

**COUNCIL ACTION FORM**

**SUBJECT: HOLD HARMLESS AGREEMENT BETWEEN IOWA STATE FIRE MARSHAL FIRE SERVICE TRAINING BUREAU AND CITY OF AMES**

**BACKGROUND:**

The City of Ames was home to the Iowa Fire Service Training Bureau (FSTB), a division of Iowa State Fire Marshal's Office, from 1966 to 2020, when the FSTB relocated to Camp Dodge in Johnston. Although the FSTB is no longer located in Ames, the FSTB and Ames Fire Department maintain an exceptional relationship. An outgrowth of this relationship is the FSTB State Fire School, which FSTB continues to hold in Ames despite relocating its other facilities.

The FSTB State Fire School is one of the most visible and highly attended training opportunities for the Fire Service industry within the state. The event takes place in Ames, in partnership with the Ames Fire Department. This event brings hundreds of firefighters and fire service vendors from Iowa and nearby states to Ames for a weekend full of fire-related classroom and hands-on training.

The FSTB utilizes two locations for the weekend-long training: a training ground site and the ISU Scheman Building. With the move to Camp Dodge, the FSTB no longer has access to the former ISU training grounds. **Therefore, the FSTB is once again asking for permission to utilize the City's Public Safety Training Site, located at 309 Carnegie Avenue, for some of the hands-on training evolutions during the 2022 and 2023 State Fire Schools. A previous agreement to use the City's facilities was approved by City Council in 2021.**

**A Hold Harmless Agreement, which as been reviewed and approved by the City's Legal Department, has been drafted between the two organizations to facilitate the use of the City's Public Safety Training Site (Attachment A), by the FSTB. It should be noted that there will be no additional costs borne by the City of Ames for use of the City's Public Safety Training Site by the FSTB. The agreement covers both the 2022 and 2023 State Fire Schools, as well as any additional FSTB sponsored training activities, with preapproval from the Fire Chief, through December 31, 2023.**

**ALTERNATIVES:**

1. Approve the Hold Harmless Agreement between Iowa State Fire Marshal Fire Service Training Bureau and the City of Ames.
2. Direct staff to modify the proposed Hold Harmless Agreement.
3. Do not approve the Hold Harmless Agreement between Iowa State Fire Marshal Fire Service Training Bureau and the City of Ames.

**CITY MANAGER'S RECOMMENDED ACTION:**

The partnership between the Ames Fire Department and the FSTB has been mutually beneficial for both organizations for decades. Ames firefighters are provided multiple training opportunities and experiences through the FSTB for little to no cost. Additionally, the FSTB's State Fire School brings in hundreds of firefighters from around the State to the City of Ames for the weekend, which brings economic opportunities for local businesses and hotels.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as described above.

**HOLD HARMLESS AGREEMENT BETWEEN**  
**THE STATE OF IOWA FIRE MARSHAL FIRE SERVICES TRAINING BUREAU**  
**AND THE CITY OF AMES, IOWA**

THIS AGREEMENT is effective from May 24, 2022 through December 31, 2023 and is entered into between the Iowa Department of Public Safety, Division of State Fire Marshal (Fire Service Training Bureau-hereinafter referred to as "Department") and the City of Ames, Iowa (hereinafter referred to as "City"). The City will allow the Department to utilize the Ames Fire Department Training Grounds located in Ames, Iowa.

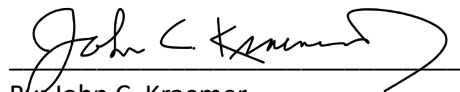
The Department will use the Training Grounds on dates agreed upon between the City and the Department. The Department intends to conduct fire schools in July 2022 and July 2023 and may conduct a training activity in September 2022. Other training activities may be scheduled with the knowledge and consent of the City. Without waiving any immunities or protections granted under the Constitution of the State of Iowa or the Iowa Code, the State of Iowa and the Iowa Department of Public Safety hereby agrees, to the extent allowed under the law, to indemnify and hold the City of Ames, Iowa, and its employees, harmless from and against all liability for injuries to any person or persons, including death, or damage to property caused by the use of the Training Grounds owned by the City of Ames.

The undersigned shall give the City prompt and timely notice of any claim made or suit instituted which in any way, directly or indirectly, contingently or otherwise, affects or might affect the City related to the use of the Training Grounds.

DATED AT: Johnston, Iowa, this 16th day of May, 2022

IOWA FIRE MARSHAL REPRESENTATIVE

CITY OF AMES REPRESENTATIVE



By: John C. Kraemer  
Bureau Chief

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By: John A. Haila, Mayor

Attest:

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By: Diane Voss, City Clerk