

"FINAL"

**King County Fire Protection District 40**

*Regular Commissioners' Meeting*

**January 10, 2008**

**4:30 p.m.**

<u>Commissioner</u> CRAIG VIOLANTE	<u>Commissioner</u> CHARLOTTE RYAN	<u>Commissioner</u> GLEN CONAWAY
<u>Commissioner</u> RUSS PRICE		<u>Commissioner</u> RONNIE BEHNKE
<u>Deputy Chief</u> TIM BOCK		<u>Board Secretary</u> RENA HARDY

**CALL TO ORDER:**

Commissioner Violante called the regular meeting of the Board of Fire Commissioners for King County Fire Protection District 40 to order at 4:30 p.m. Commissioners present for the Call to Order: Violante, Bujanovich, Conaway, Price and Behnke (Commissioner Behnke was present by phone). Also attending were DC Bock; Secretary Hardy; DFM Haydock; P.E. Garvich; Secretary Davis; Lt. Wallgren; FF Pedersen; Consultant Paul Witt; Attorney Kinnon Williams; Dave Warfel; Chuck Duffy of Renton Fire and Emergency Services; Joe Giberson and Steven Mathews of Fairwood Municipal Initiative; Beverly Giberson Representing the Shady Lake Community and Fairwood Residents Bill and Curtis Campisteguy. Others who were present did not sign in.

**OATH OF OFFICE FOR NEW COMMISSIONERS:**

Oaths of Office were administered by Secretary Hardy for newly elected Commissioners Ryan and Price.

**ELECTION OF BOARD OFFICERS:**

Commissioner Violante called for nominations for Board Chair.

A **MOTION** was made by Commissioner Price and **SECONDED** by Commissioner Conaway to elect Commissioner Violante to the position of Board Chair for the year 2008. The **MOTION CARRIED**.

Commissioner Violante called for nominations for Board Vice-Chair.

A **MOTION** was made by Commissioner Price and **SECONDED** by Commissioner Conaway to elect Commissioner Behnke to the position of Board Vice-Chair for the year 2008. The **MOTION CARRIED**.

## "FINAL"

### **CITIZEN COMMENTS FOR AGENDA ITEMS:**

There were no citizen comments for agenda items.

### **DISTRICT PERSONNEL COMMENT FOR AGENDA ITEMS:**

There were no District Personnel Comments for agenda items.

### **CORRESPONDENCE:**

Correspondence received by the District consisted of one Cash Transmittal Receipt in the amount of \$647.62 deposited to the Expense Fund; two letters from WFCA regarding legislative reports and a vacancy on its Health Insurance Committee; A letter from Mike Warfel and one from Bill Campisteguy both regarding the an interest in appointment to the anticipated vacancy on the Fire Commission Board; A news release from King County Elections regarding polling place workers for the February primary; a thank you note from Nick Bujanovich; and a letter from IAFF Local 1912 President Carl Pedersen. Copies of the Labor Group's letter were distributed to Board Members. Secretary Hardy read the letters from Warfel, Campisteguy, Bujanovich and IAFF 1912. Copies of correspondence will be placed on file with these minutes.

### **FIRE CHIEF'S REPORT - Presented by DC Bock:**

#### **Appreciation/Recognition:**

A letter of appreciation was received from St. Vincent De Paul for food and toys that were donated after the Holiday Outreach program. DC Bock noted that there was a great deal of food and gift items left after District 40's program was complete. St. Vincent De Paul sent a truck that was loaded from top to bottom. They were very grateful because they were out of food and toys and this helped them complete their program.

#### **Personnel:**

##### **FF Brandon Kern:**

FF Brandon Kern received an off-duty injury and reports that he will be off duty until mid-January.

#### **New Items:**

##### **Benson Hill Annexation:**

A letter dated December 28, 2007, was received from the City of Renton informing the District that the Renton City Council has adopted the Benson Hill Annexation Ordinance.

##### **CERT Contract:**

The CERT Contract between the District and Mindi Mattson will be terminated effective March 1, 2008.

