

OFFICE OF THE CITY MANAGER
DES MOINES, IOWA

ITEM 48

CITY COUNCIL COMMUNICATION 97-044
JANUARY 27, 1997 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
MUTUAL AID FIRE AGREEMENT WITH POLK COUNTY FIRE FIGHTER'S ASSOCIATION	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JAMES HUNT FIRE CHIEF

SYNOPSIS —

In response to a letter dated June 7, 1996, from Al Snyder, President of the Polk County Fire Chief's Association, the City Manager submitted a communication to Council at the June 17, 1996 meeting recommending that Council reconsider and re-establish mutual aid fire agreements with the neighboring communities. By Roll Call Number 96-2236, Council voted to receive and file and referred the issue to the Fire Subcommittee and the City Manager for review and recommendation.

On November 12, 1996 and January 23, 1997, the Council Fire Subcommittee met to discuss the possibility of re-entering the mutual aid fire agreements by reinstating our membership to the Polk County Fire Fighter's Association. Their recommendation is attached.

FISCAL IMPACT —

Attached is the Risk Manager's and the Legal Department's risk and liability analysis of the mutual aid fire agreements. The cost to the City would include the \$20 yearly membership fee for the Polk County Fire Fighter's Association and the increase in insurance premium by \$1,000, at a total cost of \$1,020.

To supply the amount of personnel and equipment needed to manage all of the City's fire risk would be cost prohibitive. A mutual aid fire agreement would be cost beneficial for those rare occasions when the Fire Department is unable to manage critical situations.

RECOMMENDATION —

Approval.

BACKGROUND —

In 1975, the City of Des Moines signed a mutual aid agreement for emergency assistance to be provided by the Polk County Fire Fighter's Association. The City's participation in the agreement was terminated by Council as a matter of policy following a lawsuit against the City arising out of a mutual aid response by the Fire Department to a chemical spill in Saylor Township. Subsequently, an intergovernmental 28E agreement with extensive liability protection was created by the City Council for Haz Mat response only. The only mutual aid agreement that currently exists between the City and any surrounding jurisdiction is that agreement with the City of West Des Moines.

The absence of a mutual aid agreement has the potential of affecting emergency responses to alerts at the airport and the willingness of surrounding jurisdictions to assist the City during major emergencies or disasters. Assistance would be needed in the event of a mass casualty airplane disaster, as well as other regional emergency. The mutual aid fire agreements provide for better response, elimination of much of the duplication of specialized apparatus, and for better relations with the community and surrounding areas. The attached memo outlines the resources, both technical and financial, that the surrounding cities provide.

Attachments

January 27, 1997

The Honorable Mayor
and
Members of the City Council
City of Des Moines



OFFICE OF THE CITY COUNCIL
CITY HALL
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DES MOINES, IOWA 50309-1891
(515) 283-4944

ALL-AMERICA CITY 1949, 1976, 1981

PRESTON A. DANIELS, AT-LARGE
GEORGE E. FLAGG, AT-LARGE
THOMAS D. VLASSIS, FIRST WARD
MIKE McPHERSON, SECOND WARD
CHRIS HENSLEY, THIRD WARD
GENE PHILLIPS, FOURTH WARD

ARTHUR DAVIS
MAYOR

On November 12, 1996 and January 23, 1997, the Fire Sub-Committee met to consider the re-establishment of mutual aid fire agreements with the surrounding communities.

After reviewing materials provided by Fire Chief Jim Hunt, and receiving an analysis by the City's Risk Manager, Mark Shultz, this committee recommends that the City Council authorize the City to re-enter the mutual aid fire agreements with our neighboring communities. This is to be done by the City's Fire Department becoming a dues-paying member of the Polk County Fire Fighter's Association (a \$20 yearly fee), and increasing the City's liability coverage (increasing the insurance premium by \$1,000).

Respectfully submitted,

Handwritten signature of Gene Phillips in cursive.

Gene Phillips
Ward IV Council Member

Handwritten signature of Tom Vlassis in cursive.

Tom Vlassis
Ward I Council Member

Handwritten signature of Mike McPherson in cursive.

