

**BOARD OF COUNTY COMMISSIONERS
WASHOE COUNTY, NEVADA**

MONDAY

8:30 A.M.

JUNE 10, 2013

CONCURRENT MEETING

PRESENT:

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

Nancy Parent, Chief Deputy Clerk
Katy Simon, County Manager
Paul Lipparelli, Legal Counsel

The Commission convened at 8:36 a.m. in concurrent session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada with Sparks Mayor Martini presiding. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

13-467 AGENDA ITEM 2.1 – PUBLIC COMMENT

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 Commission 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, Sparks City Council, Reno City Council and the Washoe County District Board of Health as a whole.”

***8:38 a.m.** Chairman Humke arrived.

Jeffrey Church distributed a handout that discussed Automatic Aid between the City of Reno and Washoe County. The handout was placed on file with the Clerk. Mr. Church spoke about Federal Emergency Management Agency (FEMA) grants and various other grant applications made by the City.

***8:40 a.m.** Commissioner Weber arrived.

Katy Simon, County Manager, thanked the following first responders who assisted the Truckee Meadows Fire Protection District (TMFPD) during the many lightning strikes that recently occurred: the Reno Fire Department, the Sparks Fire Department, the North Lake Tahoe Fire Protection District, Central Lyon Fire, East Fork

Fire, North Lyon Fire, Tahoe-Douglas Fire, Mason Valley Fire, Storey County Fire, the Bureau of Land Management (BLM) and the U.S. Forest Service.

On behalf of the City of Sparks, Mayor Geno Martini read and presented a Proclamation to County Manager Katy Simon. He noted that June 10, 2013 was proclaimed “Katy Simon Day” in the City of Sparks. Ms. Simon thanked the Mayor. She said it had been an honor and a privilege to serve the citizens of the County and she could have never imagined a more wonderful career in such a wonderful place. The Proclamation was placed on file with the Clerk.

13-468 AGENDA ITEM 3 – APPROVAL OF AGENDA

Agenda Subject: “Approval of the Agenda - Consideration of taking items out of sequence, deleting items and adding items which require action upon a finding that an emergency exists.”

There was no public comment on this item.

For Washoe County, on motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 3 be approved.

For the City of Reno, on motion by Councilmember Jardon, seconded by Councilmember Delgado, which motion duly carried with Councilmember Dortch absent, it was ordered that Agenda Item 3 be approved.

For the District Board of Health, on motion by Member Hess, seconded by Member Jung, which motion duly carried, it was ordered that Agenda Item 3 be approved.

For the City of Sparks, on motion by Councilmember Smith, seconded by Councilmember Schmitt, which motion duly carried with Councilmember Carrigan absent, it was ordered that Agenda Item 3 be approved.

13-469 AGENDA ITEM 4

Agenda Subject: “Presentation, discussion and potential direction to staff regarding an update and status report of the EMS Working Group, including the progress on previous direction related to recommendations from the 2012 TriData Emergency Medical Systems Analysis Final Report.”

Shaun Carey, Sparks City Manager, stated that the Emergency Medical Services (EMS) Working Group (Working Group) consisted of Managers from the Cities of Reno and Sparks and Washoe County, the Health Department Director and the Executive Director of the Regional Emergency Medical Services Authority (REMSA). He said the Working Group had conducted seven very effective meetings reviewing the

38 recommendations from the TriData Study, allowing each agency to provide input to directly represent their issues, and began working to find recommendations that could be agreed upon and a path for implementation. He reported that many of the recommendations in the TriData Study would be implemented by staff in the upcoming months at the various levels of government. He said some issues still required negotiation, but all the parties were fairly represented and had met in good-faith, without attorneys present, to find a common ground.

Mr. Carey updated the entities on the top priorities for change in the EMS as determined by the Working Group. He acknowledged that REMSA had been a good provider for many years, the stewardship of the Health Department had been effective and the public safety agencies that surrounded them had always focused on good outcomes. Pointed out in the TriData Study were opportunities to improve and move that system forward to serve the future. He said it was important the Boards and Councils be mindful of that when providing the Working Group with direction. He said the Interlocal Agreement that had established the Health Department placed an emphasis on public health and the responsibility for oversight of ambulance services within the Health Department, which subsequently turned into a Franchise Agreement. Mr. Carey stated it was that Franchise Agreement that provided the path and direction for the services that had been provided by REMSA. He indicated that the Franchise Agreement was a top priority for the Working Group to review.

