

PS COMMITTEE #1  
November 26, 2012  
**Worksession**

**MEMORANDUM**

November 21, 2012

TO: Public Safety Committee

FROM: Essie McGuire, Senior Legislative Analyst *DMC*

SUBJECT: **Worksession – Supplemental Appropriation to the FY13 Operating Budget, Montgomery County Government, Montgomery County Fire and Rescue Service, Staffing for Adequate Fire and Emergency Response Grant, \$716,220**

Today the Public Safety Committee will hold a worksession to discuss a supplemental appropriation to the FY13 Operating Budget, Montgomery County Government, Montgomery County Fire and Rescue Service (MCFRS), Staffing for Adequate Fire and Emergency Response (SAFER) Grant, \$716,220. Fire Chief Richard Bowers and Dominic Del Pozzo, Budget Manager, MCFRS, are expected to participate in today's discussion.

A draft appropriation resolution is attached at circles 3-4. The Council introduced this resolution on November 13, and is tentatively scheduled to hold a public hearing and consider action on November 27.

The total Federal SAFER grant award is \$3,255,098 over two years (November FY13-November FY15) and will fund 23 firefighter positions. This appropriation request represents the Federal grant amount for the remainder of this fiscal year. The Federal SAFER grants no longer require County matches in personnel costs, or that counties maintain the staffing level past the grant period. County funds are required to train and equip the new firefighters, which will cost the County \$503,585 in FY13. The Executive's transmittal indicates that MCFRS will fund these expenses within its current appropriation.

The chart on circle 5 shows the breakdown of Federal and County funds for the three fiscal years of the grant. The table shows \$890,889 in County funds in FY15 which would be needed if the County chose to maintain the positions past the Federal grant period which ends in November 2014 (FY15).

The grant award will be used to restore the service of one ladder truck and one emergency medical services (EMS) unit, both of which were taken out of service to meet budget reductions. The ladder truck requires 14 positions and the EMS unit requires 9.

The County anticipated allocating \$1.3 million of EMS Reimbursement revenue in FY13 to restoration of the ladder truck service. At the time the Council appropriated this EMS revenue, the Executive did not have notice of the Federal award. MCFRS requested a waiver from the Federal Emergency Management Agency (FEMA) to use the grant funds for the ladder truck and use the local EMS Reimbursement funds for other fire rescue purposes (waiver request statement attached on circle 6). The waiver was needed to ensure that the grant not be considered supplanting local resources. FEMA approved the requested use of the Federal funds.

Council staff understands that the Executive intends to use \$503,585 of the EMS Reimbursement revenue to train and equip the SAFER grant funded personnel in FY13. MCFRS staff stated that the Executive will shortly transmit to the Council his plan for the remainder of the FY13 EMS revenue related to the ladder truck (approximately \$800,000). At this time, MCFRS staff anticipates that these funds will support the volunteer portion of the EMS Reimbursement revenue agreed to in the recent Memorandum of Understanding between the Montgomery County Volunteer Fire and Rescue Association (MCFVRA) and the Executive.

Paragraph 41 of Resolution 17-443, the FY13 Operating Budget resolution for County Government, specifies how the EMS Reimbursement appropriation can be used. Council staff notes that the proposed use of \$503,585 in EMS funds to train and equip the new firefighter positions is consistent with this paragraph's language that \$1.3 million is for "Service Restoration: ladder truck 1<sup>st</sup> Battalion" (full paragraph attached on circle 7).

Council staff supports the Executive's approach to secure a waiver for the Federal grant in order to maximize all available funding. The Committee will revisit the allocation of EMS reimbursement revenue in the context of the MOU and related funding needs when the Executive transmits that implementation plan.

**Council staff recommends approval of the Federal grant appropriation of \$716,220 for FY13.** It is important to process these funds quickly so that the new firefighter positions can participate in the upcoming recruit class. **Council staff also recommends adding the following sentence to the action section of the appropriation resolution:** "MCFRS may use \$503,585 of appropriated EMS Reimbursement revenue to train and equip firefighter positions, consistent with the "Service Restoration: ladder truck" language in Paragraph 41 of Resolution 17-443."

