

MINUTES OF JULY 6, 2016
SPECIAL JOINT MEETING
OF THE
CORTE MADERA TOWN COUNCIL
AND
LARKSPUR CITY COUNCIL

Mayor Bailey called the Special Joint Meeting to order at the Corte Madera Community Center, 498 Tamalpais Drive, Corte Madera, CA on July 6, 2016 at 5:00 p.m.

1. ROLL CALL

Councilmembers Present: Corte Madera Mayor Sloan Bailey, Vice Mayor Diane Furst and Councilmembers Jim Andrews, Carla Condon and Michael Lappert

Councilmembers Present: Larkspur Mayor Catherine Way, Vice Mayor Kevin Haroff, and Councilmembers Larry Chu, Dan Hillmer and Ann Morrison

Councilmembers Absent: None

Staff Present: Corte Madera Town Manager/Town Engineer David Bracken
Larkspur City Manager Dan Schwarz
Police Chief Todd Cusimano, CMPA
Glen Berkheimer, Labor Negotiator
Fire Chief Scott Shurtz
Town Clerk/Assistant to the Town Manager Rebecca Vaughn

PLEDGE OF ALLEGIANCE: Mayor Bailey led in the Pledge of Allegiance to the Flag.

2. OPEN TIME FOR PUBLIC DISCUSSION

PAT RAVASIO, Corte Madera – spoke about the traffic problem and would like to see a joint group of schools, Town officials and parents put together to address traffic issue and investigate feasibility of a school bus shuttle for the Larkspur-Corte Madera School District. Second, she spoke about planning and the importance of getting the two towns together to create a Citizens Community Advisory Panel to inform residents simultaneously about plans for new projects that affect both communities, and also to set planning priorities and do proactive thinking for both towns.

BOB BUNDY, Corte Madera - spoke about noise issues and advocated for the communities of Corte Madera, Larkspur and San Anselmo to get together and review their noise ordinances and look specifically at eliminating the use of gas-powered leaf blowers. He would also like to eventually see the elimination of gas-powered weed-eaters and hedge trimmers in residential areas.

KARL SPURZEM, Corte Madera - spoke about noise and stated that he is looking for leadership on the issue of banning leaf blowers, stating that a large number of people in both communities are in favor of such a ban.

LAURA EFFEL, Larkspur - stated that she recently started a post on NextDoor asking if people would be in favor of banning gas-powered leaf blowers and received more than 50 responses, with only one person not in favor of such a ban. She said that interest in such a ban is a sentiment shared by many. She spoke with Neal Toft in Larkspur about noise regulations and was told that the City did not have ability to enforce the noise complaints, which prompted her to post on NextDoor. Regarding the issue of combining fire departments, she stated that she felt that it worked great with the police department and she looks forward to seeing what the two cities do with the fire departments.

PHYLLIS GALANIS, Corte Madera - spoke about the need to retain existing views given development of new homes and the effect it has on home values.

3. PRESENTATION

3.I Fire Services Analysis - PowerPoint Presentation by Consultant Jim Irving

Chief of Police Todd Cusimano introduced retired Southern Marin Fire Chief Jim Irving who has worked with the City of Larkspur and Town of Corte Madera's in conducting a study regarding fire services.

Jim Irving said he currently works for RGS (Regional Government Services) to work on the study and he will discuss a general overview, background, methodology, goals, fire agency comparisons, management administration overview, potential staffing models, operational response, response times and coverage and a general discussion for the Council.

Mr. Irving stated with the retirements of Chief Sprehn and Chief Sennett, it gave the two agencies an opportunity to review potential revisions. He said each agency is dependent upon one another, given staffing levels and the process used was called Standards of Coverage. The process used included interview stakeholders, reviewing a variety of data, identifying issues and desired outcomes, and they are now proposing solutions and hopefully implementing change. Their goals are to improve service, organization efficiency, fiscal savings and long term stability.

The process goal is to provide the agencies the information in order to make an informed decision, what the fire department does, what the issues are and how to best service the communities.

Mr. Irving presented a PowerPoint and said every community in Marin is a bit different and expectations vary. He presented average population per station and discussed differences between the various Marin fire agencies. The larger departments have fewer firefighters per population, meaning they are somewhat more efficient; however, those communities have denser populations. He said average square miles for Corte Madera and Larkspur are on the lower end resulting in lower response times.

