District) experienced a catastrophic wildland fire, the Caughlin Fire, which burned 1,935 acres, destroyed or damaged 43 homes, threatened an estimated 4,500 homes and which destroyed structures whose market value was over \$10,000,000; and

WHEREAS, State Emergency Declarations were issued for the Caughlin Fire by the City of Reno, Washoe County and the Nevada Governor Brian Sandoval and a Federal Fire Management Assistance Grant (FMAG) was approved to assist in the recovery of expenses for firefighting and public safety efforts for the Caughlin Fire; and

WHEREAS, approximately 445 personnel on 59 fire fighting apparatus, hand crews and support vehicles responded to this incident from fire agencies from Northern Nevada, Lake Tahoe and Northern California; and

WHEREAS, the Caughlin Fire was only one of two catastrophic fires the District experienced in FY 11-12 which were deemed federal emergencies and therefore eligible for FMAG reimbursements and included the Washoe Drive Fire which destroyed or damaged 34 homes and destroyed property whose market value loss was over \$9,000,000; and

WHEREAS, the District has suffered financially from a \$442 Million or 33% decrease in Assessed Value since 2008-09 due to the economic recession; and

WHEREAS, the District has suffered the loss of \$2.2 Million of on-going revenues or 25.2% from FY 08 through FY 12 requiring the reduction of 25% of its firefighting force from 4 person to 3 person engine staffing; and

WHEREAS, the District is in desperate need to replace 40 year old aging fire stations, fire engines which are in continuous repair and rescue and safety equipment requiring \$1.5 million in necessary capital expenditures in order to provide for public safety.

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Sierra Fire Protection District is unable to cover the remaining District portion or 25% of the FMAG eligible expenses resulting from the Caughlin Fire disaster and requests a grant in the amount of \$23,132 from the State Disaster Relief Fund.

Upon motion by Fire Board Commissioner, Tung, seconded by Commissioner Hanke, the foregoing Resolution was passed and adopted this 11th day of December, 2012 by the following vote:

SFPD
BOFC
12-11-12

AYES: 4 NAYS: 0
ABSENT: Larkin ABSTAIN: _____

BOARD OF FIRE COMMISSIONERS

Robert M. Larkin
Robert M. Larkin, Chair

ATTEST:

Dancy L. P. Chief Deputy
CLERK

