

**A SPECIAL MEETING OF THE
BOARD OF FIRE COMMISSIONERS OF
EAST PIERCE FIRE & RESCUE**

August 23, 2023

A special meeting of the Board of Fire Commissioners of East Pierce Fire and Rescue held on August 23, 2023, via conference/video call through Zoom. Notice and link to join meeting was posted for public access. Chair Jon Napier called the meeting to order at 6:00 p.m. Present by roll call were Commissioners Cynthia Wernet, Mike Cathey, Pat McElligott, Kevin Garling, Ed Egan, Fire Chief Parkinson, Deputy Chief Kevin Stabenfeldt, District Secretary Corina Byerley, and Finance Manager Michelle Hollon.

Absent: Commissioner Randy Kroum

Audience: Phil Herrera and Attorney Eric Quinn

The purpose of the special meeting was to have a follow-up discussion on Station 118, to call for an Executive Session per RCW 42.30.110(1)(i) to discuss with legal counsel representing the agency litigation or potential litigation, to award the bid for Station 117, and to call for an Executive Session per RCW 42.30.140 (4)(b) to plan or adopt the strategy or position to be taken by the governing body during professional negotiations.

EXECUTIVE SESSION: Chair Napier called for an executive session per RCW 42.30.110(1)(i) to discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency at 6:01 p.m. for 5 minutes.

Meeting reconvened at 6:06 p.m.

Awarding of Station 114 Bid: Chief Parkinson and Project Manager Phil Herrera presented to the Board a request to award the bid for the construction of station 117 to Jody Miller Construction and to begin preparation of a contract for construction to be signed by the fire chief. The fire district closed bidding for the construction of station 117 on August 15, 2023. The district received nine qualified bids, Jody Miller Construction of Tacoma, WA was the qualified low bidder submitting a qualified bid proposal in the amount \$9,266,000 plus tax and a 10% contingency of bid amount. There are no irregularities in the bid submittal. Staff suggest to award the bid for the construction of station 117 to Jody Miller Construction and to begin preparation of a contract for construction to be signed by the fire chief. Commissioner Egan moved to award the bid for Station 117 to Jody Miller Construction in the amount of \$9,266,000 plus tax and a 10% contingency of bid amount and authorize the Fire Chief to sign the contract on behalf of the District. The motion was seconded by Commissioner McElligott and carried.

EXECUTIVE SESSION: Chair Napier called for an executive session Per RCW 42.30.140 (4)(b) to plan or adopt the strategy or position to be taken by the governing body during professional negotiations at 6:12 p.m. for 5 minutes.

Executive session extended at 6:17 p.m. for 3 minutes.

Meeting reconvened at 6:20 p.m.

COMMISSIONER ACTION/DISCUSSION: Upon reconvening the meeting from executive session, the following action was taken:

Rescind the performance award board action from the regular board meeting on 8/15/23: Commissioner McElligott moved to rescind the performance award board action from the regular board meeting on 8.15.23. The motion was seconded by Commissioner Wernet and carried.

Amend Project Manager's Contract: Commissioner Garling moved that Section 3.1.1 of the personal services contract of Phil Herrera be amended to permit a 11.5% pay raise effective September 1, 2023 to be effective through August 31, 2024. The motion was seconded by Commissioner McElligott and carried (Nay-Wernet; Yay-Napier, Garling, Egan, Cathey, McElligott).

There being no further business to come before the Board. Meeting adjourned at 6:23 p.m.


Chair Jon Napier


Corina Byerley, District Secretary