

**BOARD OF COUNTY COMMISSIONERS
WASHOE COUNTY, NEVADA**

MONDAY

8:30 A.M.

SEPTEMBER 21, 2015

CONCURRENT MEETING

PRESENT:

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

Nancy Parent, County Clerk
John Slaughter, County Manager
Paul Lipparelli, Legal Counsel

The Washoe County Board of Commissioners convened at 8:45 a.m. with the Truckee Meadows Fire Protection District/Sierra Fire Protection District (TMFPD/SFPD) Board of Fire Commissioners, North Lake Tahoe Fire Protection District, the Reno City Council, and the Sparks City Council in concurrent 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:

15-0804 AGENDA ITEM 4 Public Comment.

Joseph Benedickt addressed his concerns about the harmful effects of pesticides the City of Reno used to kill weeds along the river. He asked the City of Reno to stop spraying pesticides which he believed was poisoning the water.

Ross Tisarich spoke of his concerns regarding the use of pesticides and its effects on drinking water.

8:53 a.m. The Board recessed due to a disturbance in the Chambers.

12:09 p.m. The Board reconvened with all members present.

15-0805 AGENDA ITEM 5 Approval of the Agenda.

There was no response to the call for public comment.

The City of Sparks and the City of Reno voted to approve Agenda Item 5.

For the Truckee Meadows Fire Protection District/Sierra Fire Protection District Board of Fire Commissioners and the Board of County Commissioners, on motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 5 be approved.

15-0806 **AGENDA ITEM 6** Update on Automatic Aid Agreements with Truckee Meadows Fire Protection District, Sierra Fire Protection District, City of Sparks Fire Department and North Lake Tahoe Fire Protection District in regards to SB185 compliance.

Charles Moore, Truckee Meadows Fire Protection District (TMFPD) Fire Chief, stated the TMFPD's process in determining compliance with the Automatic Aid Agreement with the North Lake Tahoe Fire Protection District (NLTFPD) and the Sparks Fire Department (SFD) involved the use of a Geographical Information Systems (GIS) analysis. He provided a copy of Senate Bill (SB) 185, which was placed on file with the Clerk. The GIS analysis measured the response time in increments of 30 seconds and at distances of approximately every 500 feet along the roadways that would be utilized. The TMFPD was able to determine which entity would arrive to specific locations the quickest and polygons were drawn around those areas. The addresses within each polygon were geographically coded and the codes were written into the Computer Aided Dispatch (CAD) programming. This allowed dispatchers to know which agency to call upon. He said the process was tested with the SFD and it was determined that the SFD would be able to respond quicker to only one area, the University Farms. He said the TMFPD verified that the existing automatic aid areas between them and the City of Sparks were accurate and required little change. He testified the relationship between the TMFPD and the City of Sparks; as well as, the relationship between the TMFPD and the NLTFPD complied with SB185.

Tom Garrison, Sparks Fire Chief, said the Automatic Aid Agreement between the City of Sparks and the TMFPD had been in place a little over three years. He noted the agencies evenly shared thousands of emergency calls. He stated the Automatic Aid Agreement worked well and he concurred with Chief Moore that only one area need to be adjusted. He encouraged the Boards and Councils to accept the presentation. He concluded by stating the City of Sparks was in full compliance with SB185.

Michael Brown, North Lake Tahoe Fire Protection District Fire Chief, stated the NLTFPD was in compliance with SB185. He added the NLTFPD also assisted other agencies in the suppression of fires.

Jenny Brekhus, Reno City Councilmember, asked Chief Moore if the TMFPD looked at potential developmental changes when it composed its maps. Chief Moore replied no and he stated the TMFPD looked at existing conditions to create the current maps. He said the Automatic Aid Agreement called for yearly adjustments as conditions changed.

Don Schmitt, Sparks City Councilmember, asked if the purpose of the meeting was to extend an existing agreement with the addition of the specific area discussed by Chief Moore and Chief Brown. Chief Moore stated yes.

There was no response to the call for public comment.

The City of Sparks and the City of Reno voted to accept Agenda Item 6.

For the Truckee Meadows Fire Protection District/Sierra Fire Protection District Board of Fire Commissioners and the Board of County Commissioners, on motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 6 be accepted.

15-0807 **AGENDA ITEM 7** Presentation, discussion and possible approval of an Automatic Aid Agreement between Truckee Meadows Fire Protection District and the City of Reno Fire Department.

