

**BOARD OF FIRE COMMISSIONERS
TRUCKEE MEADOWS FIRE PROTECTION DISTRICT (TMFPD)
SIERRA FIRE PROTECTION DISTRICT (SFPD)**

TUESDAY

9:00 a.m.

SEPTEMBER 15, 2015

PRESENT:

Marsha Berkbigler, Chair
Kitty Jung, Vice Chair
Vaughn Hartung, Commissioner
Jeanne Herman, Commissioner
Bob Lucey, Commissioner

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

The Board convened at 9:00 a.m. in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

Chair Berkbigler introduced Principal Tammy Hart from Spanish Springs High School. She stated it was Principal for a Day and Commissioner Hartung was paired with Ms. Hart for the day.

15-0138F AGENDA ITEM 3 Public Comment.

Ian Satterfield spoke about Fire Ops 101, an event that offered the opportunity to experience a day in the life of a firefighter. He stated the event provided a controlled and safe environment to encounter and command an incident, just as a battalion chief would. He encouraged the Board to participate in the event.

CONSENT ITEMS 4A through 4C

15-0139F 4A Approval of minutes from the Board of Fire Commissioners meeting on Aug 18, 2015.

15-0140F 4B Recommendation to approve for Unclassified Management and Non-Represented Confidential and Administrative employees a 3.0% Cost of Living Adjustment in base wage effective July 1, 2015. The Fiscal 2015/2016 impact is estimated at approximately \$19,064.

15-0141F 4C Approval of a Community Wildfire Protection Plan developed by the West Washoe Wildfire Preparedness Group.

On the call for public comment, Norman Azevedo spoke in favor of Agenda Item 4C. He said he owned 540 acres within the Community Wildfire Protection Plan area, between Washoe City and Carson City, of which approximately 480 acres was forest. He indicated he already removed 20,000 tons of dead trees from his property. He stated he was in support of the plan, with the understanding that he would not be mandated to create additional defensible space.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Consent Agenda Items 4A through 4C be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 4A through 4C are attached hereto and made a part hereof.

15-0142F **AGENDA ITEM 5** Presentation by the Veterans of Foreign Wars Post 10053: A) EMT of the Year, Captain Chris Black; B) Firefighter of the Year, Captain Wayne Cirone.

Charles Moore, Fire Chief, introduced Senior Vice Commander Danny Waldrop and Commander Denise Estes, who recognized Emergency Medical Technician (EMT) of the year, Captain Black and Firefighter of the Year, Captain Cirone.

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

15-0143F **AGENDA ITEM 6** Fire Chief Report: A) Report and discussion related to fire district operations; B) Commissioner Hartung Allocation of Discretionary funds for the EMS Program; C) Update on Volunteer Program Reform.

Chief Moore stated he was pleased to report the wildfire incidents had been light this season, considering all the fires in Washington, Oregon, Idaho and particularly in California. He was thankful for the efforts of his staff with fire prevention and response times and he was proud of the citizens for keeping accidental fires to a minimum. Regarding automatic aid, he stated there would be a concurrent meeting on September 21st, to review the agreement. He confirmed the TMFPD completed every necessary task to ensure a smooth transition. He stated the City of Reno was still working on the maps for the Computer Aided Dispatch (CAD) program, but they should be finalized and updated soon. He noted only minor adjustments were needed to complete the City of Sparks maps and no adjustments were needed for North Lake Tahoe. He indicated that determination of the closest unit would be based on the fastest response time, not geographical proximity.

Commissioner Hartung questioned whether the overlap map would look similar to the maps that were submitted to the City of Reno. Chief Moore indicated they would be similar. He also stated that automatic aid only included responses to structure and brush fires; not emergency medical services (EMS). When asked whether there was an EMS agreement with the City of Sparks, Chief Moore stated there was a full automatic aid agreement, which included EMS calls. He noted there was also an agreement, which

included EMS, with North Lake Tahoe and a mutual aid relationship with Carson City as well. Commissioner Hartung stated he hoped that in the near future there would be an agreement with the City of Reno to include EMS calls. Chief Moore noted Storey County Fire Station 5, in the Tahoe Regional Industrial Center, was staffed and he understood they would be going to a four-staff crew soon. He stated he spoke with Storey County Fire Chief Gary Hames regarding automatic aid and Storey County would be prepared to respond in the I-80 corridor in the near future. Commissioner Hartung asked what the response time to Wadsworth would be when Storey County was able to respond. Chief Moore thought it would be an approximately 15 minutes from USA Parkway. He also noted that Storey County assisted with a number of fires along the east Truckee River corridor during the summer.

