



# Nevada County Consolidated Fire District

"Excellence in Emergency Service"

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## Board of Directors Special Meeting Minutes

**Thursday, June 3, 2010**  
**6:30 p.m. – Open Session**

### **PRESENT:**

#### **NCCFD Directors**

David Hanson, Chairman  
Mark Bass, Treasurer  
Ralph Hitchcock  
Warren Knox  
John Leonard  
Ron McRoberts

#### **NCCFD Staff**

Tim Fike, Chief  
Darlene Bennett, Board Secretary  
Spike Newby, B. C./Operations  
Vern Canon, B. C./Fire Marshal  
David Ray, B. C./Training & Support  
Helen Henthorn, Finance/Office Manager  
Terry McMahan, FPO

### **ABSENT:**

#### **NCCFD Directors**

Robert Rhodes, Vice Chairman

#### **NCCFD Staff**

Lisa LaBarbera, HR Administrator  
Nicole Long, Operations Support Specialist  
Jim Curtis, District Counsel

## **CALL TO ORDER**

Chairman Hanson called the meeting to order at 6:30 p.m. at Station 84, 10135 Coyote Street, Nevada City, which was the time and place scheduled for the Special Meeting. Chairman Hanson welcomed the guests in the audience, with a special welcome to Grass Valley City Mayor Lisa Swarthout. Later in the meeting, Grass Valley City Manager Dan Holler arrived and was introduced and welcomed by Chairman Hanson as well. Grass Valley Fire Chief, Tony Clarabut and Nevada City Fire Chief Sam Goodspeed joined NCCFD Fire Chief Tim Fike on the panel for the evenings presentation. Besides the NCCFD Staff mentioned above, many NCCFD Safety personnel were in attendance as well as Local 3800 President Wyatt Howell, a reporter from The Union newspaper, and some members from Grass Valley FD and Nevada City FD.

Before moving on the next item on the agenda and with Board concurrence, Chief Fike gave a summary of the structure fire that had taken place that afternoon on Bennett Street in the city of Grass Valley. He reported that the incident was a classic example of how the Joint Operational Area (JOA) response is so important. The call came in as a vehicle fire on Bennett Street. However, it quickly was reported to have extended into a multiple family unit due to a spill of gasoline in a garage sparked by a backfiring motorcycle. All three JOA agencies responded, with 7 engines by the time the third alarm went out. There was quick containment to the three unit building that was only one of eight similar buildings in the complex. What could have turned into a much larger incident, due to the common attic and the proximity of the other buildings,

**CALL TO ORDER (cont.)**

ended with only two garages and one apartment with major damage; two apartments with minor damage and no injuries. Chief Fike commended all who responded, several of whom were at the meeting.

**\*PUBLIC COMMENT ON MATTERS NOT ON AGENDA**

**None**

**NEW BUSINESS**

**Discussion and Possible Action Concerning Presentation from the JOA Committee**

Chairman Hanson introduced the JOA Presentation Panel, consisting of GVFD Chief Tony Clarabut, NDFD Chief Sam Goodspeed, and NCCFD Chief Tim Fike, and asked them to give a shortened presentation as many three members of the Board had already sat through at least one of the prior presentations that were given to the Grass Valley City Council and the City Council of Nevada City in prior weeks. Those with questions were directed to hold their questions until after the presentation was completed.

Briefly, the Committee provided all agencies with the Fire Services Delivery Review Committee's "Report and Recommendations on Proposed Fire Management Integration" ("Report") of the six public meetings that were held over seven months and had made presentations to two of the three agencies concerned, with this presentation to the NCCFD Board being the last. Both the Report and PowerPoint presentation\* provide a review of past and present fire services delivery, the evolution of the Joint Operational Area (JOA) concept, level of service analysis for each independent agency, advantages of a JOA and the Committee makeup. The Committee was established at this time to reach the goals of greater efficiency and improved firefighter safety, because of the opportunity created by the GVFD Fire Chief's interim appointment, because of interest by Labor in one management organization, and due to budget pressures. The six options to achieve these goals were reviewed by the Committee and presented in the Committee's report.

