

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

TUESDAY

11:00 a.m.

APRIL 8, 2014

PRESENT:

David Humke, Chairman
Bonnie Weber, Vice Chairperson
Marsha Berkbigler, Commissioner
Vaughn Hartung, Commissioner
Kitty Jung, Commissioner

Nancy Parent, County Clerk
John Slaughter, County Manager
Paul Lipparelli, Legal Counsel
Charles Moore, Fire Chief

The Board convened at 12:08 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:

14-45F AGENDA ITEM 2

Agenda Subject: “Public Comment. Comment heard under this item will be limited to three 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 three minutes per person. Comments are to be made to the Board of Fire Commissioners as a whole.”

Robert Parker said the Board should be proud of the fire-based emergency services in the County. He stated that the Truckee Meadows Fire Protection District (TMFPD) now had 11 Fire Stations with a full-time paramedic. Mr. Parker praised the TMFPD for their leadership, professionalism and transparency. The contrast with the City of Reno could not be greater since the City did not employ paramedics, even though 60 percent of their calls were medical. He commented that citizens were shocked about the recent discussions between two Commissioners and City officials concerning regionalization of fire services. He noted that the Federal Emergency Management Agency (FEMA) had denied the City's application to continue the Staffing for Adequate Fire & Emergency Response (SAFER) grants, which would cause the City to lay-off a number of firefighters. Mr. Parker stated that the Board should be proud of the TMFPD, and said the citizens and the County were in better shape with emergency services because of the District. He submitted a copy of his comments, which were placed on file with the Clerk.

Robert Ackerman felt strongly about creating a regional fire department with the County and the Cities of Reno and Sparks that would report to an elected Fire Board. He found it interesting that two Commissioners recently met with City officials to discuss the creation of a regional fire department prior to the conclusion of the Blue Ribbon Task Force. He questioned what the City had to offer, considering they had not responded to the TMFPD's offer for an Automatic Aid proposal. He commented that the City had declined to participate in the Blue Ribbon Task Force, declined to respond to the offer of Automatic Aid, had Station brown-outs, and tin cup economics to fund their Fire Department. The TMFPD's stations were fully-manned, never browned-out, a new station would soon be completed in the Verdi area and were financially viable. He thanked Fire Chief Charles Moore for his leadership. He submitted a copy of his comments, which were placed on file with the Clerk.

Kim Toulouse, Blue Ribbon Task Force member, stated that a number of Task Force members were perturbed when they heard about possible negotiations with the City of Reno for regionalization of fire services. He said the Task Force had hoped the elected officials would wait until their final report was issued to consider any further negotiations. He noted that a discussion about Automatic Aid needed to be the first step in any conversation in regard to regionalization and would demonstrate good faith. He said a regional fire board must be established, independent of the County Commission and the City Councils, and serve only as the governance for fire services.

Cindy Davis said the Board cancelled the Interlocal Agreement for fire services with the City of Reno in 2011. She said the Board had since laid the foundation that had accomplished many issues. The TMFPD's finances were solid and all the Fire Stations remained open with improved service levels. She stated there was a strong, positive organizational culture and great service levels due to the Board and Fire Chief Moore. She said it was just announced that the City could lay-off 35 firefighters due to a lack of funding. With all the TMFPD's positive attributes, she questioned why the Board would consider rejoining the City for fire services when their financial sustainability was questionable.

Malachy Horan supported the County maintaining their present Fire District. He said the TMFPD did an outstanding job during the transition period and should be congratulated for that effort. He said many citizens wanted to see the fire issue resolved equitably by the County and the City.

Jeff Church distributed comments to the Board, which were placed on file with the Clerk. His comments spoke on Washoe County and Reno Fire issues.

The following item only (Agenda Item #3) will be heard by the Washoe County Board of Commissioners who will convene as the Washoe County Board of Commissioners, the Board of Fire Commissioners for the Truckee Meadows Fire Protection District and the Sierra Fire Protection District. (Agenda Item #19 on the BCC agenda)

14-46F AGENDA ITEM 3

Agenda Subject: “Discussion and possible action to consider and negotiate a proposal from City of Reno for the possible Regional and/or Consolidation of Fire Services. (Requested by Chairman Humke and Commissioner Berkbigler)”

John Slaughter, County Manager, noted that this item was also Agenda Item 19 on the County Commission agenda.

