

**RESOLUTION NO. 44-24**

**RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MORRO BAY, CALIFORNIA  
IDENTIFYING THE TERMS AND CONDITIONS FOR FIRE DEPARTMENT  
RESPONSE AWAY FROM THEIR OFFICIAL DUTY STATION AND  
ASSIGNED TO AN EMERGENCY MUTUAL AID INCIDENT AND  
RESCINDING RESOLUTION NO. 62-21**

**THE CITY COUNCIL  
City of Morro Bay, California**

**WHEREAS**, the City of Morro Bay Fire Department is a public agency located in the County of San Luis Obispo, State of California; and

**WHEREAS**, it is the City of Morro Bay's desire to provide fair and legal payment to all its employees for time worked; and

**WHEREAS**, the City of Morro Bay Fire Department has in its employ designated Fire response personnel as follows: Fire Chief, Deputy Chief, Division Chief, Fire Marshal, Fire Captain, Fire Captain Paramedic, Engineer, Engineer Paramedic, Firefighter, Firefighter Paramedic, Reserve Engineer, and Reserve Firefighter; and

**WHEREAS**, the City of Morro Bay Fire Department desires to add the positions of Deputy Chief and Seasonal Firefighter to designated Fire response personnel; and

**WHEREAS**, the City of Morro Bay will compensate its employees portal to portal while in the course of their employment and away from their official duty station and assigned to an emergency incident, in support of an emergency incident, or pre-positioned for emergency response; and

**WHEREAS**, the City of Morro Bay will seek reimbursement for qualifying mutual aid responses such that all City Costs, including but not limited to personnel, apparatus, equipment, and administrative costs, incurred in connection with qualifying mutual aid responses do not have a net negative impact on the City's financial position.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the City Council of the City of Morro Bay, California, as follows:

1. Resolution No. 62-21 is hereby rescinded.
2. Personnel shall be compensated according to Memorandum of Understanding (MOU), Personnel Rules and Regulations, and/or other directive that identifies personnel compensation in the workplace.
3. In the event a personnel classification does not have an assigned compensation rate, a "Base Rate" as set forth in an organizational policy, administrative directive or similar document will be used to compensate such personnel.
4. The City of Morro Bay Fire Department will maintain a current salary survey or acknowledgement of acceptance of the "base rate" on file with the California Governor's Office of Emergency Services, Fire Rescue Division.
5. All personnel will be compensated (portal to portal) beginning at the time of dispatch to the

return to jurisdiction when equipment and personnel are in service and available for agency response.

6. Fire Department response personnel include: Fire Chief, Deputy Chief, Division Chief, Fire Marshal, Fire Captain, Fire Captain Paramedic, Engineer, Engineer Paramedic, Firefighter, Firefighter Paramedic, Reserve Engineer, Reserve Firefighter, and Seasonal Firefighter.
7. The Fire Chief, Deputy Chief, and Division Chief, as FLSA-exempt employees, shall be compensated at their base hourly wage, when providing such emergency response services. All other classified response personnel shall be eligible for overtime compensation when providing such emergency response services, in accordance with personnel rules and regulations, their current Memorandum of Understanding, and all other applicable state and federal laws.

**PASSED AND ADOPTED** by the City Council of the City of Morro Bay at a regular meeting thereof held on the 25<sup>th</sup> day of June 2024 on the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:  
RECUSE:

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CARLA WIXOM, Mayor

ATTEST:

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DANA SWANSON, City Clerk