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ECON DEV



OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

INTRODUCTION

RECEIVED  
MONTGOMERY COUNTY

2012 NOV - 6 AM 8:39

Isiah Leggett  
County Executive

MEMORANDUM

November 5, 2012

TO: Roger Berliner, President, Montgomery County Council  
FROM: Isiah Leggett, County Executive *[Signature]*  
SUBJECT: Supplemental Appropriation #13-342 to the FY13 Operating Budget  
Montgomery County Government  
Montgomery County Fire and Rescue Service  
Staffing for Adequate Fire and Emergency Response (SAFER) Grant, \$716,220

I am recommending a supplemental appropriation to the FY13 Operating Budget of the Montgomery County Fire and Rescue Service in the amount of \$716,220 for the Staffing for Adequate Fire and Emergency Response (SAFER) Grant. The appropriation will fund the first year of personnel and operating costs for 23 fire fighter recruits.

This appropriation is needed because the Department of Homeland Security (DHS) has awarded the Montgomery County Fire and Rescue Service a grant in the amount of \$3,255,098 to fully fund the salaries and benefits for 23 fire fighter positions for two years, which will provide ladder truck and ambulance service. These services will reduce response times and enhance the safety of our citizens and fire and rescue personnel.

The MCFRS original appropriation included restoration of ladder truck service using Emergency Medical Services (EMS) Transport Reimbursement Program revenues. MCFRS has requested approval from DHS to use the grant funds as intended, which will free up EMS reimbursement revenue originally appropriated to provide the First Battalion ladder truck.

Since the grant does not provide for costs such as instructors' salaries, promotional costs needed to restore several lapsed master firefighter and lieutenant positions, or equipment to outfit the new firefighters, the County will fund these FY13 expenses totaling \$503,585 within the current appropriation.

I recommend that the County Council approve this supplemental appropriation in the amount of \$716,220 and specify the source of funds as Federal Aid.

I appreciate your prompt consideration of this action.

IL: aw



Roger Berliner, President, County Council

November 5, 2012

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Attachments: Supplemental Appropriation # 13-342

cc: Kathleen Boucher, Assistant Chief Administrative Officer  
Jennifer Hughes, Director, Office of Management and Budget  
Joseph F. Beach, Director, Department of Finance  
Richard Bowers, Chief, Montgomery County Fire and Rescue Service

Resolution No: \_\_\_\_\_  
Introduced: \_\_\_\_\_  
Adopted: \_\_\_\_\_

COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

SUBJECT: Supplemental Appropriation #13-342 to the FY13 Operating Budget  
Montgomery County Government  
Montgomery County Fire and Rescue Service  
Staffing for Adequate Fire and Emergency Response (SAFER) Grant, \$716,220

Background

1. Section 307 of the Montgomery County Charter provides that any supplemental appropriation shall be recommended by the County Executive who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week's notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
2. The County Executive has requested the following FY13 Operating Budget appropriation increases for the Montgomery County Fire and Rescue Service:

<u>Personnel Services</u>	<u>Operating Expenses</u>	<u>Total</u>	<u>Source of Funds</u>
\$716,220	\$0	\$716,220	Federal Grant

3. This increase is needed because the Department of Homeland Security (DHS) has awarded the Montgomery County Fire and Rescue Service a SAFER grant in the amount of \$3,255,098. This grant fully funds the salaries and benefits for 23 firefighter positions for two years. This grant will allow MCFRS to provide truck and ambulance service. These

services will reduce response times and enhance the safety of our citizens and fire and rescue personnel.

4. The County Executive recommends a supplemental appropriation to the FY13 Operating Budget in the amount of \$716,220 for the Montgomery County Fire and Rescue Service and specifies that the source of funding will be Federal Grant.
5. Notice of public hearing was given, and a public hearing was held.

Action

The County Council for Montgomery County, Maryland, approves the following action:

A supplemental appropriation to the FY13 Operating Budget for the Montgomery County Fire and Rescue Service is approved as follows:

<u>Personnel</u>	<u>Operating</u>		<u>Source</u>
<u>Services</u>	<u>Expenses</u>	<u>Total</u>	<u>of Funds</u>
\$716,220	\$0	\$716,220	Federal Grant