Regarding budget comparisons, Larkspur's budget is approximately \$4 million and they get about \$129,000 back from the Ross Valley Paramedic Authority. Conversely, Corte Madera's budget is approximately \$5 million and they get back \$1.3 million or ambulance transports, but there is a lot of similarity between two agencies.

He provided an overview of management and current staffing and said over time the agencies are operating with fewer chief officers than several years ago. A standard for fire service administration includes a fire chief, administrative aide, a fire marshal (safety or non-safety position), and a battalion chief coordinating 3 shifts. He spoke about each position and what they do. Currently neither agency has a strong fire prevention program largely due to reductions in chief officers within each organization.

Mr. Irving stated there was a concern about whether Battalion Chiefs are necessary, and their role includes 1) on-scene incident commanders; 2) provide the role of shift manager for all stations; and 3) staff or administer administrative assignments such as support, logistics, training or fire prevention.

Currently, Corte Madera has 3 Battalion Chiefs who work as engine chief officers, and what happens here is the Battalion Chief works with the engine company and as a result do not do their job efficiently. This not only applies to emergency operations but to day-to-day operations and administrative assignments. The Larkspur Battalion Chief is provided by San Rafael which works fairly well; however, they do not provide direct management, supervision or have administrative functions for Larkspur which leaves a large void. In the past, Larkspur had a Deputy Chief and much of the work gets pushed down at the Captain levels who are dealing with the same Battalion Chief responsibilities.

Mr. Irving then compared Marin agency dispatch records, number of stations, and response

to calls, and responsibilities of Battalion Chiefs in Marin. In looking at Larkspur and Corte Madera, they would have a little over 100 calls, 4 stations, and 10 personnel on duty which is all similar to Ross Valley. For both agencies to operate a Battalion Chief, he thought it would be prudent.

They reviewed models of a Larkspur/Corte Madera stand-alone agency, a Larkspur/Corte Madera Command from an outside agency, a Fire Chief and Fire Marshal provided by an outside agency but have internal Battalion Chiefs and/or Battalion Chiefs provided by another agency. In moving forward and in looking at these 4 models, it is likely one will be achieved in a timely manner which is the stand-alone agency of Corte Madera and Larkspur, and in focusing on this model they have the greatest chance of success. However, they can review other models in the future which will potentially get them to where they want to go over time.

Mr. Irving commented on the terrain of both agencies, and discussed the operational staffing and standards of NIOSH and OSHA which involve standards with a 2 firefighters in and 2 firefighters out rule. NFPA Standard 1710 stipulates there be 4 people on scene in the first 4 minutes and then 14-16 people on scene within 8 minutes and he discussed a standard house fire, resources and staffing needs.

Larkspur and Corte Madera run 2-3 person engine companies and the National Institute for Safety and Standards Technology reviewed numbers of personnel in engine companies which he discussed. This revealed that things will take longer. Primary search was also reviewed and it takes 12 minutes for a 2 person team and 9 minutes with a 3 person team. NIST looked at the effects of having 2 versus 3 and comparing this fast fire growth, and they found that the chances of survivability would be very unlikely with a 2 person team given toxicity or "lethal dose per 50".

Practically, to effectively deal with the 2 in and 2 out, Corte Madera has 5 people. In Larkspur, 5 people can be achieved by having 2 engines on scene. However, problems arise when there is one engine and one ambulance, not creating a 2 in and 2 out. He then reviewed response times and coverage for both agencies.

When Mr. Irving met with Councilmembers, they discussed the possibility of closing stations and it is likely personnel from the closed stations would be reassigned, leaving not a large savings. The savings are more long-term related to maintenance costs or repurposing of the station for other City departments. If they were to close Station 13 in East Corte Madera, response times from the Tamalpais Drive station leaves some large area uncovered or outside of the 4 minute response time. There are about 88 calls per year which would be outside that response time.

In looking at closing Station 14 on Tamalpais Drive, there are many neighborhoods outside of that response time. In 3 years average, this would be about 45 calls per year. In closing the downtown Larkspur station, the only areas falling outside of that response time is on Wilson Way. They found it would be about 7 calls per year over a 3 year average. If they were to close Station 16 on Berry Way, it leaves large areas of Greenbrae and Riviera outside of that response, or 147 calls per year over a 3 year period.

