



September 19, 2017

Honorable Board of Supervisors
County of Mendocino
501 Low Gap Rd., Room 1010
Ukiah, CA 95482

SUBJECT: RFPs for Exclusive Operating Area and Dispatch Services for Mendocino County

Dear Supervisors,

The City of Ukiah recognizes and appreciates the County's efforts to secure emergency medical services for the Inland Mendocino County Zone and countywide dispatch services. While the City does not wish to cause undue delay in the County's schedule, we remain concerned that a number of important points have not been addressed.

In addition to the concerns outlined in the March 2, 2016 letter from the City Council (Attachment #1), City staff has communicated to County leadership and the RFP developers the following points:

- The level of service within the City of Ukiah and Ukiah Valley Fire District must be maintained at historical levels or better. Establishing a very large EOA could result in a reduction in the EMS and ambulance service for the entire Ukiah Valley if resource allocations and fiscal feasibility are not appropriately evaluated. A drawdown in the service level for the Ukiah Valley to cover other regions in the expanded EOA would not be an acceptable outcome.
- The impact to existing public safety, namely fire, must be mitigated and coordinated with the EMS provider. Efforts to integrate advance life support services between existing fire services and ambulance provider(s) should be identified and included upfront in the RFP rather than negotiated during the bidding process or after an award of the contract.
- The County of Mendocino pays the cost of fire and EMS dispatch for all of the local government fire agencies with the exception of the City of Ukiah and the City of Willits. For equity among all County residents, the City of Ukiah requests the County include Ukiah in the EMS/Fire dispatch service RFP and cover the corresponding costs. This will ensure a coordinated and standard dispatch service countywide while freeing up City fiscal resources to support improved fire services in the Ukiah Valley.

We believe there are successful outcomes to all of these points. As the designated City Councilmembers for this item, we are ready to undertake discussions with the County.

Sincerely,



Jim Brown, Mayor



Kevin Doble, Vice Mayor



City of Ukiah

Carmel J. Angelo, Chief Executive Officer
Mendocino County Executive Office
501 Low Gap Road, Rm. 1010
Ukiah, CA. 95482

RFP for Exclusive Operating Area in Inland Mendocino County

Dear Ms. Angelo:

The Ukiah City Council has been informed that the County anticipates issuing in April 2016 a Request for Proposals (RFP) to establish an exclusive operating area (EOA) for ambulance service in the Inland Mendocino County Zone, which includes the City of Ukiah. For the reasons set forth below, the City Council contends that the County EMS Agency (Coastal Valley EMS) must negotiate an agreement with the City specifying the conditions under which the City can be included in the proposed EOA. Because of concerns that the City of Ukiah (City) might compete to serve this area or enter a contractual relationship with the successful bidder, the City has not had an opportunity to review drafts of the RFP, and has limited opportunity to influence its content.

As the County has acknowledged in the past, the Decision in *City of Ukiah v. County of Mendocino*, Mendocino County Superior Court Nos. 65248 and 65575 (November 22, 1994) found that Health and Safety Code Section 1797.201 " . . . allows cities and counties to enter into "a written agreement . . . regarding the provision of prehospital emergency medical services for that city . . . "The Court in that case found that the County EMS Agency exercises "medical control" of EMS in the City, but that the City and the EMS Agency would have to enter an agreement under Section 1797.201 to transfer administration of emergency medical services to the County.

As a result of the court's Statement of Decision, the City and County did negotiate an agreement.

Under that agreement:

COUNTY and CITY further agree that in the event that the services of another entity cannot be integrated into the system in a manner acceptable to all parties, the COUNTY may conduct a competitive bid process to select an exclusive provider, ***subject to the CITY's rights under Health and Safety Code section 1797.201***. CITY shall be afforded reasonable opportunity to participate in such competitive process. (Agreement, pp. 4-5, Section IV.D. Emphasis added.)

While the City/County agreement expired on December 31, 1996, it recognizes that under Health and Safety Code Section 1797.201: " . . . Until such time that an agreement is reached, prehospital emergency medical services shall be continued at not less than the existing level, and the administration of prehospital EMS by cities and fire districts presently providing such services shall be retained by those cities and fire districts . . . " Based on Section 1797.201 and its past agreement with the County, the City maintains that the County cannot make the City part of an EOA which could reduce the level of ambulance and emergency medical services in the City without the agreement of the City Council.



City of Ukiah

The City Council has concerns that establishing a very large EOA could result in a reduction in the EMS and ambulance service that the City has enjoyed in the past, unless adequate specifications are developed that impose enforceable standards of service, including ambulance response times that the citizens of the City have come to expect. Before the EMS Agency releases the RFP, the EMS Agency must negotiate with the City an agreement that will assure no reduction in the level of ambulance services in the City.

The City Council does not wish to cause undue delay in the County's schedule to solicit bids for servicing an exclusive ambulance service area, and will use its best efforts to negotiate an acceptable agreement as quickly as possible. Please contact Sage Sangiacomo, City Manager, to schedule a first meeting to discuss the agreement. The City Council has appointed an ad hoc committee consisting of Councilmembers Jim Brown and Kevin Doble who, together with appropriate City staff, are ready to undertake these negotiations.

Very truly yours,

Stephen G. Scalmanini

Stephen G. Scalmanini, Mayor

cc: City Council
City Manager
Ukiah Valley Fire Authority
Coastal Valley EMS