



# City of Emeryville

CALIFORNIA

## MEMORANDUM

**DATE:** May 21, 2024  
**TO:** Paul Buddenhagen, City Manager  
**FROM:** Pedro Jimenez, Assistant City Manager  
**SUBJECT:** **Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute The Agreement Between The City Of Emeryville And The Alameda County Fire Department Regarding Fire And Emergency Services For The Term July 1, 2024 Through June 30, 2029, And With The First Year Proposed Cost Of \$9,224,815**

### RECOMMENDATION

Staff recommends that the City Council adopt the above-entitled Resolution approving the Agreement between the City of Emeryville and the Alameda County Fire Department for the period July 1, 2024, to June 30, 2029.

### BACKGROUND

The Alameda County Fire Department (ACFD) provides all-risk emergency services to the unincorporated areas of Alameda County (excluding Fairview), the cities of San Leandro, Dublin, Newark, Union City and Emeryville, the Lawrence Berkeley National Laboratory and the Lawrence Livermore National Laboratory. The City of Emeryville has contracted with ACFD for fire and emergency response services since 2012. The 2012 contract was developed after extensive research and analysis, including a study by Citygate Associates and a Request for Proposal process, and City Council approval in June 2012. That original agreement was extended through June 2018. At that time, the City Council approved Resolution No.18-88 authorizing a new two-year agreement between the City and ACFD for fire services through June 2020. The agreement allowed for the possibility to extend for up to two (2) two-year (2-year) successive terms by mutual written agreement of the parties. On February 1, 2022, the Council recommended that the City exercise the second of those two-year extensions for fire and emergency services through June 30, 2024.

ACFD provides fire suppression and emergency response services with two fire companies, each staffed with a Captain, Fire Engineer, and Firefighter, one of whom is a certified Paramedic. Emergency response services include fire suppression, medical aid requests, rescues, traffic collisions, hazardous materials releases, and human-made and natural disasters. The responding engine company is required to arrive at the scene of an incident within 7 minutes, at least 90% of the time. Companies responding to a reported structure fire, (3 engines, 1 aerial truck, 1 Battalion Chief with assistance from Oakland Fire Department) are required to assemble at the scene within 11 minutes, 90% of the time. During calendar year 2023, ACFD responded to 2,567 emergency incidents and was compliant to response time standards 93% of the time.

ACFD also serves the City of Emeryville with Special Operations Response Teams including the Hazardous Materials Team, Technical Rescue Team, and Water Rescue Team. ACFD has maintained a fully functioning hazardous materials team for the term of the City's contract. The team is equipped and trained to handle a variety of hazardous materials incidents including radiological and biological incidents. It responds and functions from specially equipped hazardous materials response units.

The Alameda County Fire Department also supports the City's development review process in providing plan review, consultation, fire code interpretation and application and inspection services for new construction and tenant improvement projects. An ACFD Chief Officer is assigned to serve as the primary point of contact and liaison with the City and City Manager on a daily basis. The contract also includes a subcontract between ACFD and the City of Oakland for additional coverage as needed in Emeryville. The City receives the services of the ACFD Executive Management Team including the Fire Chief, Deputy Fire Chiefs, Emergency Preparedness Manager, Fire Marshal, Battalion Chiefs, Human Resources and Financial Services staff members. That team handles all management related responsibilities for ACFD. ACFD is responsible for workers' compensation, salary management, labor relations, risk management, performance management and training, and compliance with all emergency response and workplace rules and regulations.

## **DISCUSSION**

ACFD provided a draft agreement to the City to review and develop a new Agreement. This agreement would allow for ACFD to continue to provide fire and emergency response services to the City of Emeryville through June 2029.

City staff hired Strategic Advisory Services consultants, a firm with significant experience in fire services contract negotiation and finance, to assist in analyzing the ACFD agreement and explore various high-level alternatives to continuing the contract. Their findings revealed that the most cost-effective approach to providing fire services continues to be through ACFD.

