



EAST PIERCE FIRE & RESCUE BOARD OF COMMISSIONERS
Regular Meeting Agenda
November 19, 2024
7:00 p.m.

Meetings are conducted in-person with the option of attending virtually.
Meeting Location: 18421 Veterans Memorial Dr. E, Bonney Lake 98391

Please click the link below to join the webinar:
<https://us06web.zoom.us/j/85856843310>

Viewers may ask questions at the appropriate time via the chat option available within the application. Statements and or questions may also be emailed to cbyerley@eastpiercefir.org.

1. CALL TO ORDER – 7:00 PM

2. ROLL CALL/PLEDGE OF ALLEGIANCE/WELCOME

- a) Roll Call/ Pledge of Allegiance
- b) Welcome the Public
- c) Honors and Recognition
 - i) Deputy Chief Matt Gilbert – 15 Years
 - ii) Project Manager Phil Herrera – 5 Years

3. APPROVAL OF AGENDA

4. CONSENT AGENDA

- a) Approve Minutes of the October 15th Regular Meeting Pages 3-5
- b) Approve Minutes of the October 30th Special Meeting Page 6
- c) Treasurer’s Report Pages 7-8
- d) Approve Finances Pages 8-16
- e) Resolution 1064 – 3rd Quarter EMS Write-Off Page 17

5. PRESENTATIONS

- a) None

6. VISITORS Open to Public Comments

Any individual may request that the Board recognize them to give their comments on items not on the agenda. Please identify yourself and state your address for the record before commenting. Comments/Questions should be submitted via chat feature on webinar or emailed to the District Secretary at cbyerley@eastpiercefir.org. Please submit copies of any reports, statements, etc. to the District Secretary for the Board via email or mail. The Board may not have the information at hand to address a subject or take action at this time.

7. BOND-2018:

- a) Update - Herrera Pages 18-24

8. CHIEF’S REPORT

- a) Monthly Chiefs Report Pages 25-26
- b) Deputy Chiefs Reports Pages 27-28
- c) Monthly Injury Report..... Page 29

- 9. COMMISSIONER CONFERENCE/COMMITTEE REPORTS:**
- a) Planning Committee – None
 - b) Finance Committee – Notes from 11/4 Meeting - Napier Page 30
 - c) HR Committee – None

- 10. PUBLIC HEARING FOR 2023 REVENUE AND EXPENDITURES** Pages 31-47
(Board Chair will allow for public comments – 3 minutes maximum)
- a) Chair Opens Public Hearing
 - b) Revenues for 2025
 - c) Expenditures for 2025
 - d) Public Comments
 - e) Chair Closes Public Hearing

- 11. RESOLUTIONS:**
- a) Resolution 1065 – 2025 Budget – Hollon Pages 48-51
 - b) Resolution 1066 – 2025 Regular Tax Levy – Hollon..... Pages 52-53
 - c) Resolution 1067 – 2025 EMS Tax Levy – Hollon..... Pages 54-55
 - d) Resolution 1068 – 2025 Excess Tax Levy – Hollon..... Pages 56-57
 - e) Resolution 1069 – Target Reserve – Parkinson Pages 58-61
 - f) Resolution 1070 – Sole Source (Vehicle Exhaust System) – Hollon Pages 62-68
 - g) Resolution 1071 – Surplus (Tempus Heart Monitors) – Moore..... Pages 69-72

- 12. NEW BUSINESS** *(Board Chair will allow for public comments via chat or email)*
- a) Financial Management Policy - Parkinson Pages 73-85
 - b) Authorization to hire 2025 FF’s in December 2024 – Parkinson..... Page 86
 - c) Authorization to hire I.T. Administrator in December 2024 – Parkinson Page 87
 - d) Deputy Chief Stabenfeldt Annual Evaluation and MOU – Parkinson Page 88
 - e) Commissioner Compensation Policy - Byerley..... Pages 89-92
 - f) Legal Services Contract – Parkinson..... Pages 93-99
 - g) Request to purchase of SCBA’s – Stabenfeldt Page 100

- 13. UNFINISHED BUSINESS** *(Board Chair will allow for public comments via chat or email)*
- a) None

- 14. COMMISSIONER TRAINING/EVENT REQUESTS:**
- a) Commissioner Compensation – Byerley None
 - b) PC Fire Commissioners Annual Banquet – Byerley Page 101

15. EXECUTIVE SESSION: Per RCW 42.30.110(1)(g) to review the performance of a public employee and per RCW 42.30.140 Collective Bargaining Agreement discussion.

16. COMMISSIONER ACTION/DISCUSSION: None

17. ADJOURN

2024 EVENTS:

- November 21stPC Commissioner Meeting (3rd Thursday due to 4th Thursday being Thanksgiving)
- December NO PC MEETING

**A REGULAR MEETING OF THE
BOARD OF FIRE COMMISSIONERS OF
EAST PIERCE FIRE & RESCUE**

October 15, 2024

A regular meeting of the Board of Fire Commissioners of East Pierce Fire & Rescue was held on October 15, 2024, in-person at Headquarters (18421 Veterans Memorial Dr E, Bonney Lake) and via conference/video call through Zoom. Notice and link to join meeting was posted for public access. Board Chair Jon Napier called the meeting to order at 7:00 p.m. Present by roll call were Commissioners Ed Egan, Kevin Garling, Pat McElligott, Randy Kroum, Cynthia Wernet, and Justin Evans. Chief Jon Parkinson, Deputy Chief Kevin Stabenfeldt, Deputy Chief Matt Gilbert, and District Secretary Corina Byerley were also present.

Commissioners Excused: None
Commissioners Unexcused: None

AUDIENCE: Finance Manager Michelle Hollon, Project Manager Phil Herrera.

HONORS AND RECOGNITIONS: None

OATH OF OFFICE: None

APPROVAL OF AGENDA:

District Secretary Byerley requested to replace the Treasurer's Report in Item 4b (Consent Agenda) correcting amounts that were added to the wrong line items; add Planning Committee Notes from the September 13, 2024 meeting to Item 9a (Commissioner Conference/Committee Reports); and update the agenda summary for Item 11a (New Business) Heart Monitor update and recommendation. Commissioner Evans moved to approve the agenda as amended. The motion was seconded by Commissioner Garling and carried.

CONSENT AGENDA:

Commissioner McElligott moved to approve the consent agenda (minutes from the September 17th Regular meeting; treasurer's report; current expense vouchers 241001001-241001075 in the amount of \$710,255.73; payroll vouchers 241003001-241003015 in the amount of \$924,526.24; electronic payroll in the amount of \$2,830,174.05; Capital expense vouchers 241002001 - 241002013 in the amount of \$2,232,473.34; special voucher 240904001 in the amount of \$816,425.93; Resolution 1063 the transfer of funds from Capital to General in the amount of \$100,767; and Transport Waiver for account 132487118 in the amount of \$275.00). Motion seconded by Commissioner Egan and carried.

GUEST SPEAKER PRESENTATION:

Julia Tesch and Oliver Hirn of BERK Consulting gave a presentation of the 2025 – 2029 Strategic Plan. The presentation provided an overview of the process and stakeholders that participated in forming the plan. The plan includes new mission and vision statements as well as new core values. Chief Parkinson discussed four main goals and their respective strategies and objectives. After the presentation Commissioner Garling moved to adopt the 2025 - 2029 Strategic Plan as presented. The motion was seconded by Commissioner McElligott and carried.

VISITOR COMMENTS: None

BOND-2018:

Project Manager: Project Manager Phil Herrera gave an update on the Capital Facilities Plan included in packet.

Station 111: Admin finishes progress. Finish grade sitework continues, asphalt complete. Plaza concrete walls are completed. Rock walls complete, stonework underway. 2nd floor finishes underway. Elevator installation is starting this week.

Station 112: CUP hearing completed. We are working on revisions. Building permit awaiting approval. Bid target date is the week of October 21st. Close November 14th.

Station 114: Trim and finishes continue. Water main work is complete. Exterior CMU is complete, Metal siding to commence this week. Sidewalks and curbs this week, asphalt next week.

Station 117: Roof covering is complete, the building is dried in. Electrical, plumbing, and mechanical rough-in continue. Sheetrock installation is underway. Front apron installation began last week. Asphalt next week. Now looking at February for station completion.

Station 118: Resubmitted review submission for fuel tank.

CHIEF'S REPORT:

Monthly Chiefs Report: Reviewed the Chief's monthly report with the Board. Included in agenda packet. Chief Parkinson's report included: Interviews are underway for winter recruit class, anticipate 6 recruits; two personnel have been deployed to the East Coast as part of an incident management team to support hurricane recovery efforts; BERK Consulting has completed the final draft of the strategic plan; the 2023 audit process is ongoing; and the 28th annual open house was a success and believed to have the largest turnout in the event's history.

Monthly Deputy Chiefs Reports: Deputy Chief Stabenfeldt and Deputy Chief Gilbert gave a brief overview of each division's accomplishments for the month included in packet. The report included: Deputy Chief Gilbert acknowledged and thanked AC Moore and the EMS division for coordinating the testing of heart monitors replacement options so quickly and thoroughly; Deputy Chief Stabenfeldt reported that the second mechanic position was filled and starts on Monday; and thanked Public Educator Dina Sutherland and MSO Adam Lathrop for their efforts in coordinating the Open House.

Monthly Injury Report: Update provided in agenda packet.

COMMISSIONER CONFERENCE/COMMITTEE REPORTS:

Planning Committee – Commissioner Wernet provided an overview of notes provided in the agenda change packet. Commissioner Wernet highlighted that the district is looking for property to lease for vehicle maintenance.

Finance Committee – Commissioner Napier gave an overview of notes included in the packet.

RESOLUTIONS: None

NEW BUSINESS:

Heart Monitor Update/Recommendation: Chief Parkinson and AC Moore presented to the Board an update on the heart monitor trials that have been underway. AC Moore recommended the purchase of 21 Lifepack 35 heart monitors to replace the Tempus monitors currently in use. AC Moore will return to the Board in November with a proposal for a refund on the Tempus units. Commissioner McElligott moved to authorize the replacement of the Tempus defibrillator monitors, which did not meet our operational expectations, with the purchase of 21 Stryker Lifepack 35 monitor/defibrillators and associated equipment utilizing the Savik buyers group, to be funded through the Capital Fund. The motion was seconded by Commissioner Evans and carried.

BREAK: A five-minute break was taken at 8:36 p.m. The meeting reconvened at 8:41 p.m.

2025 Budget Draft: Chief Parkinson gave a presentation of the proposed 2025 Budget including an overview of revenues, expenses, equipment replacement reserve, facility maintenance reserve, and the 5-year forecast. No action was taken by Board, information only.

Financial Management Policy (1st Reading): Chief Parkinson presented to the Board the first reading of a revision to the Financial Management policy. Revisions reflect the Board's direction provided at the May 2024 Board Workshop including addressing the full collection of levies, the option to pay down balance of outstanding bonds, intent to avoid future debt whenever possible and practical, and restructure reserve funds. Information only, no action taken.

Commission Compensation Policy (1st Reading): District Secretary Byerley presented to the Board the first reading of the commissioner compensation policy noting revision to the compensation limits. SSB 5925 allows commissioners in districts with a budget of \$10 million or more to claim 144 days of per diem compensation. At the current rate of \$161 per day, the annual expense cap of for each commissioner is now \$23,184. The compensation limit increased from \$15,456 to \$23,184 effective June 6, 2024. The policy revisions reflect this change. Information only, no action taken.

UNFINISHED BUSINESS: None

COMMISSIONER TRAINING/EVENT REQUESTS:

Commissioner Compensation: District Secretary Byerley reminded Board that compensation requests for 2024 must be submitted by December 5th to be processed in the 2024 budget.

EXECUTIVE SESSION: None

COMMISSIONER ACTION/DISCUSSION: None

ADJOURN

There being no further business to come before the Board, the meeting adjourned at 9:43 p.m.

District Secretary Corina Byerley

Chairman Jon Napier/Vice-Chair Ed Egan

**A SPECIAL MEETING OF THE
BOARD OF FIRE COMMISSIONERS OF
EAST PIERCE FIRE & RESCUE**

October 30, 2024

A special meeting of the Board of Fire Commissioners of East Pierce Fire & Rescue held on October 30, 2024, via conference/video call through Zoom. Notice and link to join meeting was posted for public access. Chair Jon Napier called the meeting to order at 7:00 p.m. Present by roll call were Commissioners Cynthia Wernet, Kevin Garling, Edward Egan, Justin Evans, Fire Chief Parkinson, Deputy Chief Stabenfeldt, Deputy Chief Matt Gilbert, District Secretary Corina Byerley, and Assistant Chief Mike Westland.

Commissioners Excused: Pat McElligott and Randy Kroum

Audience: None.

The purpose of the special meeting was to discuss a request for authorization to purchase a tender (water tanker).

Chief Parkinson requested from the Board authorization to purchase a water tender. The current delivery time on tenders is approximately 3 years. “Stock” units that meet our design specifications periodically become available, but they require immediate action to acquire because of market conditions. This request authorizes the fire chief to execute an order in 2024 should another unit become available. The budget authorization will be part of the 2025 budget request, as the actual expenditure won’t occur until 2025 at the earliest. Commissioner Evans moved to authorize the fire chief to purchase one water tender with a total expenditure not exceeding \$724,000. The motion was seconded by Commission Garling and carried.

There being no further business to come before the Board Commissioner Garling moved to adjourn. The motion was seconded by Commissioner Wernet. Meeting adjourned at 7:04 p.m.

Chair Jon Napier

Corina Byerley, District Secretary



EAST PIERCE FIRE & RESCUE

October 2024

for November 19, 2024 Meeting

	Current Month	Year to Date	Budget Resolution 1034	Remaining Amount	Remaining Percent
				2 Months Remaining =	16.67%

General Fund (Current Expense)

Net Cash & Investments 12/31/2023 **\$ 12,658,683** Budgeted

Operating Revenues					
	Current Month	Year to Date	Budget Resolution 1034	Remaining Amount	Remaining Percent
Property Tax - Current	14,992,438	37,106,782	40,405,095	3,298,313	8.2%
Property Tax - Prior Year/Delinquent	14,985	355,992	-	(355,992)	0.0%
Other Taxes	-	21,304	18,500	(2,804)	-15.2%
Regular EMS Transport	314,825	2,786,664	2,900,000	113,336	3.9%
GEMT Transport	344,655	2,761,301	2,112,000	(649,301)	-30.7%
GEMT Reconciliation	439,081	439,370	400,000	(39,370)	-9.8%
Intergovernmental	16,551	175,168	201,375	26,207	13.0%
Tehaleh Mitigation	48,300	135,100	100,000	(35,100)	-35.1%
Transfers in from Reserves/Capital	100,767	1,386,348	7,700,565	6,314,217	82.0%
Other Revenue	269,270	2,137,229	2,001,453	(135,776)	-6.8%
Total Operating Revenues	16,540,872	47,305,258	55,838,988	8,533,730	15.3%

Reserved: Advance Travel & Petty Cash (Imprest Accounts) \$15,100 Not Included

	Current Month	Year to Date	Budget Resolution 1034	Remaining Amount	Remaining Percent
Operating Expenses					
Administration <i>(Comm, Fire Chief, Deputy Chief, Finance, HR)</i>	405,774	3,014,668	3,260,984	246,316	7.6%
Operations <i>(Fire, Training, Volunteers)</i>	3,095,884	27,806,114	33,360,160	5,554,046	16.6%
EMS	230,301	2,419,141	3,286,873	867,732	26.4%
Prevention <i>(Fire Prevention, Pub Ed)</i>	140,869	1,067,752	1,401,954	334,202	23.8%
Logistics <i>(Logistics, Emerg. Mgmt, IT)</i>	480,497	4,231,128	5,055,431	824,303	16.3%
Capital <i>(Project Manager)</i>	20,421	296,539	201,677	(94,862)	-47.0%
Reserve Purchases <i>(Equipmt., EMS, Facility)</i>	7,156	1,317,566	7,498,888	6,181,322	82.4%
Transfers Out	-	2,245,930	1,773,021	(472,909)	-26.7%
Total Operating Expenses	4,380,901	42,398,839	55,838,988	13,440,149	24.1%
Payroll Clearing Accruals	68,283	45,762			
Operating Expenses Net of Accruals	4,449,184	42,444,601	55,838,988		
Ending Net Cash & Investments			\$ 17,519,340		

Reserve Fund

Net Cash & Investments 12/31/2023 **\$ 33,032,937** Budgeted

	Other Revenues	Transfer In	Transfer Out	Balance as of 10/31/24	(Short)/Over
Reserve Balances					
General Reserve				4,760,191	309,206
Equipment Reserve				13,438,835	N/A
Facilities Reserve				1,243,919	443,919
Employee Compensation Reserve				982,344	182,344
Capital Facilities Phase 2				15,125,191	Balance
Sale of Tax Title Property					
Investment Interest	149,918				
Current Month Total	149,918		-		
Year to Date Total	\$ 1,537,317	\$ 2,239,394	\$ 1,110,229	\$ 35,550,479	



EAST PIERCE FIRE & RESCUE

October 2024

for November 19, 2024 Meeting

Capital (Construction) Fund UTGO Bonds 2022	Current Month	Year to Date	Budget Resolution 1034	Remaining Amount	Remaining Percent
Net Cash & Investments 12/31/2023			\$ 42,618,324	Budgeted	
Revenues					
Investment Interest	108,604	1,498,011	2,100,000	601,989	0.0%
Transfer In - Vendor Refund	-	6,536		-	0.0%
Total Revenues	108,604	1,504,547	2,100,000	601,989	
Expenses					
Capital Purchases	-	26,959	-	-	0.0%
Capital Purchases-Station 111	832,637	8,010,049	-	-	0.0%
Capital Purchases-Station 112	13,030	394,491	-	-	0.0%
Capital Purchases-Station 114	338,745	4,164,191	-	-	0.0%
Capital Purchases-Station 117	1,347,734	5,283,585	-	-	0.0%
Capital Purchases-Station 118	327	224,520	-	-	0.0%
Capital Purchases-Station 124	-	-	-	-	0.0%
Transfer Out - GF - Cap Fac Mgr	100,767	276,119	201,677	(74,442)	0.0%
Total Expenses	2,633,240	18,379,914	201,677	-	0.0%
Ending Net Cash and Investments			\$ 44,516,647		
** Note: \$1,000,000 of Ending Net Cash reserved for IRS for arbitrage true-up **					



