



## MEETING MINUTES NEVADA RESORT PLANNING TASK FORCE

<b>Attendance</b>	<b>Date</b>	Friday, April 27, 2018	
	<b>Time</b>	1:30 P.M.	
	<b>Location</b>	Nevada Division of Emergency Management Executive Conference Room 2478 Fairview Dr. Carson City, NV 89701  Clark County Fire Department, Station 18 3 <sup>rd</sup> Floor Conference Room 575 East Flamingo Rd. Las Vegas, NV 89119	
	<b>Method</b>	Videoconference	
	<b>Recorder</b>	Matthew Williams	
<b>Task Force Members</b>	<b>Present</b>	<b>Staff</b>	<b>Present</b>
Caleb Cage (Chair)	<b>X</b>	Samantha Ladich (Sr. DAG)	<b>X</b>
Chris Brockway (Vice Chair)	<b>X</b>	Bud Marshall (DEM/HS Staff)	<b>X</b>
Aaron Kenneston	<b>X</b>	Matthew Williams (DEM/HS Staff)	<b>X</b>
Andrew Rasor	<b>X</b>		
Darrell Clifton	<b>X</b>		
Dean Hill	<b>X</b>		
Elizabeth Nelson	<b>X</b>		
John Steinbeck	<b>X</b>		
Jim Walker	<b>X</b>		
Rachel Skidmore	<b>X</b>		
Russell Niel	<b>X</b>		
Steve Goble	<b>X</b>		
Todd Fasulo	<b>X</b>		
Thomas Barrett	<b>X</b>		
<b>TOTAL:</b>	<b>13</b>		

### 1. CALL TO ORDER AND ROLL CALL

Caleb Cage, Chief of the Nevada Division of Emergency Management (DEM) and Chairman of the Nevada Resort Planning Task Force (Task Force) called the meeting to

order. Roll call was performed by Matthew Williams, DEM. Quorum was established for the meeting.

## **2. PUBLIC COMMENT**

Chair, Chief Cage opened discussion for public commentary. No commentary provided in either venue.

## **3. APPROVAL OF MINUTES**

Chair, Chief Cage, opened this agenda item for approval of the minutes from the April 13, 2018, Nevada Resort Planning Task Force meeting. Darrell Clifton, Eldorado Resorts, made a motion to approve the minutes as submitted. Dean Hill, Peppermill Resorts, seconded. All were in favor and the motion carried.

## **4. TASK FORCE OVERVIEW AND UPDATE**

Chair, Chief Cage, began by introducing Rachel Skidmore, Emergency Manager at LVMPD who joined the group after the last meeting.

Chief Cage stated that the recommendations and input from the group during the April 13<sup>th</sup> meeting have been added to the both the Task Force Report and the Emergency Response Plan guide. Chief Cage stated his hope that the report and guide could be approved by the group today, as they are fast approaching the May 6<sup>th</sup> deadline.

## **5. PRESENTATION OF THE DRAFT TASK FORCE REPORT**

Chief Cage presented the Task Force Report to the members which included the additional information based on discussions from the April 13<sup>th</sup> meeting. Chief Cage stated that on page 8, the update on the April 27<sup>th</sup> meeting will be reflected based on notes and the minutes. The majority of the other recommendations from the April 13<sup>th</sup> meeting are reflected on pages 10-11. The floor was opened to discussion.

Lt Andy Rasor, Nevada Threat Analysis Center, asked for an update on NRS 463 and whether a bill draft request (BDR) would need to be filed with the Legislature to ensure the task force's recommendations were heard. Chief Cage stated that a BDR would not be necessary due to the fact the report will head to the Nevada Commission on Homeland Security (NCHS) and recommendations from the NCHS would then go on for sponsorship for passage during the legislative session.

Chief Cage read through suggestions from the April 13<sup>th</sup> meeting. Chief Cage stated that some of the suggestions have been changed in the report to focus less on legislative actions and more on outreach to the Resorts on an annual basis for the status of their plans, with an annual update to the Gaming Control Board in regards to the status of those plans.

Russ Niel, Gaming Control Board, asked about the annual requirement listed in Recommendation 2 and if that requirement was left to the resorts to be complaint, or whether DEM would reach out to ensure compliance. Chief Cage stated that a required annual update might be too much for resorts, though a letter stating the plan on file was still in effect was satisfactory.

