



## **TRUCKEE MEADOWS FIRE PROTECTION DISTRICT STAFF REPORT**

**Board Meeting Date: September October 6, 2020**

**DATE:** September 21, 2020  
**TO:** Truckee Meadows Fire Protection District Board of Fire Commissioners  
**FROM:** Charles A. Moore, Fire Chief  
Phone: (775) 328-6123 Email: [cmoore@tmfpd.us](mailto:cmoore@tmfpd.us)  
**SUBJECT:** Recommendation to amend the Employment Agreement between Truckee Meadows Fire Protection District and Alex Kukulus, Deputy Chief, to provide "Call Back-Pay" or "Compensatory Time" when Deputy Chief Kukulus is required to respond to emergency situations outside of his 40-hour workweek. Any "Compensatory Time" or "Call-Back Pay" must be authorized by the Fire Chief. This Amendment shall be effective retroactively to July 1, 2020. (All Commission Districts) **FOR POSSIBLE ACTION**

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### **SUMMARY**

Recommendation to amend the Employment Agreement between Truckee Meadows Fire Protection District and Alex Kukulus, Deputy Chief, to provide "Call Back-Pay" or "Compensatory Time" when Deputy Chief Kukulus is required to respond to emergency situations outside of his 40-hour workweek. Any "Compensatory Time" or "Call-Back Pay" must be authorized by the Fire Chief. This Amendment shall be effective retroactively to July 1, 2020.

### **PREVIOUS ACTION**

July 16, 2019, the Board of Fire Commissioners approved a 2-year Employment Agreement between the District and Alex Kukulus.

### **BACKGROUND**

*Statutory Authority: NRS 474.500:* The Board of fire commissioners may appoint a district fire chief who is adequately trained and experienced in fire control. A district fire chief appointed pursuant to this subsection shall hire such employees as are authorized by the board, administer all fire control laws and perform such other duties as may be designated by the board of fire commissioners and the State Forester Firewarden.

*Wildfire Season Required Extraordinary Response:* This wildfire fire season has proved to be an extraordinary year for fire responses. The District has responded to over 150 wildfires this calendar year, which have posed significant threats to the safety and property of our residents and resulted in high complexity. It has been necessary for the Deputy Chief to respond and assist with command and control, and for extended operational periods on many occasions. These fires have often been on weekends, and after the standard workweek, often extending into the entire weekend. This season has required frequent commitments of six and seven day work weeks for the Deputy Chief.

The current Employment Agreement does not allow for call back compensation. The 2020 season has been extraordinary for both frequency and incident duration. In specific incidents such as wildfire, there are circumstances when the additional personnel cost is billable under the WFPP or FEMA Fire Management Assistance Grants.

The proposed Amendment would require specific approval by the Fire Chief for compensation in the form of “Call-Back Pay” or “Compensatory time” in excess of 40 hours per week. The Amendment shall be effective retroactively to June 1, 2020. It is estimated that approximately sixty (60) additional hours may qualify as callback pay dating from July 1<sup>st</sup> to current.

### **FISCAL IMPACT**

Costs for responding to wildland fire emergencies are generally charged to the Emergency Fund. The exact fiscal impact is not known and will depend on the total qualifying call-back hours, the current per hour callback cost rate is \$119.50 including retirement benefits. There are sufficient funds within the Emergency Fund budget to cover costs. Costs for suppressing wildfires are usually billable back to the Wildfire Protection Plan, other agencies or FEMA – and any call back time would likely be recovered. Other incidents, such as structure fires or complex incidents, may not qualify for cost recovery.

A rough estimation of the additional cost is approximately \$10,000.

### **RECOMMENDATION**

Recommendation to amend the Employment Agreement between Truckee Meadows Fire Protection District and Alex Kukulus, Deputy Chief, to provide “Call Back-Pay” or “Compensatory Time” when Deputy Chief Kukulus is required to respond to emergency situations outside of his 40-hour workweek. Any “Compensatory Time” or “Call-Back Pay” must be authorized by the Fire Chief. This amendment shall be effective retroactively to July 1, 2020.

### **POSSIBLE MOTION**

Should the Board agree with staff’s recommendation, a possible motion could be:

*“I move to amend the Employment Agreement between Truckee Meadows Fire Protection District and Alex Kukulus, Deputy Chief, to provide “Call Back-Pay” or “Compensatory Time” when Deputy Chief Kukulus is required to respond to emergency situations outside of his 40-hour workweek. Any “Compensatory Time” or “Call-Back Pay” must be authorized by the Fire Chief. This amendment shall be effective retroactively to July 1, 2020.*