This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council

SAFER Grant

Performance Period: November 2012 - November 2014

	FY13		FY14		FY15	
	<i>Federal</i>	<i>County</i>	<i>Federal</i>	<i>County</i>	<i>Federal</i>	<i>County</i>
<i>Salaries</i>	\$470,580	-	\$1,065,523	-	\$602,598	\$586,350
<i>Benefits</i>	\$245,640	-	\$556,200	-	\$314,557	\$304,539
<b>Personnel Costs</b>	<b>\$716,220</b>	<b>\$254,035</b>	<b>\$1,621,723</b>	<b>\$96,520</b>	<b>\$917,155</b>	<b>\$890,889</b>
<b>Operating Costs</b>	-	\$249,550	-	\$0	0	\$0
<b>Total</b>	<b>\$716,220</b>	<b>\$503,585</b>	<b>\$1,621,723</b>	<b>\$96,520</b>	<b>\$917,155</b>	<b>\$890,889</b>
<b>Total County Cost</b>		<b>\$503,585</b>		<b>\$96,520</b>		<b>\$890,889</b>
<b>Total Federal Cost</b>	<b>\$716,220</b>		<b>\$1,621,723</b>		<b>\$917,155</b>	

# MCFRS Waiver Request Statement

I am writing to request a waiver for the FY11 SAFER grant recently awarded to Montgomery County Fire and Rescue Service (MCFRS). The grant allows the county to hire 23 firefighters to replace staffing that had been cut from the budget in previous years. Fourteen of the positions are to be stationed in the "first battalion to staff a ladder truck" and the remaining nine positions would replace staff on other fire suppression units to allow the replaced personnel to staff "an Emergency Medical Services (EMS) unit in the Darnestown area." The grant covers all salary and benefits costs for these positions for two years beginning November 30, 2012.

Prior to receiving the award, county council appropriated funding for 14 positions to restore aerial ladder truck service in the first battalion. We want to use the SAFER award as it was intended, but use the county appropriation for other MCFRS needs, specifically facilities maintenance, equipment, apparatus, and training and equipping the SAFER firefighters. We are seeking written approval in the form of a waiver from the SAFER program office that this change in the use of local funding would not be considered supplanting, or displacing local funding with federal funding, under SAFER grant regulations.

The county does not intend to "save" the local funding or use it for something entirely unrelated to its original purpose. We want to use it for fire and rescue needs other than staffing a truck. Also, the county did not have the appropriation to restore service when we submitted the application for the SAFER grant. Finally, when the appropriation did pass, it was conditioned on the implementation of a new Emergency Medical Services Transportation Reimbursement Program; and it could in no case be used until January 1, 2013.

Given these circumstances, I ask that the program office allow us to proceed as we requested by approving this waiver to our grant. I must ask for concurrence in writing, so that it can be relied upon in case the grant is audited in the future.

41. This resolution appropriates \$8,330,870 to the Montgomery County Fire and Rescue Service for the following items needed to implement the Emergency Medical Services Transport Reimbursement Program and the uses of revenue collected under this Program:

Third party billing	\$470,670
Community Outreach	\$200,000
Personnel Training	\$25,000
Personnel to implement program. These funds may be used to create no more than 4 new positions. One position must be a Patient Advocate.	\$335,200
Apparatus Replacement: 1 ladder truck, 1 engine, 5 EMS units	\$3,100,000
Facility Maintenance and Improvement	\$2,300,000
Service Restoration: ladder truck 1 <sup>st</sup> Battalion	\$1,300,000
Training	\$250,000
Fire and Rescue Equipment	\$350,000
<b>Total</b>	<b>\$8,330,870</b>

[These funds must not be spent before January 1, 2013. These funds must not be spent after January 1, 2013 if Bill 17-12 is repealed by referendum or is otherwise not implemented.] *Clerk's note: eliminated by Resolution 17-537*

If the EMST reimbursement program is implemented in FY 2013, the Fire Chief must submit a report to the Council not later than June 30, 2013 that includes for the period January 1 through May 30, 2013, the following data collected in collaboration with area hospitals.

- (a) The number of 911 calls for emergency medical services during the reporting period and a comparison to the number in this reporting period for the prior year;
  - (b) The number and type of emergency medical services provided during the reporting period;
  - (c) The mortality rates for County hospital for STEMI incidents, and a comparison to the rates in this reporting period for the prior year;
  - (d) The number of patients arriving in hospital emergency rooms complaining of heart attack or stroke symptoms who did not arrive by ambulance and a comparison to the number in this reporting period for the prior year.
  - (e) The number of invoices issued to collect revenue under this program and the average amount charged.
  - (f) The number of EMS transports of out-of-County residents;
  - (g) The number of hardship waivers requested and the number granted; and
  - (h) The number and type of calls received by the Patient Advocate.
42. During FY 2013, the Council estimates that the Director of Finance will transfer the following amounts from the General Fund to these Non-Tax Supported Funds: