



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Scott P. Johnson

SUBJECT: SEE BELOW

DATE: July 19, 2010

Approved

Date

7/27/10

COUNCIL DISTRICT: Citywide

SUBJECT: DONATION OF TWO SURPLUS FIRE TRUCKS

RECOMMENDATION

Adoption of a resolution authorizing the Director of Finance to donate two surplus Fire Trucks (1981 American LaFrance Water Chief, and a 1990 Mack Pumper) with an estimated cumulative value of \$5,250, to the San Jose Fire Museum; a non-profit organization.

OUTCOME

Preserve fire apparatus history for the education and enjoyment of City of San Jose residents and visitors.

BACKGROUND

The Fire Department has retired the following apparatus from the active San Jose Fire Department fleet because of age, mileage, and overall mechanical condition:

1. 1981 American LaFrance Water Chief Open Cab Ladder Truck with an estimated value of \$3,750.
2. 1990 Mack Open Cab Pumper with an estimated value of \$1,500.

Both the Fire and General Services Departments concur that the vehicles should be retired due to mechanical and operational obsolescence. In addition, the National Fire Protection Association Standards recommends ceasing to operate apparatus manufactured before 1991 because of a lack of safety features.

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The San Jose Municipal Code Section 4.16.250, titled "Donation of property to other agencies or non-profits," states that any surplus property valued in excess of \$1,500 may be donated by the City Council to a public or governmental body or agency, volunteer fire department, or a non-profit corporation. It further provides that all donations shall be made without warranty and requires the transferee to indemnify the City from claims arising out of the condition of the property or its use. On November 18, 2008 (Item 3.6), Council adopted Council Policy #1-20; Donation of Surplus Personal Property ("Donation Policy"). Pursuant to the Donation Policy, no property valued in excess of \$10,000 may be donated.

The value of the vehicles was estimated by obtaining an independent assessment from the City's auction house, analyzing recent City auction receipts, and researching current or recent auction activity on e-Bay for sales of similar apparatus. Based on this analysis, Finance has determined their unit value is less than \$10,000 and therefore they are eligible for donation pursuant to the San Jose Municipal Code and Donation Policy as discussed above.

Pursuant to the Donation Policy, on April 14, 2010, the Rules and Open Government Committee approved Staff's recommendation to authorize the Director of Finance to initiate a 30 day outreach process to organizations that might be interested in submitting an application to receive one or both of the vehicles.

ANALYSIS

On April 16, 2010, Finance released a "Notice of Intended Donation of Surplus Fire Vehicles" and advertised the Notice on the City's e-procurement system. The Notice was also sent directly to volunteer fire departments, local colleges that provide fire technology training programs and a non profit as follows:

Educational Institutions:

- SanJose/Evergreen Community College
- Valley-Mission Community College
- City College San Francisco Fire Academy
- Sacramento Regional Public Safety Training
- Bakersfield College Fire Program

Volunteer Fire Departments:

- Spring Valley Volunteer Fire Dept.
- Uvas Volunteer Fire Department
- Loma Prieta Volunteer Fire & Rescue
- Two Rock Volunteer Fire Department
- Felton Fire Protection District
- Weed Fire Department
- Bay District Volunteer Fire Department
- Bass Lake Volunteer Fire Dept.
- La Honda Fire Brigade
- Muir Beach Volunteer Fire Dept.
- Inter Mountain Fire and Rescue
- San Juan Bautista Volunteer Fire Dept.
- Pacific Grove Fire Dept.
- LeMoore Volunteer Fire Dept.
- Sebastopol Volunteer Fire Dept.
- Bodega Volunteer Fire Dept.
- San Antonio Volunteer Fire Dept.
- CA State Firefighters Association

Non-Profit Organizations:

- San Jose Fire Museum

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Two requests for the vehicles were received from the San Juan Bautista Fire Department and the San Jose Fire Museum by the May 17, 2010 application deadline and are summarized below:

1. The San Juan Bautista Volunteer Fire Department requested the 1990 Mack Pumper stating that they will extend the vehicle's use and purpose in protecting life and property for the residents of the San Juan Bautista community. This donation will replace their even older model 1980 Grumman/GMC truck which has severe and pervasive mechanical problems.
2. The San Jose Fire Museum requested both fire trucks. The Museum's mission is to 1) preserve the history of the San Jose Fire Department, 2) serve the San Jose Fire Chief and the City, and 3) share the preserved collection with the citizens of San Jose.

