

NORTH TAHOE FIRE PROTECTION DISTRICT

Regular Meeting of the Board of Directors
NTFPD Station 51 Public Safety Center
222 Fairway Drive
Tahoe City, California

Tuesday
December 5, 2023 – 3:30 p.m.

MINUTES

- 1. Call to Order** - *The meeting was called to order at 3:32 p.m. by President Baffone.*

Roll Call

Attending:

Board Present

Directors Baffone, Correa, Doyle, and Ragan. A quorum was established.

Staff Present

Fire Chief Steve Leighton

Legal Counsel Steve Gross

Division Chief Alan Whisler

Division Chief Brent Armstrong

Director of Finance and Administration Kim Eason

Battalion Chief Scott Sedgwick

Battalion Chief Jamie Sheppard

Captain Paul Moen

Engineer Kevin Gilley

Forest Fuels Manager April Shackelford

Administrative Assistant II/PIO Erin Holland

Administrative Assistant II/Clerk of the Board Melissa Daniels

Public

None

- 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** – no public comment.

5. **Approval of Minutes from the regular Board meeting held November 7, 2023**

No change was requested from the Board. There was no comment from the public.

Upon motion by Director Ragan, seconded by Director Baffone, the Board approved the Minutes from the Regular Board meeting held November 7, 2023. A roll call vote was taken. The vote was three in favor:

Ayes: Directors Baffone, Correa, and Ragan

Noes: None

Abstain: Director Doyle

Absent: Director Loverde

6. **Correspondence**

President Baffone went over the thank you note received since the last Board meeting.

7. **Public Hearing on the Five-Year update of the Fire Facilities Impact Fee Study; and the Capital Facilities and Mitigation Expenditure Plan for Fiscal Year 2023/2024**

Chief Armstrong presented this item to the Board. At the last Board meeting, the District brought in Cindy Yan from Goodwin Consulting Group who gave a presentation on the Five-Year update to the Fire Facilities Impact Fee Study. As part of the presentation, the District did want to approach all of the stakeholders, such as people from our construction community including the Contractor Association of Tahoe Truckee (CA-TT). Chief Armstrong contacted the Executive Director at CA-TT and had some email exchanges but did not hear anything back and they are not present at tonight's meeting. Due to this, Chief Armstrong assumes that they must agree with what is being presented tonight. The other portion of this agenda item is the Capital Facilities and Mitigation Expenditure Plan, which is updated annually with five-year budget projections and a current fee schedule. 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 is adopted first by the District Board of Directors and then by the Placer County Board of Supervisors. This was last completed in FY 2022/2023. This time around, staff is asking the Board to adopt the Study first, which then supports the Plan which will also need to be adopted by the Board.

It is reasonable to assume that as more building space is constructed throughout the District, the level of responsibility of the District to service and protect the buildings and its occupants grows. With this growth, there is a clear need for the District to construct, expand, and purchase additional fire facilities and apparatus to serve the district.

In this five-year nexus study, the fee methodology uses a standard-based approach to calculate the Fire Fee. With a standard-based approach, the cost of all existing facilities is allocated to all existing development in the District. To ensure that all costs are relative in today's dollars, existing facilities are valued at replacement cost. Dividing the total cost of all District facilities

by the total sum of all development in the District, produces a uniform fee that allocates a fair share of the facilities cost among all development in the District on a per-square foot basis. When impact fees are calculated, an analysis must be presented in enough detail to demonstrate that logical and thorough consideration was applied in the process of determining how the fee relates to the impact created by new development.

If the Board approves the adoption of these Resolutions, we will need to take them to the Placer County Board of Supervisors for their approval, and once approved the new rates will go into effect 60 days after that approval. This will be around March of 2024.

The Public Hearing opened at 3:45 p.m.

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

Director Doyle asked when this goes to Placer County, are we going to be at the top end at that point because we are in Tahoe and construction costs are so high? Chief Armstrong answered by stating that he asked a very similar question to the Goodwin consultant. It is a challenging question to answer because we are in a very unique environment. When you compare us to Roseville’s Mitigation Fee’s, we are in line with Roseville’s, even with our extremely high construction costs. He does not know how the Placer County Board of Supervisors will hold this item at their meeting, it could be a consent item as it has been in the past, but that is up to the County. Director Doyle asked if Chief Armstrong foresees any red flags from the County and Chief Armstrong replied that he does not. He believes that if this item is approved tonight, it will be a procedural thing moving forward with the County.

The Public Hearing closed at 3:50 p.m.

