

November 11, 1993

Brainstorming the Merger
West Adams County Fire Protection District (WACFPD)
&
Thornton Fire

Attached is a November 11, 1993 nine-page article raising questions and concerns about the merger.

A Brief History of the Merger

On January 1, 1994 WACFPD and Thornton Fire merged becoming North Metro Fire Rescue Authority (NMFRA) The areas the Authority served included Eastlake, Broomfield, Northglenn, Thornton, and Unincorporated Adams, Jefferson, Boulder, and Weld Counties in Colorado.

Shockingly, within a few years after the merger, the City of Thornton announced that allocating resources between the Agencies had become complicated and on December 31, 1999 the Intergovernmental Agreement that created the Authority was dissolved.

Beginning January 1, 2000 Thornton Fire became Thornton Fire again. WACFPD became WACFPD but with a formal name change to North Metro Fire Rescue District (NMFRD). The name was changed to more accurately reflect the jurisdiction. NMFRD continued to serve Broomfield, Northglenn, and Unincorporated Adams, Jefferson, Boulder, and Weld Counties in Colorado.

By Kathy Hobaugh

The following questions/concerns were assembled in a "brainstorm" style session to get others thinking a little more in depth of not only the present but the future outcome of the merger of West Adams Fire Protection District and the Thornton City Fire Department. You may think some of the items are trivial and think that they weren't worth mentioning but if they triggered another thought, subject or option, the mentioning of the item did the job done it was designed to do.

I would suggest that you submit your questions to the WAFFD Board. They (under the direction of President Richard O'Grady) should be able to give you immediate answers to your questions. After all, they are the officials that will approve the merger and should be aware of all the pitfalls that they might encounter. However, if they come back to you with answers that sound like:

This will be resolved after the Authority has a Board.

We haven't thought about that.

It is undefined at the moment.

We'll have to look into that.

Legal has not given us a reply.

We don't have the figures yet

What would you suggest.

I would suggest that an immediate STOP ACTION to this merger take place even if you have to get a court order.

Let me first say that I appreciate the time that each of you are taking to review this assembly of thoughts. It ended up being much longer than I imagined it would but I did not want to delete any items because they just might trigger your thoughts towards another direction.

Get your cup of coffee, a note pad and pencil and HAVE FUN!

(THE FIRST PART WILL BE ITEMS THAT I THINK ARE THE MAJOR ISSUES, the second part is a combination of notes to stir the mind.)

1) "...contribution of Parties for future new station construction and related fire equipment to be based on "benefit" ratio to each Party." They say funding will start at 41% Thornton, 59% West Adams (WA). If they close two stations and build two new ones, they plan to build them in Northglenn, West Adams District. The valuation of property would be higher in West Adams, not Thornton. Does that mean that the "benefit ratio" will cause West Adams District to contribute the majority of the money? This would mean that the people of Broomfield would pay for 3 new stations and get no improvements in their area. If you carry this one step more, when the East and North East area grow (E470), more stations will be needed out there. If it's now West Adams District land and Thornton annexes the property to the City of Thornton, they DO NOT have to withdraw from the West Adams District. The District continues to provide fire service. BUT, does the District contribute to the new stations based on the "benefit" ratio?

2) Special District Legislation 32-1-701. I believe that this says something like the Fire District can be DISSOLVED if another means for delivering Fire Protections Services is equal to or better than the present service from the Fire District.

Does this mean that once the Authority is in place, they could dissolve the West Adams Fire Protection District? Would they then become

another special district? Who approves a new Gov. Agency? Do you just file the paper work and now you enjoy all the rights under a gov. entity?

3) I asked myself, "Why does City of Thornton want this Authority?" and "Why does the District want this Authority?" I tried to put two columns together. Please do the same and answer some of your own questions.

BENEFIT to WEST ADAMS

BENEFIT to THORNTON

a) Reduce cost

Reduce cost

In the long run, this probably will reduce cost due to the fact that they could close four stations and reopen two stations. However, this brings up many questions of ways it could be done.