*(\*A copy of the Report and a hard copy of the presentation slides were provided with the Board Agenda Packet and are available for review upon request at the NCCFD Administration office. Copies are available at 10 cents a page.)*

After Committee review, the Committee came to the conclusion that, although Option 5 was the ideal option, Option 6 was the most achievable under current economic conditions. Therefore, the presentation focused on Option 6, putting forth the concept of creating a Joint Powers Authority (JPA) for the three agencies, providing a draft JPA Management/Staff Organization Chart, a potential JPA Cost Allocation for each agency based on Assessed Value and Population in each agency's service area, how the governance of a JPA works and what steps would need to be taken to develop a JPA with a full JPA Agreement to be drafted for member agency and review.

As each of the agency's chiefs had done before him, Chief Fike was now asking the NCCFD Board of Directors agree with the recommendation of the JOA Committee to pursue a Joint Powers Authority for the integration of fire management and administrative support services with the Cities of Grass Valley and Nevada City and NCCFD.

**JOA Committee Presentation (cont.)**

After inviting public comment, NCCFD Captain Jerry Funk introduced himself, noting that he sat on the JOA Committee (“The Committee”), as a labor representative, with NCFD Engineer Kevin Cartzdafner and GVFD Fire Inspector Jeff Wagner, acting as a liaison group between Labor and the Committee. After sharing information from the Committee meetings, he reported that Local 3800 agreed conceptually with Option 5 as their first choice, but recognized that they understand that current fiscal restraints prohibits the ability to go to Option 5 immediately. They wanted to reiterate that it is Labor’s goal to get to Option 5 as soon as feasible.

Captain Funk continued stating that he also assisted in trying to get a pulse on the labor group, which represents the three agencies, by sending an electronic survey to 43 career personnel (Career) and 11 paid-call firefighters (PCFs) for a total of 54. The survey was open for 30 days and had five broad-based questions with one extra for the PCFs, three statistical and two fill-in questions. Results: 44 replied with 34 Career and 10 PCFs, a good return all around. 40 thought the community impact would be positive about the JPA, two thought negative, while two remained undecided. Regarding historical identity, 891/2% thought that the retention of historical identity is somewhat to very important. Suggestions for keeping historical identity of the original agencies could be achieved by maintaining the Fire Associations and social functions; retain identity on engines for area served and create joint museums. Concerns brought up about choosing Option 6 were about still having different personnel codes, MOUs, and administrative SOPs, just like it is currently, which does create difficulties from time to time. There is also concern that a full merger of agencies would not stay at the forefront and not followed through.

Captain Funk continued by saying that some of the positive things brought out by the survey were improved service to the community; consistency in leadership, which is huge, as mentioned earlier in the presentation; and there would be a shared vision within the organization. All three organizations have their own individual visions now and under a common administration, there would be common leadership. Other positives will be improved training, increased opportunities, and more efficient use of funding. The last question, for PCFs only, showed they fear disbanding or phasing out of their program; there was also a concern about acceptance of the new PCF organization by the career personnel; and included some positive replies about excitement for new opportunities and involvement in a new PCF program.

Next, Wyatt Howell, President of Local 3800 of the Professional Firefighters Union, which represents firefighters in all three agencies, and NCCFD Engineer, introduced himself. He reported how he asked the chiefs to allow the Union to be actively included in the process, after he had learned, about a year and a half prior, about the chiefs getting together to try to find ways to continue to provide the same level of emergency service in the current economic climate, which was completely agreed upon. Therefore, one Union representative from each agency participated at all of the JOA committee meetings. He commended everyone who was involved in the process for diligently trying to maximize the dollar. He reiterated that Option 5 is the ideal the Union would like to eventually achieve but, accepting Option 6 as the reality for now, with all agreeing that moving forward is a positive thing. Chairman Hanson asked if that meant that the Union was supporting the idea. Union President Howell replied that what has been talked about and, in theory, he thought everyone would agree that we are headed in the right direction.

