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DAVID H. YAMASAKI
Chief Executive Officer/Clerk
Superior Court of CA County of Santa Clara
BY D. ALDYCKI

City of Palo Alto

Fire Department

September 1, 2011

Santa Clara County Civil Grand Jury
Superior Court
191 North First Street
San Jose, CA 95113

Re: Civil Grand Jury Report - "Fighting Fire or Fighting Change? Rethinking Fire Department Response Protocol and Consolidation Opportunities"

Presiding Judge,

Attached you will find, as required by California Penal Code Section 933.05(a,b), the City of Palo Alto's response to the Santa Clara County Civil Grand Jury's Final Report, "Fighting Fire or Fighting Change? Rethinking Fire Department Response Protocol and Consolidation Opportunities."

Should you have any questions or concerns regarding the enclosed document, please feel free to call me at (650) 329-2103.

Sincerely,



Dennis Burns
Interim Public Safety Director

Finding 1: It is extremely costly to equip a fire department for only the occasional fire response; the County and fifteen towns/cities have not been proactive in challenging fire departments to adopt changes that are more cost effective and that better serve their communities. Further, unions are more interested in job preservation than in providing the right mix of capabilities at a reasonable cost, using scare tactics to influence the public and fostering firefighter unwillingness to collaborate with EMS.

Response

The City of Palo Alto agrees and disagrees with this finding.

The City recognizes that it is costly to equip a fire department and has actively sought to gain a greater understanding of the Palo Alto Fire Department operations, costs and service delivery model. To that end, it has recently commissioned and is in the process of completing three separate studies to review operations within the Fire Department.

However, in reviewing the Grand Jury's report, Table 1 on page 2 identifies the jurisdictions within Santa Clara County and states that Palo Alto is the highest per capita city/district in the county at \$419. The City believes that this assessment is incorrect because it does not include the population of Stanford/SLAC and revenue generated through ambulance transport, Stanford and SLAC contracts, plan check and other fees. A more representative analysis of cost associated with service delivery can be found in the 2010 LAFCO report that shows that Palo Alto's per capita cost to be \$244.

Recommendation 1A: All cities that manage their own fire department—Gilroy, Milpitas, Mountain View, Palo Alto, San Jose, Santa Clara, Sunnyvale—and the County (for CCFD and SCFD) should benchmark and observe best practices from communities that have demonstrated successful changes in response protocol and consolidation efforts, such as in San Mateo County, CA; West Jordan, UT; or Scottsdale, Arizona.

Response

The City of Palo Alto agrees with this recommendation and has taken steps to implement the recommended action.

This year the City of Palo Alto completed three studies—(1) Fire Services Utilization and Resources,(2) Emergency Medical Services and (3) Office of Emergency Services . City staff are in the process of implementing or proposing to the best practices which have been identified in these reports. Some of the recommendations from these reports, particularly the Utilization and Resources study, require meet and confer with labor.

Additionally, staff has visited San Mateo County and West Jordan, Utah to tour facilities and understand their service delivery models. Staff members will also be visiting Scottsdale and Phoenix to observe their operations in the near future.

Consolidations have occurred throughout the County, along with auto-aid and mutual-aid agreements which have been in place for decades. Regionalized efforts including shared dispatch service, closest unit response, emergency management, joint training, sharing technology solutions, hazardous materials response and training, homeland security grants and regionalized resources are in place. These consolidation, collaborations, and aid agreements are continually evaluated and refined.

The City of Palo Alto recently signed a new, expanded auto-aid agreement with Menlo Park Fire Prevention District. This agreement adds truck company and battalion chief responses from both agencies into the requesting jurisdiction.

The City of Palo Alto and all fire departments and districts are represented by their fire chiefs through membership in the Santa Clara County Fire Chiefs Association and its various subgroups. Since inception, the Association has worked to address a wide range of fire service issues to identify and implement changes that are more cost effective and better serve the needs of the communities throughout Santa Clara County. Fire Chiefs meet monthly to identify opportunities for efficiency and coordination of resources, consolidation of departments, joint training efforts, purchasing power leveraging for apparatus and PPE, communications consolidation, and other opportunities.

Recommendation 1B: All fifteen towns/cities—Campbell, Cupertino, Gilroy, Los Altos, Los Altos Hills, Los Gatos, Monte Sereno, Morgan Hill, Milpitas, Mountain View, Palo Alto, San Jose, Santa Clara, Saratoga, Sunnyvale—and the County (for CCFD and SCFD) should determine the emergency response service they want to achieve, particularly as to the result, then determine how best to achieve that.

