

**Special Joint Meeting of the Boards of Directors
Meeks Bay Fire Protection District
North Tahoe Fire Protection District
Monday, April 15, 2019 -- 3:00 p.m.
222 Fairway Drive, EOC
Tahoe City, CA 96145**

MINUTES

1. Call to Order

The meeting was called to order at 3:05 p.m. by NT Fire Board President Baffone.

2. Roll Call

Attending:

Board Present

NT Fire Directors Baffone, Correa, Doyle, and Loverde. A quorum was established.
MB Fire Directors Miller and Warmack

Staff Present

NT Fire Chief Schwartz
MB Fire Chief and NT Division Chief Steve Simons
Director of Finance Kim Eason
Battalion Chief Al Whisler
Battalion Chief Steve McNamara
Captain Naman Beatie
Captain Dan Gomez
Captain Mike Hacker
Captain Sarah Lagano
Captain Scott Sedgwick
Captain Jamie Sheppard
Captain Scott Whitham
Engineer Jeremiah Meadows
Engineer Paul Moen
Engineer John Perhacs
Engineer Scott Worl
Firefighter Will Marshman
Firefighter Josh McCurley
Firefighter Curtis Smith
Firefighter Ted Soloski
PIO Erin Holland
Administrative Assistant I/Clerk of the NTF Board Kelly McElravey

Public

Dave Arnett, Arnett Construction & Design
Michelle Baxter, Placer County Sheriff
Ellie Beals, Citizen
Kris Berry, Placer County LAFCO
Steve Gross, NTFPD Legal Counsel
Jose Henriquez, El Dorado LAFCO
Korie Kromydas, Community Member/Leo's Electric
Lolly Kupec, Wild West Communications
Kurt Latipow, ESCI
Gail Latipow, ESCI
Bill Ross, LAFCO-specialist, Legal Counsel
Skip Thomas, Citizen

3. Additions to Agenda/Approval of Agenda.

The agenda was accepted by both Boards as posted.

4. Pledge of Allegiance

5. Public Comment

North Tahoe Fire received an email from Sue H., El Dorado County, in support of reorganization.

6. Review of the two reports prepared by Emergency Services Consulting International (“ESCI”) in 2018:

• **Standards of Coverage and Deployment Plan**

Chief Schwartz introduced Kurt Latipow from ESCI who summarized the Plan and recommended direction towards a functional reorganization of the two fire districts.

There was a Q&A session between Board and staff regarding specific items. Staff provided information. There was no public comment.

• **Performance Review and Examination of Alternative Governance Models**

Kurt mentioned that former staff member, Dawn Middleton, put this report together, focusing on the LAFCO portion, along with CPA Joe Parrot and Kurt. Kurt summarized the alternate governance models and reiterated that the current contract between North Tahoe Fire and Meeks Bay Fire streamlines the fire and EMS services. He also mentioned that the current operations are functionally consolidated.

Chief Schwartz pointed out the savings for the two Districts acting as one as identified in the updated study. These items were not initially identified in August 2018. The contract took both MBF and NTF out of deficit spending. By sharing resources, both Districts have saved approximately \$350,000. If reorganization takes

place, resources will be further streamlined (i.e., eliminating duplicate costs for Board administration, Prevention, liability insurance, IT, audits, etc.).

Bill Ross stated that when LAFCO is involved, there will be a discussion about moving boundaries of government. There will be ample opportunity for the public to give opinions. LAFCO has jurisdiction to decide as to the most efficient way to provide services to the public.

There was a Q&A session between Board, Public, and staff regarding specific items. Staff provided information.

7. Discussion of Terms and Conditions. Q&A session with Attorney William Ross, El Dorado County LAFCO Executive Officer Jose Henriquez, and Placer County LAFCO Executive Officer Kris Berry.

Chief Schwartz introduced attorney William “Bill” Ross, Jose Henriquez (El Dorado County LAFCO), and Kris Berry (Placer County LAFCO).

Mr. Henriquez explained the difference of the terms “merger”, “consolidation”, and “reorganization”. “Merger” means taking a district and making it subservient to the city, which doesn’t apply here. “Consolidation” is when, legally, both districts cease to exist and the new district covers all areas within the boundaries of the new district. That is also not what we’re considering. “Reorganization” is when more than one LAFCO action is required. MBF would dissolve as an entity, and NTF would annex them. “Reorganization” is the correct term to use here.