In summary, 9.1% of the calls in Corte Madera would be outside the 4 minute response time. Acceptable is 10% or a 4 minute response 90% of the time. Closing Station 14 would have a 5% chance of error to stay over the 90% response. In Larkspur, Station 15 had 7 calls over 3 years or less than 1% of the calls. Station 16 at 147 calls is 11% so this is already over their 90%.

While he is not advocating closing stations, when considering this it has the potential to affect agency agreements, overall response, political considerations, historic considerations, target hazards, and it is politically complex. It would require community outreach and involving stakeholders to see if they are willing to take on that added

response.

Mr. Irving ended his presentation and said he was available for questions.

Mayor Way asked Mr. Irving to elaborate on the mutual aid agreement in Marin. Mr. Irving said Marin operates in a functionally consolidated fashion. Every agency in Marin has agreed to back up other agencies. Dispatch occurs and the three closest engines respond, and this is what the Fire Chiefs agreed to approximately 7 years ago.

Vice Mayor Furst referred to a slide showing staffing for a full alarm, which stated staffing levels is 14-15 responders. She asked if mutual aid comes in if this occurs. Mr. Irving said very few agencies can individually respond and they rely on mutual aid from other stations.

Mayor Bailey and Councilmembers thanked Mr. Irving for his presentation.

4. CONSENT CALENDAR – None

5. PUBLIC HEARINGS – None

6. BUSINESS ITEMS

6.1 Review of Agreement Between Town of Corte Madera and City of Larkspur for Shared Fire Services and Discussion of Next Steps Toward Sharing Services and Merging Fire Operations

(The Councilmembers in Joint Session will receive a report from Todd Cusimano, Chief of the Central Marin Police Authority, and will be asked to discuss the draft agreement and provide direction to staff for next steps)

Police Chief Todd Cusimano introduced the item, who gave a background on next steps in moving forward with the shared fire services agreement. He commented that the plan envisions improved services, short-term savings, long-term fiscal sustainability, and relies on the strong, 40-year relationship between the two agencies and its employees.

He complemented the working group members, noting there was significant work under taken prior to coming to the Councils. They worked with Glen Berkheimer on labor negotiations, pension reforms, and he said the working group has met over the last few months and have talked about combining command staffs, have announced promotions and have merged both command staffs. They are in the process of merging all operations and personnel and this opens doors for both agencies moving forward with other agencies where they will be able to buy and sell services.

He referred to the fiscal analysis in the staff report, and said the shared services agreement formalizes operations for the short term in FY 2016/17 of \$150,000 by sharing personnel. Additional savings in overtime, line items and redundancies will also be seen.

Lastly, in moving forward, there will have some hurdles with CalPERS and LAFCO, but he believes they will be able to get through this. He referred to page 4 of the staff report, which shows a 12 year trend. This identifies cost controls, services in both communities, and there are many similarities that were taken from the police consolidation which will be proven.

City Manager Schwarz thanked Chief Cusimano for stepping forward with taking a leadership role with Chief Scott Shurtz to work with the staffs of both agencies.

Town Manager echoed the need for the number of fire personnel and thanked Jim Irving for his work in the study. He said staff is not asking the Councils to take any action tonight, but expects each agency will address this at their own Council meetings.

Mayor Bailey announced meeting protocols, first asking if there were any clarifying questions or comments.

Councilmember Chu referred to the prior police command structure and suggested articulating to the public what it means now to be a full service fire department.

Councilmember Hillmer commented that both agencies will be able to have a 24/7 Battalion Chief to take over command incident functions during emergencies, and they will be able to enhance their public education and fire prevention programs which the public expects, so pooling resources will be a significant enhancement. There are also people in both agencies with specialties that they can capitalize on when working as one agency.

Vice Mayor Haroff thanked all involved and he referred to challenges implemented by legislation affecting them through LAFCO and pension reform with CalPERS and asked for comment.

City Manager Larkspur stated he and LAFCO Executive Officer will meet next week regarding the process. The legislation in question was passed last fall and was in response to some transfer of services in some southern California agencies against the preferences in the personnel in those agencies, and as a result, legislation mandates that for agencies to do cooperative agreements in fire outside of the area they served in the past, the proposed new service arrangement must go through a third party fiscal analysis and this must be evaluated by LAFCO which is made up of 6 public officials and a public member.

