

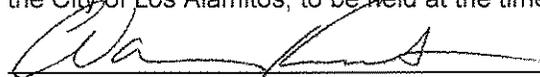
CITY OF LOS ALAMITOS

3191 Katella Avenue
Los Alamitos, CA 90720

AGENDA CITY COUNCIL SPECIAL MEETING

Monday, November 18, 2013 – 4:30 p.m.

I, Warren Kusumoto, as Mayor of the City of Los Alamitos, do hereby call a Special meeting of the City Council of the City of Los Alamitos, to be held at the time and place listed above to discuss the matters listed below.



Warren Kusumoto, Mayor of the City of Los Alamitos

NOTICE TO THE PUBLIC

This Agenda contains a brief general description of each item to be considered. Except as provided by law, action or discussion shall not be taken on any item not appearing on the agenda. Supporting documents, including staff reports, are available for review at City Hall in the City Clerk's Office or on the City's website at www.cityoflosalamitos.org once the agenda has been publicly posted.

Any written materials relating to an item on this agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, 3191 Katella Ave., Los Alamitos CA 90720, during normal business hours. In addition, such writings or documents will be made available for public review at the respective public meeting.

It is the intention of the City of Los Alamitos to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee, or a participant at this meeting, you will need special assistance beyond what is normally provided, please contact the City Clerk's Office at (562) 431-3538, extension 220, 48 hours prior to the meeting so that reasonable arrangements may be made. Assisted listening devices may be obtained from the City Clerk at the meeting for individuals with hearing impairments.

Persons wishing to address the City Council on any item on the City Council Agenda should complete a blue "Request to Speak" card and will be called upon at the time the agenda item is called or during the City Council's consideration of the item and may address the City Council for up to three minutes.

1. **CALL TO ORDER**

2. **ROLL CALL**
 - Council Member Edgar
 - Council Member Grose
 - Council Member Murphy
 - Mayor Pro Tem Graham-Mejia
 - Mayor Kusumoto

3. SPECIAL ORDERS OF THE DAY

A. City Option to Retain or Delegate Authority for Award of Ambulance Contract (City Manager)

Prior to the start of the Orange County Fire Authority Ambulance Request for Proposal (RFP) process, the Authority needs to know if the City wishes to retain or delegate its authority to award the contract. Currently, the City of Los Alamitos delegates Authority.

Recommendation:

1. Retain contract award authority; or,
2. Delegate contract award authority.

4. ADJOURNMENT

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing Agenda was posted at the following locations: Los Alamitos City Hall, 3191 Katella Ave.; Los Alamitos Community Center, 10911 Oak Street; and, Los Alamitos Museum, 11062 Los Alamitos Blvd.; not less than 24 hours prior to the meeting.



Windmera Quintanar, CMC
City Clerk

11/13/13
Date

City of Los Alamitos

Agenda Report Special Orders

November 18, 2013
Item No.: 3A

To: Members of the City Council
From: Gregory D. Korduner, Interim City Manager
Subject: City Option to Retain or Delegate Authority for Award of Ambulance Contract

Summary: Prior to the start of the Orange County Fire Authority Ambulance Request for Proposal (RFP) process, the Authority needs to know if the City wishes to retain or delegate its authority to award the contract. Currently, the City of Los Alamitos delegates Authority.

Recommendation:

1. Retain contract award authority; or,
2. Delegate contract award authority.

Background

The City contracts with Orange County Fire Authority for emergency ambulance services and in 2004, the City Council updated the Municipal Code for Ambulance Services. Section 5.12.130 delegates authority to OCFA to select and enter into a contract for ambulance service in response to emergencies.

Discussion

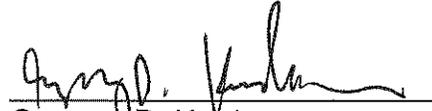
Currently, OCFA is preparing for the Ambulance Request for Proposal process and as part of the process, OCFA is requesting the City decide to retain or delegate the authority for award of contract. As outlined in the attached letter, the liability risks and Staff involvement are significantly higher should the City choose to retain authority.

It is recommended the City continue to delegate authority to OCFA. Chief Jones will be giving a presentation on the item and will be available for Council questions.

Fiscal Impact

None.

Approved by:



Gregory D. Korduner
Interim City Manager

Attachment:

- 1. OCFA Request Letter*
- 2. Los Alamitos Municipal Code Section 5.12.130*



ORANGE COUNTY FIRE AUTHORITY

P.O. Box 57115, Irvine, CA 92619-7115 • 1 Fire Authority Road, Irvine, CA 92602

Keith Richter, Fire Chief

(714) 573-6000

www.ocfa.org

October 24, 2013

Gregory Korduner, Interim City Manager
City of Los Alamitos
3191 Katella Ave.
Los Alamitos, CA 90720-5600

Dear Mr. Korduner,

Subject: City Option to Retain or Delegate Authority for Award of Ambulance Contract