The District’s Legal Counsel Steve Gross addressed the Board with two recommendations for Resolution 17-2023 and Resolution 18-2023. He recommended the addition of two words, “*adopts and*” be inserted in the clause at the bottom of both resolutions where it reads “Now, Therefore It Be Resolved”.

Resolution 17-2023 Adopting the Five-Year Update to the Fire Facilities Impact Fee Study; and Resolution 18-2023 Adopting the 2023/2024 Capital Facilities and Mitigation Fee Expenditure Plan

Upon motion by Director Doyle, seconded by Ragan, the Board adopted Resolution 17-2023 which adopts the Five-Year Update to the Fire Facilities Impact Fee Study; adopted Resolution 18-2023 which adopts the 2023/2024 Capital Facilities and Mitigation Fee Expenditure Plan; and added the words “adopts and” in both Resolutions. A roll call vote was taken. The vote was four in favor:

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

8. [Public Hearing to adopt Resolution 19-2023 authorizing the schedule of Cost Recovery Fees](#)

The Public Hearing opened at 3:52 p.m.

Chief Armstrong presented this item to the Board. 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.

The proposed Cost Recovery Fee schedule does not include any new line items, but it does include a new hourly rate of \$182.00, which will be an increase from the current hourly rate of \$155.00. The District is using the same formula to calculate the hourly rate as it has in the past.

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

The Public Hearing closed at 4:02 p.m.

Upon motion by Director Doyle, seconded by Director Ragan, the Board adopted Resolution 19-2023 setting fees for cost recovery of Fire & Life Safety activities. The vote was four in favor.

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

9. [Consider Resolution 20-2023 establishing the time and dates for the regular meetings of the North Tahoe Fire Protection District Board of Directors and further establishing its rules of procedure](#)

This is a housekeeping item. The regular meetings of the Board of Directors are set for the fourth Tuesday of each month, with the exception of the November and December meetings to be held on the first Tuesday of the month. Each regular meeting will begin at 3:30 p.m.

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

Upon motion by Director Ragan, seconded by Director Baffone, the Board adopted Resolution 20-2023 establishing the time and dates for the regular meetings of the North Tahoe Fire Protection Board of Directors. A roll call vote was taken. The vote was four in favor:

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

10. Consider approving the 2024 Salary Scales pursuant to the current Memorandum of Understanding

Chief Leighton presented this item to the Board. Salary scales are required to be updated each year to match the provisions of the 2024-2028 Memorandum of Understanding. Per the advice of legal counsel, the District is bringing the salary scales separately to Board for transparency, even though they have already been approved and accounted for in the budget that was approved in September. It is also posted on the website every year.

Chief Leighton thanked the negotiating team for a very successful negotiation. They had a plan that included very open and transparent conversations during this process and the Salary Scales are a result.

Director Doyle added this is a large jump for year one, but it is designed that way to bring parity to other districts, encourage staff retention, and for recruiting purposes. It is a five-year contract with a set 5% increase for years two, three, four, and five. She believes this will be much easier to calculate on the administrative end.

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

Upon motion by Director Doyle, seconded by Director Ragan, the Board approved the Represented, Unrepresented, and Part-Time Pay Salary Scales pursuant to the current Memorandum of Understanding. A roll call vote was taken. The vote was four in favor:

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

11. Receipt of Notice From Alpine Springs County Water District to the North Tahoe Fire Protection District for the Termination of Agreement of Fire Protection, Emergency Medical and Related Services

Chief Leighton addressed the Board regarding this item by stating that the Board minutes from November's meeting, where this item was on the agenda, were comprehensive and included everything that was discussed, but staff wanted to give Directors Correa and

Doyle a chance to hear what they missed at that meeting. Chief Leighton wanted to have Chief Armstrong briefly talk about what was discussed and then have himself and Legal Counsel fill in the blanks as there have been some developments.

Chief Armstrong touched on and highlighted some information that was discussed at last month's meeting.

Chief Leighton stated that he received a text message from Alpine Springs County Water District's (ASCWD) General Manager Joe Mueller asking if they could meet. On November 20th, Chief Leighton and Mr. Mueller met. During the conversation, Chief Leighton made it perfectly clear that the District never wanted to be in the position we are in, and we want to continue to provide fire protection to the Alpine Springs area as we have successfully for many years. North Tahoe Fire is basically the only agency that can successfully provide services to ASCWD due to our close proximity and depth of resources. Chief Leighton stated that Mr. Mueller has reached out to Truckee Fire, Olympic Valley Fire, and CAL FIRE inquiring if they could provide services to ASCWD. All those agencies stated that they were not interested in providing that service and ASCWD needs to work out their differences with North Tahoe Fire because they are in the best position logistically with adequate resource depth to provide that service to the Alpine Springs area. There were further discussions at this meeting regarding the possibility of adding new language to the contract as to the staffing at Station 56 and the possibility of an annexation.

