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SF-Consolidation - Regional

Spotting a Trend: Fire Department Consolidation

Seeking to provide taxpayers with more for their money, fire departments are teaming up to get the job done.

By Stephanie Thompson, Associate Editor

Ordinarily, there isn't enough whiskey in the world to make three fire chiefs agree on anything," says Floyd Pittard, assistant chief of the Tualatin Valley (Ore.) Fire Department.

But after surviving a consolidation of three fire departments in the Portland, Ore., metropolitan area he testifies that it can be done. More than three years ago, a hard look at the area's fire service found redundancy in apparatus, personnel and equipment — with duplication especially apparent at the mid-manager and support levels. According to Pittard, emergency medical service (EMS) officers, finance officers and other department positions were found in triplicate.

Thus, with the help of task forces and intergovernmental agencies the three departments "functionally" consolidated — leaving each department whole, yet allowing for interchangeable use of equipment, facilities and personnel throughout all three.

"It amazes me why more taxpayer groups haven't been down at city hall pounding their fists for [consolidation]," says Charles Rule, chief of the Manteca (Calif.) Fire Department.

The consolidated dispatch system Rule is a part of, he says is more efficient, more effective and more reliable. The system is operated by the city of Stockton, Calif. "They can do it for 10 percent of what we do it for. The costs

are brought down because we share resources," says Rule.

Communication between regional fire departments is extremely important, especially in times of major disaster. With central dispatch all departments are in tune; the public is served more quickly and better. "Cen-

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tral dispatch is a natural. There are no losers in this particular situation," Rule says.

In an article Rule wrote for *Fire Chief* magazine, he predicts the future for fire service funding as "bleak." "Many elements are causing this," writes Rule, "most of which are tied to the economy.

"Hopes are being heard that the peace dividend will jump-start the economy. But be assured that the federal deficit, the drug problem, health care, crime and the homeless will ab-

sorb any excess funds before they trickle down to the fire service."

Rule asks, "With the current trend of federal and state mandates on environmental issues, and with local government once again getting stuck with enforcement, is the fire service ready to take on these additional responsibilities?" Disasters are still going to happen, and training and staffing costs are not necessarily going to get any better.

"Fortunately, at least some approaches are available to the fire service," says Rule. "Probably the most promising, yet one that many fire service managers and elected officials see as a threat, is regional or county consolidation of fire services, which can range from one functional consolidation to total political consolidation."

Bruce Smith, chief of the Colerain Township (Ohio) Fire Department — the second largest in the greater Cincinnati area — has participated in three different fire consolidation efforts and calls himself "a strong believer" in the process.

The Colerain Township department is part of a consolidated central communications center run by Hamilton county. Operations Manager Greg Wenz says the center started out with four to five departments and now handles the dispatch services for 35 fire departments and 41 EMS departments. It also handles police dis-

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patching and some county services, in addition to being a 911 center. "I've seen it work for the 20 years I've been here. When you get a major event you can use the group of people handling the disaster rather than one." Wenz adds that, "users are billed only for 30 percent of the operational cost."

The Colerain department has also consolidated with another department within the township. "It's higher quality service to the taxpayer for the dollar spent," says Smith. "Both with consolidation of departments within the township and by using the consolidated county communications center, it costs significantly less."

Additionally, Smith says, "We just regionalized a hazardous material response unit for an eight-county area. It would not be cost-effective without regionalization."

He estimates that about 100 departments, including some in Kentucky and Indiana, are involved in the regionalized effort. "It's practical. It's worked out well."

Pierce Matthews, chief of the Terrace Park Volunteer Fire Department — the smallest department involved in the Hamilton County communications center — also believes consolidation may be an answer for better, less expensive fire service. Due to lack of personnel, his department has agreed with the nearby Milford Fire Department to cover Terrace Park's area during the day. Matthews says it may be wise to eventually consolidate with Milford.

"Overall, it's probably less expensive

to combine with another group. Otherwise, there's a lot of duplication," says Matthews. "The biggest advantage I see is more runs for volunteer departments. Volunteer departments do better when they're busy; it keeps their skills up."

The Benefits

Consolidated fire service, according to Rule, works to overcome political boundary issues, because the "closest units respond to the emergency," Rule explains. "Unfortunately, jurisdictional boundary lines aren't determined based on response time or access... Annexations in particular develop a crazy political subdivision that looks more like a patchwork quilt than a rational protection-service area."

"Many times, jurisdictions will leapfrog to desired tax base areas and leave pockets of non-revenue-generating problems for others to protect. When I lived in Wisconsin, I would occasionally see a unit responding to a fire go right past another jurisdiction's fire station."

