

**TOWN**  
*Of*  
**PARADISE VALLEY**



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**STAFF REPORT**

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**TO: Mayor Bien-Willner and Town Council Members**

**FROM: Jill B. Keimach, Town Manager  
Deborah Robberson, Assistant Town Attorney**

**DATE: June 10, 2021**

**DEPARTMENT: Town Attorney's Office**

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**AGENDA TITLE:**

Intergovernmental Agreement Between the City of Phoenix and the Town of Paradise Valley for Fire and Emergency Services

**RECOMMENDATION:**

Approve Resolution No. 2021-17 authorizing the Town Manager to sign the Intergovernmental Agreement (CON-21-178-TMG) between the Town and City of Phoenix for Fire and Emergency Services.

**SUMMARY STATEMENT:**

The Town and the City of Phoenix (Phoenix) entered into an original Intergovernmental Agreement (IGA) in 2006. This IGA governed the construction and furnishing of the Town's two fire stations, acquisition and replacement of fire apparatus (fire engines and other vehicles), and the day-to-day operations and provision of fire and emergency medical services by the Phoenix.

Under the original IGA, the City's Responsibilities included:

- Provide day-to-day fire and emergency medical services consistent with level of services in Phoenix.
- Staff two Fire Units, including at least 2 paramedics on each truck.
- Maintain and repair apparatus.
- Fire station routine cleaning/maintenance and routine grounds maintenance (mowing and trimming).

The Town Responsibilities included:

- Design, construct, furnish the two Fire Stations.
- Provide initial communication and dispatch equipment.
- Provide initial apparatus: 2 Fire Pumps, 1 Fire Tender, and 1 Brush Truck.
- Major repairs and maintenance of buildings (e.g. roof, HVAC, paint, etc.).

### Apparatus Replacement:

Last summer, Phoenix contacted the Town regarding replacement of the then 13-year-old fire vehicles. Section IV(B) of the original IGA governed replacement of the apparatus and provided that replacement on an alternating basis. The Town and Phoenix discovered they had differing interpretations of whether replacement was to be in sets of all four apparatus or alternating apparatus-by-apparatus. Discussions with Phoenix Fire Department management resulted in a mutual agreement to an alternate replacement on a vehicle-by-vehicle basis.

Under the new IGA:

- Town will purchase the first pumper replacement in FY 23-24
- City to purchase next pumper FY 24-25 or at mileage limit
- Town to purchase Tanker or Brush Truck when replacement mileage criteria met
- City to purchase other vehicle when replacement mileage criteria met
- Alternating purchases thereafter use mileage criteria as determining factor
- Each party owns apparatus it purchases; at termination Town's vehicles returned.

### Other Revisions to IGA

The current IGA has no end date, and either party can terminate within 365 days' notice (or 90 days' notice with cause). The City requested a definitive term for the IGA. Phoenix' current policy does not allow open-ended agreements, and their preferred term is 5 years. The City and Town mutually agreed to a term of 20 years, with termination available after 365 days' notice. A new provision is that the parties agreed to meet every five years to review contract terms.

The Town is not responsible for damage to Town facilities caused by negligence of Phoenix.

(Sec. 3.1.2)

Future stations require a separate agreement. (Sec.3.1.1)

Quarterly reporting at Town's discretion versus discretion of both parties.

(Sec. 2.7)

City's consent necessary only to enter into mutual aid agreements that involve fire services versus any mutual aid agreement. (Sec. 3.4)

### **BUDGETARY IMPACT:**

Apparatus Costs to the Town. First replacement apparatus purchase by Town in FY 23-24.

### **ATTACHMENT(S):**

- A. Staff Report
- B. Resolution 2021-17
- C. CON-21-178-TMG - Intergovernmental Agreement Between the City of Phoenix and the Town of Paradise Valley for Fire and Emergency Services