

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

TUESDAY

9:00 a.m.

APRIL 23, 2019

PRESENT:

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

19-062F AGENDA ITEM 3 Public Comment.

There was no response to the call for public comment.

19-063F AGENDA ITEM 4 Announcements/Reports.

Commissioner Herman expressed concern that the problem on Quartz Lane was getting worse. She said small cars were experiencing difficulty on that road and she expressed concern about a fire truck getting past the debris. She wondered whether there was a way to make the area safe.

19-064F AGENDA ITEM 5 Presentation, discussion and possible direction to staff on changes to the Fiscal Year 2019-20 Tentative budget to be incorporated into the Fiscal Year 2019-20 Final Budget for Truckee Meadows Fire Protection District. (All Commission Districts).

Truckee Meadows Fire Protection District (TMFPD) Chief Charles Moore noted the Board provided direction at the April 16 meeting to reduce the amount of expenditures in the budget. He said staff endeavored to reduce spending to bring expenditures more in line with revenues, pointing out the staff report included a number of adjustments. He spoke about the remodel of a house purchased for Station 37. The modular unit was expected to be removed in 2021 and the County requested the special use permit (SUP) for the project include both the house and the truck bay. Assuming the SUP would be approved by the Board of Adjustment in July, the District proposed to finish the house and remove the modular building to meet the SUP deadline but delay any

work on the truck bay until 2021. This would save money in debt financing. Additionally, the District proposed to reduce their prior request of two type-1 engines and two type-3 engines to one each. He introduced TMFPD Chief Fiscal Officer Cindy Vance to review the rest of the expenditure items.

Commissioner Jung asked whether the plan to delay the truck bay work would impact the firefighters stationed there. Chief Moore responded there would be no change in service level to the Hidden Valley area; the delay would allow the TMFPD to meet its obligation under the SUP to remove the modular unit. When asked by Commissioner Jung what the savings of the delay would be, Ms. Vance responded it would save about \$200,000 in transfers to the capital fund.

Ms. Vance indicated the proposed reduction in expenditures was about \$1 million compared to the budget presented the week before. She stated freezing the Fire Deputy Chief position for six months by filling it with a Battalion Chief position would save an estimated \$118,000. An additional reduction would be found by reducing the allocation to the chaplain program from \$25,000 to somewhere between \$12,000 and \$15,000. She suggested removing the allocation for rope rescue equipment, which could be augmented in the future based on fire reimbursement funds. She said the District could reduce the budget allocation for logistics support from \$50,000 to \$30,000, adding they could get part-time help or build different software to assist the one logistics support employee they currently had.

Ms. Vance mentioned the fleet management budget had been significantly increased due to the age of many of their pieces of apparatus, but they planned to reduce that to \$50,000. Freezing the fuels management and the part-time fire prevention administrative positions would save approximately \$116,000. It was suggested to change one of the three training captains back to line staff, adding there had historically been only one in that capacity. Moving one would still allow support for emergency operations while the District eliminated the extra differential pay. She stated freezing the Deputy Chief of Fire Prevention position for six months would result in a savings of \$112,000 and the District cut \$30,000 more from the budget by reducing the amount of approved overtime. Finally, eliminating three firefighter/paramedic positions would further reduce the budget by \$332,000. These changes would result in just over a million dollars in savings.

Ms. Vance stated the District came up with additional revenues. She felt they could set fees for fire prevention which would generate around \$20,000. Correcting errors discovered in State projections resulted in an additional \$180,000 as well as \$11,000 more in consolidated tax. These adjustments would be included in the budget presentation in May and they would reduce the deficit from \$2.4 million to \$1.2 million. She stressed the District would try to keep expenditures in line and find places for reductions throughout the year where possible. She reminded the Board the District had taken over the payroll job and hoped whoever was hired to the approved accountant position would also be a grant writer. She added the chaplain program could be supported in part by grants.

Commissioner Berkbigler asked where there were openings for the three unfilled firefighter/paramedic positions. Ms. Vance replied emergency operations had six openings, though one had been reallocated to an EMS Coordinator position.

When asked by Chair Hartung what was needed from the Board, Chief Moore stated that, if the Board approved of the changes, the District would continue to refine the final budget, though he anticipated it would look much like what was just presented.

There was no response to the call for public comment.

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

19-065F **AGENDA ITEM 6** Discussion and possible direction to staff regarding whether to continue to use closed sessions for the Board to review and discuss with its management representatives labor negotiations and proposals made by the District and its two labor unions as allowed by law, or to conduct some or all of such discussions in open session. (All Commission Districts).

Chair Hartung asked Deputy District Attorney David Watts-Vial to give a synopsis of this item's history and clear up any possible misunderstandings.

Mr. Watts-Vial stated the item involved a request to determine whether the Board would like to conduct some or all of the meetings normally held in closed session in public instead. He said there would be no direct bargaining or interaction with union members. The Board needed to decide whether it wanted to hear proposals from both sides and take public comments in a public meeting before giving direction to the District's bargaining team. He said options included giving that direction in an open session or in a closed session once public comment had been taken.

Commissioner Berkbigler said she had no issue with having an open discussion but wanted to make sure no negotiations would happen in public. Mr. Watts-Vial stated there would be no direct negotiations. He said the Board could have an agenda item in an open session where the bargaining team would explain the current proposals. The Board could then decide whether to take action in public or in a closed session.

Commissioner Lucey approved of the modified approach because it would make the process more transparent. He agreed negotiations should not be held in public but the public should be aware of the requests and be able to see that both groups were working toward a common goal. He supported discussing the requests in public and negotiating in closed sessions.

