

Loveland Fire Rescue Authority Board Meeting



**Station 2
3070 W. 29th Street
Community Room
Loveland, Colorado 80537
Wednesday, January 17, 2016**

1:30 PM



Loveland Fire Rescue Authority (LFRA) Board Meeting Agenda
Station 2, 3070 W 29th Street
Community Room
Loveland, Colorado 80537
Wednesday, January 27, 2016
1:30 PM

The Loveland Fire Rescue Authority (LFRA) is committed to providing an equal opportunity for services, programs and activities and does not discriminate on the basis of disability, race, age, color, national origin, religion, sexual orientation or gender. LFRA contracts with the City of Loveland for assistance with translation, discrimination concerns, and Americans with Disabilities Act accommodations. Please contact the City of Loveland Title VI Coordinator at TitleSix@cityofloveland.org or 970-962-2372 for translation services and discrimination concerns. LFRA will make reasonable accommodations for citizens in accordance with the Americans with Disabilities Act (ADA). For more information on ADA or accommodations, please contact the City of Loveland ADA Coordinator at bettie.greenberg@cityofloveland.org or 970-962-3319.

La Autoridad de Rescate de Incendios de Loveland (LFRA, por sus iniciales en inglés) se compromete a proveer oportunidades equitativas para servicios, programas, y actividades, y no discrimina basándose en discapacidades, raza, edad, color, origen nacional, religión, orientación sexual, o género. La LFRA tiene contratos con la Ciudad de Loveland para recibir asistencia para traducciones, en caso de preocupaciones de discriminación, y de acomodaciones de la Ley de Americanos con Discapacidades. Por favor comuníquese con el Coordinador del Título VI de la Ciudad de Loveland en TitleSix@cityofloveland.org o al 970-962-2372 si necesita servicios de traducción o tiene preocupaciones de discriminación. La LFRA organizará acomodaciones razonables para ciudadanos de acuerdo con la Ley de Americanos con Discapacidades (ADA, por sus iniciales en inglés). Si desea más información acerca de la ADA o acerca de las acomodaciones, por favor comuníquese con la Coordinadora de la Ciudad de Loveland en bettie.greenberg@cityofloveland.org o al 970-962-3319.

Wireless access: COLGuest, accesswifi

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

AWARDS AND PRESENTATIONS - FIRE CHIEF'S DISTINGUISHED MERIT AWARD TO MEARA COCHRAN

PUBLIC COMMENT

CONSENT AGENDA

Anyone in the audience will be given time to speak to any item on the Consent Agenda. Please ask for that item to be removed from the Consent Agenda. Items pulled will be heard at the beginning of the Regular Agenda. You will be given an opportunity to speak to the item before the Board acts upon it.

Public hearings remaining on the Consent Agenda are considered to have been opened and closed, with the information furnished in connection with these items considered as the only evidence presented. Adoption of the items remaining on the Consent Agenda is considered as adoption of the staff recommendation for those items.

Anyone making a comment during any portion of today's meeting should come forward state your name and address for the record before being recognized by the Chair. Please do not interrupt other speakers. Side conversations should be moved outside the meeting room. Please limit your comments to no more than five minutes.

1. Consider a Motion to Approve the Minutes from the Loveland Fire Rescue Authority Board for the December 16, 2015 Regular Board Meeting.



Loveland Fire Rescue Authority (LFRA) Board Meeting Agenda
Station 2, 3070 W 29th Street
Community Room
Loveland, Colorado 80537
Wednesday, January 27, 2016
1:30 PM

2. Notification of the Patient Protection and Affordable Care Act: Employer Shared Responsibility Provision

End of Consent Agenda

REGULAR AGENDA

Anyone who wishes to address the Board on any item on this part of the agenda may do so when the Chair calls for public comment. All public hearings are conducted in accordance with Board By-Laws. When Board is considering approval, the Authority's By-laws only requires that a majority of the Board quorum be present to vote in favor of the item.

3. Consider a Motion to Approve Requesting the 4th Amendment to the Formulation IGA to Change the Budget Adoption Process
4. Review Briefing Papers and Correspondence
 - a. Chief's Report
 - b. Letters
 - c. December Statistics
5. Any Other Business for Board Consideration

ADJOURN

NOMINATIONS

FIRE SAFETY AWARDS

TYPE OF RECOGNITION:

COMMUNITY MERIT/CERTIFICATE OF APPRECIATION AWARD

Recognizes or thanks individual/business for their assistance or extraordinary support of the Fire Department

FIRE MARSHAL'S FIRE SAFETY COMMENDATION

Recognizes individual/business which is proactive in its approach to fire safety and demonstrates a commitment to the protection of their people, property and/or the community.

X FIRE CHIEF'S DISTINGUISHED MERIT AWARD

Presented to an individual who has chosen to take action which directly contributed to the preservation of life or property.

TO BE NOMINATED: Meara Cochran

ORGANIZATION: _____

NOMINATED BY: Chris Sandoli

WHY: Meara noticed a fire at a neighbor's house and notified her mother. While her mother called 911 Meara went to the neighbor's house and notified them of the fire and got them out of the house. The neighbors were unaware of the fire. Because of Meara's quick actions the fire department had early notification and the homeowners and their possession's where saved.



Agenda Item Cover

Item No.: 1

Meeting Date: January 27, 2016

Prepared By: Renee Wheeler, Administrative Director

TITLE

Consider a Motion to Approve the Minutes from the December 16, 2015 Loveland Fire Rescue Authority (LFRA) Regular Board Meeting

EXECUTIVE SUMMARY

The attached documents, prepared by Roylene Sterkel, are a record of the December 16, 2015 regular meeting of the LFRA Board. The document details the discussions at the meeting including: the consent agenda (Minutes, Meeting Posting Location, Appropriate a 2016 Supplemental Budget); Heart Safe Program presentation and support; change the meeting calendar to show meetings starting at 1:30 PM rather than 1:00 PM; Sworn and Non-Sworn 401 and 457 pension document approval, the Chief's Report, Board Member Representation, City of Fort Collins placing a hold on their contribution to the ARFF Engineer position at the airport until the carrier resumes flights, information on public safety radios within the Northern Colorado Radio Communications Network, and staff passed out a feedback form to get the Board members to consider LFRA performance feedback at the January 27, 2016 Planning Workshop.

BACKGROUND

Standard meeting protocol

STAFF RECOMMENDATION

Approve as written

FINANCIAL/ECONOMIC IMPACTS

N/A

ASSOCIATED STRATEGIC GOALS

N/A

ATTACHMENTS

December 16, 2015 Minutes



Loveland Rural
Fire Protection
District

Loveland Fire Rescue Authority Board Meeting Minutes
Wednesday, December 16, 2015
3070 W. 29th Street, Loveland
1:00 p.m.

Members Present:

Board Chairman Jeff Swanty, Loveland Rural Fire Protection District
 Vice Chairman Cecil Gutierrez, City of Loveland Mayor
 Director Bill Cahill, Loveland City Manager
 Director Dave Legits, President of the Loveland Rural Fire Protection District

Members Absent:

Director John Fogle, City of Loveland Council Member

Staff Present

Rural Board Secretary Greg White
 Fire Chief Mark Miller
 Division Chief Greg Ward
 Division Chief Ned Sparks
 Public Safety Admin. Director Renee Wheeler
 Assistant City Attorney Moses Garcia
 BSC Roylene Sterkel

Visitors:

Attorney Dino Ross
 Human Resources Director Julia Holland
 Battalion Chief Michael Cerovski
 Captain Eric Klaas
 Mike McKenna

Call to Order:

Chairman Swanty called the Loveland Fire Rescue Authority Board meeting to order on the above date at 1:05 p.m.

Awards & Presentations:

None

Public Comment:

None

Consent Agenda:

1. Consider a motion to approve the minutes from the Loveland Fire Rescue Authority November 18, 2015 Regular Board Meeting.
2. Consider a Motion to Approve the Board Meeting Calendar for 2016.
3. Consider Adoption of a Resolution to Set the Meeting Posting Location for 2016.
4. Consider Adoption of a Resolution to Appropriate the 2016 Supplemental Budget. A public hearing was posted and considered held on November 18, 2015.

Chairman Swanty asked to pull item 2 from the Consent Agenda for further clarification and more discussion later in the meeting.

Vice Chairman Gutierrez moved to approve the consent agenda with item 2 pulled for more discussion. Director Legits seconded the motion and it carried.

Chief Miller introduced Captain Eric Klaas to share information relative to a “Heart Safe” program that LFRA, Loveland Police, Thompson Valley EMS and Thompson R2-J School District are working on. The goal is to make Loveland a “Heart Safe City” by educating the community about Hands-On CPR and getting as many AED’s in commercial buildings as possible. Captain Klaas said if CPR and/or defibrillation can be initiated within the first 5-minutes of an incident, it can increase the potential of a successful outcome by 50%. One of the missing links so far is PulsePoint which is a free mobile app that notifies CAD and in turn immediately alerts CPR-trained bystanders and lets them know the location of the closest AED. The process will only deal with incidents within commercial (business) buildings, not residential. Thompson R2-J School District is working toward making CPR a requirement for all high school students. The “Heart Safe” program is funded through donations and/or agencies that use the system. There is an \$18,000 start-up licensing fee and then \$8,000/yr. for maintenance.

Chief Miller said that Vail uses the program and it has become very successful there with huge donations for AEDs.

Director Cahill moved to give conceptual support for the program today and address the financial issues at a later date once they have been identified. Vice Chairman Gutierrez seconded the motion and it carried unanimously.

Regular Agenda:

5. Consider a Motion to Authorize the Board Chairman to Sign the Non-Sworn, Sworn, and 457 ICMA Pension Document and,
6. Consider a Motion to Authorize the Board Chairman to Sign the Fire and Police Pension Fund 457 Deferred Compensation Plan.

HR Director Holland informed the Board that the three documents include the Non-Sworn Money Purchase Plan, the Sworn Money Purchase Plan and the 457 Deferred Compensation Plan (the "retirement plans"), and these retirement plans mirror the retirement plans that

the LFRA personnel previously were offered when they were employees of the City.

Asst. City Attorney Garcia informed the Board that the Money Purchase Plans needed 65% approval from the participants, which has been received.

Vice Chairman Gutierrez moved that the LFRA Board approve the retirement plans, designating the LFRA as plan sponsor, and further authorize the Chairman to sign and execute the following retirement plan documents as presented:

- 401(a) Non-Sworn Money Purchase Plan Account 108432
- 401(a) Sworn Money Purchase Plan Account 106726
- 457 Fire and Police Pension Plan for paid LFRA personnel

Director Legits seconded the motion and it carried unanimously.

7. Consider a Motion to Approve an Engagement Agreement with Ireland Stapleton to Provide General Counsel Legal Services in 2016.