Mr. Carey explained that the staff report contained a series of color-coded pages that provided an issue matrix. The top priority determined by the three Managers was to re-open the Franchise Agreement and bring that Agreement forward to set a platform for future services. The Managers believed the Franchise Agreement was the heart of creating a positive future with REMSA as the service provider and set forth a platform to better serve the community in the future. He said comments from the Interim District Health Officer and REMSA were also included. He believed that continued negotiations and direction to move forward to find a path on the Franchise Agreement was important. Mr. Carey stated there were three alternatives for the public bodies to consider:

1. Have the Working Group develop a Scope of Work and contractual requirements for a long-term contract with REMSA.
2. Move to modify the current Franchise Agreement to provide transparency and accountability to the Cities and County Emergency Services.
3. Maintain the current working Franchise Agreement.

Mr. Carey stated that the City and County Managers were recommending the region move to a contractual agreement.

Kevin Dick, Interim District Health Officer, believed that a path had been set to meet with REMSA and the other responders, as well as the three jurisdictions, to discuss moving forward to improve overall EMS to the community. He did not think all the implications had been fully explored that would be involved in moving from a

Franchise Agreement with REMSA to a contractual agreement for ambulance services. He said there were still a number of factors to be considered by the three jurisdictions such as the resource investment that would be involved and the risks and upsides. He felt those had not been fully identified in making an informed decision. Mr. Dick agreed that the Working Group should continue to work with REMSA and the other EMS agencies to determine the best way to structure the program.

Jim Gubbels, REMSA President, acknowledged there was currently a Franchise Agreement in place for the oversight of ambulance services. Prior to that, he explained there was no oversight for that service, two ambulance companies had filed Chapter 11 and there was a crisis in the community, which explained the franchise being started and the beginning of an exclusive provider delivering reliable services. He disagreed with dissolving the current Franchise Agreement, which was performance-based and had the oversight of the DBOH. He suggested working within the existing Franchise Agreement and modifying that Agreement where it needed to be modified. He said that suggestion was supported by the REMSA Board and added they were willing to review issues within the current Franchise Agreement in order to improve patient care in the community. Mr. Gubbels believed there was good service provided to the community, and noted that critical care for both REMSA and the North Lake Tahoe Fire Protection District had been ranked above the national criteria for performance levels. He remarked that REMSA had met their performance criteria and that the education component was very strong within their organization.

Mr. Carey commented that the Managers believed the question to be effective governance. Under the current Franchise Agreement, he said many of the issues involving the County and the Cities of Reno and Sparks did not have an appropriate path to resolution in the current Franchise Agreement as it sat within the Health Department. He said empowerment was necessary at the local government level where the leaders could move forward into the future. Mr. Carey said what happened in the EMS component of the overall public safety program must be communicated, must have standards and must be ready to reflect the changes that already occurred in the communities and would occur in the future. He explained that the Managers came together due to the need for transparency, accountability and governance and made the strong recommendation to explore a Scope of Work in order to return with a contractual relationship.

DBOH Member Hess questioned the issues and problems attempting to be resolved with a contract versus the revision of the Franchise Agreement, which could achieve the same effect. Mr. Carey replied in a structural sense the relationship between the DBOH and REMSA was of concern because it was difficult within each of the individual communities to change how the component of the public safety system worked. The issue of governance would allow local, elected government officials to serve, lead the public safety mission and have a path for change. The Franchise Agreement did not offer that opportunity. In moving forward, Mr. Carey said costs would become greater and public officials needed to have the ability to make decisions to serve the future and not be ham-strung by an agreement that already existed. The Managers all

shared a great concern over the need to be transparent for citizens looking at the organization and to understand the services being provided. He said the Managers also believed there must be performance standards, and an ending date in the contract to reward good service by an extension for services and the ability to modify and fit current conditions. Under the governance structure, the inability to change had led to an inability for the Agreement to come to an end. DBOH Member Hess asked if that was legally discussed to complete within the Franchise Agreement. Mr. Carey indicated that attorneys had not been part of the discussions at this point in the negotiations because it was important to lead from the CEO's of the organizations to find alternatives and solutions.

Commissioner Berkbigler stated that franchise agreements could be opened, could have termination dates, could have governance, and be added to the structure of this Franchise Agreement. She had some concerns about an effective document being discarded and beginning anew. Mr. Carey stated those were valid points and agreed that a franchise agreement could be changed. He noted that option was listed as an alternative for the entities to consider.

Sparks Councilmember Smith asked if REMSA was willing to review or change the existing contract. Mr. Gubbels stated REMSA was willing to make changes if changes were needed within the existing Agreement. Councilmember Smith felt there were regional concerns with the current Agreement. He noted that transparency was very important and renewing of the contract automatically was bothersome. Mr. Gubbels reiterated that REMSA was willing to look at the original Agreement.