Mike McPherson
Ward II Council Member

CITY OF DES MOINES, IOWA
OFFICE OF
RISK MANAGEMENT

DEC - 9 1996

MANAGER'S OFFICE

TO: Eric Anderson
City Manager

DATE: December 6, 1996

FROM: Mark J. Schultz *MJS*
Risk Management Coordinator

RE: Polk County Firefighters
Association - Mutual Aid
Agreement

I reviewed the Polk County Firefighters Association's Mutual Aid Agreement and I have discussed it with Carol Moser of the Legal Department. Because the nature of every fire is unique depending on the type of structure, building contents, point of origin, etc., I do not believe that participating in this Agreement would expose City personnel or equipment to any risks which are not present every day when responding to fires within the City of Des Moines. However, when the City entered into the mutual aid agreement for HazMat services, I have been told that the Council desired that the City's \$450,000 self-insured retention associated with Workers' Compensation be covered through an insurance policy if an injury occurred while the Haz Mat team was responding to an incident outside the City. Because the number of times the City responded to mutual aid requests prior to terminating participation in this agreement were minimal, the same insurance carrier providing the insurance for HazMat has agreed to extend that coverage to all City Firefighters who respond outside of the City to a mutual aid request. If the Council is of the same mind on this issue, the addition of these personnel will increase the annual premium by about \$1,000.

In addition, there are some changes to the Agreement that Carol Moser considers desirable if revising the current Agreement is an available option. Those changes include:

1. Making the language of the Agreement gender neutral.
2. Clarifying which party is being indemnified, specifically naming the City of Des Moines.
3. Including a definitions section which would include definitions of "Visiting Unit" and "Requesting Party."
4. Adding greater specificity to Section 8 in describing who is liable for what or whose property and equipment.
5. Clarifying the roles of supervision to include that the Fire Chief of the Requesting party is in charge generally of the units responding to the fire and their unit assignments for fighting the fire, but that the supervision of individual personnel within the Visiting Unit is solely that of the Visiting Unit's supervisory personnel at the scene.

How, or whether or not, these changes are made depends on what approach the City Council wants to take in renewing participation in a mutual aid agreement. Carol Moser identified the available approaches as:

1. The City Council, by resolution, could simply approve the City's re-entering the existing Agreement. This would preclude the City from making any of the changes identified above.
2. The City Council could enter into a separate agreement with the Polk County Firefighters Association, thus creating a separate agreement which would include all of the "boiler plate" the City would normally require and would be signed by the City of Des Moines and the President of the Polk County Firefighters Association on behalf of all of its members.
3. The existing Agreement could be amended to allow the City to re-enter and to make the changes desired by the City. If this approach is taken, the amendment would have to be approved by the governing body of each party to the agreement and signed by each.

In summary, there does not appear to be any unusual or unique liability exposure that would cause me to advise against entering into this agreement. There are several changes to the existing Agreement that would consider desirable, however, this depends on the approach Council desires to take in renewing participation in a mutual aid agreement. If the Council desires to insure what is currently the City's \$450,000 Workers' Compensation self-insured retention, this coverage is available.

Please advise Carol Moser of any action you would like her to take regarding the preparation of this agreement. Also, please notify me if extending the current HazMat coverage to include the Workers' Compensation self-insured retention exposure for this agreement is desired and I will make it so as of the effective date of the agreement.

cc Carol Moser, Assistant City Attorney
Jim Hunt, Fire Chief
Pam McAdams, Administrative Intern

CITY OF DES MOINES, IOWA

Office of
City Manager

To: Eric A. Anderson
City Manager

Date: November 8, 1996

From: Pamela S. McAdams
Administrative Intern

Subject: Mutual Aid Fire Agreement

On June 17, 1996, Council Member George Flagg raised several questions on Agenda Item No. 95, a communication from the City Manager regarding Mutual Aid Fire Agreements. The attached questionnaire went to all community fire departments that would enter into the agreement. The following is a summary of the information that was gathered.

Altoona

The Altoona Fire Department is composed of 35 volunteers and one full-time employee. They do run their own ambulance service with two paramedic equipped units. In addition to these two units, they have two pumpers with six-person cabs (1500 gpm and 1250 gpm, both 1200 gallon), a 1989 mini pumper (350 gpm, 300 gallons), a 1973 pick-up grass buggy, and a 1959 75-foot aerial ladder.

Ankeny

The Ankeny Fire Department has one part-time employee, two full-time employees, and 50 volunteers. Currently they have two units for their ambulance service, one 95-foot Platform with a 1500 gpm pump, three pumpers (1000 gpm, 1250 gpm, and 1500 gpm), one tanker (1000 gallons), one 4x4 Quick Attack Vehicle, one Medical Rescue vehicle, and one boat.