The complete applications as submitted by the two organizations are attached to this memorandum.

Both potential donees have complied with appropriate verifications regarding status of a Volunteer Fire Department or a 501(c) (3) non-profit organization, and have signed the Disclaimer and Other Conditions of Donation.

SUMMARY

Section 2.a of the Donation Policy states that when evaluating requests for donations, "that priority should be given to organizations on the basis of how likely the donation of surplus personal property will benefit City residents. In general, preference should be given to governmental agencies and volunteer fire departments over non-profit organizations." Pursuant to this direction, Staff recommends the donation of both vehicles to the San Jose Fire Museum, ("SJFM") because the Museum directly benefits City residents by preserving and displaying San Jose's history.

In addition, Section 2.b of the Donation Policy states that the non-profit organization must also meet one of the following guidelines:

- i. The non-profit organization currently provides a service that complements or serves a common client base of an existing City program.
- ii. The donation furthers a special project or geographically focused City effort or benefits a particular group such as the elderly, low income families, the homeless population, or any group or community the City wishes to provide assistance to.

The SJFM provides historic antique fire apparatus, equipment, documents and memorabilia in coordination with SJFD educational events to school age children and other groups. The SJFM docent assists in fire safety education which is also aligned with the emergency preparedness activities performed by the SJFD Office of Emergency Services. The fire truck donations will further the City's arts and cultural venue by working in conjunction with History San Jose Park

(San Jose Historical Museum) at Kelly Park to preserve the history of the City of San Jose. These two non-profits work together to present the City's history year round to community groups including elementary school children and senior citizen groups, including coordination of organized tours of both facilities to the public at large year round

EVALUATION AND FOLLOW-UP

This memorandum will not require any further follow-up from staff.

POLICY ALTERNATIVES

Alternative #1: Sell both Fire trucks through a competitive auction process.

Pros: Raise approximately \$5,000 of revenue for the City.

Cons: The unique attributes of the Fire trucks as first in kind will not be preserved as part of the City's Fire apparatus history and antique collection.

Reason for not recommending: The benefits of donating the vehicles outweigh the minimal revenue that would be generated by selling the vehicles.

Alternative #2: Donate the 1990 Mack Pumper to San Juan Bautista Volunteer Fire Department and the 1981 American LaFrance Water Chief to the San Jose Fire Museum.

Pros: Donating one truck to San Juan Bautista Volunteer Fire Department will extend the 1990 Mack Pumper's useful life in protecting life and property for the San Juan Bautista community by replacing their even older model 1980 Fire truck which is plagued with severe and pervasive mechanical problems.

Cons: The unique attributes and history of this vehicle will not be preserved as part of the City's Fire apparatus history and antique collection.

Reason for not recommending: Donating the 1990 Mack Pumper to the San Juan Bautista Volunteer Fire Department will not benefit the City of San Jose residents.

PUBLIC OUTREACH/INTEREST



Criterion 1: Requires Council action on the use of public funds equal to \$1 million or greater; **(Required: Website Posting)**



Criterion 2: Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**



Criterion 3: Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council



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or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

While this item does not meet any of the criteria above, this memorandum will be posted on the City's website for the August 10, 2010 Council Agenda.

COORDINATION

This memorandum has been coordinated with the Fire and General Services Departments, and the City Attorney's Office.

FISCAL/POLICY ALIGNMENT

This action is consistent with the following Guiding Principles for Budget and Financial Management "Respect community and neighborhood priorities."

COST SUMMARY/IMPLICATIONS

Not applicable.

BUDGET REFERENCE

Not applicable.

CEQA

Not a Project, CEQA Guidelines Section 15061 (b) (3).

/s/

SCOTT P. JOHNSON
Director, Finance

For questions please contact Mark Giovannetti, Purchasing Division Manager, at (408) 535-7052.