Chief Miller said that he and Public Safety Admin. Director Wheeler had a phone conference call with Ireland Stapleton regarding what the retainer portion of the contract would cover since the Board had some concerns about that during the last Board meeting. Attorney Ross said that the retainer will cover routine matters such as attending one Board meeting per month, reviewing minutes, preparing Attorneys' Reports, providing periodic legal updates, and reviewing routine contracts and resolutions that are based on previously standardized and reviewed forms. The cost of the retainer was increased from \$1,000 to \$1,250 per month to account for the routine contract and resolution review, which is a service in addition to those ordinarily provided under Ireland Stapleton's retainer arrangements. Attorney Ross said they would like to review the Board minutes for any legal issues that may come up. Ireland Stapleton will provide an Attorneys' Report at each Board meeting regarding the legal activities they assisted with during the previous month. Attorney Emily Powell will be attending LFRA Board meetings as needed. It was agreed that the engagement agreement will be reviewed at the end of 6 months by both parties.

Chief Miller said that he and Public Safety Admin. Director Wheeler agreed with the \$1,250 retainer and expanded retainer services since it would include more of the type of issues LFRA has on a daily basis.

Director Cahill moved to approve the engagement agreement with Ireland Stapleton. Vice Chairman Gutierrez seconded the motion and it carried unanimously.

8. Conduct Nomination and Election of LFRA Board Officers.

Vice Chairman Gutierrez moved to nominate Jeff Swanty as the Chairman for the Loveland Fire Rescue Authority Board. Director Legits seconded the motion and it carried unanimously.

Director Cahill moved to nominate Vice Chairman Gutierrez as the Vice Chairman for the Loveland Fire Rescue Authority Board. Director Legits seconded the motion and it carried unanimously.

Director Cahill moved to nominate Roylene Sterkel as the LFRA Board Secretary. Vice Chairman Gutierrez seconded the motion and it carried unanimously.

Item 2 on the Consent Agenda.

Chairman Swanty said the Resolution before the Board today regarding the Board meeting dates and times for 2016 states 1:00 p.m., and he recalled that during the November meeting the Board discussing having the meetings start at 1:30 p.m.. Director Cahill said the meetings had been changed to 1:00 p.m. sometime in the past due to a conflict with him and the Vice Chairman Gutierrez having to attend an Airport meeting. Those meeting are no longer a conflict and so the 1:30 p.m. meeting time might work better for everyone. Vice Chairman Gutierrez agreed that the 1:30 p.m. start time would work for him.

Director Cahill moved to change the meeting start time to 1:30 p.m. Vice Chairman Gutierrez seconded the motion and it carried unanimously.

9. Review Briefing Paper and Correspondence.

Chief Miller said LFRA wants to recognize the two young men that rescued a women after she drove into **Lake Loveland**. He asked the Board if they felt we should do that at a Board meeting or perhaps a City Council meeting since the Police Department and Thompson Valley EMS were also involved with the incident. Chairman Swanty said he thinks it would be a good idea to do it at a City Council meeting.

Vice Chairman Gutierrez moved to do the award presentation at the January 5th City Council meeting, or the 2nd meeting in January if the recipients can't make the January 5th meeting. Director Cahill seconded the motion and it carried.

Chief Miller said that the **Radio Tower** project is moving forward and the steel will be ordered once the contract is approved.

Chief Miller said the **Training Center Annexation** is probably going to take 3-4 months to complete. There will need to be neighborhood meeting set up during the process.

Chief Miller reported that LFRA donated money to purchase a "Helmet Plaque" for retiring Police Chief Hecker.

10. Board Member New Business/Feedback.

Vice Chairman Gutierrez reported that Loveland City Council approved the **Boards and Commissions Liaison** list at their meeting last night. Councilor Fogle will be the new FRAC Liaison and Mayor Gutierrez will be the alternate. Mayor Gutierrez will be more involved with the Airport issues in 2016.

Chief Miller reported that **Elite Airlines** is reducing some of their flights for a couple of months. Fort Collins had agreed to partial funding for the airport, but has decided to wait on issuing the funds until the airline resumes all their flights.

Rural Board President White reported that the **Loveland Rural Fire Protection District Board** appointed Jeff Swanty and Dave Legits to the LFRA Board.

Director Cahill talked about **public safety radios** and the NCRCN group that he is a part of. There are 27 agencies that participate in the Northern Colorado Radio systems. Some agencies are on the State system and others are part of Front Range Communications Consortium (FRCC) system. There has been on-going dialogue over the different systems and which one agencies will go with. The Loveland City Council has been involved to some

degree and Vice Chairman Gutierrez said it is important for this Board to know the issues that need to be dealt with. There is no action required from the LFRA Board today.

11. Any Other Business for Board Consideration.

Public Safety Admin. Director Wheeler passed out a feedback form to the Board and asked them to complete it and bring it to the January Planning Meeting on January 27th.

Public Safety Admin. Director Wheeler passed out a preliminary Planning Meeting agenda. Director Legits indicated that referencing Rural Station 10 should probably be Station 7 instead. That would be the next appropriate station number.

No further items were discussed and Chairman Swanty adjourned the regular meeting at 2:05 p.m.

The foregoing minutes, having been approved by the Loveland Fire Rescue Authority Board of Directors, constitute the official minutes of the meeting held on the date stated above.

Jeff Swanty, Chairman

Roylene Sterkel, Secretary

Agenda Item Cover

Item No.: 2

Meeting Date: January 27, 2016

Prepared By: Renee Wheeler, Administrative Director



TITLE

Patient Protection and Affordable Care Act: Employer Shared Responsibility Provision

EXECUTIVE SUMMARY

This is an information memorandum from the Ireland Stapleton, LFRA attorneys, related to the Patient Protection and Affordable Care Act and the employer's responsibilities within that Act.

BACKGROUND

Excerpt from the memorandum that provides an overview of its purpose:

"Attached please find a Memorandum updating our July 2013 letter regarding the Patient Protection and Affordable Care Act's ("ACA") "employer shared responsibility" provision, which requires certain employers to offer "affordable" health care coverage to full-time employees and their dependents or face the possibility of paying a tax penalty. On February 10, 2014, the Internal Revenue Service ("IRS") issued final regulations on the employer shared responsibility provision ("Final Regulations"), some of which are different than the draft regulations that were available in July 2013. Most importantly, the Final Regulations delayed implementation of the employer shared responsibility provision until January 1, 2015 for employers with 100 or more full-time equivalent employees, and until January 1, 2016 for employers with between 50 and 99 full-time equivalent employees."

The attached Memorandum provides an overview of some of the most important pieces of the employer shared responsibility provision as established by the Final Regulations, and supersedes our July 2013 letter. However, the Memorandum does not cover every nuance of the ACA that may apply to the Authority. Moreover, please note that changes in the law occur frequently, especially with evolving laws like the ACA, and it is possible that additional changes may occur in the coming months or years. For these reasons, we encourage you to contact us with any questions or concerns, so that we may provide you with guidance specific to the Authority."

Of course this is our first edition of this memorandum since LFRA retained Ireland Stapleton as general counsel effective January 1, 2016.

STAFF RECOMMENDATION

Information Only

FINANCIAL/ECONOMIC IMPACTS

N/A

ASSOCIATED STRATEGIC GOALS

Deliver cost effective services.

ATTACHMENTS

Memorandum from Ireland Stapleton Dated January 15, 2016



717 17th Street, Suite 2800
 Denver, Colorado 80202
 303 • 623 • 2700 (phone)

Special Districts Practice Group:

Dino A. Ross, Esq.
 Michelle B. Ferguson, Esq.
 Kelley B. Duke, Esq.
 Emily J. Powell, Esq.
 Matthew A. Court, Esq.
 William E. Henderson, Esq.
 Tanya Mundy, Paralegal

January 15, 2016

VIA EMAIL

Board of Directors
 Loveland Fire Rescue Authority
 c/o Renee Wheeler

Re: The Patient Protection and Affordable Care Act: Employer Shared Responsibility Provision

Dear Board of Directors:

As part of our legal advisement services, attached please find a Memorandum updating our July 2013 letter regarding the Patient Protection and Affordable Care Act's ("ACA") "employer shared responsibility" provision, which requires certain employers to offer "affordable" health care coverage to full-time employees and their dependents or face the possibility of paying a tax penalty. On February 10, 2014, the Internal Revenue Service ("IRS") issued final regulations on the employer shared responsibility provision ("Final Regulations"), some of which are different than the draft regulations that were available in July 2013. Most importantly, the Final Regulations delayed implementation of the employer shared responsibility provision until January 1, 2015 for employers with 100 or more full-time equivalent employees, and until January 1, 2016 for employers with between 50 and 99 full-time equivalent employees.

The attached Memorandum provides an overview of some of the most important pieces of the employer shared responsibility provision as established by the Final Regulations, and supersedes our July 2013 letter. However, the Memorandum does not cover every nuance of the ACA that may apply to the Authority. Moreover, please note that changes in the law occur frequently, especially with evolving laws like the ACA, and it is possible that additional changes may occur in the coming months or years. For these reasons, we encourage you to contact us with any questions or concerns, so that we may provide you with guidance specific to the Authority. We also have included an Executive Summary for your convenience.

Sincerely,

IRELAND STAPLETON PRYOR & PASCOE, PC

Special Districts Practice Group

Special Districts Practice Group

Dino A. Ross
Michelle B. Ferguson
Kelley B. Duke
Emily J. Powell
Matthew A. Court
William E. Henderson

Executive Summary

A. Background

The Patient Protection and Affordable Care Act ("ACA") was signed into law on March 23, 2010. The ACA seeks to expand health care coverage and control health care costs through, among other measures, implementation of minimum standards for insurance policies and insurer practices; expansion of Medicaid coverage; implementation of health insurance exchanges offering competitive health insurance plans to individuals; and, a requirement that all individuals obtain health insurance coverage. To this end, the "employer shared responsibility" provision of the ACA requires "large employers" to either provide affordable health care coverage to full-time employees and their dependents or face a potential tax penalty.

B. Calculating Employer Size

The employer shared responsibility provision applies **only** to "large employers". A large employer is one with 50 or more "full-time equivalent" employees ("FTEs"). An employer's number of FTEs is equal to the number of its full-time employees plus the aggregate number of part-time employees that "add up to" full-time employees, based on the total number of part-time hours worked. For purposes of the ACA, a full-time employee is one who works an average of 30 hours or more per week in any given calendar month, or who works 130 total hours in a given calendar month.

When determining an employer's size, "variable hour" employees must be included in the calculation. However, an employer is not considered a "large employer" if it only employs 50 or more FTEs for 120 days or less during the year, and the excess over 50 FTEs during that period is due to the hiring of "seasonal employees", as that term defined in the ACA.

Bona fide volunteers are not considered employees, and volunteers' hours of service do not count toward employers' calculations when determining whether they are a "large employer".

