

NORTH TAHOE FIRE PROTECTION DISTRICT

Board of Directors

Regular Meeting

NTPFD Station 51 Public Safety Center
222 Fairway Drive, Tahoe City, California

Tuesday

September 27, 2022 – 4:30 p.m.

AGENDA

1. **Call to Order/Roll Call** - *The meeting was called to order at 4:00 p.m by President Baffone.*

Roll Call

Attending:

Board Present

Directors Doyle, Loverde, and Ragan. A quorum was established.

Staff Present

Fire Chief Steve Leighton

Legal Counsel Steve Gross

Division Chief Alan Whisler

Director of Finance and Administration Kim Eason

Fire Marshal Brent Armstrong

Battalion Chief Scott Sedgwick

Battalion Chief Sarah Lagano

Firefighter/Paramedic Kyle Garcia

Public Information Officer Erin Holland

Administrative Assistant II/Clerk of Board Melissa Daniels

Public

Hilary Erickson -ISU Insurance Services-Atwood Agency

Matt Kowta- BAE Urban Economics

Jacqui Braver- JMA Ventures, LLC

Ron Parson

2. **Additions to Agenda/Approval of Agenda**

The agenda was approved as presented. There was no public comment

3. **Pledge of Allegiance**

4. **Public Comment** – There was no public comment

5. [Consider Resolution 19-2022 Proclaiming a Local Emergency, Ratifying the Proclamation of a State of Emergency by Governor Newsom’s Executive Order N-29-20 issued March 4, 2020, and Authorizing Remote Teleconference Meetings of the Legislative Bodies of North Tahoe Fire Protection District for the Period September 27-November 8, 2022 Pursuant to Brown Act Provisions](#)

This is a housekeeping item. Resolution 19-2022 is necessary in order for the District to conduct remote teleconference meetings. Even though the September meeting is in person, this resolution will allow the November meeting to be held virtually, if necessary.

There was a discussion between Board and staff. There was no public comment.

Upon motion by Director Doyle, seconded by Director Loverde, the Board approved Resolution 19-2022 Proclaiming a Local Emergency, Ratifying the Proclamation of a State of Emergency issued on March 4, 2020, and Authorizing Remote Teleconference Meetings of the Legislative Bodies of North Tahoe Fire Protection District for the Period September 27-November 8, 2022 Pursuant to Brown Act Provisions. A roll call vote was taken. The vote was three in favor:

*Ayes: Directors Doyle, Loverde, and Ragan
Noes: None
Abstain: None
Absent: Directors Baffone and Correa*

6. [Approval of Minutes from the regular Board meeting held August 23, 2022](#)

No change was requested from the Board. There was a discussion between Board and staff. There was no public comment

Upon motion by Director Doyle, seconded by Director Ragan, the Board approved the Minutes from the Regular Board meeting held August 23, 2022. A roll call vote was taken. The vote was three in favor.

*Ayes: Directors Doyle, Loverde and Ragan
Noes: None
Abstain: None
Absent: Directors Baffone and Correa*

7. [Correspondence](#)

Vice President Ragan went over the thank you notes received since the last Board meeting.

8. [Presentation by Hillary Erickson, ISU Insurance Services-Atwood Agency, regarding a new carrier for liability insurance](#)

Chief Leighton introduced Hillary Erickson to the Board. Hillary presented on this item. The District received notification in mid-August stating that the current liability insurance carrier is non-renewing their whole program. The District will need to have a new insurance carrier by

November 1, 2022, as this is when our current liability insurance expires. This is why the District needed to research alternative insurance companies and asked Hillary from Atwood to help with that. It is Atwood’s duty every year to make sure all the Districts under their umbrella get the best insurance rate possible, but unfortunately in California, it has grown more difficult to find. Currently, the insurance pool as a whole has experienced a premium increase of about 100% in California. This increase is due to high wildfire risk and worsening employment practices.

The quote that Hillary is presenting today is a guaranteed option, although it is not very desirable. The premium went up from \$147,000 to \$294,000. The option that is presented is a JPA called JPRIMA. The JPA has a renewal date of 4/1/2023 so there will be a short-term policy and then it will renew on 4/1/2023 at the same pricing and the new policy will be 4/1/2023 to 4/1/2024. It is a three-year commitment. There is an escape clause if year over year the premium would increase over 15%, then we would be able to exit early without penalty.

