

**JOURNAL OF COMMISSION WORK SESSION**  
**March 19, 2019**

City Commission Work Session  
Civic Center, Gibson Room 212

Mayor Pro Tempore Bronson presiding

**CALL TO ORDER:** 5:30 p.m.

**CITY COMMISSION MEMBERS PRESENT:** Bill Bronson, Tracy Houck, Owen Robinson, and Mary Sheehy Moe. Mayor Bob Kelly was excused.

**STAFF PRESENT:** City Manager Greg Doyon and Deputy City Manager Chuck Anderson; Assistant City Attorney Joe Cik; Finance Director Melissa Kinzler; Park and Recreation Director Steve Herrig; Public Works Director Jim Rearden; Fire Chief Steve Hester and Assistant Fire Chief Jeremy Jones; Human Resources Director Gaye McInerney; and, City Clerk Lisa Kunz.

**PUBLIC COMMENT**

None.

**1. NEIGHBORHOOD COUNCIL UPDATE – COUNCIL #1**

**Everett Hall**, NC 1 Secretary, 1301 Maria Drive, reported that everything is going well in the council district, and the council is looking forward to the upcoming street improvements project.

The council's northern boundary is the Sun River, the southern is the City limit line, the eastern is the Missouri River, and the western is the City limit line. During the school year, the council's regular meetings are held the second Tuesday of each month at 7:00 p.m. in the Meadowlark School Library.

Mr. Hall reported that the council's fund raising efforts will go towards improvements at Grande Vista Park, and for a bench dedicated to Patty Cadwell.

**2. EMERGENCY MANAGEMENT ASSISTANCE COMPACT**

Assistant Fire Chief Jeremy Jones reported that this program is run through the State Disaster & Emergency Services (DES) Office. The State DES has made contact with all class one cities to see if resources could potentially be used in times of crises.

Keith Simendinger, State Response and Recovery Coordinator, reported that the states came up with the Emergency Management Assistance Compact (EMAC) program after the 1998 hurricanes, so that in times of need a governor can reach out to another governor to request resources of a certain type. The DES division then reaches out to the municipalities involved to see if the requested order can be filled. He explained that it can be anything from dealing with fires or mudslides to flooding, and for snow plows, hazard management, law enforcement, or fire personnel and equipment. It's a state to state, governor to governor, agreement for resources in time of need.

Coordinator Simendinger reviewed and discussed that attached PowerPoint slides explaining more about the compact. He noted that, over the course of the past three years, his division has sent out over 23 different agencies, over 105 fire trucks, and over 200 firefighters to other states in need of assistance.

He explained the EMAC process includes pre-event mission ready packages so that everyone understands the associated costs in advance, and that the activation to mobilization timeframe usually takes place within 72 hours. Assignments are typically for 18 days that includes four days for travel. Reimbursement usually occurs within 120 days after returning from the mission. This program provides for great revenue for the department, and experience and training for department participants.

Commissioner Moe expressed concern about making a commitment due to Great Falls Fire Rescue's work force being strapped currently, as well as not being able to predict in advance what local needs will be.

Coordinator Simendinger responded that it is only a two week period, and assignment of four people and reserve apparatus. Off duty personnel needed for backfill is 100% reimbursable. He also noted that cities participating in the compact are not mandatorily required to participate in assignments.

In response to Commissioner Robinson, Coordinator Simendinger explained that mutual aid agreements are in place for intrastate mutual aid.

Commissioner Houck inquired how licensing and qualifications were handled when local strike teams are being put together to go to other jurisdictions.

Coordinator Simendinger explained that state law and governor to governor agreements cover that.

Commissioner Houck inquired if other communities have chosen not to participate.

Coordinator Simendinger responded that hasn't happened in Montana. The reason some communities are not in the compact is because they do not know about the EMAC process. The program was established formally in 1998 and is a way to do business with other states.

Coordinator Simendinger explained the notification protocol for communities in the program to choose whether or not to participate in the event until the need is filled.

Mayor Pro Tempore Bronson inquired if this matter would be coming before the Commission for action.

City Manager Greg Doyon responded in the affirmative if there was interest. This is a great program, but managing a city that feels stressed on its fire resources gives him pause. If the City was resourced differently, he would be more comfortable with it. There is a fragile balance the City is trying to maintain and wants to make sure our own resources meet our own needs before sending them out of state. However, he doesn't

think the Fire Chief would commit personnel or equipment if there wasn't appropriate thought process behind it. If the City didn't feel like it was in a position to provide a particular resource at a particular time then the city could decline to participate in the event. He cautioned about sending a message to the community that we need more firefighters or a fire station and then they see the City embarking on a program that sends those resources out of state. Everyone needs to be clear there is a process, and the City would only do that if coverage could be provided to residents first.