Chairman Humke explained that he and Commissioner Berkbigler had accepted an invitation from Reno Mayor Cashell to discuss regionalization of fire services. He noted that he attended one meeting by phone and two meetings in person where it was mentioned to concentrate on certain goals the County had, such as negotiating an Automatic Aid Agreement, and reviewing the Blue Ribbon Task Force findings. The financial sustainability was still a major concern and the Truckee Meadows Fire Protection District (TMFPD) and the Sierra Fire Protection District (SFPD) were operating on a financially-sustainable basis. Chairman Humke remarked there had always been the thought to have discussions for a consolidated fire agency in the region.

Commissioner Berkbigler reassured the citizens that the intent was never to turn the TMFPD over to the City of Reno. She said the Board was extremely proud of the TMFPD and said Fire Chief Moore had done an excellent job of standing up the Department. She stated that financial sustainability was important to the Board and an issue she based her campaign on. However, there was a greater responsibility as a Commission to ensure that the citizens were protected in the event of a wildland fire that would require all stations, TMFPD or the City, to be populated, which she believed to be Automatic Aid. Commissioner Berkbigler indicated that two issues needed to be considered, being a financially sustainable fire department and protecting all the citizens in the region. She clarified that no negotiations took place, only discussions occurring between elected officials from the County and the City.

Commissioner Hartung said it would be disingenuous of the Board to make any type of forward motion prior to reviewing the findings of the Blue Ribbon Task Force.

Commissioner Weber appreciated the Fire Chief and his staff for their service. She believed when the Commission chose to deconsolidate the fire agencies it would better represent all residents. There was an obligation to protect and serve the citizens of the County, but conversations could always be beneficial and appreciated the two Commissioners for their efforts. However, she hoped in the future that all Commissioners would be apprised of such conversations. She said any conversations needed to consider the findings from the Blue Ribbon Task Force and Automatic Aid with the City in order to build trust. Commissioner Weber said she was thankful for the many volunteers who provided a service to the unincorporated County residents, which the Board of County Commissioners (BCC) and the Board of Fire Commissioners (BOFC) served.

Commissioner Berkbigler agreed that the findings needed to be heard from the Blue Ribbon Task Force and that the City needed to revisit issues since their Staffing for Adequate Fire & Emergency Response (SAFER) grant would not be extended. She felt it was important for the County to continue working with the City and move forward in a positive manner.

Commissioner Jung asked when the Blue Ribbon Task Force would present their report to the Board. Fire Chief Moore replied that report would be presented during the first meeting in May. Commissioner Jung questioned if there was a chance for the City to participate in the Blue Ribbon Task Force since it was not a regional task force without the City present. Chief Moore stated that he always wanted the Cities of Reno and Sparks to be a part of the Blue Ribbon Task Force. Commissioner Jung strongly recommended the City be approached and re-invited to participate in the Blue Ribbon Task Force.

Commissioner Jung asked if the challenges of service were identified geographically. Chief Moore replied there were opportunities to reduce geographic overlaps and strengthen areas that were currently underserved. He said that topic would be for future consultants to determine the best locations for fire stations given that several entities may be responding jointly on an automatic basis. Commissioner Jung believed that the City of Reno was not interested in Automatic Aid because they projected it would be detrimental to their budget in specific geographical areas. Chief Moore heard that the City believed there would be a disproportioned share of response from the City to the TMFPD. He felt through data and research that would not be the case, but the essential reason for automatic aid was to save lives. Commissioner Jung suggested a beta test to acknowledge any discrepancies, and certain areas be reviewed to compensate those concerns in order to discuss regionalization.

Commissioner Jung explained that the Board had always considered regionalization. She said the deconsolidation was supposed to be the first step in moving forward, and noted she was always opposed to that deconsolidation. She asked when the internal audit of the TMFPD would be completed. Chief Moore stated that the internal audit would be brought forward to the Board in May. Commissioner Jung stated this was a test to see if the District could be financially sustainable, and she was awaiting the internal audit for that information. She asked if brown-outs from the City negatively affected the District's service levels. Chief Moore explained that brown-outs could have an affect if mutual aid was needed from the City. Commissioner Jung asked if it was fair to say that every fire station in the Cities of Reno and Sparks and the County should be up and running to ensure the full safety of all the citizens. Chief Moore agreed that was the expectations of the citizens.

