

NORTH COUNTY FIRE PROTECTION DISTRICT

RESOLUTION 2020-14



A RESOLUTION MODIFYING THE ESTABLISHED PROGRAM TO RECOVER COSTS FOR RESPONSE BY THE NORTH COUNTY FIRE PROTECTION DISTRICT TO CERTAIN INCIDENTS

WHEREAS, the North County Fire Protection District's emergency response activity to incidents continues to increase each year; Environmental Protection requirements involving equipment and training and Homeland Security regulations involving equipment and training, create additional demands on all operational aspects of the North County Fire Protection District; and

WHEREAS, the North County Fire Protection District has investigated different methods to maintain a high level of quality of emergency service capability throughout times of constantly increasing service demands and decreasing revenue while maintaining an effective response by the North County Fire Protection District; and

WHEREAS, cost effective, specific response costs to users decreases the costs of incidents to insurance carriers through timely and effective management of emergency situations, saving lives and reducing property damage; and

WHEREAS, under the authority of the Health and Safety Code Section 13916, a District may charge a fee to cover the cost of any service which the District provides or the cost of enforcing any regulation for which the fee is charged; and

WHEREAS, the California Vehicle Code (CVC 17300-17303) allows fire departments to recover costs incurred responding to motor vehicle accidents; including response equipment and manpower to secure, cleanup and/or dispose of any hazardous waste; and

WHEREAS, the Board of Directors of the North County Fire Protection District desires to implement a fair and equitable procedure by which to recover said costs and shall establish a billing system in accordance with applicable laws, regulations and guidelines.

NOW, THEREFORE, LET IT BE RESOLVED BY THE BOARD OF DIRECTORS OF THE NORTH COUNTY FIRE PROTECTION DISTRICT:

SECTION 1: The North County Fire Protection District has initiated a Cost Recovery Program for the delivery of Fire and Rescue Services, personnel, supplies and equipment to the scene of emergency incidents occurring within the District. The rate of user fees shall be 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.

NORTH COUNTY FIRE PROTECTION DISTRICT

RESOLUTION 2020-14



A RESOLUTION MODIFYING THE ESTABLISHED PROGRAM TO RECOVER COSTS FOR RESPONSE BY THE NORTH COUNTY FIRE PROTECTION DISTRICT TO CERTAIN INCIDENTS

SECTION 2: For motor vehicle accidents the cost recovery fee shall be filed with the responsible party's motor vehicle insurance carrier, representing the cost of the claim to damages of the vehicles, property and/or injuries. In the event services are required relating to utilities causing safety problems and if the area is deemed unsafe by emergency responders, the same billing process shall apply to said utility, whose equipment related problems cause an emergency services response. The claim costs shall be filed with the insurance carrier of the owner of a vehicle, owner of property or responsible party/parties.

SECTION 3: The North County Fire Protection District Board of Directors authorizes the Fire Chief/CEO to take the necessary steps to continue this Cost Recovery Program, including development and amendment of the necessary policies and procedures and continuing/entering into a contract(s) with billing services to perform the actual cost recovery activity.

SECTION 4: The modification of this Cost Recovery Program shall take effect immediately and Resolution 2020-14 supersedes Resolution 2019-16.

PASSED, ADOPTED AND SIGNED by the Board of Directors, North County Fire Protection District, County of San Diego, State of California, on this **27th day of October, 2020**, by the following vote:

AYES: Directors Harris, Hoffman, Luevano, Munson and Van Doorn

NOES: None

ABSENT: None

ABSTAIN: None

RECUSED: None

A handwritten signature in blue ink, appearing to read 'Fred Luevano', is written over a horizontal line.

