

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

TUESDAY

11:00 a.m.

MARCH 13, 2012

PRESENT:

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

**Nancy Parent, Chief Deputy Clerk**  
**Katy Simon, County Manager**  
**Paul Lipparelli, Legal Counsel**  
**Tim Leighton, Interim Fire Chief**

The Board convened at 11:27 a.m. in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada, and conducted the following business:

*The following Agenda Items No. 9 and No. 10 will be heard by the Washoe County Board of Commissioners who will convene as the Board of Fire Commissioners for the Truckee Meadows Fire Protection District (TMFPD) and the Sierra Fire Protection District (SFPD). (Agenda Items No. 6 and No. 7 of the TMFPD Agenda.)*

**12-29SF      AGENDA ITEM 9**

**Agenda Subject:** “Discussion and possible direction to staff related to the formation of a Regional Fire Task Force. (Requested by Commissioner Humke.)”

Commissioner Humke commented that this topic had previously been discussed to include all fire agencies in the area for a regional task force. He said those discussions revolved around the Joint Fire Advisory Board (JFAB), which had served a good function. He suggested comprising an Advisory Board to encompass the surrounding counties and the fire agencies in Washoe County. He felt this would ensure to the public that the concept of regionalization of fire services was important and would continue to move forward.

Paul Lipparelli, Legal Counsel, stated that he sat on the Attorney General’s Open Meeting Law Task Force where there was concern about public bodies creating other public bodies that did not comply with the Open Meeting Law. He indicated that anything this Board did to assemble another Board, advisory or otherwise, fell within the definition of a public body and would have to conduct their business under the Open Meeting Law. However, if Fire Chiefs from separate fire departments took it

upon themselves to form a task force, that body would not have to comply with the Open Meeting Law.

Commissioner Breternitz asked if an individual commissioner could convene such a task force. Mr. Lipparelli explained that any commissioner acting by him or herself did so without the authority of the Board. He stated that nothing would bar Fire Chiefs from inviting a member of an elected body to participate in the Fire Chiefs' version of a task force or advisory board.

Chairman Larkin questioned if the Board of Fire Commissioners could direct one of their Chiefs to stand-up a committee or an advisory board as a public body. Mr. Lipparelli stated that could occur. He said in qualifying as a public body, two features were examined, who created that body and who that body would report to.

For the purposes of the Open Meeting Law, Mr. Lipparelli explained that the same analysis would be used to treat a body of citizens working together to decide whether they were a public body and whether they had the authority to act in any governmental capacity, or the authority to spend public money. Commissioner Humke asked if the Board had the ability to explore an advisory ballot question to invoke a board to meet under Open Meeting Law rules. Mr. Lipparelli noted that he did not have that experience and would need to research that concept. He said the balance had to be struck between the interest of the public, openness in government and the recognition that not every group was a public body. The key, in leaning toward the direction of making them a public body, was if that body could exercise governmental power, was close to spending governmental money or provided advice or counsel to a public body.

Commissioner Humke said a compromise could be the line of demarcation if that group was working based on the desires of the Board of Fire Commissioners.

Chairman Larkin said there was nothing that prevented the Fire Chiefs in moving forward with the desire of the Board. If that compromise was pursued, the Board would be engaging in public discourse. Chairman Larkin said the Fire Chiefs heard the discussion, and he requested an update at a future meeting on their efforts.

Commissioner Breternitz felt that the JFAB was not the proper venue because it only incorporated two parties and a much broader scope was being discussed. If the Fire Chiefs wished to pursue this option, and came before the Board to recommend a formal process or formalize a group, the Board had the ability to take that under consideration.

Commissioner Jung commented that there were 20 years of studies completed on how to regionalize the area. She did not support this notion since it felt as though the process would be moving backwards; however, she did support regionalization.

Commissioner Breternitz indicated that the Board was committed to sustainability and regionalization. He felt a regional advisory board would establish the vehicle to regionalization.

Commissioner Humke agreed that consultant reports were important to the County and all the present initiatives were borne through fire service studies. He agreed that Fire Chiefs were needed to establish an agreement which should be operational versus academic.

Commissioner Weber asked how the task force would bring everyone to the table. Commissioner Humke replied by invitation.

In response to the call for public comment, Jeff Voskamp explained that the new fire department would lead to the direct cause of 82 layoffs from the Reno Fire Department. Now, staff wanted the City of Reno to cover some vulnerable areas in exchange for the County to hire employees the new fire department was causing to be laid off. He found it unconscionable that anyone would suggest a plan that first caused harm to another person or entity, then turned around and used the ensuing chaos to their benefit. If the Board wished to create a new fire department then do so, but do not use the firefighters that serve the community as a stepping stone to achieve that goal.

