MILPITAS FIRE DEPARTMENT

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September 5, 2011

Gary Graves, Chief Operating Officer
County Government Center
70 West Hedding St. East Wing, 11th Floor
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Mr. Graves,

During the 2010 – 2011 session the Santa Clara County Civil Grand Jury conducted an inquiry on exploring change in fire departments located within Santa Clara County. This report discussed "how shifting resources, combining skill set and adopting other reforms can improve service, reduce costs and increase fire service/EMS efficiencies."

The City of Milpitas is responding to the Grand Jury's Final Report per authority section 933 (c) of the California Penal Code, which requires that a governing body of the particular public agency or department which has been the subject of a Grand Jury Final Report respond within **90 days,** by September 16, 2011, to the Presiding Judge of the Superior Court on the Findings and Recommendations pertaining to matters under the control of the governing body.

The California Penal Code requires each agency to respond in agreement or disagreement with each applicable finding; and state whether or not each recommendation has been implemented, will be implemented, or will not be implemented.

Should you have any questions or concerns regarding the enclosed document, please feel free to call me at (408) 586-2811

Respectfully,

Brian E. Sturdivant
Fire Chief

Enclosure

Milpitas Fire Department
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."

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 mixture of capabilities at a reasonable cost, using scare tactics to influence the public and fostering firefighter unwillingness to collaborate with EMS.

The Milpitas Fire Department totally disagrees with this finding.

Since the early 1960's, the Milpitas Fire Department and other towns/cities have been 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.

Together, the fire chiefs develop and oversee programs dedicated to the continued improvement and welfare of Santa Clara County fire services to meet their stated goals and objectives to include:

- Review of legislative developments while providing input through their elected representatives and professional affiliations.
- Serves as the executive advisory body to the Mission College Fire Science program.
- Work collaboratively with the Santa Clara County Emergency Medical Care Committee.
- Support and encourage uniformity in training, delivery of service, fire and hazardous materials codes and ordinances, and operational policies and practices.
- Function as a chapter of California Fire Chiefs Association.
- Elect a Fire and Rescue Mutual Aid Coordinator to manage provision of local and statewide mutual aid on behalf of all of the fire agencies in Santa Clara County.
- Instrumental in the formation and continued support of specialized regional teams for response to hazardous material incidents, technical rescues and potential terrorist attacks.
- Created and support regional incident management/support teams comprised of chief officers from every agency and discipline in Santa Clara County.

While each agency and fire chief enjoy a different relationship with their labor organizations, the Milpitas Fire Department continues to have a cooperative and collaborative relationship with Local 1699. The Milpitas Fire Command Staff has initiated the formal labor/management meeting process which includes the union's executive board to address issues, clarify language, and propose changes to the organization's rules, regulations and policies.

Recommendation 1A

All cities that manage their own fire department – Gilroy, Milpitas, Mt. 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, AZ.

The Milpitas Fire Department along with other cities in Santa Clara County has long been engaged in discussions regarding regionalization. The MFD continually reviews response level appropriateness. Each SCC community is unique and the "one size fits all" approach is unrealistic. Milpitas has unique community needs such an EMS and fire response to the SCC Elmwood Correctional Facility. This response is delivered with zero cost off-set from Santa Clara County.

MFD will embark on the Fire Accreditation process through the International Fire Accreditation International. This process targeted for FY 12/13 will include a comprehensive self-assessment and evaluation model that enables fire and emergency services organizations to examine past, current, and future service levels and performance and compare them to industry best practices. This process leads to improved service delivery by helping fire departments:

- Determine community risk and safety needs.
- Evaluate the performance of the department.
- Establish a method for achieving continuous organizational improvement.

Recommendation 1B

All fifteen towns/cities – Campbell, Cupertino, Gilroy, Los Altos Hills, Los Gatos, Monte Sereno, Morgan Hill, Milpitas, Mt. 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.

The Milpitas Fire Department agrees and has identified service delivery standards using NFPA, ISO, and the Commission on Fire Accreditation International and County EMSA performance guidelines that will be integrated into MFD policy. Success will be measured by fire accreditation through the CFAI.

Recommendation 1C

All cities that manage their own fire department – Gilroy, Milpitas, Mt. 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, join communication messages for the public.

MFD agrees with this statement. Milpitas is spearheading a collaborative approach to making change; city manager, fire chiefs, union leaders, and politicians will look to regularly meet and collaborate in making decisions, and then develop a strategy to effectively articulate the proposed change to the public.

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.

The MFD has contractually bound minimum staffing requirements per current MOU which is set to expire in Dec. 2012. Current minimum staffing levels include three person staffing on all front line apparatus (Truck/USAR 1, E1, E2, E3, T4) for a total of 15 per shift.

The MFD minimum staffing is a component of the MOU between the Milpitas Fire Department and the International Association of Firefighters Local 1699. This MOU component will be opened for future discussion when the current contract expires Dec. 31, 2012

Recommendation 2

All cities that manage their own fire department – Gilroy, Milpitas, Mt. 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 negotiation 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.

The MFD minimum staffing is a component of the MOU between the Milpitas Fire Department and the International Association of Firefighters Local 1699. This MOU component will be opened for future discussion when the current contract expires Dec. 31, 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.

MFD is not aware of the call analysis or any studies which identify that 96% of calls that are non-fire related can be handled by paramedics on an ambulance. This finding lacks sufficient detail to fully address the issues to which it refers.

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 material responses, alarm activations, and a number of other types of calls for service. The assertion that "less expensive paramedics on ambulances possess the skills needed to address the 96% of calls that are not fire related" does not stand up to scrutiny.

Paramedics on ambulances would not posses the skills, nor the equipment, to deal with the 26% of calls involving technical rescues, hazardous materials releases, or even fire alarm activations. Furthermore, an undetermined percentage of medical emergencies would not have their emergency medical need met by paramedics on ambulances. The response to many emergency medical services calls require additional personnel just for lifting, carrying, performing CPR, patient treatment on scene, patient treatment while en-route to a facility, victim extrication, patient packaging and loading.

To properly address the issue, one must weigh several factors and consider cost of any given service against the operational benefit. The cost effectiveness and operational efficiency of an emergency medical system which relies solely upon paramedics assigned to ambulances servicing all of Santa Clara County would require a substantial amount of study.

Recommendation 3A

All fifteen towns/cities – Campbell, Cupertino, Gilroy, Los Altos, Los Altos Hills, Los Gatos, Monte Sereno, Morgan Hill, Milpitas, Mt. 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.

The MFD is not sure what the Grand Jury is referencing in regards to adopting an "emergency services department mentality". Milpitas Fire feels it has implemented the recommended action.

Through utilizing the historical nomenclature of the traditional fire department, the Milpitas Fire Department has never been a single service, fire only provider. Since formation in 1954, a range of service, including EMS has been provided. Today, the Milpitas Fire Department is an all-hazard emergency services organization providing fire suppression, basic and advanced rescue, advanced life support first response medical services, hazardous material and technical rescue response, fire inspection, fire investigation, disaster preparedness and public education to the community. This mentality is evident in the organizations stated Mission, Vision, Values and Goals. Additionally, The MFD is staffed in a manner consistent with these guiding principles in mind.

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.

To properly address the issue, one must weigh several factors and consider cost of any given service against the operational benefit. The cost effectiveness and operational efficiency of an emergency medical system which relies solely upon paramedics assigned to ambulances servicing all of Santa Clara County would require a substantial amount of study.

Recommendation 3C

In consideration of non-fire emergencies, all cities that manage their own fire department – Gilroy, Milpitas, Mt. 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.

This recommendation requires further analysis. Non –firefighter paramedics on ambulances would not posses the skills, nor the equipment, to deal with the 26% of calls involving technical rescues, hazardous materials releases, or even fire alarm activations. Furthermore, an undetermined percentage of medical emergencies would not have their emergency medical need met by paramedics on ambulances. The response to many emergency medical services calls require additional personnel just for lifting, carrying, performing CPR, patient treatment on scene, patient treatment while en-route to a facility, victim extrication, patient packaging and loading.

Recommendation 3D

All cities that manage their own fire department – Gilroy, Milpitas, Mt. 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.

