

MINUTES OF TUALATIN VALLEY FIRE AND RESCUE BOARD OF DIRECTORS  
MEETING ON TUESDAY, NOVEMBER 24, 2009, 6:30 P.M., AT THE DISTRICT  
ADMINISTRATION OFFICE LOCATED AT 20665 S.W. BLANTON STREET, ALOHA,  
OREGON

ATTENDANCE

Board Members: Clark Balfour, Brian Clopton,  
Carol Gearin, Gordon Hovies

Others present: Deputy Chief Mike Duyck,  
Sherry Arasim, Sherri Camarillo, Claire Doolittle,  
Steve Forster, Debra Guzman, Kirk Hale, Alec Jensen,  
Siobhan Kirk, Paul LeSage, Dustin Morrow,  
Walt Peck, Gary Wells, Bev Wilkinson – TVF&R;  
Bob Blackmore – Attorney; Ron Cutter, Sue Lamb,  
Rob Moody, Kristi Russo – Guests

**REGULAR SESSION**

President Wyffels had an excused absence.

CALL TO ORDER

Vice President Gearin called the Board meeting to  
order at 6:30 p.m.

CONSENT AGENDA

Approval of Board Meeting Minutes (October 27, 2009).

**Mr. Hovies moved, seconded Mr. Clopton, approval  
of the Board Meeting Minutes (October 27, 2009).  
Motion carried unanimously.**

RECOGNITION

There was no recognition.

CITIZEN PARTICIPATION

There was no citizen participation.

STAFF PRESENTATION

There was no staff presentation.

FINANCE

Insurance Coverage Review. Ron Cutter of Beecher  
Carlson Insurance Agency, LLC reported the District  
places its property and casualty insurance through the  
services of its Agent of Record. He reviewed the  
current coverage and reported that embezzlement  
claims continue to get significant press coverage by  
local media. Mr. Cutter said he believes the absolute  
minimum a public entity should carry is \$250,000;  
however, higher limits are available. Currently,  
TVF&R carries \$2,500,000 in crime limits. Mr. Cutter  
said he believes these limits to be adequate at this time.

FINANCE (cont)

Mr. Cutter also reviewed the Oregon Tort Claims Act and said tort cap limits have increased. He said for Oregon State Government and OHSU, there is a per claimant cap of \$1.5 million, plus \$100,000 increase per year until 2014, bringing the cap to \$2 million per claimant per occurrence cap of \$3 million, plus \$200,000 increase per year until 2014, bringing the cap to \$4 million per occurrence.

For both state government and local governmental entities, the proposed cap on property damage claims is \$100,000 per claim and \$500,000 per occurrence. The evolution of the Oregon Tort Claims Act has caused adequacy of limits to be an important discussion item. He said additional limits are available.

Mr. Cutter also added that rates have declined in the insurance market. Potentially, new markets will emerge in the next 12-24 months, providing competition to the markets currently in place. Mr. Cutter said he views this as a positive development and feels that competition will always improve coverage, pricing and service.

Mr. Balfour asked for an analysis on how the District arrived at the amount of coverage we currently hold. Staff will work with Mr. Cutter on this information.

Audit Report. Chief Financial Officer Debra Guzman introduced Rob Moody of Talbot, Korvola & Warwick, LLP, who presented the District's audit report for fiscal year ended June 30, 2009. Mr. Moody reported the audit was conducted in accordance with auditing standards generally accepted in the United States, Government Auditing Standards issued by the Comptroller General of the United States, and Minimum Standards for Audits of Oregon Municipal Corporations.

Mr. Moody reported that his firm found the District's accounting records adequate for audit purposes and there were no controlled deficiencies and no instances of non-compliance.

FINANCE (cont)

Mr. Moody complimented staff and thanked the Board of Directors.

Finance Report (October 2009). Chief Financial Officer Guzman reviewed the financial report for the period ending October 31, 2009. The benchmark is at 33.34% for the fourth month of the fiscal year.

CORRESPONDENCE

There was no correspondence.

OLD BUSINESS

There was no old business.

