

To: Mayor and Ross Town Council
From: Gary Broad, Town Manager and Barry Heying, Chief of Police
Re: Resolution No. 1631, Preparation of a Draft Joint Powers Agreement with the City of Larkspur
Date: September 6, 2007

I. Project Summary

Town Council approval of Resolution No. 1631 authorizing the Mayor and Town Manager to prepare a Draft Joint Powers Agreement (JPA) with the City of Larkspur for consolidated fire protection service.

II. Discussion

Over the past 18 months, the Town of Ross has taken part in an extensive exploration of fire service consolidation in the Ross Valley. While the concept of fire consolidation or fire merger is not new to Marin, our recent committee work involving five different Ross Valley agencies was a remarkable and historic effort. Town of Ross staff, including Ross Fire Department (RFD) labor, town management and Council representatives met with equals from the Ross Valley Fire Service (including Sleepy Hollow Fire Protection District), Kentfield Fire Protection District, Larkspur Fire Department (LFD) and Corte Madera Fire Department. Representatives from the Local Agency Formation Commission, Ross Valley Paramedic Authority and Marin County Fire also took part in some of the discussions. Tom Brightbill, a management consultant retained by the five Ross Valley fire agencies, prepared a report with several different options for valley-wide fire consolidation and the financial implications. While the results were presented to the Town Council on May 3, 2007, the conclusions were that a valley-wide consolidated department would cost an additional \$2,000,000 a year to operate and be very difficult to do as a single process.

With the end of a valley-wide fire consolidation, we continued to have independent discussions with the Ross Valley Fire Department, Kentfield Fire Department and the Larkspur Fire Department about fire consolidation. After weighing how our operation could best be integrated with another agency, it was our, and Mayor Hunter's, conclusion that the best fit could be achieved between Ross and Larkspur. Additional meetings were held with Larkspur staff and a decision made to seek Council approval in both communities to negotiate a joint powers agreement (JPA) to consolidate the Ross Fire Department and the Larkspur Fire Department into one new agency jointly governed by the two municipalities.

III. Operational Benefits of a JPA with Larkspur

A major benefit to a consolidation would be the introduction of a Battalion Chief (B/C) to the department organizational structure. The B/C is a management level employee in the fire service, responsible for policy development, personnel administration (scheduling, evaluations, discipline), training coordination, ensuring proper equipment deployment, maintenance and replacement, project development (disaster preparedness, fire flow improvements, training drills with other agencies), fire prevention (inspections, plan checks, code enforcement) and control of emergency scenes. When there is no B/C, as is the case currently for both RFD and LFD, those

duties have to be spread out among other department personnel – often assigned to those who have too many other collateral duties or in some cases personnel who are unqualified for the particular task. Because one critical B/C function is emergency scene management, officers have to be scheduled to work 24 hours a day and respond along with the engine company crew.

Current conditions at both agencies indicate a need for organizational management positions:

- ROSS. RFD has struggled for over almost two decades without professional fire leadership. Through a series of Public Safety Directors (who by law must be a law enforcement professional), fire administrative duties have fallen in large part on Fire Captains, with one being designated as an Administrative Captain. Policy development and personnel evaluation have been non-existent, and discipline and behavior modeling have occurred through a group peer pressure model instead of a modern progressive approach. Career development is left to the individual employee and promotional opportunities are severely limited. Emergency scene management must be handled initially by the RFD Captain (who has other duties as part of the arriving crew) and then by a B/C from an outside agency - if one is available. A “borrowed” B/C can wind up being from as far away as San Rafael and could be unfamiliar with both the Town and the personnel on the scene.
- LARKSPUR. LFD currently operates with one Fire Chief and one Deputy Fire Chief to accomplish fire administration. Both chief officers share the responsibility of 24 hour chief officer coverage, one from his home in Larkspur and the other from his home in the Berkeley. This make-due situation is not optimal since both work a normal five-day work week, and both have to coordinate their personal time off with each other to assure there is a chief officer available at all times. Routine management duties suffer since there is no chief officer on duty after normal business hours and on weekends or holidays and emergency response can be unnecessarily delayed when the off-duty Deputy Chief has to respond from his home in Berkeley.

