CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: December 12th, 2016

ITEM: Approve the 28E agreement for fire/rescue and emergency medical service mutual aid in Polk County and the listed adjoining counties.

FINANCIAL IMPACT: None.

BACKGROUND: At the June 1, 2015 council meeting, a 28E agreement was approved for mutual aid assistance that covered all 29 municipalities that are members of the Polk County Fire Chiefs association.

That agreement did not include a billing provision that allowed for responding enties to bill the municipality receiving aid for services. Under the old 28E, costs associated with operations could only be recuperated by the receiving municipality if the incident qualified for State or Federal aid.

This agreement not only allows for billing by all responders who are on scene over 12 hours it also expands the coverage to the adjoining counties of Boone, Dallas, Jasper, Madison, Marion, Marshal, Story and Warren County. This agreement was vetted through the Polk County Fire Chiefs Association with input from the Polk County Emergency Management Commission.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION: Approve and authorize the 28E agreement for fire/rescue and emergency medical service mutual aid in Polk County and adjoining counties.

Lead Staff Member: Craig Leu, Fire Chief

STAFF REVIEWS

Department Director	Craig Leu, Fire Chief
Appropriations/Finance	N/A
Legal	Greta Truman
Agenda Acceptance	KW

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (If applicable)

Committee	Public Safety		
Date Reviewed	December 2nd, 2016		
Recommendation	Yes	No	Split

RESOLUTION NO. _____

RESOLUTION APPROVING 28E AGREEMENT FOR MUTUAL ASSISTANCE FOR POLK COUNTY AREA FIRE/RESCUE SERVICES

WHEREAS, the City of West Des Moines (the "City") desires to enter into this 28E Agreement ("Agreement"), the purpose of which is to provide for the Emergency Services of one entity to the other in such emergency or needed situations requiring additional, special personnel, and/or equipment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA:

That the City approves the 28E Agreement for Mutual Assistance for Polk County Area Fire/Rescue Services; and the Mayor, is hereby authorized and directed to execute said Agreement on behalf of the City.

PASSED AND APPROVED THIS 12th day of December, 2016.

By: _____
Steven K. Gaer, Mayor

ATTEST:

By: _____
Ryan T. Jacobson, CMC
City Clerk

Significant Changes to:
28E AGREEMENT FOR MUTUAL ASSISTANCE for Polk County Area Fire/Rescue Services

Change #1– Parties in adjoining counties are included as potential signatories.

WHEREAS, the undersigned entities ("Party" or collectively "Parties") provide fire/rescue services and/or emergency medical services ("Emergency Services") in Polk County and/or the adjoining counties of Boone County, Dallas County, Jasper County, Madison County, Marion County, Marshall County, Story County and Warren County ("adjoining counties"); and

Change #2 – Definition of emergency updated to include stabilizing the incident.

II. Definitions

C. Emergency. Any situation where a Party, due to lack of personnel or training, special equipment needs or magnitude of event, and based upon actual circumstances, concludes that assistance is needed to protect life, stabilize the incident, and/or protect property within its jurisdiction.

Change #3 – Compensation updated to include:

- Emergency Services (other than EMS and HazMat) are billed if an incident lasts a minimum of twelve consecutive hours. Twelve hours is believed to be a reasonable division between traditional mutual aid and incidents more likely to be classified as eligible for federal reimbursement as part of a disaster declaration.
- If the incident meets the twelve hour threshold, any assistance provided is billable, including assistance prior to the twelve hour mark.
- Includes backfill personnel.
- Includes equipment (usage, not damage)
- Includes supplies.

VII. Compensation

A. Emergency Services. For Emergency Services, no Party shall be required to reimburse any other Party for the cost of providing the services set forth in this Agreement, unless the incident lasts twelve hours or longer. If an incident lasts twelve hours or longer, the Providing Entity may seek compensation from the Requesting Entity for the cost of providing the services set forth in this Agreement.

All services are billable if the incident lasts a minimum of twelve consecutive hours. Services include, but are not limited to:

a. Personnel (including backfill personnel)
b. Equipment (at rates defined by FEMA)
c. Supplies (actual cost incurred, including shipping of replacement supplies)

Documentation is required in the form of an incident report which clearly lists personnel, equipment and supplies used. Supply usage also requires an actual invoice copy.

28E AGREEMENT FOR MUTUAL ASSISTANCE
for Polk County Area Fire/Rescue Services

By authorized signature of this Agreement, Parties agree to the 28E Agreement for Mutual Assistance for Polk County Area Fire/Rescue Services.

Effective Date: January 1, 2017

Legal Name of Jurisdiction: _____

Jurisdiction Official	Dated
Attest	Dated
Chief/Director	Dated