Chair Berkbigler confirmed with Chief Moore that the TMFPD had working automatic aid plans with the surrounding cities except for the City of Reno. He stated the City of Reno was involved in the CAD programming, but was not prepared for the transition currently. Chair Berkbigler understood the automatic aid law would go into effect on October 1st and she questioned whether Chief Moore was confident with that date. Chief Moore stated he was 90 percent confident with the date, but he wanted the entire CAD program to be finalized so dispatch could perform some tests. He said until the last portion was received from the City of Reno, the tests could not be done. He stated the program had the ability to work in test mode to ensure the system would function as it was designed to. Chair Berkbigler asked whether the Automatic Vehicle Locator (AVL) program was currently functional in the fire trucks. Chief Moore stated in order for the CAD to work with the AVL, there would be some additional software licenses and CAD programming needed. He noted the equipment for each fire truck was not expensive, but the technical challenge would be building the software to enable a dispatcher to track the location of every truck based on the proximity of an incident. He stated using the CAD with the AVL was considered the gold standard for automatic aid.

Chief Moore presented a photo of the chest compression machine that Commissioner Hartung wanted to purchase with discretionary funds. He indicated the machine would alleviate manual chest compressions and continue constant compressions in a cardiac arrest situation. He stated doing chest compressions was very strenuous and the machine would allow the EMS staff to perform other life saving measures on a patient. He said if the machine proved effective, they would consider the purchase of additional machines.

Chair Berkbigler was curious if the compression machine was adjustable for adults as well as children. Chief Moore stated that the machine was adjustable, but he was uncertain if it was adjustable to suit the needs of a child. Commissioner Hartung said he hoped the Board would approve spending the discretionary funds. He added a possible donor was considering the purchase of an additional compression machine that could be designated for the North Valleys.

Chief Moore spoke regarding the reform of the volunteer program. He stated the individual stations would transition from autonomous departments to one that

was centrally managed by the TMFPD and each station would have a designated station manager. He stated staff was waiting for compliance on the physicals and training, but one of the statistics that was alarming to him was that only 23 of the 85 volunteers had completed the training required to respond in a safe manner. He noted that the goal was to manage risk and to ensure the volunteers who responded were safe. He stated the focus would be centered on the support of operations, wildland fires and less on structure fires. He added that the fire departments in Red Rock, Gerlach, Silver Lake and Lemmon Valley continued to need structure fire capability. He said he heard some of the volunteers were opposed to the reform, but he thought a greater number of volunteers were excited to see Truckee Meadows come under one volunteer system. He felt the program would operate more effectively with the reforms in place and stated he challenged the volunteers to become a volunteer agency that people wanted to join.

Commissioner Lucey thanked Chief Moore for the report and asked what the estimated start date would be for the launch of the new volunteer structure. Chief Moore stated it would commence right after the beginning of the year. Commissioner Lucey asked if the volunteers were receptive to the new program. Chief Moore said the suppression volunteers were generally in favor but some were not. He said there were many inquiries from individuals who wanted to participate in the volunteer program. Commissioner Lucey asked Chief Moore if he had been successful in seeking someone to fill the position to manage the volunteers. Chief Moore replied the position had been designed for Captain Bill Winchester and he expected a response from Captain Winchester in the middle of October.

Commissioner Jung commended Chief Moore for his efforts on the volunteer program. She wondered whether he could collaborate with the Community Emergency Response Team (CERT) program to determine whether those volunteers would be interested in the TMFPD volunteer program. Chief Moore stated he would investigate that option since the CERT program was very well managed.

