

# CITY OF SUNNYVALE

*The Heart of Silicon Valley*<sup>sm</sup>

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**FILED**

SEP 15 2011

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

Melinda Hamilton  
Mayor

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

Jim Griffith  
Vice Mayor

Otto Lee  
Councilmember

Dear Judge Loftus,

Christopher R. Moylan  
Councilmember

The Sunnyvale City Council received the 2010 – 2011 Santa Clara County Civil Grand Jury's Final Reports on *"Fighting Fire or Fighting Change? Rethinking Fire Department Response Protocol and Consolidation Opportunities"* and *"Can You Hear Me Now? Emergency Dispatch in Santa Clara County"*.

Anthony (Tony) Spitaleri  
Councilmember

Following is the Council's response to the Findings and Recommendations per authority section 933.05(a) of the California Penal Code.

David Whittum  
Councilmember

## **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.

### **Response**

The respondent wholly disagrees with the finding.

In 1950, the City of Sunnyvale recognized fiscal savings by combining emergency services through a Public Safety model. This model places two department members on fire apparatus and supplements response to fire calls with members based in police

services. All members are trained as Police Officers, Firefighters and Emergency Medical Technicians – Basic and fulfill roles based upon need. Utilizing the resources of the Santa Clara County EMS Agency, the Department of Public Safety does not provide paramedic services, thus reducing our personnel costs.

A per capita review finds the cost of service delivery in Sunnyvale one of the lowest in the region. Being the second largest city in Santa Clara County, the City of Sunnyvale has one of the lowest staffing levels, but still provides full emergency services to residents and visitors. The per capita cost of salary and benefits is also significantly lower than our neighboring cities.

In reviewing the Grand Jury's Report, the chart on page two identifies the jurisdictions within Santa Clara County. Of the 14 jurisdictions identified with a *Fire Budget per Capita*, the City of Sunnyvale, which is the second largest city in Santa Clara County, has the 9<sup>th</sup> lowest cost per capita to deliver fire services.

#### **Recommendation 1A**

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

#### **Response**

The recommendation has been implemented.

All Public Safety Officers are trained as Police Officers, Firefighters and Emergency Medical Technicians – Basic. Transitioning to a traditional police and fire department would significantly increase costs of fire and EMS services in that additional personnel would need to be hired to staff the resulting fire department.

Sunnyvale staffs fire apparatus with two (2) personnel since the vast majority of service calls are of an EMS nature. Response to fires brings cross trained police personnel to supplement those responding on fire apparatus. This model allows the City to appropriately staff responding fire apparatus with police-based employees for calls requiring additional personnel. On page 13 of

the Grand Jury Report, data from the LAFCO Report states Sunnyvale has five (5) firefighters per apparatus; this is incorrect - Sunnyvale has two (2) per apparatus.

**Recommendation 1B**

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

**Response**

The recommendation has been implemented.

The City of Sunnyvale agrees with this statement, which is reflected in our numerous performance outcomes and measurements. The implementation of our cost efficient Public Safety model validates the decision to have a Department of Public Safety.

**Recommendation 1C**

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

**Response**

The recommendation has been implemented.

**Finding 2**

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

**Response**

The respondent partially agrees with this finding.

Sunnyvale does not have a mandated minimum staffing model for the Bureau of Fire Operations. Apparatus are staffed with two (2) personnel which is the safe minimum for operating the vehicle and a minimum number of personnel for response to an emergency medical service call.

### **Recommendation 2**

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

### **Response**

The recommendation has been implemented.

Sunnyvale does not have contractually mandated minimum staffing model for the Bureau of Fire Operations.

### **Finding 3**

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

### **Response**

The respondent wholly disagrees with the finding.

Sunnyvale is not aware of call analysis or any studies identifying that 96% of non-fire-related calls can be handled by paramedics on an ambulance. If that data is available, we would like to review it.

The response to many emergency medical service calls require additional personnel for lifting, carrying, extricating, performing CPR, etc. The Sunnyvale Department of Public Safety staffs fire

apparatus with two (2) Emergency Medical Technicians – Basic and relies upon the County to provide paramedic services. If additional personnel are required, another apparatus is called or police-based staff responds.

### **Recommendation 3A**

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

#### **Response**

The recommendation has been implemented.

Sunnyvale is not sure what the Grand Jury is referencing in regards to adopting an “*emergency services department mentality*.” In 1950, the City adopted a Public Safety Model which allowed for a lower level of staffing and the response of cross-trained police and fire personnel to emergency calls for service.

The City relies upon the County of Santa Clara to provide complete paramedic services.

### **Recommendation 3B**

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

#### **Response**

The recommendation will not be implemented because it is not warranted or is it reasonable.

Within Sunnyvale, the County of Santa Clara is the first responder for paramedic service calls. Job tasks on scene, specialized equipment for calls and rapid response for cardiac arrests, require the response of Public Safety resources.

The current County contract for paramedic response requires a **7:59** response time with 90% compliance. Relying on this would significantly decrease an individual's chance of being successfully resuscitated from a cardiac arrest. For every minute a person is in cardiac arrest, their chance of successful resuscitation decreases 7 – 10 %. An 8-minute response time is not acceptable within Sunnyvale.

Sunnyvale's response to cardiac events involves both police and fire services responding to provide the best chance of success for saving a life. To meet the response times currently achieved within Sunnyvale, the County would need to significantly increase their number of paramedic ambulances.

