

## **RESOLUTION NO: 20230918**

**A RESOLUTION REVISING THE ESTABLISHED PROGRAM REGARDING CHARGING MITIGATION RATES FOR THE DEPLOYMENT OF EMERGENCY AND NON-EMERGENCY SERVICES BY THE FIRE DISTRICT FOR SERVICES PROVIDED/RENDERED BY/FOR THE ALBION-LITTLE RIVER FIRE PROTECTION DISTRICT**

WHEREAS, the emergency services response activity to incidents continues to increase each year; Environmental Protection requirements involving equipment and training, and Homeland Security, and Health & Safety Code regulations involving equipment, personnel and training, create additional demands on all operational aspects of the fire district services; and

WHEREAS, the fire district has investigated different methods to maintain a high level of quality of emergency and non-emergency service capability throughout times of constantly increasing service demands, where maintaining an effective response by the fire district decreases the costs of incidents to insurance carriers, businesses, and individuals through timely and effective management of emergency situations, saving lives and reducing property and environmental damage; and

WHEREAS, raising real property tax to meet the increase in service demands would not be fair when the responsible party(s) should be held accountable for their actions; and

WHEREAS, the Board of the Albion-Little River Fire Protection District desires to implement a fair and equitable procedure by which to collect said mitigation rates and shall establish a billing system in accordance with applicable laws (H&S Code 13916), regulations and guidelines; Now, Therefore

### **BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE ALBION LITTLE RIVER FIRE PROTECTION DISTRICT:**

SECTION 1: The Albion-Little River Fire Protection District shall initiate mitigation rates for the delivery of emergency and non-emergency services by the fire department for personnel, supplies and equipment to the scene of emergency, non-emergency incidents, and fire inspections as listed in "EXHIBIT A". The mitigation rates shall be based on actual costs of the services and that which is usual, customary and reasonable (UCR) as shown in "EXHIBIT A", which may include any services, personnel, supplies, and equipment and with baselines established by addendum to this document.

SECTION 2: A claim shall be filed to the responsible party(s) through their insurance carrier or the responsible party(s) will be billed directly.

SECTION 3: The fire district's Board may make rules or regulations and from time to time may amend, revoke, or add rules and regulations, not consistent with this Section, as they may deem necessary or expedient in respect to billing for these mitigation rates or the collection thereof.

SECTION 4: It is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in open meetings of this

Board, and that all deliberations of this Board and any of its committees that resulted in such formal actions were in accordance with all legal requirements, and the Codified Resolutions of the Board.

SECTION 5: This resolution shall take effect at the date of adoption.

**SECTION 6: The Mitigation Rates listed in Exhibit A will increase by 2.6 annually or based on the annual percentage increase in the Consumer Price Index (CPI) , as developed by the Bureau of Labor Statistics of the U.S. Department of Labor, whichever is more. Rate adjustments will occur on the anniversary date of this ordinance/resolution to keep the fire district's cost recovery program in conformity with increasing operating expenses.**

APPROVED, PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE ALBION LITTLE RIVER FIRE PROTECTION DISTRICT THIS 17<sup>th</sup> day of SEPTEMBER 2023 BY THE FOLLOWING VOTE:

AYES: 5

NOES: 0

ABSTAIN: 0

ABSENT: 0

VACANT: 0

Chuck Greenberg

Chuck Greenberg, President, Board of Directors of the Albion Little River Fire Protection District

Attest: Pam Linstedt

Pam Linstedt, Vice President, Board of Directors of the Albion Little River Fire Protection District

## **EXHIBIT A** **MITIGATION RATES**

The mitigation rates below are average "billing levels", and are typical for the incident responses listed, however, when a claim is submitted, it may be itemized and based on the actual services provided.

These rates are based on actual costs using amortized schedules for apparatus (including useful life, equipment, repairs, and maintenance). Labor rates include an average department's actual burdened labor costs and not just a firefighter's wage. These include wages, retirement, benefits, workers comp, etc.