Finance Department
District Payment Transmittal

District Name: East Pierce Fire & Rescue #22

PAYMENT LISTING

Trans Date	District Ref #	Payee Printed Name	Amount
11/13/24	5055	AFLAC	\$462.09
11/13/24	5056	DIMARTINO ASSOCIATES (WSCFF)	\$21,196.91
11/13/24	5057	GET PROGRAM	\$524.00
11/13/24	5061	WCIF-Life/Dental/EAP	\$1,167.44
11/13/24	5062	WCIF-Met Life / Accident	\$158.66
11/13/24	5060	TACOMA-PIERCE CO CHAPLAINCY	\$841.50
11/13/24	5063	WCIF-Met Life / ID Theft	\$69.75
11/13/24	5058	IAFF - FIREPAC	\$800.18
11/13/24	5059	LEOFF HEALTH & WELFARE TRUST	\$415,581.11
11/13/24	5064	WSCFF - FASTPAC	\$637.50
11/13/24	5065	WSCFF-Medical Expense Reimbursement Plan	\$16,638.97
11/14/24	5182	MATERIALS TESTING & CONSULTING	\$15,434.50
11/14/24	5175	ANDY JOHNSON & CO. INC.	\$237,541.89
11/14/24	5177	HONEYWELL INTL	\$40,474.86
11/14/24	5178	JODY MILLER CONSTRUCTION	\$1,310,042.82
11/14/24	5180	KNOX COMPANY	\$1,704.92
11/14/24	5181	LINCOLN CONSTRUCTION INC	\$6,171.11
11/14/24	5176	GEAR GRID	\$13,591.00
11/14/24	5179	JONES & ROBERTS CO.	\$632,737.53
11/14/24	5183	OTTO ROSENAU & ASSOCIATES, INC.	\$778.40
11/14/24	5185	PUGET SOUND ENERGY	\$22,172.73
11/14/24	5186	RICE FERGUS MILLER ARCHITECTURE	\$37,388.88
11/14/24	5188	STRYKER SALES CORP.	\$1,170,245.89
11/14/24	5190	TRANSGROUP	\$488.75
11/14/24	5191	WETHERHOLT AND ASSOCIATES INC.	\$11,551.50
11/14/24	5093	AIR EXCHANGE, INC.	\$590.29
11/14/24	5097	BRAUN NORTHWEST, INC	\$19,584.93
11/14/24	5184	PERFORMANCE VALIDATION INC.	\$12,787.00
11/14/24	5189	TERRA ASSOCIATES, INC.	\$4,249.99
11/14/24	5091	ADVANCE TRAVEL FUND	\$1,208.68
11/14/24	5095	BERK CONSULTING	\$9,891.41
11/14/24	5096	BOUND TREE MEDICAL LLC	\$1,580.41
11/14/24	5098	C.W. NIELSEN MFG CORP	\$858.10
11/14/24	5099	CARDINAL HEALTH 112, LLC	\$4,287.71
11/14/24	5102	CINTAS CORPORATION # 461	\$11,903.72
11/14/24	5106	COMMERCIAL BRAKE & CLUTCH	\$266.64
11/14/24	5110	DAVIS DOOR SERVICE, INC	\$1,093.82
11/14/24	5187	STEWART SIGNS	\$30,430.06

11/14/24	5092	ADYE-WHITISH LINDA	\$400.00
11/14/24	5094	BARNHART MD PS STEPHEN W	\$11,125.00
11/14/24	5100	CENTURYLINK	\$84.35
11/14/24	5104	CITY OF TACOMA	\$27,000.00
11/14/24	5105	CODE MECHANICAL INC.	\$427.19
11/14/24	5108	CREW BOSS	\$433.42
11/14/24	5115	FREDS TOWING	\$1,306.80
11/14/24	5117	GILBERT MATT	\$764.00
11/14/24	5118	HEALTHCALL	\$14,400.00
11/14/24	5101	CHS	\$1.09
11/14/24	5103	CITY OF PUYALLUP	\$27,435.00
11/14/24	5107	CRAWFORD RILEY	\$375.00
11/14/24	5109	CUTTERS SUPPLY, INC.	\$80.58
11/14/24	5113	ESO SOLUTIONS	\$9,373.00
11/14/24	5116	GALLS, LLC	\$118.97
11/14/24	5124	LARSEN SIGN CO	\$561.52
11/14/24	5129	MCCLATCHY COMPANY LLC	\$722.78
11/14/24	5132	MUNICIPAL EMERGENCY SERVICES	\$47,706.86
11/14/24	5134	NEBRASKA SCIENTIFIC	\$358.22
11/14/24	5111	EAGLE ASPHALT SEALCOATING CO, LLC	\$12,680.13
11/14/24	5112	EMS SURVEY TEAM	\$4,417.92
11/14/24	5114	FIDELITY SOLUTIONS	\$870.53
11/14/24	5119	HENDERSON DANIEL	\$125.40
11/14/24	5120	HUGHES FIRE EQUIPMENT, INC.	\$11,007.78
11/14/24	5121	JAMES OIL CO. INC.	\$17,693.53
11/14/24	5128	MARION WATER CO., INC.	\$114.91
11/14/24	5131	MINUTEMAN PRESS PUYALLUP	\$500.71
11/14/24	5135	NORTHWEST SAFETY CLEAN	\$507.65
11/14/24	5137	OLEARY BRIAN	\$89.54
11/14/24	5122	L N CURTIS & SONS	\$46,964.21
11/14/24	5123	LARRY UPTON PHOTOWORKS	\$2,700.00
11/14/24	5125	LES SCHWAB TIRE CENTERS	\$17,287.23
11/14/24	5126	LIFE ASSIST	\$55,139.81
11/14/24	5127	LINDE GAS & EQUIPMENT INC	\$2,138.91
11/14/24	5130	MIKES SHOP	\$3,472.00
11/14/24	5133	NATIONAL TESTING NETWORK	\$5,200.00
11/14/24	5136	ODP BUSINESS SOLUTIONS LLC	\$151.69
11/14/24	5138	OREILLY	\$646.59
11/14/24	5139	PACIFIC OFC AUTOMATION (OR)	\$1,559.16
11/14/24	5140	PACIFIC OFFICE AUTOMATION	\$599.12
11/14/24	5145	QUINN ERIC T	\$400.00

11/14/24	5148	SEAWESTERN	\$31,172.10
11/14/24	5151	SIRENNET	\$2,974.17
11/14/24	5152	SITECRAFTING, INC.	\$99.00
11/14/24	5157	SUTHERLAND DINA	\$83.48
11/14/24	5158	SYSTEMS DESIGN WEST LLC	\$27,351.18
11/14/24	5159	TARABOCHIA PAUL	\$376.00
11/14/24	5161	THELEN ANTHONY	\$350.00
11/14/24	5163	US BANK	\$82,183.75
11/14/24	5141	PC BUDGET & FINANCE DEPT	\$180.00
11/14/24	5142	PIERCE COUNTY SEWER	\$86.37
11/14/24	5143	PUGET SOUND ENERGY	\$5,516.36
11/14/24	5144	QUADIANT	\$250.00
11/14/24	5153	SNIDER PETROLEUM	\$1,840.21
11/14/24	5155	SUMMIT LAW GROUP PLLC	\$287.00
11/14/24	5168	W.W. WILLIAMS CO INC SEATTLE	\$4,469.35
11/14/24	5170	WASHINGTON AUDIOLOGY SERVICES INC	\$22.00
11/14/24	5146	RPB SOLUTIONS INC	\$998.15
11/14/24	5147	RUSZALA ROB	\$750.00
11/14/24	5149	SHI INTERNATIONAL CORP	\$567.83
11/14/24	5150	SHIELD ASSESSMENTS	\$2,310.00
11/14/24	5154	STRYKER SALES CORP.	\$16,774.33
11/14/24	5156	SUNSET FORD	\$37.34
11/14/24	5160	TARGETSOLUTIONS LEARNING LLC	\$3,942.00
11/14/24	5162	TREASURY MANAGEMENT SVCS - US BANK	\$111.60
11/14/24	5172	WEST COAST MECHANICAL SOLUTIONS	\$2,273.77
11/14/24	5173	WHELEN ENGINEERING CO., INC.	\$268.34
11/14/24	5164	UW VALLEY MEDICAL CENTER	\$5,971.00
11/14/24	5165	VALVOLINE LLC	\$173.06
11/14/24	5166	VELOCITYEHS INC.	\$3,166.04
11/14/24	5167	VIRTUOUS CLEAN NW, LLC	\$1,500.00
11/14/24	5169	WA STATE AUDITORS OFFICE	\$11,260.75
11/14/24	5171	WCIF-Life/Dental/EAP	\$23,763.40
11/14/24	5174	WILLIAMS OIL FILTER SERVICE	\$360.60

Payment Count: 112

Total Amount:

\$4,615,545.43

Payment Count: 112
Payment Total: \$4,615,545.43

CERTIFICATION

I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or labor performed as described herein, and that the claim is a just, due and unpaid obligation, and that I am authorized to authenticate and certify to said claim.

_____ Authorized District Official Signature	_____ Date	_____ Authorized District Official Signature	_____ Date
_____ Authorized District Official Signature	_____ Date	_____ Authorized District Official Signature	_____ Date
_____ Authorized District Official Signature	_____ Date	_____ Authorized District Official Signature	_____ Date
_____ Authorized District Official Signature	_____ Date	_____ Authorized District Official Signature	_____ Date

DRAFT

INSTRUCTIONS FOR USE:

Submit signed Transmittal To Pierce County Finance Department

FAX:
253-798-6699

EMAIL:
pcacctspayable@piercecounitywa.gov

PC Finance Department Use Only

Authorization Recieved on _____

Batch Verified by _____



Finance Department
District Payment Transmittal

District Name: East Pierce Fire & Rescue #22

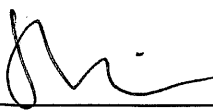

PAYMENT LISTING

<u>Trans Date</u>	<u>District Ref #</u>	<u>Payee Printed Name</u>	<u>Amount</u>
10/24/24	4733	ANDY JOHNSON & CO. INC.	\$300,000.00
Payment Count: 1		Total Amount:	\$300,000.00

Payment Count: 1
Payment Total: \$300,000.00

CERTIFICATION

I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or labor performed as described herein, and that the claim is a just, due and unpaid obligation, and that I am authorized to authenticate and certify to said claim.

 _____ Authorized District Official Signature	<u>10/25/24</u> _____ Date	_____ Authorized District Official Signature	_____ Date
 _____ Authorized District Official Signature	<u>10/25/24</u> _____ Date	_____ Authorized District Official Signature	_____ Date
_____ Authorized District Official Signature	_____ Date	_____ Authorized District Official Signature	_____ Date
_____ Authorized District Official Signature	_____ Date	_____ Authorized District Official Signature	_____ Date

INSTRUCTIONS FOR USE:
Submit signed Transmittal To Pierce County Finance Department
FAX: 253-798-6699 EMAIL: pcacctspayable@piercecounitywa.gov

PC Finance Department Use Only
Authorization Recieved on _____
Batch Verified by _____

ACCOUNTS PAYABLE

EAST PIERCE FIRE & RESCUE

Capital
As Of: 10/24/2024

Time: 14:53:08 Date: 10/24/2024
Page: 1

Accts Pay #	Received	Date Due	Vendor	Amount	Memo
60943	10/24/2024	10/24/2024	672 ANDY JOHNSON & CO. INC.	300,000.00	PROGRESS BILLING 114 SEPT ARCHITECT'S CORRECTION
594.22.64.14-01	Capital Projects Station 1		302 000 000 Capital Fund (UT	300,000.00	PROGRESS BILLING 114 SEPT ARCHITECT'S CORRECTION

Invoice	Fund	Report Total:
19 ARCH CX	302 Capital Fund (UTGO 2022)	300,000.00
		300,000.00

CERTIFICATION: I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or the labor performed as described and that the claim is a due and unpaid obligation against the District and that I am authorized to authenticate and certify to said claim.

Fire Chief

Auditing Officer/Finance Manager

Date: 10/25/24

Date: 10/25/24

October 2024 - Post-Meeting	
Capital Fund 302	
AP Voucher	
Vouchers # 241004001	\$ 300,000.00
Andy Johnson special - architect's correction	
November 2024	
General Fund	
Total AP	\$ 609,675.49
AP Vouchers	
Vouchers # 241103001 - 241103084	\$ 609,675.49
Total Payroll	\$ 3,214,331.12
Payroll Vouchers	
Vouchers # 241101001 - 241101011	\$ 458,078.11
Electronic Payroll	\$ 2,756,253.01
Total Expenditures (AP + Payroll)	\$ 3,824,006.61
Total SBK Expenditures (111 - 999)	\$ 3,794,564.52
Difference	\$ 29,442.09
sickleave buybacks	\$ 15,415.20
reimbursements	\$ 14,026.89
Capital Fund 302	
Total AP	
Capital Fund 302 (UTGO 2022 Bonds)	
Total AP	
Vouchers # 241102001 - 241102017	\$ 3,547,791.83

EAST PIERCE FIRE & RESCUE

RESOLUTION NO. 1064

A RESOLUTION AUTHORIZING SPECIFIC AMBULANCE TRANSPORT ACCOUNTS TO BE WRITTEN OFF IN THEIR ENTIRETY.

WHEREAS, the Board of Commissioners East Pierce Fire & Rescue did authorize a schedule of fees for the provision of ambulance services, including transport to local hospitals, to be charged within this jurisdiction, by Resolution 323 on October 19, 1999; and

WHEREAS, the Board of Commissioners hereby has determined that it is necessary to write off particular Advanced Life Support (ALS) Transport Accounts.

NOW, THEREFORE, BE IT RESOLVED by the Board of Fire Commissioners of East Pierce Fire & Rescue that the following amounts, listed in table below, be written off in their entirety as recommended by the district’s ambulance transport billing agency.

July-2024	\$ 75,974.27	EMS Levy Funds/COVID Waiver
August-2024	\$ 70,731.47	EMS Levy Funds/COVID Waiver
September-2024	\$ 38,217.02	EMS Levy Funds/COVID Waiver
Total	\$ 184,922.76	
July-2024	\$ -	Financial Waiver
August-2024	\$ 145.80	Financial Waiver
September-2024	\$ -	Financial Waiver
Total	\$ 145.80	
TOTAL WRITE-OFFS	\$ 185,068.56	

Adopted at a regular meeting of the Board of Commissioners of East Pierce Fire & Rescue on November 19, 2024, the following commissioners being present and voting:

Chair Jon Napier

Commissioner Pat McElligott

Commissioner Ed Egan

Commissioner Cynthia Wernet

Commissioner Kevin Garling

Commissioner Justin Evans

Commissioner Randy Kroum

Attest: _____
District Secretary



To: **Board of Fire Commissioners**
From: **Phil Herrera, Project Manager**
Subject: **Bond Update – November 2024**

Station 111

- Admin finishes progress.
- Landscape work, topsoil.
- Landscape irrigation underway.
- Both floor finishes continue.
- Elevator installation 95% complete.

Station 114

- Trim and finishes continue.
- Metal siding underway.
- Asphalt complete.

Station 117

- Exterior finishes underway.
- Electrical, plumbing, and mechanical rough-in continue.
- Sheetrock installation continues, Taping begins this week.
- Front apron installation complete.
- Asphalt ATB complete.
- Looking at March for substantial completion.

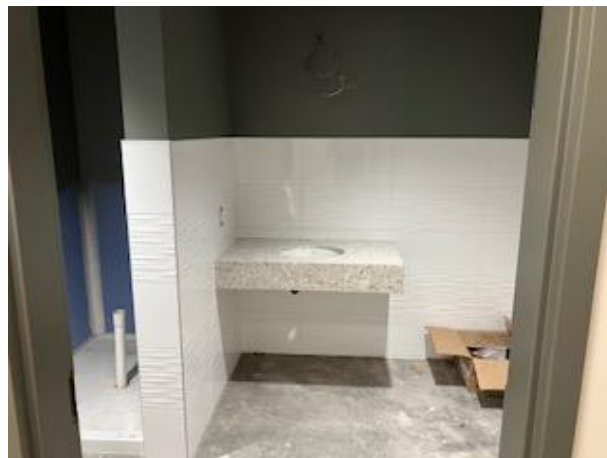
Station 112

- Station is out for bid.
- Bid closing date is November 26th.

November 2024 Bond Photos

Station 111

2nd Floor





Admin floor Lobby, Restroom concrete floor polish and staining



Fitness room patio area and the Public plaza space. Landscape irrigation and topsoil installation underway.



Station 114

Interior space finishes



Asphalt completed. Metal siding underway.



Station 117

Asphalt (ATB) is complete sitewide. This is significant heading into the rainy season.



Sheetrock nearly complete, taping starting next week.



Items	*Estimate - July 2018	Actual	Forecasted Exp.
Engines (6) and Ladder (1)	5,900,000	6,405,741	Complete
Station 118	15,717,441	11,618,726	0
Station 111	21,186,196	22,061,201	4,691,079
Station 114	10,856,061	9,431,081	1,753,919
Station 117	10,096,203	6,566,792	6,023,528
Station 112	13,663,312	1,555,710	11,107,603
Station 124	0	1,380,922	0
Station 116	0	990	0
Project Manager/Admin Asst.	0	1,379,849	6,778
Misc	0	159,433	
Total	77,419,213	60,560,446	23,505,810

Bond Total	80,000,000
Interest YTD	3,381,664
Interest Forecasted	2,200,000
Expenditures to Date	(60,560,446)
Forecasted Expenditures	(23,505,810)
**End Fund Balance	1,515,408

**Arbitrage exposure not included

* Estimate is based on the capital facilities study update which was completed in 2018. The estimate is not the actual budget for each project. The estimate was used to derive the total financial need for the 2018 bond request. All station projects underwent significant changes in the final design and engineering phase. For example, Station 118 and Station 117 were converted to single story stations. Station 111's building square footage was increased by nearly 5,000 sq. feet, and the project complexity was for more significant than estimated. All building designs were approved by the Board of Fire Commissioners Executive Design Committee, and all equipment purchases and construction contracts were/are approved by the Board of Fire Commissioners.



To: **Board of Fire Commissioners**
From: **Jon Parkinson, Fire Chief**
Subject: **Monthly Chief's Report – November 2024**

Station 112 Out to Bid

The bid for Station 112 construction closes @ 230 PM on November 20. The date and time may be adjusted to avoid conflicts with other large projects closing on that same date.

2023 Financial Audit

We are wrapping up our 2023 audit, and the exit interview is scheduled for November 20. An invitation will be sent to all commissioners.

2024 is coming to a close....

With the end of the year in sight, there are just a few large items for the Board to address in the next month.

1. *Collective Bargaining Agreements (and 2025 budget amendment)
2. *Bid award for Station 112

*I am hoping to address both items in one special meeting in early December (date TBD)

3. 2024 Budget Amendment and year-end transfers (at the regular board meeting in December).

Training Center Lease and Warehouse/Vehicle Maintenance Lease

Two active processes are underway regarding training center space and vehicle maintenance space. We have an ongoing dialogue with White River School District regarding training space. Our realtor (Peter Folkins) is actively searching for warehouse space that meets the district's needs. We will continue to work with the Planning Committee on this subject as more information becomes available.

Committee Reminders

Planning Committee: Friday, December 6 @ 10 AM

Other activities in the past month

- KC Fire Training Consortium Chief's Panel
- Sumner Rotary

- Sumner Public Safety Committee
- Bonney Lake Public Safety
- PC Fire Chiefs & Executive Board



To: **Board of Fire Commissioners**
From: **Kevin Stabenfeldt, Deputy Fire Chief**
Subject: **Monthly Deputy Chief's Report – Nov. 2024**

Logistics

- The second mechanic started this month and is settling in and working hard. We are already seeing improvements in servicing our fleet. For the first time we have completed preventative maintenance on a medic unit and staff vehicle. In the past this was always outsourced due to workload.
- A stock water tender has been ordered. It is a Kenworth T880 with a 3,000-gallon water tank. Estimated delivery April 2025
- The Station 112 re-roof project is underway. The project should be completed in the next week or two.
- The planning process to move into the new 111 is well underway. Our goal is to have the least amount of impact to crews and staff as possible.
- Purchased 23 thermal imaging cameras (TICs). Training on the new TICs is currently underway and LOGS is currently working on installation on apparatus.

Health and Safety

- The division completed/provided the following services in the month of October:
 - (14) Pub Ed Classes/Events
 - (10) smoke alarm installs
 - (2) car seat installations/inspections
 - (61) fire/life-safety inspections
 - (15) re-inspections
 - (74) pre-fire plans
 - (7) plan reviews (Milton)
 - (3) Fire Investigations
- AC Sandlian attended several PC EOC meetings in preparation for the November election.
- Dina Sutherland participated as a PIO in a multi-jurisdictional MCI drill that was conducted in collaboration with Sound Transit.
- The EPFR Characterization Team participated in five school assemblies in the month of October. The program is very well received within the schools.

Other activities in the past month

- IT Assessment Center
- Finance Committee Meeting
- Snure Seminar (Virtual)



To: **Board of Fire Commissioners**
From: **Matt Gilbert, Deputy Fire Chief**
Subject: **Monthly Deputy Chief's Report – November 2024**

Operations

- M1119 relocated to M112 on November 1.
- Thermal Imaging Cameras selected and purchased.
- Created new response area past Fairfax Bridge. This will allow the district to fine tune dispatches specific to that area.
- Fire Blanket, specifically to address Electric Vehicle fires, placed in service.

EMS

- Completed ALS physician led training for paramedics (A,B,C) shift & 8-hour Paramedic Airway Course.
- Completed session #5 in our Aging & Care Planning Series in collaboration with Pierce County Aging & Disability. "Aging & Care Planning".
- Participated in Regional Train derailment MCI drill with Burlington Northern Railroad & TFD fire.
- Transition into new ALS Airway bag project completed for first out medic units & Engines.
- Received \$439,000 GEMT settlement.
- Received 21 Life pack 35 monitors from Stryker with Inservice training planned for early December.

Training

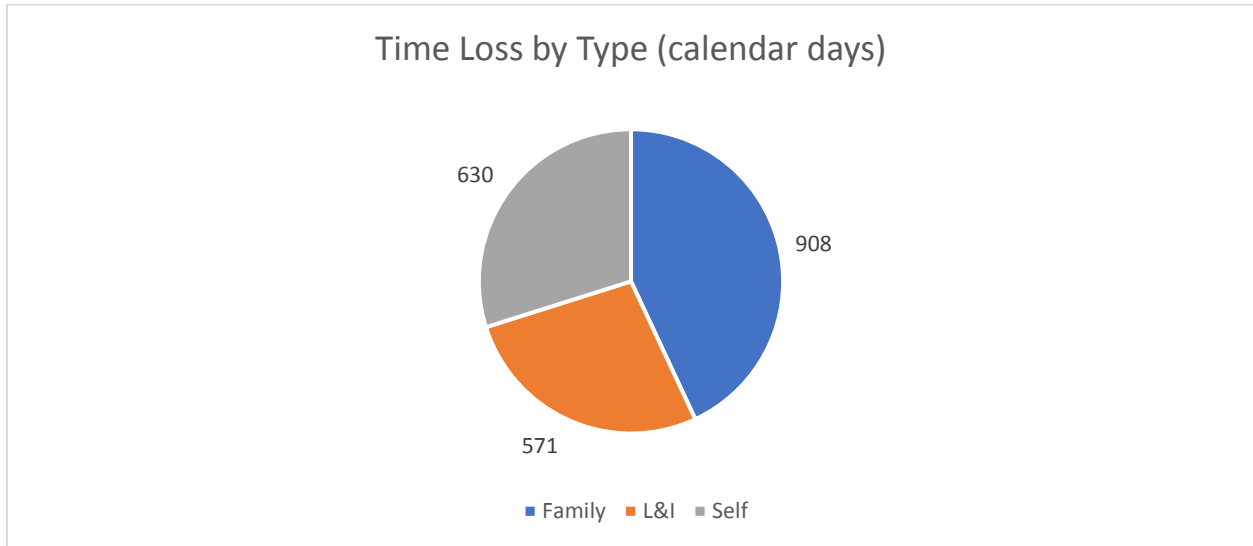
- Recruit Class RK24 (Red Knights) completed mid-terms and are in the process of prepping for live fire at North Bend.
- In the process of training on the new Thermal Imagers (TIC's).
- Developing the training calendar for 2025.

Other activities in the past month

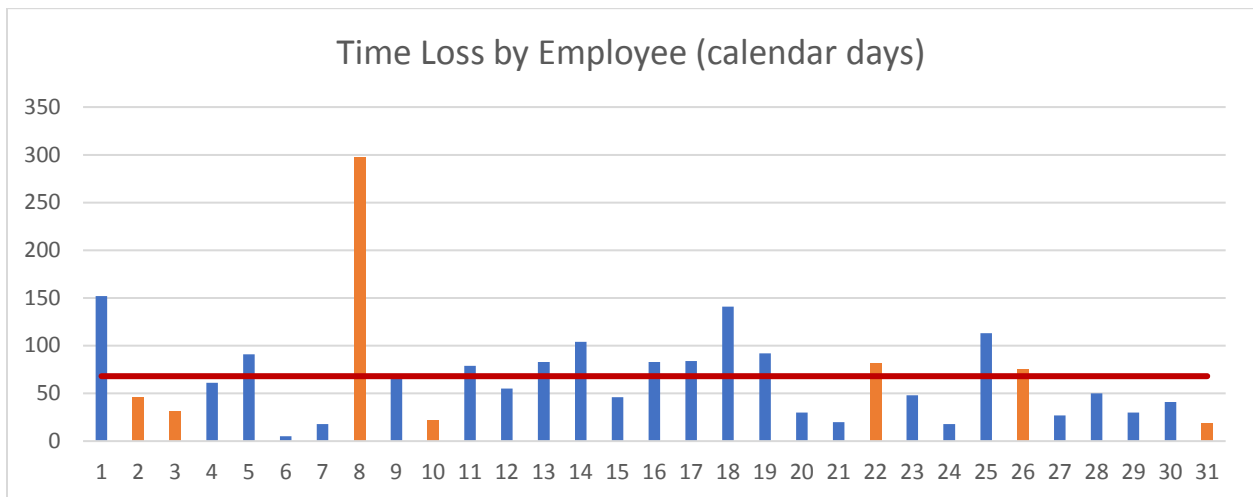
- Veterans Day assembly at Bonney Lake High School.
- Pierce County Fire Ops meeting.
- Operation Chief meeting with neighboring King County departments.

Injury – Medical Leave Report – October 2024

- To date, a total of 31 employees have experienced extended leave (greater than three consecutive shifts); this includes both L&I and Non-L&I leave.
 - The average time loss of these employees is estimated at 68.03 calendar days



- To date, there are 7 L&I claims for time-loss (seen below in orange).



Finance Committee Agenda

November 4, 2024 @ 0900 hrs.

Commissioners: J. Napier (Chair) attended virtually, K. Garling, P. McElligott

Staff: Chief Parkinson, DC Stabenfeldt, DC Gilbert, Finance Mgr. Hollon

1. Call to Order

2. 2025 Budget – Final Draft Review

The committee reviewed the final budget document which will be in the Board packet for the November meeting. The impact of the CBA's in 2025, which is currently not in the budget draft, is expected to be \$3.5 million. This will be incorporated into the 5-year forecast and reviewed with the Board.

Key changes from October were:

Expenditures:

- Operating DECREASE from 5.65% to 5.33%
 - Down \$146,262
 - Medical/Dental rates were lower than forecasted.
- ERR Purchases DECREASE \$25,600
 - TIC's were purchased in 2024

Revenue:

- ERR Transfer in DECREASE \$25,600 (TIC's)
- No other changes

3. Adjourn

**Final Draft Budget
2025**



Where Compassion and Action Meet

November 19, 2024

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Background & Budget Goals

Staff developed the 2025 budget considering mission-specific goals set as recommendations of the fire chief and direction from the Board of Fire Commissioners. The overall goals of the budget are based on the following:

1. Hire an additional three firefighters to offset operational overtime. Personnel will be hired in late 2024 and be deployed to shift in mid-2025.
2. Hire an additional mechanic (authorized in the fall of 2024), a second I.T. employee, and a communications manager whose focus is on internal and external communications.
3. Fund long-term facility maintenance and equipment replacement as outlined in the Facility Maintenance Reserve and Equipment Replacement Reserve Policies.
4. Maintain/replenish reserves to targeted balances.
5. Fully collect from all revenue sources with the intent to fund phase two capital facilities projects and allow for early payments towards the first series of bonds.
6. Advance strategic initiatives.

The 2025 draft budget includes assumptions of the following:

1. L&I increase for firefighters and non-uniformed employees.
2. LEOFF and PERS contribution rates.
3. The impacts of collective bargaining, which is currently underway, are not accounted for in this budget draft. The CBA is not yet ratified – the impacts are projected to total \$3.5 million in 2025. The projected impacts on revenue can be seen on page 7.

Budget Summary

	2024	2025	Increase/Decrease	
Beginning Fund Balance	\$12,034,606	\$12,666,526	\$631,920	5.25%
GL Revenues	\$48,138,423	\$65,223,069	\$17,084,646	35.49%
Transfers in from Reserve Fund	\$7,498,888	\$6,715,908	(\$782,980)	-10.44%
Transfers in from Bond Fund	\$201,677	\$461,952	\$260,275	129.06%
General Operating Fund Expenditures	\$46,365,402	\$48,838,693	\$2,473,291	5.33%
Reserve Fund Expenditures	\$7,498,888	\$6,715,908	(\$782,980)	-10.44%
Bond Fund Expenditures	\$201,677	\$461,952	\$260,275	129.06%
Budgeted Transfer to Reserves	\$1,773,021	\$1,827,412	\$54,391	3.07%
Total Operating Budget	\$55,838,988	\$57,843,965	\$2,004,977	3.59%

Tax Revenues

Allowable Levy Rates

	2022	2023	2024	2025
Regular	1.27661	1.09415	1.093372	1.50
EMS	.50	.43884	.43527	.41911
Total	1.77661	1.53299	1.52864	1.91911

2024 – Total effective tax rate is \$1.63487 (with bond)

2025 – The projected total effective tax rate is \$2.09191 (with bond)

Assessed Value/1000

	2022	2023	2024	2025
Reg	21,930,555	26,637,901	27,420,283	29,284,362
EMS	21,991,485	26,731,907	27,481,792	29,338,531
%	17.36%	21.46%	2.94%	6.80%

Tax Revenues w/ New Construction

	2022	2023	2024	2025
Reg	28,020,153	29,210,400	30,012,237	43,926,543
EMS	10,995,743	11,741,898	11,968,932	12,304,248
Total	39,015,896	41,282,298	42,388,930	56,230,791

Example of impact on property owner (EMS, Regular, and Bond):

Tax Year	\$500k Home	\$750k Home	\$1M Home
2024	\$817	\$1,226	\$1,635
2025	\$1,046	\$1,569	\$2,092
Annual Increase	\$229	\$343	\$457
Monthly Increase	\$19.04	\$28.58	\$38.09

GL Revenues – Breakout

Revenue	2024 Certified	2025 Budgeted
Property Tax (Pierce County and K.C.)	40,367,752	56,280,791
Forest Harvest Excise Tax	18,500	18,500
Grants	1,735,956	1,735,956
GEMT Transport	2,112,000	3,200,000
Records Requests	2,100	2,100
Fire Prot. & EMS Intergovernmental	124,000	160,747
Class Registrations	600	600
CPR/First Aid Registration	12,000	12,000
Protective Inspection - Plan Review Fees	77,375	77,375
Ambulance Transport Fees	2,900,000	2,900,000
Investment Interest	215,797	300,000
Donations & Vol Mitigation Fees	100,000	100,000
Sale of Surplus/Scrap/Junk	5,000	5,000
Misc. Immaterial Items	20,000	20,000
Proceeds from the Sale of Capital Assets	10,000	10,000
GEMT Reconcile	400,000	400,000
GL Revenue	48,101,080	*65,223,069

*Total encumbered revenue (does not include 2025-27 CBA impacts): \$50,666,105

Total unencumbered revenue (does not include 2025-27 CBA impacts): \$14,556,964

The CBA is not yet ratified – the impacts are projected to total \$3.5 million in 2025. This projection would result in the following changes to revenue:

Total encumbered revenue (with projected CBA impacts): \$54,166,105

Total unencumbered revenue (with projected CBA impacts): \$11,056,954

All Revenues – Breakout

Description – Reserve Fund Xfer In	2024	2025
Equipment Reserve	7,183,438	6,535,908
Facility Reserve	40,450	180,000
Phase 2 Reserve	275,000	0
Subtotal	7,498,888	6,715,908

Description – Capital Fund Xfer In	2024	2025
PM Wages & Benefits	201,677	461,952

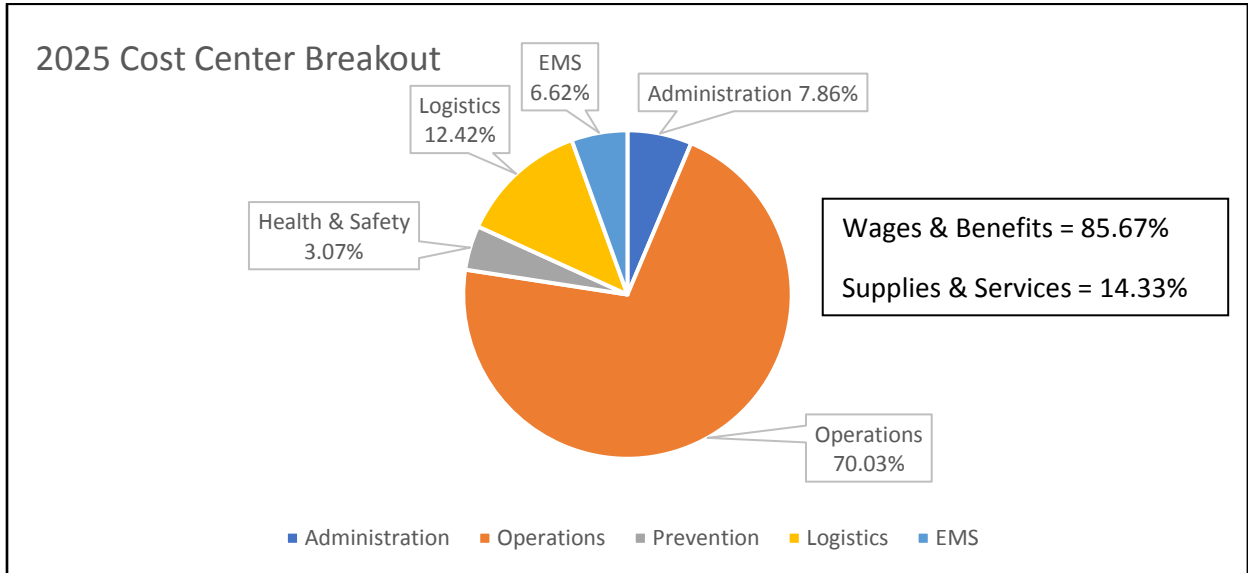
Description – All Sources	2024	2025
G.L. Revenue	48,101,080	65,223,069
Reserve Transfer In	7,498,888	6,715,908
Capital Fund Transfer In	201,677	461,952
Total Revenue	55,801,645	72,400,929

Expenditures

Operational expenses are broken down into four categories (operating expenses, budgeted transfers out, reserve expenditures, and bond expenditures), with the sum of these categories resulting in the total operating budget. A summary is shown below:

Category	2024	2025	\$ Change	% Change
Operating Expenses	\$46,365,402	\$48,838,693	\$2,473,291	5.33%
Budgeted Transfers	\$1,773,021	\$1,827,412	\$54,391	3.07%
Reserve Expenditures	\$7,498,888	\$6,715,908	(\$782,980)	-10.44%
Bond Expenditures	\$201,677	\$461,952	\$260,275	129.06%
Total Operating Budget	\$55,838,988	\$57,843,965	\$2,004,977	3.59%

Cost Center Breakout



	2024	2025	Increase/Decrease	% Change
Administration	\$3,260,983	\$3,840,465	\$579,482	17.77%
Operations	\$33,057,662	\$34,200,489	\$1,142,827	3.46%
Health & Safety	\$1,404,455	\$1,499,160	\$94,706	6.74%
Logistics	\$5,355,430	\$6,064,654	\$709,224	13.24%
EMS	\$3,286,872	\$3,233,924	(\$52,948)	-1.61%
Total	\$46,365,402	\$48,838,693	\$2,473,291	5.33%

Operating Expense Drivers

%	Amount	Notes
2.54%	1,178,891	All existing employees' wages and benefits (including attrition)
0.06%	\$28,089	Crisis Coordinator
0.41%	\$190,248	Communications Manager
0.38%	177,172	Mechanic
0.33%	151,668	I.T. Analyst
0.87%	402,384	Firefighters (3)
0.36%	\$166,793	Overtime
0.38%	\$178,046	Supplies & Services increase (examples: software, vehicle equip., business insurance, landscape, janitorial, fuel)
5.33%	\$2,473,291*	

The table above is not an exhaustive list of budget additions and subtractions. It demonstrates the items that drive the bulk of expense increases in 2025.

*Does not include Project Manager or Budgeted Transfers to Reserves

FTE Breakout (budget authorized positions)

	2024 Approved	2025 Budget Change	2025 Total
Administration	10	+1	11
Operations	158	+3	161
Health & Safety	6	+0.4	6.4
EMS	9	0	9
Logistics	8	+2	10
Total	191	+6.4	197.4

- Administration: adds one communications manager
- Operations: adds three firefighters
- Logistics: adds one mechanic and one I.T. administrator
- Health & Safety: adds one part-time crisis coordinator

Reserve Funds

Reserve Balances as of 11/14/24

Description	Amount
General Reserve	\$4,760,191
Equipment Reserve	\$13,438,834
Facilities Reserve	\$1,243,919
Employee Compensation Reserve	\$982,344
Phase 2 Reserve	\$15,125,191
Total	\$35,550,479

Equipment Replacement Reserve

Budgeted Transfers to the Equipment Replacement Reserve

	2024	2025	Increase/Decrease	
Budgeted Transfer to Equipment Reserves	\$1,713,021	\$1,764,412	\$51,391	3.0%

Equipment Reserve Replacement Purchases

Description	Amount
2025 – Water Tender	\$724,000
2025 – Staff Vehicles (3)	\$150,000
2025 – Medic Units (2)	\$741,424
2025 – Medic Powerload Cots	\$240,936
2025 – Extrication Equipment (117)	\$45,000
2025 – Ballistic Gear (117)	\$14,800
2024 – SCBA Compressor	\$108,900
2023 - Fire Engines (2)	\$2,198,144
2022 – Fire Engines (2)	\$2,312,704
Total	\$6,535,908

All purchases are made through the operating fund via a “transfer-in” from the Equipment Replacement Reserve.

