

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

TUESDAY

9:00 a.m.

NOVEMBER 13, 2018

PRESENT:

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

Nancy Parent, County Clerk
Charles Moore, Fire Chief
David Watts-Vial, Deputy District Attorney

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:

18-176F AGENDA ITEM 3 Public Comment.

Ms. Katherine Snedigar expressed frustration about Chair Berkbigler's involvement in the decision to approve Agenda Item 12. She opined it was inappropriate for a Commissioner to take the lead on an issue outside of their District and requested the item be pulled.

18-177F AGENDA ITEM 4 Announcements/Reports.

Truckee Meadows Fire Protection Chief Charles Moore requested Agenda Item 6 be heard out of order because a closed session was needed to discuss the item prior to the vote.

Commissioner Hartung explained he had not been asked for his vote concerning Agenda Item 12 prior to the meeting nor did he know how the other Commissioners were voting.

Commissioner Hartung requested Agenda Item 6 be pulled until the Board had more time to review the information. The other Commissioners concurred and Chair Berkbigler stated the item would be pulled and heard at a future meeting.

AGENDA ITEM # 5A

CONSENT ITEMS – 5A through 5C

- 18-178F** **5A** Approval of minutes from the October 16, 2018 meeting.
- 18-179F** **5B** Approval of a Settlement Agreement between IAFF Local 2487 and Truckee Meadows Fire Protection District in the approximate amount of \$35,000 and to authorize the execution of a resolution augmenting the Truckee Meadows Fire General Fund Salaries Expense Account from the Truckee Meadows Fire Protection District General Fund Contingency Account in the amount of \$35,000.
- 18-180F** **5C** Discussion and approval authorizing the Washoe County District Attorney's Office to commence suit against Life Star and/or its Owner(s) for breach of contract and other related causes of action related to the contract entered into in 2017 for the purchase of an ambulance and if need be, authorization to commence litigation and pursuit of this action through appeal.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Lucey, which motion duly carried on a 5-0 vote, it was ordered that Consent Agenda Items 5A through 5C be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 5A through 5C are attached hereto and made a part of the minutes thereof.

- 18-181F** **AGENDA ITEM 7** Introduction and Badge Pinning of New Employee and Promotional Badge Pinning.

Truckee Meadows Fire Protection Chief Charles Moore introduced new Firefighter Paramedic Alex Hughes and newly-promoted Fire Captain Travis Long. Both employees were presented with their badges and pinned.

- 18-182F** **AGENDA ITEM 8** I.A.F.F. Local 2487 Report.

International Association of Fire Fighters (IAFF) Local 2487 President Ian Satterfield thanked the Board for pulling Agenda Item 6. He thought further discussion was needed with Truckee Meadows Fire Protection District Chief Charles Moore. He recommended continuing to work with Chief Moore about the negotiable items as they had in previous years to come to an agreement. He thought that process was the best practice.

Mr. Satterfield stated Local 2487 member Scott Finley suggested collecting donations for victims of the Paradise, California fire. He said clothing and food items would be collected until November 21 and delivered to residents affected by the

fire. He indicated Public Information Officer Adam Mayberry would provide more information about drop-off locations and the items needed.

Commissioner Jung asked how the Board could help with this effort. She expressed interest in traveling with the crew to deliver donated items to residents. She requested a presentation about the firefighting process in the area. She pointed out fires occurred throughout the year rather than having a fire season as in prior years. She stated Santa Rosa burned to the ground and it consisted of houses in sub-divisions. She thought people needed to be more aware that fires could happen in the middle of a city. She wanted area residents to be educated about fire awareness and noted that, though wet winters kept fire danger down, they resulted in more fuel the following fire season.

Mr. Satterfield stated he was in contact with other local agencies to participate in the donation collection and he ensured Commissioner Jung would be invited to deliver to the residents of Paradise.

18-183F AGENDA ITEM 9 Fire Chief Report.

- A. Informational briefing on operational matters and activities for the month of September and October 2018 to include the following items:
 - 1. Green Waste Collection Update
 - 2. Update on Verdi Fire Protection - CWPP and Grant Funds.
 - 3. Mutual and Automatic Aid Summary: January to September 2018
- B. Commissioner Request Dashboard.

Truckee Meadows Fire Protection District (TMFPD) Chief Charles Moore stated the green waste collection events in Lemmon Valley and Silver Lake were successful. He explained the next collection was scheduled in Lemmon Valley on November 17 and another collection could be scheduled for December if the weather permitted. He said the collection process worked well but additional equipment would need to be purchased for future removal events. He thanked residents for creating defensible space around their homes and the staff and volunteers who helped at the collection sites.