## "FINAL"

### **Valley Medical Center Access:**

A letter from Valley Medical Center informed the District that they are getting into full swing on construction. As a result, access to the Emergency Room is available off Talbot only. The 43<sup>rd</sup> Street and tunnel entrances are closed.

### **Incident by Type and Detail Reports:**

Copies were distributed of Incident by Type and Detail Reports for the month of December 2007 and for the year 2007 were distribute. Copies of the two reports will be placed on file with these minutes.

### **On Going:**

#### **Lewis County Fire Departments:**

No response has been received from the WA Fire Chiefs. DC Bock said that he will wait and see if there are needs in the Lewis County Fire Departments that experienced losses due to flooding.

#### **Benefit Charge Letters:**

Benefit Charge letters went out on January 3, 2008. The office staff has fielded about 25 calls. Most of the questions asked have been regarding monitored smoke detectors, first time District 40 tax payer calls and annexation impacts.

#### **Contracts:**

There has been no response from Kent Fire Department regarding the training contract cancellation request.

Research is ongoing on other contracts that should be addressed in Contract with Renton.

#### **Resumes for Non-represented Staff:**

The process on helping non represented staff members with resumes is going well. Each employee will have two session this week for interview techniques with homework and research assignments.

#### **Fairwood Incorporation:**

The Fairwood Municipal Initiative group is having ongoing meetings with a plan for getting a City of Fairwood Incorporation measure on the ballot in late 2008. The website for the group is [www.fairwoodme.org](http://www.fairwoodme.org).

#### **New Station:**

The 2008 Fire Chief's Magazine calendar featured a beautiful picture of the new station on the March page. TCA supplied the calendars and copies were distributed to Board members.

Other items to be discussed during the Planning Workgroup report include a meeting next week and warranty items.

## "FINAL"

### **Valley Medical Center:**

CD Bock reported that he received a letter today from Valley Medical Center regarding their need to adjust 2008 finances due to 2007 taxes that were not collected.

### **Red Mill Area Annexation:**

Information was received from the City of Renton regarding a proposed annexation into the City submitted by property owners in the Red Mill Area. The area is south of Petrovitsky Road from 128 Ave SE to 140 Ave SE, an area that previously was known as the gravel pit. The petitioners submitted their 10% certified Notice of Intent to the City Clerk on December 6, 2007.

A public meeting to consider the request is required and the City Council plans to hold that meeting on February 4, 2008. At the meeting the Council can accept, modify, or reject the petition and its proposed boundaries.

### **UNFINISHED BUSINESS:**

#### **TCA Contact Amendment:**

Attorney Kinnon Williams reported that at the direction of the Board, he has worked with TCA to amend the contract between the District and Architectural Firm to include provisions for payment in the amount of \$86,422 for expanded work due to the project's delay. Commissioner Price said that the Planning Workgroup has reviewed the proposed change and finds that it is appropriate and the Workgroup recommends acceptance.

A **MOTION** was made by Commissioner Conaway and **SECONDED** by Commissioner Price to accept the proposed amendment to the Contract between District 40 and TCA Architecture and authorize Commissioner Violante to sign the document. The **MOTION CARRIED**.

#### **Renton Contract:**

Attorney Kinnon Williams said that all of the conceptual issues regarding the proposed Renton Contract are agreed on. A great deal of work has been accomplished with daily meetings with Renton people. The Board will review the contract and a study session is planned between the Board and Renton Staff prior to finalizing.

The Attorney presented copies of the Draft Agreement to the Board and copies were made available to citizens who wished to have one.

The agreement doesn't deal with assets or assessed value or with transfer of employees. It does however deal with uncollected taxes.

The annualized amount of \$4.1 million will be prorated for 2008 and adjusted due to any reductions in size of the District.

Attorney Williams reviewed areas of the Contract and Board will review the draft Agreement and set-up for Study process for Board and Chief Administrative officer of Renton with a goal to come back to the Board for Adoption on January 31, 2008.