Fred Luevano, Board President

NORTH COUNTY FIRE PROTECTION DISTRICT

RESOLUTION 2020-14



A RESOLUTION MODIFYING THE ESTABLISHED PROGRAM TO RECOVER COSTS FOR RESPONSE BY THE NORTH COUNTY FIRE PROTECTION DISTRICT TO CERTAIN INCIDENTS

ATTEST:

I **HEREBY CERTIFY** that the foregoing is a true and correct copy of the resolution duly and regularly adopted by the Board of Directors of the North County Fire Protection District thereof held on the **27th day of October, 2020**, and that the same now appears on record in my office.

IN WITNESS THEREOF, I hereunto set my hand and affixed by official seal this **27th day of October, 2020**.

A handwritten signature in blue ink, reading "Loren A. Stephen-Porter". The signature is written in a cursive style.

Loren A. Stephen-Porter, Board Secretary

NORTH COUNTY FIRE PROTECTION DISTRICT



RESOLUTION 2020-14

A RESOLUTION MODIFYING THE ESTABLISHED PROGRAM TO RECOVER COSTS FOR RESPONSE BY THE NORTH COUNTY FIRE PROTECTION DISTRICT TO CERTAIN INCIDENTS

“EXHIBIT A”

MOTOR VEHICLE INCIDENTS

1. LEVEL 1 - \$494.00:

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.

2. LEVEL 2 - \$562.00:

Includes Level 1 services as well as clean up and material used (sorbents) for hazardous fluid clean up and disposal. 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.

3. LEVEL 3 – CAR FIRE - \$687.00:

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:

4. EXTRICATION - \$1,483.00:

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. Will not bill at this level if the patient is simply unconscious and fire department is able to open the door to access the patient. This level is to be billed only if equipment is deployed.

5. CREATING A LANDING ZONE - \$454.00:

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

6. ITEMIZED RESPONSE:

Bill each incident 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.

NORTH COUNTY FIRE PROTECTION DISTRICT



RESOLUTION 2020-14

A RESOLUTION MODIFYING THE ESTABLISHED PROGRAM TO RECOVER COSTS FOR RESPONSE BY THE NORTH COUNTY FIRE PROTECTION DISTRICT TO CERTAIN INCIDENTS

“EXHIBIT A”

7. ADDITIONAL TIME ON-SCENE (for all levels of service):

- 6.1. Engine billed at \$455 per hour.
- 6.2. Truck billed at \$568 per hour.
- 6.3. Miscellaneous equipment billed at \$341.

HAZ-MAT

1. LEVEL 1 - BASIC RESPONSE - \$796.00:

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

2. LEVEL 2 - INTERMEDIATE RESPONSE - \$2,842.00:

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 DECON center.

3. LEVEL 3 – ADVANCED RESPONSE - \$6,707.00:

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.**

4. ADDITIONAL TIME ON-SCENE (FOR ALL LEVELS OF SERVICE):

- 4.1. Engine billed at \$455 per hour.
- 4.2. Truck billed at \$568 per hour.
- 4.3. Miscellaneous equipment billed at \$341.

NORTH COUNTY FIRE PROTECTION DISTRICT



RESOLUTION 2020-14

A RESOLUTION MODIFYING THE ESTABLISHED PROGRAM TO RECOVER COSTS FOR RESPONSE BY THE NORTH COUNTY FIRE PROTECTION DISTRICT TO CERTAIN INCIDENTS

“EXHIBIT A”

FIRE INVESTIGATION

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

1. FIRE INVESTIGATION TEAM - \$313.00 PER HOUR:

INCLUDES:

- 1.1. Scene Safety;
- 1.2. Investigation;
- 1.3. Source Identification;
- 1.4. K-9/Arson Dog Unit;
- 1.5. Identification Equipment;
- 1.6. Mobile Detection Unit; and
- 1.7. Fire Report.

FIRES

(This will be the most common “billing level.” This occurs almost every time the fire department responds to this type of incident.)

1. ASSIGNMENT - \$455.00 PER HOUR, PER ENGINE / \$568.00 PER HOUR, PER TRUCK:

- 1.1. Scene Safety;
- 1.2. Investigation;
- 1.3. Fire/Hazard Control.