Deputy Chief Lisa Beaver stated several meetings had occurred with Verdi residents to develop a fire protection plan. She said grant opportunities were available through the Nevada Division of Emergency Management and the Federal Emergency Management Agency that dealt with fuels reduction, water sources, and the installation of storage connections to hydrants. She explained storage connections were placed on hydrants and would allow a rapid connection to the water source. She stated connection threads on Verdi area hydrants were not consistent and crews needed to carry additional conversion equipment to connect to each of the different hydrants.

Commissioner Herman thanked Deputy Chief Beaver for the update and for the progress happening in Verdi.

Commissioner Hartung wanted Verdi to be a model for a region-wide effort towards fuels reduction. He hoped additional water sources could be established in more areas. He reminded citizens about the importance of defensible space, especially in rural areas.

Deputy Chief Beaver said understanding what the issues were and building a foundation from which to provide protection in additional areas were the keys to building consistent services.

Chair Berkgigler said obtaining grants helped with forward progress and providing benefits to residents. She was pleased grants were being pursued.

Deputy Chief Beaver stated many of the installations were simple, such as replacing connections to save time. She said reducing the time it took to start fire suppression made a significant difference in the outcome of a fire.

Chief Moore stated the mutual and automatic aid summaries and the Commissioner dashboard would stand as reported unless there were questions.

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

18-184F **AGENDA ITEM 10** Approve and execute final settlement and title paperwork with a closing date of November 16, 2018 for the acquisition of property located at 5445 Pelham Drive (APN 051-22-08) to accommodate the replacement of Truckee Meadows Fire Protection District's Fire Station #37 modular residential building in an amount not to exceed \$499,900 plus closing costs, less \$2,500 in an earnest money deposit and authorize the Chair to execute final documents.

Truckee Meadows Fire Protection District Chief Charles Moore provided an appraisal and additional documents, which were distributed to the Board and placed on file with the Clerk. He explained Station 37 was a modular residential unit with an old barn that was so small only one piece of apparatus would fit in it. He stated the special use permit for that property would expire in 2021 and he had researched other property options for the past year with little success. He indicated he discovered the residential property directly behind the apparatus barn was for sale. He wanted to acquire the home to be used as residential quarters and replace the existing apparatus barn with a new truck bay with an attached office. He explained this would cost about \$4 million less than a new building. He reviewed the provided appraisal and stated the purchase price reflected a \$5,000 reduction. He indicated the sale could close in three days if the Board approved it. A sidewalk would be installed to connect the living quarters to the new truck bay and the existing modular unit would be removed. He believed this was the best option to

maintain the current location, purchase the adjacent property with living quarters, and build a suitable truck bay.

Commissioner Hartung asked if the living quarters were attached to the apparatus bay. Chief Moore indicated there would be a covered breezeway installed between the living quarters and the apparatus bay and possibly a heated sidewalk for safety reasons.

Commissioner Hartung wanted covered and quick access for firefighters to reach the equipment. He expressed support for the purchase.

Commissioner Herman expressed support for the property purchase and said it would save taxpayers significant money.

Commissioner Lucey stated improvements to Station 37 had been needed for quite some time. He thought the proposed purchase would be cost efficient and beneficial since it would maintain the same location. He questioned whether the proposal had been taken to the Community Advisory Board (CAB) for recommendations. Chief Moore stated it had not been taken to the CAB because of the competition with other buyers and the rapid processing time required.

There was no public comment on this item.

On motion by Commissioner Lucey, seconded by Commissioner Hartung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 10 be approved, executed, and authorized.

18-185F **AGENDA ITEM 11** Presentation and discussion of the recommended changes to the fire code as set forth in Washoe County Code Chapter 60 Fire Prevention and Protection and approve an adoption schedule.

Truckee Meadows Fire Protection District Deputy Chief Lisa Beaver reviewed the staff report summary. She recommended the Board accept the proposed changes and noted the item was contingent on the acceptance and approval of the first reading at the next meeting and the second reading at the January meeting; adoption would occur in February. She said she would present information to the Board before the first reading.

Chair Berkbigler asked when the first reading would happen and Deputy Chief Beaver stated it would occur at the December meeting.

Chair Berkbigler was concerned the suggested motion included language to approve and not to accept. Deputy District Attorney David Watts-Vial stated the Board could review the information and make recommendations. He noted the motion language could change from approved to accepted if that was the desire of the Board.

Commissioner Hartung asked whether staff had discussed the proposed changes with the building and the real estate communities. Deputy Chief Beaver stated the Fire Marshal held meetings with realtor groups and the Builders Association of Northern Nevada.

Commissioner Herman said she was in support as long as the fire sprinkler requirements did not pertain to structures smaller than 5,000 square feet. Deputy Chief Beaver assured her the fire sprinkler requirements would remain the same.

