



Board Action Memorandum

TO: Jackie Flowers, Director of Utilities
COPY: Charleen Jacobs, Director and Board Offices
Jennifer Hines, Assistant Division Manager, Public Works
FROM: Dylan Harrison, Senior Real Estate Officer, Public Works
MEETING DATE: January 27, 2021
DATE: January 15, 2021

STRATEGIC DIRECTIVE ALIGNMENT (select as many that apply):

Please indicate which of the Public Utility Board's Strategic Directives is supported by this action.

- | | |
|--|---|
| <input type="checkbox"/> SD1 – Equity & Inclusion | <input type="checkbox"/> SD8 – Telecom |
| <input checked="" type="checkbox"/> SD2 – Financial Sustainability | <input type="checkbox"/> SD9 – Economic Development |
| <input type="checkbox"/> SD3 – Rates | <input checked="" type="checkbox"/> SD10 – Government Relations |
| <input type="checkbox"/> SD4 – Stakeholder Engagement | <input type="checkbox"/> SD11 – Decarbonization/Electric Vehicles |
| <input type="checkbox"/> SD5 – Environmental Leadership | <input type="checkbox"/> SD12 – Employee Relations |
| <input type="checkbox"/> SD6 – Innovation | <input type="checkbox"/> SD13 – Customer Service |
| <input checked="" type="checkbox"/> SD7 – Reliability & Resiliency | <input type="checkbox"/> SD14 – Resource Planning |

SUMMARY: To authorize the Director of Utilities to enter into Interlocal Agreements for Fire Protection and Emergency Medical Services with each Fire District outside the City Limits of Tacoma, in which the Department of Public of Utilities has facilities requiring said protection or services on a form approved by the Board and City Council within the cost limits set by Tacoma Municipal Code and the City of Tacoma's Purchasing Policy. Further, to authorize the Director to make modifications to said form as approved by the City Attorney.

BACKGROUND: State law at RCW 52.30.020 directs municipal corporations to enter into agreements with Fire Protection Districts pursuant to the Interlocal Cooperation Act (Chapter 39.34 RCW) for fire protection services necessary for the protection and safety of municipal corporation personnel and property outside the municipal corporation city limits. Further, Chapter 39.34 RCW requires interlocal agreements to be approved through appropriate action by the governing body of each contracting party.

On September 12, 1979, the TPU Board adopted Resolution No. U-5732 authorizing the Director of Utilities to enter into agreements with Fire Protection Districts for fire protection and emergency medical services in a form substantially the same as attached thereto. Resolution No. U-5732 further authorized the Director to enter into said agreements in the future provided the Board was informed of the proposed contract dollar amount prior to entry of said agreements.

Real Property Services and TPU Legal have recently reviewed the previous forms and applicable laws associated with fire protection and emergency medical services, and have determined that form changes are necessary to effectively administer future agreements with Fire Protection Districts. Thus, this resolution is intended to supersede and replace U-5732, approve an updated Fire Protection Agreement form, and authorize the Director to sign individual agreements with each Fire District outside the City Limits of Tacoma, in which the Department of Public of Utilities has facilities requiring said protection or services on a form approved by the City Attorney.



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Additionally, the proposed resolution is intended to supersede and replace U-5732 to authorize the Director to execute said agreements within the cost limits set by the recently revised Tacoma Municipal Code and the City of Tacoma's Purchasing Policy and to authorize the Director to modify said Agreements upon approval of the City Attorney.

ARE THE EXPENDITURES AND REVENUES PLANNED AND BUDGETED? Yes

IF THE EXPENSE IS NOT BUDGETED, PLEASE EXPLAIN HOW IT IS TO BE COVERED.

N/A

IF THE ACTION REQUESTED IS APPROVAL OF A CONTRACT, INCLUDE LANGUAGE IN RESOLUTION AUTHORIZING \$200,000 INCREASE IN ADMINISTRATIVE AUTHORITY TO DIRECTOR? Yes

ATTACHMENTS: Public Utility Board Resolution No. U-5732

CONTACT:

Primary Contact: Dylan Harrison, Senior Real Estate Officer, (253) 502-8836, dharrison@cityoftacoma.org

Supervisor's Name: Jennifer Hines, Assistant Division Manager, Public Works

Presenter (if different from primary contact): Primary Contact

Additional staff requiring a Zoom presentation link: N/A