



# ***Agenda Report***

## ***Fullerton City Council***

**MEETING DATE:** DECEMBER 17, 2019

**TO:** CITY COUNCIL / SUCCESSOR AGENCY

**SUBMITTED BY:** KENNETH A. DOMER, CITY MANAGER

**PREPARED BY:** ADAM LOESER, FIRE CHIEF

**SUBJECT:** FIRE CONSOLIDATED COMMAND STAFF AGREEMENT

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### **SUMMARY**

In 2011, the City of Fullerton entered into a pilot program with the City of Brea for shared fire command. This program was piloted for three years, allowing each city to assess the ongoing feasibility of the merged command structure. Prior to this initiative, the City of Fullerton and Brea each had a fire command staff that consisted of seven full-time positions. Despite slight variations in the command staff positions between both cities, they were similar enough to facilitate a shared staffing model. The shared structure under this pilot program consisted of eight full time command staff managing both fire departments. The effectiveness of this leaner management structure was made possible through operational efficiencies and improved coordination of fire management.

Recognizing the advantages of the program, the City of Fullerton entered into a formal five-year agreement with Brea in 2014. Enhanced fire management was achieved through the addition of a non-sworn Emergency Medical Services (EMS) manager position and two non-sworn part-time utility drivers. As these functions were incorporated into the shared staffing model, both cities benefited from further savings through shared costs.

The current agreement was due to expire in July of 2019 but was extended for an additional 6 months and will now be expiring at the end of December 2019.

### **RECOMMENDATION**

Approve the Consolidated Fire Command Agreement with the City of Brea.

### **PRIORITY POLICY STATEMENT**

This item matches the following Priority Policy Statements:

- Fiscal and Organizational Stability

- Public Safety.

## FISCAL IMPACT

Fullerton's net annual fiscal impact to the General Fund for shared fire command staff is projected to be \$1,348,123 for the current fiscal year. These funds have already been approved in the adopted budget and do not require an additional appropriation at this time.

The annual savings is approximately \$708,563 when compared to the estimated annual cost of \$2,056,686 for a Fullerton only fire department. This cost assumes that under a Fullerton only Fire Department our command structure would return to a staffing model similar to before entering into the shared command agreement.

## DISCUSSION

Staff proposes renewing the shared fire command staff agreement for a four-year term, expiring on June 30, 2024. This program has proven effective in the successful management of two fire departments while maintaining high quality fire service for our residents. Renewal of this partnership will allow for a new contract period in which Fullerton and Brea staff will continue to benefit from cost sharing while exploring ways to further improve fire management and fire service delivery.

City staff has reviewed similar agreements in which other cities share fire services or contract out to neighboring agencies in an effort to learn from the success of others and identify potential obstacles to a successful consolidation. We have found that our agreement falls in line with the typical requirements of others and captures the key contractual elements necessary for an effective shared staffing program.

City staff has also identified opportunities for improvement in the internal accounting processes, working to evaluate current practices of documentation and system tracking to facilitate more useful reporting on expenditures for shared staff.

Future review will explore the feasibility of expanding the shared agreement to include additional components such as IT support services for technology and equipment, vehicle management through a consolidated fleet, cost sharing for large scale equipment and apparatus and the possibility of further consolidation of the fire departments.

Based on the continued success of the existing shared services model, we remain open to the possibility of expanding to neighboring agencies for further savings and efficiencies. Any changes to participants in the shared command staff agreement will be subject to approval of the city councils of each participating entity.

Key provisions of the shared agreement are as follows:

1. Consolidated Command Positions – The eight command positions and associated classifications to be shared include:
  - Fire Chief
  - Deputy / Division Chief-Operations

- Deputy Chief-Administration / Fire Marshall
  - Division Chief – Support Services
  - Division Chief / Training
  - Shift Fire Battalion Chief (3)
2. Support Staff Positions – The three non-sworn support positions and associated classifications to be shared include:
- EMS Manager
  - Utility Drivers (2) (part-time)

The implementation of the Shared Command structure has been accomplished without any layoffs, demotions or loss of pay to affected employees of the two fire departments. The inclusion of associated positions of EMS Manager and Utility Drivers are part of on-going review of command governance that will require further review and refinement.

3. Independent Authority
- Fullerton and Brea City Councils retain all policy-making authority for their respective communities, including approval of the annual budget for their fire departments.
  - Shared costs for employee compensation and benefits are fixed as of the contract effective date and can only be modified by an amendment to the agreement, approved by both Cities.
  - The Fire Chief will report to the Fullerton and Brea City Managers who will communicate and meet as necessary to provide direction, supervision and evaluation of the Fire Chief.

4. Cost Allocation
- Fullerton and Brea will equally share 50% of the cost of the Fullerton Fire Chief, Deputy Chiefs and Division Chiefs.

The remaining shared command positions and support staff in this program will be shared as follows:

- Fullerton will pay 59% of the total cost for shared positions.
- Brea will pay 41% of the total cost for shared positions.
- The cost allocation formula was calculated based upon the nexus between the percentage of cost borne by each city and the relative benefits that each city receives from the shared command staff.

The Existing Agreement provides for the sharing of the following costs:

- Salary costs including straight time and overtime
- Conversion of compensatory time to cash and holiday pay
- Pension payments (CalPERS)

- Medical insurance, dental insurance, vision insurance, long-term disability insurance, life insurance and employee assistance coverage
- Training
- Maintenance and operational costs for vehicles utilized by shared employees.

5. Visibility and Community Identity

- The Fire Chief will continue to rotate his attendance between Brea and Fullerton City Council meetings (occurring on the same nights), and will assign a Chief Officer to represent him at the meetings he does not attend.
- The Fire Chief will continue to rotate his attendance at the weekly staff meetings and other management staff functions at both cities and will assign a Chief Officer to represent him at the meetings he does not attend.
- The Fire Chief and other Shared Command staff will wear a patch that contains the names of both fire departments as part of its design.

6. Mutual Indemnification

There are no changes to the current mutual indemnification clauses.

- Neither city shall be liable for the negligent or wrongful acts of the other and shall indemnify the other with respect to any acts or omissions of the shared employees.

Fullerton and Brea city attorney's offices will each approve (as to form) appropriate indemnification language.

Attachments:

- Attachment 1 – Consolidated Fire Command Staff Agreement
- Attachment 2 – Consolidated Fire Command Staff Agreement Redline
- Attachment 3 – Summary of Changes