**Recommendation 3C**

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

**Response**

Sunnyvale does not operate a paramedic service. The City utilizes the County of Santa Clara to provide paramedic service delivery.

**Recommendation 3D**

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

**Response**

The recommendation will not be implemented because it is not warranted or is it reasonable.

The City of Sunnyvale current service life of our firefighting apparatus is 20 years. Advancements in technology, emissions, and apparatus safety significantly improve in that 20 year time period. Extending service life several years for a specific apparatus does occur on a case by case basis.

#### **Finding 4**

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

#### **Response**

The respondent agrees with this finding.

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

#### **Recommendation 4A**

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

#### **Response**

The recommendation has been implemented.

The Sunnyvale Department of Public Safety utilizes one administration to manage what other cities refer to as their Police and Fire Departments. All Public Safety members are cross trained as Police Officers, Firefighters and Emergency Medical Technicians – Basic and operate in any role at any time. This model allows for rapid deployment of personnel to any emergency with significantly fewer total staff members.

The City participates in regional training academies for both police and fire training.

Sunnyvale is working with the cities of Los Gatos and Monte Sereno to vertically consolidate the Computer Aided Dispatching system to reduce costs. Automated database access and sharing

is underway, multi-agency collaboration for the purchase of Communications and Dispatch platforms are in-process. Beyond Mutual Aid and Automatic Aid Agreements, agencies are exploring the Battalion Chief as a shared resource. Other efforts include the sharing and collaboration of Fire Cause and Arson Investigation personnel, in-county Overhead Command Teams, and Multi-Discipline/Multi-County Task Force Teams.

#### **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 countywide standard for vehicles and equipment, consolidating purchases to take advantage of lowered costs, and consolidating maintenance or revisiting guaranteed maintenance contracts on new vehicle purchases.

#### **Response**

The recommendation has been implemented.

Joint purchase and sharing of Reserve Fire Apparatus, regional equipment maintenance and management is currently under discussion.

#### **Can You Hear Me Now? Emergency Dispatch in Santa Clara County**

##### **Finding 1**

Dispatch consolidation would result in more cost-effective and efficient emergency response and should be implemented throughout Santa Clara County.

#### **Response**

The respondent disagrees partially with the finding.

The Sunnyvale Department of Public Safety has been in ongoing discussions with other County agencies to discuss the feasibility of a consolidated dispatch center. Additionally, partnerships in the County are being formed to create virtual consolidated dispatching through like software purchases and the hosting of such solutions.



The requirements and expenses associated to a truly consolidated dispatch center are significant. Communication/phone lines, utilization of the same Computer Aided Dispatch system, radio systems being interoperable and the appropriate facilities to accommodate the personnel would be required prior to consolidation.

### **Recommendation 1**

Jurisdictions which maintain their own dispatching centers – Campbell, Gilroy, Los Altos, Los Gatos, Milpitas, Monte Sereno, Morgan Hill, Mountain View, Palo Alto, San Jose, the City of Santa Clara, and Sunnyvale – and all jurisdictions which use Santa Clara County Communications for dispatch—Cupertino, Los Altos Hills, and Saratoga— should consolidate dispatch with neighboring jurisdictions and, where appropriate, should issue RFPs to do so.

### **Response**

The recommendation has not yet been implemented, but will be implemented in the future.

The Sunnyvale Department of Public Safety is participating in a virtual consolidated dispatch effort through software hosting with the Town of Los Gatos. Additional discussions are being held to determine whether a consolidation effort or a co-located effort could be more cost effective in the current economic environment. Many of the above listed costs would require up front funding that could result in significant delay for savings to be realized. A proper analysis and funding determination would require extensive efforts to locate suitable facilities, development of communications systems, establishing a phone system and utilization of a Computer Aided Dispatch system. There would be significant impact to Records Management systems and Mobile Data systems that are currently deployed in the disparate agencies.

In January 2011, City Managers from Sunnyvale, Mountain View, Palo Alto and Los Altos have begun further analysis to determine the feasibility of consolidated services. One of the services being reviewed is a joint communications center. Through discussions with the listed agencies efforts could take between 5-7 years.

### **Finding 2**

Radio equipment has not been standardized and impedes effective countywide communication and emergency dispatch.

**Response**

The respondent agrees with the finding.

Sunnyvale recognizes this issue and is one of the lead agencies with City of Santa Clara in the first phase of implementing a countywide interoperable radio project. Under the Silicon Valley Radio Interoperable Authority, the cities in Santa Clara County will be able to utilize a state of the art P25 radio system.

**Recommendation 2**

Jurisdictions which maintain their own dispatching centers – Campbell, Gilroy, Los Altos, Los Gatos, Milpitas, Monte Sereno, Morgan Hill, Mountain View, Palo Alto, San Jose, the City of Santa Clara, and Sunnyvale; all jurisdictions which use Santa Clara County Communications for dispatch—Cupertino, Los Altos Hills, and Saratoga; the Santa Clara County Sheriff's Office; and Santa Clara County, should continue to work with the Silicon Valley Regional Interoperability Association to achieve countywide standardization of radio technology.

**Response**

The recommendation has been implemented.

Sunnyvale recognizes this issue and is one of the lead agencies with City of Santa Clara in the first phase of the implementation of a countywide interoperable radio project. Under the Silicon Valley Radio Interoperable Authority, the cities in Santa Clara County will be able to utilize a state of the art P25 radio system.

If you have any comments or questions, please contact me at (408) 730-7473.

Sincerely,



Melinda Hamilton, Mayor