## "FINAL"

### CONSENT CALENDAR:

- a. Minutes of the Previous Meeting –December 27, 2007
- b. Expense Fund Vouchers No. 02452 through 02494 -- Amount \$307,642.72
- c. Capital Eq Fund Voucher No. 01138 -- Amount \$9,592.94

A **MOTION** was made by Commissioner Price and **SECONDED** by Commissioner Conaway to approve the consent calendar as presented. The **MOTION CARRIED UNANIMOUSLY.**

### NEW BUSINESS:

#### **Benefit Charge Appeals Hearing:**

Secretary Hardy reported that February 21, 2008 at 4:30 p.m. is that date that was included in the Benefit Charge letters as the deadline for submitting appeals to the Benefit Charge as itemized in the letters to taxpayers. A date needs to be set to consider any appeals that are submitted.

A **MOTION** was made by Commissioner Violante and **SECONDED** by Commissioner Price to set February 28, 2008 at 4:30 p.m. as the date and time for the Benefit Charge Appeals Hearing. The **MOTION CARRIED.**

#### **WFCA Saturday Seminars:**

Notice of the WFCA Saturday Seminars includes information on three seminars. Commissioner Behnke plans to attend the Ocean Shores Session on March 15, 2008. Commissioners Behnke and Price plan to attend the Chelan Session on May 31, 2008. Other Board Members interested in attending should contact Secretary Hardy in order to have registrations completed.

#### **District Secretary Vacancy:**

Attorney Kinnon Williams reported that at Board's direction he has been consulting with Deanna Gratzner to work towards an agreement with her to help with administrative functions during the transitional period and to assume the duties of District Secretary when that position becomes vacant at the end of February. A proposed contractual agreement has been reached. The independent contractor agreement would be for services as needed in both roles with no benefits at a rate of \$1,000 per month for up to 20 hours and an hourly rate of \$50 for additional hours. The one year contract includes a requirement of 30 days notice of cancellation by either party.

A **MOTION** was made by Commissioner Ryan and **SECONDED** by Commissioner Price to approve the Contract between District 40 and Deanna Gratzner providing that effective January 16, 2008, Deanna will perform transitional Administrative tasks and assume District Secretary position when that position is vacant. The **MOTION CARRIED.**

# "FINAL"

## WORKGROUP REPORTS:

### **Labor:**

Commissioner Conaway reported that Local 1912 requested a meeting with the Workgroup and that they feel that such a meeting would slow things in the transition to Renton. Request an Executive Session with Attorney Kinnon Williams present.

**Community Relations:** There is nothing new to report at this time.

**Budget:** There is nothing new to report at this time.

**Policy Review:** There is nothing new to report at this time.

### **Insurance:**

Commissioner Price reported that the Workgroup will have a meeting soon to begin plans for the April 1, 2008 renewal.

### **Planning:**

Commissioner Conaway reported that the Workgroup has not heard from Babbitt Neuman regarding liquidated damages for the delay in construction time. Work is being done on warrantees. Some electrical work was done today. A meeting is scheduled with Safeco, the bond insurer, next week to talk about warrantees. An Executive Session is needed.

**Renton Negotiations:** Discussed earlier in the meeting.

**DC Review Evaluation:** There is nothing to report at this time.

### **Workgroup Appointments for 2008:**

Board Chair Commissioner Violante made Workgroup appointments for 2008 as follows:

Intergovernmental Affairs – Commissioners Violante and Behnke  
Labor (Will be Temporary) – Commissioners Behnke and Violante  
Renton Transition – Commissioners Ryan and Price  
Budget – Commissioners Violante and Ryan  
Insurance – Commissioners Price and Behnke  
Planning (Station 41) – Commissioners Price and Ryan

## CITIZEN COMMENTS:

Board Chair Commissioner Violante introduced Chuck Duffy, Deputy Chief of Renton Fire and Emergency Services. Chief Duffy said that he will be the liaison between the Board and the City if a contract is finalized.

Joe Giberson said that he is representing the Fairwood Municipal Initiatives Group said that the Boundary Review Board will be doing a feasibility study and reviewing the

## "FINAL"

Proposed Fairwood Incorporation issue about the same time as they deliberate on the New Life/Aqua Barn Annexation proposal.