Mayor Pro Tempore Bronson inquired the pleasure of the Commissioners.

After further discussion, this matter will come back before the Commission at a later date with additional input from the Fire Chief and Police Chief, and a copy of the agreement for additional discussion.

### **3. GORE HILL WATER TOWER LOGO**

Public Works Director Jim Rearden reported that the contract was awarded in September, 2017, to construct the Gore Hill water tower. The water tower has been in service since December, 2018.

Director Rearden reviewed and discussed the attached PowerPoint presentation depicting three logo options, and costs for each ranging from \$27,500 to \$37,600.

Recently, other businesses and artists have reached out to staff and members of the Commission and are interested in this project.

After a brief discussion, this item will be pulled off the regular meeting agenda this evening, and staff will prepare specifications to put this out for competition or formal bidding process.

### **DISCUSSION OF POTENTIAL UPCOMING WORK SESSION TOPICS**

City Manager Greg Doyon reported that topics for the April 2<sup>nd</sup> work session include an update from Neighborhood Council 8, and a Parking Program discussion.

Manager Doyon asked if the Commission had any topics to add to the list. He noted the upcoming budget sessions and inquired how the Commission would like to approach the budget, priorities, etc.

Commissioner Robinson suggested that a proposed cooperation agreement between the Animal Foundation and the City be added to the work session topic list for May or June.

Commissioner Houck suggested a legislative recap be added when appropriate.

Commissioner Moe inquired if the City was at a point that it could provide an update on the use of the park assessment funds thus far.

Manager Doyon commented that park projects have been highlighted on Commission agendas.

He will discuss this with the Park and Recreation Director to see if they are at a point that it would be worthwhile; if not, he will cover it during budget sessions.

**ADJOURN**

There being no further discussion, Mayor Pro Tempore Bronson adjourned the informal work session of March 19, 2019 at 6:27 p.m.



# Executive Level Emergency Management Assistance Compact

Montana Disaster and Emergency Services  
March 19, 2019



## Agenda

- What is the Emergency Management Assistance Compact ("EMAC")?
- The EMAC Process
- Mission Ready Package ("MRP")
- Reimbursement
- Legal Considerations



## What is EMAC?

- EMAC is the nation's state to state mutual aid system.
- EMAC is law (PL 104-321) in all 50 states, the District of Columbia, Puerto Rico, Guam, and the U.S. Virgin Islands.

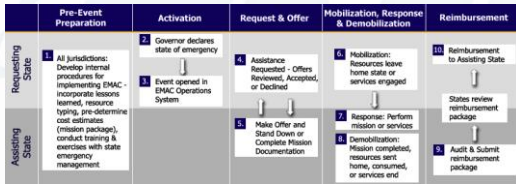


## What is EMAC?

- Can be used for all hazards or events
- Can be used pre-event or post-event
- Requires a Governor's declaration to request resources via EMAC
- Does not require a Governor's declaration to offer resources (exception Montana National Guard)



## The EMAC Process



## The EMAC Process

Step 1: Impacted state identifies resource need and broadcasts resource request

- Public
- Private

Steps 2-3: State(s) submit offer(s) of assistance including detailed cost estimates

Step 4: Impacted state evaluates offers and can either further negotiation offers, reject offers, or accept offers



## The EMAC Process

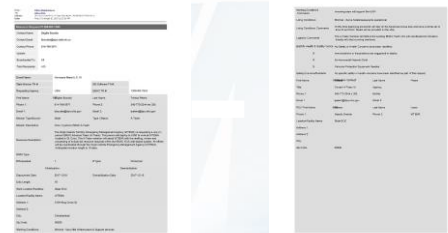
Step 5: Offering state(s) deploy resources

- Document and track resource costs
- Mission ends and resources return to home state

Step 6: Reimbursements are made



## Broadcast sent out through the EOS





### The Contract: Part 1 of the REQ-A



### The Contract: Part 2 of the REQ-A



### The Contract: Part 3 of the REQ-A



### *Decision to send local assets*

Montana DES executes an Intergovernmental Agreement with the employer of the team member of the local asset:

***"The "Governmental Entity" employee will be paid (e.g. - compensation, travel reimbursement, etc.) by his/her employer and will receive the same benefits as if working at his/her home station. The "Governmental Entity" employee will carry with him/her all the liability protections of a "Governmental Entity" employee afforded to him/her by his/her home station and applicable law. Montana DES assumes no responsibility for these (this) employee(s) other than the submission of completed reimbursement request through the EMAC reimbursement process, and the transmittal of reimbursement from the "Requesting State" to the "Governmental Entity."***