Charles Moore, Truckee Meadows Fire Protection District (TMFPD) Fire Chief, stated the TMFPD utilized the Geographical Information Systems (GIS) analysis to study how automatic aid would be implemented. He provided copies of two maps, which were placed on file with the Clerk. He said the GIS data, which included response time analysis, gathered by the County was submitted to the City of Reno and the City of Sparks. It was the responsibility of each firefighting agency to study the data to determine which agency would arrive to specific locations the quickest. He noted the TMFPD agreed the Reno Fire Department (RFD) would assist the County in the following areas: Lemmon Valley, Geiger Grade, and Caughlin Ranch.

Chief Moore mentioned there was an area of seven square miles in South Reno that the TMFPD and the RFD could not agree upon. He said the GIS data indicated the TMFPD Fire Engine 14 would respond faster within the specified area. The RFD proposed reducing the seven square mile area to an area of less than two square miles. He stated it was not the TMFPD's intention to insert itself into RFD's jurisdiction; however, he wanted to ensure the TMFPD maintained fidelity to Senate Bill (SB) 185 which required the entity with the firefighting vehicle closest to an incident to respond. He believed the GIS data and analysis were pretty accurate. He said he did not have any issues with the reduction of the automatic aid area to less than two square miles as long as TMFPD was in compliance with SB185.

Commissioner Hartung described the incident, which occurred earlier in the day, when multiple agencies responded to a disturbance in the County Chambers. He made the point that it did not make a difference as to which governmental agency responded as long as there was a response.

Chief Moore stated the response times between fire agencies were not long. He noted that automatic aid did not mean an agency would respond in lieu of another agency. There would be a tandem response. He said if the TMFPD responded to

an incident ahead of the RFD, the RFD would still respond. He explained firefighting did not begin until a fire engine reached a hydrant. The firefighters would size up the hydrant, secure utilities, and deploy lines. By the time that was completed, the agency which called for assistance would have arrived. There would be two fire crews, a total of seven firefighters, on site at no additional costs to any agency unless the operational period for the fire extended beyond a period of 12 hours. In that particular case, cost reimbursement would be built into the agreement. He felt service level improved under the Automatic Aid Agreement.

Naomi Duerr, Reno City Councilmember, mentioned the Ward she represented covered the South Meadows area. She confirmed with Chief Moore that the map being discussed focused on the South Meadows area. She asked Chief Moore to clarify how the TMFPD determined their response times.

Chief Moore stated the TMFPD tested the assumption that the fire station with the closest geographic proximity to an incident would have the fastest response time. They found in some cases the closest fire station did not have the fastest response time. Due to the finding, the three Fire Chiefs decided to use the actual travel time as their criteria. He provided examples of areas he believed the TMFPD would respond to quicker than the RFD. He mentioned he asked the RFD what objective criteria were utilized to determine the RFD's proposed automatic aid area. He suggested the two agencies conduct response time drills in the questionable areas. The GIS analysis the TMFPD relied on for travel times calculated the travel time, speed limits, controlled intersections and the terrain.

Hillary Schieve, Reno City Mayor, said the Automatic Aid Agreement was the perfect opportunity to showcase how all entities could work together. She noted the duplication of services made a case for consolidation.

Commissioner Lucey shared Mayor Schieve's sentiments. He asked Chief Moore if the TMFPD received an opinion from the Legislative Counsel Bureau (LCB) in regards to the exact meaning of SB185. He also asked if the maps were based on the assumption that the firefighting vehicles were located in the fire stations. He stated firefighting staff were as likely to be outside a station as they were in a station. His interpretation of the Statute was that the emergency firefighting vehicle located closest to the structure fire or brush fire would be required to respond. He thought rather than creating boundaries, the use of the Automatic Vehicle Locator (AVL) combined with the Computer Aided Dispatch (CAD) system would simplify the determination of the responding agency.

Chief Moore said the TMFPD had not received an LCB opinion. He noted he read the Statute many times and he concluded the Statute suggested the closest agency should respond regardless of jurisdiction. He added the TMFPD could not respond to an area outside their jurisdiction unless they were called upon. He stated the GIS analysis did assume all firefighting vehicles were parked in quarters. He agreed with Commissioner Lucey regarding the AVL. He noted not every agency had the AVL. He

explained having the AVL would allow a dispatcher to see the locations of each fire engine on a computerized map and then the dispatcher would be able to dispatch the closest fire engine regardless of jurisdiction. He stated the fire agencies in Southern Nevada utilize the AVL technology.

Commissioner Lucey noted the agreement the Fire Chiefs had in place was positive. He stated the Automatic Aid Agreement would have to be re-evaluated year-after-year due to the ever-changing landscape of the community.

