



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Robert Sapien, Jr.

**SUBJECT:** See Below

**DATE:** May 12, 2025

Approved

Date:

5/14/25

**COUNCIL DISTRICT:** Citywide

**SUBJECT: Agreement with the State of California Governor's Office of  
Emergency Services for Fire Apparatus and Equipment**

## **RECOMMENDATION**

Adopt a resolution authorizing the City Manager or her designee, to negotiate and execute an agreement to allow the San José Fire Department to accept the possession of a California Governor's Office of Emergency Services fire apparatus and equipment with a total approximate value of \$417,599 for an estimated term of 10 years.

## **SUMMARY AND OUTCOME**

This action shall allow the City Manager to negotiate and execute an agreement with California Governor's Office of Emergency Services (Cal OES) to allow the San José Fire Department to accept one Type 1 Fire Engine from Cal OES. This Fire Engine shall be housed inside an active City of San José (City) fire station. This apparatus will be the first resource to deploy on mutual aid assignments throughout the state in place of a frontline City-owned Type 1 Fire Engines.

## **BACKGROUND**

The San José Fire Department (Department) participates in the California Fire Service and Rescue Emergency Mutual Aid System. This system allows for the coordinated request of mutual aid resources by the Cal OES to respond to large-scale events such as the recent events that unfolded at the Palisades and Eaton incidents in January of this year. Department personnel respond to these types of mutual aid requests in frontline apparatus as part of strike teams or task forces to provide emergency response which can be deployed for up to 14 days at a time.

In recent years, the State of California has experienced gravely concerning fire seasons that require significant participation from local agencies to support fire suppression and recovery efforts. The Department has continued to support this effort by deploying mutual aid resources in balance with providing adequate local coverage within the City..

Apparatus constraints have become an increasingly limiting factor in the Department's ability to participate in mutual aid responses. Supply chain challenges, increasing demand, and limited qualified tradespeople have resulted in significantly increased manufacturing and delivery timelines for fire apparatus. The Department continues to work in cooperation with the Department of Public Works and the City Manager's Budget Office to procure replacement apparatus in a timely manner. The next delivery of much needed Type 1 Fire Engines will be in the summer of 2026. Until then, the reserve Type 1 Fire Engine fleet is held together by apparatus that are nearing 30-years of service, 10-years over the planned maximum service life.

## **ANALYSIS**

Cal OES manages a fleet of state-owned fire apparatus that can be assigned to local fire agencies throughout the state under a written agreement. The local fire agencies can use these assigned apparatus to respond to multiple-alarm fires within their own jurisdiction, conduct training evolutions, and most importantly, respond to any mutual aid event when requested through Cal OES activation orders.

Cal OES apparatus come with a standard inventory of emergency response equipment. The agreement stipulates that the assignee (City) properly maintains and inspects the apparatus. Any repairs over \$100 that are not attributed to neglect or misuse are the responsibility of Cal OES. The agreement also stipulates that the City furnish a written statement verifying self-insured status while agreeing to hold Cal OES harmless from any personal injury or property damage claims arising out of maintenance, use, or operation of the apparatus under the terms of the agreement. The agreement requires the City to hold Cal OES harmless from any personal injury or property damage claims arising out of its maintenance, use, or operation of the Apparatus under the terms of the agreement.

The Department is recommending acceptance of one Type 1 Fire Engine from Cal OES at a value of \$379,599 and hose and appliances valued at \$38,000. The engine will be housed inside an active City fire station. This apparatus will be the first resource to deploy on mutual aid assignments throughout the state in place of a frontline City-owned Type 1 Fire Engine. This reduces the impact of deploying City-owned fire engines, which allows for the Department to better serve our local community. It also provides an additional resource locally, which can be used in greater alarm fires or for

pre-positioning of additional augmented staffed units during local Red Flag Warning<sup>1</sup> weather events or pre-planned large-scale events (i.e., Super Bowl LX, World Cup 2026, NCAA Division I Basketball Championship, etc.). The City will be responsible for any repair or replacement costs associated with damage or loss incurred during operations under the direction of the City.

Cal OES or the City can terminate this agreement upon 14 days written notice to either party, in which case, the City would release the apparatus back to Cal OES in the same condition it was received.

### **EVALUATION AND FOLLOW-UP**

This memorandum will not require any evaluations or follow-up from staff.

### **COORDINATION**

This memorandum has been coordinated with the Department of Public Works, City Attorney's Office, and Risk Management.

### **PUBLIC OUTREACH**

This memorandum will be posted on the City's Council Agenda website for the June 3, 2025 City Council meeting.

### **COMMISSION RECOMMENDATION AND INPUT**

No commission recommendation or input is associated with this action.

### **CEQA**

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

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<sup>1</sup> A Red Flag Warning means warm temperatures, very low humidities, and stronger winds are expected to combine to produce an increased risk of fire danger.

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**PUBLIC SUBSIDY REPORTING**

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

A handwritten signature in black ink, appearing to read "Robert Sapien, Jr.", with a stylized, cursive script.

ROBERT SAPIEN, JR.  
Fire Chief, Fire Department

For questions, please contact Patrick Chung, Deputy Fire Chief, at  
[patrick.chung@sanjoseca.gov](mailto:patrick.chung@sanjoseca.gov) or (408) 794-6951.