They understand is one process is underway or near completion down south. The working group has been conducting extensive fiscal analysis in-house and he hopes to find a way to present to LAFCO more than sufficient information without them having to hire an expensive consulting firm to validate the work.

The other process is pension reform and he said most JPA's when merging into one requires special legislation to establish what the pension will be for the new agency. The pension efforts that occurred a few years ago did not contemplate this scenario. There are enough examples around the state where the legislature established a bill, and they are monitoring the situation, hoping the bill will move forward favorably. They hope to accomplish both in a similar timeframe.

Councilmember Andrews questioned whether they will be able to meet LAFCO's requirements in the timeframe of the end of the calendar year. Mr. Schwarz was unsure but he said LAFCO staff will determine this, but he hoped that it will occur within the next 6 months.

Vice Mayor Furst referred to the draft agreement and a provision describing the Battalion Chiefs. She asked how they will staff the third Battalion Chief position. Corte Madera has 2 Battalion Chiefs, Larkspur contracts with one chief, and she asked where the third would come from.

Mr. Schwarz stated Larkspur City Council adopted a Battalion Chief position in their staffing structure and they have assigned one of their Captains serving as interim in the model right now. It is expected they will have one Chief and one Battalion Chief in Larkspur. Corte Madera would provide 2 Battalion Chiefs.

Vice Mayor Furst said as both cities have shared staff, the agency that is utilizing the services of a firefighter from the other agency has been reimbursed by the other agency. She did not see a provision for that and asked how this would be handled over the next 6 months.

Chief Shurtz stated depending on the agency that was hosting the opening they would invoice the other agency for the direct cost of filling that position. Since they have begun to

combine resources of both agencies and deploy firefighters on neighbors' equipment they now have a situation where Corte Madera firefighters staffing equipment regularly as scheduled and vice versa. The overtime created, whether a sick or vacation day or injury, it is essentially the same for both agencies. Therefore, they have gotten to a point with the trust of working together where they will track for a couple of months without invoicing the other agency to ensure they are comparable. If they are, they will move forward that on whole, it will balance at the end of the fiscal year.

Vice Mayor Haroff referred to areas of overlapping services mapping, and asked if they have had an opportunity to reach out to Kentfield, San Rafael and other fire departments to get their thoughts about potential impacts on their abilities to service folks and also help Larkspur and Corte Madera stations.

Chief Shurtz said yes; they are in close contact with neighboring agencies. For years they have participated with them in a training consortium and they get together regularly with Kentfield, San Rafael, and Marinwood. In fact Larkspur has shared staffing agreements with Corte Madera and San Rafael for overtime. There has been recent discussion regarding expanding the previous shared services agreement to reduced mandatory overtime and have them include all 5 agencies. He spoke with the Chiefs of all neighboring departments and all are supportive with what they are doing.

Councilmember Lappert said 9 years ago they spent \$5,000 to discuss shared services and he was happy to see the process has gotten this far. Important to him are extra services the agencies will be able to provide. He began his work as a volunteer firefighter and is a believer of volunteer firefighter departments, and he likes the ideal of a department being integral to the community and not having the labor wall.

He said events like Chipper Days are so important to the residents of Corte Madera. These types of events tie the fire department to the public and it also aids in the problem of urban wildland fire risk. He fears that things like that will go away and he impressed upon the working group that these types of things are important. Not seen this year was the volunteer's hamburger stand during the 4th of July and he hoped volunteers will continue to be involved in the overall system. He also noted Corte Madera has life support engines and paramedics. He wants to be sure that paramedics are on the engines as well.

Chief Shurtz said the paramedic question has been handled, given their work with efficiencies in responding from both agencies. It does involve sacrifice and he acknowledged senior staffs who have earned the right to work on a particular engine or shift that have had to be flexible, as they know the end result is the best service.

Regarding volunteer or reserve program, these programs are slowly going away and this is not because no one cherishes them but it is because of mandatory training requirements of safely and legally fighting fires. It became a burden on staff and volunteers and they began to see attrition, and it also related to the cost of living in Marin.