"If the public has reason to trust that emergency responders will be prompt, well-equipped and competent, it will accept and even demand consolidation," says Rule.

The first benefit of consolidation he says in Fire Chief is central dispatch facilities. "Here in Manteca," he writes,

"we were facing a \$200,000 annual bill for fire dispatch because of growth and needed update of dispatch services. Instead, as of the beginning of December (1991), we are dispatched through the computer-aided system operated by the city of Stockton, nine miles away. Our police department is happier without the extra workload of fire dispatch. And just \$25,000 a year gets us three dispatchers on duty at a time, with emergency medical dispatch capability, instead of the single one our \$200,000 would have bought. Stockton now dispatches its own department, seven other fire departments and rural districts, and numerous private ambulance companies." Other benefits, according to Rule, are:

- Lower apparatus replacement requirements. "Larger departments need fewer pieces of reserve apparatus for an equal number of frontline rigs. Consolidation also reduces the expensive duplication of specialized apparatus like aerials and hazmat units."

- Enhanced career opportunities. "Although the number of people at the topmost echelons is reduced, the orga-

nization as a whole is larger, which means that someone is always retiring or moving elsewhere. With this steady overall turnover, bright young officers have greater opportunities for

advancement."

• Joint training facilities. "We continue to send personnel to structural fires without giving them training in the hot, dark, toxic environment in

which they are expected to perform. Regional burn facilities, acceptable to the Environmental Protection Agency, could mitigate this problem."

• Specialization of various functions. "Smaller departments can't afford full-time training or code-enforcement officers, for example. A regional department, however, can well afford full-time slots in areas like hazmat, code enforcement and arson investigation."

• Other benefits unique to local conditions. "Two possibilities include uniform, stabilized pay scales and savings through consolidation of pension resources."

• Potential Insurance Services Office rating improvements.

• Cost reductions through volume purchasing.

• Fewer fire stations because of larger-scale planning.

• Faster response time.

• More efficient personnel allocation.

• Increased service levels for same dollars spent.

• Regionalized public information and education programs.

• Consistent system-wide code requirements.

• Elimination of redundancy, resulting in cost savings.

• Better future use of resources and reorganization.

Fire Fighting Immunity of Public Entities

In the aftermath of the devastating Oakland-Berkeley fire last October, controversy arose from its handling by firefighters. What immunities shield public entities from liability for fire fighting activities?

As California is often considered a trendsetter, a look at its code may be helpful. The state government code sections 850 and following provide certain immunities for fire fighting activities. The code provides immunity to public entities and public employees "for failure to establish a fire department or otherwise to provide fire protection service." Section 850.2 provides immunity from liability "for any injury resulting from the failure to provide or maintain sufficient personnel, equipment or other fire protection facilities." And Section 850.4 immunizes public entities and employees acting within the scope of employment "for any injury resulting from the condition of fire protection or fire fighting equipment or facilities or (with certain exceptions) for any injury caused in fighting fires."

Immunization of the public entity was found in cases involving discretionary decisions about the length of a fire hose to be carried on fire trucks, the location or frequency of inspection of fire hydrants, and the type of additional equipment that should be made available to firefighters. This is the case even where the determinations were allegedly negligent and prevented a fire department from extinguishing a particular fire.

For example, in *Heieck & Moran v. Modesto* (1966) the plaintiff's premises were damaged when a fire that started on an adjoining property spread to the plaintiff's lot. Because city employees had closed a water main valve and had failed to later reopen it, firefighters' efforts were frustrated, and the property was destroyed. The City's demurrer was sustained based on governmental immunities. As for plaintiff's allegation that the fire department negligently failed to call for tank trucks readily available from the local county fire department, the court sustained the city's assertion of immunity under the code.

Statutory immunity has also been upheld even where willful misconduct has been proved. In *San Francisco v. Superior Court* (1984), the plaintiff sued the city and county of San Francisco for fire damage to property located only 300 feet from the fire station. When witnesses ran to the station to report the fire, rather than calling, all members of the engine company were away at an unauthorized social gathering. Because the firehouse was vacant, the response to the fire was delayed. The delay resulted in damage to plaintiff's property.

As for personal injuries, in *Heimberger v. Fairfield* (1975), the plaintiff sued city firefighters for injuries sustained when he was trapped by a fire in a boarding house. The First District Court of Appeals cited the Law Revision Commission comment to section 850.4 with approval: "Firemen should not be deterred from any action they may desire to take in combating fires by a fear that liability may be imposed if a jury believes such action to be unreasonable."

