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UMATILLA COUNTY  
RECORDS

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

STATE OF OREGON

|                               |   |                      |
|-------------------------------|---|----------------------|
| In the Matter of Creation of  | ) |                      |
| and Awarding of Franchise for | ) | Order No. BCC2002-38 |
| Ambulance Service for         | ) |                      |
| Ambulance Service Area #6 and | ) |                      |
| Amending Order No. BCC2002-21 | ) |                      |

WHEREAS Umatilla County adopted Ordinance No. 96-06 for the establishment of Ambulance Service Areas and the method for selection of emergency ambulance providers for each area; and

WHEREAS on June 6, 2002, the Board of Commissioners adopted Order No. BCC2002-21, granting Ambulance Service Area franchises for the period expiring June 30, 2005; and

WHEREAS since June, 1999, discussions have continued to create a new franchise for the area known as Mill Creek to be serviced by the City of Walla Walla; and

WHEREAS the City of Walla Walla Fire Department has been working with the Oregon Health Division Emergency Medical Services and Systems, the State of Washington Department of Health's Office of Emergency Medical and Trauma Prevention and Umatilla County to find a way to legally provide emergency medical response, care and transport (ambulance service) to the Mill Creek area of Oregon; and.

WHEREAS Oregon EMS has clarified and defined a 1989 letter of agreement between the two states that had not previously defined emergency medical response, care and transport across state borders. Practices and state rules since the letter was originally drafted appeared to negate ambiguous portions of the 1989 letter. The clarification was submitted to Washington's Office of Emergency Medical and Trauma Prevention by Oregon EMS. Both states have agreed to the memo of clarification. The City of Walla Walla believes the new memo provides the clarification needed to allow the Fire Department to legally provide paramedic ambulance services to the Mill Creek area of Oregon under Washington licensing and certification; and

WHEREAS even though Oregon EMS still needs to grant a variance to Umatilla County, the City of Walla Walla--based on the clarified 1989 letter of agreement between Washington and Oregon--is willing to immediately begin providing emergency medical response, care and transport to the Mill Creek Area of Umatilla County, Oregon; and

WHEREAS the area known as Mill Creek is more particularly described as that portion of Umatilla County located within Township 6 North, Range 38, East of Willamette Meridian.

NOW THEREFORE, the Board of Commissioners orders as follows:

1. Ambulance Service Area #6 is created from a portion of Ambulance Service Area #4, and shall cover that portion of Umatilla County located within Township 6 North, Range 38, East of Willamette Meridian, Umatilla County, Oregon.

2. For the period beginning October 17, 2002, 8:00 a.m. through June 30, 2005, the Ambulance Service Area #6 franchise is awarded to the City of Walla Walla.

3. Order No. BCC2002-21 is amended by this order.

DATED this 16th day of October, 2002.

UMATILLA COUNTY BOARD OF COMMISSIONERS

*[Signature]*

Emile M. Holeman, Chair

*William S. Hansell*  
William S. Hansell, Commissioner

*Dennis D. Doherty*  
Dennis D. Doherty, Commissioner



ATTEST:  
OFFICE OF COUNTY RECORDS

*Jean Humphries*  
Records Officer



**RESOLUTION NO. 2002-86**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH UMATILLA COUNTY TO PROVIDE AMBULANCE SERVICE FOR UMATILLA AMBULANCE SERVICE AREA #6, TO EXECUTE AMENDMENTS THERETO, AND TAKING OTHER ACTION RELATED THERETO

WHEREAS, chapter 39.34 of the Revised Code of Washington authorizes political subdivisions of the State of Washington to enter into intergovernmental agreements with political subdivisions of other states; and

WHEREAS, the State of Washington Department of Social and Health Services entered into an intergovernmental agreement with the State of Oregon Health Division on February 7, 1989 authorizing certified personnel on licensed ambulance services from either state to transport patients from the other state into their state; and

WHEREAS, the State of Oregon Department of Human Service EMS and Trauma Systems Section issued a memo of clarification on October 7, 2002 stating that the 1989 agreement is still valid and that the parties to that agreement intend to engage in a collaborative revision and redraft of that agreement; and