Sparks Councilmember Ratti commended the progress that had been made and thanked the many stakeholders. However, she stated that she was still concerned with governance, but less concerned on whether the document was called a contract or a franchise. She felt if the current Franchise Agreement was used as a starting point, it needed to be significantly modified to meet the recommendations from the TriData Study. Councilmember Ratti asked if there was any meaningful structural difference between the words "franchise" and "contract." Mr. Carey explained that a franchise was a commitment to serve a service area, which empowered someone to implement rate-setting and the activities required to bring the resources, provide the services and incur the costs without competition. He said a contract would be used to design a public service where a portion of the agency was chosen, and a scope of work was written for a specific period of time, which was bid on and received specific costs. He said the Public Utilities Commission (PUC) in Nevada regulated most of the State's publically operating utilities. The use of franchises in this particular setting was very rare and was found that most of the services were provided by contracts, which was a more definitive scope of work and could be adjusted in a more governed sense than a franchise.

Chairman Humke said the franchise with REMSA was a franchise without a PUC and he asked if that was the essential problem. Mr. Carey replied there was a franchise between the DBOH and REMSA, which was an agreement entered into many years ago and had provided good results, but the challenges of governance were present.

Chairman Humke appreciated the work completed by the Managers and the Working Group, but felt a good result was not being presented for the unincorporated areas of the County.

Chairman Humke remarked that the Franchise Agreement did not have an end date, therefore did not have a method of renewal since renewal was automatic. He asked if there was any termination provision in the current Franchise Agreement. Paul Lipparelli, Legal Counsel, replied there were “for cause” provisions meaning the performance had to be so poor that the contract could be terminated based on failure to perform. He said there were also “cure” provisions that gave the franchisee the opportunity to cure any deficiencies. He indicated that the agreement could be terminated, but there would have to be a catastrophic failure of the system. Under the current Franchise Agreement, if performance was deemed unsatisfactory from a County Commissioner’s viewpoint, Chairman Humke asked if that rose to the level of catastrophic. Mr. Lipparelli replied if there were things that the franchisor and their community partners were dissatisfied with, the first step would be to place the franchisee on notice and provide the opportunity for a cure. In looking toward the future, Chairman Humke said there was the possibility for a secondary franchise agreement, which could benefit residents of the unincorporated areas of the County. He asked if the current Franchise Agreement could be modified to allow the negotiation of a second franchise agreement. Mr. Lipparelli replied that contractually it could be possible to design a different structure for service, but given the current status of the relationship between the parties, it would take the franchisees agreeing and could not be unilaterally dictated by the franchisor.

Since there was no PUC, Chairman Humke said there was no serious oversight, regulation or control over the franchisee. Mr. Lipparelli agreed that it was different than the regulated utility context. Chairman Humke asked if it were possible to renegotiate the Franchise Agreement and/or add modifications for governance and other regulatory authority to the Franchise Agreement. Mr. Lipparelli replied that was possible with the agreement of the parties.

DBOH Chairman Smith explained when the Franchise Agreement was established it was given to the DBOH because they were a medical agency. Governance was given to the DBOH by the Cities and the County and, he had never seen a formal letter requesting changes from any of the entities. Mr. Carey replied the TriData Study came forward with 38 recommendations that indicated a loud call for change. In taking that step of leadership, he believed the Board of County Commissioners (BCC) were looking for dramatic changes. It was not being disputed that EMS was the practice of medicine outside a hospital; being disputed was that it was part of a public safety system that was not transparent, did not have accountability to local governments and had been impossible to change by any of the local governments through their elected officials that sat on the DBOH. Chairman Smith commented that the DBOH was asked to review the TriData Study, and he acknowledged that was occurring. Mr. Carey stated that the DBOH had been well represented on the Working Group. He believed that change was needed for the future to bring the issue of governance to elected officials in order for them to

make a much broader public safety decision. Chairman Smith indicated that all the entities had given the DBOH data, which was being reviewed; however, no results had been made. He believed there were some problems with the Franchise Agreement and reiterated that the DBOH was willing to make changes. Mr. Carey stated that the DBOH and Washoe County had provided a statistician to begin working with the data that would provide a foundation for the Working Group.