Equipment Replacement Reserve Purchases

Water Tender – This unit increases our tender fleet from one to two units. This unit provides water to engines in areas without fire hydrants. This purchase has been delayed a number of years due to the lack of adequate bay space.

Staff Vehicles (3) - These three units are the planned replacement of the vehicles in the fleet that have reached the end of their useful life.

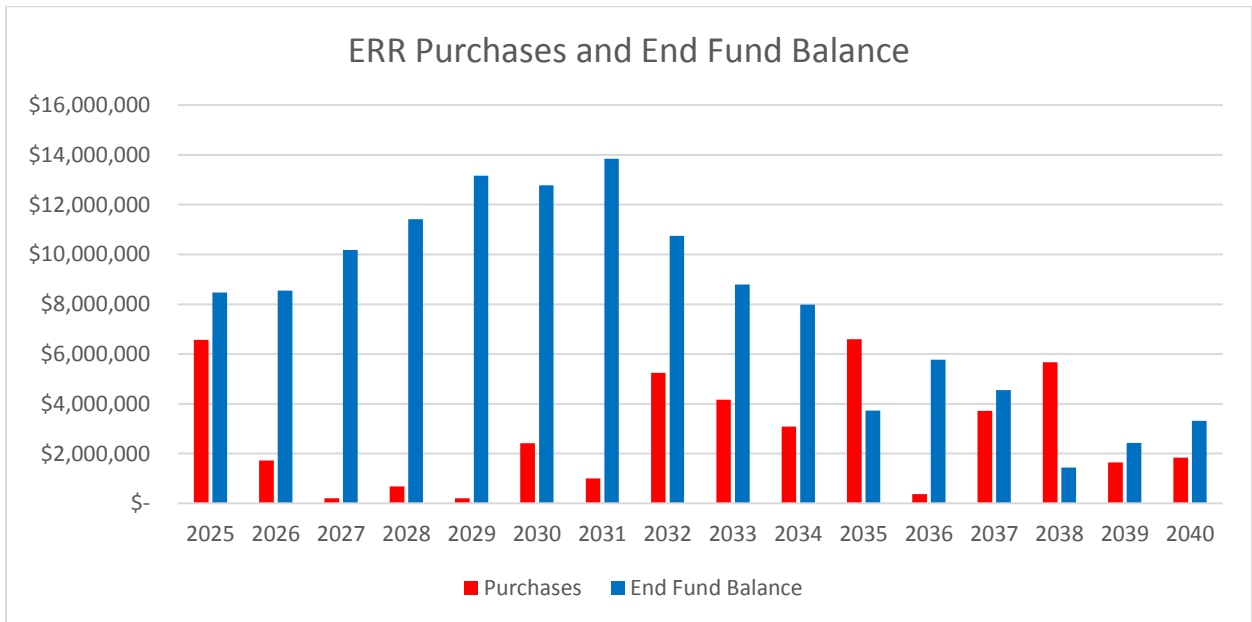
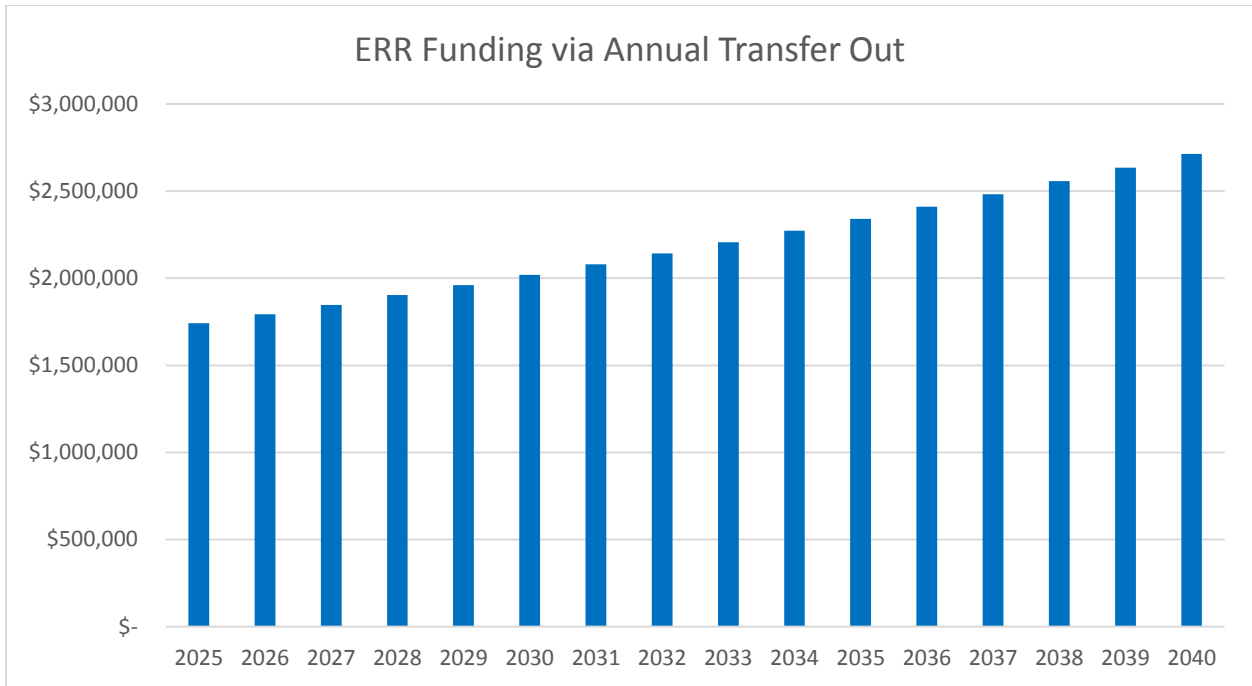
Medic Units and Autoload Systems (2) – The two units and associated autoload systems are for the planned replacement of our two oldest units in the system, which have reached the end of their useful life.

Extrication Equipment and Ballistic Gear – This equipment is needed to upfit E117 once it goes into service in early 2025.

SCBA Compressors (approval from 2024) - Planned addition of one SCBA compressor for Station 117.

Fire Engines (4) (approval from 2022/3) – Reapproval of four engines ordered in 2022 and 2023. Two engines will likely arrive in late 2025. The remaining two engines are not expected until late 2026.

Equipment Replacement Reserve Forecast



Facility Maintenance Reserve

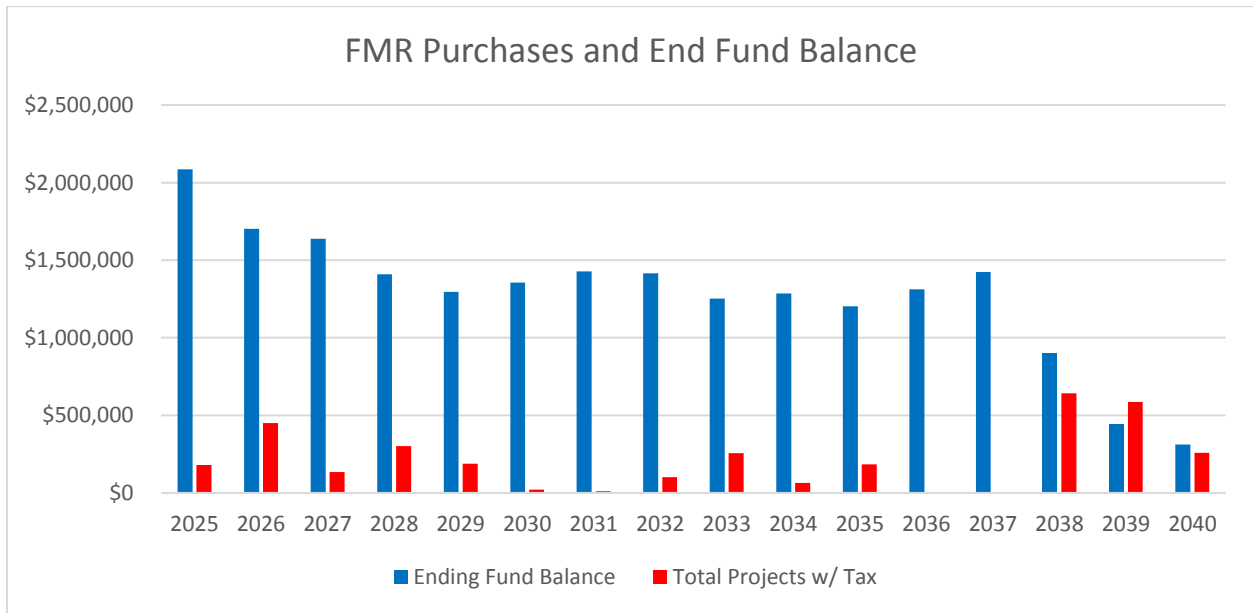
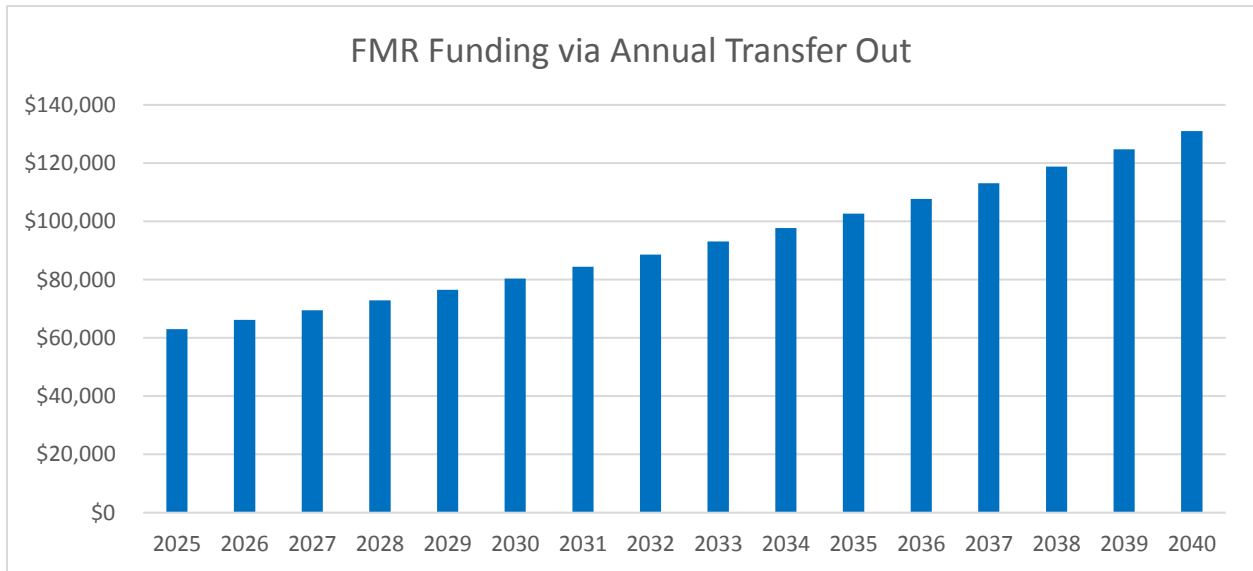
Budgeted Transfers to Facilities Maintenance Reserve

	2024	2025	Increase/Decrease	
Budgeted Transfer to Reserves	\$60,000	\$63,000	\$3,000	5%

Facility Maintenance Reserve Purchases

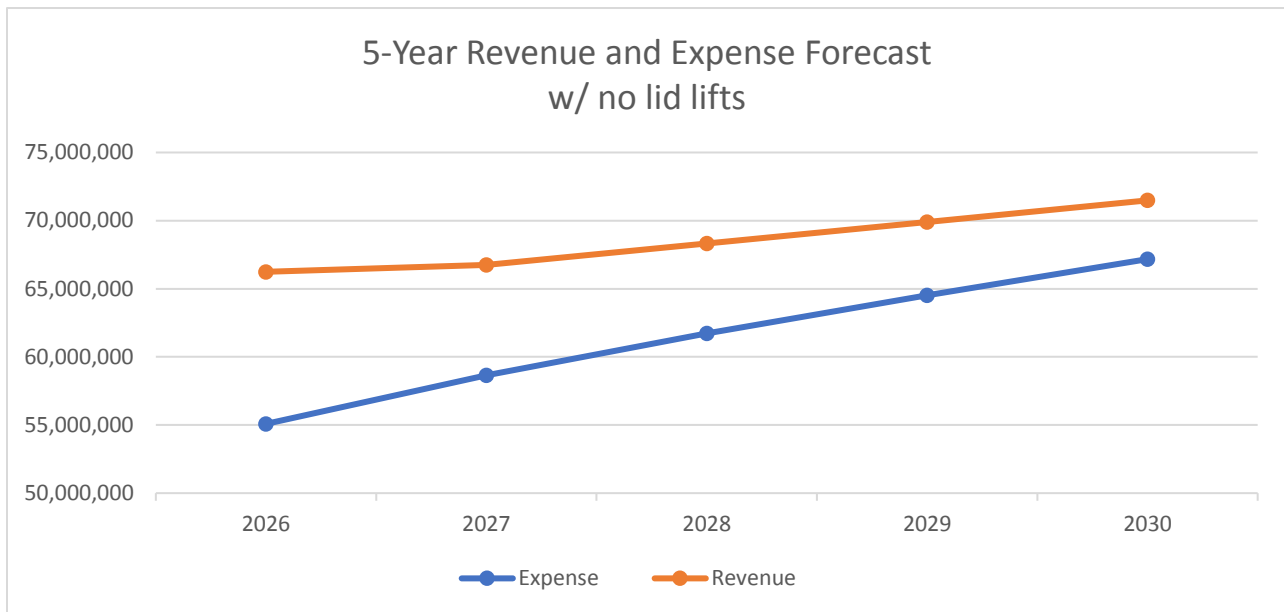
Description	Amount
Station 113 – Siding, Paint, Gutters	\$130,000
Station 112, 115, 121 – Parking Lot Seal	\$50,000
Total	\$180,000

Facility Maintenance Reserve Forecast



*Assumes reserve to reserve transfer of \$974,848 in 2025

5-Year Revenue and Expense Forecast



	2026	2027	2028	2029	2030
5 Year Expense Forecast	55,084,719	58,636,560	61,726,331	64,512,451	67,173,065
Wages	35,561,108	38,057,124	40,062,740	41,685,339	43,184,498
Benefits	11,086,381	11,903,402	12,733,801	13,635,621	14,527,184
Supplies	2,025,213	2,085,779	2,148,161	2,212,416	2,278,598
Services	4,584,605	4,698,884	4,824,060	4,952,990	5,085,789
Transfer Out	1,827,412	1,891,371	1,957,569	2,026,084	2,096,997
5 Year Revenue Forecast	66,244,744	66,755,147	68,318,453	69,895,295	71,485,811

Projections are based on prior budget actuals, historical averages, projected 2025-2027 CBA impacts, and current trends.

The forecast for wages and benefits includes yearly increases to COLA, medical/dental, L&I, DRS, PFML, and Medicare. No new positions are in the 5-year forecast.

The supplies and services forecast includes yearly increases to all lines by 3% year over year.

Revenues assume a continued positive trend in transport revenues, no decline in GEMT revenue, level new construction, and 6% increases in assessed valuations.

SAFER Grant revenue will be completed in early 2026.

Capital Fund (Bond) Expenditures

The capital fund is projected to be 87% spent by the end of 2025. Staff expects to have funds 100% spent by early 2026.

Fund Balance – October 2024*	\$24,690,683
Station 118 – 100% completion	0
Station 111 – 100% completion	(4,730,601)
Station 114 – 100% completion	(2,053,919)
Station 117 – 100% completion	(6,023,528)
Station 112 – 60% completion	(6,664,562)
Projected End Fund Balance – December 2025	\$5,218,073

*Includes YTD interest.

*The bond tax collection rate is forecasted to be \$0.18 per thousand in 2025.



Board Meeting Agenda Item Summary

Meeting Date:	November 19, 2024
Title:	Resolution 1065 2025 Budget & Appendix A

Recommendation from Staff:	Approve Resolution
Recommendation from Committee:	
Recommended Action/Motion:	<i>I move to adopt Resolution 1066 for the approval of the 2025 Budget and Appendix A for East Pierce Fire & Rescue.</i>
Presenter:	Finance Manager M. Hollon
Attachments:	Resolution 1065

Summary:	<p>This is a resolution to be passed by the governing board of the fire district approving the budget for fiscal year 2025.</p>
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Fiscal Impact:	
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EAST PIERCE FIRE & RESCUE

RESOLUTION #1065

(A Resolution Adopting the 2025 Budget)

WHEREAS, the Board of Commissioners of East Pierce Fire & Rescue has met and considered its budget for the calendar year 2025; and

WHEREAS, the Board of Commissioners has authorized the regular property, emergency services and bond tax levies for collection in 2025 by Resolutions 1066, 1067, 1068;

BE IT HEREBY RESOLVED, BY THE BOARD OF COMMISSIONERS OF EAST PIERCE FIRE & RESCUE AS FOLLOWS:

THAT, the 2025 Budget of East Pierce Fire & Rescue be adopted in the amounts of:

General Fund –	\$85,067,456 <i>(Including Beginning Fund Balance)</i>
Reserve Fund –	\$37,493,912
Debt Fund –	\$ 6,140,638
Capital Fund –	\$19,366,953

ADOPTED at a regular meeting of the Board of Commissioners of East Pierce Fire & Rescue, on November 19, 2024, the following Commissioners being present and voting:

Chair Jon Napier

Commissioner Justin Evans

Commissioner Randy Kroum

Commissioner Pat McElligott

Commissioner Kevin Garling

Commissioner Ed Egan

Commissioner Cynthia Wernet

ATTEST:

Michelle Hollon, District Secretary



EAST PIERCE FIRE & RESCUE

2025 Budget Resolution 1065

	Current Month	Year to Date	Budget per Resolution 1065	Remaining Amount	Remaining Percent
12 Months Remaining =					100.0%
General Fund (Current Expense)					
Estimated Beginning Fund Balance			\$ 12,666,526		
Operating Revenues					
Property Tax - Current			56,280,791		
Property Tax - Prior Year/Delinquent			-		
Other Taxes			18,500		
Regular EMS Transport			2,900,000		
GEMT Transport			3,200,000		
GEMT Settlements			400,000		
Intergovernmental			238,122		
Tehaleh Mitigation			100,000		
Transfers in from Reserves/Capital			7,177,860		
Other Revenue			2,085,657		
Total Operating Revenues			72,400,930		
Reserved: Advance Travel & Petty Cash (Imprest Accounts) \$15,100 Not Included					
Revenues					
	Current Month	Year to Date	Budget per Resolution 1065	Remaining Amount	Remaining Percent
Operating Expenses					
Administration (Comm, Fire Chief, Deputy Chief, Finance, HR)			3,840,463		
Operations (Fire, Training, Volunteers)			34,509,565		
EMS			3,233,925		
Prevention (Fire Prevention, Pub Ed)			1,445,160		
Logistics (Logistics, Emerg. Mgmt, IT)			5,809,580		
Capital (Project Manager)			461,952		
Reserve Purchases (Equipt., EMS, Facility)			6,715,908		
Transfers Out			1,827,412		
Total Operating Expenses			57,843,965		
Payroll Clearing Accruals					
Operating Expenses Net of Accruals			57,843,965		
Ending Net Cash & Investments (Est.)			27,223,491		