- 1) Why close 105th and Huron to move it to 101st? The Huron station was just remodeled with the \$2.8 Million bond issue. Four block move will not buy anything. The same goes for the Northglenn Station on Irma. Both of these stations were just remodeled, Thornton stations have not. Could the Thornton stations be moved into the new remodeled West Adams Stations?
- 2) Savings in manpower, less employees. Lets take a real good look at that statement. Who's going to be forced to retire? With a solid permanent job, no one is going to retire unless it's their health. I think the 9 people (positions) need to be identified exactly. I don't think that the Authority will be able to cut 3 of the Battalion Chief jobs. Presently, WA has 3 BCs (they run the 3 shifts of emergency response teams) like Thornton does. By combining the jobs, the BC on duty for that day would need to be responsible for an average of 19.22 calls per day. Most of the time they run all over the District directing (commanding) the emergency scene. I think 19 calls a day between the two Fire response areas is a bit much.

A second major question is the use of Captains. It wasn't so long ago that West Adams (I think appointed) changed all their Captains to Battalion Chief's due to that fact that W/A worked with other Fire departments and Captains and B/Cs were not the same rank. West Adams dropped the rank of Captain. Will WA now promote (or appoint) their Lieutenants to Captains? I'm guessing there will be one Capt. per paid station per shift. That would be $3 \times 4 = 12$ new Capt. all at a new pay grade. However, on page III-4, under the "Long Term After Consolidation" column says only 7 captains. What happened to the other two shifts staying at the stations? I'm also guessing that this is part of the Union Agreement made between the two Unions between Thornton and West Adams. Question is: What other agreements were made that directly effect the Authority (Thornton or West Adams District) budget?

(Added note: Through out the "Thornton/West Adams County Fire Services Consolidation Study" I find errors or assumptions that just don't seem right or are NOT CORRECT. Why didn't the West Adams District (or Fire Chief John O'Hayre) correct or make comments on these items BEFORE they sent them to us? It makes me think that "they" wanted "you" to see if you could find the error. A very poor beginning of "trust".)

- 4) With an increase (almost double) in personnel, can the book-keeper do the same job or will additional help be needed? Will West Adams Payroll (I should say The Authority) process both WA and Thornton Fire Personnel pay-checks? The Chief will have to attend not only the meetings of the Authority but also the City of Thornton and the West Adams Special District meetings (along with Northglenn/Broomfield). By the way, where will Headquarters be? Where will the Authority hold their meetings? Where will WAFPD Board hold their meetings. With the Authority taking over all assets, WAFPD has not even a meeting room. Who will review the Authority reports that come to West Adams Fire Board? Who will type letters, make public notice of elections, etc? Will WAFPD even have a "staff"? Will they have to pay someone to work for them?
- 5) Legal will also need to continue for Thornton, West Adams and a new legal firm hired for the Authority. I can't see using the same legal staff for both the Authority and one of the "Parties" The same legal for both looks like a real CONFLICT OF INTEREST. Also, I see that the Board on the Authority would have to be someone OTHER than a member of the West Adams Board or Thornton Council. (The document says a WAFPD Board member is eligible to sit on the Authority Board). Can't you just see a dispute between the WAFPD and the Authority but some of the members sit on the same Board! The WAFPD (and Thornton Council) are suppose to represent the TAX-PAYERS. " GET THE BEST SERVICE FOR THE LESS AMOUNT OF DOLLARS ".
- 6) If truly "reduce cost" is the major factor leading this drive, why don't we see "Volunteer" plans? I have seen little to nothing referring to the use of Volunteers. Rumor has it that the Authority will be overstaffed with firefighters (closing 4 stations and opening 2) so the extra firefighters will go to the Jeffco Airport Fire station where the Volunteers are presently stationed. I think everyone knows that mixing the two has not and will not work. Why has the WAFPD budget for the volunteers have gone down during the last several years?.
- 7) Couldn't the same reduction in cost come via. WAFPD contract the fire service from Thornton. WAFPD would hire the Thornton Firefighters, lease their equipment/station for \$10 year, combine two of the four stations and do the same thing as the Authority? They could even use either Thornton, Northglenn, or Broomfield personnel services along with the insurance, payroll. Oh yes, where will the maintenance facilities be or who will maintain the equipment and buildings? City of Thornton, Northglenn, Broomfield or the Authority themselves? Are we really cutting cost?
- 8) Continuing under the "reduce cost" subject, who sets the future FEES for the taxpayers in the area for the Authority? Who's to say (except the Board of the Authority) that they couldn't set a fee of \$200 to inspect a church for their Occupancy Permit? A \$100 dollar fee for inspection of a welder. And on and on. Reduction in cost might be for the "Authority" but is it really for the Tax-Payer?
- 9) Continuing the fees subject, what about the ambulance in both areas? Presently, I think Reed Ambulance is stationed in two of