Clive

The City of Clive Fire Department shares nine full-time employees and 14 volunteers with the West Des Moines Fire Department. Additionally, they have two full-time employees and 36 volunteers of their own. To provide ambulance services, they have one Type III Advanced Life Support (ALS) vehicle and one paramedic, first response vehicle. Their equipment consists of a 1984 pumper (1500 gpm), a 1994 74-foot ladder, a 1990 Attack Vehicle (250 gpm; scheduled for replacement 11/96), and a 1976 3/4 ton utility vehicle (2000 gallons, 350 gpm nozzle). The Clive Fire Department shares a 1992 1500 gpm pumper and a 1995 95-foot aerial (1500 gpm) with the West Des Moines Fire Department.

Delaware Township

The Delaware Fire Department is composed of 25 volunteers that provide fire protection, as well as defibrillation ambulance service (soon to be upgraded). Their equipment supply includes an Attack pumper 4x4 (250 gpm tank and pump), a six passenger cabpumper (750 gpm tank and pump), a 750 gpm pumper with a 500 pump, a 1400 gallon tanker with two 1500 gallon port tanks, and an ambulance.

Elkhart

The Elkhart Fire Department is staffed by 15 volunteers. They provide no ambulance services, but their equipment supply consists of a 4-wheel drive grass unit with a 150-foot booster line (250 gallon tank), two pumpers (1000 and 500 gpm, 500 and 750 gallon tanks), a 1000 gallon quick dump tanker, and a First Responder Unit. (All units have Polk County Fire and Mutual Aid Radios.)

Mitchellville

The Mitchellville Fire Department's staff consists of 20 volunteers that run one ALS Provisional Paramedic ambulance, two attack trucks equipped for grass fires, and two pumper tankers with 1000 gallon capacity and 700 gpm pumpers.

Pleasant Hill

The Pleasant Hill Fire Department operates one 1995 ambulance (paramedic equipped), one 1983 ambulance (paramedic equipped), one 1983 engine (1500 gpm pump, 750 gallon water tank), one 1990 tanker/pumper (1000 gpm pump, 1250 gallons of water), one 1970 65' aerial (750 gpm pump and 300 gallons of water), one 1977 4x4 attack unit, and one 1972 ambulance (used as a confined space/high angle rescue unit). Their staff consists of one part-time and 29 to 34 volunteers.

Saylor Township

With 20 volunteers, the Saylor Fire Department operates one aerial (52-foot), one engine, two tankers (1200 and 1000 gallons), one attack vehicle with the Jaws of Life, and two vehicles for the ambulance service.

Urbandale

The Urbandale Fire Department has 60 volunteers: 46 Firefighters and 48 for the EMS services. Their apparatus includes four engines, one 100-foot ladder, two attack vehicles, three ambulance vehicles, and the chief's car.

Windsor Heights

The Windsor Heights Fire Department is staffed with one full-time employee (the chief) and 30 paid-on-call Firefighters. Two (a 1984 and a 1994) custom pumpers (1500 gpm and 500 gallon), a 1972 custom pumper (1000 gpm and 500 gallon), a 1991 custom rescue/truck combination, a 1991 ambulance, a 1979 stepvan, and a staff car equipped as a first responder are their current vehicles in service.

Because the City of Des Moines Firefighters are covered under the State Police/Firefighter's Disability/Retirement of Civil Service Program, and the Mutual Aid Agreement sets forth that all departments are to insure their own personnel, none of the participating fire departments would cover the cost of injury or death to a Des Moines Firefighter.

Benefits

The following were cited as benefits to entering into the Mutual Aid Fire Agreement:

- Knowing who you can depend on when the time comes, and vice versa.
- Major regional disaster/mass casualties.
- Airport/airplane disaster assistance.
- Extra man power on call when needed.
- Handle different kinds of fire emergencies.
- Use of extra SCBA (Self Contained Breathing Apparatus) air bottles.
- Public Relations with community and surrounding areas.
- Liability issues are addressed prior to alarm.
- Cost effectiveness.
- Equal participation.
- No one department can be an island unto itself.
- Elimination of some duplication of apparatus types.
- Better response.