Commissioner Hartung asked if REMSA supplied the needed data to study their response times. Dr. Randall Todd, EPI Center Director, replied that the Health Department had always received REMSA's response time data on a monthly basis and analyzed it statistically. He explained that REMSA did a 100 percent sampling of their response data, which was also reported monthly to the DBOH. He indicated that Health District staff would collaborate the REMSA report by conducting a statistical analysis on a sample of their response data. Dr. Todd felt the question should be broader, so similar data was received from the other response agencies. He reported that each of the response agencies provided data to the Health District, but it was difficult to match fire response calls to a REMSA response call because there was not a common identifier. However, the statistician was able to review the data and determine if it was the same date, time and address, and probably was the same call. He said each of the response agencies were asked to provide one month's worth of data to test staff's ability. Once that was compiled, questions could be asked as to REMSA's response times within fire response zones and fire response times within REMSA's response zones. Presently, each agency had different response standards and different definitions when the clock began and ended, but by combining the response times the timelines may become reviewed as one record.

Commissioner Hartung said that a recommendation in the TriData Study stated that a common incident number be instituted. Dr. Todd explained in working with real data, it was time consuming and labor intensive to complete the matching. He acknowledged that a common incident number would alleviate some of that labor intensive process.

Commissioner Hartung inquired on the typical length of a Franchise Agreement. Mr. Carey did not know the typical length for a Franchise Agreement. He stated they were often utility specific and needed to capture a period where a large investment could be captured, have a rate of return on that investment and show a stable return on an investment to shareholders. In this Franchise Agreement, he said REMSA had made investments to serve an effective system and that their assets and liabilities in moving forward would be a common part of a franchise agreement. The length would be the decision of the return on investment, what was needed to be invested and the services provided, which would all be included in a franchise timeline.

Commissioner Hartung asked if REMSA used vendors for goods or services. Mr. Gubbels replied that REMSA purchased goods through different vendors. Commissioner Hartung asked if there was an agreement with any of those vendors that

lasted more than 20 years and had never been revisited. Mr. Gubbels was not aware of such an agreement.

Sparks Councilmember Schmitt stated that the original Franchise Agreement was put into place in 1986 for 20 years, based upon a return of investment. Mr. Gubbels replied that was correct, the Agreement was from 1986 to 2006 and then renewed each year thereafter. Councilmember Schmitt commented there was an end date of 20 years, but the Agreement could not be voided without REMSA's consent. Mr. Gubbels stated that was correct, but clarified it could not be without REMSA's consent or if there was default on the performance criteria within the Franchise Agreement. Councilmember Schmitt asked if REMSA was willing to look at a specific time when the Agreement could end. Mr. Gubbels explained that REMSA could review that option; however, that had not been proposed. Councilmember Schmitt asked if there were any elected officials or employees from any municipalities on the receiving end of the contract or employed by REMSA in 1986. Mr. Gubbels indicated that he was not involved with REMSA at that time. Councilmember Schmitt felt that information was important for transparency in government in order to inform the citizens that no elected officials or an employee of a municipality were involved. He was unaware that the DBOH was waiting for a demand letter and he asked for clarification on what the DBOH needed from the City of Sparks.

DBOH Chairman Hess said a letter would be reviewed if the City of Sparks chose to send one. He clarified there were also representatives on the DBOH that had concerns about REMSA. He said there were discussions held to show the representatives how the Franchise Agreement worked and how REMSA worked. He restated that the TriData Study was being reviewed and the DBOH was working with the agencies to see if any changes were needed.

DBOH Member Hess asked for clarification on the issues and/or concerns from the City of Sparks. Councilmember Schmitt explained that the issues were governance and transparency to citizens. He said when there was an agreement that could never be broken or never sunsetted, something needed to be resolved.

Commissioner Weber said she had not heard that the Working Group suggested starting over and move to a contract. Mr. Carey replied that the City and County Managers recommended the region move to a contractual agreement. He said REMSA and the DBOH had stated that work could be completed within the Franchise Agreement, but it was the collective, unanimous decision of the Managers that it move to a contractual arrangement to include transparency, governance and the ability of local government leaders to integrate this into public safety.

Mr. Dick clarified that the recommendation was not coming from the Working Group, but was a recommendation from the Managers.

Reno Councilmember Zadra said it had been expressed that the model being used was rare in execution throughout the rest of the nation. She asked if it had

been requested from REMSA for specific improvements that would make the operation similar to standard operations. Mr. Carey replied that had not yet been requested. He explained that scope of works and contracts had been collected from other parts of the western United States in order to build a better understanding of the elements. Councilmember Zadra said there were changes that were known, but those changes had not been expressed to REMSA to see if they could be accommodated. Andrew Clinger, Reno City Manager, indicated that a letter had been sent to Mr. Gubbels on April 10, 2013 asking for those changes.