After asking for other questions or comments from the audience and seeing none, Chairman Hanson turned to the Board for their comments.

**JOA Committee Presentation (cont.)**

Director Knox saying that the Board really appreciates the interest that the firefighters themselves have added to the whole effort, he stated that the key reasons for doing something like this is for firefighter safety and for firefighter professionalism. He asked if, based on the kinds of training and experience needed for urban versus those needed for rural firefighting, if

any thought had been given to career development processes for individuals between the different independent locations, such as changing jobs or job shopping.

Chief Fike replied that currently, they are all very similarly trained due to meeting state and federal firefighting requirements for both structural and wildland firefighting. As far as integration of different agency personnel at the stations, Chief Fike explained that it was a long term goal; hopefully not so long term goal. GVFD Chief Clarabut wanted to point out that this process to move toward a JPA has been primarily a big-picture, conceptual one, which has meant that talks in the weekly JOA chiefs' meetings have been to sort out what details need to be addressed right away to move this process forward and what details could be worked out after an agreement has been made.

Director Knox next wanted to know if the distribution of costs would be reviewed should there be changes in growth in the county. Chief Clarabut replied that the agreement would describe terms of review and that charges would automatically change when there were changes in assessed value, including those caused by annexations.

Lastly, Director Knox noted that "cross charging" of agencies was addressed in the Report referring to if the agreement doesn't go through. He continued by saying that cross charging would add a significant bookkeeping value to the JPA process and he wanted to know if the absence of such charges, with their associated bookkeeping costs, had the value been added into the analysis of the savings of going to a JPA. Chief Clarabut replied that currently cross charging is being done for such things as housing NCCFD Fire Prevention at Grass Valley City Hall or costs for jointly staffing Stations 1 and 54; and the hope is to get some efficiency through a JPA by not having to do cross charging.

Director Bass reported that he had asked NCFD Chief Goodspeed earlier what the mechanism was when it was time to replace the chief and was told that it would be up to the JPA. Thus, as he understood it, each JPA agency would have one vote. Director Bass wasn't sure if he was set with that because, he explained, the NCCFD Board members are voted in by their constituents, NCCFD is 68% of this proposed JPA, and, if NCCFD doesn't control the chief's position, it makes it tough to give assurance to the 36 career people that work for NCCFD. He felt that this could be an issue that, though it wouldn't necessarily stop this from going forward that night since the vote would be on whether to keep this process going, but it could be a big issue soon down the road.

Chief Clarabut responded that Director Bass's assumption that NCCFD needed to have 68% of the vote in order to protect the interests of the NCCFD employees and constituents assumes that our interests are different from jurisdiction to jurisdiction about our obligations to our employees and our constituents. Chief Clarabut countered that any chief one would hire that would meet the standards of GVFD, NCFD, and Consolidated would suit the interests of all employees and all citizens equally well.

**JOA Committee Presentation (cont.)**

Director Bass replied that, from his many years of experience on the JPA for Nevada County Fire Agencies, the debate has always been about there being one vote for one agency, there are 12 votes and yet NCCFD is bearing 50% of the costs. He believed that the costs with this new JPA are already fixed and that NCCFD is in it for 68%. He continued that there is a premise that this process is part of a larger goal of one fire agency for the entire county.

Along with this, Director Bass stated that more details would be worked out as the process moves forward, but he wanted to know if there was any anticipation of what the actual staff work was going to be in Fire Prevention and administratively. Basing his experience in working with

Fire Marshal Canon on a regular basis, he sees that that resource is being pushed to a possible breaking point if additional staff is not brought in which is why he wondered if workload had been looked at. Chief Clarabut replied that there is every intention as workload returns that staffing will return with it.

