



REDMOND FIRE & RESCUE  
341 NW DOGWOOD AVENUE  
BOARD MEETING AGENDA  
May 18, 2022 @ 9:30 a.m.

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. AGENDA CHANGES
5. PACKET DOCUMENTS FOR INFORMATION ONLY
6. CONSENT AGENDA
  - a. Meeting Minutes – April 20, 2022
7. PUBLIC COMMENTS
8. PUBLIC PRESENTATION
9. REPORTS

BUSINESS/FINANCIAL – CFO Jodi Burch

- a. Monthly Financial Review

ADMINISTRATION/AMBULANCE BILLING – Office Administrator Diane Cox

- a. Monthly Ambulance Billing Report

OPERATIONS – Deputy Chief Jeff Puller

- a. Monthly Response Report

10. ACTION ITEMS

- a. ORDINANCE NO. 4 – Fire Marshal Tom Mooney

**Continue Public Hearing Opened April 20, 2022** for 2<sup>nd</sup> reading of Ordinance No. 4 by title only

An Ordinance Adopting Fire Codes and Standards for Redmond Fire & Rescue, A Fire Protection District, Providing for a Reasonable Level of Life Safety and Property Protection from the Hazards of Fire, Explosion or Dangerous Conditions in New and Existing Buildings, Structures, and Premises and to Provide Safety to Firefighters and Emergency Responders During Emergency Operations.

*Printed copies of the ordinance are available in the Business Administration Office.*

**Close Public Hearing**

- b. ORDINANCE NO. 5 – Fire Marshal Tom Mooney

**Open Public Hearing** for 1<sup>st</sup> reading of Ordinance No. 5 by title only

An Ordinance Regulating Open Burning, Recreational Fires & Portable Outdoor Fireplaces.

*Printed copies of the ordinance are available in the Business Administration Office.*

**Close Public Hearing**

c. Compressor Procurement – CFO Jodi Burch

**11. FIRE CHIEF REPORT**

**12. EXECUTIVE SESSION**

Per ORS 192-660(2)a – To consider the employment of an officer, employee, staff member or agent.

**13. NEW BUSINESS**

**14. OLD BUSINESS**

**15. BOARD MEMBER COMMENTS**

**16. BOARD PRESIDENT COMMENTS**

**17. ADJOURN**

Members of the public who wish to attend the meeting virtually may do so by joining from your computer, tablet or smartphone at <https://global.gotomeeting.com/join/797053381>. Or you can dial in using your phone to 1(408) 650-3123 at the designated time and enter the access code 797-053-381.

Anyone needing accommodation to participate in the meeting must notify Diane Cox at least 48 hours in advance of the meeting at 541-504-5020 or [diane.cox@redmondfireandrescue.org](mailto:diane.cox@redmondfireandrescue.org). Redmond Fire & Rescue does not discriminate on the basis of disability status in the admission or access to treatment, employment or in its programs or activities.

REDMOND FIRE & RESCUE  
BOARD MEETING MINUTES  
April 20, 2022

BOARD PRESENT: President Carroll Penhollow, Vice President Gary Ollerenshaw, Secretary/Treasurer Craig Unger, Member Ken Kerfoot, and Member Jessica Meyer.

STAFF PRESENT: Deputy Chief Jeff Puller, Chief Financial Officer Jodi Burch, Office Administrator Diane Cox, Fire Marshal Tom Mooney, Deputy Fire Marshal Wade Gibson, Battalion Chief Steve Fiero, Battalion Chief Ken Brown, Captain Rob Crye, Captain Bill Welch, Captain Dustin Miller, Captain Andrew White, Captain Wayne Hess, Captain Josh Clark, Engineer Aaron St. John, Engineer Kevin Broadsword, Engineer Lane Charley, Engineer Luke Jerome, FF/PM Annie Tibbitts, FF/PM Jerold Mix, PM Beau Bigo, EMT Grant Caudel, EMT Logan Noble, Administrative Assistant Jessica Jackson, and Administrative Assistant Shannon Biondi.

STAFF ABSENT: None

PUBLIC PRESENT: Pat Dale

CALL TO ORDER: President Penhollow called the meeting to order at 9:32 am.

ROLL CALL: All Present

AGENDA CHANGES: Resolution 2022-02 Destruction of Records was moved to the Consent Agenda and the Administration/Monthly Ambulance Billing Report was added to the packet documents.

CONSENT AGENDA:

1. Meeting Minutes – March 16, 2022
2. Resolution 2022-02 Destruction of Records

Board Member Unger made a motion to approve the Consent Agenda as presented. The motion was seconded by Board Member Kerfoot and approved by unanimous vote.

PUBLIC COMMENTS: None

PUBLIC PRESENTATION: None

REPORTS:

1. Financial - CFO Jodi Burch
  - a. Monthly Financial Review
2. PERS - CFO Jodi Burch
  - a. Updated PERS overview
3. OPS Report - Deputy Chief Jeff Puller
  - a. Fire Training Division

- i. 768 combined hours of training
  - ii. Airport security training
  - iii. ARFF Truck familiarization
  - iv. Building Search and Rescue
  - v. Multi Company Evolutions
  - vi. 10 Certifications applied for
  - vii. 7 Certifications were received
- b. EMT Training Division
  - i. Training-Child Abuse-Mandatory reporting with the Kid's Center
  - ii. Selected Dr. Hahn as our new Physician Advisor
  - iii. Attended OSU Cascades Computer Science Program Event
  - iv. Project Cookbook app is being made as a RF&R protocol resource
- c. Chief Puller presented pictures of responses in March and fielded several questions from the Board regarding practices and response scenarios.

**ACTION ITEMS:**

1. Ordinance No. 4
  - a. The Public Hearing opened at 10:26am for the first reading of Ordinance No. 4.

Board Member Meyer made a motion to approve the first reading of the ordinance. The motion was seconded by Board Member Kerfoot and approved by unanimous vote.

The public hearing was not closed and will be resumed at the regular board meeting in May.

2. Resolution 2022-01-Hankins Annexation

Board Member Ollerenshaw made a motion to authorize 4225 Wilcox Avenue to be annexed into our fire service district. The motion was seconded by Board Member Kerfoot and approved by unanimous vote.

3. Eclipse Raft Surplus

Board Member Ollerenshaw made a motion to surplus an Eclipse Raft on a government auction site as it has reached the end of its useful life. The motion was seconded by Board Member Kerfoot and approved by unanimous vote.

4. Resolution 2022-03 Adoption of the Redmond Fire & Rescue 401(a) Plan as Amended and Restated.

Board Member Kerfoot made a motion to approve Resolution 2022-03 amending the retirement age and changing the wording as required by law. The motion was seconded by Board Member Ollerenshaw and approved by unanimous vote.

5. Resolution 2022-04 Supplemental Budget #2

Board Member Ollerenshaw made a motion to approve Resolution 2022-04 amending the budget overages in the General Fund and reclassifying the purchase of the radios to the Capital Fund to help offset the overage. The motion was seconded by Board Member Kerfoot and approved by unanimous vote.

