

## Questions Regarding Sonoma County EOA Extension 2018

*Submitted to County of Sonoma Staff at the March 19<sup>th</sup>, 2018 EMS System Development and Improvement Workgroup Meeting*

1. Prior to March 4, 2018 did anyone from the County of Sonoma and/or CVEMSA formally, or informally, request an extension of the current EOA Contract from California EMSA? *Yes* If yes,
  - a. Who made that request and under what authority?  
*Dr. Karen Milman directed Coastal Valleys EMS Agency (CVEMSA) Administrator Bryan Cleaver to initiate an informal conversation with the California EMS Authority (EMSA.)*
  - b. Who else was the request discussed with before, or after, it was made?  
*The request was discussed prior to and following with the RFP Admin team (Dr. Milman, Dr. Karen Holbrook, Mike Williams, Consulting for DHS/CVEMSA, EMS Coordinator James Salvante and Bryan Cleaver).*
  - c. What date and time was that request made?  
*No formal request has been made to date. The informal phone conversation was in December of 2017.*
  - d. Of whom was the request made?  
*No formal request has been made to date. The informal phone conversation was between Bryan Cleaver and Tom McGinnis with EMSA.*
  - e. How was the request made (email, letter, phone, text message, etc.)?  
*No formal request has been made to date. The informal phone conversation was between Bryan Cleaver and Tom McGinnis with EMSA.*
  - f. Was that request responded to?  
*No formal request has been made to date. This was a preliminary phone conversation in which Tom McGinnis.*
    - i. How was the request responded to (email, letter, phone, text message, etc.)?
    - ii. What was the response to the request? *Details of the conversation have been provided in the narrative below.*
    - iii. Was any supporting documentation or authority cited in responding to the request?
    - iv. Who was notified of the response? *The RFP Admin team, Sonoma County leadership, and stakeholders.*
  - g. Who is currently in possession of the documents related to the request and the response?  
*This was a preliminary phone conversation and did not include a formal submission of documentation or a documented response.*

### *Narrative:*

*In December 2017 when the RFP Admin team met, (at that time it was Dr. Karen Milman, Mike Williams, James Salvante, Bryan Cleaver, and Dr. Karen Holbrook), the team discussed the need to begin the Stakeholder workgroup meetings that had been placed on hold during the October 2017 fires. We agreed that we should begin looking at a schedule that would initiate the stakeholder process in February 2018.*

*The team also discussed the need to possibly extend the existing contract and Bryan Cleaver was directed by Dr. Milman to have an informal conversation with EMSA to determine the possibility of an extension.*

*Following that meeting Bryan Cleaver had a phone conversation with Tom McGinnis with EMSA. In that conversation Bryan Cleaver asked directly if Sonoma County could have an extension of the existing EOA contract. Mr. McGinnis' answer was "No, with a caveat". Mr. McGinnis explained that personally he was unaware of any precedent having been set by another county in extending an agreement beyond the terms included in an original RFP, following a significant disaster event.*

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*Mr. McGinnis also stated the he was unaware of law that would allow for state-granted immunity (without an RFP process) and that could likely result in a denial of an extension request. Mr. McGinnis was uncertain whether EMSA had the authority to provide immunity outside of the provisions of California Health and Safety Code §1797.224 and questioned whether or not an extension could place the County at risk. Mr. McGinnis did acknowledge that Sonoma had endured a catastrophic event that may be worthy of special considerations. Mr. McGinnis also explained that he is not the ultimate decision maker and advised Sonoma County to submit a formal request to receive a formal answer if an extension was truly needed.*

*In January 2018 the Admin team met again to discuss the preliminary information provided by EMSA. Dr. Milman asked the group if we had sufficient time to conduct an RFP process within the current time frame of the existing contract. EMS staff and consultant felt the time remaining would be sufficient if only minor changes to the current system were contemplated by stakeholders. The group also felt if a complete system reassessment and redesign were desired by stakeholders the time remaining would not be sufficient for the process.*