The District is currently pursuing other commercial packages of insurance to see if we can find a more economical option before October 31, 2022.

There was a discussion between Board, Ms. Erickson, and staff. There was no public comment.

Upon motion by Director Doyle, seconded by Director Loverde, the Board authorized the Fire Chief to execute an agreement to purchase a commercial package of insurance for the period beginning November 1, 2022 for a period of 18 months, for a cost not to exceed \$294,000 on an annual basis, with a provider as selected by the Fire Chief. A roll call vote was taken. The vote was three in favor:

*Ayes: Directors Doyle, Loverde and Ragan
Noes: None
Abstain: None
Absent: Directors Baffone and Correa*

9. **[Review the presentation and consider accepting the Homewood Mountain Resort fiscal impact update prepared and presented by BAE Urban Economics \(“BAE”\)](#)**

Matt Kowta, Managing Principal at BAE Urban Economics, gave a presentation to the Board regarding the fiscal impact analysis memorandum. In 2010, BAE Urban Economics (“BAE”) was retained by North Tahoe Fire Protection District (“NTFPD”) to analyze the potential fiscal impacts associated with the proposed Homewood Mountain Resort (“HMR”). Since that time, the project has evolved, local real estate market conditions have changed, and NTFPD’s operations and budget have also changed.

After reviewing a current project summary furnished by the HMR developer (JMA Ventures, LLC, or “JMA”), BAE worked closely with NTFPD staff as well as representatives of JMA to gather project-specific and District-wide information to form the fiscal impact analysis. The analysis explores increased ongoing NTFPD annual operating costs, revenues, and the annual net fiscal impact associated with buildout of the HMR project. The memorandum also details one-time District capital costs attributed to the HMR project, as well as the amount of NTFPD development impact mitigation fee revenues that the HMR project would generate. The

memorandum concludes with discussion of potential approaches to address outstanding capital cost obligations after accounting for standard development impact mitigation fees that the HMR project would pay.

Fire Marshal Armstrong addressed the Board regarding the fiscal impact study. The BAE presentation is really updating the fiscal impact study from the 2010 stale data to the most current, up-to-date, numbers and what the development is bringing forward today. It has changed over time. BAE did not assess the HMR project from an operations standpoint, but they viewed it through the lens of what is the fiscal impact. This is the financial component; the operations component comes later. This is following the footsteps of the execution of the MOU with JMA that was presented at the Special Board meeting back in July. The study presented is both what the District and JMA had referenced and agreed to have updated from the 2010 stale numbers to today's information so that we have a foundation in developing the development agreement.

Vice President Ragan asked for public comment. Public comment was given by Jacqui Braver from JMA, who asked the Board to consider not accepting the BAE fiscal impact study in order for JMA to have more time to review the information in the document.

There was a discussion between the Board, Ms. Braver, staff, and Counsel regarding the public comment.

There was a Q&A session between Board and staff.

Upon motion by Director Doyle, seconded by Director Loverde, the Board to accept the BAE Fiscal Impact Update. A roll call vote was taken. The vote was two in favor. The motion failed:

*Ayes: Directors Doyle and Ragan
Noes: Director Loverde
Abstain: None
Absent: Directors Baffone and Correa*

10. **[Consider Resolution 20-2022 Accepting a Grant from El Dorado County, Funding Agreement #6769 in the amount of \\$403,626](#)**

Chief Whisler presented this item. The District received a TOT grant through El Dorado County to purchase a Type 6 Engine/Rescue. Currently, the District uses an OES Type 6 Engine, which we do not own but it has been very beneficial to the District responding to the West Shore. Once the grant funding agreement is approved by the Board, the District can start the process of purchasing our own Type 6 Engine/Rescue. Chief Leighton added that we have three years to spend the money, and it is two years back order to get the apparatus. About \$350,000 is what the apparatus is going to cost and about \$75,000 for the equipment that will be on it.

There was a discussion between Board and staff. There was no public comment.

Upon motion by Director Loverde, seconded by Director Doyle, the Board accepted Resolution 20-2022 accepting the El Dorado County Funding agreement #6769. A roll call vote was taken. The vote was three in favor:

*Ayes: Directors Doyle, Loverde and Ragan
Noes: None
Abstain: None
Absent: Directors Baffone and Correa*

11. **Consider Resolution 21-2022 Accepting the FY2021 Assistance to Firefighters Grant (AFG) award (#EMW-2021-FG-06241) Grant from FEMA for extrication equipment (\$11,158.48) and cancer screening (\$113,880.00) in the amount of \$125,038.48**

Fire Chief Leighton presented on this item. Pursuant to the 2021 Assistance to Firefighters Grant Award No. EMW-2021-FG-06241, North Tahoe Fire Protection District will purchase four (4) eDraulic DC Bank Chargers, four (4) KSV11 Chain Sets with Clevis Lock and Hook, and 120 Priority 1 Cancer Screenings using the Galleri test.

Chief Leighton expressed that employee safety, health, and wellness are extremely important to him and the Board. The Galleri test cancer screening can test 60 different cancers in one test. To have this sort of advanced testing for the District is a great step toward the health and wellness of all employees and provides the highest level of protection.

Local 3729 President Captain Jaime Sheppard mentioned that this test is being conducted by South Placer County Fire and that it had found two individuals under 50 years old that had cancer, but showed zero symptoms and found the cancer preemptively. He thinks that it is fantastic that we received this grant funding for the Galleri test.

There was a discussion between Board and staff. There was no public comment.

Upon motion by Director Doyle, seconded by Director Loverde, the Board adopted Resolution 21-2022 accepting the FY2021 Assistance to Firefighters Grant (AFG) award (#EMW-2021-FG-06241) Grant from FEMA for extrication equipment (\$11,158.48) and cancer screening (\$113,880.00) for a total award amount of 119,084.26 with a non-federal match of \$5,954.22 for a project total of \$125,038.48. A roll call vote was taken. The vote was three in favor:

*Ayes: Directors Doyle, Loverde and Ragan
Noes: None
Abstain: None
Absent: Directors Baffone and Correa*

After the roll call vote was taken Chief Leighton asked Board for a quick break for staff before moving on to the next agenda item.

Chief Leighton wanted to publicly thank Finance and Administration Director Kim Eason for her attention to detail and her hard work in producing a balanced budget. Her job is not easy and it is important for the Board and staff to know how appreciative he is for everything she does for the District.

Public Hearing opened at 7:01 p.m.

12. [Public hearing on the Final Budget for Fiscal Year 2022/2023 and Appropriations Limit for Fiscal Year 2022/2023](#)

a. [Consider Final Budget for fiscal year 2022/2023](#)

The Fire District is required to adopt a final budget prior to October 1 of each year. The District has been operating under the spending authority of a preliminary budget since July 1.

The District used the priority driven budget process to create the budget document presented at this meeting. As part of this process, employees from all levels of the District participated in generating this budget. Once the draft was created, the Fire Chief and Director of Finance met with the Chief Officers to review all expenditure requests to determine which requests would be included in the final budget presented at this meeting.

District staff believes, given the information available, the budget as presented will ensure the District's ability to remain financially solvent now and in the future.

Director of Finance and Administration Kim Eason gave the Board some highlights from this year's final budget:

- Property Tax estimates came in higher than expected. They were 5.7% above the Preliminary Budget and 9.7% above the 2021/2022 Budget;
 - We received new grant funding that is included in the Budget;
 - The TOT funds are not included in the 2022/2023 Budget because we do not estimate spending them until the next fiscal year;
 - Trued up salaries and benefits;
 - Added the additional grants;
- Regarding the liability insurance increase, we did budget \$100,000 to go into reserves so worst case there are funds available to cover the increase if it cannot be absorbed in other areas of the budget that may not be fully expensed. Director Eason included about an 18.75% increase in the liability insurance in the final budget but that will most likely not be enough to cover the increase.

There was a discussion between Board and staff. There was no public comment.