#### 6. Ford 150 Purchase

Redmond Fire & Rescue has an opportunity to purchase two F-150 pickups made available to us as another buyer backed out. They are expected to arrive in the fall which is a significantly shorter time frame than if ordered today. These trucks would fill an open slot for a Fire Chief's truck and allow replacement of another older truck.

Board Member Ollerenshaw made a motion to approve buying both available trucks with a spending cap of \$110,000 out of next year's budget. The motion was seconded by Board Member Kerfoot and approved by unanimous vote.

#### FIRE CHIEF COMMENTS: Interim Chief Jeff Puller

1. AP Triton Update
  - a. Facilities master plan document is being finalized this week
  - b. Master plan technical document should also be finalized this week.
  - c. When they are complete, AP Triton will attend the Board Meeting and present them.
2. ODOT Property
  - a. Chief Puller plans to present information about the property on Yew Avenue at the next Board Meeting.

#### EXECUTIVE SESSION:

President Penhollow recessed the regular session at 10:53am.

Oregon Law permits public bodies to meet in executive session to discuss specific matters which are not open to the public. Final actions or decisions on these matters will be made during regular session. Per ORS 192-660(2)(a) authorizing an executive session "to consider the employment of an officer, employee, staff member or agent."

#### REGULAR SESSION REOPENING:

Board President Penhollow returned to regular session from Executive Session at 11:36am.

#### MOTIONS AS RESULT OF EXECUTIVE SESSION:

1. Board Member Ollerenshaw made a motion to authorize the Board President to sign a contract with the interim Fire Chief. The motion was seconded by Board Member Kerfoot and was approved by unanimous vote.
2. Board Member Ollerenshaw made a motion to direct staff to finalize the Western Fire Chiefs Association's Fire Chief recruitment brochure with modified education





**REDMOND FIRE & RESCUE  
FINANCIAL DASHBOARD  
APRIL 30, 2022  
83% OF TOTAL BUDGET**

<b>83%</b>	<b>2021/22 Budget</b>	<b>2021/22 YTD Actual</b>	<b>% of Budget</b>	<b>Prior Year Actual</b>	<b>YTD Projected</b>	<b>(Over)/ Under</b>
<b>General Fund</b>						
<b>Revenues</b>						
Property Tax - Permanent Rate	7,912,000	7,812,114	98.7%	7,253,311	8,040,614	
Property Tax - Levy	1,208,000	1,172,762	97.1%	1,092,063	1,201,262	
Ambulance Revenue	2,380,000	2,089,747	87.8%	1,839,008	2,457,697	
Fire Med Membership	34,000	40,228	118.3%	33,195	48,273	
Contractual Services (Airport)	643,979	536,649	83.3%	522,130	643,978	
Conflagration	69,601	43,066	61.9%	182,385	43,066	
GEMT	85,000	570,919	671.7%	99,167	570,919	
Grants	2,000	-	0.0%	106,485	-	
Interest	30,000	25,660	85.5%	29,155	28,792	
Other	52,000	138,100	265.6%	60,801	144,678	
<b>Total YTD Revenue</b>	<b>12,416,580</b>	<b>12,429,244</b>	<b>100.1%</b>	<b>11,217,700</b>	<b>13,179,279</b>	
<b>Expenditures</b>						
<b>Administration</b>						
Personnel (includes OT)	909,440	722,921	79.5%	644,310	898,215	
Materials & Services	351,800	222,321	63.2%	132,591	310,938	
<b>Total Administration</b>	<b>1,261,240</b>	<b>945,242</b>	<b>74.9%</b>	<b>776,902</b>	<b>1,209,153</b>	<b>52,087</b>
<b>Fire &amp; Rescue Operations</b>						
Personnel (includes OT)	7,187,318	5,633,676	78.4%	5,421,561	7,062,140	
<i>Overtime - Suppression</i>	<i>600,000</i>	<i>267,646</i>	<i>44.6%</i>	<i>573,966</i>	<i>469,335</i>	
<i>Overtime - Conflagration</i>	<i>30,000</i>	<i>15,906</i>	<i>53.0%</i>	<i>82,833</i>	<i>15,906</i>	
Materials & Services	279,000	191,706	68.7%	110,446	417,080	
<b>Total Fire &amp; Rescue Ops</b>	<b>7,466,318</b>	<b>5,825,382</b>	<b>78.0%</b>	<b>5,532,007</b>	<b>7,479,220</b>	<b>(12,902)</b>
<b>Fire &amp; Rescue Training</b>						
Personnel (includes OT)	284,215	223,320	78.6%	178,552	273,860	
Materials & Services	141,250	49,383	35.0%	82,956	95,469	
<b>Total Fire &amp; Rescue Training</b>	<b>425,465</b>	<b>272,703</b>	<b>64.1%</b>	<b>261,508</b>	<b>369,329</b>	<b>56,136</b>
<b>EMS Operations</b>						
Personnel (includes OT)	1,255,611	826,578	65.8%	871,889	1,027,770	
<i>Overtime - EMS</i>	<i>326,001</i>	<i>184,191</i>	<i>56.5%</i>	<i>245,396</i>	<i>235,137</i>	
Materials & Services	338,300	360,824	106.7%	250,601	430,931	
<b>Total EMS</b>	<b>1,593,911</b>	<b>1,187,402</b>	<b>74.5%</b>	<b>1,122,490</b>	<b>1,458,701</b>	<b>135,210</b>
<b>Fire &amp; Life Safety</b>						
Personnel (includes OT)	324,894	214,649	66.1%	124,893	279,670	
Materials & Services	45,800	35,174	76.8%	10,980	45,070	
<b>Total Fire &amp; Life Safety</b>	<b>370,694</b>	<b>249,823</b>	<b>67.4%</b>	<b>135,873</b>	<b>324,740</b>	<b>45,954</b>
<b>Facilities, Vehicles &amp; Equipment</b>	<b>739,292</b>	<b>611,918</b>	<b>82.8%</b>	<b>497,769</b>	<b>737,892</b>	<b>1,400</b>
<b>Debt Service</b>	<b>435,651</b>	<b>282,683</b>	<b>64.9%</b>	<b>278,427</b>	<b>435,651</b>	<b>0</b>
<b>Transfers Out - To Capital Projects</b>	<b>413,917</b>	<b>413,917</b>	<b>100.0%</b>	<b>661,260</b>	<b>413,917</b>	<b>0</b>
<b>Total YTD Expenditures</b>	<b>12,706,488</b>	<b>9,789,070</b>	<b>77.0%</b>	<b>9,266,236</b>	<b>12,428,603</b>	<b>277,885</b>
<b>Net Revenue Over Expenditures</b>	<b>(289,908)</b>	<b>2,640,173</b>	<b>-</b>	<b>1,951,464</b>	<b>750,676</b>	
<b>Beginning Fund Balance</b>	<b>3,936,544</b>	<b>3,936,544</b>	<b>100.0%</b>	<b>3,309,476</b>	<b>4,687,220</b>	

<b>83%</b>	<b>2021/22 Budget</b>	<b>2021/22 YTD Actual</b>	<b>% of Budget</b>	<b>Prior Year Actual</b>	<b>YTD Projected</b>
<b>Capital Projects Fund</b>					
<b>Revenues</b>					
Bond/Note Sale	-	-	0.0%	-	-
Grants	-	-	0.0%	-	-
Sale of Property	-	-	0.0%	45,300	-
Other	-	-	0.0%	-	-
Transfers In - From General Fund	413,917	413,917	100.0%	661,260	493,917
<b>Total YTD Revenue</b>	<b>413,917</b>	<b>413,917</b>	<b>0.0%</b>	<b>706,560</b>	<b>493,917</b>
<b>Expenditures</b>					
Capital Outlay	995,532	512,196	51.4%	154,329	995,532
<b>Total YTD Expenditures</b>	<b>995,532</b>	<b>512,196</b>	<b>51.4%</b>	<b>154,329</b>	<b>995,532</b>
<b>Net Revenue Over Expenditures</b>	<b>(581,615)</b>	<b>(98,279)</b>	<b>-</b>	<b>552,231</b>	<b>(501,615)</b>
<b>Beginning Fund Balance</b>	<b>1,431,615</b>	<b>1,431,615</b>	<b>100.0%</b>	<b>473,852</b>	<b>930,000</b>

### Personnel Costs - April

	<b>Salary</b>	<b>OT</b>	<b>Medical</b>	<b>PERS</b>
2022	\$ 419,576	\$ 45,381	\$ 86,410	\$ 130,465
2021	\$ 392,020	\$ 106,087	\$ 80,564	\$ 136,855

### Cash Balances - April

	<b>Total Cash</b>			<b>By Fund</b>	
	<b>2022</b>	<b>2021</b>		<b>General Fund</b>	<b>Capital Fund</b>
LGIP (0.65% /0.60%)	7,238,954	4,702,982	2022	6,064,099	1,333,336
FIB - General	149,555	111,907			
FIB - Donation	8,925	7,635	2021	3,796,440	1,026,083
<b>Total</b>	<b>\$ 7,397,435</b>	<b>\$ 4,822,523</b>			

### Board Required Signature Checks - April

<b>Payee</b>	<b>Amount</b>	<b>Description</b>
City of Redmond	18,344.25	Vehicle maintenance
SDIS	91,384.16	Medical insurance
HRA VEBA	14,416.81	Monthly VEBA pmt
Freightliner NW	36,611.18	Replace motor in 424
Verizon Wireless	11,002.17	New ipads (11), plus monthly service
Mastercard	18,090.15	Monthly charges, more training/travel
L3Harris	15,803.40	New radios (5)

### Auto Draft Payments - April

<b>Payee</b>	<b>Amount</b>	<b>Description</b>
None		

#### Notes:

\* FY2021/22 Budget has been updated to include the supplemental budget which increased appropriations by \$290k





**REDMOND FIRE & RESCUE**  
**STAFFING CHARTS**  
**APRIL 30, 2022**

**Chart 1:** Displays the current staffing levels for all positions compared to the adopted budget.

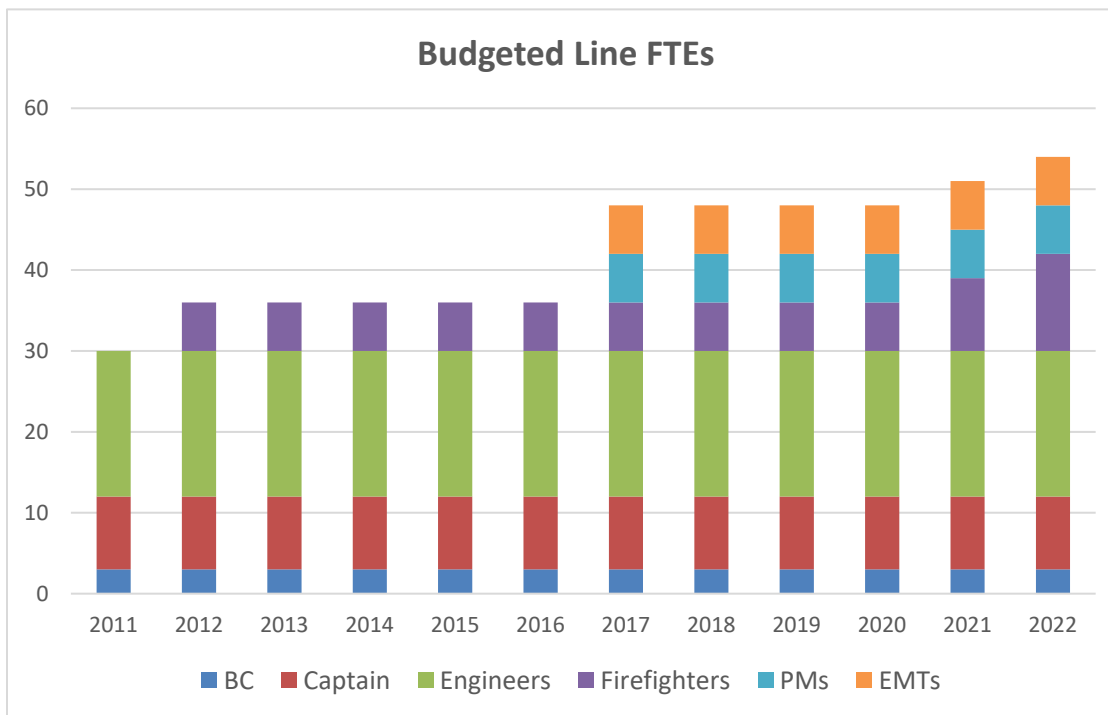
Position	7/1/2021 Budget	Revised Budget	4/30/2022 Actual	Over/ (Short)
BC	3	3	3	-
CPT	9	9	9	-
ENG	18	18	20	2
FF	9	12	11	(1)
PM	6	6	3	(3)
EMT	6	6	6	-
ADMIN	7	7	7	-
FLS	2	2	2	-
CPT-ADMIN	2	2	2	-
<b>TOTAL</b>	<b>62</b>	<b>65</b>	<b>63</b>	<b>(2)</b>

**Note:** With the hiring of the new engineers in fall 2021, the budgeted FTEs for the firefighter rank was increased from 9 to 12.

**Analysis:** The District is now short a total of two line staff, mostly due to vacancies in the paramedic rank.

**Change from Prior Month:** None.

**Chart 2:** Shows the budgeted Full Time Equivalent (FTEs) for line staff since 2011.



**Analysis:** Since 2011, total line staff across all positions have increased from 30 to 54, which is an 80% increase.



Redmond Fire & Rescue  
Ambulance Billing Report May 2022

<b>HealthEMS RevNet</b>	
April Charges	(Net) 391,170
April Payments	170,219
April Write Offs	(16,035)
FireMed	\$ 1,531.16 (6 claims)
Collections	12,077.23 (13 claims)
CaresAct	1,372.36 (1 claim)
St. Charles FA	1,054.49 (1 claim)
YTD Accounts Receivable (04/30/2022)	736,363
Billed through 04/27/2022 as of 04/30/2022	

<b>FireMed Statistics</b>	<b>March</b>	<b>YTD</b>
FireMed Member Payment	4,550.00	42,358.83
Donations	0.00	195.50
Patient Account Write-Offs	(233.00)	(14,096.96)
Life Flight Management Fee	(1,137.50)	(10,589.71)
FireMed Revenue	3,179.50	17,867.66

YTD is fiscal year July 1, 2021 – June 30, 2022

RF&R Monthly Board Meeting  
Operations Response Report for 5/18/2022  
Data for: April 2022

**Total Calls** = 529 (this includes all calls, including dispatched and cancelled)

**Total Fire Calls\*** = 17 (3% of total calls)

**Total EMS Calls\*\*** = 427 (81% of all calls)

- 60% ALS
- 40% BLS
- Transported 316 patients total which includes 62 Interfacility transports

**Total Aircraft Related Calls** = 4 (<1% of all calls)

**Total Service Calls\*\*\*** = 80 (15% of all calls)

*\*Fire Calls – Includes Structure/Mobile Fires, Tent Fires or Under shelter, Vehicle Fires, Brush / vegetation fires, other fires, Dispatched canceled enroute Fire Calls. Does not include aircraft or MVA.*

*\*\*EMS Calls – Includes EMS calls, Motor vehicle crashes, Rescue responses, Elevator emergency with occupant, Dispatched canceled enroute EMS and MVA calls*

*\*\*\*Service Calls – Includes Authorized or Illegal burning complaints, Good Intent calls, Sprinkler System / False Alarm calls, Dispatched canceled enroute Alarm calls, Fuel Spills / Gas Leak / CO Incidents, Electrical Wiring Incidents, Special Incidents, Water or Smoke removal calls, Animal problems, Citizen complaints, Public Assist,*

**First Due Station Responses:**

401

Fire Calls = 8  
EMS Calls = 316  
Service Calls = 58  
Total Calls = 383 (73% of total calls)

402

Fire Calls = 3  
EMS Calls = 26  
Service Calls = 4  
Total Calls = 33 (6% of total calls)

403

Aircraft calls = 4  
Fire Calls = 1  
EMS Calls = 5  
Service calls = 0  
Total Calls = 10 (1% of total calls)

404

Fire Calls = 5  
EMS Calls = 80  
Service Calls = 18  
Total Calls = 103 (20% of total calls)

**Mutual/Auto Aid Given/Received:**

Basic Aid Given Their Fire Department Name (FD1.23)	Total Incidents
<b>Automatic aid given</b>	
Bend FD	3
Crook County F & R	2
Crooked River Ranch RFPD & Ambulance	1
Sisters-Camp Sherman RFPD	1
<b>Mutual aid given</b>	
Bend FD 1	1
Crook County F & R 2	2
Crooked River Ranch RFPD & Ambulance 1	1
Sisters-Camp Sherman RFPD 1	1
<b>Auto aid received</b>	
Cloverdale RFPD	1
Bend Fire	4
Crook County Fire & Rescue	1

Total MVA's = 23 (3 Required Extrication)

Total Electrical Fires = 2

Total Haz-Mat / Gas Leaks = 4

Total Vehicle Fires = 2

Total Smith Rock Responses = 0

Total Fire Alarms = 15

Total Burning Complaints (IOB) = 11

Total Calls for Assistance or Requests for Service = 12

Total Airport Incidents = 5

Total Bark dust Fires = 2

Total Brush Fires = 3

Total Tent Fire / Under Shelter = 0

Total Structure Fires = 4

**Station and Apparatus Out of Service Report:**

4/27/22 – BLS M476 was shut down for 23 hours. Due to a member going home sick and no other could be found to staff the vehicle after direct calls and text messages. No calls for service were delayed due to this outage.

Apparatus Response Count  
Total Incidents:

**Staff**

411	1
412	57
418	4
480	5
481	8

**401**

Apparatus

421	179
431	1
441	7
451	1
Ranger 1	2

Medics

471	149
475	128
476	153

**402**

Apparatus

422	27
442	6

Medic

472	29
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**403**

Apparatus

ARFF1	7
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**404**

Apparatus

424	50
444	7

Medic

474	58
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# REDMOND FIRE & RESCUE

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[www.redmondfireandrescue.org](http://www.redmondfireandrescue.org)

## STAFF REPORT

DATE: 5/18/2022

TO: BOARD OF DIRECTORS  
THROUGH: PAT DALE, INTERIM FIRE CHIEF  
FROM: TOM MOONEY, FIRE MARSHAL  
SUBJECT: PUBLIC HEARING ON ORDINANCE NO. 4 – AN ORDINANCE ADOPTING FIRE CODES AND STANDARDS

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### **Addresses Fire Board Goal:**

Strategic Goal #6: Develop Fire & Life Safety programs, social media, and web-site management.

### **Report in Brief:**

District staff requests the second reading of the ordinance adopting the Oregon Fire Code as written and with the following appendices A, H, I & J. The public hearing was opened on April 20, 2022.

### **Background:**

Under ORS 478.910, a Rural Fire Protection District may adopt a fire code. In consultation with legal counsel, staff is recommending the Board approve the Fire Code Ordinance to coincide with the Office of the State Fire Marshal's (OSFM) adoption of the 2019 Oregon Fire Code.

The Oregon Fire Code is updated approximately every three years and is created from using the International Fire Code which is referred to as the model code. During a fire code update, Oregon amendments are added to the code. Once the State adopts the code it can then be adopted locally within each jurisdiction.

State law allows local fire districts to modify the fire code as deemed necessary, including being more restrictive, as the fire code is a minimum requirement. If a jurisdiction decides to be more restrictive, they must first adopt the Oregon Fire Code along with any ordinances that apply to the fire code. Within the code there are certain appendices that are not adopted by the State and must be done through local ordinance if they so choose to.

ORS 478.910 requires a fire district board to adopt their fire prevention code in accordance with ORS 198.510 to 198.600. Following adoption by the District's Board, ORS 478.924 further mandates that any city or county within the District must also approve the fire code by resolution. If not adopted in a city or county, a legal uncertainty would exist about which agency has jurisdiction over fire code enforcement, plan review services, application of local amendments, appeals board proceedings, and more. If an existing fire code ordinance has been approved within any county or city within the District, the existing fire code will continue in effect until the other agencies have approved it.

**Discussion:**

The local adoption of the Oregon Fire Code grants the District the ability to be more restrictive in certain applications of the fire code. For example, if the District wanted to be more restrictive with regards to open burning, the District would need to first adopt the fire code.

**Fiscal Impact:**

There is no anticipated financial impact to the District.