*The Admin team also felt it was important to resume the stakeholder input meetings to determine the desire of the system partners in regard to an extension. Dr. Milman then directed staff not to submit a formal request to EMSA for a contract extension at that point in time. Dr. Milman explained that she would share the most current information available with county leadership and ask for further leadership direction. Around the time the Admin team was deliberating the advisability of asking for an extension, the Admin team received a direct request by Supervisor Hopkins asking that the EOA contract be extended. In accordance with DHS policy staff did not bypass chain-of-command in communicating directly with county leadership, and staff was reminded to await further direction pending discussions at the leadership level.*

*In the January EMCC meeting there was discussion again on the potential for a contract extension. Staff provided the information that was available to them at that time.*

*When the Stakeholder workshops began in February there appeared to be increased interest in pursuing a contract extension on the part of the stakeholders. Also at this time the RFP Admin team was in transition. Dr. Holbrook had announced a leave of absence and Dr. Milman announced her pending departure from the County. The Admin team began to assemble an alternate team representation that included Bryan Cleaver, Rod Stroud, Ellen Bauer, Mike Williams, James Salvante, and Chris Thomas.*

*The revised Admin team, having conducted the first stakeholder meetings, made a recommendation to the DHS Director to schedule a conference call with EMSA. The intent of this call was to begin the process of submitting a formal request for contract extension. The Director scheduled this meeting for March 26<sup>th</sup> and included an invite to stakeholders to participate.*

- 2. After March 4, 2018 has there been any discussion or planning by anyone at the County of Sonoma and/or CVEMSA to formally request an extension of the current EOA Contract from the California EMSA? Yes, a significant amount of activity occurred leading toward the March 26<sup>th</sup> conference call with EMSA which also included stakeholder participation.*

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- a. Who has been involved in those discussions? *County of Sonoma Leadership, CVEMSA, and stakeholders.*
- b. What steps have been discussed, planned, or executed? *The Admin team and stakeholders will craft language which clearly describes the need for a contract extension. CVEMSA will revise the EMS Plan that will formally extend the contract if approved.*
- c. Has any communication occurred between personnel from the County of Sonoma, CVEMSA or anyone working under the authority or direction of the County of Sonoma and/or CVEMSA and California EMSA? If yes, *Yes, this the meeting on March 26.*
  - i. Who was involved in that communication and under what authority? *County of Sonoma, stakeholders, and CVEMSA.*
  - ii. What is the content and extent of that communication? *We received direction on how to proceed with a formal request.*
  - iii. What date(s) and time(s) did such communication occur (email, letter, phone, text message, etc.)? *Conference call on March 26<sup>th</sup>.*
- d. Has any documentation been provided to, or received from, California EMSA by anyone from the County of Sonoma and/or CVEMSA regarding an extension to the EOA Contract? *No, it was explained by EMSA during the meeting on the 26<sup>th</sup> what would be required to submit a formal request for extension.*
  - i. Who provided, or received, such documentation?
  - ii. What documentation was provided or received?
  - iii. How was that documentation provided (email, letter, phone, text message, etc)?
  - iv. Who provided (before), or was provided (after), such documentation?
- e. Are there any planned meetings, conference calls or the like scheduled with California EMSA or amongst County of Sonoma and/or CVEMSA personnel regarding the extension of the EOA Contract? *This was the intent of the meeting on March 26<sup>th</sup>, this should continue to be an agenda item in upcoming stakeholder input meetings.*
  - i. When? *Please see the narrative below for detail on the internal communication that took place between March 4<sup>th</sup> and March 19<sup>th</sup> 2018*
  - ii. What is the purpose of such? *Please see the narrative below for detail on the internal communication that took place between March 4<sup>th</sup> and March 19<sup>th</sup> 2018*
  - iii. Who is scheduled to participate? *Please see the narrative below for detail on the internal communication that took place between March 4<sup>th</sup> and March 19<sup>th</sup> 2018*

*After March 4, 2018 and up to the stakeholder meeting on March 19, 2018 there were discussions and planning related to requesting an extension of the current EOA contract. The following is a chronological recap of those activities which, unless noted specifically otherwise, occurred under the general authority of staff carrying out work within their scope. Additional information is also included here, while not specifically requested above, to reflect what was shared at the March 19, 2018 stakeholder meeting in an effort to be responsive to a more generally stated request to try to understand what has been done thus far.*