Commissioner Jung suggested the negotiating team ask the City to explore a dedicated revenue stream that would only be used for fire services. She agreed there was never anything wrong with having conversations and/or asking questions. Commissioner Jung reminded the public that two of the current Commissioners did not

vote on the deconsolidation since they were not part of the Board when the deconsolidation occurred.

Commissioner Hartung thanked everyone for creating a process that was sustainable and appreciated the members of the TMFPD for their service. In regard to Automatic and Mutual Aid, he suggested creating an escrow account where the County and the City could place funds into and have an outside agency administer, which could be trued-up each quarter. He felt that would enable the closest, geographically located station to respond to a call. He was uncomfortable with any conversations taking place until the County had the ability to manage their part of the process. In his opinion, he said the County had managed to sustain a great, effective fire service for the citizens.

Commissioner Berkbigler stated her concerns about the Legislature since they could make decisions for the County and the City. She said it behooved the County to continue talks with the City in order to achieve some understandings and/or a consensus. She said regionalized fire services were very important to the constituents and felt it would be best served under an independent board.

Chairman Humke commented on the discussions that took place with the City. He said there were many steps needed such as Automatic Aid negotiations, the Blue Ribbon Task Force findings and the many other issues mentioned in this discussion. He commended the TMFPD for being citizen-friendly and helping individuals without question and appreciated all their efforts and actions.

Chairman Humke stated that he would no longer meet in private session with the City, and felt that Commissioners should be sent to negotiate after an Open Meeting Law motion was taken.

Commissioner Jung suggested that either a subcommittee or negotiators consider the money which had already been invested in regionalization studies. She said this was a good first step in moving forward and, if those discussions continued, she hoped that her views would be brought forward.

Commissioner Weber appreciated the conversations that developed with other entities and said those helped to build trust. She thanked Chief Moore, the firefighters and the Blue Ribbon Task Force for their work and their time. She reminded the Board that Commissioners in the past had been selected to attend discussions and felt that was owed to the other Commissioners.

Commissioner Berkbigler apologized if some Commissioners did not realize this was occurring; however, she had mentioned during a meeting that she would be meeting with the Mayor and the City Manager. It was important to remember that she and the Chairman were invited to the meetings. She said this was never about doing anything behind the scenes. Commissioner Berkbigler felt it would be a mistake to walk away from discussions with the City about an issue that was vitally important to everyone.

Commissioner Hartung remarked that a regional discussion should be genuinely regional and include all northwestern Nevada. Historically, he said those conversations always began with Automatic and Mutual Aid agreements.

In response to the call for public comment, John Howe distributed a letter, which was placed on file with the Clerk. He agreed that before any effort was made to regionalize fire departments, both departments must complete an Automatic Aid Agreement. He asked the Commissioners to reject any proposal from the City to join in another consolidation plan since those had not worked in the past. He said the TMFPD was financially sustainable, operated on a balanced budget and their fiscal planning showed good judgment for the future.

Cliff Low spoke on certain editorials that had recently run in the *Reno Gazette Journal* about the talks over regionalization of fire services. He stated that Automatic Aid needed to be agreed upon, and if not, he asked how regionalization would ever move forward.

William Steward stated that the conversations needed to continue with the City since there would soon be newly elected officials for both the County and the City. The leadership needed to continue discussing difficult decisions that needed to be made and what was best for the citizens.

Jane Countryman stated her concerns about the management of the fire issues. She asked the Board to not reenter into consolidation with the City and said regionalization with control, other than the City of Reno, was a goal. She urged the Board to support the TMFPD and the emergency services for the unincorporated areas.

Sarah Chvilicek, Blue Ribbon Task Force Chair, thanked the Board for their thoughtful actions that allowed the Committee to consider regionalization of fire services. She asked the Board to take no action on any reconsolidation effort being proposed by the City until the Board had the opportunity to fully review the report from the Blue Ribbon Task Force and have a fully, executed Automatic Aid Agreement in place. She said any service level decisions needed to be made by the elected officials in concert with their Fire Chiefs.

Debbie Sheltra submitted a written statement that was placed on file with the Clerk. She stated her support for the TMFPD, the SFPD and their Chief. Before any new coverage of a joint fire arrangement was considered, she said the Board must require a working Automatic Aid Agreement with the City to include a fair establishment of governance, service levels and equal taxation.