ILLEGAL FIRES

1. ASSIGNMENT - \$455.00 PER HOUR, PER ENGINE / \$568.00 PER HOUR, PER TRUCK:

2. FOR THE PURPOSES OF THIS SECTION, AN ILLEGAL FIRE IS DEFINED AS:

- 2.1. When a fire is started by any person or persons that requires a fire department 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 department response at a cost not to exceed the actual expenses incurred by the fire department to respond and contain the fire.
- 2.2. 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,

NORTH COUNTY FIRE PROTECTION DISTRICT



RESOLUTION 2020-14

A RESOLUTION MODIFYING THE ESTABLISHED PROGRAM TO RECOVER COSTS FOR RESPONSE BY THE NORTH COUNTY FIRE PROTECTION DISTRICT TO CERTAIN INCIDENTS

“EXHIBIT A”

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

1. **Level 1 - Basic Response - Billed at \$455 plus \$57 per hour, per rescue person:**

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.

2. **Level 2 - Intermediate Response - Billed at \$909 plus \$57 per hour, per rescue person:**

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.

3. **LEVEL 3 - ADVANCED RESPONSE - BILLED AT \$2,274 PLUS \$57 PER HOUR PER RESCUE PERSON, PLUS \$114 PER HOUR PER HAZMAT TEAM MEMBER:**

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 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.

BACK COUNTRY OR SPECIAL RESCUE

1. **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.

NORTH COUNTY FIRE PROTECTION DISTRICT



RESOLUTION 2020-14

A RESOLUTION MODIFYING THE ESTABLISHED PROGRAM TO RECOVER COSTS FOR RESPONSE BY THE NORTH COUNTY FIRE PROTECTION DISTRICT TO CERTAIN INCIDENTS

“EXHIBIT A”

- 1.1. **Minimum billed \$455 for the first response vehicle plus \$57 per rescue person.**
- 1.2. **Additional rates of \$455 per hour per response vehicle and \$57 per hour per rescue person.**
2. **CHIEF RESPONSE - BILLED AT \$284 PER HOUR:**

This includes the set-up of Command and providing direction of the incident. This could include operations, safety and administration of the incident.

3. **MISCELLANEOUS/ADDITIONAL TIME ON-SCENE:**

- 3.1. Engine billed at \$455 per hour.
- 3.2. Truck billed at \$568 per hour.
- 3.3. Miscellaneous equipment billed at \$341.

False Alarm Cost Recovery

1. **ITEMIZED RESPONSE:** The False Alarm cost recovery fee assesses individuals whose alarm systems generate an excessive number of False Alarms responded to by the District. There is a graduating scale for continued False Alarms. In determining the number of false alarms that have occurred, the District shall only consider False Alarms that have occurred within on an annual basis, in the previous twelve (12) calendar months.

FALSE ALARM RESPONSE	RESPONSE FEE
1 st Response	No Charge
2 nd Response	\$100
3 rd Response	\$200
4 th Response	\$300
5 th Response and greater	\$500

NORTH COUNTY FIRE PROTECTION DISTRICT



RESOLUTION 2020-14

A RESOLUTION MODIFYING THE ESTABLISHED PROGRAM TO RECOVER COSTS FOR RESPONSE BY THE NORTH COUNTY FIRE PROTECTION DISTRICT TO CERTAIN INCIDENTS

“EXHIBIT A”

ANNUAL CHARGE ADJUSTMENTS

1. ANNUAL ADJUSTMENT OF CHARGES:

- 1.1. The charges identified in this Resolution will be increased annually on July 1st in an amount equal to the CPI-Urban index for San Diego (CPI-U, San Diego) as published the preceding January by the Bureau of Labor Statistics; and then rounded up to the nearest ten-dollar (\$10) increment. This adjustment is not to exceed the regional average of increase.