

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 01/11/16

AGENDA ITEM: Rescission of Approval of Amendment to Agreement for Joint Operation of Fire and Emergency Medical Protection Facilities.	
PREPARED BY: Jon Walker DEPARTMENT: Legal	DIRECTOR APPROVAL:
ATTACHMENTS: 1. Fire District 12 Board Minutes for 12/14/15 2. Fire District 12 Board Minutes for 12/16/15	
BUDGET CODE:	AMOUNT:
SUMMARY:	

On December 14, 2015, the City Council approved an amendment to the Agreement for Joint Operation of Fire and Emergency Medical Protection Facilities. At the time the Council believed that Fire District 12 had approved an identical amendment. However, Fire District 12 has not approved the amendment and is contemplating a counterproposal, and further negotiations between FD 12 and the City are anticipated.

RECOMMENDED ACTION: City staff recommends that the Council rescind its previous approval of the amendment to the Agreement for Joint Operation of Fire and Emergency Medical Protection Facilities.

**SNOHOMISH COUNTY FIRE DISTRICT #12
BOARD OF COMMISSIONERS
SPECIAL MEETING
December 14, 2015**

CALL TO ORDER

Chairperson DeMarco called the meeting to order at 5:03 pm.

The following were in attendance:

Commissioners: _____

Dave DeMarco
Marilyn Sheldon
Gary Bontrager

Staff Members: _____

Martin McFalls, Fire Chief
Chelsie Reece, Finance Manager
Paula DeSanctis, Secretary

Guests: _____

Grant Weed, Legal Counsel

DeMarco welcomed Grant Weed and everyone to the meeting. DeMarco asked Finance Manager Reece to review the previously reported asset distribution scenario before discussing the proposed ILA from the City.

Reece gave a brief overview of the asset distribution which included cash balances, City annexation transfers, real property transfers, and apparatus transfers. Reece explained that the biggest variable is the percentage of annexed property into the City. Weed shared that he went over the scenario that Reece had prepared thoroughly and found it to be very sound and accurate. Further analysis is being done to determine the percent of FD12 area annexed into the City over the life of the ILA.

DeMarco asked if there have been any changes by the City to their recently proposed ILA. McFalls stated the proposal stands as is. After much discussion the FD12 Commissioners were in agreement to accept the proposal with a counterproposal that the City terminate the current contract early as of December 31, 2016. Also the Commissioners would like language added to protect FD12 employees.

DeMarco addressed Weed asking him if he would be willing to represent FD12 in negotiating the ILA proposal with the City. Grant stated he was willing, but would need both the Fire District and City officials to agree to sign a waiver of conflict. This would allow Grant Weed to represent FD12 and John Walker would represent the City. Weed asked the Commissioners if they would be opposed to him also talking to the City in regards to the RFA governance issue. All Commissioners

are in agreement that forming an RFA is still the best avenue and gave Weed permission to discuss the possibility of a mediated RFA negotiation with the City.

With no further business the meeting was adjourned at 6:30pm.

District Secretary

Date

**SNOHOMISH COUNTY FIRE DISTRICT #12
BOARD OF COMMISSIONERS
SPECIAL MEETING
December 16, 2015**

CALL TO ORDER

Chairperson DeMarco called the meeting to order at 8:00 pm.

The following were in attendance:

Commissioners:

Dave DeMarco
Marilyn Sheldon
Gary Bontrager

Council Members:

Rob Toyer
Donna Wright

Staff Members:

Martin McFalls, Fire Chief
Paula DeSanctis, Secretary

DeMarco Thanked the MFD Board members for joining the FD12 special Meeting to have the chance to inform them of the recent talks between FD12 and the City of Marysville. DeMarco outlined the series of talks between FD12 and the City of Marysville.

- RFA Committee formed.
- The City issued a letter of termination.
- RFA talks stalled.
- City proposed an amended ILA.

DeMarco explained the City proposed changes to the ILA as follows:

- Form an Operations Committee consisting of the Fire Chief, the Mayor, and the Chief Administrative Officer of the City to oversee the operations of the District.
- Operating Fund - The Fire District would use the City Finance department for the issuance of accounts payable and payroll checks. This would allow the City to have access to run financial reports.
- Financial Contribution by City. No payment formula is defined, rather each year an agreement as to the financial contribution by the City for the ensuing year will be finalized by September 30th.
- Employment of Personnel. The payroll functions will move from the county to the city. This will allow the City to run needed payroll reports.

DeMarco informed the Board members that FD12 has been exploring all options available. DeMarco shared that Finance manager Reece has prepared a possible asset distribution scenario between FD12 and the City of Marysville, if Marysville Fire District were to dissolve without forming

an RFA. FD12 other option would be (1) regionalization with other neighboring entities, (2) dissolving FD12 into neighboring Districts, or (3) contracting back from the City of Marysville Fire Department for services.

DeMarco informed the Board members that FD12 has met with attorney Grant Weed who has reviewed the City proposed ILA. All FD12 Commissioners were in agreement to accept the proposal with a counterproposal that the City terminate the current contract early as of December 31, 2016. Also the Commissioners would like language added to protect FD12 employees. The FD12 Commissioners have asked attorney Grant Weed to represent FD12 in negotiating the ILA proposal with the City.

Toyer thanked the FD12 Commissioner for informing them of their position and their intentions. Toyer stated he does not want to see the two split. He asked if there was a way to get back to the RFA talks. DeMarco assured him that all the Commissioners still feel that an RFA would be the best decision for everyone involved and that Attorney Grant Weed will be discussing the possibility of mediated talks in his negotiations.

With no further business the meeting was adjourned at 8:17pm

District Secretary

Date Approved