



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Robert Sapien, Jr.
Jim Shannon

SUBJECT: SEE BELOW

DATE: June 17, 2020

Approved

Date

6/19/2020

SUBJECT: 2020 EMS TRUST FUND AGREEMENT WITH THE COUNTY OF SANTA CLARA FOR REIMBURSEMENT OF FIRST RESPONDER CATEGORY C – BENEFIT TO EMS SYSTEMS USERS FUNDS

RECOMMENDATION

- (a) Adopt a resolution authorizing the City Manager to negotiate and execute an Agreement between the County of Santa Clara (County) and the City of San José (City) to accept an amount not to exceed \$387,804 to fund the purchase of products or services that benefit the Santa Clara County Emergency Medical Services (EMS) system (EMS Trust Fund, Category C - Benefit to EMS System User Funds).
- (b) Adopt the following Appropriation Ordinance and Funding Sources Resolution amendments in the General Fund for fiscal year 2020-2021:
 - (1) Increase the estimate for Revenue from Local Agencies by \$387,804; and
 - (2) Establish a City-Wide Expense appropriation to the Fire Department for the County of Santa Clara EMS Trust Fund – 2020 in the amount of \$387,804.

OUTCOME

This Agreement will provide reimbursement to the City for the purchase of products or services that benefit the Santa Clara County Emergency Medical Services (EMS) system.

BACKGROUND

In October of 2001, the County entered into an agreement with American Medical Response for the provision of 911 emergency ambulance services in the County Exclusive Operating Area (all areas of the County except for the City of Palo Alto and Stanford Lands Parcels). The agreement included the assessment of fines and penalties when the ambulance provider failed to meet

standards contained in the agreement such as response times. The EMS Trust Fund was established as an independent account to separate fine and penalty revenue collected from the ambulance service from EMS Agency general operating funds. The established EMS Trust Fund account has been continued by the County through successor 911 ambulance providers agreements.

Fines and penalties deposited to the EMS Trust fund were to be used for projects that would provide for:

- (1) Enhancements to the Santa Clara County EMS System; and
- (2) Must provide a countywide benefit to the Santa Clara County EMS System.

The intended beneficiaries of the EMS Trust Fund were the County and those providing EMS services within the County Service Area, excluding the 911 ambulance service provider from which the revenue was collected.

Expenditures from the Trust Fund are authorized by the Board of Supervisors. Annually, the County Emergency Medical Services Director makes recommendations to the Board through the EMS Committee and Health and Hospital Committee. Prior to 2011, EMS Trust Fund revenue was used to off-set the budget of the EMS Agency within the Public Health Department. The new County Exclusive Operating Area Agreement, which became effective in July of 2011, included a new County EOA Franchise Fee that eliminated the need to use Trust Fund revenue to offset Public Health Department costs. Prior to the execution of the July 2011 agreement, the Board approved a revision to the EMS Trust Fund process so that expenditures would be classified in various categories that would benefit the entire EMS System with the exception of instances when the County may be in an extreme financial hardship. The revised process also required that a percentage of annual revenue be retained as a System Reserve should the EMS System be impacted by unforeseen financial burden.

In July 2011, fire departments (except the City of Palo Alto) executed agreements with the County to become EMS System Providers. Fire departments (except the City of Palo Alto) were also provided with the opportunity to voluntarily participate in accessing available first responder funding that was acquired by the County through the County Service Area EOA agreement for meeting criteria such as response times, use of emergency medical dispatch, and participation in countywide EMS efforts.

ANALYSIS

The EMS Trust Fund consists of four expense categories; Category A - EMS System Reserve Investment, Category B - EMS System Support - Training, Education, and Recognition, Category C- Benefit to EMS System Users, and Category D - EMS System Strategic Initiatives. Each year the EMS Agency submits a budget to the Board of Supervisors for approval that addresses each of the identified categories.

In the fall of each year, the EMS Agency determines the allocation of “Category C” funds subject to Board Approval which occurs in the spring. Projects in this category are generated from Santa Clara County EMS System Stakeholders, such as fire departments, County Communications, ambulance services, dispatch centers, and the EMS Agency. Requestors must have executed a current agreement with the County (EMS Provider Agreement, 911 Receiving Facility Agreement, etc.) to receive funding from the EMS Trust Fund. Projects funded in this category are generally one-time/short-term allocations that solve a problem, fill a gap, or assist in completing a larger EMS System project that (1) enhances and/or (2) provides a countywide benefit to the Santa Clara County EMS System.