Mayor Way stated she and Councilmember Lappert serve on both cities' Disaster Preparedness Committee and she echoed Councilmember Lappert's comments about maintaining the relationships between both fire and police personnel and volunteers. She thinks residents appreciate that. They agreed several months ago to hire an individual as a coordinator for both towns to assist in emergency preparedness in neighborhoods.

Councilmember Condon echoed comments about the volunteers and noted there has always been such a presence throughout the community and she hoped this could be recaptured. She asked if the Larkspur firefighters being required to be paramedics. Chief Shultz said they do have paramedics but not as many as Corte Madera, and they do not require current employees to get certified, but both agencies now ask that new employees be newly hired as paramedic firefighters.

Mayor Bailey opened the public comment period.

BOB BUNDY, Golden Hind Passage, former member of the RVPA representing Corte Madera, recognized that firefighting and police have become sophisticated for stand-alone departments to manage, and he thinks the agreement for shared services will only garner greater resources. He asked the group to look at possibly closing both Stations 14 and 15 and creating a new station where B&B Auto is located, supported the work of the group and said the overall goal is not the money saved but the direction for improved services and working relationships between the two agencies. He suggested next steps as consolidating with the Ross Valley Fire Department to greater improve efficiencies, noting that \$1.5 million of the paramedic tax goes to the County for Ross Valley.

GEORGE TOPOR, referred to Item 18; the evaluation of improved services and economic savings to the public, and he asked for next steps in these categories. While recognizing there are paramedics he asked why other fire departments do not spend as much money as Corte Madera does, noting that Mill Valley spends \$200 less per year per person for their fire department, and Larkspur is \$30 per person less per year.

Mr. Schwarz said they have not looked at Mill Valley's numbers but comparison of any agencies is a pretty significant undertaking and each agency structures their budgets differently. The study did review other agencies to understand staffing models. Larkspur has worked hard to turn apples to apples and in going forward in this process, they will be able to explain the costs of each agency.

Town Manager Bracken added that net costs should also be considered of each agency, income from the paramedic service Corte Madera gets, and said the item is about reducing costs without reducing services.

BOB RAVASIO thanked both Councils for holding a joint meeting and suggested more in the future, given their common goals. He reminded everyone of the experience with CMPA's consolidation and the real savings in the long term some of which were identified over time and during the process. He noted this is not about reducing costs but about better services, and this is good government, and he thanked all involved for their work.

Mayor Bailey asked about tonight's direction and he asked whether the Council is in favor to move forward. He asked for next steps.

Chief Cusimano clarified that at the upcoming Council meetings the shared services agreement can be discussed and hopefully approved by both Councils. On page 5 under discussion there are a number of things that need to take place. There will be many things to work through and involve the public with the Ad-Hoc Committee, and Mr. Berkheimer and labor groups will meet as well on a monthly basis. They will go through the process and keep everyone informed.

They set a goal of early 2017 and they do not want to pass this timeframe. If they do get delayed, they will also be okay, but knowing operationally a 6-8 month window will be optimal. Over the same time, the working group will be taking both employee MOUs and work on a transition document. There will be a lot of input and direction from the managers and when they have a document the managers feel is ready to present to the Councils, they will be prepared to have a consolidation discussion, and Larkspur's Counsel Tom Bertrand has been asked to formulate the new JPA.

Mayor Bailey said at the conclusion of the 6months, they will have a transition document and asked and confirmed that MOUs will first be brought before the Councils. At the same time, the issues of unfunded liabilities, what they want the new agency to look like will be tasked to the ad-hoc committee and managers.

Councilmember Morrison said she agrees it is a win/win for both communities and she thinks adding Ross Valley would be great. She asked the Chief what concerns were voiced by employees when they met. Chief Cusimano said there were questions regarding what consolidation means, the future, and there was an open and honest dialogue. He thinks for everyone it was eye-opening and they were ready to move forward. The moral is high in the fire departments and they are building the organization. He has faith in the process and is excited with where they are going.

Vice Mayor Haroff said because the first paragraph in the agreement provides an end point at the end of the year, he assumed it will be extended or a new document in place.

Chief Cusimano said they contemplated putting a 12 month period on this and to be transparent and continue the steps in the process, they will report back at the end of the year. Depending on where they are at, they will most likely extend the agreement or modify it.

