

FIRE PROTECTION DISTRICT AGREEMENT No. 2989

THIS AGREEMENT between the CITY OF TACOMA, DEPARTMENT OF PUBLIC UTILITIES, LIGHT DIVISION (d. b. a. "Tacoma Power"), hereinafter called "City," and PIERCE COUNTY FIRE PROTECTION DISTRICT NO. 23, hereinafter called the "FPD" entered into pursuant to RCW 52.36.020

WITNESSETH:

WHEREAS, City owns and operates improved properties and facilities located in Pierce County; and

WHEREAS, RCW 52.30.020, provides that where buildings and equipment owned by municipal corporations are located within a fire protection district area, the municipal corporation and fire protection district shall contract for fire protection services necessary for the protection and safety of personnel and property pursuant to the provisions of RCW 39.34; and

WHEREAS, the parties entered into a Fire Protection District Agreement in 2002 and said agreement expired per its terms on December 31, 2006; and

WHEREAS, FPD continued to provide fire protection and emergency medical services to the City for the protection and safety of personnel and property after December 31, 2006; and

WHEREAS, The Tacoma Public Utility Board pursuant to Resolution No. U-5732 has authorized the Tacoma Public Utility Director to enter into agreements with Fire Protection Districts; and

WHEREAS, The FPD Board of Commissioners pursuant to RCW 52.14.100 has authorized ~~the fire commissioners~~ to enter into agreements for fire protection services and emergency medical services.

NOW, THEREFORE, pursuant to RCW 52.30.020, and in consideration of the mutual promises and covenants contained herein, the parties HEREBY AGREE as follows:

TERMS AND CONDITIONS

1. AGREEMENT PERIOD

This Agreement shall commence on the date specified below and shall terminate on December 31, 2021.

2. FIRE PROTECTION SERVICES

- a. The FPD shall provide its usual fire protection services and emergency medical services for City's personnel at the buildings, structures, and facilities owned or operated by the City's Light Division within the FPD's boundary.

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- b. The FPD shall respond to all electrical fires at any City substation, transformer or other City facilities, however, precaution shall be taken at electrical facilities to be sure the facilities are first de-energized and if necessary, appropriate retardants or chemicals are used and appropriate action shall be taken to protect the surrounding properties.
- c. The FPD shall not be required to provide fire protection services which are performed by City staff or City equipment, the extent and nature of which shall be made known in separate written communication to FPD by the City, within thirty (30) days of the effective date of this agreement.

2. FIRE PROTECTION COVERAGE FEES

- a. In consideration for said fire protection and emergency medical services as above stated for the period between the expiration of the 2002 Fire Protection District Agreement and December 31, 2015, the City agrees to pay the FPD Thirty Six Thousand One Hundred Fifty-four and 46/100 DOLLARS (\$36,154.46).
- b. Beginning in 2016 and for the remainder of this Agreement, the City agrees to pay the FPD an annual amount based on the tax assessed value of the property covered by the FPD. The current formula for this is as follows:

\$1.50 per each \$1,000 of Assessed Value for Fire Protection and \$0.50 per each \$1,000 of Assessed Value for Emergency Medical Services provided to Tacoma Public Utility owned property with the FPD service Area as shown on attached Exhibit A.


- c. It is further agreed that if, at any time while this Agreement is in effect, the City, or any entity with which the City is a participant, is required by State or Federal law to pay any taxes, licenses, fees or payments as owner or part owner of facilities, which said taxes, licenses, fees or payments wholly or partially benefit FPD, and are presently not now required, then the payment to FPD pursuant to this Agreement shall be automatically reduced by an amount equal to said taxes, licenses, fees or payments.

Dated this 11th day of January, 2016.

CITY OF TACOMA
DEPARTMENT OF PUBLIC UTILITIES

PIERCE COUNTY
FIRE PROTECTION DISTRICT NO. 23

By 
Director of Utilities

By 
Commissioner

Approved as to Form:

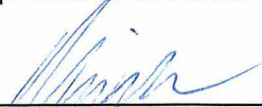

Deputy City Attorney

EXHIBIT "A"

Tacoma Public Utility Property served by Fire District #23

<u>PARCEL NUMBER</u>	<u>SITE LOCATION</u>
0415091000	9501 Alder Lk Park Rd E
0415093002	9501 Alder Lk Park Rd E
0415102000	49916 Mtn Alder Hwy E
0415103025	50324 School Alder Rd
0515191000	52910 Mountain Hwy E

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