Mr. Giberson said that he is concerned about the proposed contract for services and that if there is a reduction in personnel and apparatus then service levels may not remain the same under a service contract.

Commissioner Violante replied that the area now has 3 engines and 2 aid cars. He shares the concern for all areas including Fairwood and Benson Hill.

Commissioner Violante stated that the Board was concerned with preservation of assets to leave the remaining tax payers in good standing regarding taxes and Bonded indebtedness.

Attorney Williams added that a preliminary balance sheet would list the net assets as measured against the debts. It will be an ongoing process.

Mr. Giberson asked if the information will be shared with the citizens. The Attorney said that the information will be made available when negotiations are finished.

Mr. Giberson asked what bearing the Red Mill area will have with the City of Renton.

Attorney Williams replied that the City of Fairwood would be voted on first and if that is approved then the Red Mill proposal will not mature.

Beverly Giberson asked about the Valley Medical Center payment and how that would be reduced due to the annexation.

DC Bock replied that preliminary calculations indicate that the amount received will be reduced by about 34 percent or from \$529,150 to about \$382,633. It is a complex calculation considering five participating Fire Districts.

Ms. Giberson also asked about non-firefighting personnel moving to Renton and will the building remain in use. That information depends on how asset transfers are negotiated. Some District 40 offices will continue to be used during transition.

Stephen Mathews asked if the reduction in VMC payment is equal to the percent list in annexation or approximate.

Chris Schultz said that he is a resident of the area that is not included in the annexation. He also asked about current and future manning.

DC Bock said that currently there are 3 engines with 3 personnel for a staffing total of 9. There will be 2 engines with 4 personnel for a staffing total of 8.

Service will meet fractual response requirements and service will be provided under the same standards as in the City of Renton.

## "FINAL"

Mr. Schultz said that he is shocked that residents who have paid taxes and been loyal to District 40 have not been informed of the proposed contracting with the City of Renton. He said that Fire Commissioners are voted into office to look out for the best interest of the citizens.

Renton Fire Chief Duffy said that response times should remain about the same. Medic One is moving from Station 14 to Station 12.

### **DISTRICT PERSONNEL COMMENTS:**

P.E. Lisa Garvich said that it is her wish that the Board will continue to do everything that they can to see that the non-represented staff is able to be employed at the City of Renton.

### **ONCE AROUND THE TABLE:**

Commissioner Ryan said that she is proud to serve on the Board and be “ears” for of the Citizens that elected her.

Commissioner Price welcomed Commissioner Ryan to the Board.

Attorney Kinnon Williams announced that there are two issues to be discussed in Executive Session under guidelines of RCW 42.30.110(i) and RCW 42.30.140 regarding possible litigation and labor issues.

At 5:45 p.m. Board Chair Commissioner Violante announced that there will be a 45 minute Executive Session and there will be no additional Board action. Upon Returning to open session, the meeting will be adjourned.

There was a recess in the meeting to allow Board Members to answer questions and visit with those citizens present.

### **EXECUTIVE SESSION:**

The Board went into a forty-five-minute Executive Session at 6:05 p.m. to discuss negotiations with Renton under guidelines of RCW 42.30.110 and possible litigation under guidelines of RCW 42.30.110(i). The Executive Session ended at 6:50 p.m.

There being no further business or discussion at this time, the meeting adjourned at 6:50 p.m.



**"FINAL"**

The next regular meeting of the Board of Fire Commissioners is scheduled for *Thursday, January 31, 2008, at 4:30 P.M.*

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Craig Violante, Board Chair

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Charlotte Ryan, Commissioner

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Glen Conaway, Commissioner

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Russ Price, Commissioner

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Ronnie Behnke, Vice Chair

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Rena Hardy, District Secretary

Attachment    Meeting Agenda  
                  Chief's Report (01/10/08)  
                  Voucher Detail Listings  
                  December 2007 Incident by Incident Type Report  
                  Annual 2007 Incident by  
                  Certificate of Election/Oath of Office Ryan/Price  
                  IAFF Letter  
                  Boundary Review Letter  
                  Bujanovich Thank You Note

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