Reno Councilmember Zadra commented that the DBOH agreed that an operational audit of the Health District needed to be conducted and asked when that would occur. Mr. Dick replied that staff was developing a scope of work and were in discussions with an outside organization to conduct a fundamental review of the Health District's operations. Councilmember Zadra emphasized that the entire structure of the Health Department would be evaluated through the upcoming audit.

Reno Councilmember Jardon said if the current Franchise Agreement was chosen to be modified, would transparency and governance be defined and equally applied to all emergency services. Mr. Carey replied that transparency would be clearly deliberated in standards put into the Franchise Agreement. In terms of services, he said recommendations would be brought back to the entities from the Working Group.

In the April 10, 2013 letter distributed to REMSA, Reno Councilmember Berkhus said the Managers stated to Mr. Gubbels, "please embrace the changes and continue to come to the table to negotiate a franchise agreement," but the recommendation brought forward from the Managers was to move to a contract model. She questioned the change and asked if it was envisioned for each contract to be a separate, negotiated and executed document between each jurisdiction. Mr. Clinger replied there was one contract envisioned and, as recommended in the TriData Study, an EMS oversight authority, but there had not been a great deal of discussion on that recommendation. He explained that the change was due to more research being conducted and represented best practices. He stated that the most important part was the outcome, not what the document was called. Councilmember Berkhus said if the entities did not move forward with the recommendations for the contract model and worked through the franchise model, could the TriData Study be folded into the cure provisions. Mr. Clinger stated that was correct. He said that was the framework being approached and was the TriData Study recommendations. He noted that agreement had been reached on most of the recommendations, but there were a few that still needed to be negotiated with REMSA. Councilmember Berkhus stated that those areas where agreement had not been made with REMSA could be placed into the cure provision of the Franchise Agreement. Mr. Clinger replied that was one possible path for the policy makers.

Commissioner Berkbiger asked if the Franchise Agreement had an evergreen clause where it could not be terminated unless there was an agreement with REMSA or a contract could not be reached unless it was found that REMSA was in violation of the Franchise Agreement. Mr. Lipparelli replied the easiest way was through

an agreement with the franchisee. Whether the Franchise Agreement continued as modeled or rearranged into a service contract, he said it would still take the agreement of the franchisee to have that completed through negotiation.

Commissioner Hartung questioned what would happen if an impasse occurred with REMSA on any of the requested changes. Mr. Lipparelli explained it would cause a problem because there was not a process in the existing structure to work through impasses; however, the civil court system existed to resolve civil disputes between parties. Commissioner Hartung asked if REMSA considered themselves a vendor. Mr. Gubbels said services were provided through the franchise, but the word “vendor” was not included. It was agreed that an agreement that REMSA would provide those services under the franchise for medical care that was delivered. With respect to billing, Commissioner Hartung asked if the community at-large assisted in funding. Mr. Gubbels replied that the franchise stated that REMSA could not receive a subsidy from any one of the jurisdictions.

Katy Simon, County Manager, thanked Mr. Carey for his leadership in the process. She also thanked the other members of the Working Group and said it had been a good process. She explained that the BCC had initiated a top-to-bottom review of the EMS system in August 2010, which was produced by TriData with oversight from a multi stakeholder group that reflected fire services, medical direction, hospitals and the Health Department. She encouraged the entities to hear from Sheriff Haley about the dispatch system before any direction was given. She reiterated the direction that would benefit the most was to consider directing the Working Group to develop language around certain points of concern. Important was a termination date for a mandatory review of whatever agreement was designed, the opportunity for competitive Request for Proposals (RFP's) before a renewal would occur, and to ensure clear intentions around dispatch.

Sparks Councilmember Ratti was encouraged by the consensus heard at this meeting. She asked if the bidding would be done on the front end of this process or after a new franchise or contract was negotiated. Ms. Simon replied it was premature to have a competitive bid at this point.

Councilmember Ratti moved to direct the Working Group to open negotiations with REMSA for a renewed agreement; either franchise or contract that would address concerns with an end date of 120 days. Sparks Councilmember Schmitt seconded the motion.

Councilmember Schmitt asked for clarification if within those 120 days, the agreement on the contract/franchise would be null and void or would return to the joint bodies. Councilmember Ratti replied that the negotiations would close within 120 days. She did not want to ham-string the Working Group because they had brought forth some issues not identified in the TriData Study. She felt there was a good dialogue addressing issues in the Study and outside of the Study.