**Alternative Courses of Action:**

After conducting the public hearing and considering all the evidence and testimony:

- 1) Accept staff recommendation.
- 2) Accept staff recommendation, make additional modifications, and approve.
- 3) Continue the public hearing and the leave the written record open to request additional information.
- 4) Deny staff's recommendation.

As required, notices regarding this public hearing were posted in three places (the Library, City Hall, and Station 401) on April 12, 2022 and May 06, 2022. A public notice ran in The Bend Bulletin on April 12, 2022 and May 10, 2022, and the Ordinance was available for review at the District office.

**Recommendation / Suggested Motion:**

“I move for the second reading and adoption by roll call of Ordinance No. 4 Adopting Fire Codes and Standards by title only.” (Voice vote)

(Board president will read the ordinance by title only, once.)

“I move to approve Ordinance No. 4 by title only.” (Roll call vote)



## **REDMOND FIRE & RESCUE**

### **ORDINANCE NO. 4**

**AN ORDINANCE ADOPTING FIRE CODES AND STANDARDS FOR REDMOND FIRE AND RESCUE, A FIRE PROTECTION DISTRICT, PROVIDING FOR A REASONABLE LEVEL OF LIFE SAFETY AND PROPERTY PROTECTION FROM THE HAZARDS OF FIRE, EXPLOSION OR DANGEROUS CONDITIONS IN NEW AND EXISTING BUILDINGS, STRUCTURES, AND PREMISES AND TO PROVIDE SAFETY TO FIREFIGHTERS AND EMERGENCY RESPONDERS DURING EMERGENCY OPERATIONS.**

**WHEREAS**, Redmond Fire & Rescue, a Fire Protection District, has developed uniform fire regulations for the jurisdictions served; and

**WHEREAS**, Redmond Fire and Rescue, a Fire Protection District, hereinafter referred to as the District, finds it necessary to adopt regulations that establish a minimum level of fire safety, thus does hereby adopt the following regulations;

**NOW, THEREFORE IN CONSIDERATION OF THE FOREGOING; IT IS ORDAINED AS FOLLOWS:**

#### **TITLE AND FILING:**

This ordinance, including the codes hereby adopted, shall be filed with Oregon State Fire Marshal's Office and shall be posted at each fire station of the District as prescribed by ORS 478.940. From the date on which this ordinance shall take effect, provisions thereof shall be controlling within the territorial limits of the District and within each city and county within the District which similarly approves these provisions pursuant to ORS 478.924.

#### **SCOPE:**

The purpose of this code is to establish the minimum requirements consistent with nationally recognized good practices for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises and to provide safety to firefighters and emergency responders during emergency operations as authorized by ORS 478.910.

#### **SECTION I - ADOPTION OF THE DISTRICT'S FIRE CODE:**

For the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, except as amended under Sections II, the Oregon Fire Code adopted by the Oregon State Fire Marshal, as it is replaced and amended from time to time, is hereby adopted as the District's Fire Code. It is the intention of this ordinance that the District from time to time shall automatically adopt the latest Oregon Fire Code including any amendments as adopted by the Office of the State Fire Marshal without any additional action necessary by the District. The District also adopts the following appendices in the Oregon Fire Code, Appendix A, H, I & J. Such codes and amendments are adopted on the effective date of the administrative rule adopted by the Office of State Fire Marshal.

## **SECTION II - ENFORCEMENT OF FIRE CODE**

Notwithstanding provisions in the Oregon Fire Code authorizing or requiring inspections of buildings and premises, issuance of permits, review of plans, testing of fire protection systems and equipment, or provisions providing for enforcement of the Code, such inspections, plan review, permits, testing, and enforcement of the Code shall be discretionary by the Chief and other individuals charged by the Chief with such activities. The District recognizes that it has limited financial resources with which to provide fire, rescue, and other services and functions and is forced to make public policy decisions as to allocation of District resources. Although the District places a high priority on prevention, inspection, and maintenance of fire systems, due to financial limitations, it is the Board's policy to require inspections, plan review, permits or testing only, so often as necessary, to provide a reasonable level of fire and life safety. Accordingly, although the Fire Chief and other individuals charged by the Chief with these activities are encouraged to pursue performing such activities, as well as the scope and frequency of such activities, the performance of such activities shall be within the discretion of the Fire Chief. It is the intention of the District to make clear that the District's duty to perform the inspections, plan review, issuance of permits and testing, or to take enforcement actions as set forth in the Code, is limited to providing a reasonable level of fire and life safety.

## **SECTION III - AMENDMENTS TO THE OREGON FIRE CODE:**

There are no amendments to the Oregon Fire Code adopted by the Oregon State Fire Marshal.

## **SECTION IV - FEES**

Cost based fees may be imposed for plan review, inspections, permits or other fire code related services the District is authorized or required to provide under the Fire Code or other applicable statute or regulation, as prescribed in the District's Master Fee Schedule.

## **SECTION V-PENALTIES**

Any person who violates any of the provisions of these regulations hereby adopted or fails to comply therewith, or violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statements, specification or plans submitted and approved thereunder and from which no appeal has been taken, or shall fail to comply with such an order as affirmed or modified by the Board of Appeals or by a court of competent jurisdiction within the time affixed herein, shall severally, for each and every such violation and non-compliance respectively, be guilty of a violation of the Fire Prevention Code as provided in ORS 478.930, punishable upon conviction as prescribed by ORS 478.990. All fines or punishments authorized upon conviction shall include the costs to the District to remedy the violation including costs of towing, storage, or removal of the hazard or obstruction if necessary.

The Chief or designated representative may bring a complaint in law or in equity to alleviate a violation of this ordinance as well as in addition to the rights to enforce said ordinance under the provisions of ORS 478.930 and ORS 478.990.

Reinspection fees may be applied for failure to correct violations in accordance with the District's Master Fee Schedule in addition to any other penalties.

## **SECTION VI - FIRE CODE BOARD OF APPEALS**

As authorized by ORS 479.180, the District may establish a board of appeals. Such board of appeals may be implemented through bylaws and standard operating guidelines adopted by the District.

**SECTION VII - REPEAL OF CONFLICTING ORDINANCES**

The provisions of this ordinance, i.e., the Fire Code, shall be controlling within the territorial limits of the District and within each city and county within the District approving pursuant to ORS 478.924. If an existing fire code ordinance has been approved within any city or county within the District, the District desires that the existing fire code continue in effect until such time as the cities and counties within the District have approved this new Fire Code pursuant to ORS 478.924. Accordingly, all former ordinances or parts thereof, which are conflicting or inconsistent with the provisions of this ordinance or of the code or standards hereby adopted, are hereby repealed, effective on the effective date of this ordinance. Further, prosecutions or violations under repealed ordinances may continue after the effective date of this ordinance.

**SECTION VIII - VALIDITY**

The District hereby declares that should any section, paragraph, sentence, or word of this ordinance or of the Codes or Standards hereby adopted be declared for any reason to be invalid, it is the intent of the District that it would have passed all other portions of this ordinance independent of the elimination of any such portion as may be declared invalid.