Response

The City of Palo Alto agrees with this statement and has already taken steps to implement this recommendation.

In 2011 the City of Palo Alto completed the previously mentioned Fire Services Utilization and Resources Study. The scope of this project was to provide a third party independent review of the PAFD such that city officials can understand how well the system is working and how the fire department can provide services more efficiently. A major part of this study was to look at station locations and response times and an analysis of Fire and EMS Operations as compared to the Center for Public Safety Excellence (CPSE) Standard of Cover process as a benchmark.

The Fire Study made some excellent recommendations to improve efficiency and effectiveness. The City of Palo Alto and Fire Department command staff are in the process of evaluating the exact level of service that is appropriate for the City and expect to make a more precise determination within the next 12 months (?). To make this determination the City will consider costs, station locations (including closing, merging and building new stations), community input and labor issues.

Recommendation 1C: All cities that manage their own fire department—Gilroy, Milpitas, Mountain View, Palo Alto, San Jose, Santa Clara, Sunnyvale—and the County (for CCFD and SCFD) should collaborate with their fire department, union and political leadership to drive fire department change and develop consistent, joint communications messages for the public.

Response

The City of Palo Alto agrees with this recommendation and has not yet implemented this recommendation.

The Palo Alto Fire Department and Local 1319 meet bi-monthly to discuss issues of mutual interest. In addition, the Santa Clara County Fire Chiefs Association meets with the joint labor council to address issues and develop a consistent message. However, as the City and the fire union are currently at impasse in labor negotiations, it is clear that these meetings alone have not resulted in effective collaboration or policy change.

The City believes this recommendation has a great potential as each of these groups has a vested interest in providing the best level of service for the community, and will work to implement this recommendation in 2012 after the current cycle of negotiations resolves.

Finding 2: Based on SCC's fluctuating demand for emergency services, contractually based minimum staffing requirements are not warranted and hinder fire chiefs in effectively managing firefighter staffing to meet time of day, day of week, season of year demand. This wastes money and may drive station closure as budgets continue to erode.

Response

The City of Palo Alto agrees with this finding.

The City of Palo Alto does have contractually mandated minimum staffing for each piece of apparatus and per shift. Apparatus are staffed with three (3) personnel on engines, trucks and rescues and two (2) paramedics on ambulances. Daily minimum staffing requirements are 29 personnel, excluding the battalion chief, and 31 when the foothills station is open.

Recommendation 2: All cities that manage their own fire department—Gilroy, Milpitas, Mountain View, Palo Alto, San Jose, Santa Clara, Sunnyvale—and the County (for CCFD and SCFD) and that also have contractual minimum staffing requirements should reopen negotiations with the unions to eliminate this term and any other term that limits a fire chief’s ability to “right-size” staffing given the time of day or time of year.

Response

The City of Palo Alto agrees with this recommendation and has already proposed elimination of staffing minimums.

The City of Palo Alto is currently at impasse in labor negotiations with the union. The City has proposed eliminating the minimum staffing requirements and the labor union has not agreed. The City anticipates resolution by 2012

Finding 3: Whether the emergency responder is a firefighter-paramedic or an EMS paramedic matters little to the person with the medical emergency; using firefighter-paramedics in firefighting equipment as first responders to all non-police emergencies is unnecessarily costly when less expensive paramedics on ambulances possess the skills needed to address the 96% of calls that are not fire related.

Response

The City of Palo Alto agrees and disagrees with this finding.

To the extent that medical emergencies occur in which emergency medical needs are not able to be met by paramedics on ambulances due to the need for additional personnel for patient treatment while on scene, patient treatment while en-route to a hospital, victim extrication, patient packaging and loading, changing the response protocols may not be effective for some cases .

For example, Table 2 in the Grand Jury report indicates that approximately 4% of calls are for fires, 70% of calls are for emergency medical service, and 26% of calls are for “Other” – a classification that includes rescues, hazardous materials responses, alarm activations, and a number of other types of calls for service. , For the “Other” calls involving technical rescues, hazardous materials releases paramedics on ambulances would not possess the skills, or the equipment necessary to address those issues

However, the City of Palo Alto recognizes that we can tailor our response to medical emergencies through the use of Emergency Medical Dispatch (EMD) procedures. This will enable the Fire Department to respond the appropriate resources to a given incident based upon standardized guidelines. This will

reduce the need to send a fire engine on all medical emergency calls. The Palo Alto Fire Department will implement EMD this fiscal year.