Nancy Parent, County Clerk, indicated that a letter was submitted by the South Valley Volunteer Fire Department. A copy of the letter was placed on file with the Clerk.

Commissioner Berkbigler moved to continue having discussions with the City of Reno on issues that were important to both entities.

Paul Lipparelli, Legal Counsel, said if the Board wished to create a subcommittee they could agendize that for a future meeting and begin working under the Open Meeting Law. He said it was acceptable if some Commissioners wanted to take it upon themselves to engage with colleagues from the other jurisdictions. However, he wanted to ensure that the Board was clear on their intent on whether it would designate certain Commissioners, formalize the process or leave it up to individual Commissioners to decide upon themselves on how to engage with their colleagues.

Chairman Humke asked if a motion to encourage negotiations would follow the Open Meeting Law. Mr. Lipparelli said the motion was to continue the discussions, which could imply that the two Commissioners involved would continue. He said a more careful approach would be a motion to declare the Board's intent that Commissioners, individually, could choose to participate as they saw fit with the understanding that three or more Commissioners present would institute a quorum.

Commissioner Berkbigler withdrew the motion.

Commissioner Berkbigler moved to allow any Commissioner the option of meeting and continuing discussions with the City of Reno on this issue and to continue moving forward as long as it was not more than two Commissioners at any given time.

Commissioner Jung asked if the motion included taking all feedback given from the BCC on their positions and their concerns. Commissioner Berkbigler stated that was correct. Commissioner Jung seconded the motion.

Commissioner Hartung agreed with outside discussions with other elected officials. He felt it was incumbent upon the Board to potentially create a smaller group to include the County Manager and the Fire Chief.

Commissioner Jung did not believe the Board was at the point to formalize a group. When or if that occurred, she said it should be brought forward in a joint meeting with the City. She also felt the County Manager did not need to be included since the Manager did not oversee the Fire Chief because that was conducted by the Board.

Upon consideration, Commissioner Berkbigler felt that a motion was not needed because Commissioners met all the time with elected officials about different issues. If the Board declared they would meet publicly on every issue with other elected officials, they would spend time pontificating on issues that were unnecessary. She said it should be acceptable to meet with elected officials from the City as long as there was not a quorum present.

Commissioner Weber agreed with that statement; however, a way was needed for information to be brought forward to the Board. Mr. Lipparelli explained that any Commissioner could place an item on an agenda for that information.

Chairman Humke said he requested this item to determine if a formal relationship was needed for the designated negotiators and to gain a list of items to negotiate. He suggested reviewing the final report from the Blue Ribbon Task Force and discussing Automatic Aid.

If the Board decided to create a subcommittee, Commissioner Hartung believed the County Manager should be in attendance to provide input and supply a neutral position to possibly give feedback in the future on the discussion.

Commissioner Jung did not believe there was a consensus if Automatic Aid was not agreed upon. If anyone spoke to the City on her behalf, she would prefer a beta test to collect data. She said the Commissioners needed to be respectful of each other and determine a way to continue conversations and build a relationship to solve this regional problem.

Commissioner Berkbigler withdrew the motion. She stated that Commissioners could move forward with discussions as individuals. She noted that she would hopefully meet with Ms. Chvilicek to discuss the Blue Ribbon Task Force report. The seconder agreed to withdraw the motion.

There was no action taken on this item.

1:54 p.m. Commissioner Jung left the meeting.

14-47F **AGENDA ITEM 4**

Agenda Subject: “Possible Closed Session pursuant to NRS 288.220 for the purpose of discussing with management representatives labor matters and negotiations.”

1:55 p.m. On motion by Commissioner Hartung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Jung absent, it was ordered that the meeting recess to a closed session, after hearing Agenda Item 5, for the purpose of discussing with management representatives labor matters and negotiations pursuant to NRS 288.220. It was noted that the meeting would adjourn from the closed session.

14-48F AGENDA ITEM 5

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

William Steward thanked the Board for everything they did for the community.

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5:15 p.m. There being no further business to come before the Board, the meeting adjourned following the conclusion of the closed session.

DAVID E. HUMKE, Chairman
Truckee Meadows Fire
Protection District and Sierra
Fire Protection District

ATTEST:

NANCY PARENT, Washoe County Clerk
and Ex-Officio Clerk, Truckee Meadows
Fire Protection District and Sierra Fire
Protection District

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