WHEREAS, Umatilla County, State of Oregon, has established Umatilla County Ambulance Service Area #6 commonly known as the Mill Creek area; and

WHEREAS, the Board of Commissioners of Umatilla County, State of Oregon, adopted Order No. BCC2002-38 on October 16, 2002 awarding a franchise for Umatilla County Ambulance Service Area #6 to the City of Walla Walla; and

WHEREAS, the Walla Walla City Manager accepted the ambulance service franchise for Umatilla County Ambulance Service Area #6 on an interim basis on behalf of the City of Walla Walla on October 16, 2002; and

WHEREAS, the Walla Walla City Council has considered this matter during a regularly and duly called public meeting of said Council, has given careful review and consideration to the matter, and finds that the common benefit of the citizens of Walla Walla and the best interests of the City of Walla Walla and good government of the City of Walla Walla will be served by passage of this resolution;

**NOW THEREFORE, the City Council of the City of Walla Walla do resolve as**

**follows:**

**Section 1:** The City of Walla Walla accepts the ambulance service franchise for Umatilla County Ambulance Service Area #6 on an interim basis pending negotiation and execution of an intergovernmental agreement between the City of Walla Walla and Umatilla County regarding ambulance service for Umatilla County Ambulance Service Area #6, and the acceptance of such franchise on an interim basis by the City Manager on behalf of the City of Walla Walla is hereby confirmed and ratified.

**Section 2:** The City Manager of the City of Walla Walla is hereby authorized, empowered, and directed to negotiate and execute an intergovernmental agreement on behalf of the City of Walla Walla to provide ambulance services to Umatilla County Ambulance Service Area #6.

**Section 3:** The City Manager of the City of Walla Walla is hereby authorized and empowered to execute amendments to the intergovernmental agreement authorized by section 2 of this resolution on the following conditions: (a) the content of any amendment executed by the Walla Walla City Manager shall comply with the Washington Interlocal Cooperation Act, Chapter 39.34 of the Revised Code of Washington, (b) no amendment executed by the Walla Walla City Manager shall relieve the City of Walla Walla from compliance with enactments of the Walla Walla City Council or any other obligation or responsibility imposed by law except that to the extent of actual and timely performance thereof by a joint board or other legal or administrative entity created by an intergovernmental agreement, such performance may be offered in satisfaction of the obligation or responsibility, (c) any amendment executed by the City Manager shall be reported to the Walla Walla City Council at the first meeting of the Walla Walla City Council following execution of the amendment, and (d) any amendment executed by the City Manager must provide that it may be revoked and terminated by the Walla Walla City Council at the meeting that it is first reported to the Walla Walla City Council.

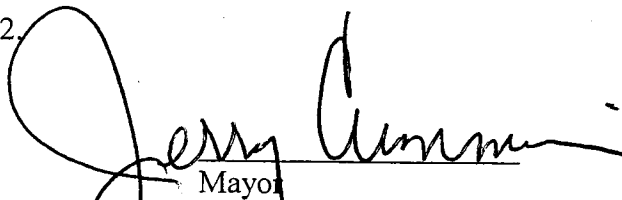
**Section 4:** The Walla Walla City Clerk is hereby authorized and directed to attest and file a copy of the intergovernmental agreement executed in accordance with section 2 of this resolution, and, unless revoked and terminated by the Walla Walla City Council at the meeting that it is first reported to the Walla Walla City Council, any amendment to the intergovernmental agreement executed and reported in accordance with section 3 of this resolution as required by Section 39.34.040 of the Revised Code of Washington and prior to its entry in force.

**Section 5:** If any portion of this resolution shall be determined to be invalid or ineffective by a court of competent jurisdiction, it shall be severable from the remainder, the validity and

effectiveness of which shall be unaffected.