Commissioner Hartung asked whether any of the volunteers were experienced in any type of EMS. Chief Moore replied yes, some of them were and he had given the opportunity to each volunteer to choose from a list of services that interested them. He stated the volunteers could choose to be utilized strictly for EMS, wildland fires, structure fires, operations and support or any combination of those services. Commissioner Hartung questioned if the more robust training program would increase the budget. Chief Moore said it might increase the budget, but he did not believe it would be substantial. Commissioner Hartung asked whether the volunteers were considered when the TMFPD was hiring. Chief Moore stated some of the reserve staff had been hired. Commissioner Hartung stated he would like the volunteers to receive preferential status for employment because they had experience working with the teams.

Commissioner Lucey asked if volunteer firefighters would play a role in the automatic aid agreement. Chief Moore stated it was not likely unless the volunteer firefighters were already at a station, which was not common. By the time volunteer firefighters responded to a call, the career firefighters would already be on site.

Commissioner Lucey asked if the TMFPD had addressed the issue of how the volunteer firefighters would be utilized in a supporting role if all other firefighting units were preoccupied. Chief Moore stated that issue had not been addressed, but could be discussed. He added the volunteers would be called upon for support in a disaster, but not for day-to-day functions.

Commissioner Hartung asked if the Regional Emergency Medical Services Authority (REMSA) had compression machines. Chief Moore stated the REMSA did not have compression machines. He gave an example of a cardiac arrest situation, which would require three individuals. He said one person would do chest compressions, a second person would work on a victim's airway, and a third person would monitor the medicines and the electrocardiogram (EKG) machine. He added having a compression machine would eliminate the need for a third rescuer in that situation.

Commissioner Lucey requested Chief Moore to look into the cost saving possibility of a bulk purchase of the compression machines. He said if it was fiscally viable, it would benefit all of the County's fire stations, especially the remote stations with limited staffing.

Chair Berkbigler indicated Commissioner Herman had a guest with her on the dais. Principal Larry Kuper from Alice Maxwell Elementary School in Sparks introduced himself. Commissioner Herman was paired with Principal Kuper during the Principal for a Day event.

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

15-0144F **AGENDA ITEM 7** Discussion and possible approval of a resolution and to recognize, accept and adopt a fee schedule for the purposes of establishing a rate of pay for each employee and the share of any costs for equipment for the Districts which is attributable to a Medical Marijuana Establishment (MME) for costs associated with inspections, reviews and other tasks, and the fee which shall be paid by a MME to the Districts for such inspections, reviews and other tasks attributable to the MME for the same.

Amy Ray, TMFPD Fire Marshal, stated Assembly Bill (AB) 70 allowed jurisdictions to charge fees for any of the inspections, reviews, or other tasks related to medical marijuana establishments (MMEs). She said the TMFPD had a fee schedule that was utilized for emergency rates. She added the TMFPD would like to implement those rates for its work associated with the MMEs.

Commissioner Hartung asked if the cities had similar types of fees. Ms. Ray responded the cities had plan review and inspection fees in place for their everyday activities; however, she was unaware if the cities' plans included any fees as a result of AB70. She added the County did not currently have the ability to collect fees for its plan

reviews or inspections. She concluded by stating the fees would be based on the current emergency incidents fee schedule.

On the call for public comment, Robert Parker said he was in favor of the resolution. He felt that individuals who were making a profit from medical marijuana should be responsible for the incurred expenses. He expressed his concerns about the possible fire danger due to an MME's location in a national forest.

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

15-0145F **AGENDA ITEM 8** Discussion and possible approval of the First Amendment to the Purchase and Sale Agreement for a 3.00 acre (+/-) parcel of a portion of APN 044-300-10 extending close of escrow to December 28, 2015.

Chief Moore stated the owner of the parcel had requested to extend the escrow date for tax purposes. He added the change of the escrow date would not affect the relocation of Fire Station 14 since the TMFPD was still in the process of interviewing architectural firms and needed to obtain a Special Use Permit.