EAST PIERCE FIRE & RESCUE

2025 Budget Resolution 1065

Reserve Fund	Current Month	Year to Date	Budget per Resolution 1065	Remaining Amount	Remaining Percent
Estimated Beginning Fund Balance			\$ 35,666,500		12 Months Remaining = 100.0%
Revenues					
Sale of Tax Title Property			-		
Investment Interest			-		
Transfers In			1,827,412		
Total Revenues			1,827,412		
Expenses					
Transfers Out			6,715,908		
Total Expenses			6,715,908		
Ending Net Cash and Investments			\$ 30,778,004		

Bond Fund	Current Month	Year to Date	Budget per Resolution 1065	Remaining Amount	Remaining Percent
Estimated Beginning Fund Balance			\$ 825,782		
Revenues					
Property Tax - Bond Levy - Current			5,314,856		
Property Tax - Bond Levy - Prior/Del.			-		
Total Revenues			5,314,856		
Expenses					
Debt Pmt - Principal			1,930,000		
Debt Pmt - Interest & Debt Service			3,255,925		
Total Expenses			5,185,925		
Ending Net Cash and Investments			\$ 954,713		

Capital (Construction) Fund UTGO Bonds 2022	Current Month	Year to Date	Budget per Resolution 1065	Remaining Amount	Remaining Percent
Estimated Beginning Fund Balance			\$ 19,366,953		
Revenues					
Investment Interest			-		
Total Revenues			-		
Capital Purchases-Station 111			-		
Capital Purchases-Station 112			-		
Capital Purchases-Station 114			-		
Capital Purchases-Station 117			-		
Capital Purchases-Station 118			-		
Capital Purchases-Station 124			-		
Transfer Out - GF - Cap Fac Mgr			461,952		
Total Expenses			461,952		
Ending Net Cash and Investments			\$ 18,905,001		



Board Meeting Agenda Item Summary

Meeting Date:	November 19, 2024
Title:	Resolution 1066 Regular Property Tax Levy

Recommendation from Staff:	Approve Resolution
Recommendation from Committee:	
Recommended Action/Motion:	<i>I move to adopt Resolution 1066 for the approval of the 2025 Regular Property Tax Levy for East Pierce Fire & Rescue.</i>
Presenter:	Finance Manager M. Hollon
Attachments:	Resolution 1066

Summary:
This is a resolution to be passed by the governing board of the fire district requesting to collection the regular property tax levy for fiscal year 2025.

Fiscal Impact:	
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EAST PIERCE FIRE RESCUE

RESOLUTION NO. 1066

WHEREAS, the **Board of Commissioners** of **East Pierce Fire & Rescue REGULAR** has met and considered its budget for the calendar year 2025 ; and

WHEREAS, the population of this district is more than 10,000; and now, therefore,

WHEREAS, the district's actual levy amount from the previous year was \$ 30,217,906.89 and,

BE IT RESOLVED by the **Board of Commissioners** of East Pierce Fire & Rescue that an increase in the regular property tax levy is hereby authorized for the levy to be collected in the 2025 tax year. Property tax for East Pierce FPD #22 Expense Levy shall be levied at the rate of \$ 1.50 per \$1,000 of assessed value as authorized by voter approval on April 23, 2024.

PURSUANT to RCW 84.52.125 it is the intent of the fire district commissioners to protect the district's tax levy from prorationing under RCW 84.52.010(2), by imposing up to a total of twenty-five cents (\$0.25) per thousand dollars of assessed valuation of the tax levies authorized under RCW 52.16.140 and RCW 52.16.160, or either of them, outside of the five dollars and ninety cents per thousand dollars of valuation limitation established under RCW 84.52.043(2), if those taxes would otherwise be prorated under RCW 84.52.010(2)(e).

FURTHER, pursuant to RCW 84.55.092, it is the intent of the fire district commissioners to protect the fire district's future levy capacity. Therefore, in any year in which the district reduces the regular tax levy below the amount of levy to which the district is entitled by law, consistent with existing voter authorizations and the limitations of the state constitution and statutes, it is the district's intent to fully preserve future levy capacity as the aforesaid statute allows. The county assessor is therefore requested to set the regular property tax levy at the amount which would be allowed under RCW 84.55, as if the regular property tax for the district for taxes due in prior years (beginning with 1986) had been set for the full maximum amount authorized under the law.

Adopted this 19th day of November, 2024.

This form or its equivalent must be submitted to your county assessor prior to their calculation of the property tax levies. A certified budget/levy request, separate from this form is to be filed with the County Legislative Authority no later than November 30th. As required by RCW 84.52.020, that filing certifies the total amount to be levied by the regular property tax levy. The Department of Revenue provides the "Levy Certification" form (REV 64 0100) for this purpose. The form can be found at:

<http://dor.wa.gov/docs/forms/PropTx/Forms/LevyCertf.doc>



Board Meeting Agenda Item Summary

Meeting Date:	November 19, 2024
Title:	Resolution 1067 2025 EMS Property Tax Levy

Recommendation from Staff:	Approve Resolution
Recommendation from Committee:	
Recommended Action/Motion:	<i>I move to adopt Resolution 1067 for the approval of the 2025 EMS Property Tax Levy for East Pierce Fire & Rescue.</i>
Presenter:	Finance Manager M. Hollon
Attachments:	Resolution 1067

Summary:
This is a resolution to be passed by the governing board of the fire district requesting to collection the EMS property tax levy.

Fiscal Impact:	
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EAST PIERCE FIRE RESCUE

RESOLUTION NO. 1067

WHEREAS, the **Board of Commissioners** of **East Pierce Fire & Rescue EMS** has met and considered its budget for the calendar year 2025; and

WHEREAS, the population of this district is more than 10,000; and now, therefore,

WHEREAS, the district's actual levy amount from the previous year was \$ 10,149,844.74 and,

BE IT RESOLVED by the **Board of Commissioners** of East Pierce Fire & Rescue that an increase in the regular property tax levy is hereby authorized for the levy to be collected in the 2025 tax year. The dollar amount of increase over the actual levy amount from the previous year shall be \$ 1,975,457.51 which is a percentage increase of 19.463% from the previous year. This increase is exclusive of additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, solar, biomass, and geothermal facilities, and any increase in the value of state-assessed property, any annexations that have occurred and refunds made.

FURTHER, pursuant to RCW 84.55.092, it is the intent of the fire district commissioners to protect the fire district's future levy capacity. Therefore, in any year in which the district reduces the EMS tax levy below the amount of levy to which the district is entitled by law, consistent with existing voter authorizations and the limitations of the state constitution and statutes, it is the district's intent to fully preserve future levy capacity as the aforesaid statute allows. The county assessor is therefore requested to set the EMS tax levy at the amount which would be allowed under RCW 84.55, as if the EMS tax for the district for taxes due in prior years (beginning with 1986) had been set for the full maximum amount authorized under the law.

Adopted this 19th day of November, 2024.

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Board Meeting Agenda Item Summary

Meeting Date:	November 19, 2024
Title:	Resolution 1068 2025 Excess Levy Tax

Recommendation from Staff:	Approve Resolution
Recommendation from Committee:	
Recommended Action/Motion:	<i>I move to adopt Resolution 1068 for the approval of the 2025 Excess Levy Tax for East Pierce Fire & Rescue.</i>
Presenter:	Finance Manager M. Hollon
Attachments:	Resolution 1068

Summary:
This is a resolution to be passed by the governing board of the fire district requesting to collection the 2025 Excess Levy Tax. This is the collection for the UTGO Bonds.

Fiscal Impact:	
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EAST PIERCE FIRE RESCUE

RESOLUTION NO. 1068

WHEREAS, the **Board of Commissioners** of **East Pierce Fire & Rescue** has met and considered its budget for the calendar year 2025; and

WHEREAS, the population of this district is more than 10,000; and now, therefore,

WHEREAS, in the November 6, 2018 election, the District's voters approved an Unlimited Tax General Obligation Levy for bonds in an amount not to exceed \$80,000,000 total,

BE IT RESOLVED by the **Board of Commissioners** of East Pierce Fire & Rescue that this Unlimited Tax General Obligation levy is hereby authorized for the levy to be collected in the 2025 tax year

The levy for East Pierce Fire & Rescue Bond Issuance 2018 shall be collected at the amount required for principal and interest payable in 2025, \$5,314,856

Adopted this 19th day of November, 2024.

This form or its equivalent must be submitted to your county assessor prior to their calculation of the property tax levies. A certified budget/levy request, separate from this form is to be filed with the County Legislative Authority no later than November 30th. As required by RCW 84.52.020, that filing certifies the total amount to be levied by the regular property tax levy. The Department of Revenue provides the "Levy Certification" form (REV 64 0100) for this purpose. The form can be found at:

<http://dor.wa.gov/docs/forms/PropTx/Forms/LevyCertf.doc>



Meeting Date:	November 19, 2024
Title:	Resolution 1069

Recommendation from Staff:	Approve
Recommendation from Committee:	Approve
Recommended Action/Motion:	Move to approve Resolution 1069, "ESTABLISHING ACCEPTABLE USES OF RESERVE FUND BALANCES, DESIRED RESERVE FUND LEVELS AND CREATING METHODS FOR MAINTAINING FUND BALANCES" which supersedes Resolution 996
Presenter:	Parkinson
Attachments:	Resolution 1069 – Track Change

Summary:
<p>This is the second reading of the resolution, which is a companion document to the financial management policy changes on the agenda tonight. The key impact of the edited resolution moves the district from five reserves to three. The Employee Leave Reserve balance will be transferred to the Facilities Reserve, and the General Reserve balance will be transferred to the Phase 2 Facilities Reserve. As stated in the resolution, the total of all reserves will never be less than 10% of the operating budget. For example, in 2025, this would mean the total of all reserves can never drop below \$4,883,870.</p> <p>The current reserve fund's total balance is \$35,550,480.</p>

EAST PIERCE FIRE & RESCUE

RESOLUTION NO. ~~996~~ 1069

A RESOLUTION ESTABLISHING ACCEPTABLE USES OF RESERVE FUND BALANCES, DESIRED RESERVE FUND LEVELS AND CREATING METHODS FOR MAINTAINING FUND BALANCES.

WHEREAS, reserve fund balances have a significant role in the Districts financial planning; and

WHEREAS, the District desires to establish rules for using and maintaining acceptable levels of funds;
and

WHEREAS, this resolution supersedes Resolution 996;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF FIRE COMMISSIONERS FOR EAST PIERCE FIRE & RESCUE THAT:

USE OF RESERVE FUND BALANCES:

- a. Allowable uses of committed or restricted funds are limited to:
 - One-time
 - Non budgeted required expenses
 - Non budgeted expenses that present a unique opportunity
 - Revenue shortfalls of a non-recurring nature
 - Temporary response
 - Termination of revenue sources from other governmental bodies
 - Emergency financing
 - Adverse changes in the economy
 - Planned
 - Maintenance or replacement of facilities and equipment
 - Additions to assets
 - Expenses for insurance and other significant items
 - Security provisions of debt agreements
- b. Reserves shall not be used as a continuing supplement to the operating budget
- c. The Board shall approve all expenditure of committed or restricted reserves by resolution.
- d. During an emergency declared, or reasonably expected to be declared, at the county, state, or federal level, the Fire Chief may authorize use of unassigned reserves when resources are overwhelmed, rapid action is required or to protect department facilities or equipment.
 - The Chief shall attempt to contact the commissioners listed above prior to committing unassigned reserves.
 - The chief shall notify the Board Chair, Vice Chair, or Finance Committee Chair as soon as possible of the anticipated needs of the district.
 - Committed reserves may be expended with the concurrence of a majority of the commissioners available.
- e. Reserves shall be replenished at a rate that does not impair established programs or create undue hardship.
- f. The Finance ~~Manager~~ Director shall administer the policy:

- Develop and implement procedures for administering this policy
- Ensure compliance with policy and state law

TARGETED RESERVE BALANCES:

- a. General Fund 001
 - Unassigned fund balance – 25% of budgeted operating expenses (Beginning Fund Balances for carry over to following year)
 - Restricted for petty cash and deposits – equivalent to cash required to meet daily operating requirements
- b. Reserve Fund 101
 - The total of all reserve funds will be no less than 10% of the operating budget.
 - Committed for Equipment – In accordance with the Equipment Replacement Reserve Policy.
 - ~~Committed for Facilities – In accordance with the Facility Maintenance Reserve Policy equivalent to at least next five years maintenance needs~~
 - ~~Committed for Employee Leave fund balance – equivalent to 10% of total compensated absences calculated at most recent year end~~
 - ~~General fund balance – at least 8% of budgeted operating expense (1 month operating expenses)~~
 - Committed for Phase 2 Capital Facilities Projects - no targeted balance.
- c. Debt Fund 201
 - No reserves
- d. Construction Fund 301
 - Committed for projects – as directed by the Board

FUNDING OF RESERVES:

- a. Transfers from the General Fund to the Reserve Fund shall not occur until after the calculation of the actual beginning fund balance is complete.
- b. Priority for funding shall be, in order:
 - Equipment Replacement Reserve Balance
 - Facilities Reserve Balance
 - ~~Employee Leave Reserve Balance~~
 - ~~General Reserve Fund Balance~~
 - Phase 2 Capital Facilities Reserve

PASSED AND APPROVED at a regular meeting of the Board of Commissioners for East Pierce Fire & Rescue on the ~~18th day of October, 2022~~, the following commissioners being present and voting:

Chair Jon Napier

Commissioner Pat McElligott

Commissioner ~~Mike Cathey~~Justin Evans

~~Commissioner Cynthia Wernet~~

Commissioner Kevin Garling

Commissioner Ed Egan

Commissioner Randy Kroum

ATTEST:

District Secretary



Board Meeting Agenda Item Summary

Meeting Date:	November 19, 2024
Title:	Resolution 1070 – Sole Source declaration to Air Exchange

Recommendation from Staff:	<i>Approve</i>
Recommendation from Committee:	N/A
Recommended Action/Motion:	<i>Move to adopt Resolution 1070 declairing Air Exchange the sole source for the purchase of two Plymovent Vehicle Exhaust Systems and waiving competitive bid requirements.</i>
Presenter:	Finance Manager Michelle Hollon
Attachments:	Resolution 1070, Attorney Letter of Opinion

Summary:
<p>The District is seeking to purchase vehicle exhaust systems, specifically the Plymovent Vehicle Exhaust System from Air Exchange for the new Stations 112 and 117. The system is quoted over the \$75,500 threshold by Air Exchange and is the sole manufacturer of the system. The District’s other fire stations utilize this system as well and purchasing a different system would result in incompatibility issues.</p> <p>The District’s Attorney, Eric Quinn has reviewed the request for sole source and has provided a letter of opinion.</p>

Fiscal Impact:	Click or tap here to enter text.
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EAST PIERCE FIRE & RESCUE

RESOLUTION 1070

(A Resolution Authorizing the Purchase of Exhaust Extraction Equipment from a Sole Source Vendor)

WHEREAS, the Board of Commissioners of East Pierce Fire & Rescue has determined it is necessary to purchase vehicle exhaust systems as part of the UTGO 2018 capital project of Stations 112 and 117; and

WHEREAS, the Board of Commissioners considers the safety of the district’s employees to be of the highest priority; and

WHEREAS, the District began installing vehicle exhaust extraction systems in all of its fire stations in 2003-2004 to protect the health and safety of department personnel from the harmful effects of vehicle exhaust; and

WHEREAS, the new stations 112 and 117 do not have exhaust extraction systems in place; and

WHEREAS, it has been determined that standardizing certain equipment not only improves the safety of personnel, but also their ability to effectively and efficiently operate the equipment; and

WHEREAS, the exhaust extraction system installed in all of the District’s other stations and also surrounding mutual aid departments is manufactured by Plymovent and installed by their exclusive authorized dealer in the State of Washington, Air Exchange;

WHEREAS, the District Attorney has evaluated the need to declare sole source for purchase and provided a letter of opinion November 7, 2024;

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of East Pierce Fire & Rescue that it is in the best interest of the District to declare Air Exchange the sole source vendor for the purchase and installation of Plymovent exhaust extraction systems for the District’s fire stations.

ADOPTED at a regular meeting of the Board of Commissioners on November 19, 2024, the following Commissioners being present and voting:

Chair Jon Napier

Commissioner Ed Egan

Commissioner Randy Kroum

Commissioner Pat McElligott

Commissioner Kevin Garling

Commissioner Justin Evans

Commissioner Cynthia Wernet

ATTEST:

Corina Byerley, District Secretary

DRAFT

Eric T. Quinn, P.S.
PROFESSIONAL SERVICE CORPORATION
ATTORNEY AT LAW
7403 Lakewood Dr. W., Suite #11
Lakewood, WA 98499
253-590-6628
ericquinn@firehouselawyer2.com

*Joseph F. Quinn,
Of Counsel*

November 7, 2024
By Electronic Mail Only

East Pierce Fire and Rescue (“District”)
Attn: Michelle Hollon, Finance Manager
mhollon@eastpiercefirerescue.org

Re: Purchase of vehicle exhaust system for District apparatus; waiving competitive bidding

Dear Ms. Hollon:

The purpose of this letter is to give you my recommendation as to whether the District may waive competitive bidding for the purchase of one or more Plymovent vehicle exhaust systems (hereinafter “System”) from Air Exchange without going out to competitive bid. The District may waive competitive bidding in this case, by resolution. In full answer to this question, we shall (1) state the applicable law, (2) enumerate the relevant facts and (3) apply the law to the facts and provide a recommendation. In short, the District may waive competitive bidding in this case and purchase the System directly from Air Exchange, as for Systems at both District Stations 112 and 117.

Applicable Law

A fire protection district may waive competitive bidding for purchases of equipment valued over \$75,500, not including sales tax, when the equipment is “clearly and legitimately limited to a single source of supply.” See RCW 52.14.110 (1)(d); See Also RCW 39.04.280 (1)(a). This is called the “sole source” exception. This exception may be invoked by resolution of the Board.

The leading case on the sole source exception is still *Smith v. City of Seattle*, 192 Wn. 64, 72 P.2d 588 (1937). In *Smith*, the specifications called for bids for “true Mazda lamps only,” which were obtainable from only one source. After reviewing two divergent lines of authority, emanating from the highest courts of various states, the *Smith* court adopted the “liberal rule” of interpreting the sole source exception. The Court found that a *patented* item meets the definition of a “sole source” procurement.

