

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 9/23/19

AGENDA ITEM:	
Letter of Understanding Between the City of Marysville and the Marysville Fire District RFA for use and maintenance of the Public Safety Building	
PREPARED BY:	DIRECTOR APPROVAL:
Jon Walker	
DEPARTMENT:	
Legal	
ATTACHMENTS:	
BUDGET CODE:	AMOUNT:
SUMMARY:	

The Marysville Fire District RFA (regional fire authority) becomes effective October 1st. The RFA Plan contemplates the execution of a letter of understanding (LOU) regarding the use and maintenance of the Public Safety Building. The RFA Plan contemplates the RFA continuing to utilize the Station 61 portion of the Public Safety Building through December 31, 2021. At that time the RFA will deed the Fire Administration Building on Cedar Avenue to the City and take ownership of the Public Safety Building (the LOU requires the RFA to maintain and insure the Admin Building prior to the conveyance to the City). The Plan also contemplates the police department continuing to use the secure fenced storage area, the evidence room inside the building, and one of the bays for storing the Bearcat armored vehicle through December 31, 2023. The LOU provides that the City and RFA can extend any of these uses by written agreement.

In addition to the police use, the Public Safety Building contains communications and data infrastructure and a monopole/communications tower is attached to the building. These uses will continue indefinitely until they become obsolete or the City moves them to a new location (e.g. if the new civic campus is built). The RFA will ensure access to the City and the City will be responsible for maintaining them. The LOU authorizes the mayor and fire chief to execute a written document terminating these uses when appropriate.

The LOU also retains the current use and maintenance agreement that was executed in 2008 between the City and the jointly operated MFD. This apportions costs such as utilities, insurance, and repairs. This will continue until the building is turned over to the RFA on January 1, 2022.

RECOMMENDED ACTION: Staff recommends the Council consider approving the letter of understanding with the RFA for maintenance and use of the Public Safety Building.

RECOMMENDED MOTION: I move to approve the letter of understanding with the RFA for maintenance and use of the Public Safety Building and to authorize the Mayor to sign the letter.

LETTER OF UNDERSTANDING BETWEEN THE CITY OF MARYSVILLE, AND THE MARYSVILLE FIRE DISTRICT REGIONAL FIRE AUTHORITY REGARDING REAL PROPERTY TO BE USED BY THE MARYSVILLE FIRE DISTRICT REGIONAL FIRE AUTHORITY PENDING ITS TRANSFER TO THE REGIONAL FIRE AUTHORITY IN 2021 AND AFTER ITS TRANSFER

The City of Marysville (“City”) and the Marysville Fire District Regional Fire Authority (“RFA”) each own real property that is subject to provisions of the Marysville Fire District Regional Fire Authority (RFA) Plan (“Plan”). Beginning October 1, 2019, the RFA will provide fire and emergency medical services within the jurisdictions of the District and City. This letter of understanding is to memorialize the parties’ intent that the RFA utilize two properties that will continue under the ownership of the RFA and the City until December 31, 2021.

PROPERTIES

The RFA owns property located at 1094 Cedar Avenue in Marysville (TPN 00585600301000) commonly known as the Fire Administration Building.

The City owns property located at 1635 Grove Street in Marysville (TPN 30052800200500) commonly known as the Public Safety Building/Station 61.

Each of these properties, pursuant to an interlocal agreement, were utilized by the Marysville Fire District, jointly operated by the City and Fire Protection District No. 12 pursuant to an interlocal agreement. The parties intend that the RFA continue to use these properties until December 31, 2021, in the same manner as the jointly operated Marysville Fire District has and in accordance with the Regional Fire Authority Plan (“Plan”) and this LOU.

The Plan contemplated that a letter of understanding would be executed by the City and the RFA regarding a portion of the Public Safety Building that is used for communications and data infrastructure. The Plan also contemplated that a letter of understanding would be executed by the City and the RFA regarding the fenced storage area adjacent to the Public Safety Building that is used for secure evidence storage by the Marysville Police Department.

RFA PLAN

Section 6.C of the Plan addresses disposition of assets and provides that the Public Safety Building will be conveyed to the RFA at midnight December 31, 2021, if certain conditions are met, including the conveyance of the Administration Building to the City by the RFA.

USE AND MAINTENANCE OF PROPERTIES UNTIL DECEMBER 31, 2021

The RFA will utilize the Administration Building between October 1, 2019, and December 31, 2021, for RFA business and purposes.

The City and the RFA intend that the RFA will continue to utilize the Station 61 portion of the Public Safety Building between October 1, 2019, and December 31, 2021, for RFA business and purposes in the manner it is currently utilized by the Marysville Fire District, jointly operated by the City and Fire Protection District No. 12.

The RFA agrees to insure the Administration Building through membership in the Washington Cities Insurance Authority or other appropriate insurance and to provide for maintenance of the building and its

premises. The City and RFA may enter into further understandings regarding the insurance and maintenance of the building.

The use and maintenance of the Public Safety Building will continue under the terms set forth in the letter of understanding between the City and the Marysville Fire District dated February 28, 2008, with the RFA assuming the responsibilities of the Marysville Fire District. A copy of this LOU is attached as Exhibit A.

Use of Public Safety Building January 1, 2022, to December 31, 2023.

Police and Public Safety Uses.

Fenced Storage Area.

The City will retain access to and control over the fenced storage area located to the north of the Public Safety Building and currently utilized by the Marysville Police Department for storage and secure evidence storage until December 31, 2023. On December 31, 2023, the City will cease utilizing this area and relinquish control of it to the RFA. Until December 31, 2023, the City will be responsible for maintaining all fencing and security until it relinquishes control over the storage area to the RFA.