Revenue Spent on Fire

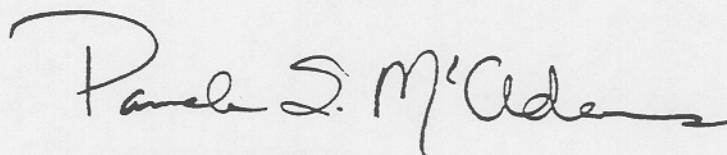
Also at that Council meeting, George Flagg requested additional revenue information from the potential mutual aid fire agreement participants. That memo (attached) was also sent to those communities. The following is a representation of the information received:

MUTUAL AID FIRE AGREEMENTS: PROPERTY TAX REVENUE SPENT ON FIRE SERVICES

CITY	YEAR	AMOUNT	PERCENT	OTHER SOURCES
Ankeny	1995	\$358,208	6.2	NA
	1996	\$454,836	8.1	NA
	1997	\$456,346	7.8	NA
Bonderant	1995	\$12,499	3	Township Payments
	1996	\$9,394	1.84	"
	1997	\$1,515	0.28	"
Clive	1997	\$815,448	25.2	Fees for Service
Grimes	1997	\$61,946	8.9	NA
Indianola	1995	\$221,315	11.3	Township Payments
	1996	\$302,735	13	"
	1997	\$296,000	12.7	"
Mitchellville	1995	\$2,700	18.7	NA
	1996	\$38,400	18.8	EMS Funding
	1997	\$39,495	17.6	"
Pleasant Hill	1997	\$208,487	8.8	Four-Mile Twp Fees
Polk City	1994	\$22,090	9.75	NA
	1995	\$28,422	12.87	NA
	1996	\$19,016	8.79	NA
Urbandale	1995	\$327,137	NA	NA
	1996	\$404,170	NA	NA
	1997	\$538,039	6.82	NA
Waukee	1997	\$50,070	4.6	Township Payments
West Des Moines	1995	\$1,630,390	NA	NA
	1996	\$2,399,100	NA	NA
	1997	\$1,826,950	NA	NA

At this time, it may be appropriate to reenter the Mutual Aid Fire Agreements. All that would be required is to pay the \$20 membership fee to the Polk County Fire Fighters Association. After which we can explore alterations/changes to specific agreements. I agree, as suggested by Council Member George Flagg, that this should be reviewed by the Fire Sub-Committee.

If you need additional information, please do not hesitate to contact me.



Pamela S. McAdams
 Administrative Intern

PSM/jmw

Attachments

August 2, 1996

Marilyn McElderry
City of Bloomfield
111 West Franklin
Bloomfield, Iowa 52537-1696

Dear Ms. McElderry:

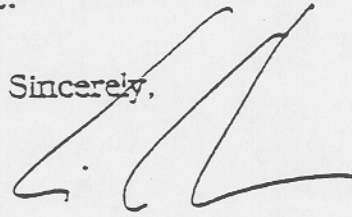
The Des Moines City Council is considering the adoption of a 28E Agreement with surrounding cities to provide mutual aid and assistance in emergency situations. In their discussion of this matter at the June 17, 1996, Council meeting, members raised several questions regarding revenues for fire services.

Would you please answer the following questions for the last three years:

- What amount of property tax revenue is spent on Fire Services?
- What percent of the tax levy is this amount?
- Are there any other dedicated revenue sources for Fire Services besides property tax?

My fax is (515) 237-1300. If you have questions or need additional information, please do not hesitate to contact Pamela McAdams in this office.

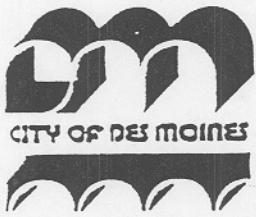
Sincerely,



Eric A. Anderson
City Manager

EAA/PSM/jmw

cc: Fire Services Coordinator



OFFICE OF THE CITY MANAGER
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100 EAST FIRST STREET
DES MOINES, IOWA 50309 • 1891
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ALL AMERICA CITY 1949, 1976, 1981

CITY OF DES MOINES - FIRE DEPARTMENT SURVEY FORM

1. Please describe what kind of equipment you have? Please include size, style, nature, abilities and types of trucks.

2. Do you run your own ambulance service? If so please give number of ambulances that you would have available?

3. Would your city reimburse us in the case of a permanent disabling injury or a death to one of our firefighters while answering one of your calls?

4. Since Des Moines has a full-time fire department, what are the advantages to your participating in a fire mutual aid agreement?

5. How many full-time employees do you have: _____

Part time: _____ Volunteers: _____