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

August 31, 2011



Mayor

Jamie L. Matthews

Council Members

Lisa M. Gillmor
Will Kennedy
Patrick Kolstad
Patricia Mahan
Jamie McLeod
Kevin Moore

Honorable Richard J. Loftus, Jr.
Presiding Judge
Santa Clara County Superior Court
191 North First Street
San Jose, CA 95113

Dear Judge Loftus:

Per California Penal Code section 933.05(f), please find below the City of Santa Clara's responses to the findings and recommendations found in the 2010-2011 Santa Clara County Civil Grand Jury 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 mix of capabilities at a reasonable cost, using scare tactics to influence the public and fostering firefighter unwillingness to collaborate with EMS.]

City Response to Finding 1:

The City agrees with the finding. It is costly to equip a fire department but, as with any first line of defense, emergency workers must be trained and available in order to prevent losses that could exceed the cost of providing emergency services. Paid fire departments came into existence because of the inability of volunteer departments to protect growing communities and their assets. The Santa Clara Fire Department has undergone many substantial changes in order to better serve the public and preserve limited financial resources. Recent changes include reduced staffing, and updated automatic and mutual aid agreements to supplement lower staffing levels. We recognize the need for our Fire Department to move beyond the old model of waiting for the occasional emergency response. We also place a much stronger emphasis on Fire Prevention, Hazardous Materials Mitigation and Public Education. In the City of Santa Clara, the firefighters union and employees have cooperated with City Management and Fire Administration in implementing cost effective deployment of staffing levels.

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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, AZ.

City Response to Recommendation 1A:

The recommendation has been implemented. A careful “best practices” evaluation and benchmarking of outside fire agencies is always appropriate. Consolidation efforts affect each fire agency differently and Santa Clara may or may not be affected positively after all the advantages and disadvantages are weighed. We believe that many of our changes implemented in the last several years, such as flexible staffing and priority dispatch, are not only responsible but serve as a model that could be beneficial to other departments that benchmark with Santa Clara.

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.

City Response to Recommendation 1B:

The recommendation has been implemented. Through the budget process and the City Council goal setting program this determination is made. Cities such as Santa Clara have decided to provide a high level of service to the residential and business community. A city should determine the outcomes desired by their residents, such as reduced incidence of fire, reduced property loss, timely high-quality EMS response, etc. Although it is common to measure response times, minimum staffing, etc., the importance should be placed on actual outcomes. We follow up with customer surveys to obtain input from our citizens regarding their level of satisfaction with our services. We consistently receive positive customer satisfaction ratings of 97 - 98%.

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.

City Response to Recommendation 1C:

The recommendation has been implemented. For the past eight years, formal meetings have been held with all members of the Fire Department and with the Union in an attempt to lower the cost of service while maintaining a high level of service. As a

result, our daily staffing has decreased by 25%. We have also decreased the minimum staffing within our stations and on our apparatus. The employees and the Union have supported and understood the importance of these significant changes to the common trend of continuous Fire Department growth.

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.

City Response to Finding 2:

The City agrees with this finding. The City of Santa Clara does not have contractually based minimum staffing requirements. Santa Clara's flexible staffing model that was developed eight years ago has allowed us to adjust our response level to suit the demand for service. It has also significantly reduced our overtime costs.

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.

City Response to Recommendation 2:

This recommendation will not be implemented because it is not warranted. The City of Santa Clara does not have contractual minimum staffing requirements.

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.

City Response to Finding 3:

The City agrees with the finding. However, the person with the medical emergency does care about the quality and the timeliness of the emergency response. We are unaware of any qualitative analysis that has been done between career Firefighter EMS responders and private sector EMS responders. We do know that our EMS responders receive a 97 – 98% approval rating from those we serve. We also know that the private EMS provider is contractually obligated to arrive on scene within 11 minutes

and 59 seconds 90% of the time. This is nearly three times as long as it takes Fire Department EMS personnel to arrive. If our citizens wanted the quicker response times and the private provider were to provide a similar response time as Fire EMS personnel, they would have to staff more ambulances which would drive up the cost of service. These costs would then be passed on to our citizens.

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.

City Response Recommendation 3A:

The recommendation has been implemented. In Santa Clara, we have adopted this mentality and all that separates the Fire Department from an Emergency Services Department is the name.

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.

City Response to Recommendation 3C:

The recommendation will not be implemented because it is not warranted. Our personnel are dual-role firefighters, who provide EMS care when not fighting fire or responding to other emergencies. Using less expensive, non-firefighter paramedics and non-firefighting equipment would increase personnel and equipment costs and limit these employees to non-firefighting duties.

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.

City Response to Recommendation 3D:

The recommendation has been implemented. Over the past twelve years the Santa Clara Fire Department has replaced one truck company (approximately \$700,000 cost) and two engine companies (approximately \$400,000 each cost) with three less expensive ambulances (approximately \$100,000 each cost).

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.

City Response to Finding 4:

The City agrees with the finding. It should be noted that under a consolidation model, Santa Clara probably would be sending aid to other agencies far more often than we receive aid. This is better for the County as a whole, but may not be as effective for Santa Clara taxpayers as their Fire Department would respond out of the city more often. There are, however, specialty areas of response such as Haz Mat response, high angle rescue, confined space rescue, and more that should be regionalized in order to more efficiently handle high risk, low frequency emergency events within the County.

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.

City Response to Recommendation 4A:

The recommendation has been implemented. Over the past ten years, the Santa Clara Fire Department has participated in many joint purchases including fire apparatus, personal protective equipment (PPE), and medical supplies. This has achieved savings for the City. Additionally, Santa Clara participates in consolidated personnel training at all levels from recruit training to officer training. We also have significant participation in all areas of specialized training such as Haz Mat training, confined space training, vehicle extrication, and more. Santa Clara also participates extensively within the mutual aid system both for response and in the development of standard operating procedures that allow us to work more efficiently beyond our own boundaries.

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.

City Response to Recommendation 4B:

The recommendation requires further analysis and should be evaluated against our current purchase and maintenance procedures. It is prudent to consider all options in an effort to save valuable economic resources. Determining the total cost throughout the

Honorable Richard J. Loftus, Jr.

August 31, 2011

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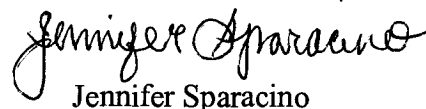
life of the equipment, including purchase, should be studied. Santa Clara currently tags onto other Fire Department purchases when buying apparatus. Maintenance is performed by the City Automotive Services Department and not a stand alone fire department maintenance shop. Santa Clara's Automotive Services Department, was awarded the Blue Seal of Excellence for being at the top 2% in the nation for the most highly certified automotive technicians. Our apparatus last longer than the industry standard due to the high quality of maintenance, which has proven to lower the overall cost of owning and maintaining a piece of fire equipment. That being said, we are in agreement with the recommendation that continuous efforts should be made to bring down the cost of operations.

If there are any questions in regards to the City's response to the Grand Jury's findings and recommendations, please contact City Manager Jennifer Sparacino at (408) 615-2210. Thank you for the opportunity to comment on the report.

Sincerely,



Jamie L. Matthews
Mayor



Jennifer Sparacino
City Manager

JLM:JS:yfg

cc: City Council
Phil Kleinheinz, Fire Chief