But the Court went on to find that the restricted rule would limit municipal corporations to using the exception *only* for patented items. The Court said the public bidding statutes are designed to promote honesty and economy in the public interest, but not to deprive the public of procuring the “best article available.” Given the technological advancements of our time, it would be best, the Court said, to let municipalities have the privilege of using modern methods and improvements. The *Smith* Court also found that *previous satisfactory experience* in the actual use of an article is a reasonable basis for declaring sole source.

In AGO 61-62, No. 24, the Attorney General pointed out that the holding in *Seattle v. Smith* is broad enough to support specification of brand name when the public interest is served thereby. In this AG opinion, after noting that the weight of authority is in favor of the Washington view [citing 77 A.L.R. 702], the AG notes that the underlying purpose of the bid laws would be defeated if such limited specs were forbidden when it would clearly aid the public interest to allow such limited specs.

In a later AG letter opinion, AGLO 1971, No. 128, the attorney general referred to both the *Smith* case and the above AGO with approval, stating that specifying by brand name was acceptable “if the officials submitting the call for bids have not drafted these specifications arbitrarily and capriciously, and are acting in good faith.” Consequently, not only may a municipality declare sole source based on a *patent*; it may also do so by brand name, especially after a rigorous evaluation process establishing its good-faith attempts to secure the best article.

Relevant Facts

The District seeks to purchase the System from Air Exchange, without going out to bid. This purchase is valued well over \$75,000, excluding sales tax. Finance Manager Michelle Hollon provided the following background:

- a. The System efficiently removes harmful exhaust fumes from District vehicles in the firehouse, ensuring a safe environment for firefighters and staff by reducing exposure to toxic pollutants, utilizing the following key components:
 1. **Exhaust Hose and Nozzle:** A flexible hose connects to the vehicle's exhaust pipe. When the vehicle starts, the nozzle automatically attaches to capture exhaust gases.
 2. **Extraction Fan:** This fan creates suction to pull exhaust fumes through the hose and into the System.
 3. **Ductwork:** Extracted fumes travel through ductwork to be safely expelled outside the building.
 4. **Control System:** A user-friendly control panel allows easy operation, including automatic activation when a vehicle starts.
- b. Plymovent is “a 100% source capture” for exhaust. Plymovent hoses do not attach to the side of the vehicle, which prevents damage to the body of the vehicle. Plymovent hoses are durable and reliable, they are automatic, therefore not requiring any action from firefighters when responding to an emergency. The hose design is such that the District can attach them to multiple types of vehicles.
- c. Air Exchange is the sole vendor of the System in Washington.
- d. The System would be compatible with existing equipment, inventory, systems, programs, or services within the District.
- e. The District has engaged in competitive bidding for the System, and Air Exchange has been the only vendor that has submitted bids. Plymovent exhaust systems are presently located in other District apparatus.

Application of the Law to the Facts and Recommendation

The District may declare Air Exchange as being the sole source of the System, and therefore waive competitive bidding, for the following reasons:

1. The System is the best article available according to Finance Manager Hollon; and

2. Air Exchange is the sole vendor of the System in Washington and has been the only bidder offering to sell Plymovent exhaust systems to the District; and
3. The District has had previous satisfactory experience with Air Exchange and Plymovent, which was cited as one reason for declaring sole source in *Smith*; and
4. The District uses Plymovent at other stations; therefore, purchase of the System would promote compatibility as between stations; and
5. The District seeks to declare sole source by brand name, in good faith, satisfying various Attorney General Opinions interpreting *Smith* which are cited above.

Based on the above facts, the System is “clearly and legitimately limited to a single source of supply”—Plymovent, purchased through Air Exchange, the sole vendor of the System in Washington. Please inform me if you have any questions or concerns with respect to this opinion and please make reference to this opinion in the resolution declaring this sole-source purchase.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'Eric T. Quinn', with a stylized, flowing script.

Eric T. Quinn



Meeting Date:	November 19, 2024
Title:	Surplus 24 Phillips Tempus Pro/LS Monitor-defibrillators

Recommendation from Staff:	Approve
Recommendation from Committee:	None
Recommended Action/Motion:	<i>Move to approve Resolution 1071, the surplus of 24 Philips Tempus Pro/LS Monitor defibrillators and accessories to Master Medical Equipment, for \$240,000.</i>
Presenter:	Assistant Chief Jeff Moore
Attachments:	Appendix A

Summary:
<p>EMS staff recommends the surplus of 24 Phillips Tempus PRO/LS monitor defibrillators, including all accessories, cases, and chargers. Detailed inventories are provided in the attached Appendix A.</p> <p>These units will no longer be used and will be replaced by new Lifepak 35 monitors. We propose selling the surplus equipment to Master Medical Equipment at 2345 Dr. F.E. Write Drive, Jackson, TN 38305. The agreed price is \$10,000 per unit, amounting to a total sale of \$240,000 plus shipping costs.</p>

PURCHASE ORDER



Master Medical Equipment
 PO Box 11476
 Jackson, TN 38308
 US

Phone: 866-468-9558

Send To:

Philips Healthcare, MSD0006000
 3000 Minuteman Rd.
 Andover, MA 01810
 USA

Ship To:

Master Medical Equipment
 2345 Dr FE Wright Drive
 Jackson, TN 38305
 US
 866-468-9558

Purchase Order Number	
4008946	
Date	Page
10/14/2024 12:04:03	1 of 1
External PO Number	
East Pierce Trade	

Attn:

Supplier ID: 10470

Buyer Name	Required Date	Terms Description
Pyron, Lucas	10/14/2024	Net 60

Quantity	UOM Unit Size	Required Date	Item ID Item Description	Net Unit Price	Pricing UOM Unit Size	Extended Price
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Vendor Note: Please partial ship items as available.

24	EA	10/14/2024	PHI989706000081-R Philips Tempus Pro, US PKG 2, Refurb Printer, SpO2, NiBP, ECG, EtCO2, Temp, & IBP Includes all accessories, cases, and chargers	10,000.0000	EA	240,000.00
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TOTAL: 240,000.00

To read our full Supplier Quality Terms and Conditions, please visit the link below.
<https://www.mmemed.com/supplier-quality-terms-and-conditions/>

Appendix A

Asset Information							Custom Fields	Check Out/In	Last Seen	Verification
Asset Description	Asset Tag #	Serial #	Model Year	Model #	Purchase Date	Warranty Expiratio...	IP	Date	Date	Date
Tempus LS									All	All
Tempus LS		7022.002515	2022	Tempus LS	11/17/2021	03/29/2022			11/06/2024 03:15 PM PT	11/06/2024 03:15 PM PT
Tempus LS		7022.002671	2022	Tempus LS	11/17/2021	03/29/2022			11/06/2024 03:20 PM PT	11/06/2024 03:20 PM PT
Tempus LS	23037	7022.002988	2022	Tempus LS	11/17/2021	03/29/2022			11/06/2024 03:21 PM PT	11/06/2024 03:21 PM PT
Tempus LS	02829	7022.001607	2022	Tempus LS	11/17/2021	03/29/2022				
Tempus LS	02844	7022.001611	2022	Tempus LS	11/17/2021	03/29/2022				
Tempus LS	02824	7022.001605	2022	Tempus LS	11/17/2021	03/29/2022		02/22/2023 02:30 PM PT	07/13/2024 10:57 AM PT	07/13/2024 10:57 AM PT
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Tempus LS	02842	7022.001604	2022	Tempus LS	11/17/2021	03/29/2022		10/14/2024 03:09 AM PT	10/14/2024 03:09 AM PT	11/06/2024 03:27 AM PT
Tempus LS	02828	7022.001613	2022	Tempus LS	11/17/2021	03/29/2022			12/25/2023 02:58 PM PT	
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Tempus LS	02834	7022.001637	2022	Tempus LS	11/17/2021	03/29/2022			08/20/2024 05:17 PM PT	
Tempus LS	02836	7022.001639	2022	Tempus LS	11/17/2021	03/29/2022		10/23/2024 03:49 PM PT	10/23/2024 03:49 PM PT	
Tempus LS	02840	7022.001614	2022	Tempus LS	11/17/2021	03/29/2022		02/22/2023 01:47 PM PT	06/08/2024 09:34 AM PT	06/08/2024 09:34 AM PT
Tempus LS	02846	7022.001643	2022	Tempus LS	11/17/2021	03/29/2022				
Tempus LS	02848	7022.001608	2022	Tempus LS	11/17/2021	03/29/2022			08/20/2024 04:18 PM PT	08/20/2024 04:18 PM PT
Tempus LS	02876	7022.001646	2022	Tempus LS	11/17/2021	03/29/2022				
Tempus LS	02878	7022.000918	2022	Tempus LS	11/17/2021	03/29/2022		10/29/2024 10:13 AM PT	10/29/2024 10:13 AM PT	11/03/2024 03:37 AM PT
Tempus LS	02880	7022.001636	2022	Tempus LS	11/17/2021	03/29/2022		10/06/2024 08:49 AM PT	10/09/2024 08:17 AM PT	10/09/2024 03:17 AM PT
Tempus LS	02772	7022.001642	2022	Tempus LS	11/17/2021	03/29/2022			08/19/2024 01:03 PM PT	08/19/2024 01:03 PM PT
Tempus LS	02774	7022.001640	2022	Tempus LS	11/17/2021	03/29/2022			07/21/2024 09:21 AM PT	
Tempus LS	02776	7022.001606	2022	Tempus LS	11/17/2021	03/29/2022				
Tempus LS	02778	7022.001610	2022	Tempus LS	11/17/2021	03/29/2022				
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Tempus LS	02782	7022.001615	2022	Tempus LS	11/17/2021	03/29/2022		10/29/2024 11:19 AM PT	11/03/2024 08:37 AM PT	11/03/2024 03:37 AM PT

Asset Information							Custom Fields	Check Out/In	Last Seen	Verification
Asset Description	Asset Tag #	Serial #	Model Year	Model #	Purchase Date	Warranty Expiratio...	IP	Date	Date	Date
Tempus Pro									All	All
Tempus Pro	02843	616524	2022	Tempus Pro	11/17/2021					
Tempus Pro	02841	616527	2022	Tempus Pro	11/17/2021					
Tempus Pro	02821	616533	2022	Tempus Pro	11/17/2021					
Tempus Pro	02825	615825	2022	Tempus Pro	11/17/2021			02/22/2023 02:27 PM PT	05/26/2024 09:21 AM PT	05/26/2024 09:21 AM PT
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Tempus Pro	02830	616502	2022	Tempus Pro	11/17/2021			02/22/2023 02:25 PM PT	02/17/2024 10:00 AM PT	02/17/2024 10:00 AM PT
Tempus Pro	02831	616539	2022	Tempus Pro	11/17/2021			08/20/2024 07:53 AM PT	09/22/2024 10:22 AM PT	09/22/2024 05:22 AM PT
Tempus Pro	02833	616550	2022	Tempus Pro	11/17/2021				08/20/2024 05:16 PM PT	
Tempus Pro	02835	616509	2022	Tempus Pro	11/17/2021			10/23/2024 03:49 PM PT	10/23/2024 03:49 PM PT	
Tempus Pro	02838	616505	2022	Tempus Pro	11/17/2021			02/28/2023 01:54 PM PT	07/13/2024 11:33 AM PT	07/13/2024 11:33 AM PT
Tempus Pro	02839	616521	2022	Tempus Pro	11/17/2021			02/22/2023 01:47 PM PT	06/08/2024 09:34 AM PT	06/08/2024 09:34 AM PT
Tempus Pro	02845	616523	2022	Tempus Pro	11/17/2021					
Tempus Pro	02847	614315	2022	Tempus Pro	11/17/2021				08/20/2024 04:18 PM PT	08/20/2024 04:18 PM PT
Tempus Pro	02849	616535	2022	Tempus Pro	11/17/2021					
Tempus Pro	02875	616520	2022	Tempus Pro	11/17/2021					
Tempus Pro	02877	616519	2022	Tempus Pro	11/17/2021			10/29/2024 10:13 AM PT	10/29/2024 10:13 AM PT	11/03/2024 03:37 AM PT
Tempus Pro	02879	616546	2022	Tempus Pro	11/17/2021			10/06/2024 08:49 AM PT	10/09/2024 08:17 AM PT	10/09/2024 03:17 AM PT
Tempus Pro	02771	616541	2022	Tempus Pro	11/17/2021				08/19/2024 01:03 PM PT	08/19/2024 01:03 PM PT
Tempus Pro	02773	616531	2022	Tempus Pro	11/17/2021				07/21/2024 09:20 AM PT	
Tempus Pro	02775	616378	2022	Tempus Pro	11/17/2021					
Tempus Pro	02777	616316	2022	Tempus Pro	11/17/2021					
Tempus Pro	02779	616548	2022	Tempus Pro	11/17/2021			08/19/2024 01:58 PM PT	09/15/2024 07:57 PM PT	09/15/2024 02:57 PM PT
Tempus Pro	02781	616504	2022	Tempus Pro	11/17/2021			10/29/2024 11:19 AM PT	11/03/2024 08:37 AM PT	11/03/2024 03:37 AM PT

EAST PIERCE FIRE & RESCUE

RESOLUTION NO. 1071

A Resolution to Surplus 24 Phillips Tempus PRO/LS monitor defibrillators

WHEREAS, East Pierce Fire & Rescue’s EMS Division has evaluated the capabilities of the 24 Phillips Tempus Pro/LS Monitor-defibrillators monitor defibrillators listed in Appendix A to the needs of the department; and

WHEREAS, the units, as listed in Appendix A, owned by East Pierce Fire & Rescue have been deemed past its useful life due to technology incompatibilities and are no longer of use to the District; and

WHEREAS, the units have a sale-value of \$10,000 each if sold back to Philips Heathcare through their purchasing agent Master Medical Equipment;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of East Pierce Fire & Rescue that the 24 Phillips Tempus Pro/LS Monitor-defibrillators monitor defibrillators, as listed in Appendix A; are hereby declared surplus to the needs of the District and will be sold to Master Medical Equipment for \$240,000.

ADOPTED at a regular meeting of the Board of Commissioners of East Pierce Fire & Rescue on November 19, 2024, the following commissioners being present and voting:

_____	_____
Chair Jon Napier	Commissioner Pat McElligott
_____	_____
Commissioner Randy Kroum	Commissioner Kevin Garling
_____	_____
Commissioner Ed Egan	Commissioner Justin Evans

Commissioner Cynthia Wernet	

ATTEST:

District Secretary



Meeting Date:	November 19, 2024
Title:	Financial Management Policy Edits

Recommendation from Staff:	Approve
Recommendation from Committee:	Approve – Finance Committee
Recommended Action/Motion:	<i>Move to Approve the Financial Management Policy as presented.</i>
Presenter:	Parkinson
Attachments:	Financial Management Policy markup

Summary:
<p>Following the May 2024 Board Workshop, staff recommends several edits to the Board Financial Management Policy (attached).</p> <p>Section 215.4 Revenue Policy – This has been edited to address the full collection of the levies and the option to pay down the balance of outstanding bonds.</p> <p>Section 215.10 Debt Policies – Memorializes, but does not bind, the intent to avoid future debt whenever possible and practical.</p> <p>Section 215.14 Reserve Policies – Restructures our reserve funds to eliminate two of the reserves (general and employee compensation) and move to a three-reserve model with a combined minimum balance of no less than 10% of the operating budget (which is roughly \$5M).</p> <p>Policy edits require two readings before adoption. October was the first reading.</p>

Financial Management

215.1 PURPOSE AND SCOPE

Supersedes policy 6000 Financial Management Adopted October 16, 2018

215.2 POLICY

The financial integrity of East Pierce Fire & Rescue (the “District”) is of utmost importance. This policy serves as a central reference point and guiding principles for financial management and control.

Our financial goals seek to:

- (a) Ensure the financial integrity and sustainability of the District
- (b) Manage the financial assets in a sound and prudent manner
- (c) Improve financial information for decision makers at all levels
 - 1. Policy makers as they contemplate decisions that affect the municipality on a long- term basis
 - 2. Managers and staff as they implement policy on a day-to-day basis
- (d) Maintain and further develop programs to ensure the long-term ability to pay all costs necessary to provide the level and quality of service required by the citizens
- (e) Maintain a spirit of openness and transparency while being fully accountable to the public for the District’s fiscal activities

215.3 GENERAL FINANCIAL POLICY

- (a) The Board of Fire Commissioners may adopt resolutions to set financial policies to assure the financial strength and accountability of the District.
- (b) The Fire Chief shall develop administrative directives and Standard Operating Guidelines for implementing the Board of Fire Commissioner’s financial policies.
- (c) All Departments will share in the responsibility of meeting policy goals and ensuring long-term financial health. Future service plans and programs will be developed to reflect current policy directives, projected resources, and future service requirements.
- (d) To attract and retain employees necessary for providing high quality services, the District shall establish and maintain a competitive compensation and benefit package with the public and private sectors.
- (e) Efforts will be coordinated with other governmental agencies to achieve common policy objectives, share the cost of providing governmental services on an equitable basis, and support favorable legislation at the state and federal level.
- (f) Support, encourage, and participate in economic development efforts to create job opportunities and strengthen the local economy.
- (g) The District will strive to maintain fair and equitable relationships with its contractors and suppliers.

Financial Management

215.4 REVENUE POLICY

- Budgeted revenues will be estimated conservatively using accepted standards and estimates provided by the state, other governmental agencies or reliable economic forecasters when available.
- All non-restricted revenues will be deposited into the General Fund and appropriated by the budget process.
- If revenues from "one-time" or limited duration sources are used to balance the annual operating budget, it is to be fully disclosed and explained at the time the budget is presented. It is the District's goal to not rely on these types of revenues to balance the operating budget.
- The District will not use deficit financing and borrowing to support on-going operations in the case of long-term (greater than one year) revenue downturns. Revenue forecasts will be revised, and expenses will be reduced to conform to the revised long-term revenue forecast or revenue increases will be considered.
- The District will follow an aggressive and professional policy of collecting revenues. When necessary, small claims court, collection agencies, foreclosure, liens and other methods of collection, such as imposing penalties, collection and late charges, may be used.
- The District shall strive to maintain adequate fund balances (carry over & reserves) in order to provide sufficient cash flows to meet operating and capital expenses, while also providing for the financial ability to address economic downturn and system emergencies. Operating expenditures include salaries, benefits, supplies, professional services, intergovernmental and interfund expenses, capital outlays and transfers.
- [When the District has debt \(commonly in the form of UTGO or LTGO Bonds\), the District will fully collect all available tax revenue and avoid the use of banking capacity. The commissioners will annually evaluate options to pay down any outstanding debt with unencumbered revenues, while ensuring reserves are adequately funded.](#)

215.4.1 FEES AND CHARGES

The District may use service users' charges in lieu of ad valorem (property) taxes and subsidies from other District funds, for services that can be identified and where costs are directly related to the level of service provided.

- (a) Other reimbursable work performed by the District (labor, meals, contracted services, equipment and other indirect expenses) shall be billed at actual or estimated actual cost.
- (b) Charges for services shall accurately reflect the actual or estimated cost of providing a specific service. The cost of providing specific services shall be recalculated periodically, and the fee adjusted accordingly. The District may maintain a current schedule of fees and charges, showing when the fees were last reviewed and/or recalculated. Fees and charges will be reviewed every three years at a minimum.

