



TRUCKEE MEADOWS FIRE
PROTECTION DISTRICT
BOARD OF FIRE COMMISSIONERS
RULES OF PROCEDURE

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ARTICLE 1 TITLE

This document shall be known as the Truckee Meadows Fire Protection District Board of Fire Commissioners Rules of Procedure.

1.1 The Truckee Meadows Fire Protection District Board of Fire Commissioners shall be referred to as the “Fire Commission.”

1.2 The Rules of Procedure shall be referred to as “Rules.”

1.3 Elected or appointed members of the Truckee Meadows Fire Protection District Board of Fire Commissioners shall be referred to as “Fire Commissioners” or “Fire Commissioner.”

1.4 The Truckee Meadows Fire Protection District shall be referred to as the “District.”

ARTICLE 2 PURPOSE OF RULES

The purpose of these Rules is to adopt a parliamentary authority and establish supplemental rules of procedure for the conduct of Fire Commission meetings and the conduct of Fire Commissioners where such Rules are consistent with the laws of the State of Nevada.

ARTICLE 3 USE OF RULES

No action taken by a Fire Commissioner or the Fire Commission, which is not in compliance with these Rules, but which is otherwise lawful, shall invalidate such action or be deemed a violation of the oath of office, misfeasance, or malfeasance. No authority other than the Fire Commission may enforce or rely on these Rules. Failure of the Fire Commission to follow any of these Rules shall be considered a Fire Commission decision to waive such rule. No notice of such a waiver need be given.

ARTICLE 4 PUBLIC USE OR RELIANCE ON RULES NOT INTENDED

Because these Rules are designed to assist the Fire Commissioners and not to provide substantive rules affecting constituents, it is expressly stated that these Rules do not constitute land use regulations, official controls, “appearance of fairness rules”, public hearing rules or other substantive rules binding upon or to be used by or relied upon by members of the public. These Rules do not amend statutory or other regulatory requirements.

ARTICLE 5 FIRE COMMISSION MEETING PREPARATION

5.1 Time and Location

All regular meetings of the Fire Commission shall be held on the first Tuesday of each month at 10:00 a.m. at the Washoe County Commission Chambers, 1001 E. 9th Street, Reno, Nevada 89512.

5.2 Open to the Public

All meetings of the Fire Commission and of committees thereof shall be conducted in compliance with Nevada's Open Meeting Law, NRS Chapter 241. All meetings shall be open to the public, except as provided by law, including but not limited to NRS 288.220 (certain labor proceedings not public).

5.3 Presiding Officer

5.3.1 The Board of County Commissioners is ex officio the governing body of the District, which is the Board of Fire Commissioners.

5.3.2 The Chair of the Board of County Commissioners is the ex officio Chair of the Board of Fire Commissioners.

5.3.3 The Chair shall preside at meetings of the Fire Commission and be recognized as the head of the District for all ceremonial purposes.

5.3.4 In the event of the Chair's absence or temporary disability, the Vice-Chair shall act as Chair. In case of the absence or temporary inability of the Chair and the Vice-Chair, an Acting Chair shall be selected by members of the Fire Commission.

5.3.5 The Chair, Vice-Chair, or Acting Chair shall be referred to as the "Presiding Officer."

5.4 Role of Fire Chief and Fire Commission Agenda Preparation

5.4.1 The Fire Chief shall be responsible to the Fire Commission for the proper administration of the affairs of the District, which duties include, but are not limited to:

5.4.1.1 Recommending for adoption by the Fire Commission such measures as he or she may deem necessary or expedient;

5.4.1.2 Preparing and submitting to the Fire Commission such reports as may be required by the body or as the Fire Chief deems advisable to submit;

5.4.1.3 Keeping the Fire Commission fully advised as to the business of the District;

5.4.1.4 Taking part in the Fire Commission's discussion on all matters concerning the welfare of the District.

5.4.2 The Fire Chief shall determine, after consultation with the Presiding Officer, the content of meeting agendas and prepare an agenda for the Fire Commission according to the ordinary order of business. After the proposed agenda has been approved by the Presiding Officer, a copy of the agenda and supporting materials shall be prepared for agenda review and public posting.