This recommendation requires further analysis. Further study is necessary to determine if the deployment of an additional vehicle to selected fire companies would be cost beneficial. Ambulance vehicles would be appropriate only if it were anticipated that patients would be transported, a decision that is within the control of the County EMS Agency. If patients are not to be transported, the use of other types of non-firefighting utility vehicles might be appropriate for response to some types of calls to reduce the wear and tear on fire apparatus, thus extending service life. The cost of purchase, maintenance and replacement of such utility vehicles must be weighed against the costs avoided by extending the service life of a particular piece of fire apparatus by specific number of years.

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.

While the premise of this statement is true, the City of Milpitas takes great pride in its public safety entities and how these entities (MFD and MPD) are tied to the community identity. The MFD has been involved in regional service delivery discussions and has executed automatic aid agreements with the City of San Jose Fire and mutual aid agreements with the City of Fremont Fire. Although there has been no discussion regarding boundary drops, both agreements are currently under review for revisions and upgrades.

Recent progress is being made with the development of a "joint" Assistance for Firefighting Grant (AFG) between the Milpitas Fire Department and the Sunnyvale Department of Public Safety. This technology upgrade grant process (portable, mobile and base radios) is led in part by the Silicon Valley Regional Interoperability Authority (SVRIA).

As the Milpitas Fire Department transitions to fire accreditation, the department will embrace a non-traditional enterprise philosophy. Consolidations, contracts, customer services, regional approaches and public/private partnerships are all strategic approaches that will be considered to enhance emergency service delivery.

Recommendation 4A

All cities that manage their own fire department – Gilroy, Milpitas, Mt. 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.

This recommended action requires further analysis. MFD participates in regional training academies through the Santa Clara County Joint Fire Academy program. Recent progress is being made with the development of a "joint" Assistance for Firefighting Grant (AFG) between the Milpitas Fire Department and the Sunnyvale Department of Public Safety. This technology upgrade grant process (portable, mobile and base radios) is led in part by the Silicon Valley Regional Interoperability Authority (SVRIA).

Milpitas Fire will soon begin working with the Santa Clara County Executive's Office, the Santa Clara County Fire Chiefs Association, the Santa Clara County City Manager's Association and the labor organizations representing firefighters from throughout Santa Clara County to complete a cost/benefit analysis for consolidation of all fire service delivery in Santa Clara County.

This report is due to the Santa Clara County Board of Supervisors in November 2011.

Recommendation 4B

All cities that manage their own fire department – Gilroy, Milpitas, Mt. 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.

Joint purchases and sharing of reserve fire apparatus, regional equipment maintenance and management is currently under discussion within the Santa Clara County Fire Chiefs Association.

2010-2011 SANTA CLARA COUNTY
CIVIL GRAND JURY REPORT

FIGHTING FIRE OR FIGHTING CHANGE? RETHINKING FIRE DEPARTMENT RESPONSE PROTOCOL AND CONSOLIDATION OPPORTUNITIES

Introduction

With police and fire department expenses constituting the majority share of city budgets, the public may well wonder what public services will be left if these agencies remain entrenched in old service and old cost structures. Our communities are deeply rooted in public safety traditions. But particularly in light of the economic difficulties Santa Clara County (SCC) and its constituent cities face—both now and in the foreseeable future—taxpayers can no longer afford to fund the status quo. Therefore, and in light of complaints that it is common to see fire departments over-deploy multiple firefighting apparatus in response to non-life-threatening medical emergencies, seemingly a waste of taxpayer dollars, the Grand Jury focused its inquiry on exploring change in fire departments.

Town and city managers (collectively CMs) and fire chiefs were interviewed to understand how changes to response protocol or various forms of consolidation had been considered to improve effectiveness and reduce cost. The Grand Jury found that, if considered at all, changes had not been implemented. However, CMs and fire chiefs generally agreed that fire department operations as currently configured are unsustainable. All agreed, in principle, that fire departments should rethink their response protocols—which are based on an historically fire-oriented model that does not match today's overwhelmingly medical-based demand for emergency services. CMs and fire chiefs also agreed that opportunities for consolidation warrant a closer look, particularly since fire departments throughout the county deliver the same services in much the same ways. In doing so, it is extremely important to separate the iconography of shiny red trucks and Dalmatians from the reality of today's firefighting.

It is not the Grand Jury's intent to advise how fire departments should fight fire or deliver other emergency services; rather this report discusses how shifting resources, changing skill mix and adopting other reforms can improve service, reduce costs and enable stations to remain open in spite of strained budgets.

Background

By far, public safety is the most costly service cities provide. Broadly speaking, public safety includes Police and Fire Departments; additional functions under this umbrella include record keeping and retrieval and dispatch communications, among other services. Public safety costs account for anywhere from 50% to 70% of city budgets, and fire departments, on average, consume ~20% of city budgets (see Table 1).

Table 1: Cost of Fire Service to SCC Towns and Cities

City/Special District	2010 Popula-tion (From Census)	2010 City Budget ($M)[1]	2010 Fire Dept. Budget ($M)[2]	Fire Dept. Budget as % of City Budget (Approx.)	Fire Budget per Capita	Fire Service Provider
Gilroy	48,821	33.7	7.6	21%	$156	City Dept.
Milpitas	66,790	67.3	14.2	19%	$213	City Dept.
Mountain View	74,066	91	20.6	19%	$278	City Dept.
Palo Alto	64,403	146.7	27.0	13%	$419	City Dept.
San Jose	945,942	983.9	153.3	13%	$162	City Dept.
Santa Clara	116,468	144.9	33.7	19%	$289	City Dept.
Sunnyvale	140,081	228	25.0	10%	$178	City Dept.
Campbell	39,349	36.2	6.3	17%	$160	Contracts with CCFD
Morgan Hill	37,882	28.0	5.4	19%	$143	Contracts with SCFD
Los Altos	29,976	26.6	5.3	20%	$177	Contracts with CCFD
Los Altos Hills Fire District[3,4]	7,922	4.5	6.9	See note 4	$871	Contracts with CCFD
Saratoga Fire District[3,4]	~14,300	15.0	5.0	See note 4	$375	Contracts with CCFD
Saratoga	~15,626	15.0	Indigenous to CCFD Special Fire District, CCFD is funded directly through property tax (Prop 13)		See CCFD	CCFD
Cupertino	58,302	43.1				
Los Gatos	29,413	32.6				
Monte Sereno	3,341	2.1				
CCFD[3]	297,356[2]	NA	81.8	NA	$275	NA
SCFD[3]	24,533[2]	NA	5.9	NA	$240	CAL FIRE

[1]Data sourced from Sheriff's summary of average costs per citizen for Police Services.
[2]Data sourced from the LAFCO report titled "2010 Countywide Review of Fire Services."
[3]Agencies are Special Districts. Revenue comes from property taxes in accordance with Proposition 13.
[4]Los Altos Hills and Saratoga fire special districts' revenue is in addition to the city budgets. They spend less on their contracts with CCFD, or 4.8M and 5.1M, respectively.

Fire departments within SCC are either city-"owned" and operated or are special districts established decades ago to provide fire protection services in underserved areas. Special districts are funded by property taxes received and apportioned in accordance with Proposition 13. Like cities, special districts may provide fire services with their districts or contract with another agency for such services. For example, Santa Clara County Central Fire District (CCFD) sells its services to other cities and special districts outside of its District boundaries on a contractual basis.

Most fire departments in the county are organized around the same service model, where firefighters are the first responders to a non-police emergency, providing paramedic support as needed, and calling in ambulance for transporting patients to hospital. Sunnyvale and Palo Alto have slightly different service models:

- Sunnyvale combines police and fire services under a Public Safety Department that operates under a single administrative structure. The Department dual-trains personnel in police and fire disciplines such that staff is functionally interchangeable. Rotation between police and fire duty is mandated on a periodic basis. All Sunnyvale public safety staff are trained in basic life support (BLS), and rely on County-provided Emergency Medical Services (EMS) paramedics and ambulances for advanced life support (ALS) and transport.

- By special permission, Palo Alto is exempt from the county's mandated Emergency Medical Response (EMR) service. The City funds its own EMR staff and ambulance service, which is operated on a fee-recovery basis.