Councilmember Condon voiced concern when talking about stations closing. If it is decided that the station on Magnolia will close, she asked how this will affect Corte Madera and thought the Town would rely on its taxpayers to pay for a bond measure on the ballot to pay for a new facility.

Councilmember Condon also questioned Corte Madera's position if it is asked to abandon the services it gets reimbursed for, thought that the added Battalion Chief should be resolved, and referred to the shared services agreement, noting that Chief Shurtz would be accountable only to the Larkspur City Manager and asked that it be shared by the two Managers.

She supported sharing services and hoped it would ultimately reduce overtime, but said she was still not comfortable that the quality of training was the same in both departments and asked that both departments receive the same optimal quality of training.

City Manager Schwarz said this process started because Chief Bob Sennett retired and he called Town Manager Bracken regarding his Chief's retirement and potential sharing of each city's services. It became apparent that both agencies were doing similar things and working well together, and it was an organic process and took on a life of its own. They have reached a point where they took this existing cooperation and accelerated it through partnership. This creates some discomfort with those who work with labor law, but they needed some level of formality which would protect what they are doing to move forward. The agreement was designed to give them coverage under employment and risk law and under CalPERS's rules.

Chief Shurtz reporting to him relates to CalPERS law and similarly Command staff in Corte Madera will report to the Town Manager, but the arrangement is shared with both cities and all concerns must be addressed to have a final agency and partnership. The point of the Ad-Hoc committee is to voice these concerns. There are many items involving ownership, responsibilities, credentials, training, but he assured the Councils that this is the first step to take their partnership to another level, but it is at its early stages and does not reflect the level of detail to be finally implemented. He also stated he believes these concerns will be fully addressed within the proposed timeframe.

Additionally, one of the more interesting challenges is the relationship with Ross Valley Paramedic Authority with Corte Madera and Larkspur, given different functional relationships, and they have to figure this out by 2019.

Town Manager Bracken shared Councilmember Condon's same concerns, but it was similar to the CMPA's consolidation which takes a lot of confidence and trust. If the agreement does not work it can come undone and nothing is etched in stone. He was initially concerned

with Chief Shultz under Larkspur's Manager, but he has a great working relationship with him and sees no issues with that.

City Manager Larkspur said both Managers can give direction relating to fire services, but he deals with the responsibility of dealing with personnel matters. If Corte Madera does something wrong, then the Corte Madera Town Manager must address it.

Councilmember Morrison echoed high quality training, and said neither one of the fire departments are meeting adequate staffing abilities to respond the myriad of needs and standards.

Vice Mayor Furst referred to the draft agreement and the answer regarding overtime. She suggested tracking the overtime for the entire term of the agreement and asked that if there is a differential between the two agencies greater than 5% or 10%, the agency who has incurred more overtime will be reimbursed for the differences.

In looking ahead, she suggested they consider looking at performance metrics of the two fire departments as well as goals. Some metrics would be mandated by various agencies, but some might be things that the future JPA might want to see. They might be cost related to training levels, assets, and she asked to come up with base year metrics as well as goals. She also suggested that the main focus of the JPA would be either to maintain or improve service levels. She would like decisions delayed until the new JPA is in place regarding closing or consolidating in a new fire station. These decisions can be made later and also would be made best by the Fire JPA Council and management group.

Lastly, she appreciated what City Manager Schwarz stated regarding RVPA and how this will work with ambulance services. She asked this to be part of what is covered in the next 5-6 months. She finally thanked the management group, the firefighter group, the working group and Jim Irving and Chief Shurtz for what they will be tasked to do in the next 5 ½ months.

Councilmember Lappert commented that Bob Bundy mentioned the possible building of a new fire station and closing fire stations, and he suggested this not be discussed under the current goals.

Mayor Bailey confirmed with all Councilmembers that there was consensus to proceed with the MOU and for the group to report back.

Mayor Way echoed comments of the Mayor that this is a very important step forward and the cooperative arrangement created after many years of this being discussed. She thinks they are all focused in providing the best quality service as well as the best fiduciaries of the money. She said their Council is very supportive and she thanked the fire professionals, fire management, community support and the elected support.

7. ADJOURNMENT

The meeting was adjourned at 7:15 p.m. to the next regular Town of Corte Madera Town Council meeting on July 19, 2016 at Town Hall Council Chambers.