*Following the March 5, 2018 stakeholder meeting, Chris Thomas, James Salvante, Greg Mortenson and Theresa Lombardi, of County staff discussed after meeting action steps that were needed. Mike Williams of Abaris Group, Steve Akre, and Bill Bullard were also present for some of the conversation. Germane to the pursuit of an extension request, Chris mentioned that he would be meeting with a representative of AMR on*

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*On March 6, Chris Thomas met with an AMR Representative and learned that a formal request for consideration of an extension should be addressed to Tom Wagner and Sharon Henry of AMR. Informally, the representative said that AMR would likely be interested in the extension remaining exclusive and potentially looking at some changes in some of the financial provisions. Chris recapped that discussion via email for the same staff members and Mike Williams as had received the 3/5/18 recap. In that email, Chris suggested that the formal request letter to AMR be from Barbie or Bryan, should be sent soon, and to consider asking about different extension periods: 6 months, 1 year, and 2 year. Chris offered to draft such a letter if that would help. Bryan accepted that offer by reply email.*

*On March 7, Chris provided Bryan and James with a draft letter to request AMR's formal response to possible extension.*

*On March 8, Supervisor Lynda Hopkins exchanged emails with Barbie Robinson (copying Chris) inquiring about the status of a request for extension, learning that staff was working on getting a meeting set with the state, and including the Supervisor's request to let her know if there was anything she could do to support the effort.*

*On March 9, Chris, James, Mike, and Bryan met for internal project coordination and noted that a meeting had been set with the state on 3/26, the earliest the state was were available, to discuss an extension request. Attendees were to be Chris, Barbie, Rod Stroud, Jeff Berk with County Counsel's office, Bryan and James. James and County Counsel were still discussing the best legal approaches but generally were thinking that the first step, after 3/26, would be to send a formal request to approve an amendment to the agreement between CVEMS and AMR. Bryan and Barbie were working on finalizing the letter to AMR and it was sent out later on March 9. Later Chris exchanged emails with Supervisor Hopkins (with copies to Barbie, Susan Upchurch in Supervisor Hopkins office, Sheryl Bratton, and Christina Rivera, CAO and Asst. CAO respectively) updating her on the status of the project in general, the progress to date with AMR, that staff was discussing approaches with Counsel, and that the meeting date had been set with the state. Supervisor Hopkins requested to attend the meeting, if her schedule worked and mentioned wanting to secure letters of support from our state legislators. An offer to provide the first draft of those support letters was accepted.*

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*On March 12, Chris emailed the full internal project team regarding Supervisor Hopkins' request to attend the meeting with the state and the draft letters of support and emails were exchanged with Barbie Robinson (copying Linda Low in her office) and James Salvante on logistics for the 3/26 meeting.*

*On March 13, Barbie, Rod, Chris, Bryan and James met on the project and continued discussing logistics for the 3/26. Chris exchanged emails with Supervisor Hopkins (copying county staff from project team and CAO and Susan Upchurch) to see if she wanted the meeting, held by conference call, to be rescheduled since she had a calendar conflict and requested opportunity for staff to meet with her before the state meeting. Susan Upchurch was designated to be on the call in Supervisor Hopkins' place.*

*On March 14, emails were exchanged among internal project staff (as listed above) with respect to a draft of a potential support letter for legislators.*

*On March 15, Chris met with Supervisor Hopkins to give her an update on the development of the draft support letter for legislators and a subsequent meeting with project internal staff and Supervisor Hopkins was scheduled for March 22 to provide her with the latest (e.g. any word from AMR and any other developments) before the 3/26 conference call with state staff. Chris also updated Sheryl Bratton on discussions regarding the extension request and the potential need to take something to the full Board to seek legislator assistance sometime after the conversation with the state staff.*

*On March 16, James, Chris, Bryan and Jeff Berk, Deputy County Counsel, met and discussed legal matters with respect to the extension request and then finalized the draft support letter for the legislators via email. Chris emailed the draft support letter communication to Supervisor Hopkins copying the internal project staff as well as Sheryl Bratton, Christina Rivera, and Marissa Montenegro of the CAO.*