History and Evolution

Organized firefighting in America was established over a century ago primarily to guard against loss of property. (See Appendix A for an overview of fire department evolution in SCC.) Over time, the nature of emergency calls has changed. By the 1970s, calls for fire service were dwindling dramatically, largely due to the development and enforcement of stringent building codes calling for, among other things, the use of fire-retardant building materials and the installation of sprinkler systems in most buildings.

In response to the decline in "business" that code improvements created, fire departments broadened their service models and capabilities, creating an "all hazards" approach to emergency services delivery. This shift would increase business, retain jobs and prevent station closures. Fire departments are now the first responder to any number of emergency situations—including property and car fires, medical emergencies, natural hazards and disasters, domestic and international terrorism, and a variety of unique situations, including the disposal of diseased chickens. Notwithstanding fire departments' very broad capabilities, statistically, the overwhelming majority of their calls are medical in nature. As shown in Table 2, in SCC just 4% of the emergencies to which firefighters respond are fire-related. An overwhelming 70% of the emergencies to which firefighters respond to are medical in nature.

Table 2: Number and Type of Fire Service Calls (developed from data found in the 2010 LAFCO Fire Service Review Report)

Agency	Total Service Calls	FIRE		EMERGENCY MEDICAL (EM)		OTHER				
		Structure Fire	Other Fire	EM Calls	EM as % of Total	Rescue Calls	Public Serv.	Haz. Mat.	False Alarm	Other
Gilroy	2,727	50	49	**1,884**	**69.1**	4	155	57	NR*	528
Milpitas	4,439	38	114	**2,636**	**59.4**	272	634	86	383	NR
Mtn.View	7,794	1,109	872	**5,551**	**71.2**	NR	262	NR	NR	NR
Palo Alto	7,549	20	219	**4,509**	**59.7**	NR	328	165	1,065	1,243
San Jose	70,892	320	1,367	**51,645**	**72.9**	713	3,230	281	3,342	9,994
Santa Clara	8,140	90	94	**6,187**	**76.0**	27	805	99	824	14
CCFD	16,553	153	354	**10,836**	**65.5**	111	1,050	168	2,202	1,679
SCFD	3,101	32	274	**1,108**	**35.7**	NR	NR	811	NR	876
Sunnyvale	7,286	137	2	**4,993**	**68.5**	NR	1,491	620	43	NR
TOTALS	128,481	1,949	3,345	**89,349**	**69.5**	1,127	7,955	2,287	7,859	14,334
Percent of Total		1.5	2.6		**69.5**	0.9	6.2	1.8	6.1	11.2
County-wide Totals		**4% Fire**		**70% Medical**		**26% Other**				

**NR = Not Reported in LAFCO data*

Methodology

The Grand Jury interviewed the following:

- All fifteen SCC CMs
- All fire chiefs and public safety chiefs responsible for fire departments in SCC
- Presidents of the Los Altos and Saratoga special fire district boards
- Selected police chiefs with a focus on the emergency dispatch function.

Interviews were focused on two primary lines of inquiry:

- Fire response protocol: Why do fire departments use a "one-size fits all" approach, deploying a full-blown firefighting contingent to every emergency, given that the majority of calls are medical in nature?
- Consolidation: Has leadership considered various forms of consolidation among fire departments to improve effectiveness and reduce costs while maintaining service levels?

Supplementing the interviews, the Grand Jury relied on the December 2010, SCC Local Agency Formation Commission (LAFCO) report titled *Countywide Fire Service Area Review* (the LAFCO report). This report may be found online at LAFCO's website: http://www.santaclara.lafco.ca.gov/. Special districts, including fire districts, fall under the purview of LAFCO, a state-mandated agency with oversight responsibility for special districts (see Appendix B for a more detailed discussion of SCC LAFCO and Special Districts). The LAFCO report presents a comprehensive summary of fire department operations and statistical information pertaining to all fire departments in the County. CMs and fire chiefs agreed that the LAFCO report contained useful and generally accurate data; therefore, the Grand Jury drew upon LAFCO data in constructing the tables that appear throughout this report.

Discussion

Notwithstanding the overall decline in the number of actual fires to which SCC departments respond, fire response protocol remains relatively unchanged from a time, decades ago, when most calls were fire related. The typical emergency call comes in to a central communications center (often operated out of a city's police department). This center dispatches firefighters to areas within their jurisdiction. The responding firefighters, typically a three-person crew, gear up in firefighting clothing and drive to the emergency in firefighting vehicles. As the first responders, firefighters are responsible for on-scene triage and for calling in—or calling off—additional support, such as county EMS ambulance support or additional firefighting crews. This response model is used throughout SCC, regardless of the nature of the emergency.

Given the "all hazards" nature of today's firefighting business, and the fact that the vast majority of the emergencies to which firefighters respond to in SCC are not fire related, the question arises whether it makes sense to respond to all emergencies using a fire-emergency model. When the Grand Jury asked fire chiefs why firefighting apparatus and crews are sent out on 100% of calls when as many as 96% (SCC average, Table 2) of these calls do not require firefighting equipment, responses varied:

- To ensure equipment is operational
- To exercise the crew
- To ensure the crew is intact, with fire apparatus, in case a second call comes in while the crew is out, and it needs to proceed to the next event without going back to the station
- Always over-respond just in case, because you don't know what you'll find, and can't trust that information received from a caller is reliable
- Tailor response to fire rather than medical to get as much productivity out of staff already on duty who would otherwise just be standing by
- All available equipment and crew can be dispatched on each call without wasting resources because the frequency of responding to an actual fire is so low.

Regarding the third bullet above, some interviewees conceded this "double call" seldom happens—one interviewee reported that over 75% of calls are single-event.

It is noteworthy that fire departments uniformly consider all calls to be fire-related until, as a number of firefighter interviewees stated, their "eyes on the scene" determine otherwise. This approach means fire equipment will be dispatched regardless of the information provided by the caller as to the nature of the emergency, whether it be a broken arm, a person struck in a crosswalk, a heart attack or an actual fire. Even though an ambulance or paramedic crew may well be the most efficient and effective response, entrenched protocol gives priority to firefighters aboard fire trucks or fire engines. It is not uncommon under this model to see several fire apparatus at a scene, regardless of whether they are needed.

Real or Imagined Public Fear Against Fire Department Change

When asked about changing fire response protocol or the notion of consolidation, the Grand Jury listened as one interviewee after another leapt to the extreme in assuming that "change" would mean cutting staff and closing stations. A number of interviewees elaborated on a largely untested assumption that the public would react negatively to staff reduction or closure of stations. A broad middle ground between the status quo and closing stations needs to be explored. Finally, all those interviewed agreed that current economic conditions demand rethinking fire response protocols, more effectively managing resources and finding opportunities for fire department consolidation.

Fire Department Response Protocol

In seeking to develop recommendations for cost-efficient service delivery, the Grand Jury explored alternative response models with CMs and fire chiefs.

Firefighting Personnel and Equipment Response is Mismatched to Need

Given that approximately 70% of calls to fire departments are reporting medical emergencies rather than fire, and that only one of every three fire crew members (33%) is trained to respond to medical situations and conditions, there appears to be a mismatch between service needed and service provided. Further, while a great majority of calls received require a medical-based response, most of the SCC fire departments do not have apparatus that is built specifically for that purpose, i.e., an ambulance. Those fire departments that do (with the exception of Palo Alto) are not permitted by the county to use these vehicles in a first responder role. Conversely, the current EMS provider, AMR, is required by contract to subcontract with fire departments to serve as first responders.

Paramedic supplies are carried on each fire vehicle; however, there is an obvious mismatch between excessive equipment provided—i.e., medical supplies on a $500,000 fire engine versus medical supplies on a $100,000 ambulance—as opposed to the medical equipment needed to respond effectively to most calls. Because fire apparatus is considerably more expensive than ambulance vans, it seems both logical and cost-effective for fire departments to purchase less expensive dedicated medical vehicles (i.e., ambulances) or other less expensive utility vehicles. Further, if expensive firefighting apparatus were used more selectively—i.e., based on the nature of the emergency, as opposed to being dispatched on every call—the reduced wear-and-tear would mean vehicles would last considerably longer.