**SECTION IX- DATE OF EFFECT**

The Board of Directors of the District finds and determines that it is necessary and expedient that the provisions of this ordinance become effective 30 days following adoption, as authorized by ORS 198.570.

First reading by Title only this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Second reading by Title only this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Adopted by vote of the Redmond Fire & Rescue Board of Directors this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Carol Penhollow – Board President

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Diane Cox – District Recorder



# REDMOND FIRE & RESCUE

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## STAFF REPORT

DATE: 5/18/2022  
TO: BOARD OF DIRECTORS  
THROUGH: PAT DALE, INTERIM FIRE CHIEF  
FROM: TOM MOONEY, FIRE MARSHAL  
SUBJECT: PUBLIC HEARING ON ORDINANCE NO. 5- AN ORDINANCE REGULATING OPEN BURNING, RECREATIONAL FIRES & PORTABLE OUTDOOR FIREPLACES

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### **Addresses Fire Board Goal:**

Strategic Goal #6: Develop Fire & Life Safety programs, social media, and web-site management.

### **Report in Brief:**

District staff requests a public hearing on the adoption of Ordinance No 5 regulating opening burning, recreational fires and portable outdoor fireplaces.

### **Background:**

Under OAR 340-264-0075 and the Oregon Fire Code a Rural Fire Protection District may regulate opening burning within its boundaries. In consultation with legal counsel, staff is recommending the Board approve the Open Burning Ordinance.

Open burning has always been a difficult area to regulate and still allow a fair application of the law for those that can burn. Over the last few years wildfires in Oregon have grown larger and more deadly. Those individuals that perform legal burns create situations in which District personnel must be called out to potential structure fires only to find a small pile of leaves burning. These low priority calls are tying fire crews up and potentially placing them out of their response area allowing higher priority calls to take longer to respond to.

Currently there are limited regulations within Redmond Fire & Rescue's boundaries which creates uncertainty.

### **Discussion:**

The local adoption of an Open Burning Ordinance would grant the District the ability to

be more restrictive on when and where open burning would be allowed.

Additionally, in compliance with ORS 478.924, District staff have begun conversations with the counties (Deschutes, Crook and Jefferson) and the incorporated city (Redmond) which overlap the fire district. These agencies will need to approve the District's fire code ordinance by resolution. District staff are working to schedule the resolution for approval at future board/council meetings of these agencies.

**Fiscal Impact:**

There is no anticipated financial impact to the District.

**Alternative Courses of Action:**

After conducting the public hearing and considering all the evidence and testimony:

- 1) Close the public hearing and reopen it at the June 15, 2022, District Board meeting for the second reading.
- 2) Continue the public hearing to the June 15, 2022, District Board meeting and leave the written record open to request additional information.
- 3) Deny staff's recommendation and close the public hearing.

As required, notices regarding this public hearing were posted in three places (the Library, City Hall, and Station 401) on May 13, 2022 in addition to a public notice run in The Bend Bulletin on May 13, 2022 and the Ordinance was available for review at the District office.

**Recommendation/Suggested Motion:**

"I move for the first reading of Ordinance No. 5 Regulating Open Burning, Recreational Fires & Portable Outdoor Fireplaces." (Voice vote)

(Board president will read the ordinance by title only, once.)

**REDMOND FIRE & RESCUE**

**ORDINANCE NO. 5**

**AN ORDINANCE REGULATING OPEN BURNING, RECREATIONAL FIRES  
& PORTABLE OUTDOOR FIREPLACES**

**WHEREAS**, ORS 478.930 provides that no person shall violate an adopted fire prevention code as provided in ORS 478.910 or fail to remove hazards found on inspection within the time set by the inspecting officer or burn in an unguarded manner without a permit; and

**WHEREAS**, ORS 478.960 provides the authority to the fire chief to regulate burning within a given fire district, and to prescribe conditions upon which permission is granted and which are necessary to be observed in setting the fire and preventing it from spreading and endangering life or property or endangering the air resources of this state.

**NOW, THEREFORE IN CONSIDERATION OF THE FOREGOING; IT IS ORDAINED  
AS FOLLOWS:**

**TITLE AND FILING:**

This ordinance, including the codes referenced herein and hereby adopted, shall be filed with Oregon State Fire Marshal's Office and shall be posted at each fire station of the District as prescribed by ORS 478.940. From the date on which this ordinance shall take effect, provisions thereof shall be controlling within the territorial limits of the District and within each city and county within the District which similarly approves these provisions pursuant to ORS 478.924.

**SCOPE:**

This ordinance is intended to promote the public health, safety and welfare and to safeguard the health, comfort, living conditions, safety and welfare of the citizens of Redmond Fire & Rescue by regulating the fire hazards of outdoor burning.

**APPLICABILITY:**

This ordinance applies to all outdoor burning within the boundaries of Redmond Fire & Rescue's Fire District. This ordinance does not apply to grilling or cooking food using charcoal, wood, propane or natural gas in cooking or grilling appliances. This ordinance does not apply to burning for the purpose of generating heat in a stove, furnace, fireplace or other heating device within a building used for human or animal habitation. This ordinance does not apply to the use of propane, acetylene, natural gas, gasoline or kerosene in a device intended for heating, construction or maintenance activities.

## **SECTION I - ADOPTION OF THE DISTRICT'S OPEN BURNING REGULATIONS:**

For the purpose of prescribing regulations governing open burning by requiring permits for certain types of burning and prohibiting certain types of burning.

## **SECTION II - ENFORCEMENT OF OPEN BURNING REGULATIONS:**

Notwithstanding provisions in the Oregon Fire Code authorizing or requiring permits for open burning provisions providing for enforcement of the Code, such inspections, permits, and enforcement of the Code shall be discretionary by the Chief and other individuals charged by the Chief with such activities. It is the intention of the District to make clear that the District's duty to perform the issuance of permits, or to take enforcement actions as set forth in the Code, is limited to providing a reasonable level of fire and life safety.

## **SECTION III -DEFINITIONS:**

**Agricultural Burning:** Agricultural burning is limited to genuine agricultural waste. Agricultural waste is material generated by an agricultural operation that uses, or intends to use, land primarily for the purpose of obtaining a profit by raising, harvesting and selling crops or raising and selling animals (including poultry), or the products of animal husbandry. Prohibited materials can't be burned, even in an agricultural setting. Agricultural burning must be an integral and necessary part of the agricultural activity. The agricultural activity might include clearing of land but does not include the construction and use of dwellings. Burning associated with a dwelling is considered to be residential burning and requires a residential burn permit.

**Approved Container:** A heavy metal container (portable fire pits, with no rust holes in sides or bottom and with screening material over the top and any ventilation holes; or other devices that contain sparks or embers from leaving container.

**Bonfire:** An outdoor fire utilized for ceremonial purposes that is larger than a maximum of 3 feet in diameter by 2 feet in height.