Recommendation 3A: All fifteen towns/cities—Campbell, Cupertino, Gilroy, Los Altos, Los Altos Hills, Los Gatos, Monte Sereno, Morgan Hill, Milpitas, Mountain View, Palo Alto, San Jose, Santa Clara, Saratoga, Sunnyvale—and the County (for CCFD and SCFD) should adopt an emergency services department mentality and staff or contract accordingly to meet demand.

Response

The City of Palo Alto agrees with this recommendation and is working to implement it.

The Palo Alto Fire Department has been proactive and introspective in examining our current procedures and efficiency. Consultant studies have provided the City with meaningful data and recommendations to modify our staffing based on demand and best practices.

Some current examples of existing strategies to staff according to demand include cross-staffing apparatus, staffing a fire station in the foothills only in the peak fire season, and staffing an ambulance during high demand periods. However, our current Memorandum of Understanding does not allow the Fire Department to reduce staffing levels. As discussed above, the City has proposed eliminating the minimum staffing provision and we are currently at impasse in negotiations over the issue.

Recommendation 3B: The County should modify its approach to mandating (through direct contract or through the EMS provider contract) that fire departments serve as first-responder, reserve the use of firefighting vehicles for fire events, and enable the EMS contractor to be first responder.

Response

The City of Palo Alto agrees with this statement. The Palo Alto Fire Department has exclusive operating rights for 9-1-1 transport services separate from the rest of the county and is in the process of conducting a study that will address options for enhancing the service and may include recommendation for contracting or altering the responses to medical calls .

Reserving the use of firefighting vehicles for events that would require the equipment and apparatus associated with fire events (such as vehicle accident with a patient extrication, exposures to hazardous materials, technical rescues) would likely be cost effective.

A third-party evaluation of our EMS program is being conducted and expected to be completed by September 2011. As mentioned in previous responses, the Palo Alto Fire Department will be making and/or proposing changes during this fiscal year to address these issues (EMD).

Recommendation 3C: In consideration of non-fire emergencies, all cities that manage their own fire department—Gilroy, Milpitas, Mountain View, Palo Alto, San Jose, Santa Clara, Sunnyvale—and the County (for CCFD and SCFD) should modify fire department protocols to authorize, incorporate and use less expensive non-firefighter paramedics and non-firefighting equipment.

Response

The City of Palo Alto agrees with this statement.

As stated in previous responses, the Palo Alto Fire Department is studying the efficiency of its responses to emergency calls and will be implementing changes in the current and following fiscal year, based on labor outcomes and consultant recommendations in accordance with industry standards, regulations and best practices.

Recommendation 3D: All cities that manage their own fire department—Gilroy, Milpitas, Mountain View, Palo Alto, San Jose, Santa Clara, Sunnyvale—and the County (for CCFD and SCFD) should consider ways to extend the service life of expensive firefighting vehicles by augmenting with ambulance vehicles—either newly purchased as fire apparatus is replaced or in collaboration with the county EMS provider.

Response

The City of Palo Alto agrees with this finding and has implemented augmentation with ambulances.

The City of Palo Alto's current service life for firefighting apparatus is 20 years. Advancements in technology, emissions, and apparatus safety significantly improve in that 20 year time period. Extending service life several years for a specific apparatus does occur on a case by case basis. Recent apparatus replacement has been extended to beyond 20 years.

The City of Palo Alto is the only city in Santa Clara County that provides primary ambulance transport services and has exclusive operating rights in our service area. The Palo Alto Fire Department operates two ambulances and seven engine companies that provide Advance Life Support (ALS) capability. In addition the department operates one Basic Life Support (BLS) ambulance during weekdays from 0800 to 1800 hours.

Finding 4: Emergency callers care less about seeing their city/town name on the equipment door than receiving timely assistance when needed, and a wide variety of consolidation opportunities offer cities ways to deliver emergency response services at a reduced cost and without compromising service response times.

Response

The City of Palo Alto agrees with this finding.

The City of Palo Alto is participating in a variety of multi-agency efforts to consolidate services or share services and resources. Technology is now available, or being developed, to drop geographic boundaries and use virtual mapping to assign the closest first responder regardless of agency affiliation. This effort is led in part by the Silicon Valley Regional Interoperability Authority (SVRIA).