Deputy Chief Beaver stated a provision was made if a living space was built over the top of the garage the entire garage had to be added to the square footage of the home. She said the provision originated after many garage fires occurred in 2013 and data indicated a living space located over a garage created additional risk. She stated the language was defined and clarified but a provision was added for a two-hour horizontal fire-resistance barrier assembly to be installed between a living space and a garage. That would eliminate the requirement for a garage to be included in the total square footage of a home.

Commissioner Hartung explained a two-hour wall consisted of two layers of 5/8 inch sheet rock on the ceiling of a garage. He explained the first layer was required to be fire taped, inspected, and approved before the second layer could be installed. He said the double layer of sheet rock would not stop a fire but would slow it down to reduce the risk of burning into the living space above.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered to accept the presentation.

18-186F **AGENDA ITEM 12** Presentation, discussion and possible direction to staff regarding a possible District boundary adjustment to include Gerlach, Nevada (as outlined in the attached map) at the request and direction of Commissioner Berkbigler.

Truckee Meadows Fire Protection District (TMFPD) Chief Charles Moore said he met with County Manager John Slaughter and consultant Mike Brown of R&R Partners to discuss the possibilities of a sustainable fire protection service in the Gerlach area. He explained the fire response could be configured many different ways. He thought the best solution would be to have a volunteer crew but noted there was a shortage of capable volunteers. He stated some paid staff could be shared between the TMFPD and the County to cover the area and thought interim staff could be placed there until the boundary line was extended. He said discussions had occurred with Mr. Brown about a possible rural fire protection district and Mr. Brown thought they would be ready to present viable options to the Board by January.

Chair Berkgigler said the conversations she had with Chief Moore and Mr. Slaughter pertained to the cost of continuing services as they were currently provided; \$1 million per year would be charged to County management, not to TMFPD management. She stated County staff was not fire trained and she thought the area should be managed by someone who was sufficiently trained. She indicated Mr. Slaughter was concerned about turning the management over to the TMFPD because it would move the financial liability to the District. She stated Mr. Brown was hired the help resolve issues concerning proper fire protection in the north valleys. She said no decisions had been made although the Board and staff were in the process of looking into resolving costs and requirements to provide fire protection services.

Commissioner Herman acknowledged this was the first step and said she received an overwhelming amount of calls about the issue. She believed the proposed solution would not resolve the issues and said she would be observing the discussions and options.

Chair Berkgigler wanted Commissioner Herman to be more involved with the issue and actively participating with Chief Moore and Mr. Slaughter. Commissioner Herman indicated she would like to be involved in the meetings.

Chair Berkgigler requested that Commissioner Herman be noticed for all meetings and discussions about fire protection in the area. Commissioner Herman said it appeared to the public this item was about taxation without representation.

Commissioner Hartung stated he did not support the issue because his constituents in Wadsworth paid taxes for many years and still did not have full-time fire protection. He indicated he was not opposed to fire protection in that area but he was opposed to the inequity. He wanted Chief Moore to research more options about a volunteer coordinator and how fire protection could be achieved. He stated conversations with the Burning Man organizers indicated they would rather have volunteer fire protection.

Chair Berkgigler thought this item was for discussion and direction, but not for approval. She stated it was clear there were issues in the north valleys and something needed to be done about them. She understood Commissioner Hartung had concerns about Wadsworth and agreed other areas needed to be considered. She stated the County had a responsibility for fire protection and it was costing tax payers a significant amount of money. She explained the current fire protection was not ideal because the people managing it were not fire trained.

Commissioner Hartung thought an agreement existed requiring the Regional Emergency Medical Services Authority (REMSA) to stage a response unit in Wadsworth but he did not believe there was a unit there. He wondered if REMSA was responsible for responding to calls in Gerlach. Chief Moore stated the franchise agreement did not extend into Gerlach.

On the call for public comment, Ms. Katherine Snedigar urged Commissioners to stay out of District 5 issues. She stated District 5 was Commissioner Herman's area and she was aware of the concerns in the area. Ms. Snedigar spoke about the need for volunteers in the area but opined the Fire Chief would not allow them. She indicated the response time from Station 17 to Palomino Valley was 30 minutes and expressed frustration about fire protection issues in her area.

Commissioner Hartung asked how long it would take to have someone in place to oversee volunteer coordination. He said there were good volunteer services in Wadsworth because of the relationship between the County and the tribe. Chief Moore replied a full time employee to help recruit and train volunteers would be included in the next fiscal budget.

Commissioner Hartung thought it was important to hire a full-time person to manage the volunteer coordination sooner than next July. He thought some districts needed more effort than others.

On motion by Commissioner Jung, seconded by Commissioner Lucey, which motion duly carried on a 5-0 vote, it was ordered to accept the presentation.

