



Office of the City Manager

CONSENT CALENDAR
June 30, 2026

To: Honorable Mayor and Members of the City Council
 From: Paul Buddenhagen, City Manager
 Submitted by: David Sprague, Fire Chief
 Subject: Contract: Extension of Emergency Medical Services Agreements with the County of Alameda

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute up to three one-year extensions of the following contracts, exercisable by mutual agreement of the City and Alameda County:

1. Emergency Medical Services First Responder Advanced Life Support (FRALS) Services Agreement between the City of Berkeley and the County of Alameda; and
2. Emergency Medical Services Ambulance Transport Services Agreement between the City of Berkeley and the County of Alameda.

FISCAL IMPACTS OF RECOMMENDATION

Approval of the proposed agreement extensions will not require any additional appropriation of funds and may result in a reduction in the City's cost of delivering psychiatric transport services.

CURRENT SITUATION AND ITS EFFECTS

This item advances the Strategic Plan goal to create a resilient, safe, connected, and prepared city.

Extension of Agreements:

The agreements establish service expectations, performance standards, quality improvement processes, reporting requirements, and operational coordination for the City's FRALS and ambulance transport programs.

The City of Berkeley and the County of Alameda entered into these agreements effective July 1, 2019. The agreements were extended to June 30, 2026, by both parties on June 17, 2024.

The 2024 extensions were signed while the County evaluated future EMS system arrangements and completed a procurement process for countywide emergency medical services delivery. This process is now expected to take up to an additional three years, and the County has proposed extensions to both agreements while that process unfolds. This will ensure continuity of service and administrative stability while longer-term planning efforts continue. Staff propose authorizing up to three additional one-year extension options, to maintain continuity and stability within the EMS system while long-term system planning and contracting activities continue.

Psychiatric Ambulance Transport:

The City and County are currently engaged in discussions regarding responsibility for the transportation of people experiencing psychiatric emergencies who are placed on a hold pursuant to California Welfare & Institutions Code section 5150 (hereinafter, "5150 transportation services").

The first one-year extension will allow the City and County to continue discussions that may result in County reimbursement for 5150 transportation services performed by the City or alternative service delivery models under which the County may directly provide or arrange for these transports. Approval of the proposed agreement extensions would preserve the existing contractual framework while those discussions continue, with the aim of incorporating changes to the reimbursement structure for 5150 transportation services in the next contract extension.

Effective January 1, 2026, local agencies are required to satisfy notice requirements for certain contracts for services that meet the criteria outlined in Government Code Section 3504.1 as amended by AB 339. This project does not meet the criteria in Government Code Section 3504.1 and is exempt from the noticing requirement.

BACKGROUND

The City of Berkeley has provided emergency medical first response and ambulance transport services within the community for many years.

Ambulance Transport:

Alameda County EMS is responsible for the procurement of emergency ambulance services for the local EMS system as a whole. The Berkeley Fire Department has been the emergency transport provider for Berkeley since 1977. Since 1986, the Berkeley Fire Department (Department) has provided ambulance transport services at the Advanced Life Support (ALS) or paramedic level. Albany, Piedmont, Alameda City, and Falck serve as the ambulance transport providers for other parts of Alameda County. Under the current agreement, all transport providers, including Berkeley, participate in the Alameda County Emergency Medical Services District.

As background, in 1980, the California Legislature enacted the EMS Act “to achieve coordination and integration” for the prehospital emergency medical services system.¹ The EMS Act establishes a two-tiered system of regulation, with the California Emergency Medical Services Authority at the state level and local EMS agencies, such as the Alameda County local EMS agency (“Alameda LEMSA”), at the local level.²

The EMS Act provides that the local EMS agency is responsible for: (1) planning, implementing, and evaluating an emergency medical services system “consisting of an organized pattern of readiness and response services based on public and private agreements and operational procedures” (§ 1797.204); (2) developing a formal plan for the system in accordance with the state’s guidelines and submitting the plan on an annual basis (§§ 1797.250, 1797.254); and (3) coordinating and otherwise facilitating arrangements necessary to develop the emergency medical services system” (§ 1797.252). Once a local EMS agency implements its system, all providers of prehospital emergency medical services within its jurisdiction must operate within that system. (See § 1797.178 [“No person or organization shall provide advanced life support or limited advanced life support unless that person or organization is an authorized part of the emergency medical services system of the local EMS agency....”].)

Despite the Act’s focus on consolidating and coordinating services through local EMS agencies, it also carved out a continued role for cities and fire districts that historically operated EMS services, such as the City of Berkeley. It did so through the adoption of section 1797.201 of the Act, which permits cities like Berkeley to continue operating EMS services within their boundaries. It states, in relevant part:

[Unless a city or fire district consents through agreement or waiver³], prehospital emergency medical services shall be continued at not less than the existing level, and the administration of prehospital EMS by cities and fire districts presently providing such services shall be retained by those cities and fire districts.

This provision provided for “a grandfathering of existing emergency medical service operations [by cities or fire districts] until such time as these services are integrated into the larger EMS system. The purpose of this grandfathering provision was to ‘allow such entities to protect the investments they had already made in various assets— emergency medical equipment, infrastructure, personnel, etc.’, as well as to ensure against the disruption of adequate emergency medical services.”⁴ Under Section 201, the Department has consistently operated EMS services within the City of Berkeley as a grandfathered entity within the local EMS system. Cities like Berkeley are often referred

¹ *County of San Bernardino v. City of San Bernardino* (1997) 15 Cal. 4th 909, 915.

² *Ibid.*

³ *Id.* at 924; Health & Saf. Code § 1797.201.

⁴ *Valley Med. Transp., Inc. v. Apple Valley Fire Prot. Dist.* (1998) 17 Cal. 4th 747, 758.

to as “201 cities,” after the section of the EMS Act that authorized their continued operation as EMS service providers.

Within the City of Berkeley, the Department is the sole entity authorized under state law to provide EMS transports. Within its boundaries, any other ambulance that arrives and discovers that a patient appears to have a medical emergency is required to call 9-1-1, so that the Department or a subcontractor to the Department, can transport the patient.⁵ With the exception of the Department or a provider subcontracted to the Department, no private ambulance company or other entity is an authorized provider of EMS within the City of Berkeley.⁶

The EMS Act defines “emergency medical services,” as “services utilized in responding” to “a condition or situation in which an individual has a need for immediate medical attention, or where the potential for such need is perceived by emergency medical personnel or a public safety agency.” (Health and Safety Code §§ 1797.72, 1797.90.) This is reinforced by ordinance adopted by Alameda County that defines a 9-1-1 level of service, which includes “a 9-1-1 request for an ambulance to transport or assist persons in apparent sudden need of medical attention; or an ambulance transport that is initially classified as a non-emergency call that becomes a 9-1-1 emergency call due to a change in the patient's medical condition.”⁷

Psychiatric Transport:

Beginning in 2002, the private ambulance provider for the Alameda County exclusive operating area (EOA) provided transport for non-emergency mental and behavioral health patients in Berkeley and the other three local “201 cities.”

In 2017, the Alameda LEMSA conducted a Request for Proposal (No. EMS-901017 Emergency Ambulance Service, 911 Response, ALS Transport) to select a private ambulance transport provider that would provide emergency medical transport services to Alameda County except in the 201 cities of Berkeley, Alameda City, Albany and Piedmont. When the new contract for Alameda County went into effect on July 1st, 2019, the City was forced to assume responsibility for the transport and cost of transport for mental and behavioral health patients in Berkeley, as these services were removed from the RFP's scope by the LEMSA.

Berkeley Mental Health Transport Contract History:

On March 21, 2019, a Request for Proposal (RFP) for Mental Health Patient Transport, Specification No. 19-11305-C, was issued by the City of Berkeley. The RFP closed on

⁵ Alameda County Ordinance §§ 6.114.060(A), 6.114.270(B).