Commissioner Herman asked how much longer meetings would become if discussions were held in public. Mr. Watts-Vial responded meeting length would depend on the level of public comment and how long the Board's discussions lasted. He anticipated the need for additional meetings, pointing out that closed sessions were already held on days when the Board of Fire Commissioners (BFC) did not meet. He clarified he expected more sessions during periods of collective bargaining.

Commissioner Berkbigler asked why additional meetings would be needed if negotiations were not happening during public meetings. Mr. Watts-Vial said more than one public meeting a month could be necessary depending on how fast proposals were being presented and discussed.

Commissioner Jung asked whether the District had cost centers that calculated how much each BFC meeting cost, factoring in the expense of everyone who was paid to attend them. Truckee Meadows Fire Protection District Chief Financial Officer Cindy Vance explained the District had cost centers but no specific allocation for Board meetings; their cost centers dealt with operations, fire prevention administration, and fuels management.

Commissioner Jung requested a list of cost centers before budget approval. She pointed out the cost of a Board of County Commissioner meeting had been determined decades ago. She wondered what portion of the budget would be spent on meetings. Ms. Vance said she would prepare the information.

There was no response to the call for public comment.

Commissioner Lucey recommended the Board change the current practice by holding an initial review of proposals in a public session, taking public comment, not taking any action on those items discussed, and continuing to conduct closed sessions to allow the Fire Chief to negotiate. A final proposal would then be presented to the Board as was the current practice. Chair Hartung seconded the motion.

Commissioner Berkbigler wanted to make sure the motion included general discussion about issues from both sides but no clear negotiations on the part of the Board. Commissioner Lucey confirmed the motion would allow discussion to hear the proposals but no discussion with regard to them; the Chief would still be allowed to negotiate wholly on his own.

Commissioner Jung asked how long the two sides had been in the most current round of discussions. Mr. Watts-Vial replied they had been through negotiations and a fact-finding hearing and were preparing to present a final decision if both sides approved. Commissioner Jung estimated that amounted to almost a year of negotiations, which could indicate how many meetings might be needed. Mr. Watts-Vial pointed out each negotiation was different and the length of time for any given negotiation was not knowable. Commissioner Jung stated this negotiation session took nearly a year. Mr. Watts-Vial conceded that was true but said other years resulted in new contracts being

agreed to by July 1. Commissioner Jung asked whether Mr. Watts-Vial felt having negotiations in public would expedite the process, to which he said he was not sure how it would impact the timeline.

Commissioner Jung asked whether the Board would need to call emergency meetings or if those meetings would count as labor negotiation sessions whose agendas would not need to be posted. Mr. Watts-Vial clarified an emergency meeting was a technical term used to describe a specific type of meeting. He indicated more special meetings with traditional 3-day posting requirements would be likely.

Commissioner Jung inquired whether the Board would be able to change their decision if they found the new process did not work or was too expensive. Mr. Watts-Vial opined they could reverse their decision and suggested they should take formal action in the interest of transparency whether or not it was required.

Commissioner Jung stated she would not support this change.

Commissioner Berkbigler concurred with Commissioner Jung's concerns about the cost of additional meetings, especially since they just provided direction for the District to cut back on filling some positions. Noting that this session's negotiations were nearing their end, Commissioner Berkbigler asserted this discussion would impact only future negotiations. Mr. Watts-Vial indicated she was correct.

Commissioner Herman expressed apprehension about the proposal and felt additional research needed to be done to answer some of the Board's questions.

Commissioner Lucey requested confirmation the Board could revert to its original process through a new agenda item if the new process did not work, to which Mr. Watts-Vial said they could. Commissioner Lucey wanted the new proposal to be a positive process which would allow the public to be more involved, but he reminded the Board they could change course if it was found to be negatively impactful.

Commissioner Berkbigler disclosed she had met with fire union representatives. Given the positive public perception of firefighters, she thought allowing the public to see how their tax dollars were allocated could be beneficial to the union. She said she was willing to try anything as long as the negotiations were not in public. She directed staff to let the Board know the costs of meetings; she would want to reconsider if financial support had to be taken away from firefighters. She said she would support the proposal with the understanding that staff would keep the Board informed of the cost. She reaffirmed she would oppose it if any public negotiations occurred.

Chair Hartung remarked the Board spent tax dollars and the taxpayers got a return on that in the form of labor. He thought hearing the proposals in a public setting would benefit all parties, adding it would allow firefighters to justify their salaries. He emphasized firefighters, sheriffs, and teachers all had difficult jobs and he wanted taxpayers to be able to provide input.

On motion by Commissioner Lucey, seconded by Chair Hartung, which motion duly carried on a 3-2 vote with Commissioners Jung and Herman voting “no”, it was ordered that the Board change its current practice by holding an initial review of proposals in a public session, taking public comment, not taking any action on those items discussed, and continuing to conduct closed sessions to allow the Chief to negotiate. Further, no negotiations would be held in public.

19-066F **AGENDA ITEM 7** Possible Closed Session pursuant to NRS 288.220 for the purpose of discussing with management representatives labor matters and negotiations.

Truckee Meadows Fire Protection District (TMFPD) Chief Charles Moore indicated there was no need for a closed session.

There was no public comment on this item.

19-067F **AGENDA ITEM 8** Announcements/Reports.

Commissioner Herman repeated her desire to address the issues on Quartz Lane.

Chair Hartung congratulated firefighters who utilized a chest compression unit to save a life in Sun Valley.

19-068F **AGENDA ITEM 9** Public Comment.

There was no response to the call for public comment.

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9:34 a.m. There being no further business to discuss, the meeting was adjourned without objection.

VAUGHN HARTUNG, Chair
Truckee Meadows Fire
Protection District

ATTEST:

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

Minutes Prepared By:
Derek Sonderfan, Deputy County Clerk