Katy Simon, County Manager, commented that the Board had been consistent in their offers to returning Truckee Meadows firefighters and cared deeply about their welfare. The Board also supported staff reaching out to provide an opportunity for rank-for-rank transfers of Reno firefighters to the new department.

There was no action taken on this item.

**12-30SF      AGENDA ITEM 11**

**Agenda Subject: “Possible closed session for the purpose of discussing negotiations with Sierra Fire Protection District Employee Organizations per NRS 288.220.”**

**11:55 a.m.**      On motion by Commissioner Jung, seconded by Commissioner Weber, which motion duly carried, it was ordered that the meeting recess to a closed session for the purpose of discussing negotiations with Sierra Fire Protection District Employee Organizations per NRS 288.220.

**3:02 p.m.**      The Board reconvened with all members present.

**12-30F      AGENDA ITEM 10**

**Agenda Subject: “Discussion and possible authorization to the Chair to submit a proposal to the City of Reno for a cooperative service agreement between the City of Reno, Truckee Meadows Fire Protection District (TMFPD) and the Sierra Fire Protection District (SFPD) for fire services (closest resource first regardless of**

**jurisdictional boundaries) with exchange of benefits to include assumption by TMFPD-SFPD of several City labor liabilities and transfer to TMFPD of certain City employees. (All Commission Districts.)**

Kurt Latipow, Fire Services Coordinator, indicated that this discussion was a continuance of items that had been before the Board; however, the difference now was more specific. The Board was being asked to consider a deviation from the Interlocal Agreement that the Truckee Meadows Fire Protection District (TMFPD) would agree to pay 100 percent of the cost of liability for group medical for returning TMFPD employees who had retired as of July 1st. The current formula would be abandoned with the City of Reno and then the new department would take over those liabilities.

Mr. Latipow explained that sick leave and vacation leave were clear within the Interlocal Agreement as to former TMFPD employees returning. There was an attempt to minimize the financial impact to the City for those employees who wished to become employees of the new department. In addition, it was being proposed that rank-for-rank applications from Reno personnel be treated as a lateral transfer. He said the proposed benefit structure, with the exception of salaries, was identical to the Option 2 benefit structure afforded to TMFPD employees.

Mr. Latipow stated it was proposed to lease Station 14 to the City for \$1.00 per year. It appeared there may be some equipment that the TMFPD owned, but may not need in their new configuration. They would like the opportunity to discuss with the City their need for that equipment.

In the proposed Automatic Aid/Initial Response Agreement, Mr. Latipow said the TMFPD and the Sierra Fire Protection District (SFPD) would provide automatic aid initial response to the City's areas closest to the District's stations and that the City would respond to the District's areas closest to their stations. That offer would maintain a good level of service throughout both Districts and the City. Mr. Latipow indicated that Walker and Associates provided a fiscal analysis, which was fully explained and articulated within the staff report.

Mary Walker, Walker and Associates, indicated that Emergency Services Consulting International (ESCI) completed a report that plotted every single call from the closest station response. She said two methodologies were used by ESCI to determine service exchange equity between the different entities. The first methodology was an Assessed Valuation Analysis which determined the Districts that provided the closest station service to the City's area which had an assessed value of \$642 million. The City's stations that provided the closest service to the Districts had an assessed value of \$693 million, for a difference of \$51 million in assessed value. Therefore, when assessed value was reviewed for those calls in that area, the City provided \$51 million worth of assessed value to the Districts than the reverse. If the TMFPD tax rate was considered, it equated to a \$240,000 value of the City providing that service into the TMFPD areas of assessed value.

Ms. Walker said the second methodology concerned the number of incidents. She said during the time period used to acquire data, the Districts provided service to the City for 1,358 incidents, while the City provided service to the Districts on 896 incidents. Based on this analysis, the City received more service on a per incident basis from the Districts than the Districts received from the City. When a dollar value was placed on that difference, the Districts cost of emergency operations, divided by the number of responses, equaled \$2,357 per response, totaling \$1,074,000. Ms. Walker concluded that the City provided more service in the assessed value method, but the Districts provided more responses. Based on the additional incidents, that equaled a net result of approximately \$834,000 of additional service the Districts provided to the City. She said the Districts would continue to provide that value in annual service to the City along with the other items stated, in exchange for the Automatic Aid Agreement.

In terms of the features and benefits of each party, Commissioner Jung asked how much would be saved in terms of experience. Mr. Latipow stated that it was hard to put a dollar amount on experience. In reviewing the numbers, it was recognized that long-term employees were valuable and would reduce the costs related to the orientation academy. Commissioner Jung requested an estimate of costs versus benefits. She questioned who paid for capital improvements on leased Station 14. Mr. Latipow said a threshold existed on what the District would pay versus what the tenant was expected to pay. Commissioner Jung remarked that the data presented was several months old, and she asked if there was a way to receive real-time data. Mr. Latipow stated that he would submit that request.