## Reimbursement Process

### 180 Day Process



## Reimbursement Process

### Reimbursement Packet

- Deployed Personnel submits cost documentation to Resource Provider
- Resource Provider prepares R-2 and EMAC Calculation forms
- R-2 with all documentation submitted to Assisting State
- Assisting State prepares and submits R-1 to Requesting State



## Reimbursement Process

### R-2

- Is the invoice for your costs
- Each EMAC mission requires an R-2
- R-2 must be signed
- All amounts must be supported



## Reimbursement Process

### EMAC Calculation Forms

- Summarizes costs by each category listed on the R-2
- Calculation Forms are required
- Calculation Forms alone DO NOT prove costs were incurred



## Reimbursement Process

### Cost documentation

- Documents that prove costs were incurred
- Document examples:
  - i. Policies (e.g. Labor and Travel)
  - ii. Employee timesheets
  - iii. Payroll Register report
  - iv. Zero balance invoices
  - v. Odometer logs
  - vi. Receipt of purchase



## Legal Considerations

*Licenses and Permits/ Article V:* "Whenever any person holds a license, certificate, or other permit issued by any state party to the compact evidencing the meeting of qualifications for professional, mechanical, or other skills, and when such assistance is requested by the receiving party state, **such person shall be deemed licensed, certified, or permitted by the state requesting assistance** to render aid involving such skill to meet a declared emergency or disaster, **subject to such limitations and conditions as the governor of the requesting state may prescribe by executive order or otherwise.**"



## Legal Considerations

*Liability/Article VI:* "**Officers or employees of a party state** rendering aid in another state pursuant to this compact **shall be considered agents of the requesting state for tort liability and immunity purposes**; and no party state or its officers or employees rendering aid in another state pursuant to this compact shall be liable on account of any act or omission in good faith on the part of such forces while so engaged or on account of the maintenance or use of any equipment or supplies in connection therewith. **Good faith in this article shall not include willful misconduct, gross negligence, or recklessness.**"



## Legal Considerations

*Workers' Compensation and Death Benefits/ Article VIII:* "**Each party state shall provide for the payment of compensation and death benefits** to injured members of the emergency forces of that state and representatives of deceased members of such forces in case such members sustain injuries or are killed while rendering aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within their own state."



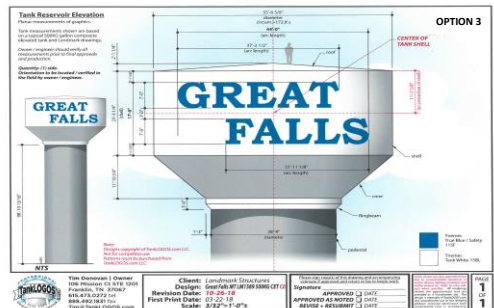
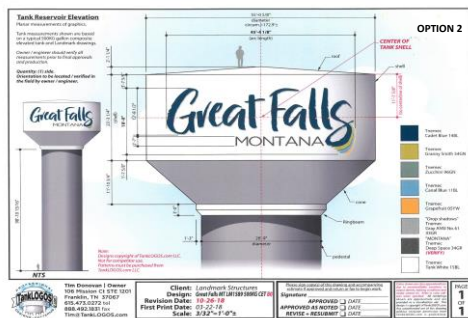
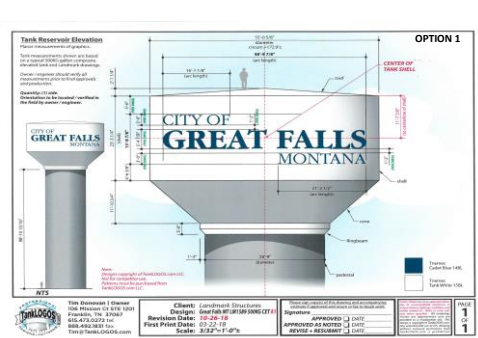
## *How can I be prepared?*

- *Identify and define resources that may potentially be deployed via EMAC*
  - *Resource description*
  - *Resource location and points of contact*
  - *Resource costs*
- *Mission Ready Packages*
- *Identify what individuals you need to streamline your process and be the contact for MT DES*



## *Questions?*

Jake Ganieany/Keith Simendinger  
Response and Recovery Branch Manager, EMAC Coordinator for Montana  
Montana Disaster and Emergency Services  
406-324-4776/4770  
Jake.Ganieany@mt.gov ksimendinger@mt.gov



### COSTS FOR EACH OPTION

- Option 1 - \$27,500
  - Adder for 2<sup>nd</sup> logo - \$8,200
- Option 2 - \$37,600
  - Adder for 2<sup>nd</sup> logo - \$10,800
- Option 3 - \$28,100
  - Adder for 2<sup>nd</sup> logo - \$8,800