Public hearing Closed at 7:23 p.m.

b. [Consider Resolution 22-2022 adopting Appropriations Limit for fiscal year 2022/2023](#)

Upon motion by Director Doyle, seconded by Director Ragan, the Board approved the Final Budget for Fiscal Year 2022/2023 and approved Resolution 22-2022 adopting the appropriations limit for fiscal year 2022/2023. A roll call vote was taken. The vote was three in favor:

*Ayes: Directors Doyle, Loverde and Ragan
Noes: None
Abstain: None
Absent: Directors Baffone and Correa*

13. **Public hearing on the Capital Facilities and Mitigation Fee Expenditure Plan for fiscal year 2022/2023**

a. 2022/2023 Capital Facilities and Mitigation Fee Expenditure Plan and Annual Update to the Fire Facilities Impact Fee Study

Fire Marshal Brent Armstrong presented this item to the Board. As a condition of collecting mitigation fees on projects that generate new service demands, the District must maintain a current Capital Facilities and Mitigation Fee Plan. The document, updated annually with five-year budget projections and a current fee schedule, is adopted first by the District's Board of Directors and then by the Placer County Board of Supervisors.

Mitigation fees are adjusted annually to accommodate the impact of development (growth) on fire protection services within the District. The District adjusts mitigation fees based on the percent change in construction costs as defined in the Construction Cost Index (CCI) published by the *Engineering News-Record*. The need for the District to adjust mitigation fees annually was approved by the Placer County Board of Supervisors, and recommended in the Fire Facilities Mitigation Fee Study.

The consulting group that provides the District with the annual update is Goodwin Consulting Group, INC. It is the same document as last year spelling out fees we collected and how we applied them to District facility needs. The only thing that changed were the rates and the year to 22/23. There was an 5.69% increase from the last annual update. The Residential rate was \$1.40/sf, Commercial rate was \$0.94%, Office rate was \$1.19/sf, and Industrial rate was \$0.81/sf. The proposed rates for 2023 are as follows: Residential rate is \$1.48/sf, Commercial rate is \$1.00/sf, Office is \$1.26/sf, and Industrial is \$0.86/sf.

There was a discussion between Board and staff. There was no public comment.

Public hearing Opened at 7:29 p.m.

b. Resolution 23–2022 Adopting the Capital Facilities and Mitigation Fee Expenditure Plan for the Fiscal Year 2022/2023

Resolution No. 23-2022 regarding the annual update of the Plan was discussed. If the Board approves the Resolution, the Plan will go before the Placer County Board of Supervisors for

approval. The Plan will go into effect 60 days after that final approval. Staff requested the Board consider adoption of the Plan and corresponding Resolution 23–2022 during the public hearing.

Upon motion by Director Loverde, seconded by Director Doyle, the Board approved the 2022/2023 Capital Facilities and Mitigation Fee Expenditure Plan and Annual Update to the Fire Facilities Impact Fee Study and approved Resolution 23–2022 Adopting the Capital Facilities and Mitigation Fee Expenditure Plan for the Fiscal Year 2022/2023. A roll call vote was taken. The vote was three in favor:

*Ayes: Directors Doyle, Loverde and Ragan
Noes: None
Abstain: None
Absent: Directors Baffone and Correa*

Public hearing closed at 7:31 p.m. No public comment

14. [Introduction of Resolution 24-2022 and Ordinance 02-2022 adopting the 2022 California Fire Code](#)

Fire Marshal Brent Armstrong presented this item and gave a PowerPoint presentation introducing the California Fire Code and the amendments he is proposing to the changes to the California Fire Code to the Board.

The Fire Codes are updated and issued by the State Fire Marshal every three years. In order for the District’s Fire Code to go into effect, a process must be followed. The Resolution 24-2022 that is being introduced is the Findings of Fact document that outlines what changes the District wants to make to the California Fire Code specific to the geographical area we are in. Also being introduced is Ordinance 02-2022 adopting the 2022 California Fire.

Here are some highlighted amendments to the 2022 California Fire Code that are included in Ordinance 02-2022 that are being introduced to the Board:

- Section 107.7- added Cost Recovery Fees;
- Section 111.3 – deleted Qualifications as they are not pertinent to our agency;
- Section 307.1.1 – amended Prohibited Open Burning;
- Section 304.4.4 – added Campfires;
- Section 903.2.8.1 – amended Group R-3 to allow the Fire Marshal to place codes and ordinances to manufactured homes;
- Section 903.6 – amended Where Required in Existing Buildings and Structures so homes and existing structures that are 3,600 square feet will need to install an automatic sprinkler system;

- Chapter 11 – adopted new Chapter of the California Fire Code that speaks on existing structures. In particular, Section 1103.7.5.1 Group R-1 is going to require existing structures to be up to code.