David Bobzien, Reno City Councilmember, noted the Automatic Aid Agreement was a step forward and the GIS was a good, but limited tool. He advocated for the RFD and the TMFPD to dedicate staff to complete the AVL project. He believed asking for an LCB opinion was a good idea.

Neoma Jardon, Reno City Councilmember, concurred with Councilman Bobzien regarding the AVL and she said the AVL was the most critical part of automatic aid. She stated she valued the LCB's opinion but felt it may take a while to receive it.

Paul McKenzie, Reno City Councilmember, agreed with Commissioner Lucey on the AVL. He stated he hoped a timeline would be placed on when the use of the AVL would commence. He said he was concerned about the maps as they only reflected the current situation. He cautioned the Councils and Boards to work together to determine the placement of fire stations and to ensure services were not duplicated.

Jenny Brekhus, Reno City Councilmember, stated she was unsure the Automatic Aid Agreement was a step forward towards a more efficient governance of the region. She said she saw the need for more management analysts to evaluate how to administer the agreement and for more attorneys to review it. She spoke of the citizens' request for regional or consolidated fire service. She stated she was an advocate of combining the City of Reno and the County into one merged governmental entity for efficiency purposes. She expressed her concerns which included: 1) Which entity would be responsible for the administrative work required in areas covered by mutual aid? 2) Would the responding firefighters have familiarity with the automatic aid area they were responding to? 3) Would firefighters be stretched too thin and leave areas unprotected while responding to calls outside their jurisdiction? 4) The burden placed upon Reno citizens, who paid a higher property tax, to help fund emergency responses to the unincorporated areas of the County.

Dave Cochran, Reno Fire Chief, noted each jurisdiction would retain responsibility for their administrative duties, such as testing fire hydrants. He said the RFD was familiar with the County's areas due to having serviced the areas when the fire entities were consolidated. He added the Fire Chiefs discussed implementing a program to address joint training and operations to ensure the fire entities were operating on the same page as effectively and efficiently as possible.

Paul Lipparelli, Legal Counsel, spoke in regards to the call for an LCB opinion. He stated it was uncommon for local governments to seek legal opinions from the LCB. He noted the legal counsels for each of the entities involved in the Automatic Aid Agreement would be able to provide a legal opinion. He felt the interpretation of laws that affected a local governmental entity should be left to that local governmental entity. Chair Berkgigler agreed with Mr. Lipparelli.

Commissioner Hartung asked Chief Moore if the TMFPD's and Sparks Fire Department's (SFD's) fire engines were equipped with the AVL. He also asked if the Automatic Aid Agreement included Emergency Medical Services (EMS), how many fire engines the TMFPD had south of the McCarran Loop, and if the TMFPD had any intentions to cross train. He noted the fire entities would have to rely on the GIS maps until the AVL was installed on every firefighting vehicle.

Chief Moore stated the County's fire engines were equipped with the AVL. He said the agreement between the TMFPD and the RFD was only for fire; however, the agreement between the TMFPD and SFD included both fire service and EMS. He stated the TMFPD had five fire engines south of the McCarran Loop. He noted all of the firefighting agencies in the area trained at the same national standards. The biggest difference was that the TMPFD had advanced life support training in respect to EMS.

Tom Garrison, Sparks Fire Chief, said all of their fire engines had the capability to utilize the AVL but their dispatch system did not. He mentioned the need for all fire entities to purchase a special module in order to incorporate the Tiburon software. Once Tiburon was installed, the SFD would be able to move forward with the AVL.

Naomi Duerr, Reno City Councilmember, requested clarification on Item 7H, related to cost reimbursement, in the Cooperative Agreement. She wanted to know who would be reimbursing the fire entities when the State and the Federal government were involved. She also requested clarification on Item 8, related to Assistance by Hire and a repayment schedule. She was confused as to why a fire agency would be paid for a voluntary response to a fire emergency.

Chief Moore said in a scenario where a wildland fire threatened multiple residential structures, the TMFPD could ask for the designation of a Federal Management Assistance Grant. Upon approval, the TMFPD would receive federal funds to cover the firefighting costs. He believed the City of Reno would not have to wait to be reimbursed for any incurred costs as the TMFPD had emergency fire funds it would be able to utilize. The TMFPD would eventually receive the Federal funds. The assisting fire agency would not be the one requesting reimbursement of incurred costs from the State or the Federal government.

Chief Cochran explained Assistance by Hire fell outside the scope of mutual or automatic aid. He said in that circumstance there would be a request for assistance. He provided an example where if the RFD required the assistance of a

TMFPD investigator to work an arson fire, the RFD would pay for the assistance. Assistance by Hire did not have a voluntary component.