Ambulance Paramedic Response versus Firefighters Trained as Paramedics

Given that 96% of emergency calls to which SCC fire departments respond are non-fire events, the Grand Jury inquired of interviewees "Why have fire departments remained fire-biased as opposed to evolving into emergency response departments?" No truly defensible answers emerged. Some pointed to the existing response protocol under which the fire department provides first-response paramedic support, then calls EMS for ambulance transport to hospitals once the situation is stabilized. This seems to be an arbitrary separation of duties.

Ambulance crews typically consist of two persons: an emergency medical technician (EMT) and a paramedic. Both are trained to perform basic life support (BLS) functions, but the paramedic has additional training and certification that allows him or her to engage in advanced life support (ALS). ALS involves the administration of medication and internal treatment; i.e., any procedure that requires puncturing the skin, such as drug injections, IV treatment, or the performance of a tracheotomy. The California Health and Safety Code (Sec. 1797.200, et. seq.) mandates counties throughout the state to provide EMS services. SCC has fulfilled this mandate through its Emergency Medical Services Agency, which negotiates and manages the contract for ambulance services. Further, SCC requires cities, except Palo Alto,[1] to use the county-contracted EMS services. Today, 36 ambulances are roaming the county at any given time.

In addition to paramedics on the county EMS ambulance crews, all SCC fire departments, except Sunnyvale, require at least one firefighter trained as a paramedic and assigned to each crew. These firefighter paramedics earn firefighter pay plus a premium for their paramedic certification. As noted earlier, firefighters are the designated first responders to all non-police emergency events. So, for the 70% of calls that are medical events, fire departments deploy personnel who are over-trained to meet the need—i.e., paramedics also trained as firefighters.

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[1] Palo Alto is exempt because it had operated its own EMS fleet prior to the mandate.

Changing the response protocol to allow EMS teams to serve as first responders to medical emergencies, authorized to call in fire support if needed, makes good sense. When asked why an ambulance-as-first-responders model was not considered, apart from union objections, interviewees consistently said: Ambulance crews are not trained as firefighters, so are not able to determine the true nature of the emergency. But using such nimble ambulances, staffed with paramedics, already roaming the county may improve response times. In 2003 Sunnyvale's Public Safety department studied the effectiveness of using cheaper and more nimble "light response vehicles" compared to fire equipment. Data showed an improvement in response using smaller vehicles, and it showed an even better response when these vehicles were roaming the city compared to parked vehicles deployed from a fire station. In spite of this data, Sunnyvale Public Safety department could not generate the institutional and political support necessary to implement change.

Sunnyvale also attempted to alter response practices when its public safety chief struck a deal with County EMS to house ambulances at fire stations. Because Sunnyvale does not have paramedics on its fire crews, this concept makes good sense, particularly since nearly 68.5% (Table 2) of Sunnyvale's emergency calls are medical in nature. Unfortunately, the effort at reform was killed by the Sunnyvale firefighters union, which argued that contract ambulance personnel did not have the same training as firefighters. More unfortunately, firefighters themselves resisted integration with ambulance crews. Now, while ambulances are housed in sheds on Sunnyvale fire department property, ambulance and fire crews do not intermingle or coordinate emergency response from the station. Improved camaraderie should improve service response, and this opportunity is missed when firefighters object to co-locating with EMS providers. Clearly the failure to integrate is not in the best interest of the public.

County EMS Agency's Impact on Response Protocol

SCC's EMS Agency (EMSA) measures the response time for each EMS call against ALS standards. Failure to meet the required response standards may result in financial penalties (see Appendix C for details regarding penalties and fines). The timeframe being measured starts when a unit is dispatched after a 911 call and ends when the first responder arrives on the scene. Fire departments are under subcontract with the EMS provider to be designated first responders. This arrangement is contractually required by the county; therefore, EMSA may be—intentionally or not—a barrier to improving response protocol by requiring firefighters to be first responders.

Overall, fire departments meet the response requirement (Table 3), but at a high cost compared to implementing an emergency response service model. If using a faster, roaming service, it seems likely response times will improve. Certainly, there is no indication response times would deteriorate.

Table 3: EMS Response Performance (data sourced from LAFCO Report)

Fire Dept.	Medical Response Against ALS Std. (90%)	EMS Agency % OK (Data from EMSA)	Fire Response Target	Actual Fire Response (% or minutes)
Gilroy	97.7%	97.6	90% in 5 min	88%
Milpitas	99.0%	98.7	Not Established	4.03 mins. (average)
Mtn.View	98.8%	97.3	100% in 6 min	100%
Palo Alto	99.0%	NA	90 % in 8 min	91%
San Jose	95.0%	95.5	80 % in 8 min	82%
Santa Clara	95.9%	96.5	3 Minutes (Average)	4.53 mins. (average)
CCFD	95.1%	95.7	85 % in 8 min	88%
SCFD	97.5%	97.5	90%	90%
Sunnyvale	98.0%	97.9	93 % in 6 min	93%

Further, while the EMSA contract and penalty structure makes sense in the abstract, it has the effect of emphasizing the speed of the response versus the nature of the response. That is, the contract model does not challenge SCC fire departments to rethink response protocols in dispatching equipment and crews, rather it rewards the simple arrival at any given emergency within a set time, whether it be with ten people or two; with two fire engines, a ladder truck, and an articulated vehicle or with just an ambulance when the latter is all that is required. By more carefully structuring financial penalties to encourage *effective* response instead of *any* response, EMSA could be a catalyst for change instead of another cog in the machine of entrenched response protocols.

Public Expectation for Response

In the course of its interviews, the Grand Jury heard the assertion that the public demands rapid response time. This goes without saying; however, the Grand Jury heard nothing to indicate that the public demand is for a certain *type* of response. A 911 caller wants help to arrive as soon as possible. It is of little consequence to that caller whether help comes on a fire engine or an ambulance. Logic would dictate that SCC fire departments' continued insistence on clinging to a 100-year-old response model designed to fight structure fires makes no sense given the modern reality that structure fires are the exception and medical emergencies are the norm. Interviewees agreed, and further emphasized that a confluence of public awareness, political will and agency leadership, all pushing for reform, would be the only way to effect change.

Managing Human Resources Effectively

Minimum Staffing or Right-Sizing?

In their responses to Grand Jury questions regarding firefighter staffing and salary levels, some interviewees described firefighting as "the best part-time job in America," conceding these well-rewarded firefighters wear "golden handcuffs." Others acknowledged that firefighters are paid for "23 hours of sitting around for one hour of work" because that is how "insurance" works. But if cities are paying for insurance in the form of idle staff, why not effect change to maximize that insurance "premium?" Fire departments can be more successful and cost-effective when fire chiefs have the latitude to assign and manage staff according to the situation.

The ability of fire chiefs to manage staff effectively is directly related to whether their firefighter contracts contain minimum staffing requirements. There are two forms of minimum staffing requirements in SCC fire department contracts:

- A minimum number of personnel per shift
- A minimum number of personnel assigned to a particular piece of apparatus.

CMs and fire chiefs describe union pressure to retain minimum staffing contract clauses, also known as "entitlement operations." Yet fire chiefs pointed out that there are clear peak and low demands for service on any given day, day of the week, or season of the year, such that a more flexible staffing model would make much more sense both administratively and economically.

Those cities with fire contracts mandating minimum staffing levels and crew size are at a disadvantage compared to those with the discretion to staff as needed. In minimum staffing jurisdictions, fire chiefs have no flexibility to adapt crew composition, equipment assignments, or the form of response in the most efficient and effective manner. Those fire chiefs facing minimum shift staffing fare slightly better because chiefs can deploy more or fewer firefighters where needed. But neither contract minimum allows chiefs to consider statistically known time of day or seasonal changes in demand in determining deployment strategies.

Crew Size versus Skill Mix

The argument over crew size—three or four or five—may be less of an issue than skill mix within the crew. When 70% of calls require a medical response, and only 1-in-3 crewmembers are trained and certified to provide that response, there is a demand-to-service mismatch. The consequence of this mismatch may be that paramedics are overworked and firefighters are under-used. A comparison to the operation of private industry is instructive here. Where most businesses operating with a view toward right-sizing their capabilities to meet demand would take a closer look at such an imbalance, analyze needs, and make adjustments if warranted, publically funded fire departments choose to look the other way. Perhaps more two-person crews composed of paramedics and EMTs and fewer firefighters are needed. Perhaps true collaboration

with the county EMS provider would produce better and more cost-efficient service to the community. The fact that few departments are exploring or testing revised skill mix to better meet service demands is a potential waste of taxpayer monies at best, and may result in delayed response and potential loss of life at worst, if more cumbersome resources are slow to respond.

Residency Requirements and Realities

A final note on staffing relates to residency. While city agencies cannot dictate where employees live, they can impose a maximum travel time or mileage distance; e.g., "within 90 minutes" or "within 50 miles." Interviewees observed that when firefighters do not live in the community they serve, they risk losing touch with its residents, and their goals, values and identities. But city agencies cannot dictate where employees live. Because fire departments typically employ a "days on-days off" schedule, firefighters can arrange their schedules to have days and sometimes weeks off at a time. With such schedule flexibility many firefighters choose to live outside SCC, and some live outside of the state. In one department, 71% of firefighters live outside SCC.

In addition to isolation from the community, *insulation* also results when firefighters interact only with firefighters in their department or station. Isolation or insulation is counter-productive, particularly when making demands during contract negotiations that seem at odds with public sentiment. With staffing and shift structures that allow employees to live far outside the communities they serve, fire departments may unintentionally foster a culture of insensitivity to residents' sentiments. This can lead to a reputation for being "entitlement-minded" versus "service-minded," such as when unions vocalize dissatisfaction with generous contract benefits when local unemployment runs high. Or where firefighters lobby for protections that would further tie cities' hands, such as in Palo Alto, where well-informed voters overwhelmingly voted against the firefighters-sponsored ballot initiative.

Firefighter isolation and insulation may be overcome if firefighters take time to engage with the community, beyond responding to a service call.

Budget/Salary Structure

If fire departments provide essentially the same service, then one would expect variations in department costs to be minimal. But costs vary widely, as shown in Table 4. When asked why such variations occur in providing essentially the same service, interviewees stated some variation is due to differences in equipment needed to handle rural versus urban needs. It is not clear to the Grand Jury that this sufficiently explains the differences. But it does appear that the two primary cost variables are firefighting equipment and firefighters' wages, and neither has a direct bearing on effective service delivery for non-fire emergencies. Thus, while some departments struggle to keep stations open, others with more resources purchase seemingly extravagant single-purpose pieces of equipment. Certainly, if taxpayers can afford to and choose to fund such purchases, it is not the place of the Grand Jury to say they cannot; however, a consolidation of resources and strategic deployment of seldom-needed specialty equipment seems more prudent.

Table 4: Agency Costs Comparison (data sourced from LAFCO Report)

Agency	2010 Population (From 2010 Census)	Total Budget ($K) 2010/2011	$ per capita	$K per Station	$K per Fire Dept. Personnel	$ per Service Call
Gilroy	48,821	7,645	157	2,548	201	2,804
Milpitas	66,790	14,256	213	3,564	178	3,212
Mtn.View	74,066	20,599	278	4,120	233	2,643
Palo Alto	64,403	27,007	419	3,376	223	3,578
San Jose	945,942	153,332	162	4,510	199	2,163
Santa Clara	116,468	33,723	290	3,372	188	4,143
CCFD	297,356	81,786	275	4,811	266	4,941
SCFD	24,533	5,899	240	1,475	163	1,902
Sunnyvale	140,081	25,042	179	4,174	250	3,437

Consolidation Opportunities

Fire departments consistently deliver the same services in the same ways, day in and day out. Because of this, interviewees all agreed that fire department consolidation of fire services seemed both possible and natural without disruption of service to the public. Again, this is because protocols, training and equipment are essentially the same for fire response throughout the county. Consolidation of dispatch communications was also deemed feasible. Both fire department and dispatch communications have been successfully consolidated, regionally, in communities including San Mateo County, CA; Scottsdale, AZ and West Jordan, UT, offering models for SCC fire chiefs to learn from.

Fire chiefs conceded that fire response and protocol is uniform, as are requirements to meet standardized response times. Although fire departments vary in size, number of fire department personnel they employ per capita, the number of square miles each station serves and the amount of equipment available per firefighter (Table 5), such variations are largely the result of individual department budgets more than from any demand factor. Such variations should not be viewed as inherent fire services differences that would prohibit consolidation.

Table 5: Fire Department Assets and Coverage (data sourced from LAFCO Report)

Agency	2010 Population (Census data)	Sta-tions	Com-panies	Appa-ratus	Sworn Per-sonnel	Sworn Fire-fighter per Appa-ratus	Total Per-sonnel FTEs	Ratio of Total FTEs to Station
Gilroy	48,821	3	3	9	36	4	38.0	12.7
Milpitas	66,790	4	5	12	63	5	80.0	20.0
Mtn.View	74,066	5	7	12	70	6	88.5	17.7
Palo Alto	64,403	8	11	18	105	6	121.0	15.1
San Jose	945,942	34	41	52	630	12	770.5	22.7
Santa Clara	116,468	10	13	20	148	7	179.5	18.0
CCFD 9	297,356	17	21	43	247	6	308.0	18.1
SCFD	24,533	4	4	7	29	4	36.3	9.1
Sunnyvale	140,081	6	12	17	82	5	100.0	16.7
Totals	1,778,460	91	117	190	1410	7	1721.8	16.7

Police and Fire Administration Consolidation

Administration consolidation occurs when public safety functions are combined under one chief responsible for delivering emergency services in their jurisdiction, regardless of whether they are police or fire.

In SCC, Sunnyvale has operated a public safety model for many years, and Palo Alto has recently consolidated police and fire administration. Administration consolidation is gaining popularity for reasons associated with budgeting, efficiency and a reported lack of qualified fire department management candidates in SCC. According to interviewees, the primary reason firefighters are not interested in fire management jobs is lack of incentive. Typical pay increases for management jobs are minimal compared to shift work, and shift work has no management headaches. Further, the standard 40-hour work week—let alone the additional uncompensated time investment demanded of a typical manager—is not worth the trade given the flexibility of a 24-hours on/96-hours off (or similar 48/72) shift and associated hourly pay. Finally, administrative work is not what most line firefighters hired on to do.

Therefore, administration consolidation offers the following benefits:

- Eliminates duplicate administrative positions
- Streamlines public safety approach, communications and decision-making
- Improves appreciation of other public safety duties and abilities
- Broadens recruitment possibilities to more incentivized, non-firefighter candidates.

Consolidation to Eliminate the Unplanned Cost of Inter-Department Aid

An interesting aspect of fire department operations is that they provide support to neighboring departments through two forms of aid:

- Automatic aid, where one department automatically responds to service calls in another jurisdiction based upon pre-agreement
- Mutual aid, where one department requests on-scene support from another department on a case-by-case basis.

These types of aid underscore the ability of fire departments to work together relatively seamlessly, which supports the feasibility of department consolidation (Table 6).

It should be noted that fire departments neither pay for aid received from another department nor charge for aid provided. This "gentleman's agreement" to support neighboring jurisdictions has worked for many years; but with recent budget cuts, it is a system ripe for exploitation. A city could underfund its fire department and look to a neighboring city fire department for aid to fill the gap. Reportedly Morgan Hill, for instance, is doing just that. Morgan Hill contracts with CCFD to provide its fire protection, but the amount that Morgan Hill funds CCFD is reportedly not sufficient to cover its demand for fire service. As a result, neighboring departments are routinely called upon to provide support. Morgan Hill therefore receives support it does not pay for, and the supporting agencies incur unplanned increases in cost.[2] Other departments also report disproportional requests of mutual aid, which may result in some communities footing a disproportional cost to provide emergency response in other communities. Consolidation, or regionalization, of fire departments gives cities that participate in a consolidated model the opportunity to normalize fire service costs and spread that cost proportionally and fairly.

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[2] In 2010, Morgan Hill received more than 250 calls for mutual aid. This gave rise to SCC BOS agenda item 79, February 8, 2011 to discuss "Memo to governing board of SCCFD from Jeff Smith, re SC Fire Service regionalization" which may be viewed at the following web-link: http://www.sccgov.org/portal/site/scc/boardagenda?contentId=c855644cff8ed210VgnVCM10000048dc4a92____&agendaType=BOS%20Agenda. Also see "Committee nixes fire, EMS consolidation study," Michael Moore, Morgan Hill Times, April 15, 2011.

Table 6: Stations, Coverage and Aid Given/Received (data sourced from LAFCO Report)

Fire Dept.	Sq. Miles	Stations	Sq.Mi./ Station	Com-panies	ISO rating	Aid Received (Auto+Mut'l)	Aid Given (Auto+Mut'l)
Gilroy	16.2	3	5.4	3	4	117	284
Milpitas	13.2	4	3.3	5	3	4	276
Mtn.View	12.0	5	2.4	7	2	N/A	97
Palo Alto	23.0	8	2.9	11	2	181	148
San Jose	205.0	34	6.0	41	3/9	3	61
Santa Clara	19.3	10	1.9	13	2	2	12
CCFD	137.0	17	8.1	21	2/8	1239	1316
CAL FIRE (for SCFD)	260.0	4	65.0	4	5	969	876
Sunnyvale	23.8	6	4.0	12	2	45	66

Consolidation through Boundary Drop or Regionalization

Regionalization of fire service coverage and response may be accomplished through "boundary drop," which is where jurisdictional lines are ignored such that that the closest fire crew responds to a given event, regardless of where the event occurs. This form of consolidation offers the opportunity to eliminate stations that are in very close proximity to each other, although technically located in different cities. For example, San Jose Fire Station 23 is closer to some areas of Milpitas than any of the four Milpitas fire stations; Palo Alto Station 5 is closer to some areas of Mountain View than any of the Mountain View fire stations. Full boundary drop in SCC would be best achieved if dispatch communications were also consolidated. Enabling the closest station to respond 100% of the time can yield a cost savings and improve service to the broader community. Boundary drop can be accomplished through a Joint Powers Authority (JPA), where each city maintains departments and budgets but works collectively to provide fire service. Boundary drop may also be accomplished through fire department consolidation. In both cases, once old jurisdictional boundaries are dropped, cost savings may be gained by closing fire stations that are in very close proximity to each other without degradation in response time or effectiveness of response.

Fire Department Consolidation

Economic savings may be derived from combining multiple city, county or special district fire departments into one or more fire departments. Some interviewees resisted consolidation considerations, claiming residents wanted to see the name of their town or city on pieces of equipment; those more open to change observed that fast response was what mattered, not the origin of service.

Consolidation results in cost savings through the elimination of duplicate administrative positions, excess equipment, and through streamlining operations. Efforts to consolidate have been successful in the past, such as when Campbell disbanded its local fire department and contracted with CCFD. The change was motivated by Campbell's need to build an additional fire station when the city did not have the resources to do so. Contracting with CCFD enabled Campbell to receive the broader coverage needed using CCFD stations.

Today, three fire departments provide contract services within SCC, which offers other agencies experienced fire departments to choose from: CAL FIRE, CCFD and Palo Alto, each discussed below.

Although capable of expanding its contracted service through agreements with other agencies, CAL FIRE does not actively pursue new business. This policy was adopted primarily because CAL FIRE does not wish to incur inter-departmental enmity. CAL FIRE will respond to a request for proposal (RFP) *only* if it is clear that the requesting city has the complete backing of local political agencies. It should be noted that CAL FIRE provides the same services as other SCC fire departments, but its personnel costs are roughly 30% lower than that of other departments because CAL FIRE wages are based on a lower, state-wide pay scale.

CCFD is a special district (see Appendix B for a discussion on special districts) that has successfully operated a "for-hire" fire department for many years. For the same reasons as CAL FIRE, CCFD will respond to RFPs but does not actively market itself; however, CCFD is adept at selling itself as evidenced by its comprehensive business plan and capabilities statement available online. Nine agencies in SCC currently receive CCFD fire service, either as one of the indigenous cities in the CCFD special district (Los Gatos, Monte Sereno, Cupertino and parts of Saratoga) or by contracting for fire protection services (Saratoga Fire District, Campbell, Los Altos, Los Altos Hills Fire District, and Morgan Hill). CCFD is good example of regionalized consolidation.

Palo Alto contracts out fire protection services to Stanford University. The revenue stream generated by that contract represents approximately 30% of Palo Alto fire department's revenue.

CMs who contract out for fire service reported that they are glad to avoid the headaches associated with operating their own fire department and the attendant management issues, particularly those related to union relations. CMs do express some concern over having little control over future cost increases, and some commented that CCFD may be "gold-plating" its services, based upon recent cost increases. Having multiple agencies to select from does offer competition for services, which inherently helps to control costs.

Consolidated fire departments may offer fire protection services on a contract basis or through a joint powers authority (JPA) agreement.

Consolidation Versus Closing Stations

According to those interviewed, proximity to an event is the key determinant of response effectiveness. It therefore makes sense to spread resources more broadly and more strategically, rather than simply staffing all stations the same way, all day, all year long in a particular jurisdiction. Such strategic staffing approaches should enable departments to keep their stations open.

In fact, without implementing boundary drop as discussed above, closing stations has the potential to negatively affect a property owner's fire insurance rates. Here's how: A non-profit organization called the Insurance Services Office (ISO) rates fire departments against a set of criteria. Ratings range from a high of 1 to a low of 10. In turn, some insurance companies use the ISO ratings to establish fire insurance rates for premium-holders. When a department receives an ISO rating of 5 or below, some insurance carriers will increase rates—sometimes significantly—or may deny coverage altogether.

Response time is one of the ISO rating factors. Response times can be improved as discussed above by changes in protocol, staff or equipment. If cities and fire departments are unwilling to move toward more flexible medical-based response, proximity is the biggest driver in meeting response times. Therefore, caution should be exercised when considering station closure unless some form of consolidation is put in place to ensure response times can be maintained.

Consolidating Purchasing of Apparatus, Equipment and Maintenance and Exercising Purchasing Restraint

With approximately 117 companies operating 190 pieces of apparatus at an average cost per engine of $500,000, there is a major opportunity for shared maintenance and consolidated purchases among SCC fire departments. In interviews with fire chiefs, and as underscored by the LAFCO report, the Grand Jury found that consolidation of equipment purchases does not occur very often. Apparatus dealers say "no two fire engines are alike." This is because departments have the option to customize their rigs. If fire departments deliver essentially the same service, customized vehicles are needlessly more expensive. Customization also prevents other departments from combining orders to achieve volume discount.

Standardization of equipment and equipment configuration not only saves cost but also ensures effective inter-department operability. Many interviewees noted that differentiated equipment hinders automatic or mutual aid in that firefighters from one jurisdiction may not be readily able to find stowed items on customized vehicles. When equipment is stowed in the same location on the same types of apparatus, firefighters do not have to think twice when interacting with any other department's vehicles. This in turn ensures maximum effectiveness and efficiency of response—if seconds count, then seconds should not be wasted searching for tools stowed in non-standard locations. In Scottsdale, Arizona, where there is a firefighting consortium, all trucks are stocked and packed in the same way so they can be used effectively by any firefighter.

Regarding maintenance, all fire departments incur the cost of equipment maintenance and storage. In addition to maintaining active equipment, fire departments maintain equipment in reserve. Reserves make sense because they can be deployed if needed, and retaining capital equipment as a back-up, particularly equipment as expensive as fire apparatus, provides some insurance against unanticipated breakdowns. But not every department needs its own reserves and not every department needs its own maintenance crew. Consolidating offers an obvious opportunity for maintenance resources and storage cost savings.

Department purchasing is so insular that the Grand Jury noted, particularly where departments or special districts were flush with monetary reserves, equipment purchases sometimes gravitated toward highly specialized pieces of equipment that may be fun and impressive to own, but may be seldom used. Such equipment includes articulated vehicles built for occasional off-road need, a machine that performs chest compressions, and a sling designed to remove horses from swimming pools. Some of this specialized, seldom-used equipment is duplicated in other departments. Therefore, department would also result in more shared equipment and less waste of taxpayer dollars.