Attachment A

DONATION REQUEST FORM

Type of Organization : Government Agency
 Volunteer Fire Department
 Non-Profit Organization

Name of Group/Organization:	SAN JUAN BAPTISTA Volunteer Fire Department	
If Non-Profit, you must be a recognized Internal Revenue Code Section 501 (c) (3) Organization.	<input type="checkbox"/> Yes Attach documentation	<input type="checkbox"/> No
	Tax ID: _-_____	
Contact Name:	CHRIS FINSTAD	Title: Fire Chief
Telephone #:	831-524-2493	Email: Firechief@SAN-JUAN-BAPTISTA.CA.US

Select which item you are requesting:

- | <u>Select</u> | <u>Vehicle Description</u> |
|-------------------------------------|-----------------------------------|
| <input type="checkbox"/> | 1981 American LaFrance Fire Chief |
| <input checked="" type="checkbox"/> | 1990 Mack Pumper |

1. Provide information about your Organization (attach separate page if necessary):

See Attach Page

2. Describe intended use of donation and the benefit to your Organization and City residents to be derived from donated item being requested (attach separate page if necessary):

See Attach Page



Attachment A

In addition, please be aware of the following.

1. When requested to do so, prospective donees will be required to sign the attached Disclaimer Form, which contains conditions applicable to the donation, including an acknowledgement that the donation will be made on an "as is" basis without warranties of any kind and an indemnity in favor of the City.
2. Prior to final selection, prospective donees will be required to inspect the items requested to be donated.
3. Selected donees will be required to pick up the donated property at a designated City facility.

Organization Name: San Juan Baptista Vol Fire Dept.

Signature: _____

Name: Chris Finstan

Title: Fire Chief

Date: 5-1-10



Attachment A

City of San Juan Bautista Fire Department
P.O. Box 1420 – 311 Second St. – San Juan Bautista, CA 95045
(831) 623-4513 Fax (831) 623-9362
www.sjbfd.com



May 1, 2010

Attachment for donation request form San Jose Fire Department

The purpose of this donation request for a 1990 Mack Pumper is to seek a replacement of our aging pumper. Our 1980 Grumman/GMC gasoline engine is not a true type 1 pumper that only a hand full of firefighters can dive due to the fact it is a manual transmission and has hydraulic brakes. This pumper is suffering from various problems; with the most serious being a total collapse of the suspension on the driver's side of the vehicle (resulting in a 6" list) and a transmission that occasionally pops out of gear. The pumper on numerous occasions has not made it back to the station and has had to be repaired or towed back. The fact that this is our second out engine does not allow for the extended maintenance and repairs that would be necessary to alleviate these problems. Along with the annual budget of 25,000 a year for all firefighter expenses, we can not afford to bring this engine up to a reliable service level or replace it.

The San Juan Bautista Volunteer Fire Department was formed in 1868, and has been providing Life Safety services to our community since that time. Due to the fact that we have become a bedroom community to the Silicon Valley, we have seen the demand for our service increase dramatically in the last 20 years, while the cities (and fire department's) financial situation have remained dim. As few as 20-25 years ago, call volume was approximately 30 emergency calls per year, with the projected call volume for 2010 to be around 300 calls for emergency services. The San Juan Bautista Volunteer Fire Department serves the City of San Juan Bautista (population approximately 1700) and through an automatic aid agreement, a 90 square mile area of rural San Benito County with another 2500 (approx.) residents.

The need for a replacement pumper is very high. In addition to the fact that our city has a very historic (old and very flammable!) downtown district with inadequate water supply, our initial attack area includes an area that is rated as having a "Very High" fire hazard severity level with regard to wildland fire, and having one of the highest occurrence of wildland fire in the San Benito County area.

Chris Finstad

Fire Chief
831-524-2493

Attachment B

DONATION REQUEST FORM

Type of Organization:

- Government Agency
- Volunteer Fire Department
- Non-Profit Organization

Name of Group/Organization:	San Jose Fire Museum	
If Non-Profit, you must be a recognized Internal Revenue Code Section 501 (c) (3) Organization.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Attach documentation	Tax ID: <u>51-0427344</u>
Contact Name:	John A. McMillan	Title: President
Telephone #:	831-359-2194	Email: macmhalain@yahoo.com

Select which item you are requesting:

- | <u>Select</u> | <u>Vehicle Description</u> |
|-------------------------------------|-----------------------------------|
| <input checked="" type="checkbox"/> | 1981 American LaFrance Fire Chief |
| <input checked="" type="checkbox"/> | 1990 Mack Pumper |

1. Provide information about your Organization (attach separate page if necessary):

See Attached

2. Describe intended use of donation and the benefit to your Organization and City residents to be derived from donated item being requested (attach separate page if necessary):

See Attached



Attachment B

In addition, please be aware of the following.