With the introduction of Battalion Chiefs to the structure, specialty assignments could be made in three distinct areas;

- Operations (policy, equipment deployment, personnel scheduling).
- Prevention (Fire Marshal, plan check, code enforcement).
- Training (personnel training, disaster preparation, and community education).

Additionally, on scene emergency management could occur with a more effective use of resources, better coordination with outside agencies and personnel accountability.

With the blending of personnel from the two agencies, upward mobility is enhanced, providing career paths through promotional opportunities that do not exist today for RFD employees. Career mobility is important for employee retention and development. The blending of personnel would also allow Ross’ existing apprentice program to serve as a training ground for future employees of the larger consolidated department. A consolidated department will also allow for fire department management to be located in both Ross and Larkspur.

Ross would also benefit from an existing paramedic engine program in place in Larkspur. This program places trained paramedics aboard fire engines to deliver immediate advanced life support intervention while waiting for the paramedic ambulance to arrive.

Daily operational issues with respect to emergency response can and should remain the same as they are today with no change in existing response agreements with our neighboring departments. Most fire departments have automatic aid agreements that call for the closest engine company to respond regardless of jurisdiction, both RFD and LFD have such agreements and there would be no change anticipated in the staffing or locations of RFD and LFD stations.

At last month's Council meeting, the Town Council adopted five goals for the one-year period from July 1, 2007 through June 30, 2008 as follows:

1. Work with other Ross Valley jurisdictions on a valley-wide approach to drainage, warning systems and emergency response. (Cahill)
2. Expand emergency preparedness and increase readiness response and safety. (Skall)
3. Conclude Fire Consolidation Exploration. (Hunter)

Obviously, consolidation would allow goal number 3 to be met. The creation of an expanded department would be beneficial to implementing both goals 1 and 2 as well.

IV. Continuation of A Stand-Alone Department

In a full assessment of the merits of the operation of a consolidated department, we are unable to find any advantages to retaining a stand-alone Town of Ross fire department rather than joining with Larkspur to create a larger organization with superior resources. From a financial perspective, adding a full-time fire chief to our existing operation and round the clock battalion chief coverage, as will be provided through a consolidation, would cost well over a half million dollars and would add to the inefficiency in running a stand-alone department. The above discussion highlights the many operational benefits of a larger organization. Consolidation would allow both communities to share the cost of an effective fire administration and avoid the duplication of service and expenses individually. Our existing fire department staff is enthusiastic at the opportunity to become part of a larger organization.

V. Financial Implications

The organization of the JPA has been proposed in a manner to require only two new line level positions to be created. A very preliminary budget estimates that the cost of the new organization would be about \$150,000 above the cost both organizations presently incur for fire protection service. If this increased cost were divided based on 2 stations in Larkspur and 1 in Ross, the increased cost would be approximately \$50,000 a year.

At present, however, Ross fire department salaries are well below the level of their counterparts in Larkspur and all comparable departments in the county and would rise to Larkspur levels if a permanent, new organization is created. This cost is not reflected in this \$150,000, nor is the cost for any additional benefits that present Ross Fire Department personnel might obtain in a combined department. Even if we were to remain independent, with our contract with Fire

Department labor terminating on June 30, 2008, an upward move in their salary levels will be a given.

Finally, we would caution that the \$150,000 number was the result of very preliminary cost analysis. In working on a JPA agreement, more detailed cost estimates would be developed. It must be recognized that the rationale for entering into a JPA with Larkspur is not to save on cost, but to achieve more efficient and superior operation and to provide enhanced fire protection service and service in related areas such as disaster preparedness. Any increase in cost will be less, however, than were the Town of Ross not being part of a JPA and only obligated to pay 1/3 of the amount.

VI. Recommendation

Staff recommends that the Town Council approve Resolution No. 1631 authorizing the Mayor and Town Manager to prepare a Draft Joint Powers Agreement (JPA) with the City of Larkspur for consolidated fire protection service.