Training consolidation

If the duties of firefighters, and the skills needed to perform them are essentially the same, it makes sense to consolidate training. Similar to maintenance consolidation, training functions and facilities can be consolidated rather than duplicated. Eliminating duplicate training staff and training facilities saves money, and a consolidated training approach builds teamwork across jurisdictions. Given that all fire departments support each other through automatic and mutual aid, it is highly likely that firefighters will need to work with their counterparts in different departments. Breaking down personnel barriers through combined-department training improves camaraderie and builds trust, such that firefighters from different jurisdictions are comfortable working with each other. Most SCC fire chiefs agree that shared training promotes the eventual acceptance of consolidation at the staff level and, more importantly, serves to standardized emergency response throughout SCC.

Firefighter Unions

The structure and operation of firefighter unions are outside the jurisdiction of the Grand Jury; however, because unions directly affect the ability—or willingness—of CMs and fire chiefs to consider and implement fire department change, we address unions here. Interviewees consistently commented that efforts to think outside the box have been stymied by the firefighter unions. Union leadership is doing a good job at what they are tasked to do: get as much for membership as they can. But unions must see that firefighter reputation is tarnished by a public perception of union greed, particularly in an economic environment where such greed—manifested by negotiations intractability—is forcing other necessary and popular city services, such as parks, libraries, and recreation to be cut. The result is a clear impression of firefighters as self-serving rather than community serving.

It was reported to the Grand Jury that firefighter unions appear to be content to focus on protecting jobs regardless of cost or the need for minimum staffing. It is reasonable to hold firefighter unions accountable to the cities and public they serve when unions focus on sustaining old models, entrenched expectations, and ongoing entitlements at the expense of better-performing, more efficient fire departments.

The Political Will to Effect Change

In spite of union barriers to change, it is the responsibility of city leadership to demonstrate a willingness to rethink consolidation and response protocols. To neutralize union efforts to spread a message of fear in order to prevent budget cuts—*e.g., If our budget is cut, houses will burn because it will take too long for us to reach you*—cities need to get in front of the message, leading the unions and the public in an informed discussion of the alternatives. Milpitas, for example, is spearheading a collaborative approach to making change: city managers, chiefs, union leaders, and politicians regularly meet and collaborate in making decisions, then develop a strategy to effectively articulate the proposed change to the public.

The Grand Jury asked CMs if any had challenged fire response protocols in their jurisdictions or had undertaken initiatives to cause reform. Most had not, except through broad discussions about budget constraints. However, when faced with an intransigent firefighters union and the realities of economic recession, Palo Alto commissioned an independent agency to conduct a comprehensive study of fire services.[3] The report recommended changes including, for example, administrative consolidation of police and fire, which address some of the concerns raised in this report. Still, it remains to be seen whether other city councils, faced with a perceived public outcry at any reduction in staffing and stations, will have the political will to either propose, or actually enact, needed changes.

Conclusion

The Grand Jury found that in fire departments across SCC, an outmoded service delivery model does not match today's emergency response needs. Emergency response suffers when publicly funded and independently operated fire departments are cobbled together with contracted ambulance service. Most cities or SCC have not taken on the difficult challenge of rethinking fire service to better serve the community. Given that fire departments deliver essentially the same services in a uniform manner, three areas for improvement exist:

- Managing fire department personnel more effectively

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[3] Palo Alto Fire Department, CA, *Fire Services Utilization and Resources Study*, Final Report, by TriData Division, System Planning Corporation and ICMA Center for Public Safety Excellence. Prepared for the City of Palo Alto. January 2011.

- Changing fire department response protocol to an emergency response department model to better respond to the nearly 70% of emergency calls county-wide that are medical in nature

- Exploring and implementing consolidation opportunities.

CMs and fire chiefs agree that these changes would offer opportunities to save money without compromising service delivery, and may improve service. However, no CM or fire chief can make recommended changes without the political will and backing of their city council or the SCC Board of Supervisors. Cities successful in implementing change were successful in communicating with the public, firefighters, and unions by publishing information and opening dialogues in advance of formalized hearings, negotiations or public meetings where change was to be considered. This open door policy was key to negating inflammatory politicking by unions intent on defeating reform.

In this time of economic challenges, city leaders have a rare opportunity to challenge the status quo and to make the changes necessary to deliver a sustainable, effective *emergency* response service.

Findings and Recommendations

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

Appendix A: Fire Department Origins

South County Fire District (SCFD)	South County Fire District was created in 1980 to serve the unincorporated areas of south SCC. SCFD is a "dependent District" governed by the SCC Board of Supervisors, who in turn appoints a seven-member fire commission. CAL FIRE is currently the fire services contractor for SCFD.
CAL FIRE	CAL FIRE is a statewide organization that provides wild-land firefighting and offers fire protection for municipalities on a contract basis.
SCC Central Fire District (CCFD)	CCFD is a full-service fire department that has evolved through fire district consolidations. In 1947, two agencies, the Cottage Grove Fire District and the Oakmead Farms fire district were consolidated and joined with other agencies of unincorporated areas that had no fire protection to become the SCC CCFD. CCFD is a "dependent District" governed by the SCC Board of Supervisors. Provides county-funded fire service to all unincorporated areas and to the following communities: Los Gatos: Indigenous to the special district Monte Sereno: Indigenous to the special district Cupertino: Indigenous to the special district Campbell: Contracts with CCFD Morgan Hill: Contracts with CCFD Los Altos: Contracts with CCFD Saratoga: Special District and partially indigenous, partly contracts with CCFD Los Altos Hills: Special District, Contracts with CCFD
Saratoga Fire District	Originated in 1923, Saratoga created a "Fire Protection District," which allowed residents to opt in or out, so the current District has odd boundaries. It is now a "dependent" District governed by the Board of Supervisors and a Commission. Members of the Commission are elected, but if no one runs for a seat, members are appointed and serve at the pleasure of the Board. The District covers an area of twelve sq. miles with a population of 15,000. The Sanborn Road area has recently been annexed into the District as part of its "sphere of influence."
Los Altos Hills Fire District	Special Fire District governed by seven-member Commission appointed by the Board of Supervisors (five from LA Hills and two from unincorporated area included within District). Appointments made following application and interview process. Supervisor usually accepts recommendations for appointment from current commissioners.
Milpitas	Historically a city-run department.
Mountain View	Historically a city-run department.
San Jose	Historically a city-run department.
Palo Alto:	City-run Department but unique in county as having own ambulance/transport service
Santa Clara	Historically a city-run department.
Gilroy	Historically a city-run department.
Sunnyvale	Historically a city run public safety department that combines Police and Fire administration and all public safety officers are dual-trained in police and fire service and serve both departments on a rotational basis.

Appendix B: LAFCO and Special Districts

The Local Agency Formation Commission (LAFCO) is a state-mandated agency with oversight responsibility for cities and special districts. Among other duties, LAFCO has a responsibility to evaluate fire service throughout the county. Their most recent fire service review was issued in December 2010 and offers a good overview of fire departments in the county, and analyzes each according to a standard set of criteria. The Grand Jury's report, in part, used LAFCO-generated data. Further, the Grand Jury found many of LAFCO's recommendations are based on sound analysis. Fire departments are not required to read or take action on LAFCO's findings and recommendations.

It is worth noting that the four special district fire departments addressed in this report receive revenue from property taxes under the guidance of Assembly Bill (AB) 8. Arguably the property tax apportionment as established in 1978 appears to be arbitrarily disproportionate across the districts that receive this funding: as illustrated in Table B1, special district fire department funding ranges from $875 (Los Altos Hills) to $240 for SCFD. Those levels were established based on the portion agencies were receiving before Proposition 13 was enacted. No scrutiny was made then, or since then, to determine the reasonableness of the property tax apportionment for the fire services delivered. It would appear the difference between Los Altos Hills and Saratoga is indefensible. Further, what money isn't spent is held in reserve *in perpetuity*. According to LAFCO, a reserve of 15% to 25% is considered reasonable (p. 145 of the LAFCO report). The existence of Los Altos Hills' excessive reserve calls to question whether this district should continue to receive new tax monies it apparently does not need.

Tables B2 and B3 provide consolidated LAFCO data drawn upon in this report.