C. Employees Entitled to Health Care Coverage

Large employers are required to provide affordable health care coverage only to full-time employees. Although part-time employees are counted for purposes of determining whether an employer is a "large employer", they are not entitled to employer-provided health insurance.

When determining whether a variable hour or seasonal employee qualifies as a full-time employee, employers may utilize an optional "look-back measurement method" or "monthly measurement method" to help determine the employee's full-time status. Both measurement methods require significant administrative calculation, and are discussed in the Memorandum.

D. Coverage Requirements

Employer-sponsored health care coverage must be "affordable". Coverage is considered "affordable" if the employee's required contribution to the plan does not exceed 9.5% of the

employee's household income for the taxable year. Because the definition of "household income" includes gross income of other members of the employee's family, which the employer likely does not know, the ACA includes three optional safe harbors that employers may use to determine whether the offered plan is affordable. The W-2 Safe Harbor, Rate of Pay Safe Harbor, and Federal Poverty Line Safe Harbor are described in the Memorandum.

Employer-sponsored health care coverage also must provide "adequate coverage". A plan provides "adequate coverage" if the share of costs that the plan is expected to cover is at least 60%. The Centers for Medicare & Medicaid Services website includes a calculator and instructions for determining whether a plan offers adequate coverage.

E. Potential Tax Penalties for Large Employers

Large employers that do not comply with the employer shared responsibility provision face the possibility of paying a tax penalty under one of two circumstances. First, the penalty provision is triggered when a large employer does not offer health care coverage to at least 95% of its full-time employees, and one or more of its full-time employees purchases insurance from an exchange and receives a federal premium credit. The monthly penalty under this circumstance is equal to the total number of the employer's full-time employees, minus 30, multiplied by one-twelfth of \$2,000.

Second, the penalty provision is triggered when a large employer offers health care coverage that either is not affordable or does not provide adequate coverage, and one or more full-time employees purchases insurance from an exchange and receives a federal premium credit. The monthly penalty under this circumstance is equal to the number of full-time employees who received a premium credit, multiplied by one-twelfth of \$3,000.

F. Notice and Reporting Requirements

All employers are required to provide all new employees with written notice concerning the following: (1) the existence of a health insurance exchange, including services and contact information; (2) the employee's potential eligibility for premium credits and cost-sharing subsidies if the employer plan's share of covered health care expenses is less than 60%; and, (3) the employee's potential loss of any employer contribution if the employee purchases a plan through an exchange. Model notices are available through the U.S. Department of Labor website.

Beginning in 2015 (with a reporting deadline in 2016), large employers also are required to submit an annual report to the IRS including information about the health care coverage it offers its full-time employees and certain information about the employees themselves. Employers satisfy this requirement in one of three ways: (1) by completing IRS Forms 1094-C and 1095-C; (2) by using a simplified method of reporting if the employer provides a "qualifying offer" (as discussed in more detail below) to any of its full-time employees; or, (3) by using an alternate simplified method of reporting if the employer offers affordable, adequate coverage to at least 98% of all employees, including part-time employees. In conjunction with this reporting requirement, employers must provide each full-time employee with a related written statement concerning the return, including the specific information included for that individual.



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Tanya Mundy, Paralegal

TO: Board of Directors
Loveland Fire Rescue Authority

FROM: Ireland Stapleton Pryor & Pascoe, PC
Special Districts Practice Group

DATE: January 15, 2016

RE: The Patient Protection and Affordable Care Act: Employer Shared Responsibility Provision

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I. Background

A. The Patient Protection and Affordable Care Act

On March 23, 2010, President Obama signed comprehensive health care reform, the ACA, into law. In addition to the employer requirements discussed in detail below, the ACA seeks to expand health care coverage and control health care costs through, among other measures: implementation of minimum standards for insurance policies and insurer practices; expansion of Medicaid coverage; implementation of health insurance exchanges offering competitive health insurance plans to individuals; and, a requirement that all individuals be covered by health insurance. Despite numerous state and federal legal challenges, including two cases that resulted in United States Supreme Court rulings,¹ the ACA remains largely intact.

B. Employer Shared Responsibility

Section 4980H of the Internal Revenue Code ("**Tax Code**"), better known as the "employer shared responsibility provision", is the section that may most directly impact the Authority as an employer. Section 4980H requires "large employers" to either provide affordable health care coverage to full-time employees and their dependents, or face a potential tax penalty. As detailed in this Memorandum, several complex issues arise from this seemingly straightforward requirement. For example, employers must determine whether they qualify as a "large employer", what is meant by "affordable" health care coverage, which employees must be offered health insurance, and under what circumstances the potential tax penalty may apply.

II. Calculating Employer Size

An important prerequisite to understanding how the ACA affects the Authority is determining whether you qualify as a "large employer". **Only large employers are required to provide affordable health care coverage or face a possible tax penalty.** If, after applying the following calculations to your workforce, you determine that the Authority is not a large employer, then the Authority does not have to offer health insurance to any of its employees and will not face a penalty pursuant to the ACA for failure to offer health insurance.

A. What is a "Large Employer"?

A large employer is one with 50 or more "full-time equivalent" employees (FTEs). Employers determine how many FTEs they have by first counting the number of their full-time employees. For purposes of the ACA, a full-time employee is one who works an average of 30 hours or more per week in any given calendar month, regardless of how the employer defines its full-time employees for any other purpose. Under the Final Regulations, 130 hours of service in a calendar month also is treated as the monthly equivalent of at least 30 hours of service per week.

¹ Of note, the United States Supreme Court ruling in *Burwell v. Hobby Lobby Stores, Inc.*, which found that an ACA regulation requiring employers to provide their female employees with no-cost access to contraception violates the Religious Freedom Restoration Act, only applies to closely held corporations, and therefore does not impact local governments, including the Authority.

Next, employers must take the total number of hours worked by all part-time employees (i.e., anyone who works, on average, fewer than 30 hours per week) in a calendar month and divide that total by 120. This calculation will yield an additional number of employees that must be counted as FTEs. Employers then calculate their total number of FTEs for purposes of determining whether the Authority is a large employer under of the ACA by adding together the number of its full-time employees and the number of additional part-time employee aggregates. The following example demonstrates the foregoing calculations:

Employer A employs 35 people working an average 30 hours or more per week, and 23 people working an average of 25 hours per week:

Step 1: Count the number of full-time employees working 30 hours or more per week. **This number is 35.**

Step 2: Calculate the number of part-time employee aggregates based on total hours worked by part-time employees. **This number is 19.2.**

The calculation: (a) 23 part-time employees x 25 hours per week x 4 weeks per month = 2,300 hours per month
 (b) 2,300 hours per month ÷ 120 = 19.2 part-time employee aggregates

Step 3: Add together the number of full-time employees and part-time employee aggregates. **This number is 54.2.**

The calculation: 35 full-time employees + 19.2 part-time employee aggregates = 54.2 full-time equivalent employees

In this example, Employer A is considered a "large employer" because it employs more than 50 FTEs. Therefore, the shared responsibility provision applies to Employer A.

Large employers who employ 100 or more full-time equivalent employees became subject to the employer shared responsibility provision beginning January 1, 2015, while large employers who employ between 50 and 99 full-time equivalent employees became subject to the employer shared responsibility provision beginning January 1, 2016.

B. Who is Counted as an Employee When Determining an Employer's Size?

When determining an employer's size, "variable hour" employees must be included in the calculation, but "seasonal" employees might not be. An employee newly hired by the employer is a "variable hour" employee if, based on the facts and circumstances at the employee's start date, it cannot be determined whether the employee is reasonably expected to work on average at least 30 hours per week. Factors to consider in determining whether an employee is reasonably expected to be employed on average at least 30 hours per week include, but are not limited to: (1) whether the employee is replacing an employee who was a full-time or variable hour employee; (2) the extent to which the hours of service of employees in the same or comparable

positions have actually varied above and below an average of 30 hours per week; and, (3) whether the job was advertised, or otherwise communicated to the new employee, as requiring hours of service that would average greater than or less than 30 hours per week, or would vary above and below 30 hours per week. No single factor is determinative.

If a new employee begins employment working more than 30 hours per week, but the period of employment at more than 30 hours per week is reasonably expected to be of limited duration, the employee can be considered a variable hour employee. Variable hour employees are counted toward an employer's size (i.e., whether the employer is a large employer), but determining whether variable hour employees are full-time (and therefore counted as one employee) or part-time (and therefore included in the part-time employee aggregate calculation) for purposes of calculating whether the Authority is a "large employer" depends on additional calculations, described below in Section III.

For purposes of determining whether an employer is a large employer, a "seasonal" employee is an employee in a position for which the customary annual employment is six months or less. "Customary", in this regard, means that by the nature of the position an employee in that position typically works for a period of six months or less, and that period should begin each calendar year in approximately the same part of the year (e.g., summer or winter). In limited circumstances, an employee may continue to be considered a seasonal employee even if the seasonal employment is extended in a particular year beyond its customary duration. An example provided by the Final Regulations is a ski instructor whose customary six-month employment is extended for an additional month due to an unusually heavy snow season. In that instance, the ski instructor would still be considered a seasonal employee.

An employer is not considered to be a "large employer" if the employer employs 50 or more full-time equivalent employees for only 120 days or less during the year, and the excess over 50 full-time equivalent employees during that period is due to the hiring of seasonal employees. However, if an employer's hiring of seasonal employees causes the employer to employ 50 or more full-time equivalent employees for longer than 120 days during the year, then the employer will be considered a "large employer".

C. How Are Volunteers Treated?

Importantly, bona fide volunteers are not considered employees, and volunteers' hours of service do not count toward employers' calculations when determining whether they are a "large employer". A bona fide volunteer includes any volunteer of a governmental entity whose only compensation from the entity is in the form of (1) reimbursement (or reasonable allowance) for reasonable expenses incurred in the performance of services by the volunteer, or (2) reasonable benefits (including length of service awards) and nominal fees, customarily paid by similar entities in connection with the performance of services by volunteers.

III. Employees Entitled to Health Care Coverage

If the shared responsibility provision applies, the next step is to determine which employees, if any, are entitled to employer-provided affordable health care coverage. However, employers

cannot be forced to provide health insurance to employees. Employers may, in lieu of providing health insurance, pay a tax penalty based on the formulas described in Section V.

If a large employer chooses to provide health insurance instead of paying the penalty, it must only do so for its full-time employees. Although counted for purposes of determining if an employer is a "large employer", part-time employees are not entitled to employer-provided health insurance. In most instances, employers can easily determine which employees qualify as full-time. However, employers may need to engage in additional calculations, separate and distinct from the calculations used to determine their size, to determine whether variable hour and seasonal employees are considered full-time or part-time.

