



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www.CityofSacramento.org

Consent
October 10, 2006

Honorable Mayor and
Members of the City Council

Title: Agreement: Amendment to Sacramento County Hazardous Materials Response Team Agreement.

Location/Council District: Citywide

Recommendation: Adopt a **Resolution** which authorizes the City Manager to sign an amended Hazardous Material Response Team (HMRT) Agreement with the County of Sacramento and reduce the fiscal year 2006/07 (FY2006/07) revenue budget.

Contact: Ed Vasques, Assistant Chief, (916) 264-7522

Presenters: None

Department: Fire

Division: Special Operations

Organization No: 2553

Description/Analysis

Issue: On June 29, 2004 the City Council approved a 5-year agreement (FY2004/05 to FY2008/09) to continue providing hazardous material response service to Sacramento County. The rate of pay to the City of Sacramento during this time period was based in part on the Sacramento Fire Department (SFD) maintaining three HMRT to cover the entire geographical area of the County of Sacramento. Subsequent to the agreement, the State of California established minimum capabilities for the HMRT which included an increased number of trained personnel on each team. Additionally, Sacramento Metropolitan Fire District (Sac Metro) established its own HMRT, thus bringing the total number of HMRTs within the geographical boundaries of the County of Sacramento to four. To meet the new state standards, SFD reduced the number of HMRT from three teams to two teams. As a result of the reduction, Sac Metro requested the County of Sacramento re-proportion the financial payments of the current 5 year agreement. The formula utilized for this reduction is based on the number of HMRT each agency maintains; the City of Sacramento will receive 2/3 of the total and Sacramento Metropolitan will receive 1/3.

Policy Considerations: This agreement amendment will continue the level of hazardous materials service agreed upon in prior agreements, and continue ongoing regional partnerships.

Environmental Considerations: Ongoing administrative and maintenance activities, such as purchases of supplies, equipments or materials for the sole purpose of public works construction project, do not constitute a "project" and are exempt from the California Environmental Quality Act (CEQA) Guidelines, Section 15061 (b)(1), 15378 (b)(3).

In the event of a hazardous materials incident, the Sacramento Fire Department cooperates with the County of Sacramento Hazardous Materials Division, to assure that all hazardous materials are disposed of and site contamination is mitigated according to California Health & Safety Code Section 25187.

Commission/Committee Action: Not Applicable

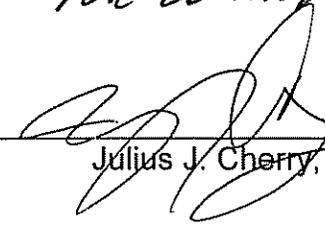
Rationale for Recommendation: Under City Manager Agreement No. 2004-104, the Sacramento Fire Department HMRT provides hazardous materials response services to the County of Sacramento. Since the City Council passed City Agreement No. 2004-104, the State of California has changed the requirements for HMRTs. The new requirement in addition to a stabilized call volume led the Sacramento Fire Department to reduce the number of HMRTs. In the meantime, Sac Metro also formed a HMRT. As a result, Sac Metro requested a change in the current agreement.

The current agreement contains a "dispute clause" which allows the Director of the Environmental Management Department of the County of Sacramento and the City of Sacramento Fire Chief to resolve conflicts. To resolve the conflict posed by Sacramento Metro's request, the Sacramento Fire Chief agreed to re-proportion the monies generated by the agreement. The formula utilized for this reduction is based on the number of HMRT each agency maintains; the City of Sacramento will receive 2/3 of the total and Sacramento Metropolitan will receive 1/3. On May 23, 2006, the Board of Supervisors of Sacramento County, by Resolution No. 2006-0630, amended the agreement to reflect the financial changes. The amended agreement will still allow the Sacramento Fire Department to respond to emergency situations classified as HazMat level II and level III as defined in the Sacramento Fire Department Hazardous Materials Emergency Response Plan.

Financial Considerations: The original agreement with the County of Sacramento was for an amount not to exceed \$300,000 for FY2006/07. The amended agreement will mean the County of Sacramento will pay an annual base fee plus the actual cost of response for each incident, not to exceed a total of \$268,000. The reduction in revenue for FY2006/07 is \$32,000, and the following fiscal years will be reduced proportionately.

