

A REPORT BY
THE 2005-2006 CONTRA COSTA COUNTY GRAND JURY

725 Court Street
Martinez, California 94553

REPORT 0609


FIRE DANGER FOR WEST COUNTY RESIDENTS

Has Common Sense Gone Up In Flames?

JUNE 1, 2006

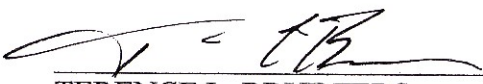
APPROVED BY THE GRAND JURY:

Date: 6/1/06

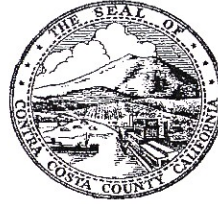

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ACCEPTED FOR FILING:

Date: 6/1/06


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For Immediate Release:

FIRE DANGER FOR WEST COUNTY RESIDENTS

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Summary

Residents of portions of the areas of the West County served by the Contra Costa County Fire Protection District (CCCFPD) are in danger of death, injury and property damage because the nearest available fire unit will not respond to emergency calls.

This situation has come about because the City of Richmond unilaterally withdrew from the "Automatic Aid" agreement between the Richmond Fire Department and the Contra Costa County Fire Protection District in 2002. This agreement had been in place for many years and provided the means for the nearest available fire units to respond to emergencies regardless of jurisdiction.

The agreement was originally put in place in 1981 with the then West County Fire Protection District and continued when that district was absorbed into the CCCFPD. Since the agreement was terminated, there have been a number of proposals to remedy the situation but no new agreement has come forth.

It is only a matter of time until a disaster occurs while the nearest available resource sits idle. It is imperative the two jurisdictions cease their petty bickering and immediately re-institute the "Automatic Aid" agreement.

The complete report is available on the Grand Jury web site: www.cc-courts.org/grandjury.

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One or more Grand Jurors recused themselves due to a possible conflict of interest and did not participate in the preparation or approval of this report.

**TO: Contra Costa County Board of Supervisors
Richmond City Council**

INTRODUCTION

The 2005-2006 Contra Costa County Grand Jury has completed an investigation into the concerns of the residents of areas of West Contra Costa County served by the Contra Costa County Fire Protection District (CCCFPD). The response time to emergency calls has increased significantly since the termination of the "Automatic Aid" agreement that had existed between the CCCFPD and the City of Richmond Fire Department (RFD). In some unincorporated areas the nearest fire station is in the City of Richmond. In the City of San Pablo, the CCCFPD station is the busiest in the entire district and has a higher probability of being unavailable when an emergency call comes in.

Both jurisdictions state that reinstatement of the "Automatic Aid" agreement is desirable. West County residents have concerns about the potential for loss of life or property without the "Automatic Aid" agreement. There is also the potential risk and/or liability to future litigation. Therefore, it is important that the reinstatement of "Automatic Aid" agreement occur as soon as possible.

BACKGROUND

In August of 2002, the Richmond City Council voted to end a long standing Mutual Assistance Agreement, between the City of Richmond Fire Dept. and Contra Costa County Fire Protection District known as "Automatic Aid". The purpose of "Automatic Aid" was to allow an automatic routing of the closest available RFD and/or CCCFPD resources to any given event (fire or medical emergency) in the West County areas serviced by either jurisdiction.

The original "Joint Exercise of Powers Agreement for Joint Emergency Response" between RFD and the then West County Fire Protection District (West County has now been incorporated into CCCFPD) was created in September 1981, between RFD, West County Fire District, the City of El Cerrito Fire Department and the Kensington Fire Protection District. The agreement included staffing, resources, automatic aid, training and budgeting. The various districts/jurisdictions had an awkwardly configured area of responsibility.

The agreement was renewed in 1985, 1987, and 1992 and became known as the Fire Services Contract or "Chief's Agreement". It is now referred to simply as the "Automatic Aid" agreement.

Since the termination of the agreement there have been numerous meetings between representatives of Contra Costa County, City of Richmond, CCCFPD, RFD, the relevant unions and other West County officials, to try and reinstate the "Automatic Aid" agreement. To date all meetings have been unsuccessful. The most recent proposal was made by CCCFPD to RFD, dated November 2, 2005.

FINDINGS

1. The City of Richmond unilaterally withdrew from the "Automatic Aid" agreement between the Richmond Fire Department the Contra Costa County Fire Protection District in August 2002. Richmond officials have stated that "Automatic Aid" was terminated because the County cut the money it paid to RFD for the service.
2. Portions of unincorporated areas of West Contra Costa County are closer to RFD stations than to CCCFPD stations. In an emergency, the closest unit will not respond.
3. The City of San Pablo is served by a single fire station. It is the busiest station in the CCCFPD. Prior to the termination of "Automatic Aid", most of the calls to the RFD were for incidents in San Pablo.
4. Both CCCFPD and RFD have stated that an "Automatic Aid" agreement is a desirable goal for the West County area.
5. The two jurisdictions have different dispatch systems and separate command centers. These differences existed during the former agreement and were not a hindrance to operations.
6. There have been many meetings since 2002, between the CCCFPD Chief and various other parties including the RFD Fire Chief, Richmond City Manager, and representatives of RFD fire fighters union, to discuss what it would take to renew the "Automatic Aid" agreement.

7. The most recent written proposal was one made by CCCFPD to the RFD November 2, 2005.
8. The State of California has a standard formula for compensating Fire Departments when they respond to emergencies outside of their jurisdiction. This is known as the "backcharge formula".
9. The El Cerrito Fire Department currently maintains an "Automatic Aid" agreement with CCCFPD covering areas adjacent to El Cerrito. Even though it uses the RFD dispatch system, it also uses the CCCFPD dispatch system as a backup system. El Cerrito serves as an example of how this issue can be swiftly resolved, either technically or organizationally.

CONCLUSION

Over the last several years, a number of proposals and recommendations have been made (at considerable taxpayers' expense) on how to resolve the issue of "Automatic Aid" and provide maximum benefit to the citizens of West County, concerning fire protection and emergency medical services. The time to act on resolving this issue once and for all is now.

RECOMMENDATION

The 2005-2006 Contra Costa County Grand Jury recommends that the Contra Costa County Board of Supervisors and Richmond City Council:

Immediately, re-institute the "Automatic Aid" agreement. Use the standard State of California "backcharge" formula or any other mutually acceptable formula to compensate the RFD.

REQUIRED RESPONSES

Findings:

Contra Costa County Board of Supervisors: 1-9.
Richmond City Council: 1-9.

Recommendations:

Contra Costa County Board of Supervisors: 1.
Richmond City Council: 1.