The City of Palo Alto has existing automatic aid agreements with neighboring agencies that provides the closest available resource to respond to emergencies regardless of the jurisdiction.

Recommendation 4A: All cities that manage their own fire department—Gilroy, Milpitas, Mountain View, Palo Alto, San Jose, Santa Clara, Sunnyvale—and the County (for CCFD and SCFD) should evaluate and implement cost-saving consolidations, including administration consolidation, boundary drop, department or regional consolidation, purchasing, personnel training and equipment maintenance.

Response

The City of Palo Alto agrees with this recommendation and has implemented programs in many of these areas.

The City of Palo Alto is currently utilizing one Chief to oversee the Police and Fire Departments.

The City participates in regional training for recruit academies and fire officer training.

The City of Palo Alto is out to bid with the cities of Los Altos and Mountain View for the joint purchase of a new Computer Aided Dispatching system and are actively working to create a virtual consolidation of our dispatch centers to reduce costs.

We have recently updated the Automatic Aid Agreement with Menlo Park Fire (San Mateo County) to include Battalion Chief and truck company responses into each respective jurisdiction. In addition we have regionalized our water rescue response with the Menlo Park Fire Protection District.

Other efforts include the sharing and collaboration of Fire Cause and Arson Investigation personnel, in-county Overhead Support Team, and Multi-discipline/multi-county Task Force Teams.

The fire departments in Santa Clara County share many grant funded regional assets that are available through the mutual aid system. These assets include Breathing Support Vehicles, HAZ-MAT trailers, EMS trailers, Technical Rescue and Shoring trailers and tow vehicles.

Recommendation 4B: All cities that manage their own fire department—Gilroy, Milpitas, Mountain View, Palo Alto, San Jose, Santa Clara, Sunnyvale—and the County (for CCFD and SCFD) should consider adopting a vehicle fleet management approach by establishing a county-wide standard for vehicles and equipment, consolidating purchases to take advantage of lowered costs, and consolidating maintenance or revisiting guaranteed maintenance contracts on new vehicle purchases.

Response

The City of Palo Alto agrees with this recommendation. Examples of implementation include:

-The City of Palo Alto and the City of Mountain View jointly purchased, maintain and share a Reserve Fire Truck.

-Santa Clara County fire agencies are applying for a regional Assistance to Firefighters Grant for apparatus mobile and portable multi-band radios.

-The City of Palo Alto has collaborated with other fire agencies to maximize opportunities and lower costs in the purchase of fire trucks, engines and ambulances.



City of Palo Alto

City Council Staff Report

(ID # 2052)

Report Type: Consent Calendar

Meeting Date: 9/12/2011

Summary Title: Grand Jury - "Fighting Fire or Fighting Change?"

Title: Approval of Response to Santa Clara County Grand Jury Report on "Fighting Fire or Fighting Change? Rethinking Fire Department Response Protocol and Consolidation Opportunities"

From: City Manager

Lead Department: Fire

Recommendation

Staff recommends that Council approve the attached response to the Santa Clara County Grand Jury report on the fire service in Santa Clara County.

Executive Summary

The 2010-2011 Santa Clara County Grand Jury Report entitled, "Fighting Fire or Fighting Change? Rethinking Fire Department Response Protocol and Consolidation Opportunities," outlines a number of concerns, findings and recommendations regarding public safety dispatching and radio communications in Santa Clara County. The primary concerns of the Grand Jury are:

- Managing fire department personnel more effectively
- Changing fire department response protocol to an emergency response department model to better respond to the nearly 70 percent of emergency calls countywide that are medical in nature
- Exploring and implementing consolidation opportunities

Background

The Palo Alto Fire Department provides fire service for the City of Palo Alto, Stanford University and the SLAC National Accelerator Laboratory. In calendar year 2010, the Fire Department responded to 9,370 calls for service. The City operates eight fire stations, five of which are in the City of Palo Alto, one station is on the Stanford University campus and one is at the SLAC National Accelerator Laboratory. An eighth

station situated at Foothills Park is staffed only during the high fire season (July-September). The Palo Alto Fire Department consists of 122 employees and has a budget of \$28 million for FY 2011/2012. A contract with Stanford University results in recovery of 30.3 percent of the Fire Department budget. The Palo Alto Fire Department is the only agency in Santa Clara County that operates its own ambulances, which respond to medical emergencies and transports patients. The City receives approximately \$2.2 million each year in revenues for paramedic services.