The proposed regulations established an optional "look-back measurement method" of calculating an employee's full-time status. Under the Final Regulations, the IRS retained the look-back measurement method, but added an alternative (and optional) "monthly measurement method" to calculate full-time status. Although the monthly measurement method is intended to provide a simplified alternative to the look-back method, a number of questions have arisen about this alternative calculation. As a result, we recommend that you contact us if you wish to use the monthly measurement method, so that we can provide you with any additional guidance or clarification regarding this regulation that may become available.

A. Look-Back Measurement Method

Under the look-back measurement method, employers determine the full-time status of an employee during a future period of time (referred to as the stability period), based upon the employee's hours of service in a prior period of time (referred to as the measurement period). Employers also may utilize an optional administrative period in which they may enroll employees determined to be full-time in health care coverage. Each of these periods is described below in greater detail.

Measurement Period

The measurement period, also referred to as the look-back period, is a defined period of time between three and 12 consecutive months used to measure how many hours per week an employee worked on average. If an employee is determined to have worked at least 30 hours per week during the measurement period, the employee is considered full-time and is entitled to health care coverage.

Different classes of employees may be treated slightly differently when determining full-time status using a measurement period. First, employees who have been employed for at least one complete measurement period are considered "ongoing employees". Employers must use the measurement period—referred to as a "standard measurement period" for ongoing employees—to determine the average number of hours worked per week by the ongoing employee. Employers may determine when the measurement period starts and ends, so long as it is consistent and uniform for all employees falling within the same category. Furthermore, employers may use measurement periods of different lengths for the following categories of ongoing employees:

- Collectively bargained and non-collectively bargained employees;
- Each group of collectively bargained employees covered by a separate bargaining agreement;
- Salaried and hourly employees; and,
- Employees whose primary places of employment are in different states.

Second, employers also may use a measurement period for new variable hour and seasonal employees. For these classes of employees, the measurement period is referred to as an "initial measurement period", and it must begin between the employee's start date and the first day of the first calendar month following the employee's start date (or on the first date of the first payroll period starting on or after the start date, if later). Like a standard measurement period, an initial measurement period must be a defined period of time between three and 12 consecutive months. The difference between measurement periods for ongoing employees and variable hour employees on one hand, and seasonal employees on the other, is the manner in which they work in conjunction with the stability periods (described below). The purpose of the initial measurement period, however, is the same: to determine whether the employee worked an average of 30 hours per week throughout the defined period of time.

Finally, measurement periods are unnecessary for new employees reasonably expected to work full-time. Because the employer already expects that the employee will work at least 30 hours per week on average, the employer is required to provide health care coverage to this class of employees within three calendar months of their start date.

Administrative Period

At the conclusion of the measurement period, employers have the option of entering an administrative period. The administrative period is a period of time that allows the employer to determine which employees are eligible for coverage and to enroll employees in health care plans. For ongoing employees, the administrative period may last up to 90 days, but may neither reduce nor lengthen the measurement period or stability period. Instead, the administrative period overlaps with the prior stability period to prevent any gaps in coverage.

For variable hour and seasonal employees, the purpose of the administrative period is the same and the period also may last up to 90 days. However, the initial measurement period and administrative period cannot last beyond the final day of the first calendar month beginning on or after the employee's one year anniversary. Typically, this allows employers a total of 13 months for both the measurement and administrative periods for variable hour and seasonal employees.

Stability Period

All employees determined to be full-time employees during the measurement period must be provided health care coverage during the entire stability period, regardless of the number of hours they work during the stability period. Thus, employers cannot avoid providing coverage (or paying a tax penalty) simply by reducing an employee's hours during the stability period, once it has been determined that the employee was indeed full-time.

For ongoing employees, the stability period must be the longer of six months or the length of the standard measurement period.² For new variable hour and seasonal employees, the stability period must be the longer of six months or the length of the measurement period. If an employer fails to provide health insurance to employees determined to be full-time at the end of the measurement period, a potential tax penalty may be due during the stability period.

B. Monthly Measurement Method

As an alternative to the look-back measurement method, employers may utilize the monthly measurement method. Under this method, employers must determine each employee's full-time status by counting an employee's hours of service for each calendar month. If an employee averaged at least 30 hours of service per week in a given month, the employee is considered full-time and is entitled to an offer of health care coverage. It is unclear, however, how this method works in situations in which an employee works full-time hours in one month, and non-full-time hours the next month. Cancelling and reinstating health care coverage on a month-to-month basis is not practical, and additional guidance from the IRS on how this method operates in practice is necessary to confidently implement this method. We encourage you to contact us before choosing to use the monthly measurement period, so that we may provide you with any updates or additional guidance that may become available.

Although there is a level of uncertainty with the monthly measurement method, the Final Regulations do provide some rules for its implementation. For example, employers may use a three month waiting period before providing health care coverage to otherwise eligible employees.³ An employer will not be subject to a tax penalty for the period of three full calendar months beginning with the first full calendar month in which the employee is otherwise eligible for an offer of health care coverage, provided that the employee is offered coverage no later than the first day of the first calendar month immediately following the three-month period. To illustrate, if an employee becomes eligible for coverage in April, the employer would not be subject to a tax penalty for May, June, and July, so long as the employee is offered coverage by the first day of August. This rule applies only once per period of employment of an employee.

In addition, the Final Regulations allow employers to determine an employee's full-time status for a calendar month based on the hours of service over successive one-week periods ("Weekly Rule"). In some calendar months this will be a four-week period, and in other months it will be a five-week period. The period must contain either the week that includes the first day of the month or the week that includes the last day of the month, but not both. For calendar months calculated using a four-week period, an employee with at least 120 hours of service is a full-time employee. For calendar months using a five-week period, an employee with at least 150 hours of service is a full-time employee. Regardless of whether an employer uses the Weekly Rule, employer tax penalties are calculated on a monthly basis, and the employer is treated as having

² The Final Regulations clarify that if an employer's stability period is longer than the associated measurement period (e.g., a three month measurement period coupled with a six month stability period), the next measurement period must begin on a date during the stability period that is the latest date that will not result in any period between the end of that stability period and the beginning of the next stability period.

³ "Otherwise eligible" means the employee meets all conditions to be offered coverage other than the completion of a waiting period.

offered coverage for a calendar month only if it offers coverage for the entire calendar month (i.e., the first day through the last day).

IV. Coverage Requirements

Employer-sponsored health care coverage must be both "affordable" and "adequate", and must be offered to full-time employees and their dependents.⁴ Despite the somewhat complicated definitions and formulas described below, a preliminary analysis done by the Actuarial Research Corporation for the Congressional Research Service shows that the majority of employer-sponsored health plans already meet the coverage requirements mandated by the ACA. Therefore, employers who already provide coverage to full-time employees, and those who plan to start in the near future, likely provide both affordable and adequate coverage for purposes of meeting the ACA requirements discussed below; however, the Authority should check with its current or future health insurance carrier for confirmation.

A. Affordable Coverage

Employer-sponsored coverage is considered affordable if the employee's required contribution to the plan does not exceed 9.5% of the employee's household income for the taxable year. Because the definition of "household income" includes gross income of other members of the employee's family, which the employer likely does not know, the Final Regulations include three optional safe harbors that employers may use to determine whether the offered plan is affordable. The three safe harbors are as follows:

W-2 Safe Harbor

Under the W-2 Safe Harbor, coverage is deemed affordable if the employee's required contribution to the employer's lowest cost, self-only coverage that provides minimum value during the entire calendar year does not exceed 9.5% of that employee's W-2 wages from the employer for the calendar year.

Rate of Pay Safe Harbor

For an hourly employee, the Rate of Pay Safe Harbor is satisfied if the employee's required monthly contribution for the employer's lowest cost, self-only coverage that provides minimum value does not exceed 9.5% of an amount equal to 130 hours multiplied by the lower of the employee's hourly rate of pay as to the first day of the coverage period (generally the first day of the plan year) or the employee's lowest hourly rate of pay during the calendar month.

For a non-hourly employee, the Rate of Pay Safe Harbor is satisfied if the employee's required monthly contribution for the calendar month for the employer's lowest cost, self-only coverage that provides minimum value does not exceed 9.5% of the employee's monthly salary, as of the first day of the coverage period. If, however, the employee's monthly salary is reduced, including due to a reduction in work hours, the Rate of Pay Safe Harbor is not available. An employer may use any reasonable method for converting payroll periods to monthly salary.

⁴ A dependent is a child of an employee under age 26. An employee's spouse is not a dependent.

Federal Poverty Line Safe Harbor

Under the Federal Poverty Line Safe Harbor, an employer's coverage is considered affordable if the employee's required monthly contribution for the employer's lowest cost, self-only coverage that provides minimum value does not exceed 9.5% of a monthly amount, determined as the federal poverty line for a single individual for the applicable calendar year, divided by 12. For this purpose, the applicable federal poverty line is the federal poverty line for the State in which the employee is employed. As one of the 48 contiguous states, the federal poverty line in Colorado in 2015 for a single individual is \$11,770.00. Thus, in 2015, under this safe harbor, an employee's monthly contribution may not exceed \$93.18 ($\$11,770 \times 9.5\% = \$1,118.15$; $\$1,118.15 \div 12 = \93.18). Please note, because the federal poverty line may change from year to year, the maximum monthly contribution under this safe harbor may change in 2016. If you plan to utilize this safe harbor, it is important to confirm with the Department of Health and Human Services the current federal poverty line for a single individual.

B. Adequate Coverage

Adequate coverage, or "minimum value", refers to a plan's actuarial value. A plan provides adequate coverage if the share of the total allowed costs that the plan is expected to cover is at least 60%. In short, the plan is subjected to a complicated formula that measures the plan's generosity, expressed as a percentage, and how much of the plan's cost is covered by the employer. Employers have three options for determining whether their plans provide minimum value, and calculators (with instructions) can be found on the Centers for Medicare & Medicaid Services website.⁵

V. Potential Tax Penalties for Large Employers

Large employers that do not provide health care coverage, or that provide coverage that is either not affordable or does not provide minimum value, face the possibility of paying a tax penalty. While the formula for calculating the penalty in these two instances is different, they share two common characteristics: (1) the penalty is triggered only when a full-time employee purchases health insurance from an exchange and receives a federal premium credit,⁶ and (2) part-time employees are not included in any penalty calculations. The Final Regulations confirm that the IRS will contact employers to inform them of their potential liability and provide them an opportunity to respond before assessing liability or demanding payment.

A. Failure to Provide Health Care Coverage

The penalty provision of the ACA is triggered when a large employer does not offer health care coverage to its full-time employees, and one of its full-time employees purchases insurance from

⁵ <http://www.cms.gov/cciio/resources/regulations-and-guidance/index.html>.