Mr. Carey stated that 120 days was sufficient, but asked for clarity if the TriData Study was to be used as the basis for the Working Group's efforts to reach an agreement. Councilmember Ratti did not want to ham-string the Working Group to only discuss recommendations from the TriData Study. Mr. Carey said the Working Group would return at the conclusion of the negotiation period and update the Boards and Councils.

For the City of Sparks, on motion by Councilmember Ratti, seconded by Councilmember Schmitt, which motion duly carried with Councilmember Carrigan absent, it was ordered that the Working Group be directed to open negotiations with REMSA on a renewed agreement, either franchise or contract, that addressed the voiced concerns, including those in the TriData Study, with an end date of 120 days for the negotiations.

Chairman Humke felt this was a premature motion for this meeting and hoped there would be more discussion regarding dispatch. He wanted to hear from the Dispatch Working Group, but so far this meeting had dwelled on the Franchise Agreement. He recommended momentarily tabling the motion.

Commissioner Weber disagreed. She felt the motion should move forward. Commissioner Berkbigler commended the Working Group for their work and felt they would take the rural areas into consideration and did not think that was pertinent to this motion. She stated she would support the motion.

Chairman Humke remarked that he was informed by Mayor Martini that Sheriff Haley would present the findings from the Dispatch Working Group. Furthermore, he would support the motion.

For Washoe County, on motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that the Working Group be directed to open negotiations with REMSA on a renewed agreement, either franchise or contract, that addressed the voiced concerns, including those in the TriData Study, with an end date of 120 days for the negotiations.

Reno Councilmember Berkhus said the motion seemed to direct the Working Group to renegotiate the Franchise Agreement, but the respective jurisdictions were not party to the Franchise Agreement and it appeared that only the DBOH would have the authority to open up that Agreement. Mr. Clinger clarified there were members of the DBOH on the Working Group. Mr. Dick stated that the Franchise Agreement was with the DBOH; however, it was recognized in moving forward with an amended agreement there needed to be some buy-in and satisfaction from each of the entities. He was amenable to the idea of moving forward with the Working Group negotiating what the Franchise Agreement may resemble. However, it would be up to the DBOH to decide if that was a Franchise Agreement they would make amendments to and/or enter into. Chairman Smith believed that the DBOH was well represented with the Health Officer on the Working Group.

For the City of Reno, on motion by Councilmember Berkhus, seconded by Councilmember Schieve, which motion duly carried with Mayor Cashell and Councilmember Dortch absent, it was ordered that the Working Group be directed to open negotiations with REMSA on a renewed agreement, either franchise or contract, that addressed the voiced concerns, including those in the TriData Study, with an end date of 120 days for the negotiations.

DBOH Member Fuhrman felt that the elected officials needed to be heard on this matter and agreed with their direction. He did not believe a vote of the DBOH was necessary. Chairman Smith believed that the DBOH should vote in support of the motion.

DBOH Member Humphreys stated this motion would allow the continued progress of what had been accomplished to date. He complimented those that had done so much work and had set the ground work for what needed to be completed.

For the District Board of Health, on motion by Member Hess, seconded by Member Ratti, which motion duly carried, it was ordered that the Working Group be directed to open negotiations with REMSA on a renewed agreement, either franchise or contract, that addressed the voiced concerns, including those in the TriData Study, with an end date of 120 days for the negotiations.

10:30 a.m. Commissioner Jung left the meeting.

Mr. Carey stated that the second highest priority concerned dispatch, which was also addressed in the TriData Study. He said it concerned communications of all forms and needed to be reviewed as to what it could be in the future.

Sheriff Mike Haley suggested the Boards and Commission be mindful that communications, records management and Cad-to-Cad systems drove transparency when everyone used the same mechanisms for the same understanding and computer analytical questions being asked. His comments did not depend on the discussion or vote that just occurred and was irrespective of whether there was a franchise, a contract or a handshake. The information needed to be heard regardless of what was moving forward. In regard to the Cad System, Sheriff Haley said there were major players in the region on shared Cad Systems, Records Management Systems (RMS), and Dispatch Communication Systems and currently the Tiburon System was being upgraded to expand past the live date of the current technology. He said the closest date for the Tiburon update was June 2014; however, if the update could not be completed by then, it would be placed on hold until after the 2014 fire season passed, and would be completed in October 2014 to be fully utilized by the City of Reno, Washoe County and hopefully the City of Sparks.

Sheriff Haley updated the entities on the progress of recommendation Nos. 13 and 16 from the TriData Study in regard to dispatch. He said the three options identified by the Managers were:

1. Direct the Sheriff to continue to lead the region forward to an Integrated Regional Data, Records and Dispatching System.
2. Continue with current communications systems and move with technology changes to a common system.
3. Maintain the status quo.