Commissioner Lucey said the completion of the fire station would allow the TMFPD to better serve Commission District 2. He commended Chief Moore and his staff for their work.

Chief Moore announced the TMFPD had enough cash to fund the construction of the fire station without having to accrue any debt.

On motion by Commissioner Lucey, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 8 be approved.

15-0146F **AGENDA ITEM 9** Commissioners'/Fire Chief's 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).

Chief Moore requested to appear at the next Board of County Commissioners meeting to discuss the possible approval of a side letter agreement to extend the annual sick leave hours for Captain Bill Winchester.

Commissioner Jung asked Chief Moore to present a fall fire season forecast or prediction at the next Board meeting. Chief Moore said he could ask the National Weather Service to provide an expert to do the presentation.

Chair Berkbigler instructed staff to add the presentation to the Board's agenda for the next meeting.

Commissioner Lucey asked staff to look into the availability of a grant to acquire the chest compression machines. He announced the citizens of Washoe Valley would be holding a Neighborhood Watch meeting on September 23rd to discuss fire safety and prevention.

15-0147F AGENDA ITEM 10 Public Comment.

There was no response to the call for public comment.

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9:50 a.m. There being no further business to come before the Board, on motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried, the meeting was adjourned.

MARSHA BERKBIGLER, Chair
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:
Doni Gassaway, Deputy County Clerk*

TRUCKEE MEADOWS FIRE PROTECTION DISTRICT

**RESOLUTION ADOPTING A
FEE SCHEDULE FOR INSPECTIONS, REVIEWS OR OTHER TASKS
PERFORMED BY TRUCKEE MEADOWS AND SIERRA FIRE
PROTECTION DISTRICTS WHICH ARE RELATED TO ENSURING
THAT MEDICAL MARIJUANA ESTABLISHMENTS ARE IN
COMPLIANCE WITH ALL APPLICABLE LOCAL GOVERNMENTAL
ORDINANCES OR RULES.**

WHEREAS, pursuant to NRS 474.460(2)(a), the Truckee Meadows Fire Protection District and the Sierra Fire Protection District (“the Districts”) are political subdivisions of the State of Nevada created by ordinance by the Washoe County Board of Commissioners; and,

WHEREAS, pursuant to NRS 474.470, the boards of fire commissioners for the Districts are charged with managing and conducting the business affairs for the Districts, and to perform all other acts necessary, proper and convenient to accomplish the purposes of NRS 474.460 to 474.540, created and operated in Washoe County, Nevada pursuant to NRS Chapter 474 as county fire districts; and,

WHEREAS, recently enacted legislation, AB 70, which became law on July 1, 2015, requires agencies of a local government which perform inspections, reviews or other tasks related to ensuring that a medical marijuana establishment (“MME”) is in compliance with all applicable local governmental ordinances or rules pursuant to NRS 453A.326; and

WHEREAS, AB 70 requires an agency of a local government to maintain records of the hours its employees spend performing the inspections, reviews and tasks, the rate of pay of each such employee and the share of any costs for equipment for the agency which is attributable to the MME; and,

WHEREAS, AB 70 requires an agency of a local government to provide the records created as described hereinabove not less than 30 days after the inspections, reviews or other related tasks have been performed; and,

WHEREAS, AB 70 requires a MME to pay a fee to an agency of a local government which provides the records of its costs of performance of the inspections, reviews and other tasks as described hereinabove to the MME in an amount equal to the actual costs of the agency to perform the inspections, reviews and other tasks; and,

WHEREAS, AB 70 allows an agency of a local government to charge a penalty of \$500 and assess interest on the fee at a rate of 7% per year commencing 30 days after receipt of the records described herein above; and,

15-0144F

WHEREAS, AB 70 provides that any revenue generated from a fee imposed by an agency of a local government for the inspections, reviews and tasks related to ensuring that MME's are in compliance with all applicable local governmental ordinances or rules must be expended only to pay the costs of the agency to perform said inspections, reviews and tasks, and must not supplant any other support provided to the agency of a local government by the local government; and,