Thornton Fire stations. Of course WAFPD uses volunteer ambulances Northglenn and Broomfield. If the Authority takes over, possibly dissolve the WAFPD, and maybe even establish a special District of Ambulance Service and do away with all three ambulance companies. Or, they could bring the ambulance into the fire service, charge the patients a fee (and probably a huge fee like they usually do) and collect that money themselves. Are there any agreements with the Ambulance companies? Are they aware of the merger and have they comment on the Pros and Cons.

--- Speaking of the Pros and Cons, seems like nobody except maybe Fire Chief O'Hayre and the WACFPD Board and Thornton City Council is really up-to-date on the merger. Northglenn (and maybe Thornton) local newspapers carried a small story some time ago. The Rocky Mountain News also mentioned the studies some time ago. I have never seen anything in the Broomfield paper. It seems like after two years of study, an executive meeting of WAFPD Board and Thornton City Council on Nov. 1st concluded to hold public hearings and decide the fate on Nov. 16th. How many of the Tax Payers in both Thornton and WAFPD are even aware of where there money is going. Does the present Board of West Adams represent (and communicate) with the people who elected them (or who they are suppose to represent)

BENEFIT to WEST ADAMS

BENEFIT to THORNTON

b) Captain position increase

share cost of Fire Chief

10) See number 2, second part.

BENEFIT to WEST ADAMS

BENEFIT to THORNTON

c) Union Agreement

Union Agreement

11) It is unknown what agreements were reached between the two unions. Although it's an operational issue, where would the present Thornton employees be stationed and where would WA be stationed? Would seniority get first choice for their stations? Where would all the trucks be placed. Does WA have newer trucks?

12) Is there any agreement NOT TO STRIKE?. Under the West Adams operations, (even though the employees were NOT able to Strike but probably could cause a work slow down) if knock came to knock, the West Adams District owned the equipment and stations and possible could "lock out any those that were on strike". IF there was a slow down, beings WAFPD owned the stations and equipment, the Directors could always bring in the Volunteers to run the show. Under the Authority, the Authority own everything. If there was a slow down in work in Broomfield, Broomfield City Council would have no power to ask volunteers to run the equipment.

BENEFIT to WEST ADAMS

BENEFIT to THORNTON

c) Save \$330 K / year (Page IV-3)

Save \$1 million / year

I guess if I were going to save \$1 million out of a \$3.292M budget, I'd be in favor of this merger, also.

BENEFIT to WEST ADAMS

BENEFIT to THORNTON

d) - unknown -

- unknown -

When the 4 stations are consolidated into one, what happens to the 4 old stations? If they are sold, who gets the money?

BENEFIT to WEST ADAMS

BENEFIT to THORNTON

e) - unknown -

- unknown -

Will West Adams continue to keep their Civil Service Board? Will the employees be under Civil Service? What grievance procedures will the employees use? (union and non-union and volunteer)

BENEFIT to WEST ADAMS

BENEFIT to THORNTON

e) - yes -

- Yes -

It was suggested the the new Authority Board be comprised of 9 members. 2 elected from Broomfield, 2 from Northglenn, 2 from Thornton, 2 from unincorporated areas and 1 at large. Wouldn't this make a fairer representation?