### **MOTOR VEHICLE INCIDENTS**

#### **Level 1 - \$516.00**

Provide hazardous materials assessment and scene stabilization. This will be the most common "billing level". This occurs almost every time the fire department responds to an accident/incident.

#### **Level 2 - \$588.00**

Includes Level 1 services as well as clean up and material used (sorbents) for hazardous fluid clean up and disposal. We will bill at this level if the fire department has to clean up any gasoline or other automotive fluids that are spilled as a result of the accident/incident.

#### **Level 3 – AUTOMOBILE FIRE - \$718.00**

Provide scene safety, fire suppression, breathing air, rescue tools, hand tools, hose, tip use, foam, structure protection, and clean up gasoline or other automotive fluids that are spilled as a result of the accident/incident.

### **ADD-ON SERVICES:**

#### **Extrication - \$1,550.00**

Includes heavy rescue tools, ropes, airbags, cribbing etc. This charge will be added if the fire department has to free/remove anyone from the vehicle(s) using any equipment. We will not bill at this level if the patient is simply unconscious and the fire department is able to open the door to access the patient. This level is to be billed only if equipment is deployed.

#### **Creating a Landing Zone - \$474.00**

Includes Air Care (multi-engine company response, mutual aid, helicopter). We will bill at this level any time a helicopter landing zone is created and/or is utilized to transport the patient(s).

**Itemized Response:** Each incident may be billed as an independent event with custom mitigation rates, for each incident using itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus, per personnel, plus products and equipment used.

## HAZMAT

### **Level 1 - \$832.00**

**Basic Response:** Claim will include engine response, first responder assignment, perimeter establishment, evacuations, set-up and command.

### **Level 2 - \$2,971.00**

**Intermediate Response:** Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, set-up and command, Level A or B suit donning, breathing air and detection equipment. Set-up and removal of decontamination center.

### **Level 3 – \$7,012.00**

**Advanced Response:** Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command, Level A or B suit donning, breathing air and detection equipment and robot deployment. Set-up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean-up. Includes above, in addition to any disposal rates of material and *contaminated* equipment and material used at scene. Includes 3 hours of on scene time - each additional hour @ \$336.00 per HAZMAT team.

## FIRE INVESTIGATION

### **Includes:**

**Fire Investigation Team - \$327.00 per hour**

- Scene Safety
- Investigation
- Source Identification
- K-9/Arson Dog Unit
- Identification Equipment
- Mobile Detection Unit
- Fire Report

**The claim begins when the Fire Investigator responds to the incident and is billed for logged time only.**

## FIRES

**Assignment - \$475.00 per hour, per engine / \$594.00 per hour, per truck**

### **Includes:**

- Scene Safety
- Investigation
- Fire / Hazard Control

This will be the most common "billing level". This occurs almost every time the fire department responds to an incident.

**OPTIONAL: A fire district has the option to bill each fire as an independent event with custom mitigation rates.**

**Itemized, per person, at various pay levels and for itemized products use.**

## ILLEGAL FIRES

### **Assignment - \$475.00 per hour, per engine / \$594.00 per hour, per truck**

When a fire is started by any person or persons that requires a fire district response during a time or season when fires are regulated or controlled by local or state rules, provisions or ordinances because of pollution or fire danger concerns, such person or persons will be liable for the fire district response at a cost not to exceed the actual expenses incurred by the fire district to respond and contain the fire. Similarly, if a fire is started where permits are required for such a fire and the permit was not obtained and the fire department is required to respond to contain the fire the responsible party will be liable for the response at a cost not to exceed the actual expenses incurred by the fire department. The actual expenses will include direct labor, equipment costs and any other costs that can be reasonably allocated to the cost of the response.