Emerging Small Business Development (ESBD): There is no requirement for the procurement of goods or services associated with this program.

Respectfully Submitted by: 
Ed Vasques, Assistant Chief
FOR ED VASQUES

Approved by: 
Julius J. Cherry, Fire Chief

Recommendation Approved:

Ray 
Ray Kerridge
City Manager

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Attachment 1**Background**

Under Agreement No. 97-183, the Sacramento Fire Department Hazardous Materials Response Team provides hazardous materials response services to the County of Sacramento. The service is provided within the boundaries of the county including the fire protection agencies of Sacramento County consisting of Sacramento Metropolitan, Courtland, Delta, Elk Grove, Folsom, Galt, Herald, Isleton, Walnut Grove and Wilton. It is more economical and practical for the County of Sacramento to utilize the services of the City's Hazardous Materials Response Teams rather than to develop and maintain duplicate response teams. Under the terms of this agreement, a Sacramento Fire Department Hazardous Materials Response Team is dispatched to the County of Sacramento to respond to emergency situations classified as Haz Mat Level II and Level III as defined in the Sacramento Fire Department Hazardous Materials Emergency Response Plan.

On June 29, 2004, the City Council approved a 5 year contract (FY2004/05 to FY2008/09) to continue hazardous materials service. The rate of pay due the City of Sacramento during this time period was based in part on the Sacramento Fire Department maintaining Hazardous Material Response Teams (HMRT) to cover the entire geographical area of the County of Sacramento. Subsequent to the current agreement the Sacramento Metropolitan Fire District (Sac Metro) established its own HMRT, thus bringing the total number of HMRT within the geographical boundaries of the County of Sacramento to four teams. In response to this increased number of HMRT in the County of Sacramento and the State of California completing the process of establishing minimum capabilities for HMRT the Sacramento Fire Department reduced its HMRTs from three teams to two teams. The rationale behind this force reduction was based on a stabilized call volume and the need to increase the trained staffing levels on the HMRT to meet the new state minimum capabilities standard.

Due to the above changes, Sac Metro has requested the County of Sacramento re-proportion the financial aspect of the current 5 year agreement. The current agreement contains a "dispute clause" which allows the Director of the Environmental Management Department of the County of Sacramento and the City of Sacramento Fire Chief to resolve conflicts. To resolve the conflict posed by the Sac Metro request, the Sacramento Fire Chief agreed to re-proportion the monies generated by the agreement. The formula utilized for this reduction is based on the number of HMRT each agency maintains; the City of Sacramento will receive 2/3 of the total and Sacramento Metropolitan will receive 1/3.

Attachment 2

RESOLUTION NO.

Adopted by the Sacramento City Council

Amendment to Sacramento County Hazardous Material Response Team (HMRT)

BACKGROUND

- A. The County of Sacramento has contracted with the Sacramento City Fire Department for emergency hazardous materials response since 1982. This includes fire protection agencies of Sacramento County consisting of Delta, Elk Grove, Folsom, Galt, Herald, Isleton, Walnut Grove and Wilton.
- B. Due to changes in requirements for HMRT by State of California as well as Sacramento Metropolitan forming their own team, the Sacramento Fire Department reduced the number of HMRTs. Sacramento Metro requested the County of Sacramento re-proportion the financial payments of the current 5-year agreement.
- C. On May 23, 2006, the Board of Supervisors of Sacramento County adopted and passed Resolution No. 2006-0630 authorizing the Chair of Board of Supervisors to execute the agreement. The Chair of the Board of Supervisors executed the agreement on May 23, 2006.
- D. For FY2006/07, the County of Sacramento will pay an annual base fee plus the actual cost of response of each incident, not to exceed a total of \$268,000 which is a reduction in revenue by \$32,000 for FY2006/07.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. That the City Manager is hereby authorized to sign the amendment to HMRT Mutual Aid Agreement with the County of Sacramento to provide Hazardous Materials response services.
- Section 2. That Operating revenue appropriations for FY2006/07, are reduced as follows.

Revenue:

101-250-2553-3598 Hazardous Materials Revenue (\$32,000).