**LOCAL CONTRACT REVIEW BOARD**

**Mr. Clopton moved, seconded Mr. Balfour, approval to move into Local Contract Review Board to review a request to authorize the use of an alternative contracting method for the Command and Business Operations Center (CBOC) improvement project.  
Motion carried unanimously.**

LCRB Resolution 2009-01 (CM/GC Contracting). Director of Capital Bond Projects Gary Wells requested the Board approve the Resolution exempting the CBOC public improvement project from competitive bidding requirements and approving the use of the Construction Manager/General Contractor (CM/GC) alternative contracting method for the CBOC project.

**Mr. Balfour moved, seconded Mr. Hovies, approval of LCRB Resolution 2009-01, exempting the CBOC public improvement project from competitive bidding requirements and approving the use of the Construction Manager/General Contractor (CM/GC) alternative contracting method for the CBOC project.  
Motion carried unanimously.**

**REGULAR SESSION (cont)**

Vice President Gearin reconvened the meeting into Regular Session at 7:36 p.m.

NEW BUSINESS

Property Purchase. Director of Capital Bond Projects Wells reported when the District purchased the Dartmouth Square building staff recognized the site was tight and indicated that the purchase of additional property might be required. Last month, staff briefed the Board on the potential to purchase an adjacent lot located at 7020 S.W. Clinton St.

During discussions with the property owner, based upon comments from the Board, negotiations were expanded to include the adjacent lot located at 7050 S.W. Clinton St. While not required for the immediate operational requirements of the District, staff feels that the purchase of the additional lot substantially enhances the long-term viability of the Dartmouth Square site.

Staff has completed negotiations with the Myers Family, LLC on the purchase of both lots. Subject to Board approval and normal due diligence, the agreed upon purchase price for both lots is \$615,000. The price includes the continued utilization of the office located on the 7050 S.W. Clinton St. lot by the Myers Family, LLC for a period of 18 months.

**Mr. Hovies moved, seconded Mr. Clopton, approval of the purchase of the properties located at 7020 and 7050 S.W. Clinton St. in Tigard from the Myers Family, LLC for the purchase price of \$615,000 plus closing costs; and subject to review and approval by legal counsel, to authorize the Fire Chief or his designee to execute the contract documents necessary to complete this purchase.**

**Motion carried unanimously.**

Board Policy Section Two (Bylaws of the Board). Executive Officer Alec Jensen reported that consistent with practice, staff has reviewed Board Policy Section Two – Bylaws of the Board and recommends changes as reflected in the draft.

NEW BUSINESS (cont)

Specifically, responding to reports of certain non-traditional media, e.g., newsletter editors, bloggers, etc., wishing to attend local government executive sessions, in concert with legal counsel, staff has prepared a new policy relating to that subject for Board consideration.

**Mr. Balfour moved, seconded Mr. Hovies, approval of First Reading of Board Policy Section Two – Bylaws of the Board.  
Motion carried unanimously.**

Sherry Camarillo gave the First Reading of Board Policy Section Two – Bylaws of the Board by title only.

Agreement to Extend Agreement to Contract for Communications Director Services. Chief Financial Officer Debra Guzman reported that WCCCA has requested that the agreement assigning Assistant Chief Paul LeSage as their interim Communications Director be extended to January 31, 2010. The current agreement expired November 21, 2009. WCCCA shall continue to reimburse the District for AC LeSage's salary and benefits as defined in the initial agreement.

**Mr. Hovies moved, seconded Mr. Balfour, approval to authorize the Fire Chief or his designee to execute the Agreement to Extend the Agreement to Contract for Communications Director Services.  
Motion carried unanimously.**

Resolution 2009-09 Motorola Mobile Radio Purchase. Division Chief Sherry Arasim reported the Budget Committee approved the expenditure of \$296,340 from the fiscal year 2009-10 budget for the complete replacement of the District's mobile radios. The Western States Contracting Alliance (WSCA) cooperative purchasing program awarded contract number 02702 to Motorola. The District is a member of WSCA and is eligible to purchase from this contract.