He explained the reorganization process. There will be multiple opportunities for public input along the way. First, both Boards need to adopt resolutions and file applications with the LAFCO handling this issue. LAFCO would then hold two hearings:

1) An approval hearing (public) where the LAFCO Commission considers all facts and determines whether or not to approve the change of boundaries. Both Districts petition each LAFCO to annex MBF to NTF. Public testimony is taken into consideration. If denied, the hearing is closed and the change of boundaries is denied. If approved, then reconsideration takes place, wherein any member of the public within either District can ask LAFCO to reconsider. New facts must be presented that were not previously considered. The public has 30 days to submit reconsideration request; and

2) An authority hearing where registered voters and landowners can submit a protest to the LAFCO hearing. There is a form, and LAFCO notifies everybody if a protest is submitted. The form must be formally submitted within 30 days from the initial filing. LAFCO will count the number of protests. If 50% plus 1 of registered voters or landowners protest the action, then the LAFCO action is considered overturned. If less than 25% submit protests, then the LAFCO decision is upheld. If between 25% and less than 50% protest, then it goes to a ballot. If no ballot is turned in, then it’s considered a positive consent, and LAFCO can order the annexation without an election.

Public hearings have to be held within each county. Bill Ross mentioned that LAFCO's rule is that they will be held within "the affected territory", so the public hearings for Meeks Bay Fire could be held within the Meeks Bay Fire Protection District's boundaries. He said they could be conducted in the summer when the majority of property owners/registered voters are in the area.

El Dorado County LAFCO will most likely hold the first public hearing once they have received the Board resolutions and applications. Each LAFCO sends out a request for tax negotiation. Typically LAFCO actions have a CEQA exemption, as there is no heavy environmental work to be done. The timeline depends on how well organized the petitioners are. A new tax formula must be calculated. Applicants should go to El Dorado County from the get-go, so they can go through the property tax process. These processes can be concurrent and could take 4-4.5 months. Templates for the resolution and application have been given to NTF. The process could take 6-8 months if LAFCO receives everything they need. If the new boundaries are not well defined, there could be a delay. The process with Placer County LAFCO could take less time than that, depending on the tax exchange. Ms. Berry said to allow 21 days for the permitting process if there are planning issues.

Regarding Boards of Directors, they would be combined into one, which can be increased or stay as a five-member Board. MBF Board members serve "at large" while NTF Board members serve by area. Mr. Henriquez mentioned that it depends on LAFCO conditions. The Commission can approve the Board be set up with or without conditions. Applicants can ask the Commission to set up different board sizes. If/when the fire districts come together, the Board will most likely be temporarily expanded, and, in time (with attrition), it would return to a five-member Board. Mr. Henriquez also said that the Boards can set terms stating that reorganization is contingent upon establishing a larger board.

If the two Districts decided not to reorganize, service would not be disrupted because they currently have a contract. Chief Schwartz, President Baffone, and President Miller agreed that the Districts have done a good job working together. The Districts could keep things status quo, but the plan is do better.

Mr. Henriquez suggested the Board form a joint advisory committee for making recommendations to both Boards.

Captain Whitham and Captain Sheppard spoke on behalf of NTPFA. They stressed that the employees support reorganization. There has been considerable improvement of service to all. The two Districts would be better together. In 2014, Captain Hacker worked by himself at Station 61. By joining forces, operations have tremendously improved, and annexation would only improve us more. This would elevate us to the next, better level. We are going out of county to fight fires, and we want to make sure we are in the best possible situation to fight fires here as well.

President Miller stated that, aside from constituents, the firefighters are number one. It is a high priority to have the equipment they need. The MBF Board supports the firefighters.

Chief Simons stated he is extremely proud of how well and how quickly both districts and labor groups came together to improve service delivery, staffing, and training over the last five years. He views comments such as “Things are going really well”, and “We should just keep things the way they are.” as true complements, but he stressed, that there is still a lot of extra work being done behind the scenes at the administrative level that is still inefficient with a lot of duplicated efforts. Budget preparation and finance management is just one of the biggest impacts on staff time. There is still a significant amount of redundancy and inefficiency that could be reduced by a formal merger. We are to a point in the relationship where we have accomplished a lot of the biggest challenges, but these remaining complications are more difficult to quantify, because they are related to staff time, and the unique differences still in place.

There was a Q&A session between Board and LAFCO staff regarding specific items. Staff provided information. There was a Q&A session with the public.

8. Discussion and possible action to provide direction to staff in regards to possible reorganization of the North Tahoe Fire and Meeks Bay Fire Protection Districts.

President Miller stated that since the Meeks Bay Fire Board did not have a quorum, he could not give any direction to staff regarding a proposed resolution and application. MBF will discuss this at their regular Board meeting on April 24.

Battalion Chief McNamara suggested draft resolutions and applications for each Board should be prepared for the next regular Board meeting. These will allow the process to continue moving forward.

President Baffone agreed to have the draft resolution and application available to discuss at the next regular meeting. No action was taken today.

9. Next Joint Board Meeting Dates

President Miller suggested the two Boards meet jointly more often and on a regular basis regardless of the outcome regarding reorganization. Because there was not a quorum of the MBF Board, no schedule was set.

10. Adjournment. *The meeting was adjourned at 5:54 p.m.*