Prior to the start of the Orange County Fire Authority Ambulance Request for Proposal (RFP) process, the Authority needs to know if a city wishes to retain or delegate their authority to award the contract. Currently, the City of Los Alamitos delegates authority. The following describes the two options:

1. If the City of Los Alamitos would like to *RETAIN* contract award authority:

A city representative works with the OCFA Grading Panel to evaluate and rank proposals submitted for their City EOA. The OCFA Grading Panel then submits bidder ratings and recommendations to City Staff and Council who then awards the EOA contract to the most responsive bidder. A city that retains contract approval authority assumes the risk that it may be sued by an unsuccessful bidder, as well as liability exposure from service recipients based on the acts or omission of the ambulance service provider (e.g., ambulance medical malpractice or ambulance personnel negligence). If an unsuccessful bidder protests or challenges the City's selection and contract award decision, or if the competitive process is challenged procedurally or substantively, the City would be responsible for defending such action.

2. If the City of Los Alamitos would like to *DELEGATE* contract award authority:

The OCFA Grading Panel evaluates and ranks proposals (City participation optional but strongly recommended). The Grading Panel then submits bidder ratings and recommendations to the OCFA Board of Directors who awards the EOA contract to the most responsive bidder. The OCFA assumes responsibility for defending any challenges to the final selection and contract award, as well as for the competitive process and negligence by the ambulance service provider, should such occur.

Please return the following requested information with your decision to retain or delegate contract award authority by December 5, 2013.

➤ The City of Los Alamitos would like to: Retain Delegate

- Contact Name: _____
- Contact Phone Number: _____
- Contact E-Mail: _____

Please feel free to contact me if you have any questions at lorizeller@ocfa.org or 714-573-6020.

Sincerely,

Lori Zeller, Assistant Chief of Business Services

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Los Alamitos • Mission Viejo • Placentia • Rancho Santa Margarita • San Clemente • San Juan Capistrano • Santa Ana • Seal Beach • Stanton • Tustin • Villa Park
Westminster • Yorba Linda • and Unincorporated Areas of Orange County

RESIDENTIAL SPRINKLERS AND SMOKE ALARMS SAVE LIVES

Los Alamitos Municipal Code

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Title 5 BUSINESS LICENSES AND REGULATIONSChapter 5.12 AMBULANCE SERVICES**5.12.130 Selection of ambulance service licensees for exclusive operating areas.**

A. The Orange County fire authority shall administer the competitive process, on behalf of the local EMS agency, for the award of EOA contracts within the city. The Orange County fire authority shall select and shall enter into contracts with licensees for the provision of ambulance service in response to emergencies in each EOA, unless the city has provided written notification to the Orange County fire authority of its intention to retain licensee selection and contracting authority for itself. Such contracts shall provide for one primary contractor per EOA, with such other back-up service by other emergency ambulance service providers as deemed necessary by the fire chief. In awarding these contracts, the Orange County fire authority, or city if it elects to retain licensee selection and contracting authority, shall consider the comparative value of competing proposals in the same fashion as would be the case were the county evaluating proposals from prospective service providers for other governmental activities, including consideration of:

1. The quality of service to be provided;
2. The level of service to be provided;
3. The rates charged for services to be provided; and
4. The cost, if any, to the awarding agency.

B. The fire chief shall administer the contracts for ambulance service awarded by the Orange County fire authority, or by the city if applicable, under this section. The fire chief shall also prepare and keep current EOA lists specifying contract providers for each EOA. The fire chief shall include on the list for each EOA the provider which has entered into an ambulance service agreement with the Orange County fire authority, or the city if applicable, as the primary contractor as well as the emergency ambulance service provider(s) who will provide back-up emergency ambulance service for that area.

C. In the event no proposals acceptable to the Orange County fire authority, or to the city if it elects to retain licensee selection and contracting authority under the provisions of this section, are received for one or more EOAs, the Orange County fire authority, or the city if applicable, shall designate one or more licensees to provide emergency ambulance services for the EOA. From the date of such designation until a regular emergency ambulance service agreement is signed for the affected area(s), provision of emergency ambulance service shall be an express condition of the license and unreasonable or unjustified refusal of such calls shall be a violation of this chapter.

D. No person shall provide ambulance service in response to, or as a result of, an emergency, unless that person is a licensee specified in each instance by a physician or public safety agency. A licensee thus specified by a physician need not be a contractor selected pursuant to this section. Any ambulance service operator receiving a request for emergency ambulance service from other than a public safety agency shall immediately, by telephone, notify a public safety agency designated by regulation of the request.

No licensee responding to an emergency shall transport a patient unless:

1. A paramedic is present at the location of the patient;
2. A physician is present at the location of the patient and directs transportation in the absence of a paramedic; or
3. A safety qualified employee of the Orange County fire authority, or an appropriate employee of a public safety agency designated by regulation, directs transportation in the absence of a paramedic.

Unless otherwise directed by a physician present at the location of the patient, a licensee shall transport a patient pursuant to regulations adopted under Section 5.12.140 of this chapter. (Ord. 680 § 1, 2004)