Director Bass moved on to his next point. He reported that he had heard that the individual agencies have different SOPs and that would be a problem. He countered that usually a change to an SOP is brought before the Board and that if there is a problem between the SOPs, then Union President Howell should outline the problems between the SOPs and bring standardized SOPs to the Board. Therefore, he doesn't believe that should be an issue, unless there is something unique. Chief Fike replied that project has been an ongoing one for a couple of years and that there are a few unique ones that they may not be able to overcome, but that each agency will be made aware of.

Director McRoberts noted that he is a new member of the Board. He wanted to know who would make up the JPA Board. Chief Fike replied that the JPA Board would consist of one NCCFD Board Member, one Grass Valley City Council Member and on Nevada City, City Council Member. Director McRoberts stated that effectively the NCCFD Board goes away. Chief Clarabut replied that the membership of the JPA is yet to be affirmed; the representation is one per each agency. If the NCCFD Board agrees to go forward with the process, then the Executive Committee will discuss how many representatives there will be from each agency; and the JPA Board would be jointly exercising the responsibilities of each agency. Director McRoberts said he was just trying to find out if he still had to run for re-election. Chief Fike reiterated that NCCFD would still have its own Board.

Director McRoberts expressed his concern that the proposed JPA would be a big burden on NCCFD administration, particularly in the finance department. Chief Clarabut noted that the percentages noted in the organization chart regarding allocation of time for the JPA represent the best guesses at what the potential workload might be after discussing it with the individuals in the current positions. Director McRoberts wanted to know if the District Finance Manager had been used to determine what a potential budget would be, because the budget would basically change. Chief Fike replied that the budget would essentially be the same and that each agency would continue to take care of their own bills, including payroll. Director McRoberts wanted to know what would happen if, after a new city council comes along, they decide not to pay the JPA bills. His concern is that they might not be able to be in a position to pay the bills. Chief Clarabut stated that the JPA Agreement would be the document that could put in protections for uncompensated workload or other concerns.

**JOA Committee Presentation (cont.)**

Director Leonard expressed his opinion that this work was monumental, that there were times over the last 20 years that he didn't think it would happen, and, as a citizen, wanted to commend all who had made this happen.

Chairman Hanson read aloud the mission statement outlined in the Executive Summary of the Fire Services Delivery Review Committee's "Report and Recommendations on Proposed Fire Management Integration" ("Report"):

"To review operations, administration and management of the Nevada County Consolidated Fire District, Nevada City Fire Department and Grass Valley Fire Department focusing on opportunities to improve organizational efficiencies with the goal of improving levels of service and firefighter safety."

Chairman Hanson noted that there was no mention of reducing costs and confirmed that the JOA Committee had been working under that mission statement the entire time. Chairman Hanson wondered why some had looked for cost reductions when that was not a part of the mission of the JOA Committee.

He then reiterated his original statement at the beginning of the meeting that, we, as a fire board, do this on a monthly basis and that he wanted to give credit to both city councils for trying to take all of this information in and to be educated in a one or two hour presentation on something that is very large and something that they don't deal with on a daily basis. It is not critical, but more education is needed.

Chairman Hanson noted that in both the report and the presentation that the Committee stated that, as standalone organizations, we can not meet the response times or the staffing of persons on a first alarm structure fire. He felt that message must be clearly communicated to each and every one of the governing boards, including the District Board. In other words, without the current JOA, the firefighters could not do their jobs and therefore the three agencies are really dependent on each other as it stands now.

Chairman Hanson continued by pointing out that the executive report clearly states that there is a growing awareness that under the current structure there is a built in subsidy of city operations by NCCFD. The chairman stated that he wanted to make it known publically that this Board is very aware of that and that this Board has opted to help subsidize, if we needed to, and we have, the operations of the other organizations so that we could do what we did today, responding to a structure fire with engines coming out of different stations, cross staffed, and perform the job they are supposed to do; so all of the members of this Board are aware that we have been subsidizing other operations for the benefit of the whole. Fires and emergencies do not take precedence just on the boundaries; they come into each others neighborhoods. This Board recognizes that and will continue to do so and will let our constituents know that we are doing this and why.