Financial Management

- (c) The District will consider market rates and charges levied by other municipalities for like services in establishing rates, fees, and charges.
- (d) Certain fees, such as facility or real property rental fees, will be based upon market conditions and are not subject to the limitations of cost recovery.
- (e) Charges, such as rental fees for the use of emergency vehicles will be based upon the fee schedule as established by the Washington Fire Chiefs Association.

215.4.2 GRANTS AND GIFTS

- (a) Grant funding for programs or items which address the District's current priorities and policy objectives should be considered to leverage District funds. Inconsistent and/or fluctuating grants should not be used to fund on-going programs.
- (b) Before accepting any grant, the District shall thoroughly consider the implications in terms of ongoing obligations that will be required in connection with acceptance of said grant.
- (c) All grants and other federal and state funds shall be managed to comply with the laws, regulations, and guidance of the grantor.
- (d) All gifts and donations shall be managed and expended in accordance with the District's Donation Policy and the wishes and instructions of the donor.

215.5 FUND TYPES

- (a) General Funds (General Fund 001)
The General Fund is the primary operating account and is used for the payment of operating and maintenance expenses, including labor costs related to the day-to-day operation of the District.
- (b) Capital Project Funds (Reserve Fund 101, Debt Fund 201, Construction Fund 301)
The Capital Funds are used for purchase or construction of capital projects and may be used for debt payments if approved by the Board.
- (c) Petty Cash (included in General Fund 001)
The District's Petty Cash shall be managed per the Petty Cash Funds Policy

215.6 FISCAL MANAGEMENT POLICY

- (a) The District will strive to adopt an annual General (Operating) Fund budget in which current expenditures do not exceed current projected revenues. Capital expenditures may be funded from one-time revenues.
- (b) The District's goal shall be to establish and maintain a Carry Over Reserve of at least 25 percent of the Current Expense Fund and supported operating budgets, which is used as the beginning fund balance of the Operating Budget and continued to the following year as carryover.
- (c) Department Directors are responsible for managing their budgets within the total appropriation for their department.

East Pierce Fire & Rescue

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Financial Management

- (d) The District will take immediate corrective actions if at any time during the fiscal year expenditure and revenue re-estimates are such that an operating deficit is projected at year-end. Corrective actions can include a hiring freeze, expenditure reductions, fee increases, or use of contingencies. The Board of Commissioners may approve a short-term interfund loan or use of one-time revenue sources to address temporary gaps in cash flow, although this will be avoided if possible.
- (e) Long-term debt or bond financing shall not be used to finance current operating expenditures.
 - 1. In the event a balanced budget is not attainable, and the cause of the imbalance is expected to last for no more than one year, the planned use of reserves to balance the budget is permitted. In the event that a budget shortfall is expected to continue beyond one year, the planned use of reserves must be developed as part of a corresponding strategic financial plan to close the gap through revenue increases or expenditure decreases.
- (f) Emphasis will be placed on improving individual and work group productivity rather than adding to the work force. The District will invest in technology and other efficiency tools to maximize productivity. The District will hire additional staff only after the need for such positions has been demonstrated and documented.
- (g) All compensation planning and collective bargaining will focus on the total costs of compensation (TCC) which includes direct salary, health care benefits, pension contributions, and other benefits which are a cost to the District.
- (h) Periodic comparisons of service delivery will be made to ensure that quality services are provided to our citizens at the most competitive and economical cost. Privatization and contracting with other governmental agencies will be evaluated as alternatives to service delivery where appropriate. Programs that are determined to be inefficient and/or ineffective shall be reduced in scope or eliminated.
- (i) Whenever feasible, government activities will be considered enterprises if so doing will increase efficiency of service delivery or recover the cost of providing the service from the benefiting entity by user fees.
- (j) The District will make every effort to maximize any discounts offered by creditors/vendors.
- (k) Any year-end operating surpluses will revert to unappropriated balances for use in maintaining reserve levels set by policy and will be available for capital expenditures and/or "one-time" only General Fund expenditures.
- (l) The District will provide for adequate maintenance and the orderly replacement of capital assets and equipment. Fleet and equipment replacement will be accomplished through the use of a "rental" rate structure. The rates will be revised annually to ensure that charges to operating departments are sufficient for the replacement of the vehicles and equipment.
- (m) The operating budget shall serve as the annual financial plan for the District. It will serve as the policy document of the District for implementing the Board of Commissioner's goals and objectives. The budget will provide the staff the resources necessary to accomplish District determined service levels.

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- (n) The Fire Chief shall annually present a proposed operating budget to the Board of Commissioners on or before the October Regular Board meeting each year. Said budget proposal will include a rolling 5-year revenue and expense forecast. The Board of Commissioners must adopt by resolution a final balanced budget no later than November 25th of each year.
- (o) Funds may not be expended or encumbered for the following fiscal year until the budget has been adopted by the Board of Commissioners.
- (p) Budget control and accountability is maintained at the departmental level.
- (q) The Fire Chief has the authority to approve appropriation transfers between programs or departments within a fund. In no case may total expenditures of a particular fund exceed that which is appropriated by the Board of Commissioners without a budget amendment. Amendments to the budget are approved by the Board of Commissioners.

215.7 CAPITAL MANAGEMENT POLICY

Capital Asset Management is regulated in the Capital Asset Management Policy

215.8 CAPITAL FACILITIES PLAN (CFP)

- (a) The District may develop a Capital Facilities Plan (CFP) which is consistent with the District Comprehensive Plan. The plan shall be developed for a period of 25 years, and reviewed every five (5) years for validity (checking to see if driving or causal factors have changed significantly).
- (b) The CFP will include all projects to maintain public capital facilities required to maintain service levels at standards established by the Board of Fire Commissioners. It may also include for consideration such other projects as requested by the Fire Chief or Board of Commissioners.
- (c) The CFP will provide details on each capital project plan including estimated costs, sources of financing and a full description of the project.
- (d) The District will finance only those capital improvements that are consistent with the adopted CFP and District priorities. All capital improvement operating, and maintenance costs will be included in operating budget forecasts.
- (e) A status review of the CFP will be conducted annually, and a report will be presented by the Fire Chief or his/her designee, to the Board of Commissioners for the purpose of reporting on project status.

215.9 ACCOUNTING POLICIES

- (a) The District uses the cash basis of accounting which is a departure from generally accepted accounting principles (GAAP).
- (b) The District will maintain expenditure categories according to state statute and administrative regulation. The District will use the "Budgeting, Accounting & Reporting

Financial Management

- System" (BARS) prescribed by the State Auditor for its revenue and expenditure classification.
- (c) Monthly budget reports showing the current status of revenues and expenditures will be prepared and distributed to appropriate legislative, staff and management personnel in a timely manner and made available for public inspection.
 - (d) Monthly financial and investment updates will be presented to the Board of Commissioners.
 - (e) Electronic financial systems will be maintained to monitor revenues, expenditures, and program performance on an ongoing basis.
 - (f) The Annual Financial Report will be prepared and submitted to the State Auditor's Office no later than 150 days from the end of the preceding fiscal year.
 - (g) The Annual Financial Report will be prepared on the basis of accounting that demonstrates compliance with Washington State statutes and the BARS manual prescribed by the State Auditor. The report will provide full disclosure of all financial activities and related matters.
 - (h) Audits: An annual financial audit shall be performed by the Washington State Auditor's Office, which will issue an official opinion on the annual financial statements. The accountability audit (i.e., accountability for public resources and compliance with state laws and regulations and its own policies and procedures) shall be performed every two years by the Washington State Auditor's Office.
 - (i) The District's budget should satisfy criteria as a financial and programmatic policy document, as a comprehensive financial plan, as an operations guide for all organizational units, and as a communications device for all significant budgetary issues, trends and resources.

215.10 DEBT POLICIES

- (a) Purpose and Overview
 - 1. The Debt Policy for the District is established to help ensure that all debt is issued both prudently and cost effectively. The Debt Policy sets forth comprehensive guidelines for the issuance and management of all financing of the District. Adherence to the policy is essential to ensure that the District maintains a sound debt position and protects the credit quality of its obligations.
- (b) Capital Planning
 - 1. The District shall integrate its debt issuance with its Capital Improvement Program (CIP) spending to ensure that planned financing conforms to policy targets regarding the level and composition of outstanding debt. This planning considers the long-term horizon, paying particular attention to financing priorities, capital outlays and competing projects. Long term borrowing shall be confined to the acquisition and/or construction of capital improvements and shall not be used to fund operating or maintenance costs. For all capital projects under consideration, the District shall set aside sufficient revenue from operations to fund ongoing normal maintenance needs and to provide reserves for periodic

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replacement and renewal. The issuance of debt to fund operating deficits is not permitted.

(c) Legal Governing Principles

1. In the issuance and management of debt, the District shall comply with the state constitution and with all other legal requirements imposed by federal, state, and local rules and regulations, as applicable.
2. State Statutes – The District may contract indebtedness as provided for by State law, subject to the statutory and constitutional limitations on indebtedness.
3. Federal Rules and Regulations – The District shall issue and manage debt in accordance with the limitations and constraints imposed by federal rules and regulations including the Internal Revenue Code of 1986, as amended; the Treasury Department regulations there under; and the Securities Acts of 1933 and 1934.
4. Local Rules and Regulations – The District shall issue and manage debt in accordance with the limitations and constraints imposed by local rules, policies, and regulations.

(d) Roles & Responsibilities

1. The Board of Commissioners shall:
 - (a) Approve indebtedness;
 - (b) Approve appointment of the bond underwriter and bond counsel;
 - (c) Approve the Financial Policy, including the section on the Debt Policy;
 - (d) Approve budgets sufficient to provide for the timely payment of principal and interest on all debt; and
2. The Fire Chief in consultation with the Finance Manager/Finance Director shall:
 - (a) Assume primary responsibility for debt management
 - (b) Provide for the issuance of debt at the lowest possible cost and risk;
 - (c) Determine the available debt capacity;
 - (d) Provide for the issuance of debt at appropriate intervals and in reasonable amounts as required to fund approved capital expenditures;
 - (e) Recommend to the Board of Commissioners the manner of sale of debt;
 - (f) Monitor opportunities to refund debt and recommend such refunding as appropriate.
 - (g) Comply with all Internal Revenue Service (IRS), Securities and Exchange (SEC), and Municipal Securities Rulemaking Board (MSRB) rules and regulations governing the issuance of debt.
 - (h) Provide for the timely payment of principal and interest on all debt and ensure that the fiscal agent receives funds for payment of debt service on or before the payment date;

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- (i) Provide for and participate in the preparation and review of offering documents;
 - (j) Comply with all terms, conditions and disclosure required by the legal documents governing the debt issued;
 - (k) Submit to the Board of Commissioners all recommendations to issue debt;
 - (l) Provide for the distribution of pertinent information to rating agencies;
 - (m) Comply with undertakings for ongoing disclosure pursuant to SEC Rule 15c2-
 - (n) Apply and promote prudent fiscal practices.
- (e) Ethical Standards Governing Conduct
The members of the District's staff will adhere to the standards of conduct as stipulated by the Public Disclosure Act, RCW 42.17 and Ethics in Public Service, RCW 42.52.
- (f) Types of Debt Instruments
It is the goal of the District to avoid the use of debt funding whenever possible and practical. The District may utilize several types of municipal debt obligations to finance long-term capital projects. Subject to the approval of Board of Commissioners, the District is authorized to sell:
1. Unlimited Tax General Obligation Bonds (UTGO)– The District shall use Unlimited Tax General Obligation Bonds (UTGO), also known as "Voted General Obligation Bonds" for the purpose of capital improvements, remodels, equipment purchases and property acquisition. Voted issues are limited to capital purposes only. Every project proposed for financing through general obligation debt should be accompanied by a full analysis of the future operating and maintenance costs associated with the project. Bonds are payable from excess tax levies and are subject to the assent of 60% of the voters at an election to be held for that purpose, plus validation requirements.
 2. Limited Tax General Obligation Bonds – A Limited-Tax General Obligation debt (LTGO), also known as "Non-Voted General Obligation Debt", requires the District to levy a property tax sufficient to meet its debt service obligations but only up to a statutory limit. The District shall use LTGO Bonds as permitted under State law for lawful purposes only. General Obligation debt is backed by the full faith and credit of the District and is payable from non-voter approved property taxes and other money lawfully available. LTGO Bonds will only be issued if:
 - (a) District determines they can afford the payments;
 - (b) A project requires funding not available from alternative sources;
 - (c) Matching fund monies are available which may be lost if not applied for in a timely manner; or,
 - (d) Emergency conditions exist.
 3. Special Assessment/Local Improvement District Bonds – The District shall use Special Assessment Bonds as permitted under State law for the purpose of

East Pierce Fire & Rescue

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assuring the greatest degree of public equity in place of general obligation bond where possible. Local Improvement District (LID) Bonds represent debt that is repaid by the property owners who specifically benefit from the capital improvements through annual assessments paid to the District. LID's are formed by the Board of Commissioners after a majority of property owners agree to the assessment. No taxing power or general fund pledge is provided as security, and LID Bonds are not subject to statutory debt limitations. The debt is backed by the value of the property within the district and an LID Guaranty Fund, as required by State Law.

4. Short Term Debt – The District shall use short term debt as permitted by State law for the purpose of meeting any lawful purpose of the municipal corporation, including the immediate financing needs of a project for which long term funding has been secured but not yet received. The District may use inter-fund loans rather than outside debt instruments to meet short-term cash flow needs for the project. Inter-fund loans will be permitted only if an analysis of the affected fund indicates excess funds are available and the use of the funds will not impact the fund's current operations. All inter-fund loans will be subject to Board of Commissioner approval and will bear interest at prevailing rates.
5. Leases – The District is authorized to enter into capital leases under State law, subject to the approval of the Board of Commissioners.

(g) General Requirements

1. The District will not use long-term debt to pay for current operations. The use of bonds will only be considered for significant capital and infrastructure improvements.
2. The term of the debt shall never extend beyond the useful life of the improvements to be financed; and the term of the debt will not exceed 20 years.
3. General obligation debt will not be used for self-supporting enterprise activity. The general policy of the District is to fund general-purpose public improvements and capital projects that cannot be financed from current revenues with voter-approved general obligation debt. Non-voter approved debt may be utilized when a new revenue source, or Levy lid lift revenue source can be identified to pay debt service expenses.
4. The general policy of the District is to establish debt repayment schedules that use level annual principal and interest payments.
5. Interest earnings on bond proceeds will be limited to 1) funding the improvements specified in the authorizing bond ordinance, or 2) payment of debt service on the bonds. Proceeds from debt will be used in accordance with the purpose of the debt issue. Funds remaining after the project is completed will be used in accordance with the provisions stated in the bond ordinance that authorized the issuance of the debt.
6. The District will use the most prudent methods of acquiring capital outlay items, including the use of lease-purchase agreements. In no case will the District lease- purchase equipment whose useful life is less than the term of the lease.

Financial Management

7. The District will maintain its bond rating at the highest level fiscally prudent, so that future borrowing costs are minimized and access to the credit market is preserved. The District will encourage and maintain good relations with financial bond rating agencies and will follow a policy of full and open disclosure.
8. The District shall use refunding bonds in accordance with the Refunding Bond Act, RCW 39.53. Unless otherwise justified, the City will refinance debt to achieve true savings as market opportunities arise. Refunding debt shall never be used for the purpose of avoiding debt service obligations. A target 5% cost savings (discounted to its present value) over the remainder of the debt must be demonstrated for any refunding, unless otherwise justified.
9. With Board of Commissioner approval, interim financing of capital projects may be secured from the debt financing marketplace or from other funds through an inter-fund loan as appropriate in the circumstances.

215.11 COMMUNICATION POLICIES

- (a) It is the policy of the District to remain as transparent as possible.
- (b) The District shall manage relationships with the rating analysts assigned to the District's credit, using both informal and formal methods to disseminate information.
- (c) The District's Basic Financial Statements and Notes shall be a vehicle for compliance with continuing disclosure requirements. The Notes to the Financial Statements may be supplemented with additional documentation as required. Each year included in the Notes to the Financial Statements, the District will report its compliance with debt targets and the goals of the Debt Policies.
- (d) The District shall seek to maintain and improve its current bond rating.

215.12 COMPLIANCE POLICIES

- (a) Investment of Proceeds
The District shall comply with all applicable Federal, State and contractual restrictions regarding the investment of bond proceeds. This includes compliance with restrictions on the types of investment securities allowed, restrictions on the allowable yield of invested funds as well as restrictions on the time period over which some of the proceeds may be invested.
- (b) Legal Covenants
The District shall comply with all covenants and conditions contained in governing law and any legal documents entered into at the time of a bond offering.
- (c) Periodic Policy Review
At a minimum, the Financial Management policy, Debt Policy, and the District's Post Issuance Compliance Policy will be reviewed annually and updated every few years.

Financial Management

215.13 INVESTMENT AND CASH MANAGEMENT POLICIES

Manage and invest the District's operating cash to ensure its legality, safety, provide for necessary liquidity, avoid imprudent risk, and optimize yield.

- (a) Cash and Investment programs will be maintained in accordance with District regulations and will ensure that proper controls and safeguards are maintained. District funds will be managed in a prudent and diligent manner with an emphasis on safety of principal, liquidity, and financial return on principal, in that order.
- (b) The District may develop and adopt an investment policy. Currently the Local Government Investment Pool (LGIP), which is an investment vehicle maintained by the State Treasurer's Office to help local governmental entities achieve higher rates of return by pooling local funds for economies of scale, is the only authorized investment vehicle available to the District.
- (c) The District will maintain written guidelines on cash handling, accounting, segregation of duties, and other financial matters.
- (d) Monthly investment reports will be prepared and distributed to all departments and the Board of Commissioners showing cash position, and year-to-date budgeted and actual expenditures.
- (e) The District will conduct annual reviews of its internal controls and cash handling procedures
- (f) Internal controls will be tested on a quarterly basis at a minimum.

215.14 RESERVE POLICIES

- (a) Reserve Fund
 1. The Board of Fire Commissioners shall adopt a resolution to:
 - (a) Identify individual reserves
 1. Equipment
 2. Facilities
 3. ~~Employee leave~~
 4. ~~General reserve~~
 5. Phase 2 capital facilities projects
 - (b) Establish the acceptable uses of reserve funds
 - (c) Establish targeted fund levels
 2. At each fiscal year end the remaining dollars left in each fund that are undesignated and unencumbered constitute available reserves of the District.
 3. The District will include all fund balances in the annual budget.
 4. All expenditures and transfers drawn from the reserve fund shall require a prior approving vote by Board of Commissioners

Financial Management

5. Transfers to the reserve fund will be budgeted from the General Operating Fund resources as available to establish and maintain the target reserve level.

215.15 ADDITIONAL RESERVES

Additional reserve accounts may be created by the Board of Commissioners to be set aside for specific purposes or special projects, for known significant future expenditures, or as general operational reserves.