5.4.3 The Presiding Officer, after consultation with the Fire Chief and the District Attorney, may decline to place an item on the agenda if it is determined that the item substantially conflicts with the law or the ability of the District to effectively conduct its operations. The ordinary order of business is:

Salute to the Flag

Roll Call

Public Comment

Fire Commissioners/Fire Chief announcements
Consent Items, including approval of minutes of previous meetings (*see* Article 5.5) and Donations
Appearances/Presentations
Local 2487 Report
Proclamations/Declarations
Standard District Items of Business
Public Hearings
Public Comment
Possible Closed Sessions – Labor Negotiations/Attorney Client discussions
Fire Commissioners/Fire Chief announcements and requests for items for future agendas
Adjournment

5.5 Consent Agenda

The Fire Chief, in consultation with the Presiding Officer, shall place matters on the consent agenda which fall into any of the following categories:

- 5.5.1 Have been previously discussed by the Fire Commission;
- 5.5.2 Can be reviewed by a Fire Commission member without further explanation based on the information delivered to members of the Fire Commission by staff;
- 5.5.3 Have a financial impact to the organization of \$200,000 or less; or
- 5.5.4 Are routine, technical, or “housekeeping” in nature such that passage without discussion is likely.

5.6 Agenda and Supporting Material

Fire Commission members and affected staff should read the agenda and supporting material in preparation for each Fire Commission meeting. If a Fire Commission member needs clarification on an issue, the Fire Commissioner should contact the Fire Chief or Deputy Fire Chief prior to the Fire Commission meeting when possible.

5.7 Requests for Agenda Items by Fire Commissioners

- 5.7.1 A Fire Commissioner may request that an item be placed on the agenda by making a request in a public meeting and following up with a written request to the Fire Chief.
- 5.7.2 After staff review, the Fire Chief shall provide the matter to the Presiding Officer to consider for placement on the agenda.
- 5.7.3 If approved by the Presiding Officer, the requesting Fire Commissioner will be provided with an estimated timeline for the item’s placement on the agenda.

5.8 Requests of Staff Time by Fire Commissioners

- 5.8.1 Fire Commissioners shall not request staff to work on any matter that is reasonably estimated to take four (4) or more hours of staff time without seeking prior approval of the Fire Commission through an item placed on the agenda.
- 5.8.2 Requests that entail less than four (4) hours of work must be made in writing to and approved by the Fire Chief.

ARTICLE 6 FIRE COMMISSION MEETING PROCEDURES

6.1 Attendance

6.1.1 Fire Commissioners are expected to attend all scheduled Fire Commission meetings. If a member is unable to attend a scheduled meeting, the member shall contact the Chair or the Fire Chief prior to the meeting and provide the reason for the absence.

6.1.2 Virtual Attendance – A Fire Commissioner may participate virtually in all or part of a Fire Commission meeting if the virtual attendance complies with NRS 241.023 (requirements for holding a meeting by remote technology system) and in accordance with the following:

6.1.2.1 All persons participating in the meeting are able to hear each other at the same time by the use of virtual connection.

6.1.2.2 During any meeting that a Fire Commissioner is attending virtually, the Presiding Officer shall state for the record that a particular Fire Commissioner is attending virtually.

6.1.2.3 Fire Commissioners appearing virtually may participate and vote during the meeting as if they were physically present at the meeting.

6.1.2.4 Fire Commissioners appearing virtually shall comply with all rules and procedures as if they were physically present at the meeting.

6.2 Quorum

A majority of the Fire Commissioners who hold office, currently three (3), shall constitute a quorum for the transaction of business at Fire Commission meetings. However, subject to all applicable law governing vacancies, and unless applicable law specifies a higher threshold, the Fire Commission may only take action on a matter by an affirmative vote of a majority of the entire Fire Commission.

6.3 Speaking During the Meeting

6.3.1 Persons, outside of scheduled public comment periods, other than Fire Commission members and staff may be permitted to address the Fire Commission upon recognition and/or introduction by the Presiding Officer. The Presiding Officer will acknowledge speakers at the appropriate time during the meeting.

6.3.2 Once the meeting begins, Fire Commissioners should refrain from engaging in private discussion with any non-staff member of the audience regarding any item before the Fire Commission.