The immunities extended to public entities pertain to fighting fires. These immunities may not preclude liability for activities unconnected with actual firefighting operations. For example, if fire protection employees assigned to weed burning duties negligently permit the fire to escape and damage adjoining property, the fact that there might be immunity under section 850.4 for negligence in trying to subsequently suppress the fire after it got out of control would not preclude liability for the original negligence in permitting it to get out of control.

The command decisions made during the early stages of the Oakland-Berkeley fire will undoubtedly become the subject of much discussion. In view of the broad immunities provided for firefighting activities under the Government Code, however, the liability of the public entities while engaged in the battle against the fire may be doubtful. □

This article was written by Patrick McCarthy, a partner with Larson & Burnham in Oakland, Calif.

To Consolidate or Not

With all the benefits, it would seem that most — if not all — fire departments would look seriously at some form of consolidation. However, says Rule, many do not want to. And it seems to boil down to one thing: power.

When the three departments in the Tualatin area decided to consolidate, says Pittard, "The first meetings were disheartening, to say the least. The initial meeting ended in the two respective board presidents arguing over what color the engines should be and, 'My chief makes more money than yours, so he should be in charge.'"

"Needless to say, nobody said it would be easy," says Pittard.

Opponents of consolidation come in all forms — the elected official, the city manager, even the fire chief.

Smith says that Rule's, belief that egos are the major barriers to consolidation, "probably hit the nail right on the head." In consolidation, says Smith, autonomy is definitely given up.

That "we can do it better" attitude, however, can only go so far with limited dollars, he says. For example, the same situation occurs when governments want to consolidate. "I'm not for or against 'metro government,'" says Smith, "but there is strong emotional reaction when it's mentioned. There are pros and cons. But a lot of times discussions never get off the ground

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because of pride within the individual communities."

It may be too, that in some departments and local governments tradition dies hard. In Boston, for instance, there is no consolidation of fire service because, says fire chief Gerald Hart, "Each city or town has its own. We're limited to geographical boundaries. We never get into that [consolidation]."

Hart says that some departments outside the Boston area may be consolidating — but for the most part, Boston and nearby cities stick to mutual aid agreements. "We'll help others," says Hart.

"We're one of the oldest fire departments in the country. It's just that it's been this way since day one, and it would probably cost a lot to redo," he says, pointing to rewiring and related set-up costs.

One of Hart's peers, Thomas Gorman, chief of the Quincy (Mass.) Fire Department, believes, tradition or not, that consolidation will be "the way of the future."

"The way I see it," he says, "I think it's going to come because of budget constraints." However, with "the money crunch," Gorman says independent fire departments cannot or will not be able to continue to provide their services alone. He agrees also that change is not necessarily easy for all involved. "You have so many chiefs, and all of sudden," with consolidation and realignment of duties, they are "not the bosses anymore."

"The days of everybody wanting his own turf are going to be gone," says Gorman. On the flip side though, he sees the advantages. For example, with one consolidated dispatch center, an area can have the best system available rather than "a bunch at par." And, the people working in the system will be better trained, he says.

Pittard, a fan of consolidation, says to remember that "bigger isn't always better." There are some legitimate deterrents to consolidation. "There are times when taxing methods will not allow for a viable merger," he says, explaining that when a larger department, perhaps with a large tax rate, merges with smaller departments, the tax rate may be a burden to the smaller partners. Another obstacle, he says, is if "a fire department is asked to take over another department that is not contiguous." When the Tualatin consolidation was recognized as being successful, it was asked to do just that — "take over" another, rural department located 30 miles away. "The logistics were almost impossible," says Pittard

But When It Can Work...

In many places, however, consolidation can work if planned and implemented properly. Pittard, author of A

Systematic Approach To Functional Consolidation And Merger, a guidebook for consolidating fire services, describes a method of functionally consolidating or merging two or more fire departments — based on personal experience and documentation provided by others involved in the joining of the Oregon departments. In the guide, which is neither an advocacy for nor caution against consolidation/mergers, Pittard stresses the importance of intergovernmental councils and task forces in the consolidation process from start to finish.

Pittard points out two "musts" for consolidating departments. First, he

says, "If you have more than one person in the position (the Oregon departments had three EMS persons, three fire marshalls), have the top administrators decide on and choose the best person [to hold the position after consolidation] and make it clear up front."

Otherwise, says Pittard, candidates will do a lot of "politicking," even when they may know another candidate is more qualified.

Second, he says, line employees should be "shuffled around, mixed up" immediately.