Discussion

The City recognizes it is expensive to staff and equip a fire department. The City has been proactive in hiring consultants to analyze current fire department operations and determine the appropriate staffing and service levels for the actual functions performed. The studies are expected to determine the most efficient and effective staffing levels and equipment needed to address fire suppression and medical needs in the community. Many of the issues and recommendations made in the Grand Jury report were identified in the City's studies.

The Grand Jury report mentioned that fire departments should seek to manage their personnel more effectively and recommends that cities reopen negotiations to eliminate minimum staffing. The City of Palo Alto has a keen interest in managing its Fire Department staff more efficiently and more effectively. Currently minimum staffing exists in the Fire Department which sets forth the number of personnel assigned per shift and the number of personnel assigned to a piece of apparatus. The City and the firefighters union have been in protracted labor negotiations and are currently at impasse.

The Grand Jury report recommended that fire departments send staff to San Mateo County, CA; West Jordan, UT and Scottsdale, AZ to observe their operations and consider adopting these best practices. Recently we sent command staff to visit San Mateo County and West Jordan. Staff observed fire department operations, the command training center and the consolidated dispatch centers, which support consolidated fire operations. This month we will be sending additional command staff to Phoenix and Scottsdale, AZ to observe their consolidation efforts and observe their best practices. Also attending these visits were a number of police, fire command staff officers and emergency dispatch center manager from throughout the county. Staff will evaluate the feedback from these and other visits to determine if the experiences in these communities would be viable in our county.

The Palo Alto Fire Department recently signed a new automatic aid agreement with the Menlo Park Fire District. This new agreement provides for the two agencies to respond a battalion chief and fire truck into each respective jurisdiction. Additionally we have regionalized our water rescue response with Menlo Park Fire. This new agreement represent both agencies' commitment to collaboration and will provide valuable

resources that can be deployed to respond to local emergencies without regard for the Santa Clara-San Mateo County boundary.

The Grand Jury report indicated that consolidating public safety administration is a good practice. The report identified that efficiencies can be achieved by combining the command staff of police and fire under a single chief including budgeting and other administrative duties. The Palo Alto Fire and Police Departments have consolidated administrative staff under a single chief for the last fifteen months as a temporary solution. Staff is currently studying a command structure for a permanent public safety administration.

Another example of collaborative effort currently underway is the "virtual consolidation" of dispatch centers between the cities of Los Altos, Mountain View and Palo Alto. The virtual consolidation effort would allow the three cities' 911 centers to operate on the same platform and systems for basic police, fire, and EMS applications, the same 911 phone system and a common radio frequency. This consolidation would allow the three cities to shift dispatch responsibilities to concentrate on a significant incident or to adjust to staffing shortages. Through the use of improved situational awareness tools 911 dispatchers will be able to identify and dispatch the closest available resource even if it has to cross city boundaries. The virtual consolidation will reduce response times and create a more seamless delivery of public safety services to the residents of three communities.

The Grand Jury report questioned the use of dispatching firefighting vehicles to emergency medical calls for service. The study also recommended that fire departments purchase ambulances to respond to medical calls and extend the life of their firefighting vehicles. The report also recommended that fire departments use non-firefighter paramedics to staff the ambulances. As indicated in the Grand Jury report, the City of Palo Alto is unique as it is the only agency in the county that owns and operates ambulances. These ambulances are staffed by firefighter/paramedics respond to medical calls, as well as fire related calls for service. The City is awaiting a consultant's report that is studying the Fire Department's Emergency Medical Services operations. The Fire Department will evaluate the consultant's report and will implement the recommendations that make the most sense.

Next fiscal year the Fire Department will also be implementing the practice of Emergency Medical Dispatch. This practice requires the 911 dispatcher to conduct a thorough interview of the reporting party to determine the likely severity of the patient's illness or injury. The dispatcher who will be assisted by the Department's automated vehicle locator system will be able to dispatch the closest resource that possesses the correct capabilities resulting in a reduced response time and enhanced patient care. This practice may reduce or eliminate the need for firefighting vehicles to respond to some emergency medical calls for service.

Policy Implications

This response is consistent with City Policy.

Attachments:

- Grand Jury Cover Letter 090111 (PDF)
- Fighting Fire or Fighting Change June 2011 (PDF)

Prepared By: Roger Bloom,

Department Head: Dennis Burns, Police Chief

City Manager Approval: James Keene, City Manager