Fire Marshal Armstrong let the Board know that he had already sent the ordinance to Placer County as he has good working relations with them for a cursory review and they had no objections. He will send a final review to Placer County with the Boards approval. Then at the November 8, 2022 Board meeting the District will bring the Resolution and Ordinance to the Board for final approval through a public hearing to adopt Ordinance 02-2022. After that, he will take the approved Ordinance 02-2022 to the Placer County Board of Supervisors for final approval. Lastly, it will be sent to the Building Standard Commission for ratification of the document. Fire Marshal Armstrong hopes to have this in place by January, 1 2023.

Vice President Ragan asked and paused for public comment. Public comment was given by Ron Parson regarding the Chapter 11 adoption.

There was a Q&A session between Board and staff.

Upon motion by Director Doyle, seconded by Director Ragan, the introduced and waived the reading of Ordinance 02-2022 adopting the 2022 Fire Code. A roll call vote was taken. The vote was three in favor:

<i>Ayes:</i>	<i>Directors Doyle, Loverde and Ragan</i>
<i>Noes:</i>	<i>None</i>
<i>Abstain:</i>	<i>None</i>
<i>Absent:</i>	<i>Directors Baffone and Correa</i>

15. **[Introduce and waive the full reading of Ordinance 03-2022 regarding NTFPD setting fees for cost recovery of Fire & Life Safety activities](#)**

Fire Marshal Brent Armstrong introduced this item. In 2008 the District adopted Ordinance 01-2008 Setting Fees for Cost Recovery of Fire & Life Safety Activities. The NTFPD Board of Directors adopted this ordinance to shift the financial burden from the general public for certain Fire & Life Safety Activities including, but not limited to, providing reports, pyrotechnics for movies or public display, State mandated inspections, new construction, etc.

Fire prevention activities are some of the most cost-effective activities the District is involved in. When fires and other life-threatening incidents can be prevented from occurring, there is a significant savings to the community for direct and indirect costs.

The fees are established in order to obtain cost recovery for those activities outlined within the Fire Code. Per the Health & Safety Code, they do not exceed our actual costs. District staff annually reviews these fees to ensure the amount charged is equal to the amount required to perform the work.

Ordinance 03- 2022 was introduced to the Board to add additional categories and adjust some of the amounts based on the time required to complete certain tasks. There will be a public hearing held at the November 8, 2022 Board meeting to read the full reading and adopt Ordinance 02-2022 setting fees for cost recovery of Fire & Life Safety activities.

There was a discussion between Board and staff. There was no public comment.

Upon motion by Director Loverde, seconded by Director Doyle, the Board introduced and waived the reading setting of Ordinance 02-2022 regarding North Tahoe Fire Protection District setting fees for cost recovery of Fire and Life Safety activities. A roll call vote was taken. The vote was three in favor:

<i>Ayes:</i>	<i>Directors Doyle, Loverde and Ragan</i>
<i>Noes:</i>	<i>None</i>
<i>Abstain:</i>	<i>None</i>
<i>Absent:</i>	<i>Directors Baffone and Correa</i>

16. **[Future Planning with Meeks Bay Fire](#)**

Chief Leighton updated the Board on this item. It costs about \$22,000 for the LAFCO process. The Placer LAFCO Executive Officer has the authority to waive 50% of that fee, which she has done for us. He let the Board know that the District received a letter from Placer LAFCO informing us that we need to send a payment for the other 50% of the fee. We have already been assured that the 50% fee that we owe would be waived. Chief Leighton was instructed to formally craft and send a letter back to the Placer LAFCO Commissioners asking for the fee to be waived per the agreement, so there will be no cost to the process.

The Board asked if there is a proposed date for a joint board meeting. Chief Leighton responded by saying as of right now there is not a date. However, there is going to come a point in time where the Boards are going to have to make a decision after the Tax Code and after we figure out a negotiation process with El Dorado and Placer LAFCOs. We need to see what they are going to pitch in, and once we get to that point a joint board meeting will be appropriate.