Sheriff Haley said it was recommended to integrate the communications system with Public Safety Centers in the Cities of Reno and Sparks and for all public safety providers to utilize common interoperable radio, data and record systems. He would also continue to pursue grants to help the region in funding an integrated system. He commented that this recommendation was in alignment with the last recommendation of the 9/11 Commission as well as the TriData Study. He said it was consistent with the collective efforts to build a Nevada shared radio communication system in the region. The recommendation was also consistent with the National Telecommunication and Information Agency requirements with the First Responder Network Authority Act of 2012, where each state must integrate their voice and data communications systems with all first responders in the nation. The integration of RMS data and voice management within a single dispatch center with secondary back-ups in the City of Sparks and virtual alignment with REMSA was necessary for public safety. Sheriff Haley said the present 800 MHz system was a State-wide shared radio system adopted in the mid 1990's. It was a completely interoperable communications system for first responders in the County and State-wide. He said it had greater coverage and was expanding everyday with new upgrades and processes. There was more resilient infrastructure, higher levels of redundancy, greater customer service, faster response times, better scene management, unit efficiency, timely updates, increased patient care and was more cost effective.

Sheriff Haley commented that the Cities of Reno and Sparks and Washoe County currently used the same radio system, and the City of Reno and the County also used the same Cad System that presently mirrored data from the City of Sparks. He added that the City of Sparks would fully use the collective Cad System in the near future should their Council agree to keep them online with Tiburon's new version of the Cad System. The State-wide UHF System, REMSA's system, was no longer supported by the State and must be maintained privately or by specific county or agency agreements, i.e. public dollars. He said that added an additional cost for maintenance, it stood alone in a non-integrated fashion and was limited with an uncertain future. Sheriff Haley explained that the 2019 federal guidelines would cut UHF Bandwidth in half and reduce communication capabilities dramatically for all areas outside of the immediate area. A separate 800 MHz System and UHF System acting in unison would eliminate the ability to communicate between systems. He said transparency would not be possible because incidents would not be called the same and would either have to be off the disparate systems or add an 800 MHz System to REMSA. The data collected in one Cad System was not searchable-consistent with another Cad System, resulting in unreliable data collection, misinformation, confusion and the inability to defend the use of and utilization of public resources. It also complicated litigation and mitigation in the aftermath of a catastrophic event.

Sheriff Haley stated that REMSA needed UHF in the rural and more remote areas, but they needed to look to 2019 for the Land, Mobile, Radio (LMR) Systems. He said regionalizing communication centers physically, virtually and placing all responders into one shared radio system would enhance customer service, provide a more open government and be more cost effective. He concurred with the recommendation to work with the Regional Dispatch Committee and report to the Managers. He said REMSA concurred that all regional dispatch centers needed to collect arrival patient-side data including the initiation of CPR and other life-saving methods. Sheriff Haley stated that would require the same radio system, Cad System and RMS. He said REMSA also concurred that the development of unique identifiers for all service calls should be created, which also required an integrated radio and Cad System. He said REMSA also agreed that a region-wide RMS be implemented. Sheriff Haley noted that the Cities of Reno and Sparks and the County presently had that RMS. He said REMSA also concurred that an Automotive Vehicle Locator (AVL) be implemented, which required an integrated radio and Cad System. He said those and many more improvements could be achieved through the inclusion of a single, computer-aided dispatch single radio system. Sheriff Haley said if he needed something else in the rural areas, then he needed something else in those areas.

For the next steps, Sheriff Haley indicated that REMSA needed to move to an 800 MHz system and a Cad System. For a time, they would need to maintain their UHF System and deal separately with the 2019 issue. He said the LMR System needed to be maintained in addition to the Long-Term Evolution (LTE) System. Furthermore, REMSA needed to purchase additional radios to be utilized. He explained that REMSA already had some 800 MHz radios, but they did not use those radios. Sheriff Haley said failing to communicate raised the risk tremendously and he appealed to the combined entities to continue to enable the Committee to conduct the necessary work.

Sparks Councilmember Lawson questioned what would occur when the Federal Communication Commission (FCC) reduced the height of the towers for the new 450 Systems. Sheriff Haley replied when the tower heights were reduced, the length that the radios would be able to transmit would be reduced. Councilmember Lawson asked if the information with the same Cad System was transparent and could that information be shared amongst all the entities, but unprotected under separate entities. Sheriff Haley explained that a shared Cad System could be partitioned between the entities.