"If you do not do that, you're still going to have that many individual de-

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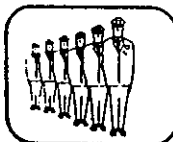
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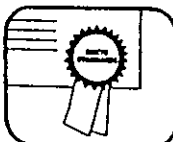
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partments." Mixing the employees and reassigning some of them to different departments will lend itself to a more cohesive organization in the long run, says Pittard. "They realize that the world will not end and that the new location is okay after all."

Rule advises that "the chief should provide the leadership to objectively pursue areas of consolidation. One way could be through an enlightened county fire chiefs association. The chiefs must support it and market it to the electoral bodies of the jurisdictions involved."

Also, he says the labor groups should be involved from early on and "convinced of consolidation's merits. If they are not included in the planning process, it is doomed to failure. A related point is that consolidation can't be a disguise for a reduction-in-force. If regionalization is used to get rid of positions, it will fail. Consolidation's cost savings come primarily on the capital side, not from the personnel side. The fact is that consolidation usually reduces personnel levels slightly in any case, by triggering a spate of early re-

tirements. The remaining personnel should be sufficient to provide superior service within the enlarged jurisdiction."

The public must be sold on the concept too, says Rule, "through the media and appearances by local chiefs at civic groups to explain the reasons and the process to be used. Doing this might first require a fire protection benefit assessment of the proposed consolidation. A decision will be needed as to what is preferred: a long series of incremental, functional consolidations or a massive total merger.

"There is no panacea to the issues facing the fire service," says Rule, "but consolidation and regionalization is an answer in many areas of this country. It is not an easy sell and should be approached as a long-term process. Some functional consolidation efforts (central dispatching, for example) might require initial outlays of money that will pay dividends in future years. If it's planned carefully and properly marketed, support for consolidation will be greater than resistance."

Local governments and fire service

entities must "forget about turf, egos and who's in charge," says Rule. "What's best for the public is most important." □

For More Information

To receive a copy of *A Systematic Approach To Functional Consolidation And Merger*, contact Floyd Pittard, Assistant Chief Tualatin Valley Fire & Rescue, 20665 S.W. Blanton St., Aloha, OR 97007.

The guide describes a method of functionally consolidating or merging two or more fire departments.

It is based on personal experience and documentation provided by others involved in the consolidation of the Oregon departments referred to in this article. □

Sprinklers Spur Savings as Part of Economic Fire Protection

Fire sprinklers can mean direct savings to both individuals and communities which use them as part of a comprehensive strategy for managing economic fire protection.

These savings come in the form of decreased building costs, insurance savings, tax deductions and reduced risk of business interruption and contents loss. But what few people realize is that sprinklers can also help communities spare costs of fire department operations as well as their costs in providing municipal water supply.

Jurisdictions spend a great deal of money training extra firefighters to be on hand to fill in for injured firefighters and those firefighters who are involved in complex, time consuming, fire-fighting operations. Often these firefighters are paid overtime salaries in order to maintain minimum staffing and complete fire protection for the community while others are fighting a large fire.

When fire sprinklers are installed in a building, any fire in that building will be quickly detected and suppressed or held in check until fire-fighting units arrive to extinguish it, and the fire is handled more quickly. Fire department units are placed back in service quickly, and additional units are unnecessary.

If a total community were sprinklered, there would be measurable decreases in fire department budgets since every structural fire would be



shorter and less stressful. Since stress and stress-related injuries are the most frequent causes of firefighter injuries and fatalities, anything done to reduce them is a budget saver.

Sprinkler systems also reduce the number of new fire stations needed to keep up with population growth. A new fire station can cost millions of dollars to build and equip. Staffing these stations costs even more. When whole developments are sprinklered, the fire department can afford to be an additional minute or two away.

This increase in allowable travel distance can often save a community from having to build more stations.

Fire devastates individuals and businesses, often with repercussions throughout the community. Statistics show that the vast majority of businesses that experience a serious fire never open their doors again. This makes for increased unemployment and loss of sales tax revenues.

Fire sprinklers limit damage, minimize losses to people and property, and shorten the time for reoccupation.

In the '60s and '70s, Fresno, Calif., embarked on a project to add sprinklers to its downtown area. By 1979 more than 96 percent of the floor area downtown was sprinklered. Fire losses in this section for a 10-year-period averaged only \$795 per fire, well below the national average of \$4,000 per fire.

During this 10-year period, the city grew from 42 square miles to 60 square miles, covering a population exceeding 210,000. Throughout expansion, the fire department was able to reorganize and handle the additional demands without adding a single position or fire station to the department.

In recognizing the savings of sprinklers, Alaska gives any building owner a 2 percent rebate in property taxes for having a fire sprinkler program, and has determined that the savings involved more than outweigh the lost revenues. □