Meeting Date:	November 19, 2024
Title:	Authorization to Hire 2025 Firefighter Class in December 2024

Recommendation from Staff:	Approve
Recommendation from Committee:	None
Recommended Action/Motion:	<i>Move to authorize the fire chief to hire the 2025 firefighter class in December 2024.</i>
Presenter:	Parkinson
Attachments:	N/A

Summary:
<p>The 2025 operating budget includes the hiring of a firefighter class in 2025. Normally, we would hire these personnel in January/February; however, the academy instructors have the ability to overlap the EMT class from the fall academy with the 2025 academy class. This reduces the academy cost as we can deliver one EMT class vs. two and get the 2025 class onto shift a month or two earlier than initially expected.</p> <p>This request authorizes the personnel to be hired in December 2024.</p>

Fiscal Impact: \$72,128



Meeting Date:	November 19, 2024
Title:	Authorization to I.T. Administrator in December 2024

Recommendation from Staff:	Approve
Recommendation from Committee:	None
Recommended Action/Motion:	<i>Move to authorize the fire chief to hire the I.T. Administrator in December 2024.</i>
Presenter:	Parkinson
Attachments:	N/A

Summary:
<p>The 2025 operating budget includes the hiring of an I.T. Administrator. In December, we will begin the process of moving to the new Station 111, which requires a substantial body of work for I.T. This request authorizes the I.T. Administrator to be hired in December 2024, which will create additional bandwidth for the I.T. now vs. waiting until 2025.</p>

Fiscal Impact: \$12,644



Meeting Date:	November 19, 2024
Title:	Deputy Chief MOU

Recommendation from Staff:	Approve
Recommendation from Committee:	None
Recommended Action/Motion:	<i>Move to authorize the Board Chair to sign the MOU with Deputy Chief Kevin Stabenfeldt.</i>
Presenter:	Parkinson
Attachments:	MOU provided at meeting

Summary:
<p>I have completed the annual evaluation process with DC Stabenfeldt. In addition to the 12 months in the role of deputy chief, Kevin also filled the role on an interim basis for 6 months due to the unplanned retirement of DC Mack.</p> <p>Chief Stabenfeldt has performed above expectations in filling this role and has been critical in several key projects over the last year, including collective bargaining, strategic planning, and facilities planning. He completed his bachelor's degree in 2023 and recently submitted his packet for designation as a Chief Fire Officer through the Center for Public Safety Excellence.</p> <p>I recommend that DC Stabenfeldt be granted 5% merit pay (per the MOU provided at meeting) for his performance over the last 12 months.</p>

Summary: Accounted for in the 2025 Operating Budget
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Board Meeting Agenda Item Summary

Meeting Date:	November 19, 2024
Title:	Fire Commissioner Compensation and Waiver Policy

Recommendation from Staff:	Approve
Recommendation from Committee:	N/A
Recommended Action/Motion:	<i>Move to approve the edits to the Fire Commissioner Compensation and Waiver Policy addressing an increase in compensation limits as presented.</i>
Presenter:	District Secretary Corina Byerley
Attachments:	Commissioner Compensation Policy

Summary:
<p>The Commissioner Compensation and Waiver policy has been revised to reflect changes in compensation limits. SSB 5925 allows commissioners in districts with a budget of \$10 million or more to claim 144 days of per diem compensation. At the current rate of \$161 per day, that means an annual expense cap of \$23,184 for each commissioner's cap. The compensation limit was raised from \$15,456 to \$23,184 effective June 6, 2024.</p> <p>This is the second reading of the proposed edits. Final adoption may now occur.</p>

Fiscal Impact:	Click or tap here to enter text.
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Fire Commissioner Compensation and Waiver

216.1 PURPOSE AND SCOPE

This policy outlines fire commissioner compensation in accordance with the Revised Code of Washington.

216.2 POLICY

Each fire commissioner may receive compensation of One Hundred Sixty-One Dollars (\$161) per day, or a portion thereof, for attending Board meetings and for performing other services on behalf of the fire district, not to exceed ~~Fifteen Thousand Four Hundred Fifty-Six~~ Twenty-three Thousand One Hundred Eight-Four Dollars (~~\$15,45623.184~~) per year.

RCW 52.14.010 provides that the amount of compensation for fire district Board members will be adjusted for inflation by the Washington State Office of Financial Management every five years beginning July 1, 2008. The adjusted compensation amount will be based on changes in the consumer price index for "wage earners and clerical workers, all items" compiled by the Bureau of Labor and Statistics, United States Department of Labor during that five-year period.

Any commissioner may waive compensation for any day on which service is performed, or meetings attended, during the commissioner's term of office, by a written waiver filed with the district secretary. The waiver must be filed any time after the commissioner's election and before the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

216.3 GUIDELINE

Per RCW 52.14.010, a fire commissioner is eligible to receive compensation at the rate of One Hundred Sixty-One Dollars (\$161.00) per day, or for a portion of a day, for the following activities:

- (a) Attending regular or special meetings of the Board of Fire Commissioners;
- (b) Serving as a designated representative of the board, including but not limited to, such activities as fire district committees, community development and/or betterment committees, collective bargaining, etc.
- (c) Attending training and/or development activities approved in advance by a majority of the Board, including, but not limited to: regional, state, or national fire district association conferences, board in-service meetings, etc. A Commissioner's Request for Training form, shall be completed by the commissioner requesting approval. This may also include time involved in traveling to and from the activity.
- (d) Attending special board-related activities when approved in advance by a majority of the board, including, but not limited to: building dedications, staff retirements, and other such ceremonies.

East Pierce Fire & Rescue

Policy Manual

Fire Commissioner Compensation and Waiver

- (e) Development and review of meeting, committee, and special project assignments as assigned by the Chair.
- (f) Preparing for a regular or special commissioners' meeting by reviewing the prior month's meeting minutes, financial reports, resolutions, and other materials and data that will come before the Board for discussion. No more than one day's compensation shall be allowed for reviewing materials for a regular or a special meeting of the Board.
- (g) A commissioner shall not be reimbursed for completing or submitting Public Disclosure Commission reports or forms, filing for election, and the like as these are the personal responsibility of the commissioner and are not considered to be district business.
- (h) A commissioner shall submit a Commissioner Compensation Form on a monthly basis which verifies the nature and amount of approved activities for which compensation is claimed during the month. A commissioner is only eligible to make one compensation claim for a given day.
- (i) The District Secretary will review and initial all Commissioner Compensation Forms prior to forwarding them to payroll.
- (j) If an entry requires further clarification, the District Secretary will contact ~~the commissioner~~the commissioner. The commissioner may remove the questionable entry, and the form will be then processed with the current month's vouchers.
- (k) If the information provided by the commissioner does not verify the entry and validation is still questionable, the District Secretary will contact the Board's HR committee, and the committee will meet with the commissioner. The commissioner and/or the HR committee will have the right to include the compensation form on the agenda for discussion at the next monthly meeting. A majority vote of the Board will decide whether the entry is approved or not and end the matter. The form as approved will then be forwarded to payroll to process the following month.

Total compensation for a calendar year shall not exceed ~~Twenty-three Thousand One Hundred Eight-Four Dollars~~Fifteen Thousand Four Hundred FiftySix (\$~~15,456~~23,184.00), plus reasonable expenses incurred for travel, meals, and lodging.

Any commissioner may waive compensation for any day on which service is performed, or meetings attended, during the commissioner's term of office, by a written waiver filed with the district secretary. The waiver must be filed any time after the commissioner's election and before the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

216.4 REFERENCE

RCW 52 Fire Protection Districts



Board Meeting Agenda Item Summary

Meeting Date:	November 19, 2024
Title:	Attorney Eric Quinn's 2025 Contract

Recommendation from Staff:	Approve
Recommendation from Committee:	None
Recommended Action/Motion:	<i>I move to approve Attorney Eric Quinn's 2025 contract for legal services and authorize the Fire Chief to sign the contract on behalf of the District.</i>
Presenter:	Chief Parkinson
Attachments:	Contract

Summary:
Attorney Eric Quinn submitted a contract for legal services. Monthly fee for services will remain at \$400.00 per month..

Fiscal Impact:	None
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Eric T. Quinn, P.S.
PROFESSIONAL SERVICE CORPORATION
ATTORNEY AT LAW
7403 Lakewood Dr. W., Suite #11
Lakewood, WA 98499
253-590-6628
ericquinn@firehouselawyer2.com

*Of Counsel:
Joseph F. Quinn*

East Pierce Fire & Rescue
Board of Commissioners
And Chief Jon Parkinson

November 5, 2024

Re: Legal Services Contract for 2025
Annual Statistics and Recommendation

Dear Commissioners and Chief Parkinson:

During 2024 your district contracted with Eric T. Quinn, P.S. for legal services as general counsel to the district. Your district has a contract, effective through December 31, 2024. As the calendar year draws to a close, I am as usual reviewing the status of performance of our Legal Services Contracts through October, with close attention to the number of hours (as translated into dollars per month) used monthly for the first ten months of the year. In that regard, I reviewed the ten months' experience (January-October) so far this year and found your district used an average of approximately \$580.00 monthly of our two lawyers' professional time.

In 2025, my understanding is that Eric Quinn's time will remain at the rate of \$250 and Joe's hourly rate will remain \$300.

In 2024, you contracted for \$400.00 worth of our services per month. You have now accrued \$95/00 in carryover dollars. This suggests the monthly contract amount is about right, so we propose to retain that monthly contract amount for your district. We recommend a contract for the monthly amount of \$400.00, but of course the decision rests with you.

Eric T. Quinn, P.S.

November 2024

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Based on experience, I would recommend that your district execute a contract with Eric T. Quinn, P.S. for 2025 and that the monthly contract amount be set at \$400.00.

Please let us know of any other changes you would like to the contract. We are attaching a proposed contract consistent with our recommendation, but feel free to propose a different monthly amount.

Very Truly Yours,

Eric T. Quinn

PROFESSIONAL SERVICES CONTRACT FOR LEGAL SERVICES

THIS AGREEMENT is made by and between East Pierce Fire & Rescue (hereinafter referred to as “District”) and the law office of Eric T. Quinn, P.S., to become effective on the 1st day of January, 2025.

WHEREAS, the elected officials, executive and administrative staff of the District believe that it is in the best interest of the residents of the District to retain through a professional services contract qualified and experienced legal counsel with expertise in the areas of municipal law, employment law, discrimination, labor law, and related areas of the law, and who is qualified to meet the needs of the District; and

WHEREAS, the Attorney is willing to reserve sufficient attorney hours devoted exclusively to the District in return for a fixed monthly legal fee payable to the Attorney by the District; and

NOW, THEREFORE, it is hereby agreed between the parties hereto:

1. **Purpose of Agreement.** The purpose of this Professional Services Contract for Legal Services is to provide cost effective, efficient, experienced, and professional legal services in an ethical manner to the District.

2. **Complete Agreement.** The Professional Services Contract for Legal Services shall be regarded as the entire expression of the parties' rights and obligations and shall constitute the complete agreement between the District and the Attorney. There are no other written or oral agreements between the parties.

3. **Independent Contractor.** The Attorney shall not be an employee of the District, but rather an independent contractor. As such, the Attorney shall be responsible for his own income tax withholding, and to pay his own FICA, state excise taxes, and all other required taxes and licenses, as well as fees payable by an employer in the State of Washington, with respect to secretarial or other staff expenses. The Attorney shall certify in writing to the District, at least annually, that all appropriate taxes and license fees have been paid. At the same time, the Attorney will certify his continuing good standing and completion of educational requirements with the Washington State Bar Association. The Attorney’s signature upon this agreement shall constitute certification as to these two certification requirements.

4. **Scope of Legal Services.** The Attorney shall provide legal advice and counsel to the District. The Attorney shall draft contracts, represent the District in court and at administrative hearings when feasible, shall prepare opinion letters and resolutions, shall perform education and training upon request, shall facilitate retreats, shall review any and all contracts, deeds, easements, policies, standard operating procedures, and similar documents submitted by the designated representative of the District, shall advise and participate in personnel and employment decisions, and shall attend, only upon request, the meetings of the governing body, together with any and all

other meetings, upon request. Except when client confidentiality requires otherwise, the Attorney may share all such work products with other fire department clients. In the event that due to extreme workload, or a need for specialized legal expertise or other similar reasons the Attorney believes a backup attorney or additional personnel are required to provide supplemental legal services, the Attorney will advise the District. Supplemental legal services may include paralegal services, research assistance, or special litigation attorneys. In the event that outside attorneys are used to provide these supplemental legal services, the Attorney shall require from such providers of supplemental legal services periodic briefings and reports as to the progress of the litigation or other project for which the supplemental legal services are required. The Attorney shall thereafter report to the District with respect to such supplemental legal services.

5. **Professional Hours.** The Attorney agrees to provide the foregoing scope of services by reserving to the District sufficient professional hours per month. "Professional Hours" are defined as the hours, and/or portions thereof, shown on the Attorney's timesheet for any month, or portion thereof, which are chargeable to the District. The Attorney shall record all hours devoted to performing any of the items included in the foregoing scope of services. Such Professional Hours shall be provided by the Attorney in consideration for monthly payment of the Fixed Fee set forth in this Agreement. In the event that the number of Professional Hours in any month exceeds the contracted amount, the excess Professional Hours shall be chargeable to the District at \$250.00 per hour for the services of Eric T. Quinn and \$300.00 per hour for the services of Joseph F. Quinn, serving as an of-counsel attorney. Both of these hourly rates are lower than their usual and customary hourly rates, in consideration for this Professional Services Contract.

5A. **Carryover - Unused Dollars.** If the Professional Hours worked, multiplied by the respective hourly rates of the respective attorneys, would result in a total monthly fee less than the Fixed Fee agreed upon in paragraph 6 of the Contract, then the amount due shall be adjusted to be the Fixed Fee in this Contract. The amount of such adjustment shall be "unused dollars." It is hereby agreed that the Attorney will carry over such unused dollars to the next month, and to succeeding months if still unused, but not beyond the end of the contract term, unless the client renews the contract for an additional term. Unused and carryover dollars will be applied first to each invoice when preparing invoices in the succeeding month or months until all carryover or unused dollars are used up.

6. **Fixed Fee.** During the term of this contract, the District shall pay the Attorney the sum of **\$400.00** per month (the "Fixed Fee").

7. **Term of Agreement.** This agreement shall commence on January 1, 2025 and expire on December 31, 2025. The Agreement shall be reviewed in the last quarter of such year and may be renewed or renegotiated. Neither party to this Agreement is obligated to renew the contract, in the event that the parties are unable to agree on renegotiated terms.

8. **Time Records.** Attorney agrees to maintain detailed time records showing all chargeable Professional Hours expended pursuant to this Professional Services Contract, to the tenth of an hour, itemized by client and matter. Attorney will provide such time records, or an itemized summary thereof, monthly, to the District, showing the Professional Hours attributable to the District.

9. **Attorney to Provide.** The Attorney shall provide his own office furniture, library, computer, and printer, including software, all insurance and fringe benefits, including pension, other equipment and supplies, the Attorney's telephone lines and equipment, and membership dues in organizations, including but not limited to, the Washington State Bar Association.

10. **Good Standing.** The Attorney agrees that he must remain in good standing with the Washington State Bar Association, including but not limited to, paying annual dues and participating in continuing legal education. Attorney also agrees to participate in other education and training specific to municipal law and fire departments. The Attorney will maintain familiarity with the substantive law regarding fire protection Districts, regional fire authorities and fire departments, including for example attendance at state (or county) conferences of the Washington State Fire Commissioners and Fire Chiefs, as the Attorney shall decide.

11. **Professional Relationship - Attorney and Client.** It is understood and agreed that the Attorney shall maintain a professional, fiduciary relationship with the District.

12. **Client Confidentiality.** The Attorney will adhere to the Rules of Professional Conduct (RPCs) regarding confidentiality of client information, as in the normal course.

13. **Conflicts of Interest.** The Attorney shall be responsible for identifying any conflict of interest, or potential therefore, and shall advise the client(s) involved in accordance with the RPCs. The engagement of other attorney services due to an actual or potential conflict shall not affect the Professional Hours, the monthly Fixed Fee, nor the Professional Services Contract in any way, subject to the limitations set forth in paragraph 16 below.

14. **Client Costs.** The Attorney may advance costs or expenses on behalf of a client, recording the name of the particular client for record keeping purposes. Such costs advanced by the Attorney shall be reimbursed as set forth above and shall not be part of the Fixed Fee. The Attorney does not charge clients for copying costs, travel expenses such as tolls or ferry charges, and long-distance telephone charges. However, out of pocket expenses such as those for filing fees and court reporters' fees are subject to this paragraph.

15. **Trust Account.** Attorney will maintain such appropriate trust accounts as are necessary under the RPCs. Any and all client funds in trust will be identified as to the particular client.

16. **Disputes/Arbitration.** Any and all disputes between the Attorney and the District shall be submitted to mediation and/or arbitration. If the parties do not agree to mediate their dispute, the dispute shall be arbitrated and the arbitrator's decision shall be conclusive and binding upon the parties. The District and Attorney will select a mutually agreed arbitrator, to provide mediation or arbitration service.

17. **Reducing Carryover Dollars.** The Attorney shall consult the District in the event that carryover dollars reach the amount of **\$2,000.00 or more**. The purpose of the consultation shall be to discuss methods by which carryover dollars may be reduced. The parties agree that in the event that carryover dollars have reached \$2,000.00 or more in October 2025, the Attorney shall conduct

either an annual policy audit for the District and/or conduct in-person training for members of the District or other services as designated by the District Fire Chief, until such time as the carryover balance is reduced to at most **\$1,000.00**.

EAST PIERCE FIRE & RESCUE

_____ Dated: _____
Authorized Officer

Eric T. Quinn, P.S.

_____ Dated: _____
Eric T. Quinn, President

DRAFT



Board Meeting Agenda Item Summary

Meeting Date:	November 19, 2024
Title:	Authorization to Purchase SCBA's

Recommendation from Staff:	<i>Approve</i>
Recommendation from Committee:	N/A
Recommended Action/Motion:	<i>Move to authorize the fire chief to purchase four SCBA air packs from SeaWestern with a total expenditure not exceeding \$9,600 including tax.</i>
Presenter:	Deputy Chief Stabenfeldt
Attachments:	N/A

Summary:
<p>Due to the deployment of additional resources, we have an immediate need to add to our stock of self contained breathing apparatus. Due to the age of our SCBA's, new air packs are not compatible with our current fleet. We have found 4 refurbished airpacks available for purchase through SeaWestern. The airpacks will be tested prior to delivery. The SCBA's are \$2,200 each for a total of \$8,800 plus tax of \$712.80 for a total of \$9,512.80. The funds for this will come from the equipment replacement reserve fund.</p>

Fiscal Impact:	\$9,600
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Pierce County Fire Chiefs
and
Fire Commissioners Associations'
ANNUAL AWARDS BANQUET

Saturday, January 18, 2025
6:00 p.m. - "No Host" Cocktail Hour
7:00 p.m. - Program & Dinner-Dessert Buffet

Tacoma Golf & Country Club
13204 Country Club Drive SW
Lakewood, WA 98498

Please RSVP by December 7, 2024

