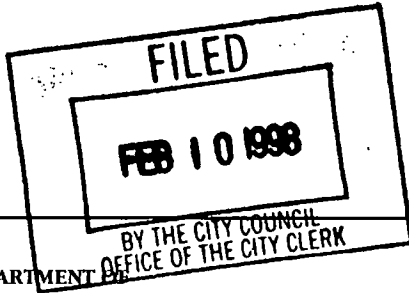




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DEPARTMENT OF
FIRE

GARY COSTAMAGNA
FIRE CHIEF

CITY OF SACRAMENTO
CALIFORNIA

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January 27, 1998

City Council
Sacramento, California

Honorable Members in Session:

**SUBJECT: AMENDMENT TO JOINT POWERS AGREEMENT FOR REGIONAL FIRE
AND RESCUE TRAINING AUTHORITY**

LOCATION/COUNCIL DISTRICT: Citywide

RECOMMENDATION:

This report is for informational purposes only, no action required.

CONTACT PERSON: Gary Costamagna, Fire Chief 264-5268

FOR CITY COUNCIL MEETING OF: February 10, 1998

SUMMARY:

On December 2, 1997, the City Council approved Resolution No. 97-654 which authorized the City Manager to enter into a Joint Powers Agreement (JPA) for a Regional Fire and Rescue Training Authority at McClellan Air Force Base. Inadvertently, three (3) pages containing standard contract language which did not accurately reflect the intended agreement were inserted into the JPA. The JPA is being corrected to reflect the original intent as presented to City Council.

BACKGROUND:

On December 2, 1997, the City Council approved Resolution No. 97-654 which authorized the City Manager to enter into a Joint Powers Agreement (JPA), City Agreement No. 97-184. This JPA includes the City of Sacramento Fire Department, American River Fire Protection District, Sacramento County Fire Protection District, and the Fire and Rescue Branch of California Office of Emergency Services who will organize a Fire and Rescue Training Authority.

When the JPA was submitted, pages 4, 6, and 7 contained standard contract language which did not accurately reflect the intended agreement (See Attachment 1). The correct pages (See Attachment 2) are to be inserted into the originally approved JPA.

FINANCIAL CONSIDERATIONS:

This report is for informational purposes only and does not require any financial considerations.

ENVIRONMENTAL CONSIDERATIONS:

This report does not involve an activity which may cause a direct or indirect change on the environment.

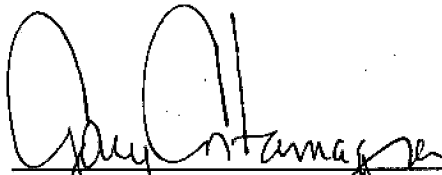
POLICY CONSIDERATIONS:

This report is for information only.

MBE/WBE:

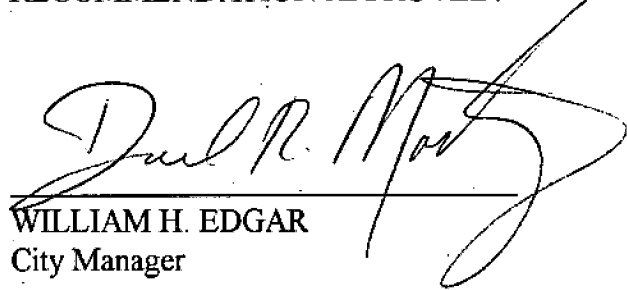
This report does not involve the procurement of any supplies or services.

Respectfully Submitted,



Gary Costamagna
Fire Chief

RECOMMENDATION APPROVED:



WILLIAM H. EDGAR
City Manager

regular meeting shall be fixed by the Council.

- (d) All meetings of the Council shall comply with the Brown Act (Government Code § 54950 et. seq.).
- (e) Records of all actions taken by the Council shall be kept and made available as required by law.

5. Training Facility Manager.

- (a) The Facility Council shall appoint the ~~Training Facility Manager~~ ("Manager"). The Manager may be an Authority employee or an employee of one of the member agencies provided to the Authority. Subordinate employees may be employees of the Authority or may be provided by member agencies or other entities.
- (b) The Manager shall have the authority under the policy direction of the Council, to:
 - (1) plan, organize, and direct all Facility activities;
 - (2) authorize expenditures within the designations and limitations of the Authority budget;
 - (3) make recommendations to the Council concerning all of the matters which are to be performed, done or carried out by the Council;
 - (4) have charge of any property of the Authority;
 - (5) apply for and administer Facility grants and subventions from the member agencies and other sources. All applications requiring matching or contributory funds, or contributions by the member

applicable to the ~~City of Sacramento, a charter city.~~

7. **Insurance.** The Authority shall maintain adequate liability insurance or a self-insurance program for the operation of the Facility. The member agencies, their officers, employees, and agents shall not be subject to any liability for the acts or omissions of the Authority or any officer, employee, or agent thereof. The Authority shall be responsible for the acts or omissions of its own officers, employees, or agents.

