



# FRESNO COUNTY FIRE

PROTECTION DISTRICT

*Honor, Integrity, Cooperation & Professionalism*

## MEMORANDUM

**Date:** 10/31/2018

**To:** Board Directors

**Attn:** Mike Del Puppo  
President

**From:** Fire District Staff

**Subject:** Surplus PPE Donation to Valley Regional Occupational Program (VROP)

## BOARD OF DIRECTOR'S BRIEFING PAPER

### ISSUE:

Staff has recently identified several sets of structural PPE (Personal Protective Equipment) as non-serviceable due to manufacture date of 10 years or more. Valley ROP has requested a donation of PPE that is no longer serviceable.

### BACKGROUND:

The last time the District Board approved a donation to a Regional Occupational Program was September of 2014 when PPE was donated to the Clovis Regional Occupational Program.

### DISCUSSION:

Staff is proposing to donate the non-serviceable PPE to a local Regional Occupational Program to use in their school program. The District has selected Valley ROP to donate the PPE to. Valley ROP serves school districts in Sanger, Parlier, Reedley, Kingsburg, Orange Cove, Selma, and Dinuba. Valley ROP has developed a fire program that exposes their students to a career in the fire service or emergency medical professions. Presently, the District has 35 Structural Jackets and 40 Structural Pants that need to be declared surplus. The donation would be based on the approval and signatures of both the District and the Valley ROP of the attached Hold Harmless Agreement.

**ALTERNATIVES:**

The District does not donate the items and disposes of them.

**IMPACTS** *(Consider potential consequences related to each of the following areas of concern for proposed alternatives):*


- Fiscal – No known impact
- Operational – No known impact.
- Legal – There is a Hold Harmless Agreement for both sides to approve and sign off on if the District Board approves the donation.
- Labor – No known impact
- Sociopolitical – No known impact
- Policy – No known impact
- Health and safety – No known impact.
- Environmental – No known impact.
- Interagency – No known impact.

**RECOMMENDATION:**

Staff recommends that the Board of Directors approve that the structural firefighting clothing listed in the Hold Harmless Agreement in Exhibit A be declared surplus and direct staff to donate the PPE to the Valley ROP. That any Board of Director make a motion to declare the equipment surplus, direct staff to donate to Valley ROP, and direct the Fire Chief to sign the Hold Harmless Agreement on behalf of the District.

**APPROVED:**

  
\_\_\_\_\_  
Josh I. Chrisman, Assistant Chief

  
\_\_\_\_\_  
Date

September 10, 2018

Fresno County Fire District  
210 S. Academy Ave,  
Sanger, CA 93657

Thank you for taking an interest in seeing our students succeed. We work very hard to train our future firefighters using quality equipment and current firefighting tactics. With your donation we will be able to continue to train our students in the same gear that current firefighters use, making the transition from student to actual firefighter that much faster.

Our students are currently in need of turnouts, suspenders, helmets, gloves, structure boots, flash hoods, web gear, hose and nozzles. Anything that your department would be willing to donate, we would greatly appreciate.

Valley ROP is committed to train local students to be firefighters in local departments. We strive to gain their interest early in high school for this great career. If they finish our pathway, they will have had 1 year of structure firefighting, 1 year of wildland firefighting and have become an Emergency Medical Responder before they graduate high school.

Thank you again for your interest,

Rodnie Roberts  
Fire Technology Coordinator  
Valley ROP  
[rodnieroberts@gmail.com](mailto:rodnieroberts@gmail.com)  
(559) 859-0320

## **INDEMNIFICATION AND HOLD HARMLESS AGREEMENT**

1. **PARTIES:**

The parties to this agreement are the Valley Regional Occupational Program (“VROP”) and the Fresno County Fire Protection District (“District”).

2. **FOUNDATIONAL FACTS:**

- A. The District has declared as surplus certain equipment used in the performance of fire rescue and emergency services (“Surplus Equipment”) which are specifically identified in attached Exhibit “A”.
- B. The District is willing to donate and transfer title, possession and custody of designated Surplus Equipment in an “AS IS” condition to VROP.
- C. VROP offers a “ROP Firefighting Technology Course” and has a need for District’s Surplus Equipment in certain educational pursuits as authorized by applicable law and is desirous of obtaining District Surplus Equipment to perform that function.
- D. VROP will accept title and possession Surplus Equipment in an “AS IS” condition and further agrees to indemnify and hold harmless the District as set forth in this Agreement Section 3.A.

3. **AGREEMENT:**

- A. In consideration for the receipt of District Surplus Equipment in an “AS IS” condition the VROP agrees to indemnify, defend and hold the District, its elected officials, agents, officers, employees and attorneys harmless from all damages, costs, fees and other expenses arising from any claim of injury or damage associated with, or claim to be associated with, the use of the District Surplus Equipment.
- B. If litigation is required to enforce the terms of this Agreement, the prevailing party shall be entitled to recover reasonable costs and attorney’s fees.
- C. The individuals executing this Agreement represents and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this Agreement on behalf of the respective legal entities of VROP and the District.
- D. In executing this Agreement, VROP acknowledges receipt of the Surplus Equipment listed in Exhibit A.

In Witness of the forgoing agreement, the parties' authorized representatives have signed below.

DATED: \_\_\_\_\_, 2018

FRESNO COUNTY FIRE  
PROTECTION DISTRICT

By: \_\_\_\_\_  
Mark A. Johnson, District Chief  
Fresno County Fire Protection District

DATED: Oct. 23, 2018

Valley Regional Occupational Program

By:   
Rodnie Roberts, VROP

APPROVED AS TO FORM:

Law Offices of William D. Ross

By:

William D. Ross, Esq.  
Counsel for District

By: \_\_\_\_\_  
\_\_\_\_\_

Counsel for VROP

**EXHIBIT "A"**

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**INDEMNIFICATION AND HOLD HARMLESS AGREEMENT**

**EXHIBIT "A"**  
**EQUIPMENT LIST**

**I. Personal Protective Equipment**

**A. Structural Firefighting Clothing**

- 1. 35 Globe Structural Jacket(s)**
- 2. 40 Globe Structural Pants(s)**