Mr. Lipparelli added in addition to Item 8 in the Cooperative Agreement, there was the annual operating plan that contained more detail than the agreement. The annual operating plan laid out the reimbursement schedules. He stated under the Automatic Aid Agreement, a fire entity's response should only be what was expected by the requesting fire entity. He gave an example of how in response for aid requested by the RFD, the TMFPD could not send every fire engine it had in the district and then charge the City of Reno for the incurred costs when sending every fire engine was not necessary.

Councilmember Jardon asked if the Incident Commander could cancel the corresponding fire agency's response if it was not needed. Due to limited resources, she expressed concern over the duplication of services and the costs to taxpayers. She asked if the agreement addressed that issue.

Chief Cochran noted the definition of automatic aid was when a requesting fire agency determined it was necessary to call upon the closest outside fire agency to respond to an incident in the requesting agency's jurisdiction. The outside fire agency would be the first on the scene and would take command of the incident. Command would be transferred to the requesting agency's company officer or battalion chief upon their arrival at the scene. Since the aiding agency had left their jurisdiction unattended, the commanding officer would release them once the incident was stabilized.

Ron Schmitt, Sparks City Councilmember, asked for clarification as to what the major changes were to the mutual aid agreement between the TMFPD and the RFD as compared to the agreement between the TMFPD and the SFD. He also asked if there was an agreement being worked on between the RFD and the SFD.

Chief Cochran stated the RFD had not compared the agreements side-by-side so he was unable to provide item-by-item differences. He said the agreements and rate schedules were similar across each jurisdiction. He noted the existing agreement between the RFD and the SFD was not an issue as it was not affected by SB185.

Stephen Driscoll, Sparks City Manager, added the agreement being contemplated was only for fire services. The agreement the TMFPD had with the SFD was for all fire services, which included medical.

Chief Cochran mentioned the need for a correction to the TMFPD rate schedule which appeared to be different in the agreement with the RFD compared to the agreement with the SFD. He explained how he determined the questionable response area in South Reno. He noted the GIS data was important; however, he believed it was an imperfect science. He gave an example of searching addresses in Google Maps and MapQuest, which resulted in varying information. He stated the Statute did not give much guidance, such as not clearly identifying what was considered a firefighting vehicle. He said the RFD looked at various factors, which were mainly based on

experience, to determine the response area. He stated the RFD's motivation was to eliminate response redundancy.

Mr. Lipparelli stated there were two versions of the map as exhibits and the motion should be clear as to which map would be utilized. He noted if the County was persuaded to accept the smaller area the RFD proposed, to ensure both agencies were honoring the statutory mandate, it should direct the Fire Chiefs to confirm the factors the RFD relied on to define the boundaries. In response to a question from Chair Berkbigler, Mr. Lipparelli stated the purpose of the Automatic Aid Agreement was to define which fire entity would be responsible to respond to a structure or brush fire. If the governing Boards adopted different maps, there would be a dysfunctional arrangement because it would not be clear to the Fire Chiefs whether or not they were supposed to respond and where to respond. He said the aim of the Statute was to mandate the response but it also gave the agencies an opportunity to agree on what the response should look like.

On the call for public comment, Jan Galassini, Chief Deputy Clerk, read a statement from Bob Parker, which was placed on file with the Clerk. In his statement, Mr. Parker stated he was impressed with Chief Moore and the TMFPD staff. He pointed out his concerns over the City of Reno's response to providing fire service.

Bob Ackerman expressed his support for the proposal by the TMFPD.

Tom Dunn provided his title of Vice President of the Reno Firefighters Association and he stated he lived within the TMFPD jurisdiction. He stated the Las Vegas model for automatic aid was successful because it had been in place since 1977. He noted under the prior consolidated fire department, the City of Reno and the County did not have any duplication of services. There was one set of policies and procedures. He mentioned the Automatic Vehicle Locator (AVL) was a great best practice. He discussed the ongoing historical issues with station locations. He said the 1990s automatic aid agreement was found to be deficient, which led to consolidation in 2000. He felt the decision to deconsolidate the City of Reno's and the County's fire departments led to a 1990s model of fire delivery at 2015 prices. He questioned whether this benefited the community and the tax payers. He believed the current automatic aid agreement was a good step forward; however, he wanted the entities to address concerns including joint policies and procedures.

For the Truckee Meadows Fire Protection District/Sierra Fire Protection District Board of Fire Commissioners and the Board of County Commissioners, on motion by Commissioner Hartung, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Agenda Item 7 be approved, to direct the Fire Chief to share data with the City of Reno Fire Chief to determine whether the maps were fair and workable, and if necessary, for the Fire Chiefs to bring the maps back to the Board.

