



# CITY COUNCIL AGENDA STATEMENT



March 26, 2019

File ID: 19-0059

## TITLE

- A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE BIDDING REQUIREMENT AND APPROVING THE DISPATCH SERVICES AGREEMENT – SAN DIEGO/CHULA VISTA, BETWEEN THE CITY AND THE CITY OF SAN DIEGO
  
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING ATTACHMENT 2: DATA SHARING AGREEMENT, WHICH IS A COMPONENT OF THE DISPATCH SERVICES AGREEMENT – SAN DIEGO/CHULA VISTA, BETWEEN THE CITY AND THE CITIES OF SAN DIEGO, CORONADO, IMPERIAL BEACH, NATIONAL CITY AND POWAY

## RECOMMENDED ACTION

Council adopt the resolution.

## SUMMARY

The City of Chula Vista has satisfactorily contracted Fire and Emergency Medical Dispatch Services with the San Diego Fire-Rescue Department since March 1, 2008. The Fire Department recommends continuing the contract for service and is seeking Council's approval of a dispatch services agreement and its component, a data sharing agreement.

## ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines because it will not result in a physical change in the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Thus, no environmental review is required.

## BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable

## DISCUSSION

The Fire Department requires fire and emergency medical dispatch services to properly process 911 calls and deploy the appropriate first responders to mitigate hazards and/or provide lifesaving aid. The City has contracted fire and emergency medical dispatch services with the San Diego Fire-Rescue Department since March 1, 2008.

San Diego Fire-Rescue Department has provided above standard fire and emergency medical dispatch services. In Resolution 2007-289, the Council waived the competitive bidding requirement and approved a service agreement with San Diego Fire-Rescue Department for fire and medical dispatch services. This decision was based on superior technology, emergency medical dispatching procedures, and financial impact when compared to reasonable and appropriate competitors. These same factors are believed to be true today, and no verifiable enhancements would be expected by changing dispatch contractors. A change in dispatch contractors would be disruptive to operations including the creation of new response plans, new mobile data computer user interface on response units, and create delays in automatic aid. A change would also have financial impacts including staff time for transitional activities and startup costs associated with moving to a different dispatch contractor.

A data sharing agreement has been added to the Dispatch Services Agreement. Its purpose is to acknowledge that San Diego Fire-Rescue must collect, store, and share sensitive data to effectively perform their contracted dispatch services.

Collection and maintenance of dispatch records will be in accordance with State and Federal regulations. Once collected several public safety entities and third-party software application vendors will have access to this data intended for incident reporting, performance enhancing analytics, mutual/automatic aid connections, and infrastructure support for dispatching and operations situational awareness systems.

This new dispatch services agreement does have an increased fiscal impact when compared to the previous agreement. The increased costs are commensurate, when compared to the limited market capable to provide this type of service. Changes in the proposed contract costs include a price per call, rather than a flat rate charge which is contained in the current agreement. The current flat rate has been the same since the agreement's inception, at \$480,000 annually. Under the new price per call with the added required associated technology costs we anticipate the annual cost for dispatch services to be \$1,149,373.00.

Embedded into the new price per call is a minimum 5% escalator on San Diego Fire-Rescue's non-personnel expenses related to dispatching services. These costs include, but not limited to utilities, facility operations, hardware maintenance, software and technology expenses. This estimated escalator is expected to increase the price per call rate approximately \$0.30 annually. This would add a net cost of \$6,000.00 annually to the dispatch services agreement.

Due to the current quality of performance and to avoid operational disruption, the Fire Department is recommending waiver of the competitive bidding requirement in Chula Vista Municipal Code section 2.56.070.B.3, because the City's interests are materially better served and approval of both the Dispatch Services Agreement with the City of San Diego and Attachment 2: Data Sharing Agreement with the cities of San Diego, Coronado, Imperial Beach, National City and Poway. Attachment 2: Data Sharing Agreement is a separate document requiring separate approval and signatures. However, it is a required component of the Dispatch Services Agreement with San Diego, which is specifically referenced in Paragraph D, Data Sharing, on Page 3 of the Dispatch Services Agreement.

The Dispatch Services Agreement shall become effective retroactively to July 1, 2018 and shall expire at midnight on June 30, 2023. The Parties shall review this Agreement every year to ensure applicability of all terms and policies. Any modification shall be set forth in writing and be signed by the Parties.

The Attachment 2: Data Sharing Agreement shall become effective upon execution by the Parties and shall be binding upon all Parties hereto, until such time as the Parties agree to amend or terminate the Agreement. Any modification shall be set forth in writing and be signed by the Parties. If any Agency is no longer contracting for San Diego Dispatching Services, this Agreement will continue to apply to historical data collected while services were rendered.

### **DECISION-MAKER CONFLICT**

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the 500-foot rule found in California Code of Regulations Title 2, section 18702.2(a)(11), is not applicable to this decision for purposes of determining a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.).

Staff is not independently aware, and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision maker conflict of interest in this matter.

### **CURRENT-YEAR FISCAL IMPACT**

Fire and emergency medical dispatch services annual operating plan costs for FY2019 under this new agreement will have an unbudgeted impact in the fourth quarter. Fourth quarter costs will increase by \$180,000.00, which will be amended during the third quarter budget amendment.

### **ONGOING FISCAL IMPACT**

Annual operating plan costs are expected to be \$295,381.00 per quarter or \$1,182,000.00 annually. These costs will be included in the FY2020 budget and in the long-term financial forecast which will increase the projected General Fund deficit. Alternative funding through the ALS program will continued to be pursued to avoid ongoing long term impacts to the General Fund.

### **ATTACHMENTS**

Attachment 1: Dispatch Services Agreement

Attachment 2: Data Sharing Agreement

Attachment 3: Annual Operating Plan

*Staff Contact: Harry Muns, Deputy Chief Director of Operations*