There was a discussion between Board and staff. This was an informational item only. No Board action was taken.

17. **[Finance Report](#)**

- 17.1 [Purchases Journal](#)
- 17.2 [Breakdown of CalCard purchases](#)
- 17.3 [Gross payroll totals](#)
- 17.4 [Account Detail Report](#)

Finance and Administration Director Kim Eason presented on this item. She thanked PIO Erin Holland for her help on getting the liability insurance applications out.

She also pointed out that pay period 5 was one of the biggest pay periods the District has had. This is due to a \$53,000 retirement payout and we also had seven Strike Teams out which

acquired over-time.

There was a discussion between Board and staff. There was no public comment.

Upon motion by Director Doyle, seconded by Director Loverde, the Board approved the finance report dated September 27, 2022 and the supporting Items 17.1-17.4, as presented. The vote was three in favor.

Ayes: Directors Doyle, Loverde and Ragan

Noes: None

Abstain: None

Absent: Directors Baffone and Correa

18. **Staff Reports**

18.1 [Fire Chief](#)

18.2 [Division Chief - Operations /Training](#)

18.3 [Fire Marshal / PIO / Forest Fuels / Facilities](#)

18.4 [A Shift Battalion Chief - Emergency Medical Services](#)

18.5 [B Shift Battalion Chief - Safety](#)

18.6 [C Shift Battalion Chief - IT](#)

Chief Leighton told the Board that his report stands as is, but wanted to comment on the Mosquito Fire. The Mosquito Fire is currently 76,775 acres, 85% contained, and it has a little over 1200 people still assigned to it. It was somewhat of a threat to our District, being about 20 miles away. The line in the sand where we were going to have to take action was if it reached the Hell Hole reservoir area, which is about 10 miles away from the Basin. Staff was having regular meetings with the Basin Chiefs and went down to Placerville and Roseville a couple of times. He wanted to make sure we were visible and that our voices would be heard about our concerns in the event the fire got into the Basin.

Chief Whisler wanted to congratulate Captain Clyde Rust for promoting to a permanent position of Captain. We have also promoted Firefighter Wible and Firefighter McCurley to enter into the rank as Engineer upon the resignations of Engineers Frey and Braziel. We are in the process of putting on a Captains test in November, and we will be hosting an Engineers test in the Spring.

Fire Marshal Armstrong wanted to add to his report that he is very appreciative and blessed for the Prevention staff of for stepping up to the plate.

Fire Marshal Armstrong added to the Facilities report that at last Board meeting we asked for approval to go into a contract with a company to repair the roof at Station 53. After the competitive bidding process it was determined by the District that the best course of action would be for Facilities Coordinator Bjorn Beckman to coordinate the reroofing of Station 53 internally.

Battalion Chief Beatie was unable to attend this meeting, but Chief Whisler wanted to point out from his safety report that the District has decided to change PPE vendors for firefighter turnout gear. This change is due to the discovery of cancer-causing chemicals used in almost all turnout

gear, including our turnout gear. These chemicals are called Polyflouroalkyl Substances or PFAS. There is currently a strong push in the fire service to stop using these chemicals in turnout gear. Currently, there is only one manufacture that does not have PFAS in their turnout gear, FireDex. In the last month we have sized 11 personnel to receive these turnouts. FireDex will be our new supplier from this point forward and will be able to match our current turnout spec. FireDex is an established company who makes high quality turnouts used by many large busy fire departments around the nation. This purchase falls within the approved budget and will also continue the 10-year replacement plan already in place for turnout gear.

Staff reports were reviewed and no action was taken.

There was a discussion between Board and staff. There was no public comment.

19. **Next Board Meeting and Other Important Dates**

- *November 8, 2022 – regular Board meeting via GoToMeeting*
- *November 8, 2022 – Election Day*
- *December 13, 2022 – regular Board meeting*

20. **Board Comments/Information Items**

Regarding the December 13, 2022 Board meeting, Director Doyle would like to participate the meeting remotely. Counsel gave the rules and guidelines on how she will be able to patriciate out of the District.

21. **Adjournment**

There being no further business to come before the Board, the meeting was adjourned by Vice President Ragan at 8:43p.m.