As part of the 2018 EMS Trust Fund Agreement, the Fire Department was appropriated funds for reimbursement in the amount of \$472,706.06 for hardware (tablets and laptops) to support the County’s Prehospital Policy 309 implementation and Video Laryngoscopes.

In the six-month timeline to spend the funds by the deadline of December 31, 2018, a total of 40 King Vision Video Laryngoscopes were purchased and approved for reimbursement. The remainder of the grant was not spent or reimbursed, resulting in the action to decrease the Fire Department’s Non-Personal/Equipment by \$353,627 as part of the 2018-2019 Year-End Budget Review. Since then, the Fire Department was notified of the County’s intent to award “rollover” funding as part of the 2020 EMS Trust Fund in the amount of \$387,804 to the Fire Department with a deadline of December 31, 2020 to expend funds in alignment of the original request for hardware such as tablets, laptops, and modems to support the County’s Prehospital Policy 309 implementation, and EMS Agency approved adult and pediatric CPR training mannequins and feedback equipment that satisfies the educational requirements set by the American Heart Association.

CONCLUSION

Approval of this recommendation will provide the Fire Department with funding to enhance its EMS inventory and provide countywide benefit to the Santa Clara County EMS System.

EVALUATION AND FOLLOW-UP

This item does not require evaluation or follow-up although the City may be subject to audit of records pertaining to this agreement by the County or its representatives.

CLIMATE SMART SAN JOSE

The recommendation in this memo has no effect on Climate Smart San José energy, water, or mobility goals.

PUBLIC OUTREACH

This memorandum will be posted on the City’s Council Agenda website for the June 30, 2020 Council Meeting.

COORDINATION

This memorandum was coordinated with the City Attorney’s Office.

COMMISSION RECOMMENDATION/INPUT

No commission recommendation or input is associated with this action.

COST SUMMARY/IMPLICATIONS

The maximum financial obligation for all products or services provided under this Agreement shall not exceed \$387,804 for the term of the Agreement. The term of the Agreement ends December 31, 2020.

The City’s General Fund shall be 100% reimbursed for the following approved purchases:

1. AMOUNT OF RECOMMENDATION: \$387,804

2. COST ELEMENTS:

Project	Amount
Project 1: Fire Department Hardware	\$348,964
Project 2: Fire Department Field Capture	
Project 3: CPR Training Equipment	\$38,840
TOTAL:	\$387,804

3. SOURCE OF FUNDING: 001 – General Fund

4. FISCAL IMPACT: Ongoing maintenance and operations expenses for the hardware and equipment are expected to be minimal and will be considered for inclusion in the 2021-2022 Base Budget as appropriate.

BUDGET REFERENCE

The table below identifies the fund and appropriations to fund the agreement recommended as part of this memorandum.

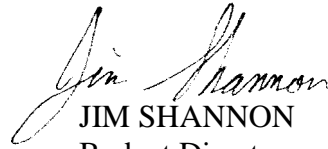
Fund #	Appn #	Appn. Name	Current Total Appn	Rec. Budget Action	2020-2021 Proposed Operating Budget Page*	Last Budget Action (Date, Ord. No.)*
001	R090	Revenue from Local Agencies	\$13,095,000	\$387,804	N/A	N/A
001	NEW	County of Santa Clara EMS Trust Fund – 2020	\$0	\$387,804	N/A	N/A

*The 2020-2021 Proposed Operating Budget was approved by the City Council on June 16, 2020 and is scheduled for adoption on June 23, 2020.


CEQA

Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.

/s/
ROBERT SAPIEN, JR.
Fire Chief, Fire Department


JIM SHANNON
Budget Director

I hereby certify that there will be available for appropriation in the General Fund in the Fiscal Year 2020-2021 moneys in excess of those heretofore appropriated therefrom, said excess being at least \$387,804.


JIM SHANNON
Budget Director

For questions, please contact Athena Trede, Administrative Officer, at (408) 794-6953.