



**AGENDA NO: 7.e**

**MEETING DATE: June 25, 2024**

# Staff Report

**TO: Honorable Mayor and City Council**

**DATE: June 5, 2024**

**FROM: Daniel McCrain, Fire Chief**

**SUBJECT: Adopt Resolution No. 44-24 Revising the Terms of the City's Reimbursement Agreement with the California Governor's Office of Emergency Services to add the Deputy Chief and Seasonal Firefighter Job Classifications**

## **RECOMMENDED ACTION**

Adopt Resolution No. 44-24 rescinding and replacing Resolution No. 62-21 and revising the terms of the City's reimbursement agreement to include the classifications of Deputy Chief and Seasonal Firefighter.

## **ALTERNATIVES**

Take no action. This would prevent the positions of Deputy Chief and Seasonal Firefighter from receiving reimbursement from the California Governor's Office of Emergency Services, Fire Rescue Division.

## **FISCAL IMPACT**

The recommended action will have a positive fiscal impact on the City. The fiscal impact varies depending on hours committed to Mutual Aid Assignments. The wages paid to classified employees are reimbursed at their actual rate of pay by the California Office of Emergency Services ("OES") Mutual Aid Agreements. An additional 21.967% administrative fee is paid to the City for all hours reimbursed. Portal to portal pay would result in a larger administrative fee than direct hours worked. This administrative fee contributes to the Departments operating budget for equipment replacement. The salary schedule on file with the State of California is updated each time there is a salary adjustment within our department.

## **BACKGROUND**

Fire Department response personnel in Resolution No. 62-21 included Fire Chief, Division Chief, Fire Marshal, Fire Captain Paramedic, Engineer, Engineer Paramedic, Firefighter, Firefighter Paramedic, Reserve Engineer, Reserve Firefighter, and Seasonal Firefighter. This resolution was in place before the creation of the Deputy Chief or Seasonal Firefighter ranks at the Morro Bay Fire Department. The Division Chief/ Fire Marshal position is changing the title to Deputy Chief to better align with the actual job duties performed by this position. We are also adding the position of Seasonal Firefighter since we have transitioned from Reserve Firefighters. Having a resolution that describes all titles and

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City Manager Review: YK

City Attorney Review: LNL

positions is essential for proper reimbursement from OES for mutual aid responses.

## **DISCUSSION**

The compensation of a classified employee at "Portal to Portal" means that the employee is paid from the time they depart their home station for a Mutual Aid assignment until the time that they return to their duty station. They are compensated for all hours away from home assisting the State Mutual Aid System. The employee's salary during this assignment is reimbursed at an agreed upon rate equal to the employees' actual rate of pay. The employee will be paid at either an overtime rate or straight time rate depending on each individual Memorandum of Understanding or contract.

Since the creation of a Deputy Chief classification within the Morro Bay Fire Department occurred, there must be a resolution adding this position for the State to reimburse the Department at the appropriate pay scale. Traditionally Management, overtime exempt employees are compensated overtime pay in addition to their base salary under these agreements because participation in the Mutual Aid System is above and beyond the scope of their normal contractual duties. This is important because unlike performing additional duties at home as expected of managers, these employees are committed away from home for an extended period of time performing a specialized task necessary to the successful mitigation of an incident.

The State OES reimbursement is to eliminate any financial burden of the employee's agency by allowing participation in the Mutual Aid System without encumbering any additional costs. These agreed upon rates provide a framework to compensate these highly trained and experienced managers for their participation in these crucial Emergency Management roles during Mutual Aid incidents. The advancement of digital technology has made it possible for executive employees to continue performing a majority of their assigned City duties while assigned to these Mutual Aid assignments further reducing the impact on City operations.

## **CONCLUSION**

Adding the Deputy Chief and Seasonal firefighter job classifications to the resolution ensures that the City of Morro Bay will be reimbursed at an appropriate pay rate for any time the Deputy Chief or Seasonal Firefighters are assigned to a Mutual Aid incident. There is no additional financial burden to the City or Fire Department. Portal to Portal pay is the standard compensation because the employee is away from their home station and tasked with additional duties for the greater good of the State Mutual Aid System to manage large or complex incidents.

## **ATTACHMENT**

1. Resolution No. 44-24