The most significant change in this agreement, as compared to the prior agreement, is replacing a Deputy Fire Marshall with a Plan Checker II position. ACFD has found it extremely challenging to fill the role of Deputy Fire Marshal, prompting the recommendation to transition to a Fire Plan Checker II. The Community Development Department supports this transition, emphasizing the importance of assigning individuals with a strong background and expertise to ensure thorough feedback during reviews of building, site, and fire protection systems for compliance. There will be some cost savings as a result of this change, and it will be assessed for efficacy and addressed if needed. Additionally, there were some minor changes and edits (typos and cleanup) made to the agreement, including non-substantive adjustments to Other Post-Employment Benefits (OPEB) language.

ACFD provided the City with a review and analysis of services report, which can be seen in Exhibit 9 "Quality of Services Provided, Station Location and Staffing." That report includes an analysis of response times summarized as follows:

- ACFD has met or exceeded the contract requirement for emergency response times. The response time standard requires that the first fire unit arrives on scene within 7 minutes or less of dispatch 90% of the time. From July 1, 2012 through June 30, 2023, the first responding ACFD unit arrived on the scene, for all emergencies, within 7 minutes or less, more than 90% of the time.
- ACFD met or exceeded the response time standard for first alarm assignments within 11 minutes of dispatch 90% of the time. These response times represent calls where each apparatus arrived on scene and the incident was confirmed at the specified location.
- To date, the response times to EMS calls within the City have complied with the County EMS contractual requirement of 8-1/2 minutes or less 90% of the time for medical priority dispatch system "Priority 1-3".

Finally, the report includes budget projections as well as some comparative cost analyses. Regarding capital assets, the City continues to own Fire Stations 34 and 35, as well as the fire apparatus operated by ACFD. The City is responsible for major maintenance of the stations; ACFD handles minor maintenance issues. The City is responsible for the replacement of the fire apparatus as needed and those replacement costs are included in the City's vehicle replacement fund. The City will be placing an order for two fire engines because they are near their end-of-life expectancy and orders take four years to be fulfilled; payment is not made until orders are fulfilled. Apparatus maintenance is performed by ACFD at its maintenance center and the City pays the cost of that service.

## FISCAL IMPACT

Exhibit Five outlines the Five-Year Cost Projection for services. The Fiscal Year 2023-24 fire services budget for Emeryville is \$9,224,815 and FY 2024-2025 is \$9,635,821, an increase of \$411,006 (4.4%). These costs are incorporated in the City's approved budgets for FY 2023-2024 and 2024-2025. The budgeted amounts for FY 2025-2029 will be included in those budget years.

	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29
<b>OPERATING BUDGET TOTAL</b>	\$9,063,792	\$9,623,672	\$10,236,415	\$10,625,187	\$11,010,852	\$11,485,753
\$ Increase		\$559,880	\$612,743	\$388,772	\$385,665	\$474,901
% Increase		6.18%	6.37%	3.80%	3.63%	4.31%
<b>GRANT &amp; CAPITAL IMPROVEMENT PROJECTS</b>	\$161,023	\$12,149	\$0	\$0	\$0	\$0
LOCAL MATCH FOR GRANT	\$0	\$0				
EQUIPMENT REPLACEMENT	\$1,023	\$12,149				
FACILITY IMPROVEMENT PROJECTS	\$160,000	\$0				
<b>PROPOSED CONTRACT TOTAL</b>	\$9,224,815	\$9,635,821	\$10,236,415	\$10,625,187	\$11,010,852	\$11,485,753

## STAFF COMMUNICATION WITH THE PUBLIC

There has been no communication with the public regarding this agreement.

## **CONFLICT OF INTEREST**

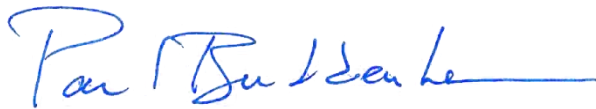
None identified.

## **CONCLUSION**

Staff recommends that the City Council adopt the attached Resolution approving the Agreement between the City of Emeryville and the Alameda County Fire Department for the period July 1, 2024, to June 30, 2029.

**PREPARED BY:** Pedro Jimenez, Assistant City Manager

## **APPROVED AND FORWARDED TO THE CITY COUNCIL OF THE CITY OF EMERYVILLE:**



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Paul Buddenhagen, City Manager

## **ATTACHMENTS**

- Attachment A – AC Fire District Phase 2 Report
- Draft Resolution
  - Attachment A – Agreement
  - Attachment B – Exhibits 1-9