Table B1: Fire District Special District Funding and Expenditures Summary

City/Special District	2010 Population (From Census)[1]	2010 Revenue from Property Tax ($M)[2]	2010 Fire Service Operating Budget ($M)	Fire Service per Capita	Reserves ($M)	Reserves (% of Operating budget)
Los Altos Hills Fire District	7,922	7.0	4.5	$884	17.8	~396%
Saratoga Fire District	~14,300	5.0	4.7	$350	1.6	~34%
CCFD	297,356[2]	49.1	81.8	$275	14.5	~18%
SCFD	24,533[2]	4.3	5.9	$240	2.3	~40%

[1]*Based on 2010 Census data.*
[2]*Based on LAFCO Report data*

Table B2: Consolidated Data from LAFCO Report: *Countywide Fire Services Review* (December 15, 2010)

	Agency Details										Costs				
Agency	Population 2010	Est. Pop. Gro.%	Est. Pop. 2035 (thousands)	Square miles	Stations	Sq.mi./Station	Companies	Apparatus	Sworn Personnel	Tot. Personnel FTE's	Total Budget (K$) 2010/2011	$/capita	K$/Station	K$ /Personnel	$/Service Call
Notes	1							2							
Gilroy	49,800	40	70	16.2	3	5.4	3	9	36	38.0	7,645	154	2,548	201	2,804
Milpitas	69,000	54	106	13.2	4	3.3	5	12	63	80.0	14,256	207	3,564	178	3,212
Mtn.View	**72,100**	**26**	**91**	**12.0**	**5**	**2.4**	**7**	**12**	**70**	**88.5**	**20,599**	**286**	4,120	**233**	**2,643**
Palo Alto	77,779	36	85	23	8	2.9	11	18	105	121.0	27,007	347	3,376	223	3,578
San Jose	**1,037,567**	**41**	**1,381**	**205**	**34**	**6.0**	**41**	**52**	**630**	**770.5**	**153,332**	**148**	4,510	**199**	**2,163**
Santa Clara	114,700	37	157	19.3	10	1.9	13	20	148	179.5	33,723	294	3,372	188	4,143
CCFD [3]	**297,356**	**15**	**341**	**137**	**17**	**8.1**	**21**	**43**	**247**	**308.0**	**81,786**	**275**	4,811	**266**	**4,941**
SCFD	24,533	8	27	260	4	65.0	4	7	30	36.3	5,899	240	1,475	163	1,902
Sunnyvale	**135,200**	**21**	**163**	**23.8**	**6**	**4.0**	**12**	**17**	**82**	**100.0**	**25,042**	**185**	4,174	**250**	**3,437**
Totals	1,878,035	29	2,420	1315	91	14.5	117	190	1,411	1721.8	369,290	197	4,058	214	2,874

NOTES:

1. Population served (may be more than just city).
2. Apparatus (including reserves) listed in LAFCO report Appendix C.
3. CCFD data includes contracted Los Altos Hills Fire District and Saratoga Fire District.

Table B3: Consolidated Data from LAFCO Report: *Countywide Fire Services Review* (December 15, 2010)

	Service Call Details												Emergency Response								
													Medical				Fire			Aid	
Agency	Total ServiceCalls	Structure Fire	Other Fire	Emergency Medical	Rescue Calls	Public Service	Hazardous Materials	False Alarm	Other	Mutual/Auto Aid	% Med Calls	% fire calls	Medical Resp. ALS std. 90%	EMSAgency Late	EMSAgency Totals	EMSAgency % OK	Target fire resp. (% within X min)	Actual fire resp. (% or min)	ISO rating	Aid Received (Auto+Mut'l)	Aid Given (Auto+Mut'l)
Notes											4	5		6	6	6	7		8		
Gilroy	2,727	50	49	1,884	4	155	57		528		69	4	97.7%	47	1,997	97.6	90% in 5 min	88%	4	117	284
Milpitas	4,439	38	114	2,636	272	634	86	383		276	59	3	99.0%	22	1,643	98.7		4.03	3	4	276
Mtn.View	**7,794**	**1,109**	**872**	**5,551**		**262**					71	25	**98.8%**	**83**	**3,105**	**97.3**	**100% in 6 min**	**100%**	**2**	**N/A**	**97**
Palo Alto	7,549	20	219	4,509		328	165	1,065	1,243		60	3	99.0%				90 % in 8 min	91%	2	181	148
San Jose	**70,892**	**320**	**1,367**	**51,645**	**713**	**3,230**	**281**	**3,342**	**9,994**		73	2	**95.0%**	**2,367**	**52,090**	**95.5**	**90 % in 8 min**	82%	**3/9**	**3**	**61**
Santa Clara	8,140	90	94	6,187	27	805	99	824	14		76	2	95.9%	159	4,488	96.5		4.53	2	2	12
CCFD [9]	**16,553**	**153**	**354**	**10,836**	**111**	**1,050**	**168**	**2,202**	**1,679**		65	3	**95.1%**	**506**	**11,724**	**95.7**	**85 % in 8 min**	**88%**	**2/8**	**1239**	**1316**
SCFD	3,101	32	274	1,108			811		876		36	10	97.5%	27	1,092	97.5	90%	90%	5	969	876
Sunnyvale	**7,286**	**137**	**2**	**4,993**		**1,491**	**620**	**43**			69	2	**98.0%**	**108**	**5,127**	**97.9**	**98 % in 6 min**	**93%**	**2**	**45**	**66**
Totals	128,481	1,949	3,345	89,349	1,127	7,955	2,287	7,859	14,334	276	70	4		3,319	81,266	95.9				2560	3136

NOTES (continued):

4. Emergency Medical Calls only.
5. Total of structure and other fires.
6. EMS Agency data from 2009 Exception Reports by EMSA Committee
7. Set by each department
8. ISO rating may affect insurance rates
9. CCFD data includes contracted Los Altos Hills and Saratoga Districts

Appendix C: Santa Clara County Emergency Medical Services Agency Response Requirements and Performance Penalties

(excerpted from the EMS Agency's Exemption Review Committee Process Guide – EMS 830, Pgs 14 and 15)

Response Time Requirements

Response Priority	Population Density	First Responder *(Contractor in the absence of FRP Contracts for ALS or BLS services)*	Transport Provider
Code 2	*Metro/Urban*	≤12:59	≤16:59
	Suburban	≤14:59	≤21:59
	Rural	≤21:59	≤41:59
Code 3	*Metro/Urban*	≤7:59	≤11:59
	Suburban	≤9:59	≤16:59
	Rural	≤11:59	≤21:59

PERFORMANCE PENALTIES – First Response

First Responder response time penalties in areas where First Responder hold subcontract (In absence of contracts for ALS or BLS First Response, these response times apply to the Contractor):

Code 2 - Responses			Code 3 - Responses			Fine*
Metro/Urban	Suburban	Rural	Metro/Urban	Suburban	Rural	
13:00 - 16:59	15:00 - 18:59	22:00 - 25:59	8:00 - 11:59	10:00 - 13:59	12:00 - 15:59	$13 / minute
17:00 - 19:59	19:00 - 21:59	26:00 - 28:59	12:00 - 14:59	14:00 - 16:59	16:00 - 18:59	$50 / minute
20:00 - 22:59	22:00 - 24:59	29:00 - 31:59	15:00 - 17:59	17:00 - 19:59	19:00 - 21:59	$75 / minute
23:00 - 31:59	25:00 - 33:59	32:00 - 40:59	18:00 - 26:59	20:00 - 28:59	22:00 - 30:59	$100 / minute
32:00 - 36:59	34:00 - 38:59	41:00 - 45:59	27:00 - 31:59	29:00 - 33:59	31:00 - 35:59	$5,000
37:00 - 46:59	39:00 - 48:59	46:00 - 55:59	32:00 - 41:59	34:00 - 43:59	36:00 - 45:59	$6,500
47:00 - 51:59	49:00 - 53:59	56:00 - 60:59	42:00 - 46:59	44:00 - 48:59	46:00 - 50:59	$8,000
≥52:00	≥54:00	≥61:00	≥47:00	≥49:00	≥51:00	$10,000

This report was **PASSED** and **ADOPTED** with a concurrence of at least 12 grand jurors on this 12th day of May, 2011.

Helene I. Popenhaager
Foreperson

Gerard Roney
Foreperson pro tem

Kathryn Janoff
Secretary