Commissioner Humke asked if anyone could vouch for the veracity or the accuracy of the data concerning the number of incidents. Mr. Latipow replied for the time period stated, the consultants could testify as to the methodology and the accuracy of the information. For this snapshot in time, he believed the data to be accurate. In reviewing the methodology, Commissioner Humke said each agency was approached and told which runs were made into their territory on that date and asked if that was correct. Mr. Latipow explained it was a laborious record search to review the run cards and the stations to develop the information. Commissioner Humke asked why anyone would estimate low runs made to another district. Mr. Latipow did not believe the estimates were low.

Commissioner Humke inquired on the 33.33 percent factor per incident and how that percentage was reached. Ms. Walker explained a four-person crew was needed on structural fires, which would be a third more staff because the City had four-man crews. However, structural fires related to only 2 percent of the incidents.

Commissioner Jung asked for more clarification on how the coefficient of 33.33 percent was reached. Ms. Walker explained that the Districts had three-person staffing, while the City had four-person staffing. That additional person was a third more staffing than the Districts because one more person was being added equating to 33.33 percent.

Chairman Larkin asked what provisions were in place for enforcement. Mr. Latipow replied that staff was drafting the proposal and, if there was a provision of that type needed, it could be included.

Commissioner Breternitz felt it was important to have language within any proposal to revert the sections that were logically revertible. He indicated that the provisions for group medical, sick leave and vacation leave should be revertible.

There was no response to the call for public comment.

Blaine Cartlidge, Deputy District Attorney, said in the event the City breached the agreement or terminated the automatic aid, the items the District would be assuming liability on would return to status quo. Commissioner Breternitz said since Station 14 was currently utilized by the City of Reno, he would not consider that element would revert to status quo, but the elements relating to benefits would revert.

Commissioner Humke asked if this proposal was fair and the best that could be offered. Mr. Latipow felt this was the best that could be offered at this time. He said there was an opportunity to recognize the talent and experience of the individuals that applied and whether or not that talent and experience should be tied to the assumption of their leave banks, was up to the Board.

Since this was a matter of public safety, Commissioner Breternitz felt that the proposal was more than fair. However, to entice another governmental entity to work for the benefit of public safety was distasteful.

Commissioner Breternitz moved to authorize the Chairman to submit a proposal to the City of Reno for a Cooperative Service Agreement between the City of Reno, TMFPD, and the SFPD for fire services (closest resource first regardless of jurisdictional boundaries) with exchange of benefits to include assumption by TMFPD and SFPD of several City labor liabilities and transfer to TMFPD of certain City employees. He further moved to add a reversionary clause that upon any default or termination the payment on items No. 2 and 3 be brought back to the status quo and the lease on Station 14 be terminated to allow for use by the District. Commissioner Humke seconded the motion.

Commissioner Jung stated that she would not support the motion. She had not been in favor of the deconsolidation from the beginning and felt she had a fiduciary and moral responsibility to be on the lookout if this plan did not work or was not accepted by the City of Reno. She believed this was moving backwards in an attempt to regionalize fire services.

Commissioner Humke felt this would lead to a regionalized fire service because automatic aid was at the heart of a consolidated service.

Commissioner Weber said she was elected as a Washoe County Commissioner and believed this was the best way to proceed and was in the best interest of the County and the residents.

On call for the question, the motion passed on a 4 to 1 vote with Commissioner Jung voting “no.”

**12-31SF      AGENDA ITEM 2**

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

There was no response to the call for public comment.

**12-32SF      AGENDA ITEM 3A**

**Agenda Subject: “Approval of BOFC meeting minutes from the February 28, 2012 meeting.”**

There was no public comment on this item.

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

**12-33SF      AGENDA ITEM 3B**

**Agenda Subject: “Approve the retention of Kafoury, Armstrong & Company to perform County-wide Independent Audit Services for Washoe County (\$135,000), Truckee Meadows Fire Protection District (\$22,000), and Sierra Fire Protection District (\$25,000) for fiscal year 2011/12, for a total of \$182,000, pursuant to the engagement letters for same dated February 16, 2012.”**

There was no public comment on this item.

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

**12-34SF      AGENDA ITEM 4**

**Agenda Subject: “Update, discussion and possible direction related to the status of the Truckee Meadows – Sierra Fire Protection Districts’ Expanded Transition Plan.”**

John Slaughter, Management Services Director and Transition Team Leader, reviewed the Transition Plan Status Report and the Transition Budget. He said the Transition Team members met every other week. He indicated that 45 tasks were completed, 75 tasks were continuing and on schedule, but 21 tasks were behind schedule. Of those 21 tasks, 12 had the Fire Chief as the lead and would now move forward. He emphasized that no tasks were at risk of not being completed and, of the 21 tasks that were behind schedule, a new date or a process had been identified to get those back on track.