18-187F **AGENDA ITEM 13** Discussion and direction to staff regarding 2019 Nevada Legislative Session and other legislative issues proposed by legislators, or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chair or the Board to be of critical significance to Truckee Meadows Fire Protection District.

Truckee Meadows Fire Protection District Chief Charles Moore stated Mike Brown from R&R Partners was hired by the District to serve as the legislative liaison and consultant through the bill draft request process. He said he met with Mr. Brown about some issues and he thought Commissioner Jung had questions about the fire districts proposed by the City of Reno.

Chief Moore introduced Mr. Brown, who asked if the Board had any questions about the upcoming legislative process.

Commissioner Jung stated they needed to be vigilant and should already be speaking to legislators to carry or sponsor a bill. The situation about annexation in the County was caused by laws with the Cities of Reno and Sparks. She said the Cities took the land and the tax revenue, which was solely dedicated to fire protection, and then expected the County to continue to provide protection and mutual aid to the annexed area. She indicated the City of Reno was the instigator of this process because they needed the general fund money, but they failed to put money towards fire protection. She thought there needed to be some legislation about this issue, otherwise there would no longer be a separate fire protection invoice to property owners in areas the County lost to annexation. However, she stated there was nothing in the law that stated the entity doing

the annexation had to pay the County or build fire stations. She said lobbyists should already be involved with the issue and should be working towards a solution. She stated the need for housing was creating an incentive for further sprawl in the rural areas rather than to incentivize developers to build within the McCarran Boulevard loop. She wanted the rural areas left alone so proper planning could occur. She opined Washoe County was not the only County experiencing these issues. She expressed frustration about the annexation process and wanted solutions.

Mr. Brown said he appreciated the comments from Commissioner Jung and stated they had looked into the issue already. He believed entities were taking properties from other entities and there needed to be a type of transition program established. He stated fire and law enforcement needed to be included in the process for public safety. He indicated Nevada was not the only state who experienced this issue and said laws were in place in other states for similar situations. He stated a significant amount of information would be presented to the Board at a future meeting.

Commissioner Hartung thought a time limit should be imposed on development of annexed properties and the properties should revert back to the original holder if that time was exceeded. He explained a parcel in Spanish Springs was annexed years ago but had not been developed and said many parcels were in the same situation. He said he looked forward to future conversations about annexation.

Commissioner Herman stated she would like to be involved in conversations about annexation.

Chair Berkbigler said she was concerned about annexation issues. She thought staff received enough direction and did not believe any action was necessary on this item.

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

18-188F **AGENDA ITEM 15** Commissioners'/Fire Chief's announcements, requests for information, topics for future agendas, and statements relating to items not on the Agenda.

Truckee Meadows Fire Protection District Chief Charles Moore reminded the public about the closure of I-580 between Reno and Carson City on November 17 and 18. He stated emergency vehicles would be granted access to the highway if needed, but the public would be directed through a significant detour.

Chair Berkbigler expressed the importance of this Commission to work together as a team and stated no individual Commissioner could make a decision specifically about their district. She said her responsibility as the Chairman of the Board was to organize the Commissioners and to assure each one was involved with what they wanted. It was up to the individual Commissioner whether or not to be involved. It was up to the rest of the Board to be involved with an issue if a Commissioner chose to not

be. She said the understanding was once a Commissioner was elected, they represented the entire County and not just their district. She stated it was important for all citizens to know she had the responsibility as a Commissioner and the Chairman to do what she thought was best for the County and to work with the Commissioners to fulfill her responsibilities.

18-189F AGENDA ITEM 16 Public Comment.

Ms. Katherine Snedigar expressed concern about a Commissioner taking charge of an issue outside of their district. She spoke against Agenda Item 11 and expressed opposition to the approved changes. She opined the Commissioners made decisions for their own personal gain. She questioned why Commissioner Herman was not asked to give her opinion about Agenda Item 12, which would bring career firefighters into her district, and why another Commissioner was requesting the item. She said career firefighters would not be able to survive in that area even if there was enough work for them to do. She thought it was a dangerous situation.

18-190F AGENDA ITEM 14 Possible Closed Session pursuant to NRS 288.220 for the purpose of discussing with management representatives labor matters and negotiations.

Truckee Meadows Fire Protection Chief Charles Moore stated a Closed Session was required and would convene the after Board of County Commissioners meeting.

10:08 a.m. On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that the meeting recess to a closed session for the purpose of discussing with management representatives labor matters and negotiations.

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2:20 p.m. There being no further business to discuss, the meeting was adjourned without objection.

MARSHA BERKBIGLER, Chair
Truckee Meadows Fire
Protection District

ATTEST:

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

Minutes Prepared By:
Doni Gassaway, Deputy County Clerk