

RESOLUTION NO. 89-R-448

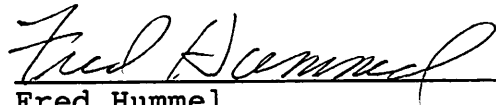
A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE MUTUAL ASSISTANCE AGREEMENT ATTACHED HERETO AND ADOPTING SAID AGREEMENT (EXHIBIT "A") BY REFERENCE.

WHEREAS, the Pacific Cal Ore Fire Chiefs Association and the Brookings City Council have agreed to enter into a Mutual Assistance Agreement;


NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brookings that the Mayor is hereby authorized to sign the Mutual Assistance Agreement between the Pacific Cal Ore Fire Chiefs Association and the City of Brookings; and

BE IT FURTHER RESOLVED by the City Council of the City of Brookings that the Mutual Assistance Agreement (Exhibit "A") attached hereto is hereby adopted by reference as if set forth herein in its entirety.

Passed by the Council and signed by the Mayor this 13th  
day of March, 1989.

  
\_\_\_\_\_  
Fred Hummel  
Mayor

ATTEST:

  
\_\_\_\_\_  
Beverly S. Shields  
City Recorder

MUTUAL ASSISTANCE AGREEMENT

WHEREAS, it is necessary and proper that a mutual assistance agreement be entered into by the undersigned for the mutual protection of life and property.

NOTE THEREFORE, in consideration of the covenants herein contained each of the undersigned agrees to furnish personnel and/or equipment to any of the other undersigned when assistance is necessary and personnel and/or equipment are available, and the City's/Fire Districts of Oregon/California here undersigned, in consideration of the covenants herein do hereby agree to receive and transmit such calls as may be received from the police and fire agencies of any and all of the undersigned when authorized by and transmitted in accordance with regulations of the Federal Communications.

IT IS FURTHER AGREED THAT:

1. When personnel and/or equipment are furnished upon call pursuant to this agreement, the person in charge of fire fighting at a fire, or other incident, in the district where such fire, or other incident occurs, shall have supervision over the personnel and/or equipment furnished during the time when a fire, or other incident is being fought; provided however, that if the chief or officer commanding fire fighting in the district where such fire, or other incident occurs, shall not have arrived at the fire, or other equipment dispatched from the party rendering aid shall be in an advisory position of the fire, or other incident, until the arrival of the chief or officer of the party requesting aid and during such time shall exercise all lawful authority of the chief of such district.

2. Each party waives all claims against every other party for compensation for any loss, damage, personal injury or death occurring as a consequence of the performance of this agreement.

3. Minimum requirements of personnel and/or equipment to be maintained by any party to this agreement shall be fixed by the fire chiefs of the parties to this agreement, designated as the Cal-Ore Fire Agencies Board, and failure to meet these requirements by any party shall be the basis for immediate cancellation of this agreement by the other parties to this agreement, acting through the board, with the party. Such non-complying party may appear before the board for the purpose of presenting its case at the time such action is to be taken. Tactics, equipment, and responding procedures shall be kept in the Cal/Ore Mutual Aid Book and shall be kept current.

4. Responding parties waive costs of manpower and equipment to the agency requesting aid for a period of 24 hours after which costs will be born by the requesting agency unless waived by the responding agency.

ADDENDA

1. The city of Brookings will be called to respond only to structural fires that are beyond the ability of the local fire fighting agency to control.

2. The Pacific Coast Cal Ore Fire Chiefs Association shall appoint a committee to draft a new and more definitive contract in a manner which would permit the new contract to be signed by all participating agencies within one year from the date of the adoption of this contract.

IN WITNESS WHEREOF, the undersigned, pursuant to resolutions duly and legally adopted, have caused these presents to be signed by its mayor and recorder and its corporate seal to here unto affixed, or signed by its chairman and secretary, as the case may be.

ATTEST:

CITY OR RURAL FIRE PROTECTION DISTRICT OF City of Brookings

Avery S. Smith  
City Recorder or

BY Fred Hummel  
Mayor or

Secretary, Board of Directors

Chairman, Board of Directors

Dated this 13th day of March, 19 89.