TO: Janeé Ayers, Chairperson  
Budget, Audit & Finance Standing Committee

FROM: David Whitaker, Director
Legislative Policy Division Staff

DATE: August 23, 2019

RE: Cost Recovery Fee

The Legislative Policy Division was requested to provide a report on the potential of creating cost recovery fees for the Detroit Fire Department. The department and your Honorable Body has already undertaken this analysis and adopted cost recovery fees. A copy of the policy and resolution approved by this Body has been attached.
3.0 Scope
This policy applies to seeking the reimbursement of the cost of an emergency response which means the actual and necessary costs incurred by the City as the result of responding to an emergency event, including, without limitation:

1. All actual and necessary labor costs, including wages, fringe benefits, and reimbursable expenses of all personnel responding to the emergency event and all personnel engaged in the investigation, supervision, and preparation of reports relating to the emergency.
2. All actual and necessary cost for material. Supplies, and equipment used or damaged in the course of the city’s response to the emergency.
3. All actual and necessary costs for the repair or replacement of publicly-owned property, including, but not limited to, building, facilities and infrastructure, such as utilities, roads, sidewalks, etc., that were damaged or destroyed in the course of the City’s response to the emergency.
4. All actual and necessary costs for the investigation of an emergency, and for the cleaning up, inspecting, testing, monitoring, mitigating, restoring, and crowd control at the site of the emergency.
5. All actual and necessary costs for labor and services, which were contracted for by the City in connection with, or as a direct or indirect result of the emergency.

4.0 Responsible Party

A Responsible Party is defined as:

1. Any owner, lessor, or operator of real property, the use of condition of which is responsible for, contributes to, an emergency.
2. Any registered owner, lessor, lessee, or operator of any motor vehicle, the operation of which results in an emergency, but does not mean any occupant of the motor vehicle.
3. Any entity which owns, maintains, or operates a railroad, which by its operation results in an emergency.
4. Any public or private utility whose activities or facilities, including, but not limited to, electric lines, telephone lines, cable line and pipelines which were involved in an emergency.
5. Any other person whose actions, in whole or in part, cause an emergency.

5.0 Fee Assessment

Personnel
The fee schedule is based on the hourly rate of a member responding to the scene of the emergency and any additional costs (e.g., equipment, materials, etc.) As stipulated in the ordinance, this fee will be the full cost of the response by the Detroit Fire Department. Personnel cost shall reflect the cost of salary and fringe benefits of the emergency responders.
Detroit Fire Department
Emergency Cost Recovery Policy

6.0 Billing
Claims for reimbursement must be closely monitored. Accurate records are essential and claims must be accompanied by supporting documentation showing what work was done and equipment used; why, where, when, by whom, with what resources and for how much.

Records must be comprehensive and include:
- Documentation of activities undertaken, including a description and justification of the work carried out together with an explanation of why the various methods were selected.
- Accurate personnel records (for both permanent and volunteers) including dates and hours worked, rates of pay and calculation methods used.
- Travel, accommodation and living expenses for response personnel
- Records of specialists used and associated expenses
- Details of equipment used and costs to hire or purchase
- Records of all supplies purchased, used, lost etc.
- Transport costs (number and types of vehicles, vessels or aircraft used and the number of hours used and methods used for calculating amounts claimed).
- Any supporting computer files and databases of the incident

The INCIDENT COMMANDER on the scene shall be responsible for the compilation and recording of all pertinent information relative to the incident. The INCIDENT COMMANDER shall be responsible for the completion of the National Fire Incident Report, and if applicable the Hazardous Material Clean-Up Form. Both reports are to be forwarded to the Fire Marshal’s Division for invoice preparation and billing processing.

ANNUAL REVIEW OF FEES

The above fees were calculated using the current collective bargaining agreements and the equipment that the department presently has active; which is subject to change with new equipment or new collective bargaining agreements. The Executive Fire Commissioner, or his/her designee, shall annually review the fee schedule for personnel, equipment and administrative processing and accordingly modify the fees if necessary to keep current with the department’s expenses in the respective area. The Executive Fire Commissioner, or his/her designee, shall make a recommendation to the City Council and the Law Department regarding the fee adjustment for approval.

Executive Fire Commissioner

Date

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I respectfully ask your approval to reallocate and appropriate funding in accordance with the attached resolution. Respectfully submitted,

DONALD R. AUSTIN
Executive Fire Commissioner

Approved:
BRENT HARTZELL
Budget Director
CHERYL JOHNSON
Treasurer

By Council Member Brown:
Resolved, That the Detroit Fire Department be and is hereby authorized to reallocate funds from Appropriation No. 00718 in the amount of ($3,629,967) from $97,657,716 to $97,204,759 and appropriate Appropriation No. 00005 of $109,139 from $2,571,013 to $2,680,152 and Appropriation No. 00715 of $3,819,818 from $4,753,764 to $5,097,582, be it further

Resolved, That the Finance Director be and is hereby authorized to increase the necessary accounts, cost centers and appropriations, transfer funds and honor vouchers when presented, in accordance with the foregoing communication, from the City of Detroit Fire Department. The City of Detroit Fire Department requests a waiver of reconsideration.

Adopted as follows:

Yeas — Council Members Brown, Cockrell, Jr., Jenkins, Jones, Kenyatta, Spivey, Tate, Watson, and President Pugh — 9.

Nays — None.

Fire Department
November 12, 2012

Honorable City Council:

Re: Proposed Resolution to Approve Fees Established Under Section 19-3-5 of the 1984 Detroit City Code for the Provision of Emergency Services.

In accordance with the applicable provisions of the 2012 Detroit City Charter and the 1984 Detroit City Code, attached is the above-referenced Resolution. The proposed Resolution has been approved as to form by the Corporation Counsel.

It is requested that your Honorable Body consider and adopt the proposed Resolution prior to your Winter Recess. We are available to answer any questions that you may have concerning this proposed Resolution.

Thank you for your consideration.

Respectfully submitted,

DONALD R. AUSTIN
Executive Fire Commissioner

By Council Member Brown:
Whereas, On November 17, 2012, Ordinance No. 11-12, which amended Chapter 19, Fire Prevention and Protection, to add Article III, Emergency Service Cost Recovery, will become effective;

Whereas, Chapter 19, Article III, of the 1984 Detroit City Code authorizes the Detroit Fire Department to seek reimbursement for the actual and necessary costs of emergency services;

Whereas, In accordance with Section 19-3-5 of the 1984 Detroit City Code, Authorization to Establish Fees, the Fire Commission is required to establish, subject to the approval of the Detroit City Council in accordance with Section 9-507 of the 2012 Detroit City Charter, necessary fees for emergency services provided by the Detroit Fire Department;

Whereas, After studying and analyzing the issue, the Fire Commission has determined that the Detroit Fire Department will assess fees for the following types of emergency responses;

Arson Investigations
Bomb Threats
Confined Spaces
Rescue
Standby
Extrications (Various)
Downed Utility Lines
False Alarms
System Malfunctions
Call in

Fire Fighter Assistance to EMS Personnel
• Provide Patient Lift Assist
Fire Fighter Assistance to Police Personnel
• Provide Ladder
• Provide Tools
Approved as to form: KRYSTAL A. CRITTENDON Corporation Counsel 
Adopted as follows:
Yeas — Council Members Brown, Cockrel, Jr., Jones, Kenyatta, Watson, and President Pugh — 6,
Nays — Council Members Jenkins, Spivey, and Tate — 3.

Police Department 
October 12, 2012
Honorable City Council:
Re: Request permission to accept an increase in the FY2013 Traffic Enforcement Grant Project from the Michigan Office of Highway Safety Planning.

The Michigan Office of Highway Safety Planning (Mich.O.H.S.P.) has awarded the Detroit Police Department (DPD) an additional $100,000.00, with no cash match, for the FY2013 Traffic Enforcement Grant Project. The added funding will increase the overall grant budget from $200,000.00 to $300,000.00. The appropriation number for this grant is 13521 and the cost center number is 372484.

The increased funding will allow for payment of personnel overtime wages. The goal of Mich.O.H.S.P. is to increase the use of safety belts and proper use of child safety seats, thus substantially improving the likelihood of surviving a traffic crash and/or reducing the severity of injury. Additionally during enforcement, DPD officers will also focus on removing impaired (intoxicated) drivers from behind the steering wheels of cars, thus reducing their ability to hurt themselves or others.

Police Officer Viera Brownloo, of Grants and Contracts, will serve as the Project Director for the grant.

Participation requires the approval of your Honorable Body, via adoption of the attached resolution. The Board of Police Commissioners has been notified of the funding and approved participation.

<table>
<thead>
<tr>
<th>Title</th>
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<tbody>
<tr>
<td>Deputy Inspector General</td>
<td>01-01-49</td>
</tr>
<tr>
<td>Investigator — Office of Inspector General</td>
<td>01-17-10</td>
</tr>
<tr>
<td>Forensic Auditor — Office of Inspector General</td>
<td>01-17-20</td>
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</tbody>
</table>

If you have any questions or concerns, regarding this matter, please feel free to contact me at 965-1800, Monday through Friday, 9:00 a.m. to 5:00 p.m.

Respectfully submitted,
CHESTER L. LOGAN
Interim Chief of Police

Approved:
FLOYD STANLEY
Deputy Budget Director
CHERYL JOHNSON
Finance Director

By Council Member Brown:
Resolved, That the Detroit Police Department be and is hereby authorized to accept an increase in the FY2013 Traffic Enforcement Grant Project in the amount of $100,000.00, from $200,000.00 to $300,000.00. The appropriation number for this grant is 13521 and the cost center number is 372484.

The Increased funding will allow for payment of personnel overtime wages. The goal of Mich.O.H.S.P. is to increase the use of safety belts and proper use of child safety seats, thus substantially improving the likelihood of surviving a traffic crash and/or reducing the severity of injury. Additionally during enforcement, DPD officers will also focus on removing impaired (intoxicated) drivers from behind the steering wheels of cars, thus reducing their ability to hurt themselves or others.

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<th>Salary Range</th>
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<tbody>
<tr>
<td>$72,300-$112,500</td>
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<tr>
<td>$44,200-$61,300</td>
<td>K</td>
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<tr>
<td>$63,000-$84,100</td>
<td>K</td>
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</tbody>
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Respectfully submitted
PATRICK A. AQUART
Director
Human Resources Department

Human Resources Department 
November 1, 2012
Honorable City Council:
Re: Request to Amend the Official Compensation Schedule

Recommendation is submitted to amend the 2012-2013 Official Compensation Schedule to include the following pay ranges for classifications that were adopted to staff the Office of Inspector General:

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<td>01-17-20</td>
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</tbody>
</table>

Approved:
BRENT HARTZELL
Budget Director
MICHAEL V. JAMESON
Finance Director

By Council Member Jones:
Resolved, That the 2012-2013 Official Compensation Schedule is hereby amended to reflect the following pay ranges, effective upon Council’s approval.