Niel suggested putting the responsibilities of the annual deadline on the resorts. Aaron Kenneston, Washoe County Emergency Management, agreed and stated that a set annual date, with a reminder from DEM, that puts the pressure on the resorts, would be the best route to go. Lt. Rasor concurred though asked about ensuring compliance to this deadline. Chief Cage stated letting GCB know about the non-compliance, where then the GCB would assign a case that would ensure resorts get in compliance. Darrell Clifton was concerned about the annual update for a report, rather than notification of no change. Dean Hill agreed with this and stated he believes that it can be a yearly update or a notification of no changes due at the end of the year to mirror other companies who send in plans.

Steve Goble, Venetian Palazzo Resorts, raised the concern of having enough time from notification to due date, due to many people having to issue information for the report. Mr. Goble recommended that it would be beneficial for DEM to issue reminders to the resorts that the report is due. He wanted reminders from DEM about report. Chief Cage stated that it would be his recommendation that DEM would reach out, as well as Resorts having the option to give a new annual update, or sending in a letter stating no changes.

Mr. Niel stated this approach would be similar to the annual surveillance plan the resorts send to the GCB which have similar guidelines – either a new report, or a letter stating no changes. (Due to these reports being tied to the anniversary gaming license issuance, there are no reminders due to them coming in different times of year. Mr. Kenneston agreed with this approach due to the fact synchronizing reports give better results when tied to other annual reports that are due.

Chief Cage stated that the Legislative Council Bureau (LCB) would be the ones to determine a schedule based on the legislative language. The schedule would probably include outreach from DEM annually, and could either be based on the license date or end of the calendar year.

Mr. Niel asked about which plans would be due at the end of the calendar year and whether they would be for the previous calendar year or the upcoming calendar year. Jim Walker, DEM, stated it was the most current active plan they have as of 12-31.

Mr. Hill stated his approval for hard deadlines for the reports to be due, but stated that if there is a hard deadline then a reminder should go out a few months in advance to remind the resorts of the impending date. Chief Cage agreed and believes a reminder date being in July would give the resorts enough time to get their information together.

Elizabeth Nelson, Caesars Entertainment, concurred with the 12-31 as a due date for the resorts due to the fact they are already preparing for the New Year's Eve festivities, so they will be as updated as they possibly can be.

Chief Cage stated a consensus was being worked that would require DEM to get updated list from GCB responsible resorts. By 7-1 DEM will send notification out to the list for a reminder of the 12-31 deadlines to submit new plan, update of plan or certification letter stating plan is still in effect and confirming compliance. After 12-31, any properties that haven't remained compliant would be added to a list that will be sent to GCB for resolution of compliance issues.

Todd Fasulo, Wynn Las Vegas, expressed reservations about the 12-31 due date, due to the fact that with any major changes to a plan, there would not be adequate time for law enforcement and other first responders to evaluate the plan before New Year's Eve. Mr. Fasulo recommended moving the due date forward to September, with any amendments due in November to ensure law enforcement and other first responders are aware of any major changes before New Year's Eve. Mr. Kenneston stated he agreed in theory with what Mr. Fasulo was saying. Mr. Kenneston recommended having plans that are due on 12-31 should be for next year instead of the current year and that would ensure the plan is up to date for New Year's Eve. Chief Cage recommended moving the date to November 1, however Darrell Clifton disagreed with having plans due around a particular event, as events are different throughout the state and isn't practical.

Rachel Skidmore, Las Vegas Metropolitan Police Department, asked about the compliance rule that states any changes to a resorts plan require the resort to notify appropriate authorities within three business days. Chief Cage stated that they were trying to determine whether the three day rule is needed or not and would be open to discussion for legislative recommendations to remove the three day rule. Ms. Skidmore stated her approval of the three day rule due to the fact it already kept the resorts complaint and allowed for GCB enforcement due to the three days being written in statute. Ms. Nelson stated her belief in keeping the three day rule and that it would make the due dates discussed in the meeting less important because of the obligation for compliance with the three day rule. Mr. Fasulo stated that the due date should be backed up to November 1<sup>st</sup> and also keeping the three day rule, but having enforcement for people who didn't send within three days. In regards to the three day rule, Mr. Kenneston stated that any hard deadline decided by the task force would be moot due to having to send plans within three days already. Mr. Hill stated his belief that most resorts wouldn't be making large, significant changes to plans for New Year's Eve so that shouldn't dictate a hard due date.

Tom Barrett, MGM Resorts International, read a statement (see attached) to the Task Force stating his belief that within Recommendation 1 of the Task Force Report, it is important to realize that certain terms used in the Emergency Resort Planning (ERP) guide would not always translate well to those in private sector operations. Chief Cage recommends having something in the report that would direct readers to the ERP where a list of definitions is housed.

