



**County Fire Department  
COUNTY OF TULARE  
AGENDA ITEM**

**BOARD OF SUPERVISORS**

KUYLER CROCKER  
District One  
PETE VANDER POEL  
District Two  
AMY SHUKLIAN  
District Three  
J. STEVEN WORTHLEY  
District Four  
MIKE ENNIS  
District Five

**AGENDA DATE:** February 28, 2017

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>

CONTACT PERSON: Steven Murch    PHONE: 559-622-7604

**SUBJECT:** Approve an Agreement with the California Department of Forestry and Fire Protection, CAL FIRE Tulare Unit

**REQUEST(S):**  
That the Board of Supervisors:

1. Approve an Agreement, with the California Department of Forestry and Fire Protection, CAL FIRE Tulare Unit, to donate used fire protection equipment, as set forth in Exhibit "A" of the Agreement.
2. Authorize the Chairman of the Board to sign four (4) copies of the Agreement.
3. Authorize the Fire Chief, or his designee, to donate and/or transfer the equipment as indicated in the Agreement.

**SUMMARY:**  
The Fire Department replaces fire protection equipment that is identified as worn out or unserviceable. This equipment is typically ripped, torn, broken or worn out beyond acceptable standards for use within the Tulare County Fire Department. Rather than take this equipment to the dump, the department is requesting authorization to donate it to an organization which would clean and repair the items, and redistribute to fire stations within the CAL Fire Tulare Unit of the California Department of Forestry and Fire Protection.

County Counsel has approved to form the Agreement to allow the donation by the County. It should also be noted that the agreement deviates substantively from standard County boilerplate language as it is a donation/acceptance agreement

**SUBJECT:** Approve an Agreement with the California Department of Forestry and Fire Protection, CAL FIRE Tulare Unit

**DATE:** February 28, 2017

and most standard terms do not apply. It also includes an indemnification provision and an as-is clause.

Additionally, it should be noted that the equipment should not be sold to the general public as the items are not safe, are contaminated with hazardous residue, are broken, creating a liability far greater than the funds a sale would generate.

**FISCAL IMPACT/FINANCING:**

None.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

Donating used fire protection equipment to the CAL FIRE Tulare Unit will benefit Tulare County's "Quality of Life" strategic initiative. Any type of recycle program helps alleviate the burden of our local landfill. Even though the equipment to be donated is worn out and near ineffectiveness, it will greatly improve the public safety services available to our neighbors within Tulare County.

**ADMINISTRATIVE SIGN-OFF:**

---

Charlie Norman  
Fire Chief

cc: Auditor-Controller  
County Counsel  
County Administrative Office (2)

Attachment(s):  
Donation Agreement

**BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF TULARE, STATE OF CALIFORNIA**

**IN THE MATTER OF APPROVE AN )  
AGREEMENT WITH THE CALIFORNIA ) Resolution No. \_\_\_\_\_  
DEPARTMENT OF FORESTRY AND FIRE ) Agreement No. \_\_\_\_\_  
PROTECTION, CAL FIRE TULARE UNIT )**

UPON MOTION OF SUPERVISOR \_\_\_\_\_, SECONDED BY  
SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE  
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD \_\_\_\_\_  
\_\_\_\_\_, BY THE FOLLOWING VOTE:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST: MICHAEL C. SPATA  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

\* \* \* \* \*

1. Approved an Agreement, with the California Department of Forestry and Fire Protection, CAL FIRE Tulare Unit, to donate used fire protection equipment, as set forth in Exhibit "A" of the Agreement.
2. Authorized the Chairman of the Board to sign four (4) copies of the Agreement.
3. Authorized the Fire Chief, or his designee, to donate and/or transfer the equipment as indicated in the Agreement.