Chairman Hanson asked questions about Option 6. Again reading from the Report, Option 6 states that "Under a JPA, combine the administrative support and management functions of the three agencies into one and retain the JOA at the engine company level", he asked the panel if that meant that we are not trying to bring salaries to the same level. Chief Fike replied that, essentially now, we know that we can't, which is why the Committee stressed that Option 5 would be the long term goal to get everybody at parity and at a single umbrella JPA all the way

**JOA Committee Presentation (cont.)**

down to the firefighter level. Chief Goodspeed clarified that it wasn't just salaries, but also benefits. Chairman Hanson replied that he now understood that the language of the aforementioned statement was referring to combined compensation packages.

Continuing to read from the Report, Chairman Hanson asked for an explanation of the item, listed under "Advantages: Financial Efficiencies", that reads "Creates phasing plan to reduce/eliminate financial subsidies." Chief Clarabut explained that there is an acknowledgement that there is an exchange of funds via an exchange of services that is weighted towards the Cities from Consolidated and, while it is recognized today, funds may not be available from the Cities in order to solve what Chairman Hanson referred to as a subsidy. So the intent is that the Executive Committee in concert with the JPA Board would put together a phased in plan where the Cities would start contributing towards the abatement of the subsidy and would equalize that with a broken out cost share.

Chairman Hanson summed up that, therefore, that would be an uphill sale. Because, he surmised, if he were sitting on one of the city councils and he had services that were collectively being provided by NCCFD, and he was told that he would now have to pay more for those services, would he, as an elected official, really want to vote for that? Chief Clarabut replied that the Grass Valley City Council is fully aware of that discussion and approved this 5-0.

Chairman Hanson then turned to Chief Goodspeed and asked him how aware the City Council of Nevada City was regarding his question. Chief Goodspeed replied that Chairman Hanson was at the NC City Council meeting when this same presentation was made and that he and Chief Clarabut had met independently with some of the members of the council and tried to make sure they were clear on what benefits are being provided. He believes they have a better understanding and noted that their vote was 5-0 in favor as well. Chairman Hanson acknowledged that they did vote 5-0, but expressed his concern that not everyone understood what they were agreeing to and hoping that communication and education of the council members continued to improve so that efforts would not be wasted after putting something like this together. He conceded that it may take awhile for it all to come together, but he wanted to make sure everyone understood what direction all the boat was being rowed so that, eventually, everyone would end up on "the other side of the river". Director Knox asked if there was any way to integrate that into the final document. Chairman Hanson replied that he definitely thought there was a process that, as the team moved forward, NCCFD would give direction to the team. Chairman Hanson then volunteered to do that on behalf of the NCCFD Board, to start meeting with city and county officials, along with Director Hitchcock and others, to do on a one-on-one basis, away from a public meeting, to help them understand what we are trying to do. Questions are often easier to ask and, acknowledgement that one doesn't understand, when sitting down informally over coffee.

Chairman Hanson, noting in the report the July 1 deadline to complete the Agreement, stated that he didn't think that was attainable and asked what the panel thought. Chief Fike replied that the goal of July 1 was made when the Committee started two months prior and explained the reasons for having chosen that goal. He confirmed that the goal was no longer doable and that it would not be good to speed up the process at this point because lots of work was still ahead and it all needed careful thought.

**JOA Committee Presentation (cont.)**

Chairman Hanson completed his comments and turned to Director Hitchcock for his. Director Hitchcock stated that he obviously had no questions since he had been on the Committee and gone through the entire process up to this point. He stated that from the first meeting that the Committee had, when the chiefs explained the lack of consistency and then the firefighters on the Committee talked about safety, with the different chiefs they would have at each incident, but especially at structure fires, Director Hitchcock became convinced within the first hour that this was the way we should go.

