

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: William L. McDonald

SUBJECT: SEE BELOW

DATE: April 23, 2012

Approved

Date

4/24/12

**SUBJECT: 911 EMERGENCY MEDICAL SERVICES PROVIDER AGREEMENT
(ANNEX C: AUTHORIZED FUNDING PROVIDED TO 911 EMERGENCY
MEDICAL SERVICES PROVIDER ORGANIZATIONS)**

RECOMMENDATION

Adopt a resolution authorizing the City Manager to execute the First Amendment to the "911 Emergency Medical Services Agreement between the City of San Jose and the County of Santa Clara Emergency Medical Services Agency" (Agreement) to add Annex C, "Authorized Funding Provided to 911 Emergency Medical Services Provider Organizations."

OUTCOME

Annex C would provide funding to EMS Providers for projects that benefit the Santa Clara EMS System. This funding could originate from multiple sources, including but not limited to the EMS Trust Fund, County Service Area Exclusive Operating Area Franchise Fee, and grants.

BACKGROUND

The Agreement, covering the period July 1, 2011 to June 30, 2016, was approved by the City Council on June 14, 2011. This Agreement adopted by the Board of Supervisors of the County of Santa Clara on April 5, 2011, included Annex A (Provider Authorization for Emergency Ambulance Use Within the Santa Clara County Exclusive Operating Area) and Annex B (First Responder Funding in the Santa Clara County Exclusive Operating Area).

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Annex C would reimburse EMS Providers for costs for equipment and services that benefit the Santa Clara EMS System. The County would determine the amount of funds that would be allocated to EMS Providers pursuant to this Annex. EMS Providers must maintain a record of all equipment purchased and said items may not be transferred, sold, or otherwise disposed of without the approval of the County.

ANALYSIS

Under Annex B of the Agreement, the City could receive up to \$2,500,000 (less liquidated damages) for 2012-2013 for the emergency medical services that the San Jose Fire Department (SJFD) performs for the County within San José.

As provided in Annex C, EMS Providers could be reimbursed for additional costs related to the Santa Clara County EMS System. The Santa Clara County EMS Officers has recently received authorization from the County to fund the CAD Integration phase that would allow all fire agencies access to Rural/Metro's Image Trend electronic Patient Care Reporting system (ePCR). Approval of Annex C would enable SJFD to seek reimbursement for costs related to the CAD Integration and annual maintenance of ePCR. The county-wide project is expected to begin soon after approval of Annex C. First year costs for San José are estimated at \$12,280 with annual costs estimated at \$4,280. First year costs and ongoing costs would be reimbursable under Annex C.

EVALUATION AND FOLLOW-UP

Upon approval of Annex C, staff will work with the County to determine how the specific funding mechanism will work and will provide Council with any necessary updates.

PUBLIC OUTREACH/INTEREST

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Although this project does not meet any of the above criteria, this memorandum will be posted on the City's website for the May 15, 2012 Council Agenda.

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COORDINATION

This action has been coordinated with the City Attorney's Office and with the City Manager's Office.

CEQA

Not a Project, File No. PP10-066(e), Agreements and contracts.

/s/

WILLIAM L. MCDONALD

Fire Chief

For questions please contact Gary Galasso, Deputy Fire Chief, at (408) 794-6950.

Attachment: Annex C

**First Amendment to Agreement
Between the County of Santa Clara and
City of San Jose
for 911 Emergency Medical Services**

This is the first amendment to the 911 Emergency Medical Services Agreement (the "Agreement"), by and between the County of Santa Clara (COUNTY) and the City of San Jose (PROVIDER), effective as of 12:00 a.m., July 1, 2011, to provide 911 emergency medical services in the County of Santa Clara.

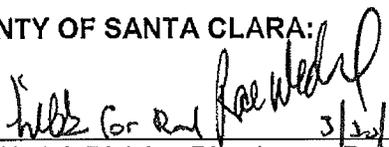
The Agreement is amended as follows effective upon execution:

1. Annex C, "Authorized Funding Provided to 911 Emergency Medical Services Provider Organizations," attached hereto and incorporated herein by this reference, is hereby added to the Agreement.

All other terms and conditions of the Agreement remain in full force and effect. In the event of a conflict between the original Agreement and this Amendment, this Amendment controls.

SIGNATURES

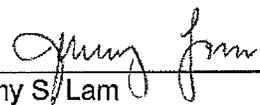
COUNTY OF SANTA CLARA:

By:  3/22/11
Rae Wedel, Division Director Date
Public Health Director

CITY OF SAN JOSE:

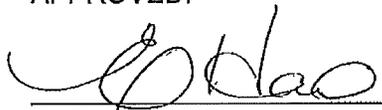
By: _____
Norberto Duenas Date
Deputy City Manager

APPROVED AS TO FORM AND LEGALITY:

 3/12/12
Jenny S. Lam Date
Deputy County Counsel

Brian Doyle
Senior Deputy City Attorney

APPROVED:

 3/16/12
Emily Harrison Date
Deputy County Executive

Exhibits/Attachments:

Annex C – Authorized Funding Provided to 911 Emergency Medical Services Provider Organizations

Annex C

AUTHORIZED FUNDING PROVIDED TO 911 EMERGENCY MEDICAL SERVICES PROVIDER ORGANIZATIONS

I. PURPOSE AND USE OF FUNDING

The County may provide funding to Providers for projects that benefit the Santa Clara County EMS System. Funding may originate from multiple sources including but not limited to the EMS Trust Fund, County Service Area Exclusive Operating Area Franchise Fee, and grants. The County may also reimburse Provider for authorized expenses, reimburse Provider for overpayments to County, and to pay Provider for adjusted liquidated damages.

The Contract Administrator shall assure that Provider has met all applicable grant, program, or performance criteria before authorizing payment, reimbursement or adjustment.

II. ALLOCATIONS BY COUNTY

The County shall determine, in its sole and absolute discretion, the amount of funds, if any, that shall be allocated to Provider pursuant to this Annex.

III. RETURN OF FUNDS

Should the provider fail to use the funds for the purpose provided or to the County's satisfaction, the Provider shall fully reimburse the County within 30 days of receiving notice by the County.

IV. PURCHASES AND EQUIPMENT

The EMS Agency must approve and the Provider must maintain a record of all equipment purchased with this funding that includes a detailed description, brand name, model number, serial number and location. These items may not be transferred, sold or otherwise disposed of without approval of the County.