⁶ Colorado's health insurance exchange is an online insurance marketplace available to certain individuals and small employers. Employees may receive a premium credit on an insurance plan purchased through the exchange if: (1) their income is between 100% and 400% of the federal poverty level; (2) they are not eligible for other federal benefits like Medicaid or CHIP; and, (3) one of the following occurs: (a) the employer does not offer health insurance to its employees, (b) the insurance offered by the employer is not affordable, or (3) the insurance offered by the employer does not provide minimum value.

an exchange and receives a premium credit. Pursuant to the Final Regulations, large employers must offer health care coverage to at least 70% of their full-time employees in 2015, and at least 95% of their full-time employees in 2016 and beyond. The monthly penalty for those employers that do not comply is equal to the total number of the employer's full-time employees, minus 30, multiplied by one-twelfth of \$2,000. For example, if an employer has 55 full-time employees, does not offer health care coverage, and one of the full-time employees receives a premium credit after purchasing insurance through an exchange, the employer's monthly penalty would be as follows:

$$(55 \text{ full-time employees} - 30) \times (1/12 \times \$2,000) = \text{Monthly Penalty}$$

$$(25) \times (\$166.67) = \mathbf{\$4,166.75 \text{ per month}}$$

B. Providing Health Care Coverage that Is Not Minimally Acceptable

The penalty provision of the ACA also is triggered when a large employer offers health care coverage that either is not affordable or does not provide minimum value, and at least one full-time employee purchases insurance from an exchange and receives a premium credit. In such a case, the monthly penalty is equal to the number of full-time employees who received a premium credit, multiplied by one-twelfth of \$3,000. For example, if an employer offers health care coverage that is not affordable and 10 of its full-time employees receive premium credits after purchasing insurance through an exchange, the employer's monthly penalty would be as follows:

$$(\text{Number of Full-Time Employees with Credit}) \times (1/12 \times \$3,000) = \text{Monthly Penalty}$$

$$(10) \times (\$250) = \mathbf{\$2,500 \text{ per month}}$$

When an employer fails to offer minimally acceptable coverage, the maximum monthly penalty it will be required to pay is equal to the total number of its full-time employees, minus 30, multiplied by one-twelfth of \$2,000; in other words, the same calculation used to determine the applicable tax penalty for failure to provide health care coverage to full-time employees. Therefore, employers will never have to pay more for providing what the ACA deems sub-standard coverage than they would if they failed to offer coverage altogether.

VI. Notice and Reporting Requirements

Under the ACA, employers are now required to provide all new employees with written notice concerning the following: (1) the existence of an exchange, including services and contact information; (2) the employee's potential eligibility for premium credits and cost-sharing subsidies if the employer plan's share of covered health care expenses is less than 60%; and, (3) the employee's potential loss of any employer contribution if the employee purchases a plan through an exchange. The Department of Labor website has model notices available for employers to utilize. There is one model for employers that do not offer a health plan and another model for employers that offer a health plan to some or all employees. These model notices are available at www.dol.gov/ebsa/healthreform/regulations/coverageoptionsnotice.html.

Additionally, beginning in 2015 (with a reporting deadline in 2016), employers subject to the employer shared responsibility provision must submit an annual report to the IRS including

information about the health care coverage the employer provides to its full-time employees and certain information about the employees themselves. Employers satisfy this requirement by completing IRS Forms 1094-C and 1095-C.⁷ In conjunction with this reporting requirement, employers must provide each full-time employee with a related written statement concerning the return, including the specific information included for that individual.

The final regulations governing the reporting requirements include both the "general method" of reporting, which was first included in the proposed regulations, as well as new alternate methods of reporting that employers may use. Under the general method, employers report information related to, among other things, the following:

- Whether the coverage provides minimum value;
- Whether the employee had the opportunity to enroll his or her spouse in the coverage;
- The total number of employees, by calendar month;
- Whether an employee's effective date of coverage was affected by a permissible waiting period, by calendar month; and,
- The name, address and identification number of any third-party reporting on behalf of the employer.

Alternatively, employers may, but are not obligated to, take advantage of one of the following new methods of reporting.

Qualifying Offers

Employers that provide a "qualifying offer" to any of their full-time employees may use a simplified method of reporting. A qualifying offer is an offer of minimum value coverage that provides employee-only coverage at a cost to the employee of no more than 9.5% of the Federal Poverty Level (about \$1,100 per year in 2015), combined with an offer of coverage for the employee's spouse and dependents. For employees who receive qualifying offers for all 12 months of the year, employers must only report only the names, addresses, and taxpayer identification numbers ("TIN") of those employees and the fact that they received a full-year qualifying offer. Employers also need to give the employees a copy of this simplified report or a standard statement indicating that the employee received a full-year qualifying offer.

For employees who receive a qualifying offer for fewer than 12 months of the year, employers will be required to use the general method of reporting, but may simplify this procedure by simply entering a code indicating that the qualifying offer was made.

98% Offers

Employers that certify that they offered affordable, minimum value coverage to at least 98% of the employees on whom they are reporting, may use an additional alternate reporting method. These employers do not have to identify the number of full-time employees for the year or

⁷ IRS Forms 1094-C and 1095-C, as well as common questions and answers about the forms, are available at: <https://www.irs.gov/Affordable-Care-Act/Employers/Questions-and-Answers-about-Information-Reporting-by-Employers-on-Form-1094-C-and-Form-1095-C>.

whether any particular employee was a full-time employee for any calendar month during the year. This reporting method allows employers that provide affordable, minimum value coverage to nearly all of their employees, including those who may be comfortably below the 30 hour per week full-time threshold, to simplify their reporting without having to determine which employees are, in fact, full-time employees.

VII. Recommendations

The ACA, and the employer shared responsibility provision in particular, is a complicated law that requires careful attention and consideration. In addition to reading and understanding this Memorandum, we recommend that the Authority take the following steps:

- First, determine whether the Authority is a large employer. If you determine the Authority is below the 50 FTE threshold, you are not required to provide health care coverage to any of your employees and you will not face a penalty for choosing not to provide coverage.
- Second, if you determine that the Authority is a large employer, you should determine which employees are entitled to health care coverage. Those who are comfortably above or below the 30 hour per week threshold should be relatively easy to determine. For those employees with fluctuating hours, or who work seasonally, you may consider utilizing either the look-back measurement method or, with additional clarification from the IRS, the monthly measurement method to determine their full-time status. Should you need assistance classifying variable hour or seasonal employees, we are available to help you make this determination.
- Third, if you determine that the Authority is near the 50 FTE threshold, either just above or just below, the Authority may wish to consider some strategic business decisions as relate to the Authority's future personnel actions.
- Fourth, once you have determined which employees are entitled to health care coverage, and the Authority has made the decision to provide coverage, you should review your health care plans and the Authority's contribution to the plans, to determine whether they are affordable and adequate, as defined by the ACA. If you determine that the Authority's health care plans and/or its contribution to the plans is not affordable or adequate, the Authority may wish to seek an alternate health care plan provider in order to avoid being assessed potential tax penalties.

Agenda Item Cover

Item No.: 3

Meeting Date: January 27, 2016

Prepared By: Renee Wheeler, Administrative Director



TITLE

Consider a Motion to Approve Requesting the 4th Amendment to the Formulation IGA to Change the Budget Adoption Process

EXECUTIVE SUMMARY

The formulation IGA as amended requires that the budget adoption and supplemental budget adoption be adopted by the LFRA Board, then be approved by both the City Council and the Loveland Rural Fire Protection District (LRFPD) Boards, so that it may then be appropriated by the LFRA Board. This process has proven inefficient and unnecessarily cumbersome. The request is to eliminate the City Council and LRFPD Board review after it has been adopted by the LFRA Board because there is representation from the City Council and the LRFPD Board on the LFRA Board.

BACKGROUND

The recommended language changes for the intergovernmental agreement and the LFRA Rules and Regulations are attached. Since the intergovernmental agreement is between the City of Loveland and the Loveland Rural Fire Protection District, action on the 4th amendment to that agreement must be taken by those two entities. The request before the Board is to approve staff making this request of the City and the District in February. Once the governing partners approved the 4th amendment, then the LFRA Board would consider a resolution to amend the LFRA Rules and Regulations in March. A supplemental appropriation by the City Council would still be required to increase its contribution to LFRA. That City appropriation is in the form of an ordinance that requires a public hearing and two readings.

STAFF RECOMMENDATION

Approve requesting consideration by the City Council and the Loveland Rural Fire Protection District Board of the proposed 4th amendment to the Authority formulation intergovernmental agreement.

FINANCIAL/ECONOMIC IMPACTS

Streamline the budget process to save time that can be reinvested in other projects.

ASSOCIATED STRATEGIC GOALS

Deliver cost effective services.

ATTACHMENTS

Draft City Council Resolution to demonstrate the IGA language changes proposed (not approved by City Attorney's yet)

Resolution to Amend the LFRA Rules and Regulations (Ireland Stapleton has reviewed this resolution)

RESOLUTION NO. _____

**A RESOLUTION TO APPROVE A FOURTH AMENDMENT TO THE
INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF
LOVELAND AND THE LOVELAND RURAL FIRE PROTECTION
DISTRICT FOR THE ESTABLISHMENT AND OPERATION OF THE
LOVELAND FIRE RESCUE AUTHORITY AS A SEPARATE
GOVERNMENTAL ENTITY CONCERNING SECTION 4.1 ANNUAL
BUDGET**

WHEREAS, On August 19, 2011, pursuant to that Intergovernmental Agreement for the Establishment and Operation of the Loveland Fire Rescue Authority as a Separate Governmental Entity (The “Formation Agreement”) the City of Loveland (“City”) and the Loveland Rural Fire Protection District (“District”) created the Loveland Fire Rescue Authority (“Fire Authority”); and

WHEREAS, Section 4.1 of the Formation Agreement, as amended in the Third Amendment of the Formation Agreement dated September 30, 2015 provides that the Authority shall adopt an annual budget for maintenance and operations costs, capital costs, costs of services and personnel costs, but also requires such budget appropriation and any supplemental appropriation to be submitted and approved by the District and the City; and

WHEREAS, the LFRA Board has determined that requiring such appropriations to be approved by both the City Council and the Rural Board is cumbersome and inefficient;

WHEREAS, the LFRA governing board is comprised of representatives from both City Council and the Rural Board that are appointed with the delegated powers necessary or desirable to provide continued, efficient and economical fire protection, suppression and emergency service to all person and property in the Service Area ;

WHEREAS, the City and the Rural District wish to have the Fire Authority Board fully exercise its power to approve annual budget appropriation and any supplemental appropriation in a timely and efficient manner; and

WHEREAS, the City Council desires to amend Article I of the Formation Agreement to amend section 4.1; and

WHEREAS, the City Council finds that it is in the best interests of the Fire Authority to adopt the “Fourth Amendment To The Intergovernmental Agreement For The Establishment And Operation Of The Loveland Fire Rescue Authority As A Separate Governmental Entity” as set forth below.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF LOVELAND, COLORADO:**

Section 1. That Section 4.1 of Article IV: Budget and Audit of the Formation Agreement is hereby amended as follows:

Section 4.1 Annual Budget

The Board shall adopt an annual budget for maintenance and operation costs, capital costs, costs of services, and personnel costs. ~~The Board shall submit the budget to the Parties' respective governing bodies for their approval.~~ The Authority's proposed budget shall become effective upon the approval of The Board. ~~only after approval by the Parties' respective governing bodies.~~ Any supplemental appropriation by the Authority shall also be adopted by The Board. ~~by the Parties' respective governing bodies before becoming effective.~~ The Authority shall also comply with all applicable requirements of the Local government Budget Law of Colorado.

Section 2. That this Resolution shall go into effect as of the date and time of its adoption.

ADOPTED this ____ day of February, 2016.

Cecil A. Gutierrez, Mayor

ATTEST:

City Clerk

RESOLUTION # R-

**A RESOLUTION APPROVING THE AMENDMENT TO THE RULES AND
REGULATIONS OF THE LOVELAND FIRE RESCUE AUTHORITY REGARDING
THE BUDGET**

WHEREAS, on August 19, 2011, pursuant to an intergovernmental agreement between the City of Loveland (“City”) and the Loveland Rural Fire Protection District (“District”), the Loveland Fire Rescue Authority (“Fire Authority”) was created as a separate governmental entity with a beginning operational date of January 1, 2012 at 12:01 a.m.; and

WHEREAS, the Fire Authority’s Board of Directors (“Fire Authority Board”) has adopted rules and regulations to carry out the Fire Authority’s purpose; and

WHEREAS, the Fire Authority Board has found it inefficient and cumbersome to submit the annual budget appropriation and any supplemental appropriation adopted by the Fire Authority Board to the City Council and the District’s Board of Directors (“District Board”) for approval as part of the adoption process; and

WHEREAS, the Fire Authority Board is comprised of representatives from both City Council and the District Board who are appointed with the delegated powers necessary or desirable to provide continued, efficient and economical fire protection, suppression and emergency service to all persons and property in the Fire Authority’s Service Area;

WHEREAS, the City Council and the District Board have or will amend the 2011 intergovernmental agreement to remove the City Council and the District Board from the budget approval process; and,

WHEREAS, Fire Authority Board finds that it is in the best interests of the Fire Authority to adopt additional rules and regulations to further carry out its purpose, as set forth below.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE LOVELAND FIRE
RESCUE AUTHORITY, STATE OF COLORADO, AS FOLLOWS:**

Section 1. That Section 2.0 of the Rules and Regulations of the Loveland Fire Rescue Authority is amended as follows:

2.0 Budget Appropriations

- A. Budgets will comply with “Local Government Budget Law of Colorado”, contained in Colorado Revised Statutes Section 29-1-101, et seq.

- B. ~~The budget process shall be conducted in conjunction with the City of Loveland's budget process and in compliance with the City of Loveland's policies and procedures. The Fire Authority staff's recommended budget shall be reviewed by a subcommittee of the Board and then submitted for consideration by the Board as a whole.~~
- C. Budgets and amendments to the budget will be approved by the Board by resolution and in compliance with the Intergovernmental Agreement for the Establishment and Operations of the Loveland Fire Rescue Authority as a Separate Governmental Entity;
1. Budgets must be approved by an affirmative vote of at least four members of the Board.
 2. The Board shall adopt an annual budget for maintenance and operations costs, capital costs, provision of services cost, and personnel costs, ~~which shall include the costs related to the City's employees assigned under this Agreement. The Board shall submit the budget to the Parties' respective governing bodies for their approval. The Authority's proposed budget shall become effective only after approval by the Parties' respective governing bodies. The budget will be effective upon Board adoption. Any supplemental appropriation shall be adopted by the Board and shall become effective upon adoption. by the Authority shall also be approved by the Parties' respective governing bodies before becoming effective.~~
- D. Except under emergency circumstances as set forth in Section 4.g. of the Fire Authority Board Bylaws, the Board shall conduct a public hearing on any resolution to consider adoption of budget appropriations or supplemental appropriations. ~~The LFRA resolution will then be submitted to the City of Loveland for approval by resolution and to the Loveland Rural Fire Protection District Board for approval by motion as soon as is practical after the Board approval.~~
1. The notice of appropriation public hearings shall be published in accordance with the Local Government Budget Law of Colorado at least one week (seven days) in advance of the hearing.

Section 2. That this Resolution shall go into effect as of the date and time of its adoption.

ADOPTED this 30th day of March, 2016.

Jeffrey M. Swanty, Chairperson

ATTEST:

Secretary

Agenda Item Cover

Item No.: 4

Meeting Date: January 27, 2016

Prepared By: Renee Wheeler, Administrative Director



TITLE

Review Briefing Papers and Correspondence

EXECUTIVE SUMMARY

The Chief's report includes a variety of general updates.

- December Overview
- Training Center Annexation
- Station 1 Radio Communications Tower
- Administrative Activity Behind the Scenes
- LFRA Appreciation Event
- Citizen Recognition
- Chief Hecker Retirement Ceremony
- Operations Division Overview
- Community Safety Division Overview

BACKGROUND

This section of the agenda is intended to provide general information to keep board members apprised of various project status and department updates.

AGREEMENTS SIGNED DURING THE MONTH

Agreement with Front Range Fire Protection District that allows ride-alongs for the purpose of Training

STAFF RECOMMENDATION

N/A

FINANCIAL/ECONOMIC IMPACTS

N/A

ASSOCIATED STRATEGIC GOALS

N/A

ATTACHMENTS

- Fire Chief's Monthly Report
- Letters & Articles
- December Statistics



Loveland Fire Rescue Authority

December 2015 Month-End Report

Fire-Rescue Administrative Division

Chief Mark Miller and Public Safety Administrative Director Renee Wheeler

December 2015 overview -

Happy Holidays! We hope you all had a wonderful Holiday, and wish you all a Happy New Year in 2016! We have high expectations of what we hope to accomplish in 2016 and are beginning the process of setting strategic priorities as we speak. At the next LFRA Board meeting on January 27th, we have set aside the afternoon for the annual planning meeting to determine what our top objectives for 2016 will be. Additionally, we will look back at 2015, and provide you all a brief overview of major accomplishments. Stay tuned...

In the mean-time – thanks for an outstanding 2015 and keeping our mojo going strong!

Highlights of the December report include; Training Center update; Radio Tower update; Behind the Scenes; LFRA Appreciation Event; Citizen Recognition; Police Chief Luke Hecker retirement.

Training Center Annexation -

Along with hiring a firm to complete the design work and engineering of the LFRA Training Center (Belford Watkins Group Architects), we are also continuing the annexation process for the new training center property. Annexation is a lengthy endeavor and we hope to have it completed within the next 3 months. The process includes formal neighborhood meetings and various other City requirements to get us to the finish line. Sam Eliason, with United Civil Services is working in conjunction with Ken Cooer (Facilities Management), and Bob Paulson (Acting Development Services Director) to make it all come together.

Station 1 Radio Communications Tower -

As previously reported, over the course of the last several months we have conducted an analysis of the radio tower on top of station 1. The tower is in need of replacement as soon as possible. It is the primary 800 MHz communications tower for all Loveland public safety agencies as well and many other departments, including Public Works, Water and Power, Parks and Recreation, etc. After several weeks of getting formal approvals, securing budget appropriations, etc., we are moving forward. The steel has been ordered and will take approximately 10 – 12 weeks to arrive. Once it is here, the actual construction of the tower and removal of the old tower will go quickly. In the meantime, we are maintaining a vigilant eye on the existing tower, looking forward to getting it replaced to ensure continued radio communications, and improved strength and wind resistance.

Behind the Scenes -

As with most organizations, there is much work that goes on behind the scenes. This “behind the scenes” stuff keeps Renee Wheeler and staff extremely busy, especially in light of the complex process of converting all the employees to be under the Authority, as well as the normal budget challenges to ensure the wheels of LFRA keep turning. Here is a brief overview of what’s been happening in December;

- Transitioned the support of the two pension boards to install members of the Administration team.
- Pension Plan Document approvals for sworn and non-sworn 401 and 457.
- Transition forms completed for FPPA Death and Disability for all sworn personnel; 401 & 457 enrollment forms and rollover forms as necessary from nonsworn personnel; W-4 and I-9's from all personnel
- Worked with Risk management to bind coverage for workers compensation and property liability insurance with the Colorado Special Districts Pool.
- Merit and Rank Compression salary adjustments calculated and communicated to all LFRA employees.
- Facilitated a variety of expenditures for operational needs
- Facilitated contract documents for the Radio Tower project and Station Alerting projects

LFRA Appreciation Event -

As a reminder, the 2015 LFRA appreciation event is scheduled for January 16th, 5:00 PM at the Ellis Ranch west of Loveland. Planning for the event is well underway, including a local author/motivational speaker for the keynote address. Please RSVP via your invitation, to Roylene by January 4th. We look forward to seeing you there!

Citizen Recognition -

On January 5th, Loveland Fire Rescue Authority, Loveland Police, and Thompson Valley EMS will be recognizing three citizens who were instrumental in saving a human life. Two young men will be recognized for their efforts in rescuing a woman who drove her car into Lake Loveland, and another gentleman will be recognized for his efforts in saving the life of a choking child at the Loveland Library. This is a *big* deal. The recognition will take place at the beginning of the City Council meeting on January 5th, at 6:30 PM. These folks are heroes and we are grateful for their bravery, quick thinking, and compassion.

Chief Hecker Retirement Ceremony -

On December 18th LFRA officials were pleased to take part in a ceremony honoring retiring Police Chief Luke Hecker. It was a wonderful event, attended by hundreds of peers, family members, and colleagues of Chief Hecker's. Chief Hecker was presented an “Honorary” Fire Chiefs helmet and badge from LFRA for his 30 years of dedicated service to the citizens of Loveland, and especially for his leadership, support and collaboration with Loveland Fire over the years. He will be missed, fondly remembered, and always highly respected by LFRA members. Godspeed, Luke...

Fire-Rescue Operations Division - Division Chief Greg Ward
Response, Readiness, Resources & Relationships

December 2015

RESPONSE

- On December 2nd LFRA was dispatched to a residential fire on Ulmus Drive, crews arrived on scene to find a one story house that was approximately ½ involved in fire. Crews controlled the fire in under twenty minutes, but remained on scene for several hours extinguishing hot spots and completing the fire investigation.
- Companies responded to Interstate 25, exit 255 for a semi-truck that had rolled off of I-25 and onto the off-ramp. The driver of the truck was pinned inside the cab, crews worked for more than 30 minutes to extricate the driver. LFRA crews were assisted on scene by Front Range Fire Rescue Authority.
- LFRA and an Engine from the Poudre Fire Authority were dispatched to a residential fire on December 9th on Concise Drive which is located just south of Carpenter Road, east of Highway 287. LFRA Engine 5 was the first to arrive on scene, they located a fire on the outside of the rear of the house that had extended into the attic. The fire was brought under control within fifteen minutes, crews remained on scene for several hours extinguishing hot spots in the attic.
- On December 16th crews responded to an outbuilding fire on Glade Road. Crews from Engine 3 and Rescue 2 extinguished a fire in a small barn and rescued several chickens from the structure.
- On the evening of December 16th, LFRA was dispatched to the intersection of South Railroad Avenue and Fire Engine Red Street to extricate the driver of a pickup truck that struck a train. The vehicle had to be stabilized by strapping the truck to the train before crews could start the extrication process.
- LFRA covered twelve aircraft rescue stand bys at the Fort Collins-Loveland Airport.

READINESS

- LFRA and Thompson Valley EMS crews completed cardiac arrest training scenarios facilitated by the EMS training personnel from both agencies.
- The six Operations Captains, joined the Deputy Fire Marshal and Emergency Manager for two days of leadership training provided by the Vail Leadership Institute.
- The December installment of the Intelligent Firefighter Training Series focused on modern fuels and fire behavior based on the live fire research burns that were conducted earlier in the year.
- All crews rotated to the computer lab for report writing / data collection training throughout the month.
- Captain Carie Dann provided a training on building fire protection systems for the operations crews.

RESOURCES

- The Apparatus Committee finalized the specifications for the 2016 engine that will replace the 1997 American LaFrance engine.
- The refurbished ladder truck is complete, it is currently going through inspections, testing and training.
- The call alerting system upgrades for the stations kicked off this month. The upgrade is replacing thirty year old technology that can no longer be maintained. The upgrade work will be fully complete in early February. A grant will be submitted to cover the costs of additional upgrades to the system that will allow for quicker dispatch and turn-out times.

RELATIONSHIPS

- The Berthoud Fire District inquired about LFRA's Intelligent Firefighter Training Program, they expressed interest in participating in this program. This month their crews started joining LFRA for this training, this will continue throughout 2016.
- The Aims Community College Fire Science Program, SVI Trucks and Thompson Valley EMS utilized the Fire Training Center in December.



Ulmus Drive Fire right after the 1st Company (Engine 1) arrived on scene



Concise Drive Fire – LFRA Engine 5 Crew



Glade Road Barn Fire – Engine 3 and Rescue 2 Crews



**Community Safety Division
Division Chief, Ned Sparks
December, 2015**

Update/overview of CSD, Special Events (Ned):

- ❖ Review of Community Risk Assessment (v.1) completed and emphasis will be on altering public education message to redevelop and unify Public Education / Outreach and Emergency Management, as well as, Fire Code provisions. We will also be exploring the best method to create and operate a Public Education team utilizing Firefighters and duty crews. Discussion with LPD and TVEMS to prevent duplication of effort and looking into shared messaging when appropriate.
- ❖ Working with Bob Paulsen on the Empowerment committee to evaluate the training of DRT staff, review areas of where policy can be a choke point for reviewers. After action review of high profile projects that have created concerns between the DRT and Administration is in progress.
- ❖ Preparing for NFPA Inspection class in January with an intent to develop a course and certification within the State for Colorado for Firefighters. This would not be the traditional ICC certification and would be more specific to firefighters and business inspections.

Significant Building Plan Reviews, and Inspections (Carie and Ingrid):

- Little Thompson installed new hydrant on County Rd 21 and 29 to meet the required fire-flow in lieu of fire sprinklers at the Lundeen residence. Construction and occupancy of the property was completed without permits from Larimer County and LFRA. The hydrant install was accomplished to facilitate sale of the property and increase water supply for the area.
- Firehouse Storage has a new structure with no permits or approval from the Larimer County or LFRA for construction or occupancy.
 - Planning submittal just came in for review. LFRA will require the appropriate drive lanes for fire code that the county commissioners waived. CD is doing this review.
- Millennium Mixed Use Village Center drive aisles and access in discussion – maneuverability of fire apparatus within the site is a significant point of concern for the Fire review team.
 - Millenium conceded to go with our street requirements. Will be submitting a planning review soon.
- Building/Fire project review:
 - ✓ Bronze services addition review and discussion
 - Permit has been approved with a couple of little corrections.
 - ✓ New banner healthcare addition onto skyline – approved. Permit approved
 - ✓ UPS modular issues working with construction – approved, built, in use
 - ✓ Verboten brewery downtown 5th street –approved, pending
 - ✓ Fat pastor distillery review and discussion- submitted yesterday for permit re-review with the corrections corrected
 - ✓ Drywall supply review and inspection- apparently done
 - ✓ Dutch brothers coffee- planning site plan signed off, building permit in yesterday
 - ✓ My place hotel- corrected, reviewed, sprinkler plans reviewed.
- Planning/Fire project review:

- ✓ Armada Self Storage- resubmittal pending w/ corrections.
- ✓ Freedom Self Storage- resubmittal pending
- ✓ Human Bean coffee shop – revised layout submittal in for review. will be approved by Ifra
- ✓ Redwood Business Park – planning signed off. Easements in , etc.
- ✓ Mountain pacific business area – second phase in corrections/ review
- County:
 - ✓ Windgate hotel- Corrections were made and approved
 - ✓ Sweetheart Winery – Continue to work with applicant and County Planning; Design professional recommended to assist with submittal.
- MISC: FAB asbestos issues resolved and mitigation is almost complete.

PIO, Website & Public Education (Scott):

- 6 new school/business fire safety inspections
- 13 school/business fire safety compliance visits (re-inspections)
- 7 car seat inspections/installations
- 1 business Knox box key update
- 2 BEC event standbys
- PIO duties for various incidents
- Follow-up on 2 Youth Fire-setting Intervention Sessions
- Attended 16-hour Homeland Security Exercise and Evaluation Program (HSEEP) at Regional FEMA office
- Numerous LFRA social media posts
- Numerous LFRA website updates
- Compiled year-end numbers estimates for Lisa Schwartz for January issue of City Update

Accreditation, Fracking, Inspections, Investigations (Ty):

- ✚ Inspections:
 - 1 general inspection, 2 hazmat inspections, 2 hazmat plan reviews, 1 Knox box update, 20 burn permits
 - Follow-up on 2 past-due hazmat permit invoices
- ✚ Investigations:
 - 2264 Ulmus Drive
 - 513 Concise Drive
 - Developed draft of fire investigation program annual report and appraisal
- ✚ Assist Operations:
 - Respond to structure fire at 2264 Ulmus Drive
 - Respond to structure fire at 558 W 10th Street
 - Respond to structure fire at 513 Concise Drive
 - Helped with photos for Tower 6 road width
 - TacFire mission on 12/8
 - 12/10 – Cover as D/O on Rescue 2 (1400-1700 hrs)
 - 12/19 – Cover as LT on Engine 3 (1630-0730 hrs)
- ✚ Training:
 - Finalized Fire Investigation 101 schedule
 - Read Smoke Burns and submitted completed study guide to BC Starck
 - Helped instruct all 3 days of ETI Basics class
 - Completed IS 120.a (pre-requisite for HSEEP class)
 - Completed 2-day HSEEP class in Lakewood
 - Helped as instructor for Aims live fire on 12/8
 - Attended modern fuels burn data review class

Watched cardiac arrest video from Randy Kolb
Attended Fire Protection 201 presentation
Attended cardiac arrest scenarios at TVEMS 350
Attended 2-day HSEEP training
Developed rough draft of FTO program for FIT program

✚ Accreditation:

Worked with Mark Hernandez to review incomplete NFIRS spreadsheet
Improve Mutual Aid reporting capabilities in Advanced Reporting Module
Completed 2015 BTCVFD response performance analysis (through end of Nov so far)
Analyzed FIT/Acting FIT utilization for 2015
Working with Cheryl and Roy on updates/changes to monthly reporting processes
Meeting re public education program appraisal
Working on Station 6 response performance relating to installation of new station alerting system

✚ Peer Support Team:

Updated team Guideline

Office of Emergency Management – December 2015 Activities Report

Significant events:

The site monitoring visit and the City's internal audit were conducted this month with the EMPG being the primary grant from my office that both groups looked at. There were several recommendations made by the site monitoring contractor (hired by the State OEM) that they will provide to us in written form in the near future. From my memory, most of the recommendations were regarding Finance Department grant policies, conducting inventories, and expenditure reporting. The internal audit findings are not available yet from the auditors. So far, no one made any statements to me indicating that there was anything of concern found for the EMPG grant.

The contract for the Mitigation Strategy and Master Plan (MSMP) was executed and now we await the notarized signatures from the vendor, Michael Baker Inc., so that we can begin work immediately.

An RFP will be posted in the next month or two for a separate contractor to write a Recovery Plan for the City. This contractor will be paid out of the cost-savings from the MSMP project which is well below our original estimate.

FM is finalizing the engineering for the Chilson emergency generator and once done, a change will be made on the HMP grant scope of work to extend the period of performance and to adjust the percentages within our budget to reflect the additional engineering expenditures. The State has given an initial nod to these requested changes.

Flood Recovery

- Attended on-going city recovery planning meetings

Operations and Maintenance

- Temporary location for the EOC is in the PWB upstairs conference rooms (LPD, LFRA, TVEMS, and ARES workstations will remain in the EOC)
- Met with Lorna ref: EOC and office space remodeling, plans finalized

Planning and Documentation

- Facilitated a public meeting for the All Hazards Mitigation Plan
- Completed Pringle's 6 month evaluation
- Participated in state OEM conference planning meeting

Emergency Preparedness Relationships

- Attended NCEM meeting
- Attended Fire Ops meeting
- Facilitated planning meeting with new OEM rep from McKee

Grants

- Participated in multiple site monitoring and audit meetings for EMPG
- Participated in Chilson Generator planning meetings with FM, P&R, & Chief Miller
- Participated in SimTable demo

Training and Public Outreach

- Attended discussion with Chief Sparks and LPD on public outreach & education program

Training Received

- Completed 2 day leadership course from Vail Leadership Institute
- Attended Title VI ADA training provided by City of Loveland

Exercises

- Participated in disaster exercise planning with LC Health Dept

To Whom It May Concern:

On Wednesday, Nov. 18, I called to see if someone could come replace my smoke detectors. Within a half hour that same day three firemen—Dave, Chris, and Randy—were at my door. They replaced my detectors and also changed the battery in my carbon monoxide detector as well. These men were helpful, quick, and friendly. I thank them for a job I would be uncomfortable doing myself. This senior citizen is very grateful.