Evidence Room.

The City will retain use of and access to the Evidence Room until December 31, 2023. On December 31, 2023, the City will cease utilizing this area and relinquish control of it to the RFA. Until December 31, 2023, the City will be responsible for maintaining security for the Evidence Room until it relinquishes control to the RFA.

Use of Bay for Bearcat Armored Vehicle.

The City's Bearcat armored vehicle is currently stored in one of the vehicles bays of the Public Safety Building. The City will retain access to the bay until December 31, 2023, and will be permitted to store the Bearcat in the bay. The City and the RFA will cooperate in providing security to the bay. On December 31, 2023, the City will cease utilizing this area and relinquish control of it to the RFA.

Future Use of Police Areas.

The RFA and the City may negotiate a lease for the City's use of any of these areas to extend beyond December 31, 2023.

Use of Communications and Data Rooms and Infrastructure beginning January 1, 2022.

The parties agree that those portions of the Public Safety Building currently used for communications and data purposes by the City will continue to be controlled by the City and that the RFA will ensure City access to the rooms at all times. The parties also agree that the monopole/communications tower currently attached to the building will continue to be controlled by the City and that the RFA will ensure City access to the tower at all time. The City will have responsibility for and the RFA will cooperate in making available any power, fiber, climate control, security, or other infrastructure necessary for the proper functioning of the rooms, communications tower, or data infrastructure.

The parties agree that both the City and RFA benefit from this agreement because the infrastructure supports public safety functions including fire and emergency medical services. The City's access to and

control of the rooms and tower will continue until such time as the infrastructure is moved to another location or is no longer needed, at which time the City and the RFA will terminate this portion of the letter of understanding in writing. The governing bodies that approved this agreement authorize the mayor of the City and the fire chief of the RFA to execute the writing terminating this agreement regarding the rooms in the Public Safety Building and the communications tower.

AUTHORITY TO CARRY OUT TERMS OF LOU

The parties agree that these arrangements will enhance public health and safety by facilitating the delivery of fire and emergency medical services throughout the RFA.

The governing bodies of the parties authorize appropriate staff to carry out the terms of this letter of understanding.

CITY OF MARYSVILLE

APPROVED by the City Council at an open public meeting this _____ day of September, 2019.

CITY OF MARYSVILLE

By

Jon Nehring, Mayor

ATTEST:

APPROVED AS TO FORM:

By

Jan Berg, City Clerk

By

Jon Walker, City Attorney

MARYSVILLE FIRE DISTRICT, A REGIONAL FIRE AUTHORITY

PASSED by the Marysville Fire District, A Regional Fire Authority, this _____ day of October, 2019

GOVERNING BOARD

Chair

ATTEST:

Board Secretary



PUBLIC WORKS
Paul A. Roberts, *Director*

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Marysville, Washington 98270
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ci.marysville.wa.us

LETTER OF UNDERSTANDING

To: Greg Corn, Fire Chief
From: Mike Shepard, Fleet & Facilities Manager
Date: February 28, 2008
RE: Agreement for Joint Operation of Fire and Emergency Medical Protection Facilities and Use Agreement for Marysville Public Safety Center.

This Letter of Understanding will serve as a process for the City of Marysville (COM) to use and also to clarify and communicate the process to Marysville Fire District (MFD) in support of the referenced documents.

- 1. All utility bills will be paid for out of the Public Safety Building operating account 00100010.547000. The COM Finance will in turn bill MFD monthly using the percent rates listed below:

PUD/Electrical:	33.3%
Puget Sound Energy/Gas	50%
Water, Garbage, and Sewer/City of Marysville	33.3%

- 2. All insurance premiums will be paid for out of the Public Safety Building operating account 00100010.546000. The COM Finance will in turn bill MFD monthly at the rate of 33.3% of the total premium.

- 3. Maintenance and Repairs

All maintenance and repairs performed by the COM for MFD in their 13,288 sq. ft. of occupied space will be paid for out of the Public Safety Building operating account 00100010 and charged to the appropriate BARS object code. This includes heating, cooling, and ventilation systems that support this space. The COM will in turn bill MFD 100% of the actual cost of these services and materials with no burden/markup as they occur or on a monthly basis. The Public

EXHIBIT A

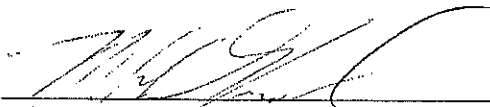
Works Business Office will be in charge of making a second copy of these requisitions and mailing them to COM Finance, Lisa Schultz to be processed and billed to MFD.

COM employee labor charges for maintenance and repairs will be paid for out of the Public Safety Building operating account 00100010.598100. The COM Finance will in turn bill MFD a cost allocated rate on a yearly basis for these services.

4. Fire Alarm System


All fire alarm system maintenance and monitoring fees will be paid out of the Public Safety Building operating account 00100010 and charged to the appropriate BARS object code. The COM will in turn bill MFD 33.3% of the total cost as they occur. The Public Works Business Office will be in charge of making a second copy of these requisitions and mailing them to COM Finance, Lisa Schultz to be processed and billed to MFD.

If MFD disputes any of the billings then please contact the COM Fleet and Facilities Manager, Mike Shepard at 360-363-8106.



Mike Shepard, Fleet and Facilities Manager

2-28-08
Date



Greg Corn, Fire Chief

3-5-08
Date

Cc: Allena Olson
Denise Gritton
Mary Swenson
Paul Roberts
Sandy Langdon
Tonya Miranda