**Section 6:** This resolution shall become effective in the manner provided by law.

**PASSED** by the City Council of the City of Walla Walla, Washington, this 18th  
day of December, 2002.



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Mayor

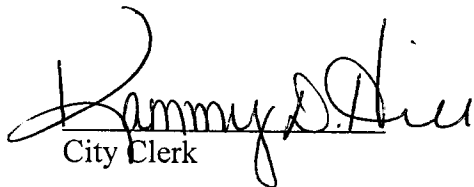
Approved as to form



\_\_\_\_\_

City Attorney

Attest:



\_\_\_\_\_

City Clerk



Kammy  
1431

CITY MANAGER

CITY HALL · 15 N. 3rd Ave.  
P.O. Box 478  
Walla Walla, WA 99362-0216  
(509) 527-4522  
FAX (509) 527-3745

October 16, 2002

Umatilla County Board of Commissioners  
216 S. E. Fourth Street  
Pendleton, Oregon 97801

Dear Commissioners:

In reference to Umatilla County Order No. BCC2002-38, the City of Walla Walla based on my authority to administer the services provided by the City of Walla Walla, accepts the responsibility to provide emergency medical response, patient care and transportation to the Mill Creek area of Umatilla County, Oregon, referred to as Ambulance Service Area #6. It is understood that this agreement will begin at 0800 hours on October 17, 2002 and continue through June 30, 2005 unless altered under applicable sections of the "Ambulance Service Area Plan For Umatilla County, Oregon".

It is my understanding and a condition of this acceptance that it is provisional and subject to withdrawal with 30 days notice.

Sincerely,

A handwritten signature in cursive script that reads "Duane Cole".

Duane Cole  
City Manager



# Oregon

John A. Kitzhaber, M.D., Governor

## Department of Human Services

Health Services

800 NE Oregon Street

Portland, OR 97232-2162

(503) 731-4030 Emergency

(503) 731-4011 x633

(503) 731-4077

FAX

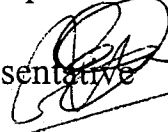
TTY-Nonvoice (503) 731-4031

INTERNET: [elizabeth.e.morgan@state.or.us](mailto:elizabeth.e.morgan@state.or.us)

[www.ohd.hr.state.or.us/cehs/ems](http://www.ohd.hr.state.or.us/cehs/ems)

DATE: October 7, 2002

TO: Grant Higginson, MD, MPH, Acting Administrator, OPHS  
Jonathan Chin, Director EMS and Trauma Systems Section  
Rhea Kessler, Assistant Attorney General  
Tom Groat, Umatilla County ASA  
✓ Jack Pinza, Walla Walla Fire Department  
Jack Cvitanovic, Washington State Office of EMS  
Rick Sager, Chief Milton-Freewater Rural Fire Department

FROM: Elizabeth E. Morgan, NREMT-P, Program Representative 

SUBJECT: Memo of Clarification

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The Department of Human Services EMS and Trauma Systems Section (formerly the Oregon Health Division) has evaluated the 1989 Letter of Agreement signed by Washington and Oregon which allowed an ambulance licensed in one state to operate in the other state and to operate that ambulance with EMT's that are certified in the state where the ambulance is based.

Washington State Office of EMS and Trauma Prevention and DHS-EMS agree that the 1989 letter of agreement is still valid. DHS-EMS will initiate a collaborative revision and redraft of the 1989 Letter of Agreement for clarity and compliance with current rules pertaining to interstate agreements.

Washington State Office of EMS and Trauma Prevention and DHS-EMS agree that authority for and practice of emergency medical response, care and transportation of patients across boarder areas is allowed in the manner specified in the 1989 Letter of Agreement. With respect for the intent to clarify, describe and identify

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authority regarding complaints registered against a transporting agency or towards a provider(s) Washington State Office of EMS and Trauma Prevention and DHS-EMS will collaboratively investigate and accept responsibility for any action taken.

All parameters defined in WAC, ORS and OAR as well as Washington Regional EMS and Trauma Care Plan will apply to agencies and EMT's functioning under the 1989 Letter of Agreement.

Should you have any questions or concerns please contact the DHS-EMS section.