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* THE FOLLOWING ARE SOME "QUICK" NOTES FROM THE FIRST TIME GOING *
* THRU THE CONSOLIDATION PAPERS. I MAY HAVE EVEN REPEATED SOME *
* ITEMS BUT DID NOT TAKE THE TIME TO REMOVE THEM FROM THE NOTES *
* IF THE INFORMATION WAS UP AT THE FRONT OF THIS REPORT. *
***** 1)

1) See last pages for "letters" to Broomfield.

- Wonder why they are trying to get this done so fast?
- Letter Nov. 4th, West Adams Board meeting/ public hearing on Nov. 16th.
- How much is left from the \$2.8 million Bond money?
- Where did the money get spent? How did the spending compare to the Planning (at the time the Bond issue was approved? Was a station in the North ever built from the Bond money? Any money set aside for it? If so, how will this money be spent if the Authority is approved?
- Who has paid for the studies, printing, etc. for this merger? How much spent by West Adams (W/A) and how much spent by Thornton? How much has been spent in dollars and hours?

2) Page 6 (I-3): ".... overlap of the coverage areas...." Don't both Fire Depts now have mutual agreements with each other and all the rest of the FDs? Isn't these agreements made that "the one closest to the situation rolls first?" Other than combining stations in Northglenn/Thornton, how does the service improve with the Authority concept? Even W/As was going to build a station out North.

3) Page 11/12 (I-6,7): Looks like Thornton has more employees, a higher budget, more dollars spent towards personnel and will gain much more than W/A Fire Dept. Estimated W/A cost at 59% to 41%. This is based in valuation. What is the Mill levy of each and how do they compare. Does the residents in Thornton pay equally, more, or less for the same (if you call each fire dept the same or equal) fire protection?

- 4) Page 14 (II-1) "...eliminating duplication of management and staff positions and some non-personnel cost ...substantial savings..." You say 3 B/Cs can handle the whole "new" area? Also only 7 captains. Which stations get captains. There's 7 stations (long term) but aren't there 3 shifts per stations. That's 7 x 3 equals 21 captains! Looks like that's the same for lieutenants, not the 14 you quoted.
- 5) Page 31 (III-7) "...differences in assets..." seems to be a great difference in my mind.
- 6) Page 34 (IV-1),
 --- If the District (West Adams) enters into an intergovernment agreement, does the population at large (residents of the Dist.) vote on this or is it up to the present Board of Directors?
 --- "...Authority should govern and operate a fire service..." Is this the same as contracting a PRIVATE contractor? If so, don't you need to go out for bids to see who would do it at the best cost?
 --- "...City Council members and W/A board members should be eligible to sit on the Authority board..." Where does the the "CONFLICT OF INTEREST" start or quit?. As an example, if W/A disputes something the Authority does, how does the person who sits on BOTH boards represent W/A Board (who is suppose to represent the will of the people in that District)? The same goes for the legal council. If Richard L. Shearer is the Attorney for W/A District, he can't be the Authorities attorney also. Will there be 3 different attorneys, City, W/A District and the Authority?
- 7) Page 36 (IV-3), "...simply share in the savings equally..."
 --- This sounds good but it appears that W/As will pay a lot more in the start-up cost? I think we need better concrete figures before going into the agreement. Sounds like an open contract!
- 8) Page 38 (IV-4): "...The division should be led by a deputy chief."
 --- Is that "Fire Prevent and Training" (one or two divisions) and Emergency Services." Who is responsible for the Volunteer Division?
- 9) Page 38 (IV-4): "RANK STRUCTURE SIMILAR TO THORNTON FIRE"
 "...include Chiefs, Deputy Chiefs, Captains....."
 --- This line does not say Battalion Chiefs (B/Cs) but does have them listed in the 3rd sentence. Are there B/Cs?
 --- West Adams (W/A) promoted all Captains some time back to Battalion Chiefs (I think this was by appointment, NOT testing) due to that fact that W/A worked with other FDs and Captains and B/Cs were not the same rank. Now will WA promote (or appoint?) Lieutenants to Captains. I'm guessing there will be one Capt. per paid station per shift. That would be 3 x 4 = 12 new Capt. all 12 at new pay grades.
 --- Presently W/A B/Cs manage each shift. (3 B/Cs, each on for 24 hours, each B/C when on duty runs all over the district, almost to every call) If the call increase two times (W/A plus Thornton), how will they keep up? NO sleep every time they're on shift?
 "...Capt should lead the fire company....company should generally consist of a lieutenant (Lt.), engineer and a

firefighter."

--- This sounds like there are 4 firemen in every stations, not the three that is presently planned?

10) Page 38 (IV-4) "...No current employees should be laid off..."

--- I think there should be some definite agreements/contracts with employees as to when they will retire. I know W/As has employee or employees with 20 years plus and could retire but opts to continue to work to improve their pension. Who's to say they will stay another 10 or more years.

11) Page 39 (IV-5) "...plan and build the three new stations..."

--- W/A just put many dollars (from the Bond money) into their Headquarters station (now 41). Why build a new station only a few blocks away?.

12) Page 41 (Pg 2 of SUMMARY) "New station at 97th and Huron"

--- 3 pages before II-2 says (18) 101st and Huron

(Pg 2 of SUMMARY) "New station at 120th and Washington"

--- 3 pages before II-2 (18) say 116th and Washington.

(Pg 2 of SUMMARY) "Brand new station at 144th Colorado Blvd".

--- Pg III-2 (21) says 144th and Colo Blvd not ideal.

--- Newspaper says 140th and York. Which is it?

13) Page 24 (III-3) "...add two station in future..."

--- How would this be paid for? Will the Authority save money each year and build them or go out for a Bond again?

14) Page 30 (III-6) "...one participant or the other may incur higher cost for fire services than it does currently..."

---I think this needs to be defined. Again, an OPEN CONTRACT?

15) n/a

- - - - - Other Misc. comments: - - - - -

16) Just who carries the liabilities? City of Thornton in their city limits, and W/A in the District Boundaries or does the new Authority?

17) Does the employees still have the \$50K death insurance as before?

18) Who will the Authority use of Arson arrest? Does the Authority have arrest powers? What legal attorney will they use?

19) Will the Authority have their own insurance, medical, self-insurance?, Will they have their own Payroll? Why not combine with City of Thornton and save money/manpower? What about purchasing agents, etc. Also, ever thought about combining maintenance shops with Thornton or Broomfield? Where will the Authority buy fuel for their Trucks?

20) Under the Authority, who is the "watch-dog". Who is Doug Bruce?. Do they fall under the Local Gov. requirement? The Special District requirements. Are they like a Private Contractor?

21) If the Authority adopts a change to the fire code, does the City of Thornton also vote/adopt it. Likewise for Broomfield? Or does the Special District of West Adams Board also change the code and

adopt it. If W/A Board needs to adopt it, who prepares the paper work, submits it, etc for them? They only have Board members left.