NEW BUSINESS (cont)

**Mr. Balfour moved, seconded Mr. Clopton, to approve Resolution 2009-09 to purchase Motorola mobile radios and authorize the Fire Chief or his designee to execute the necessary documents to complete the transaction.**

**Motion carried unanimously.**

South Division Office Lease. Division Chief Arasim reported the District currently leases space in a commercial building located at 7401 S.W. Washo Court, Tualatin, which houses the South Division office. Staff wishes to extend the lease for 18 months, through July 2011. The current lease expires in January 2010.

**Mr. Hovies moved, seconded Mr. Clopton, to authorize the Fire Chief or his designee to execute the lease extension for the South Division office space after review and concurrence of legal counsel.**  
**Motion carried unanimously.**

2010 Board of Directors Meeting Calendar. Deputy Chief Mike Duyck submitted dates for the 2010 Board Meeting calendar. Once staff is moved into the new CBOC, both the Board and staff would like to host one or more joint meetings towards the end of the calendar year with the cities the District serves.

**Mr. Hovies moved, seconded Mr. Clopton, to approve the 2010 Board Calendar as presented by staff.**

CHIEF'S REPORT

Board of Directors Board Meeting and Work Session. Deputy Chief Duyck invited the Board to a work session after the regular Board meeting on December 15, 2009. The meeting will begin at 6:00 p.m., with a light dinner beforehand.

Surplus Apparatus. Deputy Chief Duyck reported Cloverdale Rural Fire Protection located in Sisters, Oregon, recently lost the use of both of their fire apparatus due to mechanical failure.

CHIEF'S REPORT (cont)

The District was contacted to find out if there were any surplus apparatus available for sale. A price was negotiated for two TVF&R apparatus vehicles.

Highway-217 Study. Deputy Chief Duyck distributed informational material and reported the Oregon Department of Transportation held an Elected Stakeholders Briefing on November 18, 2009. An OR 217 System Management Study was released summarizing the future management of transportation along the corridor and surrounding area.

Marysville School Fire. Deputy Chief Duyck reported Marysville School in southeast Portland recently experienced a devastating fire. Shortly after, TVF&R was contacted by the Oregonian, requesting inspection records for schools located in the City of Beaverton. All schools have been inspected and are in compliance. Deputy Chief Duyck said the Board may see media coverage on this.

Capital Bond Project Update. Director of Capital Bond Projects Wells reported on the following projects:

Station 34 – Tualatin. An extension of the building permit was granted by the City of Tualatin to March 14, 2010. The design is complete; construction bidding documents are being prepared; bidding is anticipated for January 2010; and issue notice to proceed by March 2010.

Station 53 – Progress. Structural framing is 80% complete; site utility work continues; the general contractor (CSI) is likely to request a contract extension.

Station 58 – Bolton. Construction site utility work continues; major earthwork is complete; redesign of Failing Street has been completed; structural framing of the first floor is complete.

Station 59 – Willamette. Construction site work continues with curb and gutter work and final grading; the roof is complete; final flashing installation

CHIEF'S REPORT (cont)

continues; drywall on second floor is complete; tile work started in locker rooms; major HVAC equipment installed; apparatus bay slab to be poured the week of November 23, 2009.

Station 65- West Slope. Development application has been submitted; architectural and engineering work is on hold pending site review.

CBOC. Seismic upgrade design has been completed and the Phase I construction document set has been submitted to the City of Tigard for plan check. It is anticipated the permit will be ready close to the same time the CM/GC contract is awarded.

Phase I work will commence early January 2010. TVF&R issued a Request for Proposal for Construction Manager/General Contractor project delivery services for CBOC. Review and evaluation of submittals will be completed and the contract awarded by December 23, 2009.

PRESIDENT'S REPORT

Vice President Gearin reminded the Board that the SDAO conference will be held February 5-7, 2010 in Seaside, Oregon.

ITEMS NOT LISTED ON THE AGENDA

There were no items not on the agenda.

ADJOURN

**Mr. Balfour moved, seconded Mr. Clopton, to adjourn the meeting.  
Motion carried unanimously.**

There being no further business to come before the Board, Vice President Gearin adjourned the meeting at approximately 8:31 p.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2009

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Secretary/Treasurer  
sdc