## WATER INCIDENTS

### **Level 1 - \$475 plus \$59 per hour per rescue person.**

**Basic Response:** Claim will include engine response, first responder assignment, perimeter establishment, evacuations, first responder set-up and command, scene safety and investigation (including possible patient contact, hazard control). This will be the most common "billing level". This occurs almost every time the fire department responds to a water incident.

### **Level 2 - \$950 plus \$59 per hour per rescue person.**

**Intermediate Response:** Includes Level 1 services as well as clean up and material used (sorbents), minor hazardous clean up and disposal. We will bill at this level if the fire department has to clean up small amounts of gasoline or other fluids that are spilled as a result of the incident.

### **Level 3 - \$2,350 plus \$59 per hour per rescue person, plus \$119 per hour per HAZMAT team member**

**Advanced Response:** Includes Level 1 and Level 2 services as well as D.A.R.T. activation, donning breathing apparatus and detection equipment. Set up and removal of decontamination center, detection equipment, recovery and identification of material. Disposal and environment clean-up. Includes above, in addition to any disposal rates of material and contaminated equipment and material used at scene.

### **Level 4**

**Itemized Response:** Each incident may be billed as an independent event with custom mitigation rates for each incident using itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized, per trained rescue person, plus rescue products used.

## BACKCOUNTRY OR SPECIAL RESCUE

**\$475 for the first response vehicle plus \$59 per rescue person. Additional rates of \$475 per hour per response vehicle and \$59 per hour per rescue person.**

**Itemized Response:** Each incident will be billed with custom mitigation rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus per hour, per trained rescue person per hour, plus rescue products used.

## CHIEF RESPONSE

### **\$297 per hour**

This includes the set-up of Command, and providing direction of the incident. This may

include operations, safety, and administration of the incident.

**MISCELLANEOUS / ADDITIONAL TIME ON-SCENE** (for all levels of service)

**Engine billed at \$475 per hour.**

**Truck billed at \$594 per hour.**

**Miscellaneous equipment billed at \$357.**

**MITIGATION RATE NOTES**

The mitigation rates above are average "billing levels" for one hour of service, and are typical for the incident responses listed, however, when a claim is submitted, it may be itemized and based on the actual services provided.

These average mitigation rates were determined by itemizing costs for a typical run (from the time a fire apparatus leaves the station until it returns to the station) and are based on the actual costs, using amortized schedules for apparatus (including useful life, equipment, repairs, and maintenance) and labor rates (an average department's "actual personnel expense" and not just a firefighter's basic wage) . The actual personnel expense includes costs such as wages, retirement, benefits, workers comp, insurance, etc.

**FIRE SAFETY INSPECTIONS - ANNUAL INSPECTIONS REQUIRED BY STATE FIRE MARSHAL** (pursuant to H&S Code 13145 and 13146)

**The improvements included in the table below and all reinspections shall be billed at \$80.00 per hour, 2-hour minimum charge. Site visits/inspections will include travel time plus mileage at the current IRS rate (65.5 cents per mile). Additionally, as described herein, a 10% administration fee will be charged.**

Payment will be due at the time of application or upon the receipt of an invoice for services rendered.

A cost recovery rate of \$80.00 per hour for office time and/or site visits may be billed for the actual time required (one hour minimum, subsequent time rounded to the nearest half hour) to provide the required: research, written report, and phone consultation.

Improvement Designation	Description
R-1	Hotels, Motels, Transient Occupancies
R-2	Two or more dwelling units, Apartments, Dormitories
R-2.1	Residential Care Facilities
R-4	Residential Care/Assisted Living
E	Educational Occupancies
I-3	Institutions

**Penalties**

**-Failure to correct a Fire Department Fire Code Violation by the required time may result in a \$100 fee per day until the violation is corrected.**

**-Failure to follow a required Fire Department Stop Work Order shall result in a \$200 fee per day until the violation is corrected.**

**Administrative Fee**

**-A 10% administrative fee will be added to all rates to cover the District's payroll taxes and other administrative costs.**