1. When requested to do so, prospective donees will be required to sign the attached Disclaimer Form, which contains conditions applicable to the donation, including an acknowledgement that the donation will be made on an "as is" basis without warranties of any kind and an indemnity in favor of the City.
2. Prior to final selection, prospective donees will be required to inspect the items requested to be donated.
3. Selected donees will be required to pick up the donated property at a designated City facility.

Organization Name: San Jose Fire Museum

Signature: John A. McMillan

Name: John A. McMillan

Title: President

Date: May 11, 2010



City of San Jose Donation Request Form Attachment

Question # 1 - Provide information about your Organization:

The San Jose Fire Museum (SJFM) was incorporated in 2002. We were originally created back in the early 1970's and called the San Jose Muster Team. We have a Business Plan, Bylaws and a 501(c)3 non-profit status from the State of California. Our Mission is threefold: 1) preserve the history of the San Jose Fire Department, 2) serve the San Jose Fire Chief and the city and 3) share this preserved collection with the citizens of San Jose.

The organization of the San Jose Fire Department started in 1854. In that year, the City of San Jose officially recognized Hook & Ladder No. 1 and then Empire Engine Co. No. 1. These two companies still exist today as Engine Co. No. 1 and Aerial Ladder Truck Co. No. 1 and they are the foundation of the San Jose Fire Museum's effort to preserve the city's history.

The Museum possesses one of the finest collections of fire apparatus, tools and equipment -- largely specific to the City of San Jose. The collection spans the fire department's long, 156-year history. We average at least one tour per month and our total number of guests visiting the SJFM averages about 40 people per month. We also reach out to the community by doing public service events throughout the City of San Jose.

Question #2. - Describe the intended use of donation and the benefit to your Organization and City residents to be derived from donated items being requested.

The SJFM is sending this letter to officially request the transfer of Equipment # 53056 & Equipment # 53046 to the SJFM to become a permanent part of the history of the San Jose Fire Department.

Equipment # 53056 is a 1990 Westates Mack 1500 GPM Pumper that originally served as Fire

Engine No. 1 at Old Fire Station One on Market Street and would become the seventh generation of Engine Company No. 1 in our collection. This engine has a very exciting and interesting place in our Department's history. It introduced major safety and technological improvements with firefighter jump seats located behind the cab's front seat for firefighter safety and pre-connect hose lines for quick attack at emergencies. This fire engine fought many major fires in downtown San Jose and helped save the lives and property of countless citizens.

Equipment #53046 is a 1981 American LaFrance 75-ft. Water Chief aerial ladder truck. This vehicle is unique to our history because it was the first aerial ladder truck that contained a fire pump. As such, it was capable of pump operations along with truck operations – a first for the Department. The design and ideas that went into this apparatus remain as the basis of design for all of the aerial ladder trucks in service today.

Someday, this seemingly modern technology will become our history. But nothing gets old without first being preserved and we do not want to lose this important opportunity. We want to tell the stories about both apparatus and share them with our community and visitors.

The SJFM has a Business Plan that includes a master plan of how the history of the San Jose Fire Department is organized and presented to the public. Part of this plan includes collecting and displaying apparatus that served at Fire Station One. Our Board of Directors has set a goal of collecting a Fire Engine that served every 10 years and an aerial truck that served every 20 years at Fire Station One. There were four Fire Station One's in our city's history, so one can imagine how many Engine Ones and Truck Ones there were in service during this time. In fact, we now have six generations of Fire Engine One in our collection dating back to the late 1800's. We also want to display unique apparatus (like the Water Chief) that were significant milestones in truck operations. Both of these apparatus made important and historic contributions to serving the citizens of San Jose and we feel they should be preserved and put on display for the public to see.

Attachment B

May 10, 2010

We are proud to say that we have quite a collection of antique apparatus that is San Jose-specific and adding these two apparatus to the collection will be a significant addition. Thank you for your time and if you or your staff has any questions, I can be reached at: 831-359-2194 or my e-mail address is: macmhalain@yahoo.com.