**Burning Season:** Means the timeframe from October 1 through June 1. Certain restrictions and limitations may apply.

**Clean wood:** means natural wood which has not been painted, varnished or coated with a similar material; has not been pressure treated with preservatives; and does not contain resins or glues as in plywood or other composite wood products.

**Construction and demolition waste:** means building waste materials, including but not limited to waste shingles, insulation, lumber, treated wood, painted wood, wiring, plastics, packaging, and rubble that results from construction, remodeling, repair, and demolition operations on a house, commercial or industrial building, or other structure.

**Daylight hours:** Means the time between 8:00am and two hours before sunset.

**District:** Redmond Fire & Rescue

**Fire Chief:** The chief officer of the fire department serving the jurisdiction, or a duly authorized representative.

**Haines Index:** It is used to indicate the potential for wildfire growth by measuring the stability and dryness of the air over a fire. It is calculated by combining the stability and moisture content of the lower atmosphere into a number that correlates well with large fire growth. The stability term is determined by the temperature difference between two atmospheric layers; the moisture term is determined by the temperature and dew point difference. This index has been shown to be correlated with large fire growth on initiating and existing fires where surface winds do not dominate fire behavior.

**Open burning:** The burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. Open burning does not include road flares, smudge pots and similar devices associated with safety or occupational uses typically considered open flames, recreational fires or use of portable outdoor fireplaces. For the purpose of this definition, a chamber shall be regarded as enclosed when, during the time combustion occurs, only apertures, ducts, stacks, flues or chimneys necessary to provide combustion air and permit the escape of exhaust gas are open.

**Portable outdoor fireplace:** A portable, outdoor, solid-fuel-burning fireplace that may be constructed of steel, concrete, clay or other noncombustible material. A portable outdoor fireplace may be open in design or may be equipped with a small hearth opening and a short chimney or chimney opening in the top.

**Recreational fire:** An outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbeque grill or barbeque pit and has a total fuel area of 3 feet (914 mm) or less in diameter and 2 feet (610mm) or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

#### **SECTION IV-GENERAL**

A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with this ordinance and the specific conditions listed on the permit. No person shall burn prohibited materials as described by the Fire District burn permit and Oregon Department of Environmental Quality (DEQ).

**Prohibited open burning.** Open burning shall be prohibited when atmospheric conditions or local circumstances make such fires hazardous.

- a) Open field burning shall not be allowed on lots larger than 5 acres that do not meet the State of Oregon's definition of agricultural burning. See definition above. A special permit may/may not be issued by the Fire Chief after an on-site inspection of the proposed open field burn site.



- b) Open burning within the City limits of Redmond shall be prohibited with the exception of recreational fires located at one and two-family dwellings that are in compliance with section 3 of this ordinance.
- c) Open burning of agricultural fields conducted within one-eighth (1/8) of a mile adjacent to Highway 97 may not commence until a Deschutes County Sheriff's deputy, other law enforcement officer or certified flaggers have arrived to assist with traffic control should any smoke intrusion obstruct highway visibility. Open burning of agricultural fields is prohibited within one-eighth (1/8) mile adjacent to Highways 126 and 97. Flaggers are required for all open field burning adjacent to county roads.
- d) Burning shall not be allowed when any one of the following conditions exist:
  - 1. Temperature above 95 degrees Fahrenheit
  - 2. Wind speed above 10 miles per hour
  - 3. Humidity below 20%
  - 4. Haines Index of 5 or greater
  - 5. Industrial Fire Precaution Level (IFPL) of III
  - 6. Red Flag Days
- e) Burning shall not be allowed at night.  
 Exceptions: recreational fires and portable outdoor fireplaces that are in compliance with Section VII of this ordinance
- f) No person shall burn on any given day without first calling the recorded burn line message and utilizing the Burn Permit App located on the Redmond Fire & Rescue website.  
 Exceptions: bonfires, recreational fires and portable outdoor fireplaces that are in compliance with Section VII of this ordinance.

## SECTION V-PERMIT

**Permit required.** An application for a permit shall only be presented by and permits shall only be issued to the owner of the land upon which the fire is to be kindled, or person with proof of legal authority over such land. A permit shall be obtained from the Fire Chief or a duly authorized representative prior to kindling a fire for any of the following:

- a) Open burning outside the City limits of Redmond.
- b) Bonfires
- c) Agricultural burning
- d) Ceremonial Fires

Exceptions: Open burning for agricultural purposes: No person shall burn on any given day without first calling the recorded burn line message and utilizing the Burn Permit App located on the Redmond Fire & Rescue website. As a courtesy, please contact the

non-emergency dispatch at 541-693-6911 before burning to lessen any unnecessary responses to agricultural controlled burns.

Agricultural burning is usually allowed anywhere in the state, unless fire safety concerns restrict or prohibit burning on a given day.

Agricultural burning is limited to genuine agricultural waste. Agricultural waste is material generated by an agricultural operation that uses, or intends to use, land primarily for the purpose of obtaining a profit in money by raising, harvesting and selling crops or raising and selling animals (including poultry), or the products of animal husbandry. Prohibited materials can't be burned, even in an agricultural setting.

Agricultural burning must be an integral and necessary part of the agricultural activity. The agricultural activity might include clearing of land but does not include the construction and use of dwellings. Burning associated with a dwelling is considered to be domestic burning, backyard burning, or burning of yard debris and is not part of the farming operation

## **SECTION VI-AUTHORIZATION**

**Authorization.** Where required by state or local law or regulations, open burning shall only be permitted by and with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed.

Authorization to burn by others, may be revoked by the fire district. The fire district reserves the right to prohibit all burning within the fire district when deemed necessary by the Fire Chief or a duly authorized representative when conditions or circumstances make such fires hazardous.

## **SECTION VII-LOCATION AND SIZE**

**Location and size.** The location for open burning shall not be less than 50 feet (15,240 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet (15,240 mm) of any structure where the pile size is a maximum of 6 feet in diameter by 4 feet in height.

Exceptions:

- a. Fires in approved containers that are not less than 15 feet (4572 mm) from combustibles. See fire district Safe Debris Burning Tips pamphlet for approved containers or burn barrels.
- b. The minimum required distance from a structure shall be 25 feet (7620 mm) where the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610mm) or less in height.

**Bonfires.** A bonfire shall not be conducted within 50 feet (15,240 mm) of a structure or combustible material unless the fire is contained in a pit. Conditions which could cause a fire to spread within 50 feet (15,240mm) of a structure shall be eliminated prior to ignition. All bonfires shall be authorized individually and only after an on-site inspection.

**Recreational fires.** Recreational fires shall not be conducted within 25 feet (7620 mm) of a structure or combustible material. Conditions which could cause a fire to spread within 25 feet (7620 mm) of a structure shall be eliminated prior to ignition. These types of fire are not permitted at a commercial business.

**Portable outdoor fireplaces.** Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material. These types of fire are not permitted at a commercial business.

Exception: Portable outdoor fireplaces used at one and two-family dwellings.