Commissioner Jung inquired on the legend that went with the tasks. Mr. Slaughter replied there was an extensive Gant Chart on the County's website that was updated weekly. In the next update, Commissioner Jung requested a page of all the tasks and what those tasks were.

Chairman Larkin asked if any of the 21 tasks that were behind schedule were of critical path. Mr. Slaughter said that the Automatic Aid Agreement was included within those 21 tasks and some items were critical. They now all had a specific date when they would be completed or a specific process identified to have them back on track.

Chairman Larkin asked if all the tasks would be completed for the July 1, 2012 start date. Mr. Slaughter clarified that the County was not at risk for any of those tasks not being completed. Mr. Latipow concurred and was fully confident that the tasks would be completed.

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

**12-35SF      AGENDA ITEM 5**

**Agenda Subject: "Chief's Report including Arrowcreek Station."**

Interim Chief Tim Leighton reported that the Arrowcreek Station was scheduled to be completed by March 30, 2012 and opened the second week of May. He announced that the grand opening was in the process of being scheduled.

Interim Chief Leighton reported that there had not been any significant fires in the District.

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

**12-36SF      AGENDA ITEM 6**

**Agenda Subject: "Accept the following donation items from the Rolling Hills Community: One (1) Barbeque Grill and two (2) LazyBoy recliner chairs, estimated at the value of \$2,500.00, to be utilized in assisting the furnishing of SFPD Fire Station No. 16. (Commission District 2.)"**

On behalf of the Board, Interim Chief Tim Leighton thanked the Rolling Hills Community for their generous donation. After the Washoe Fire, Rolling Hills community members organized a fundraiser to show their appreciation for the first responders and the firefighters of the District. In doing so, they raised over \$2,000 and garnered the attention of the Regional Manager of Wal-Mart. He said the District would honor the donors on March 17, 2012 at the new Station.

There was no public comment on this item.

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

**12-37SF      AGENDA ITEM 7**

**Agenda Subject: “Accept the following donation items from Wal-Mart in conjunction with the Rolling Hills Community: Four (4) flat screen televisions with wall mounting brackets, one (1) coffee maker, one (1) electric toaster, one (1) set of eight (8) settings of kitchen glassware, one (1) set of eight (8) settings of kitchen flatware, one (1) set of eight (8) settings of kitchen dishware, one (1) set of cutlery, one (1) set of kitchen utensils, one (1) set of kitchen measuring cups, one (1) set of kitchen cooking pots, one (1) set of kitchen cooking pans, one (1) set of kitchen cutting boards, one (1) set of kitchen towels and hot pads, one (1) set of kitchen baking pans, one (1) large crock pot, and one (1) large kitchen blender, estimated at the value of \$2,500.00 to be utilized in assisting the furnishing of SFPD Fire Station No. 16. (Commission District 2.)”**

On behalf of the Board, Interim Chief Tim Leighton thanked the Rolling Hills Community and Wal-Mart for their generous donation. He said Wal-Mart received a “wish list” from community members for the Arrowcreek Station and noted that Wal-Mart donated all the above items from that list.

There was no public comment on this item.

On motion by Commissioner Humke, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7 be accepted.

**12-38SF      AGENDA ITEM 8**

**Agenda Subject: “Accept monetary donation in the amount of \$300 from Kelly McInerney to be used for the Sierra Fire Protection District Fire Prevention Program; Express appreciation for the thoughtful contribution and direct Finance Department to make appropriate budget adjustments. (Commission District 2.)”**

On behalf of the Board, Interim Chief Tim Leighton thanked Kelly McInerney for the generous donation.

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 8 be accepted and directed.

**12-39SF      AGENDA ITEM 12**

**Agenda Subject: “Commissioner’s/Managers 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.)”**

Chairman Larkin requested an update on fire prevention for the upcoming spring and summer fire seasons.

Commissioner Humke requested Interim Chief Tim Leighton offer some technical assistance to the Truckee Meadows Fire Protection District (TMFPD) in regard to establishing the evacuation exercise used by the District for the Virginia Foothills.

**12-40SF      AGENDA ITEM 13**

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

There was no response to the call for public comment.

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**3:13 p.m.** There being no further business to come before the Board, on motion by Commissioner Humke, seconded by Commissioner Jung, which motion duly carried, the meeting was adjourned.

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**ROBERT M. LARKIN**, Chairman  
Sierra Fire Protection District

**ATTEST:**

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**AMY HARVEY**, Washoe County Clerk  
and Ex Officio Clerk, Sierra  
Fire Protection District

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