⁶ Health & Saf. Code § 1797.178.

⁷ Alameda County Code of Ordinances § 6.114.050

April 23, 2019. One (1) bid was received and reviewed by staff and was found to meet the requirements of the RFP and the contract was awarded to Falck Northern California. This contract expired on December 31, 2024.

On April 15th, 2024, a Request for Proposal (RFP) for Mental Health Patient Transport, Specification No. 24-11662-C, was issued. The RFP closed on May 7th, 2024, with three (3) bids that were received and reviewed by staff. Royal Ambulance was found to be the most responsive bidder and became the City's new 5150 transport provider. Royal has been providing psychiatric transport services for the City since January 1, 2025.

Although, since 2019, the Department has pursued reimbursement from patients for providing 5150 transportation services, where possible, the City is generally unable to recover the full cost of providing these transports.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The proposed action is administrative in nature and consists solely of extending existing agreements governing emergency medical services.

Accordingly, there are no direct environmental sustainability or climate impacts associated with approval of the proposed extensions.

RATIONALE FOR RECOMMENDATION

The proposed extensions provide continuity and predictability for the delivery of emergency medical services within the City while maintaining the existing operational, quality assurance, and reimbursement framework established under the current agreements.

The extensions avoid unnecessary disruption to established EMS system relationships, preserve existing ambulance transport revenue mechanisms, maintain consistency with County EMS policies and procedures, and allow the County additional time to evaluate long-term EMS system arrangements, including for 5150 transportation services.

ALTERNATIVE ACTIONS CONSIDERED

Alternative 1: Decline to extend the agreements.

This alternative was not recommended because it would eliminate the existing contractual framework governing coordination between the City and Alameda County and could create uncertainty regarding future EMS system operations, performance standards, reporting requirements, and ambulance transport reimbursement.

Alternative 2: Negotiate substantive revisions to the agreements at this time.

This alternative was not recommended because the County's objective is to maintain continuity during the extension period while broader EMS system planning and procurement activities continue.

CONTACT PERSON

David Sprague, Fire Chief, (510) 981-3473

Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

CONTRACT: EXTENSION OF EMERGENCY MEDICAL SERVICES AGREEMENTS
WITH THE COUNTY OF ALAMEDA

WHEREAS, the City of Berkeley has provided emergency medical first response and ambulance transport services within the community for many years; and

WHEREAS, the City of Berkeley and the County of Alameda entered into an Emergency Medical Services First Responder Advanced Life Support Services Agreement and an Emergency Medical Services Ambulance Transport Services Agreement effective July 1, 2019; and

WHEREAS, the agreements establish service expectations, performance standards, quality improvement processes, reporting requirements, and operational coordination for the City's emergency medical response and ambulance transport programs; and

WHEREAS, the County of Alameda and participating emergency medical service providers extended both agreements through June 30, 2026, to provide continuity while the County evaluated future emergency medical services system arrangements and completed a countywide emergency medical services procurement process; and

WHEREAS, the County has advised participating agencies that additional time is needed to complete long-term emergency medical services system planning and implementation activities and has requested an additional extension of the agreements; and

WHEREAS, the City and County are currently engaged in discussions regarding responsibility for and funding of transportation services for individuals detained pursuant to California Welfare and Institutions Code section 5150, including potential reimbursement mechanisms and alternative service delivery models that may reduce the City's unreimbursed costs associated with those transports; and

WHEREAS, extending the agreements will maintain continuity of emergency medical services operations, preserve existing operational and reimbursement frameworks, and allow the City and County to continue discussions regarding psychiatric transportation services while broader emergency medical services system planning continues; and

WHEREAS, this contract is exempt from the noticing requirements set forth in Government Code Section 3504.1.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute up to three one-year extensions of the Emergency Medical Services First Responder Advanced Life Support Services

Agreement with the County of Alameda and the Emergency Medical Services
Ambulance Transport Services Agreement with the County of Alameda.