6.4 Order of Business

The agenda will be prepared by the Fire Chief as set forth in Article 5. Within the parameters of NRS Chapter 241, the Presiding Officer may rearrange items on the agenda to conduct business before the Fire Commission more expeditiously or to better serve the needs and/or convenience of the Fire Commission.

6.5 Motions and Discussion

6.5.1 All motions on agenda items designated “For Possible Action” shall be in the form of an affirmative motion. Affirmative motions are preferred to prevent “approval by default” of a failed negative motion.

6.5.2 All items requesting action and before the Fire Commission will require a motion by one Fire Commissioner and a second by another Fire Commissioner to continue and be complete with an action.

6.5.3 When possible, Fire Commission members should direct questions primarily to the Fire Chief and legal issues/questions should be directed to the District Attorney.

6.6 Voting - The votes during all meetings of the Fire Commission shall be transacted as follows:

6.6.1 The Chair has full voting authority as any other Fire Commission member.

6.6.2 All votes shall be taken by voice, except that at the request of any Fire Commission member, a roll call vote shall be taken by the District Clerk. The Presiding Officer shall determine the order of the roll call vote.

6.6.3 In the case of a tie vote on any proposal, the motion shall be considered failed.

6.6.4 In all cases of voting by other than voice vote, the District Clerk shall record the names of those voting on each side of the question and of those abstaining. In all cases of voting, it shall be sufficient for the Chair to announce, and the record to reflect, whether the motion carried or failed.

6.6.5 Abstention. A Fire Commissioner may only abstain from voting when he or she has a legally recognized basis for doing so, including a conflict of interest as provided in NRS 281A.420 (abstention from voting because of certain types of conflicts) such as a direct personal or significant pecuniary interest not common to other members of the Fire Commission, and which must be disclosed to all other members of the Fire Commission during the Fire Commission meeting. Conflicts of interest must be disclosed prior to the Fire Commission considering an item, and shall be brought to the attention of legal counsel in advance of the meeting so that an analysis can be done of the possible need to abstain.

6.6.6 Ex Parte Communication. A Fire Commissioner should disclose on the record any ex parte communication and any relevant information pertaining thereto on an appeal (e.g., land use application appeal, etc.) that is to be decided by the Fire Commission.

6.7 Reconsideration - Except as otherwise required by law, no item heard and disposed of at a meeting may be reconsidered except under the following circumstances:

6.7.1 A request to reconsider shall be made only during the meeting at which the action on the item was taken or at the next regularly scheduled meeting.

6.7.2 A request to reconsider must be made by a Fire Commissioner who voted on the prevailing side of the item being reconsidered, but a request to reconsider may be seconded by any member of the Fire Commission. If requested pursuant to this section, the item will be agendaized for action at a future meeting to allow for legal notice.

6.7.3 A previous item failing by virtue of a tie vote may be requested by any Fire Commissioner to be brought back to a subsequent meeting in accordance with NRS 244.060 (tie vote).

6.8 Recess Due to Emergency or Disruption

In the event of emergency, such as a fire, threatened violence, or in the event of disruption including the inability to regain good order, the Chair shall declare the meeting recessed, and the Fire Commissioners shall immediately leave Chambers.

6.9 Role of Fire Chief in Meeting

6.9.1 The Fire Chief, as the chief executive officer and head of the Fire District, or his/her designee, shall attend all meetings of the Fire Commission, unless excused by the Presiding Officer or Fire Commission.

6.9.2 If the Fire Chief is unable to attend a Fire Commission meeting, the Fire Chief shall designate a staff member to attend the meeting in their absence.

6.10 Role of District Clerk in Meeting

In accordance with NRS 474.460, the County Clerk is ex officio the clerk of the Fire Commission. The Clerk shall record votes, keep minutes and records, and perform all other duties required by any other law of this State.

6.11 Scheduling of Concurrent Meetings

Concurrent meetings with other governmental entities should be scheduled for dates and times on which all five Fire Commissioners have indicated their ability to be present.

6.12 Scheduling of Special Fire Commission Meetings

A special meeting may be called by the Chair or upon written request of a majority of the members.