8. **Budgets.**

- (a) The ~~Facility Manager~~ shall submit to the member agencies and the Council annually, on or before March 1, a proposed budget containing estimates in detail of the amount of funding necessary for the operation of the Authority and the Facility and the service levels that will be provided based on funding estimates for the ensuing fiscal year, together with an estimate of anticipated revenues. Each member agency shall notify the Council of its appropriation for the Authority no later than ~~August 1st~~ of each fiscal year (defined as July 1 to June 30). No party may reduce its appropriation during the fiscal year without ninety (90) days' prior written notice to the Authority.
- (b) Within ninety (90) days after the commencement of this Agreement, and thereafter no later than ninety (90) days after the commencement of each fiscal year (defined as July 1 to June 30), the Council shall adopt a budget for the Authority for that fiscal year.
- (c) The Authority/Facility annual budget shall be approved by unanimous

resolution of the Council. If the budget requires contributions from each member agency to defray Authority expenses that are not defrayed by other anticipated revenues, the required contribution shall be paid as follows:

- | | | |
|-----|--------------------|-----|
| (1) | ARFPD | 20% |
| (2) | City of Sacramento | 20% |
| (3) | SCFPD | 20% |
| (4) | OES | 40% |

No Council member shall vote in favor of a budget which requires contributions by the member agencies unless the member's agency has approved the expenditure in the agency's budget.

9. Financial Procedures.

- (a) The member agencies shall deposit with the Authority the amount allocated to the Authority for the fiscal year. Deposits shall be made on an annual, semi-annual, or quarterly basis, with the first deposit to be made ~~at the beginning of each fiscal year not later than August 1.~~ All funds allocated but not expended in a fiscal year shall roll over to the succeeding year for reallocation.
- (b) Controller, Treasurer, Legal Counsel
- (i) The Treasurer and the Controller of the ~~City of Sacramento~~ shall be the Treasurer and Controller of the Authority. The Treasurer and the Controller shall comply strictly with the provisions of the statutes relating to their duties found in Chapter 5, Division 7, Title 1 of the Government Code, beginning with Section 6500.

regular meeting shall be fixed by the Council.

- (d) All meetings of the Council shall comply with the Brown Act (Government Code § 54950 et. seq.).
- (e) Records of all actions taken by the Council shall be kept and made available as required by law.

5. Training Facility Manager.

- (a) The Facility Council shall appoint the Manager. The Manager may be an Authority employee or an employee of one of the member agencies provided to the Authority. Subordinate employees may be employees of the Authority or may be provided by member agencies or other entities.
- (b) The Manager shall have the authority under the policy direction of the Council, to:
 - (1) plan, organize, and direct all Facility activities;
 - (2) authorize expenditures within the designations and limitations of the Authority budget;
 - (3) make recommendations to the Council concerning all of the matters which are to be performed, done or carried out by the Council;
 - (4) have charge of any property of the Authority;
 - (5) apply for and administer Facility grants and subventions from the member agencies and other sources. All applications requiring matching or contributory funds, or contributions by the member

applicable to any member agency.

7. **Insurance.** The Authority shall maintain adequate liability insurance or a self-insurance program for the operation of the Facility. The member agencies, their officers, employees, and agents shall not be subject to any liability for the acts or omissions of the Authority or any officer, employee, or agent thereof. The Authority shall be responsible for the acts or omissions of its own officers, employees, or agents.

8. **Budgets.**

- (a) The Manager shall submit to the member agencies and the Council annually, on or before March 1, a proposed budget containing estimates in detail of the amount of funding necessary for the operation of the Authority and the Facility and the service levels that will be provided based on funding estimates for the ensuing fiscal year, together with an estimate of anticipated revenues. Each member agency shall notify the Council of its appropriation for the Authority no later than October 1st of each fiscal year (defined as July 1 to June 30). No party may reduce its appropriation during the fiscal year without ninety (90) days' prior written notice to the Authority.
- (b) Within ninety (90) days after the commencement of this Agreement, and thereafter no later than ninety (90) days after the commencement of each fiscal year (defined as July 1 to June 30), the Council shall adopt a budget for the Authority for that fiscal year.
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