Chief Steinbeck stated his belief that while a 90 day expiration date is best, he believes the group will still have a life after the 90 days and the group should consider meeting after for ongoing review and assessment of the task force recommendations. To reflect this, Chief Cage will add a line to first recommendation that states reconvening in 12 months to provide initial assessment of the guide and if changes are needed.

Mr. Kenneston called a motion for the acceptance of the whole report with the changes included as discussed in this meeting, including reconvening in 12 months as well as having the definitions listed in the ERP. Mr. Fasulo inquired about the due date for the reports – the task force agreed with 11-1 of each year. Mr. Fasulo seconded the motion. Chief Cage asked if the motion could include a correction to Russ Niel's title within the report and the addition of a brief overview of April 27 meeting.

Ms. Nelson asked if there would be time to approve the report after the changes above are in draft form, instead of approving it now, Mr. Niel agreed. Aaron Kenneston stated his belief that it wasn't needed to read the updated report before approving as the substance wouldn't change.

Todd Fasulo withdrew his second. Motion Failed 8-5.

Ms. Skidmore set a motion to meet again within the 90 day period to review the final draft report. Russ Niel seconded. Motion passed unanimously. An additional meeting to review and accept the final draft report was set for May 3, 2019 at 9:00am

Lt. Rasor asked what would happen if a quorum wasn't met for the May 3<sup>rd</sup> meeting and if the bylaws have expired for the task force before the group can achieve a quorum. Chief Cage stated his belief that if that happened, the group would have to disband and start over again with new bylaws. Ms. Nelson asked if there could be a motion that stated if a quorum isn't met for the May 3<sup>rd</sup> meeting, the report be approved automatically. Samantha Ladich, DAG, stated her belief that such a motion like that could be given. Ms. Ladich stated her belief that the agenda of the May 3<sup>rd</sup> meeting could include a change to bylaws that could extend the task force beyond the 90 days, Chief Steinbeck stated his belief that the agenda should include the option to change the bylaws. Mr. Walker stated his agreement with the option to change the bylaws and also to include meeting again in 12 months. Chief Cage stated his belief that it shouldn't be extended, though it can be discussed by next meeting.

Chief Cage changed report to reflect change in title for Mr. Niel, the inclusion of the notes of the April 27<sup>th</sup> meeting, the addition of the May 3<sup>rd</sup> meeting, including definitions within the ERP instead of the report, and the addition of reconvening the task force within the next 12 months.

## **6. DISCUSSION OF THE DRAFT NEVADA RESORT HOTEL EMERGENCY RESPONSE PLAN GUIDE**

Bill Elliott, DEM, discussed revisions to the ERP since the last meeting that included changes to the concept of operations for resorts. Mr. Elliott also discussed the addition of a Grab and Go package list, as well as a best practices annex with specific information for first responders (locations of keys, HVAC systems, evacuation plans, etc.) Changes were made to Section 11 that stated recommendations for exercises as well as conducting after action reports, but emphasizing per NRS it is not mandatory for Resorts to do either.

Darrell Clifton asked about the legal definition of "recommended" and whether there would be legal liabilities if they didn't. Bill Elliott stated that this is a guide and a recommendation on how Resorts can develop an emergency response plan, but isn't the sole solution to resort plans. Steve Goble concurred and believes there is adequate language in the guide that would protect resorts from legal liability. Lt. Rasor read from the Resort Task Force report that stated the guide was meant for best practices, not to box resorts in.

Jim Walker asked about instead of adding the Grand and Go list to its own separate annex it should be added to section 8 list under the Best Practices section.

Todd Fasulo stated the resorts should have a line in their ERP that states where the Grab and Go bags are located for easy locating by first responders. Rachel Skidmore stated her praise of the inclusion of such items as the location of keys for elevators and any other items that make it easier for law enforcement and first responders. Ms. Skidmore asked that the paragraph regarding AAR and IAP's be struck altogether, Mr. Kenneston agreed with striking that paragraph.

Tom Barrett stated his belief that the ERP should remain flexible and implementable and is concerned that any guidance from the State with the ERP would be interpreted as instructions on how assessments should be undertaken. Mr. Barrett stated that it was his hope that the guide would function as a living document that is reviewed and adapted as its users learn through actual experiences.

**7. PUBLIC COMMENT**

Chair, Chief Cage opened discussion for public commentary. No commentary provided in either venue.

**8. ADJOURN**

Chief Cage called for a motion to adjourn the meeting. Dean Hill made the motion for adjournment and Andy Rasor seconded. All were in favor with no opposition. Meeting adjourned.