ARTICLE 7 FIRE COMMISSIONER CONDUCT AND COMMUNICATIONS

7.1 Fire Commissioner Conduct and Communications Generally

Fire Commissioners recognize their common goal to serve the needs and interests of the citizens of the District, although there may be a wide range of views on matters of policies. As representatives of the District, Fire Commissioners are dedicated to showing respect and civility to one another, staff, and citizens. The Fire Commissioners agree to adhere to the District Code of Conduct. It can be found on the District's SharePoint website under Best Practices.

7.2 Public Records

Unless made confidential by law, such as attorney-client privilege matters, all documents, letters, memoranda, and computer communications involving Fire Commissioners that relate to the conduct of District business, or the performance of any District governmental function, are public records. District business conducted via personal emails, phones or other means may be public records. Public records shall be provided to the Fire Chief and shall be kept according to the applicable records retention schedule.

7.3 Communications outside of Fire Commission Meetings

Fire Commissioners shall avoid communications which ultimately involve three or more Fire Commissioners outside of Fire Commission meetings.

7.4 The Presiding Officer will address any issues or concerns regarding communication protocols involving other Fire Commissioners.

7.5 Fire Commissioner to Staff Communications

7.5.1 The Fire Commission looks to the Fire Chief to exercise authority and responsibility to manage work and provide effective communication and direction to staff. Fire Commissioner requests for use of staff time shall be made in accordance with Article 5 of these Rules.

7.5.2 This Rule does not preclude Fire Commissioners from requesting simple information or asking questions on behalf of constituents, but this should be limited, and requests should always be copied to the Fire Chief so that problem areas can be identified and efficiency and accountability for performance can be centralized with the Fire Chief.

7.5.3 In order to utilize staff resources most efficiently, Fire Commissioners will make every effort to avoid making identical requests of multiple staff members.

7.5.4 Staff members will apprise their Division Head and Fire Chief whenever they communicate with a Fire Commissioner on official District business.

7.6 In the event that a matter is confidential and cannot be communicated to the Fire Chief, Human Resources or the Washoe County's District Attorney's office (as appropriate) should be consulted.

7.7 Fire Commissioner to Media Communications

7.7.1 The Presiding Officer and/or the Fire Chief are the official spokespersons for the Fire Commission and District. They may delegate communication responsibilities to the proper person and/or subject matter expert to speak on behalf of the Fire Commission and the District.

7.7.2 In the event a Fire Commissioner speaks to the media, he or she will clearly indicate that the comments that they are expressing are not the official position of the Fire Commission or District and the statements represent their own personal views.

7.7.3 A Fire Commissioner should advise the Presiding Officer and the Fire Chief when making comment to the media regarding policy making decisions on any Fire Commission/District related matters.

7.8 Fire Commissioner Correspondence

When a Fire Commissioner sends out correspondence stating his or her official position regarding a constituent complaint or other District issue, a copy of said correspondence, either paper or electronic, shall be provided to the Fire Chief.

ARTICLE 8 FIRE COMMISSIONER TRAVEL AND REIMBURSEMENT

9.1 As a general rule, each Fire Commissioner will be allocated 20% or 1/5 of the annual Fire Commissioner travel/training budget for professional development and attending training and conferences.

9.2 That amount may be modified based on Fire Commissioners who have duties on behalf of the Fire Commission that require travel at the local, state, and federal level that may require District financial support.

9.3 Each Fire Commissioner agrees to adhere to the Travel Regulations adopted in Washoe County Code (“WCC”) 5.351, *et. seq.*

9.4 Fire Commissioner Auto Expense. Each Fire Commissioner shall provide to the designated employee in the District their individual mileage reimbursement log related to business travel on behalf of the Fire Commission via their personal automobile on a quarterly basis as a minimum with a mandatory 4th quarter deadline of June 30th of each year to align with fiscal budgets. Mileage will be reimbursed in accordance with the guidelines set forth by the Comptroller.

ARTICLE 9 FIRE COMMISSION LOBBYING

The District has enacted a Lobbying Policy that applies to elected officials including Fire Commissioners seeking to lobby on behalf of the District. It can be found on the District's SharePoint website under Best Practices.

ARTICLE 10 AMENDMENTS

These Rules may be amended from time to time as needed. Requests for amendments shall be made to the Chair and the Fire Chief in writing. Proposed amendments shall be presented to the Fire Commission at a meeting for consideration and approval.