He continued by saying that there are still many rocky steps to get through on the Interim Technical Committee, but that, tonight, the Board was just voting to continue the process. Whoever the Board puts on that committee, all of the Board members will have input to that person, all the way along, to make sure that their concerns will be dealt with.

Continuing on a topic brought up by Chairman Hanson, Director Hitchcock again noted that the Grass Valley City Council voted 5-0 on this and that this Board is probably going to vote on the same three things as is seen in the report that they did. However, Director Hitchcock is concerned because the City Council of Nevada City voted 5-0, but only on the proviso that, reading from their motion, "We really want to see some cost savings from what this currently adds up to. There should be some measurable reduction as part of consolidating for efficiency-sake during difficult economic times." It concerns him because, Director Hitchcock wondered, if this means that unless cost savings are shown, Nevada City is not interested? He noted that must be dealt with at some point. Chief Fike interjected that it is important to stress that the numbers that are being used are dollars that NCCFD is currently spending. He continued by saying that about the only way to reduce that is for the three chiefs to take a pay cut. Director Hitchcock replied that he was about to say that. Chief Fike finished by saying that he was pretty sure where they were going.

Chief Clarabut joined in by stating that, he didn't want to speak for her, but after speaking with NC Councilwoman Sally Harris, he thought the dominant decision was to move the process forward and to discuss the cost issues at a different level. Just as Chairman Hanson had mentioned that it is easier to discuss certain issues one is concerned about in a smaller group, Chief Clarabut's sense was that that is what was going on there as well.

Chairman Hanson agreed and suggested that a workshop be added so that everyone understands what is trying to be accomplished and what the big picture is, and he was confident that would be accomplished. He added that he think there are cost savings in the plan when one looks at fewer on-the-job injuries, because everyone is working with one set of operating procedures or when the agencies are buying together, rather than independently. He continued that there are other hidden cost savings that may not jump right out at anyone. For instance, when one sees that Grass Valley is buying a new truck, which benefits everyone. Chairman Hanson continued that one may not be able to quantify it in numbers, but, in the long run, it will be seen that taxpayers' dollars are being spent more effectively; and by running the shop more effectively, that is where the savings are going to be found.

Director Hitchcock added that both Nevada City and NCCFD will show savings because currently both agencies are paying workers comp for some of the same volunteers. He finished by saying that he didn't intend to make too big of a deal about this, but he just wanted to let the Board know that there are some concerns there.

**JOA Committee Presentation (cont.)**

Director Hitchcock moved to

- Be in general agreement with the Joint Operational Committee’s recommendation to pursue a Joint Powers Authority (JPA) for the integration of fire management and administrative support services; and
- Support the establishment of an Interim Committee of Elected Officials to provide oversight in the development of the JPA; and
- Support the establishment of an Interim Technical Committee (ITC) to develop a Transition Plan and JPA Agreement comprised of the Grass Valley City Administrator and Fire Chief; Nevada City, City Manager and Fire Chief; and the NCCFD Fire Chief and one Board Member and labor representatives with other staff to be used to support the ITC and the Elected Official Committee; and
- Provide direction on timing to bring the JPA Agreement back to the Governing Bodies for consideration.

Director McRoberts seconded. **MOTION** unanimously carried after a roll cal vote.

Lastly, Chairman Hanson moved to appoint Director Hitchcock as a representative on the Interim Technical Committee. Director Knox seconded. **MOTION** unanimously carried.

**\*BOARD DISCUSSION**

None

**ADJOURNMENT**

After the last agenda item, there was no further Board Discussion or Board action. The next Regular Board Meeting was confirmed for Thursday, June 24, 2010, at 7:00 p.m. at Station 84, 10135 Coyote Street, Nevada City. The meeting adjourned at 7:44 p.m.

Attest:

Approved by:

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Darlene E. Bennett  
District and Board Secretary

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David S. Hanson  
Chairman of the Board