WHEREAS, the Districts both perform inspections, reviews or other tasks related to ensuring that MME's are in compliance with all applicable local governmental ordinances or rules as described in AB 70; and,

WHEREAS, Districts desire to adopt by resolution, and make uniform among them, a fee schedule establishing the rate of fees used to determine the rates of pay and costs of equipment used by the Districts in performing the inspections, reviews and other tasks related to ensuring MME's are in compliance with all applicable local governmental ordinance or rules; and,

WHEREAS, the Washoe County Board of Commissioners has already established a fee schedule, attached hereto as Exhibit "A" and incorporated herein by this reference, which is used to determine the rate of pay and costs of equipment for inspections, reviews and other tasks performed by the Districts' personnel for non-MME entities,

WHEREAS, the fee schedule attached hereto as Exhibit "A" accurately reflects and represent the rates of pay and the share of costs for equipment associated with the inspections, reviews and other tasks performed by the Districts' personnel attributable to MME's; and,

WHEREAS, the Districts have consolidated operations and the Truckee Meadows Fire Protection District is authorized to and does now perform all fire related and emergency medical services in both Districts including inspections, reviews and other tasks to assure MME compliance with local governmental ordinances or rules; and,

NOW, THEREFORE, BE IT RESOLVED that the Boards of Fire Commissioners for the Truckee Meadows Fire Protection District and the Sierra Fire Protection District hereby finds the fee schedule attached as Exhibit "A" accurately reflects the actual costs of the Districts for performing the inspections, reviews and other tasks necessary to ensure that a medical marijuana establishment ("MME") is in compliance with all applicable local governmental ordinances or rules.

BE IT FURTHER RESOLVED that, effective immediately, the Boards of Fire Commissioners do jointly hereby recognize, accept and adopt the fee schedule attached hereto as Exhibit "A," for the purposes of establishing the rate of pay of each employee and the share of any costs for equipment for the Districts which is attributable to a MME for costs associated with inspections, reviews and other tasks, and the fee which shall be paid by a MME to the Districts for such inspections, reviews and other tasks attributable to the MME for the same.

BE IT FURTHER RESOLVED that the Districts shall provide to a MME records of the costs associated with such inspections, reviews and other tasks attributable to the MME, not less than 30 days after the Districts perform the inspections, reviews and other tasks, for payment by the MME of the fee imposed for the inspections, reviews and tasks related to ensuring that

MME's are in compliance with all applicable local governmental ordinances or rules as allowed and required by AB 70.

BE IT FURTHER RESOLVED, that any revenue generated from a fee imposed for the inspections, reviews and tasks related to ensuring that MME's are in compliance with all applicable local governmental ordinances or rules must be expended only to pay the costs of the District to perform said inspections, reviews and tasks, and must not supplant any other support provided to the Districts by the local government; and,

BE IT FURTHER RESOLVED, the Districts may charge a penalty of \$500 and assess interest on the fee at a rate of 7% per year commencing 30 days after receipt by the MME of the records described hereinabove.

BE IT FURTHER RESOLVED by the Districts that Truckee Meadows Fire Protection District is hereby fully appointed and authorized to enforce this fee schedule in and on behalf of the Sierra Fire Protection District.

BE IT FURTHER RESOLVED that any records of the hours spent by the Districts' personnel in performing inspections, reviews and tasks related to ensuring that an MME is in compliance with all applicable local governmental ordinances or rules which were created prior to the date of this Resolution using the fee schedule attached hereto and which were provided to an MME not less than 30 days after the Districts' personnel performed any such inspections, reviews or tasks, but which provision of records occurred prior to the date of this Resolution, are hereby confirmed, the fees owed by any such MME which are based upon those records are confirmed, and any such fees are due and owing by the MME within the timelines as described herein and as provided for by AB 70.

ADOPTED this 22nd day of September, 2015 by the following vote:

AYES: _____
NAYS: _____
ABSENT: _____
ABSTAIN: _____

Marsha Berkbigler, Chair
Truckee Meadows Fire Protection District
Board of Fire Commissioners

ATTEST:

Nancy Parent, County Clerk