

Item Title: Approval of Utilization Agreement for Fuquay-Varina Fire Station #4

Specific Action Requested:

That the Board of Commissioners authorize the County Manager to execute a Utilization Agreement between Wake County and the Town of Fuquay-Varina providing for the County's use of a portion of the Fuquay-Varina Fire Station #4 for Wake County Emergency Medical Services operations with a term of 40 years, subject to terms and conditions acceptable to the County Attorney.

Item Summary:

Purpose: North Carolina General Statutes require the Board of Commissioners to approve all Interlocal Agreements, Funding Agreements, Utilization Agreements, and land rights documents that are associated with construction projects.

Background: In November 2021, the Board of Commissioners approved a Memorandum of Understanding with the Town of Fuquay-Varina to jointly fund construction of Fire Station #4. The station will include space for an EMS crew and ambulance. In August 2022, The Board approved an interlocal agreement outlining the construction cost-share. Capital costs were based primarily on the share of square footage to be used by the town and county.

Staff recommend the Board approve this action, which is a use agreement outlining the allocation of operating costs. The recurring costs, such as utilities and maintenance, will be allocated pro rata based on square footage used.

Strategic Plan: This action supports Safer Community Together Goal 1: By 2029, 80% of all County public safety calls will receive an appropriate and timely emergency response.

Fiscal Impact: The County will pay an allocation annually to the Town of Fuquay-Varina for incurred operating and maintenance expenses based on the allocation percentages of occupancy (19%) per the terms in the Utilization Agreement as described in the Interlocal Agreement. Funds for this allocation are appropriated in the EMS General Fund budget for FY 2026.

Additional Information:

In 2020, the Town of Fuquay-Varina purchased property at 4821 Wade Nash Road for a new Fire Station. The Town desired to continue collaborative public safety efforts by partnering with Wake County EMS to maintain and expand the assignment of Wake County EMS and staff in the Town.

An Interlocal Agreement was developed between the County and Town of Fuquay-Varina for development of this project. This document set forth the agreement between the parties to undertake the co-located construction of the Fuquay-Varina Fire Station #4 and Wake County EMS Facility on property owned by the Town. The Town of Fuquay-Varina served as the lead agency to manage design, development, and construction of the project. The County reimbursed the Town with a simple lump sum payment at the final completion for the Wake County EMS's portion of the project totaling \$1,555,607 (\$72,200 was previously paid to the Town for design costs) from the Public Safety Capital Improvement Projects (CIP) Element of the County Capital CIP Fund. The Wake County Fire Services District also provided design and construction funding for this station to the Town of Fuquay-Varina from Wake County Fire Service District CIP Fund.

On July 11, 2022, the Town of Fuquay-Varina awarded a guaranteed maximum price contract amendment for construction of the project and approved the Interlocal Agreement between the County and the Town of Fuquay-Varina. Construction of the project was completed in the Summer of 2023 and occupancy of the Station occurred in early 2024.

The Town of Fuquay-Varina provides fire services to its residents, and pursuant to a Fire Services Protection Agreement with Wake County, provides fire services within an area of the County known as the "Response District". Town fire services and County EMS services are co-located in Fuquay-Varina Fire Station #4 resulting in efficient and enhanced provision of fire and EMS services for the citizens of the County and Town.

As described in the Utilization Agreement, the County shall have the use of the Fuquay-Varina Fire Station #4 for EMS purposes for 40 years at no cost other than a proportionate share of maintenance and operations for EMS space.

Wake County provided all furniture and equipment for the exclusive use of EMS and shall retain ownership of that furniture and equipment provided.

Attachments:

1. Interlocal Agreement