Yvonne Hill

Thank you
The Dept no
still family and
I really appreciate that
Everything everyone did
really meant a lot
J. Roth

Keith
6/01/16

From: Greg Ward
Sent: Friday, December 18, 2015 5:44 AM
To: Fire Dept
Subject: Today's RH Line

LFRA,

See the attached photo of a comment in today's RH Line. Thank you for having a positive impact on our community every day!

••••• Verizon 05:42 * 98%

was more people like you out
there to help others in need.
Thank you.

CO DETECTORS

I want to give a big thanks to the Loveland fire department, particularly station No. 2. We had a carbon monoxide detector going off last night, and they had people over within five minutes checking it out for us and telling us what the problem was. I'm so really thankful to those guys who do a super job.

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Greg Ward
Division Chief - Operations
Loveland Fire Rescue Authority



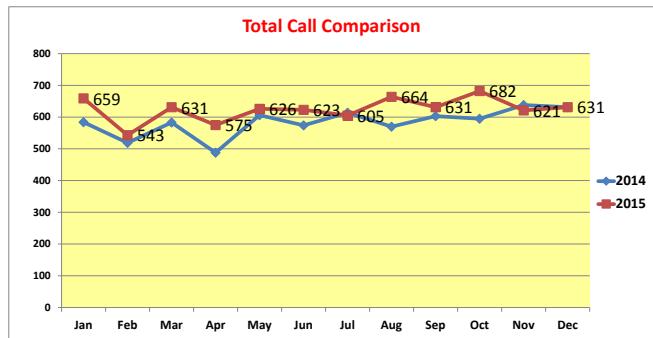
LOVELAND FIRE RESCUE AUTHORITY - Operations Division

December, 2015

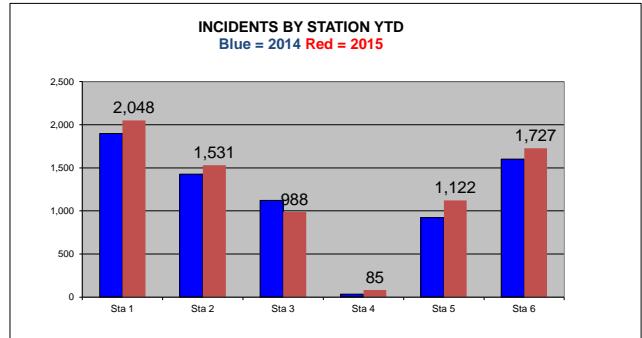
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CALL INFORMATION						
INCIDENT TYPE	CITY	RURAL	MO. TOTAL	YTD	%	Prev. Yr.
Structure Fire (Residential)	1	3	4	25		
Structure Fire (Commercial)	0	0	0	4		
Vehicle Fire	1	0	1	26		
Grass/Wildland Fire	0	1	1	53		
Smoke/Odor Investigation	7	3	10	119		
Fire Alarm	46	5	51	562		
Other Fire	16	6	22	219		
Total Fire Related	71	18	89	1,008	13%	1,105
Total Medical (EMS)	288	43	331	3,916	52%	3,599
Motor Vehicle Accident	41	24	65	746		
Hazmat	9	7	16	152		
Water/Ice Rescue	2	0	2	20		
Animal Rescue	0	0	0	8		
Carbon Monoxide	15	3	18	183		
Public Asst. (Service)	29	4	33	477		
Asst. P.D.	4	3	7	84		
Cancelled Enroute	27	16	43	624		
No Incident Found	8	2	10	153		
Standby	0	1	1	32		
Airport Standby	16	0	16	98		
Airport Emergency	0	0	0	0		
Total Miscellaneous	151	60	211	2,577	35%	2,301
Month-End Total	510	121	631			
Year Cumulative	6,262	1,239		7,501		7,005
Percentage YTD	83%	17%				

	Average Response Times YTD in Minutes	Prev. Year	Fire Confined to Room of Origin	Previous Year
Call to Tone Out	2:13	2:21	69%	79%
Dispatch to Enroute	1:16	1:39		
Enroute to 1st Arrival	6:02	3:43		
Average on Scene	10:17	6:06		



MUTUAL/AUTO AID STATISTICS YTD				
	Received	Hours	Given	Hours
Fort Collins	22	21.5	80	33
Previous Year	57	33	119	47
Berthoud	12	19.5	19	36.5
Previous Year	11	9.75	21	10
Windsor	53	24	42	18.5
Previous Year	62	30.5	43	22.75
Johnstown	9	5.5	45	28
Estes Park	0	0	5	7.5
Previous Year Totals	130	73.25	183	79.75
YTD TOTALS	96	70.5	191	123.5



LOSS/SAVE INFORMATION				
Type of Fire	City		Rural	
	Loss	Save	Loss	Save
Residential Structure	\$ 156,075	\$ 99,705	\$ 374,657	\$ 426,585
Commercial Structure	\$ -	\$ -	\$ -	\$ -
Other Fires	\$ 150	\$ -	\$ 210	\$ -
Month Total	\$ 156,225	\$ 99,705	\$ 374,867	\$ 426,585
Year Cumulative	\$ 1,240,438	\$ 5,718,439	\$ 827,772	\$ 2,282,277

	Specialized Disciplines Training			
	YTD Courses	Prev. Yr. Courses	YTD Hrs.	Previous Yr. Hrs.
Collapse	15	37	26	47.5
Rope	187	68	236.98	69.5
Confined Space	34	22	31.5	37.25
Search/Rescue	29	3	58	8
Water	102	60	195.7	126.85
TAC	76	7	346.5	10
Hazmat	60	82	72.75	65.75
Animal Rescue	5	NA	4.25	NA
Wildland	271	199	683.55	358.6
YTD TOTALS	779	478	1,655.23	723.45

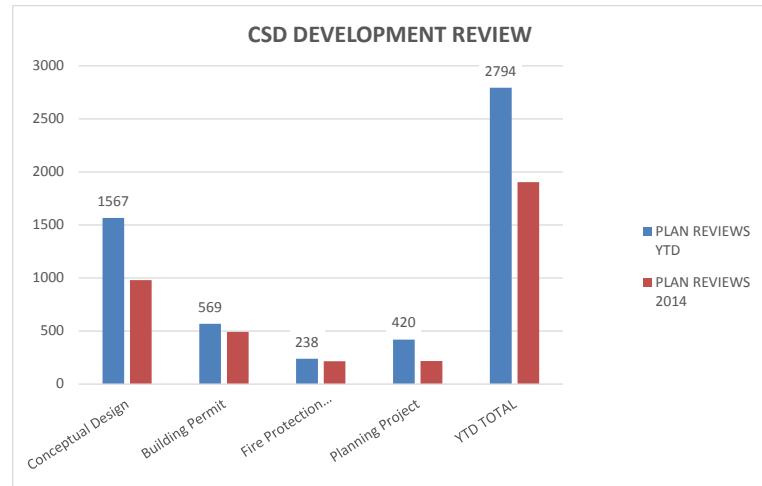


LOVELAND FIRE RESCUE AUTHORITY - Community Safety Division

December, 2015

DEVELOPMENT REVIEW STATISTICS

	City	County	Johnstown	Totals	Hours
Conceptual Design Reviews	119	6	2	127	68.5
Previous Month	89	4	0	93	50
YTD Total	1522	31	14	1567	754.75
Previous YTD	948	32	0	980	741.5
Building Permit Reviews	40	1	0	41	66
Previous Month	34	0	0	34	51
YTD Total	523	13	33	569	862.5
Previous YTD	458	33	0	491	1022.5
Fire Protection Permit Review	27	0	0	27	30
Previous Month	9	3	1	13	16
YTD Total	200	13	25	238	254
Previous YTD	212	3	0	215	201.5
Planning Project Reviews	44	6	2	52	75
Previous Month	40	7	0	47	42
YTD Total	363	47	10	420	669.5
Previous YTD	195	23	0	218	405.5
TOTAL REVIEWS YTD	2608	104	82	2794	
PREVIOUS YEAR YTD	1813	91	0	1904	

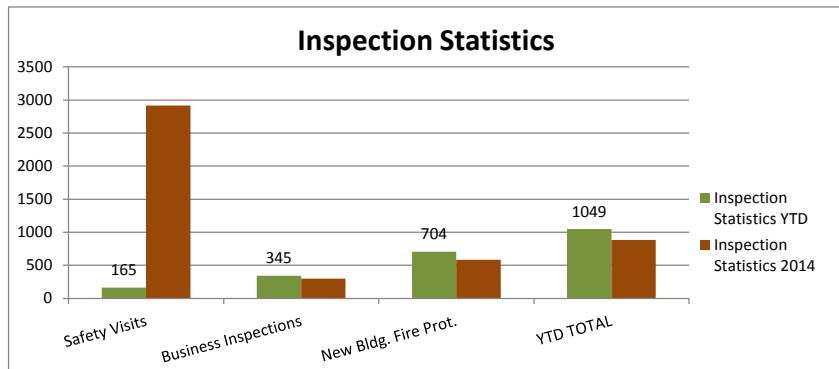


Planning & Building Check-Ins YTD
Fire Protection Permits Average days in review
Percent within goal time

1330	337.75
12.2 days	
December	55%

INSPECTION STATISTICS

	City	Rural	Total	Hours
Eng. Co. Safety Visit 2 & 3 Yr.*	147	18	165	99.35
Safety Re-Visit	14	0	14	16
Business Inspections	28	4	32	365.5
Previous Month	20	3	23	29.75
YTD Total	303	42	345	365.5
Previous YTD	274	26	300	357
New Bldg./Fire Protection	30	7	37	55
Previous Month	33	24	57	90
YTD Total	584	120	704	1039.5
Previous YTD	463	16	479	729.5
TOTAL INSPECTIONS YTD	887	162	1049	
Previous Year	737	42	779	



*YTD Total does not include Eng. Co. Safety Visits

CSD OTHER ACTIVITIES

	City	Rural	Hours	Mo. Total	Prev. Mo.	Prev. YTD	YTD Total	Highlights/Projects
Hazmat Permits	7	6	18.5	13	6	128	141	*7 new school & business inspections
Tents/Special Events*	0	0	0	0	3	48	80	*14 school & business re-inspections
Burn Permits Issued	0	21	3	21	17	134	161	*Holiday safety ad meetings with Reporter Herald
Investigations	10	5	15	15	5	27	165	*8 car seat inspections
Service Call/Complaints	7	1	6.5	8	1	48	92	*2 BEC Standby & NFIRS Reports
Car Seats Installed	12	0	6	12	5	170	174	*Parcel 206 minimum street widths - 30 hrs., CSD & Ops staff
YFS Program	0	0	0	0	2	14	14	*Fire Prot. Systems Class - 9 hrs.
Public Education Events	2	0	2	2	5	59	86	*Vail Leadership Core Values Training - 13.0 hrs.
Total Pub. Ed. Contacts	16	0		16	212	4399	5278	*21 burn permit applications reviewed