Chief Leighton continued that Legal Counsel Steve Gross has been in contact with ASCWD's attorney, and he has had a couple of different conversations with Chief Leighton in the last week. Chief Leighton stated that Legal Counsel Gross has some good ideas that he wanted to bring to the Board for either suggestions or advice on what they would like staff to do regarding this situation. Legal Counsel Gross addressed the Board and gave them details from his conversations with ASCWD's attorney and explained his ideas for how to move forward with ASCWD, these include the possibility of ASCWD rescinding their letter of termination of services, a new MOU between North Tahoe Fire and ASCWD, or pursuing an annexation. There was a discussion between the Board and staff.

The Board agreed that Legal Counsel Gross should compose an email to send to the ASCWD Board and staff which will include the following:

1. ASCWD will need to rescind their letter of termination by a certain date;
2. North Tahoe Fire wants to amend the current contract to the terms decided by the Board;
3. We agree to mutually and aggressively pursue annexation with a target date for completion.

Before the email is sent, the Board would like Chief Leighton to review it as well.

This is for informational purposes only. There was a discussion between Board and staff.

12. [Future planning with Meeks Bay Fire](#)

Chief Leighton updated the Board on this item. We have made more progress in the last two months than we have in two years in this process. What we have done to date so far is establish a

Task Force Committee whose members include Meeks Bay Fire Board Directors Miller and Fielding, North Tahoe Fire Board Directors Baffone and Doyle, Chief Leighton, Director of Finance and Administration Eason, and El Dorado County's Assistant CAO Hennike and Principal Management Analyst Alison Winter. This is a result of Placer LAFCO giving a deadline of April 1st or they will cancel the project and we will have to start the process over again. So, there have been five meetings scheduled with the task force, and there have been three meetings to date. The next two meetings are scheduled for December 15th and January 3rd. El Dorado County has come up with a proposal, and North Tahoe's Board and Meeks Bay's Board members in the committee are going to propose a counteroffer at the next meeting. Chief Leighton is optimistic that we will reach the finish line.

This item was for informational purposes. No Board action was required, but there was a discussion between Board and staff. There was no public comment.

13. Finance Report

- 13.1 [Purchases Journal](#)
- 13.2 [Breakdown of CalCard purchases](#)
- 13.3 [Gross payroll totals](#)
- 13.4 [Account Detail Report](#)

Finance and Administration Director Kim Eason presented on this item. The main focus in October was getting ready for the annual audit. She reminded the Board that they will be receiving an email from the County in January to complete their Form 700's and the Board will need to have everything submitted by April 1st.

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

Upon motion by Director Baffone, seconded by Director Ragan, the Board approved the finance report dated December 5, 2023 and the supporting Items 13.1-13.4, as presented. The vote was four in favor.

14. Staff Reports

- 14.1 [Fire Chief](#)
- 14.2 [Division Chief – Operations / Training](#)
- 14.3 [Division Chief – Fire Marshal / Forest Fuels / PIO / Facilities](#)
- 14.4 [A Shift Battalion Chief - Emergency Medical Services](#)
- 14.5 [B Shift Battalion Chief - Safety](#)
- 14.6 [C Shift Battalion Chief - Logistics](#)

Staff reports were reviewed and no action was taken. There was a discussion between Board and staff. There was no public comment.

15. Next Board Meeting and Other Important Dates

- *January 23, 2024 – regular Board meeting*
- *February 27, 2024 – regular Board meeting*
- *March 26, 2024 – regular Board meeting*

There was no Board or public comment.

16. Board Comments/Information Items

There were no board comments or information items.

17. CLOSED SESSION ITEM

- a) In the open session, the Board identified Chief Leighton as its designated representative.

The Closed Session began at 5:53 p.m.

- b) CONFERENCE WITH LABOR NEGOTIATORS: Agency Designated Representative: Chief Leighton: All Unrepresented Employees. Pursuant to Government Code Section 54957.6

The Closed Session ended and opened the Regular Session at 6:36 p.m.

18. Report of any item taken in closed session

No action was taken in closed session.

19. Adjournment

There being no further business to come before the Board, the meeting was adjourned by President Baffone at 6:37 p.m.