



REPORT TO THE CITY COUNCIL

AGENDA ITEM NO. <u>1N</u>
COUNCIL MEETING <u>09-30-08</u>
APPROVED BY _____
DEPARTMENT DIRECTOR <u>Randy R. Bruegman</u>
CITY MANAGER <u>[Signature]</u>

September 30, 2008

FROM: RANDY R. BRUEGMAN, Fire Chief
Fire Department

SUBJECT: AUTHORIZE FIRE CHIEF TO NEGOTIATE A JOINT OPERATIONAL PLAN AGREEMENT WITH FRESNO COUNTY FIRE PROTECTION DISTRICT (FCFPD); DIRECT STAFF TO EXPEDITE ANNEXATION/DETACHMENT OF FCFPD SERVICE ISLANDS

KEY RESULT AREA: 0209003000

Public Safety

RECOMMENDATION

Request City Council authorize the Fire Chief to negotiate a Joint Operational Plan Agreement (Joint Ops Agreement) with the Fresno County Fire Protection District (FCFPD), substantially in the form attached, and subject to the modifications outlined in this report, subject to City Attorney approval to form. The Joint Ops Agreement will provide terms and conditions for auto aid/response in designated areas within the city and county. The Joint Ops Agreement will supplement, not replace the existing 2003 City/FCFPD Transition and Automatic Aid Agreements.

Request City Council direct staff to expedite annexation/detachment of FCFPD service area islands existing within the City and its Sphere of Influence (SOI).

EXECUTIVE SUMMARY

This item is a follow-up to the September 23, 2008, presentation to Council by the FCFPD. Beginning in January 2007, Fresno Fire Department (FFD) staff began discussions with the FCFPD regarding regionalization efforts of the fire service. As the Council is aware there has been significant discussion with little accomplished during this timeframe. In January 2008, a meeting was held to renew discussions on the possibility of the development of an automatic-aid agreement between the City of Fresno and the FCFPD. Discussions resulted in the drafting of an agreement for shared resources in two specific zones within the city, extending into the county, under specific criteria. It came to my attention after the passage of the Joint Ops Agreement by FCFPD on May 2008, that FCFPD would in fact not be able to meet certain critical criteria in the Joint Ops Agreement to FFD's expectation/satisfaction. After confirming this with Chief Larkin, I informed him that I would not be moving forward to Council with the agreement until the issue was resolved.

At the September 23, 2008, Council meeting Chief Larkin presented to City Council FCFPD's view of the Joint Response Operational Plan and reiterated FCFPD's perceived need to utilize volunteers and paid-call firefighters in the FCFPD staffing matrix. Chief Larkin indicated these non-career firefighters are trained at the level that they could be used as structural firefighters.

For the reasons stated on the record at the September 23, 2008, presentation, FFD cannot agree to the non-career staffing matrix offered by FCFPD. To move forward with the Joint Ops Agreement, FFD requires all the following modifications:

1. Only career staff defined as full-time CalFire Firefighter II rank (non-limited term) or higher would be utilized on all of the units responding into the City.
2. All responding firefighters on the responding units would be Firefighter I as certified by the Office of the State Fire Marshal.
3. District would commit to a minimum constant staffing on those units to include a captain, engineer, and a firefighter with the aforementioned certification.

The above will guarantee all responding FCFPD firefighters will have (1) at least 250 hours of training prior to their first fire event, (2) a general experience level comparable to the City of Fresno/City of Clovis standard (approximating 220 duty hours per month.)

FFD additionally requests City Council direct staff to expedite annexation/detachment of FCFPD service area islands existing within the city and its sphere of influence (SOI). FFD is presently providing a full-emergency response within the FCFPD service area islands without the benefit of the ad valorem tax revenue. This subsidy of FCFPD operations is transitioned out upon each annexation/detachment of FCFPD service area islands. The currently effective City/FCFPD Transition Agreement expires in 2012. Negotiations to date for a longer term transition solution have not been successful.

BACKGROUND

Under the currently operative City/FCFPD Agreements (i.e., a November 2003 "Transition Agreement" that runs through 2012 and a November 2003 "Automatic Aid Agreement" that is year-to-year):

- The City is obligated to provide automatic response only to FCFPD (County) islands in the so called "Station 88 Service Area" (i.e., the area bounded by Dakota Avenue (north) Temperance Avenue (east), California Avenue (south) First Street (west). The City receives a fixed fee for this service, which is approximately 1/6 of the ad valorem tax received by FCFPD;
- FCFPD is statutorily obligated to provide emergency response in the balance of its service area/county islands. In practice FFD provides a full-emergency response to these FCFPD service area (county) islands. The City receives no contractual fee or ad valorem tax revenue for these responses.

During the course of the last three years beginning with the North Central Fire District discussions on regionalization, staff has been meeting with FCFPD to resolve an issue that has been in existence for some time and that is the annexation of the District by both the Cities of Fresno and Clovis. In the past this has created county islands and today creates a redundancy of service with existing stations that are adjacent to and becoming surrounded by both cities, creating an ineffective response system due to the lack of long-term planning. As the cities continue to grow, this will continue to be a problem into the future. At some point in the near future, this will resolve itself as both cities annex to their sphere of influence. Until such time as there is a willingness to deal with the development of a more regional comprehensive approach, the distribution and

deployment of resources will continue to be problematic, and agreements such as the one being discussed are at best a short-term solution to the long-term issue.

During January of this year, Chief Larkin and Division Chief Lawshe of the Fresno County Fire Protection District (FCFPD) met with Chief Bruegman and Deputy Chief Aranaz to discuss a Joint Response Operational Plan between the two departments.

The purpose of the plan was to ensure an organized response of resources between the two departments in order to provide the closest resources and personnel for fire suppression operations. Further, the plan was to be implemented on structure fires, vegetation fires, urban search and rescue, and medical incidents. The plan was to cover two distinct zones within the metropolitan area. The North Zone is bounded by Reno Avenue to Nees Avenue and Willow Avenue to Maple Avenue. The South Zone is bounded by California to Malaga Avenue and from Marks Avenue to Temperance Avenue.

It came to my attention after the passage of the Joint Ops Agreement by FCFPD on May 2008, that FCFPD would in fact not be able to meet certain critical criteria in the Joint Ops Agreement to FFD's expectation/satisfaction. After confirming this with Chief Larkin, I informed him that I would not be moving forward to Council with the agreement until the issue was resolved.

SUMMARY

Joint Ops Agreement with FCFPD as proposed herein can be beneficial to both the City and FCFPD if it is constructed in a way that is clearly understandable to both parties and if the agreement clearly addresses the issues raised as concerns at the September 23, 2008 Council meeting. To do so the existing agreement needs to be modified with the specifics as they have been noted in this report, which include career staffing, appropriate level of training, constant staffing in the stations that are to be utilized under this agreement, the identification of command and control and related policies to ensure responding firefighters are protected, and the plan is operationally sound.

Expediting annexation/detachment of FCFPD service area islands will reduce/end FFD no-revenue emergency responses into FCFPD service area, prior to the 2012 expiration of the current Transition Agreement.

FISCAL IMPACT

No fiscal impact; directional only.