Reno Councilmember Jardon asked if Mr. Gubbels had discussions with the REMSA Board about the 800 MHz. Mr. Gubbels replied that the first conversation about the 800 MHz was during a working group and was presented in a letter from the Sheriff. At that time, he was not amenable to changing to the 800 MHz since REMSA had been working and investing in the UHF System for the past 18 months. He said that system supported the services as well as the microwaves being produced so wattage was not an issue. Part of the responsibility through the Franchise Agreement was to communicate with other EMS ambulance agencies including those out of State. He indicated that all the surrounding EMS agencies used UHF Systems, and REMSA needed to communicate to those surrounding ambulance agencies. The recommendation to move

to the 800 MHz system was taken to the REMSA Board and they asked if it were possible to place an UHF radio and an 800 MHz radio in each ambulance. Mr. Gubbels stated that was possible. He indicated that the Sheriff had volunteered to work with REMSA to obtain grants since it would be a large investment. He noted that REMSA was a member of the County's 800 MHz user group and had nine radios placed inside supervisor's vehicles. Mr. Gubbels stated that REMSA was willing to move forward to have both 800 MHz radios and UHF radios in order to conduct their day-to-day business. Sheriff Haley said there were Nevada Administrative Codes (NAC) and Nevada Revised Statutes (NRS) that gave strength in demanding that a provider of medical services or any provider that wanted to enter into the service, had to be able to communicate on the County's systems, not theirs, and noted that information was provided to the Managers.

Councilmember Jardon questioned who would choose which dispatch system and records retention system would be applied. Sheriff Haley replied that each individual City or County would choose the RMS, Cad System or dispatch process they wanted to use. Over time and through collaborative work, the County and the City of Reno had molded that into a seamless process of radio communications, Cad System and RMS. He explained that the City of Sparks had maintained a secondary piece that was capable of picking up primary traffic. He said REMSA was listed as a piece app by virtue of this body's direction, but if all the other piece apps went down, REMSA would be unable to dispatch for the other entities.

Sparks Councilmember Ratti believed that the role of governance was to focus on the endgame. She asked if it were possible for "transparent" to mean that any citizen living in any of the jurisdictions could go on a website and review the average response time for a fire truck or ambulance in order to make an informed decision about where they would live, based on the level of service. Sheriff Haley commented that he was part of a nation-wide committee responsible to build the First Responder Network Authority for the country. Eventually, he said a nation-wide RFP would be established to build the next generation of public safety communication systems that would do all and more of what the Councilmember described.

Mr. Carey recommended the entities accept the Sheriff's report.

For Washoe County, on motion by Commissioner Hartung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Jung absent, it was ordered that the report from the Dispatch Working Group be accepted.

For the City of Reno, on motion by Councilmember Berkhus, seconded by Councilmember Schieve, which motion duly carried with Mayor Cashell and Councilmember Dortch absent, it was ordered that the report from the Dispatch Working Group be accepted.

For the City of Sparks, on motion by Councilmember Ratti seconded by Councilmember Lawson, which motion duly carried with Councilmember Carrigan absent, it was ordered that the report from the Dispatch Working Group be accepted.

For the District Board of Health, on motion by Member Fuhrman, seconded by Member Humphreys, which motion duly carried with Member Jung absent, it was ordered that the report from the Dispatch Working Group be accepted.

There was no public comment on this item.

Mr. Carey explained that another priority was medical oversight. However, there had not been much discussion in the Working Group about medical oversight, but the commitment was to bring that back for action during the next concurrent meeting. He said the Working Group would also review further negotiations to explore the closest resource responding to a medical event.

13-470 AGENDA ITEM 5.1 – PUBLIC COMMENT

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 Commission 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, Sparks City Council, Reno City Council and the Washoe County District Board of Health as a whole.”

Cathy Brandhorst discussed counterfeit bills that were circulating in the County.

13-471 AGENDA ITEM 5.2 – PUBLIC COMMENT

Agenda Subject: “Comments from Commission, Councils, District Board of Health, Managers and Interim District Health Officer.”

Sparks Councilmember Lawson thanked all the entities for coming together and working collaboratively.

Commissioner Hartung appreciated all the first responders and all the work they did for the community.

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11:08 a.m. There being no further business to discuss, on motion by Commissioner Berkgigler, seconded by Commissioner Hartung, which motion duly carried with Commissioner Jung absent, the meeting was adjourned.

DAVID E. HUMKE, Chairman
Washoe County Commission

ATTEST:

AMY HARVEY, County Clerk and
Clerk of the Board of County Commissioners

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