



RALPH M. TERRAZAS
FIRE CHIEF

July 8, 2020

BOARD OF FIRE COMMISSIONERS
FILE NO. 20-059

TO: Board of Fire Commissioners

FROM:  Ralph M. Terrazas, Fire Chief

SUBJECT: DONATION OF HAZMAT TRAINING PROP

FINAL ACTION:	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved w/Corrections	<input type="checkbox"/> Withdrawn
	<input type="checkbox"/> Denied	<input type="checkbox"/> Received & Filed	<input type="checkbox"/> Other

SUMMARY

In support of the LAFD's need for a robust Hazardous Materials Training program, the Union Pacific Railroad Company has graciously agreed to donate a 53' container and chassis full-size prop. The chassis prop will be located at LAFD's Drill Tower 40 facility in an area that specializes in HazMat training. This equipment will allow for multi-faceted training opportunities for LAFD members as well as the for the members of our regional public safety partners.

Submitted in accordance with the Los Angeles Administrative Code, Article 12, Sections 5.111.3 and 5.111.4, which provides for the receipt of gifts and bequests of personal property to be utilized by the Fire Department, not exceeding \$5000.00 in market value shall be submitted to the Board of Fire Commissioners for acceptance or rejection.

RECOMMENDATION

That the Board:

Approve this report and accept the In-Kind Donation from the Union Pacific Railroad Company valued at \$1,000.00 to the Los Angeles Fire Department.

FISCAL IMPACT

There is no fiscal impact to the Department's budget from the acceptance of this donation.

CONCLUSION

The Los Angeles Fire Department benefits tremendously from gracious donations and support provided by the community. The Los Angeles Fire Department acknowledges the Union Pacific Railroad Company for its generosity.

Board report prepared by Peter Sanders, Public Information Director, Community Liaison Office.

Attachment



RALPH M. TERRAZAS
FIRE CHIEF

May 28, 2020

APPROVED

JUN 05 2020

Fire Chief

TO: Ralph M. Terrazas, Fire Chief
THROUGH CHANNELS

FROM: Robert Caropino, Battalion Chief
CBRNE Hazmat Section, Homeland Security Division

SUBJECT: DONATION OF HAZMAT TRAINING PROP – ATRS 20-06-0023

SUMMARY

The Los Angeles City Fire Department (LAFD) has a need for a robust training program that will allow members to train for HazMat missions. A potential HazMat mission that poses a significant safety challenge to both the public and responders is a Chassis container emergency.

RECOMMENDATION

It is respectfully requested that Fire Chief Ralph M. Terrazas sign the accompanying donation agreement from the Union Pacific Railroad Company.

FINDINGS

The attached donation agreement requests that Union Pacific Railroad Company donate a 53' container and Chassis full size prop. This Chassis prop will be placed in the appropriate area at Drill Tower 40 on a piece of property that has been obtained as a collaborative effort with LA Port Police. Drill Tower 40 is a multi-use property that facilitates specialized HazMat training. This equipment will allow for multi-faceted training opportunities for our members as well as the members of our surrounding regional partners. After the successful installation of the Chassis prop, HazMat teams have the ability to train on a variety of emergencies. The use of this prop is intended to build upon existing relationships with regional response partners from the LA Port, LA Refineries, and local HazMat teams.

COMPANY/STATION/UNIT COMMANDER	DATE	EMS BATTALION CAPTAIN	DATE	BATTALION COMMANDER	DATE	DIVISION COMMANDER	DATE
						<i>Paul</i>	6/4/20
BUREAU COMMANDER	DATE	EMERGENCY OPERATIONS COMMANDER	DATE	ADMINISTRATIVE OPERATIONS COMMANDER	DATE		
		<i>Ann</i>	6/4/20				

Ralph M. Terrazas, Fire Chief
May 28, 2020
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CONCLUSION

This project is another effort towards fostering a regional Hazmat Training Center. The positive aspects and future implications will ensure more intra-agency and department training that addresses the specific hazardous in the region.



Robert Caropino, Battalion Chief
CBRNE Hazmat Section

Attachment

RECEIVED
20 JUN -4 AM 8:18
EMERGENCY OPERATIONS

DONATION AGREEMENT

This Donation Agreement (the "Donation Agreement") dated May 28, 2020, is entered into between UNION PACIFIC RAILROAD COMPANY (the "Donor") and Los Angeles Fire Department (the "Recipient").

WHEREAS, the Donor has in its possession a 53 Foot Container and Chassis, as more fully described in the attached Exhibit A (the "Equipment").

WHEREAS, the Recipient wishes to receive the Equipment as a donation from the Donor and the Donor wishes to donate the same to Recipient.

1. Liability. The Recipient assumes all risk associated with the receipt of the Equipment and agrees to release, defend, indemnify and save harmless the Donor, its successors and assigns, from and against any and all liability, suits, claims, damages, judgments, cost (including, without limitation, attorneys' fees), losses outlays and expense (the "Liability") growing out of, caused by or contributed to by, or arising in any way whatsoever from the Equipment, including without limitation, liability growing out of, caused by or contributed to by, or arising in any way whatsoever from (1) the use of the Equipment; (2) the nature, fitness, design, condition or state of repair of the Equipment (or defects therein or thereof); (3) title to the Equipment; (4) any other cause or causation whatsoever, regardless of the negligence (whatever sole or otherwise), if any, of the Donor, its agents, servants employees or invitees; or (5) any environmental condition or contamination attributable to the Equipment, including scrapping, recycling or transportation.

2. Title to the Goods. The title to the Equipment that the Donor has shall pass to the Recipient upon delivery of the Equipment to the Recipient, which delivery shall be evidenced by execution of this Donation Agreement.

3. Risk of Loss. The risk of loss of the Equipment is passed by the Donor to the Recipient immediately upon execution of this Donation Agreement.

4. Donor Makes No Warranties. THE EQUIPMENT DONATED PURSUANT TO THIS DONATION AGREEMENT IS DELIVERED "AS IS" AND WITH ALL FAULTS, AND AS THERETO THE DONOR NEITHER MAKES NOR IMPLIES ANY WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE AND WARRANTY OF TITLE TO THE EQUIPMENT.

5. Subcontracting/Assignment. The parties may not assign their obligations under this Donation Agreement unless it shall first obtain the written approval of the non-assigning party.

6. Governing Law-Choice of Forum. The parties' respective rights and obligations hereunder are governed by the laws of the State of Nebraska, located in Douglas Country, Nebraska, and the parties consent to said courts' jurisdiction over the parties and the subject matter of said dispute and to proper venue in said courts.

NOW THEREFORE, the Donor agrees to donate the Equipment to the Recipient in consideration of the terms herein set forth.

UNION PACIFIC RAILROAD COMPANY

By: Paul Holt

Printed Name: PAUL HOLT

Title: MANAGER HAZARDOUS MAT.

Los Angeles Fire Department

By: Ralph J. Terrano

Printed Name: RALPH J. TERRANO

Title: FIRE CHIEF

EXHIBIT A

Union Pacific Railroad will donate a condemned 53' container and chassis to the Los Angeles Fire Department for training purposes. HazMat teams can train for a variety of emergencies. The use of this prop is intended to build upon existing relationships with regional response partners from the LA Port, LA Refineries, and local HazMat teams.

Below is a picture of a similar container and chassis prop.



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