## **SECTION VIII-ATTENDANCE**

**Attendance.** Open burning, bonfires, recreational fires and use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

## **SECTION IX- EXTINGUISHMENT AUTHORITY**

**Extinguishment authority.** When any fire creates or adds to a hazardous situation, or a required permit for burning has not been obtained or followed, the Fire Chief or their designee is authorized to order the extinguishment of the fire or have the fire extinguished by fire district personnel.

## **SECTION X-LIABILITY**

**Liability.** Nothing in this ordinance relieves a person starting a fire from responsibility for providing adequate protection to prevent injury or damage to the person or property of another. If such burning results in the escape of fire and injury or damage to the person or property of another, such escape and damage or injury constitutes prima facie evidence that the burning was not safe.

## **SECTION XI-VIOLATIONS AND PENALTIES**

- a) Violation of ORS 476.380 (Fire permits) is a Class A misdemeanor. ORS 478.990 Penalties
- b) Violation of any provision of ORS 478.930 (Violation of code) is a Class D violation. Each day's refusal to remove fire hazards after notice by the inspecting officer to the owner of the premises where the hazard exists is a separate offense.

c) Burning without a permit required under ORS 478.960 (Burning of certain materials permitted only with permission of fire chief) or in violation of a condition thereof is a misdemeanor.

d) Violation of ORS 478.960 (Burning of certain materials permitted only with permission of fire chief) (4) is a misdemeanor.

e) Subject to ORS 153.022 (Authority of agency to specify rule violation as particular level of violation) and 153.025 (Authority of political subdivision to specify ordinance violation as particular level of violation), violation of any rule or regulation made by a rural fire protection district or other public body, as defined in ORS 174.109 (Public body defined), pursuant to ORS 478.300 (Contracting with others to provide facilities and services for fire protection or road lighting)(2) is a misdemeanor.

f) OAR 468A.992 Civil penalties for open field burning violations

In addition to any liability or penalty provided by law, the State Department of Agriculture may impose a civil penalty on any person who fails to comply with a provision of ORS 468A.555 (Policy to reduce open field burning) to 468A.620 (Experimental field sanitization) or any rule adopted thereunder, or a permit issued under ORS 468A.555 (Policy to reduce open field burning) to 468A.620. (Experimental field sanitization), relating to open field burning.

The State Department of Agriculture shall impose any civil penalty under this section in the same manner as the Department of Environmental Quality imposes and collects a civil penalty under ORS 468.140 (Civil penalties for specified violations).

## **SECTION XII-RECOVERY**

**Recovery** by district of costs of suppressing unlawful fire ORS 478.965; attorney fees

a) If the fire-fighting apparatus or personnel, or either of a district, are required to respond and be used actively or on a standby basis in connection with the extinguishment or control of a fire that has been started or allowed to spread in willful violation of ORS 478.960 (Burning of certain materials permitted only with permission of fire chief) (1) to (5), the person responsible therefor shall be liable to the district furnishing such apparatus or personnel, or both, for the actual costs incurred by the district in controlling, extinguishing or patrolling the fire. Such costs may be recovered in an action prosecuted in the name of the district. The court may award reasonable attorney fees to the district if the district prevails in an action under this section. The court may award reasonable attorney fees to a defendant who prevails in an action under this section if the court determines that the district had no objectively reasonable basis for asserting the claim or no reasonable basis for appealing an adverse decision of the trial court.

b) An itemized statement of the actual costs incurred by the district, certified under oath by the Chief Financial Officer of the district, shall be accepted as prima facie evidence of such costs in the action authorized by this section.

**SECTION XIII-VALIDITY**

The District hereby declares that should any section, paragraph, sentence, or word of this ordinance or of the Codes or Standards hereby adopted be declared for any reason to be invalid, it is the intent of the District that it would have passed all other portions of this ordinance independent of the elimination of any such portion as may be declared invalid.

**SECTION XIV-DATE OF EFFECT**

The Board of Directors of the District finds and determines that it is necessary and expedient that the provisions of this ordinance become effective 30 days following adoption, as authorized by ORS 198.570.

First reading by Title only this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Second reading by Title only this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Adopted by vote of the Redmond Fire & Rescue Board of Directors this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Carol Penhollow – Board President

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Diane Cox – District Recorder



# REDMOND FIRE & RESCUE

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## STAFF REPORT

DATE: 5/18/2022

TO: BOARD OF DIRECTORS  
THROUGH: PAT DALE, FIRE CHIEF  
FROM: JODI BURCH, CFO  
FROM: JEFF PULLER, DEPUTY CHIEF  
FROM: MATT LINKER, ENGINEER  
SUBJECT: PROCUREMENT OF COMPRESSOR

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### **Addresses Fire Board Goal:**

Strategic Goal #2: Provide exceptional public safety and emergency services (Fire & EMS).

### **Report in Brief:**

District staff are requesting approval to purchase a Bauer air compressor and fill station system for our SCBAs for approximately \$90,000.

### **Background:**

The District's current high pressure breathing air compressor system, which fills the Self-Contained Breathing Apparatus (SCBAs) bottles, experienced a complete failure in late April. The current system is around 30 years old and was scheduled to be replaced in the coming months.

In the meantime, the District is utilizing a mobile compressor trailer provided by a vendor and our local partner agencies have made their fixed and mobile compressors available to the District when needed.

**Discussion:**

The same internal committee that reviewed the SCBAs also evaluated the compressors provided by Artic, Bauer and MES. The committee compared items such as durability, history, warranties, maintenance, compressor size, availability of parts/technicians, usage by other agencies, lead time, etc..

After careful consideration, the committee is recommending the Bauer Compressor sold by SeaWestern. The Bauer compressor is more expensive than the other compressors evaluated, but it is built specifically for high pressure systems and is therefore more durable and long-lasting. The committee is also recommending the larger compressor size of 25 CFM (cubic feet per minute). The price difference between the 18 CFM and the 25 CFM is minimal for the increase in CFM capacity. The larger compressor will better serve the District as it grows. The vendor expects the compressor to be delivered in around 2-3 months.

<b>Bauer</b>		
<b>Compressor Size</b>	<b>Amount</b>	<b>Notes</b>
Verticon 13	\$ 70,128	
Verticon 18	\$ 82,162	
<b>Verticon 25</b>	<b>\$ 88,595</b>	Recommended

The Bauer compressor can be purchased through National Purchasing Partners procurement group, of which the District is a member. The original request for proposals was issued by the League of Oregon Cities, meets all public noticing requirements, and allows for ‘piggybacking’ by other NPP members. The NPP contract includes a 10% price reduction on Bauer compressors, which is factored into the quote.

**Fiscal Impact:**

The FY 2021/22 budget had \$70,000 for a compressor fill station but it was redirected for the SCBA purchase. This is a critical need and will be in the FY 2022/23 budget.

**Alternative Courses of Action:**

- 1) Do not purchase a compressor and fill station.
- 2) Request additional information.

**Recommendation/Suggested Motion:**

“I move to authorize the Fire Chief to sign the quote with SeaWestern for the Bauer 25 CFM compressor for \$88,595.”