- 22) How often will the Authority submit reports to the City of Thornton and/or Board of West Adams? Who in those areas will review and understand what's going on?
- 23) If there were to be a great lost in the Authority (equipment, men, etc. and they had to spend more than they got for that year, who would pay for it? Is the Authority responsible for anything? Lets say that a large amount of unknown gas escaped and it caused the Authority to use \$500 K in overtime dollars to respond, check out, etc. If the Authority didn't have the funds to pay the employees, where would the money come from? Does the Authority build a contingency fund? To how much? Can too much be a burden on the tax payers?
- 24) Have NOT heard much about the Volunteer Firemen. In the future the JeffCo Airport will need full time men (when the airport gets more and larger aircraft or goes public, whatever) what happens to the Volunteers? It appears that they have no say and are left out.
- 25) Why not collect some "landing fees" at the Airport to support part of the cost?
- 26) What about consolidation of the Ambulance? Who controls the Amb. response in Thornton, District, or Northglenn/Broomfield? Many areas have the Amb. running from the fire stations. Maybe they could charge and the money go to the Authority?
- 27) What will the Pay be for the Authority Board? Do they fall under the same rules and the Board on West Adams?
- 28) Seems that the 7th person on the Authority Board should be a Professional Business manager hired by the Authority Board and works for that Board? You can't hire the "fox" to watch the "chicken coup."
- 29) Will the Authority use DRDCG?
- 30) Will ADCOM (Communications Center) continue to dispatch? Isn't that awful expensive?
- 31) Why go to an Authority? Couldn't West Adams just contract to City of Thornton to do the same job?
- 32) Do you "deed the stations? Change the Title, etc.? Why not lease all of it each year?
- 33) Are there any payments left on the equipment? Who pays it off?
- 34) What is the "chain of Command" for either a resident or a member of the Council in either Broomfield or Thornton? If a problem needed investigated and resolved, how would one go about getting it resolved without going through a major filter system. (ie. Resident to council member, council to Police Chief of City Manager, Manager to Special District member to District Meeting, District to Authority?)

- 35) If Broomfield went to a "City and County of Broomfield", and wanted the Fire Service to be under the City Safety Manager, could they get the Fire Service out of the Authority? Would any of the stations or equipment that was bought by the residents tax dollars transfer to the new City Fire Service?
- WA BUDGET
- 36) Budget for ADCOM communications stayed the same at \$144,675. ADCOM just started dispatching for Thornton. Why did this not change? Is Thornton also paying ADCOM? How much?
- 37) Broomfield has city property in Weld county. Does West Adams fire respond to that area? Or is it covered by Dacona, Brighton, or Erie? Does West Adams draw Fire Tax money from the Weld county property that is inside of Broomfield?
- 38) For the last 4 years, the Budget for Capital \$ was 7k, 4.4k, 24.5K and OK (1994). How will the Authority pay for replacement of trucks, build new fire stations in the future, and plan for capital replacement items?
- 39) Isn't there money left from the \$2.8 M bond issue for the north station? something like 400 or 500K. If Thornton builds that station, where does this money go?
- 40) It appears that the 1994 Proposed Training Batt. Chief salary is \$55,154. What is the Chiefs salary and car allowance?
- 41) Pension, Old Hire) It appears that the Management Fees in 1992 went up to \$10,961 when the budget was only \$5,000. For 1993 anticipated and proposed 1994 it is \$20,871. Why the change and why so high? (Page 8, Proposed Budget) The Vol. \$ also went up to \$28,128 from \$6,000 approved in 1992.
- 42) Why does the proposed 1994 budget show \$0 for Severance Pay and Unemployment Insurance. (Page 9)
- 43) Why did the Legal Expenses in 1992 (approved at \$28K) go to \$69,214 Actual in 1992, Anticipated \$93K in 1993 and back to \$40K in 1994
- 44) Why did the Postage & Freight go from \$2,572 Approved in 1992 to \$8,115 Actual in 1992.
- 45) Why did Meeting Expense go from \$3,900 Approved in 1992 to \$8,479 Actual in 1992, Anticipated at \$5,192 in 1993 and Proposed at \$2,500 in 1994.
- 46) Why did Other Contracted Services go from \$7,100 Approved in 1992 to \$16,330 Actual in 1992, Anticipated at \$8,912 in 1993 and Proposed at \$8,800 in 1994.
- 47) Why did Other Contracted Services (Pg 13, Fire Prev) go from \$0 Approved in 1992 to \$28,884 Actual in 1992, Anticipated at \$472 in 1993 and Proposed at \$0 in 1994.