Councilmember Bobzien restated his concerns about the GIS and the need for the AVL. He made a motion to accept the Automatic Aid Agreement. In response to Councilmember Brekhus's request to clarify his motion, Councilmember Bobzien said he

did not set a specific time for the Fire Chiefs to report back on their decision as to how to proceed. He noted the process could be a work in progress and to leave the decision making to the Fire Chiefs.

Mayor Schieve concurred that the process was a work in progress. She reiterated Commissioner Hartung's statement regarding citizens not caring which entity responded as long as there was a response. She said there were a lot of people in the Commissioner Chambers who would agree that consolidation would help save money and better serve the community.

Chief Moore, in response to Councilmember Duerr, stated it was the responsibility of the RFD to call the TMFPD into the City of Reno for aid. He said he would be satisfied with the map if the Reno City Council was satisfied with it; however, he added he believed the TMFPD would be faster to respond to certain areas. He noted the agreement was far too important to the safety of the citizens to quibble about a specific area and he urged the elected officials to approve the agreement. He informed the County Boards that it needed to be clear with respect to which map they were adopting. He stated he would have no problem if the County Boards accepted the RFD's boundary with the caveat that the TMFPD would continue to work on any needed refinements.

Chief Cochran echoed Chief Moore's commitment and he stated he would work with the TMFPD to refine the boundary if it were necessary. He noted the importance of adopting a definitive map for the agencies to move forward.

Councilmember Bobzien said the spirit of his motion was to be in 100 percent alignment with the County's motion.

The City of Reno voted to approve Agenda Item 7.

Chair Berkbigler, Commissioner Hartung, Commissioner Lucey, Councilmember Bobzien, and Mr. Lipparelli discussed the discrepancies between the motions made by the County and the City of Reno, and the notes Mr. Lipparelli took in regards to the details of the motions. Commissioner Hartung stated the intent of his motion was to allow the Fire Chiefs to work out the issues related to the map. Chair Berkbigler noted it was not the intention of the Commission or the Fire Board to require the Fire Chiefs to come back before them. Councilmember Bobzien said the City of Reno would follow the County's lead. Mr. Lipparelli suggested the County should be specific in its motion as to which map, regarding the South Reno boundary, would be utilized in the Automatic Aid Agreement.

Chair Berkbigler stated the TMFPD Board had concerns about whether they were in compliance with the Statute but they agreed the fire entities knew what they were doing. She stated the County would adopt the Reno map with the smaller response area for the TMFPD.

The City of Reno voted to approve Agenda Item 7 and to adopt the Reno map.

For the Truckee Meadows Fire Protection District/Sierra Fire Protection District Board of Fire Commissioners and the Board of County Commissioners, on the amended motion by Commissioner Hartung, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Agenda Item 7 be approved and to adopt the Reno map.

15-0808 **AGENDA ITEM 8** Possible direction by each governing board to its respective staff to discuss items relating to future fire services.

Stephen Driscoll, Sparks City Manager, stated each jurisdiction had different rules for allowing their staff to engage in research projects. The Reno City Manager, the Sparks City Manager and the County Manager requested approval from the Boards to meet with their professional staffs to define the services and service levels to be provided under fire service, and to discuss governance of the service levels. Upon completion of the research, the managers would report back to their governing Boards.

Commissioner Jung noted the County had a dedicated tax to fund the Truckee Meadows Fire Protection District. She requested staff compose a fact sheet that detailed the amount of money citizens of the City of Reno, the City of Sparks, and the County paid to fund fire services. She said she agreed with the public comments of Tom Dunn regarding how the fire departments needed to work together by sharing their policies and procedures. She also requested a report on when the fire departments could begin training together.

Manager Driscoll added training was a major component related to fire service and it was on the Managers' agenda for future discussion.

The City of Sparks and the City of Reno voted to approve Agenda Item 8.

For the Truckee Meadows Fire Protection District/Sierra Fire Protection District Board of Fire Commissioners and the Board of County Commissioners, on motion by Commissioner Jung, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Agenda Item 8 approved.

15-0809 **AGENDA ITEM 9** Public Comment.

There was no response to the call for public comment.

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1:40 p.m. There being no further business to discuss, the meeting was adjourned without objection.

MARSHA BERKBIGLER, Chair
Washoe County Commission

ATTEST:

NANCY PARENT, County Clerk and
Clerk of the Board of County Commissioners

*Minutes Prepared by:
Michael Siva, Deputy County Clerk*