



Council Agenda Report

From: Jonathan Stornetta, Fire Chief

Subject: Affirmation of Emergency Response Reimbursement – Mutual Aid

CEQA Determination: The City finds that this action is not a project under the California Environmental Quality Act pursuant to State CEQA Guidelines §§ 15060, subd. (b)(2)-(3), 15378.

Date: April 18, 2023

Facts

1. Employees of the City of Paso Robles Fire and Emergency Services participate in emergency responses both within and outside its area of jurisdiction; this is commonly referred to as “mutual aid.”
2. Participation in these emergency responses is made possible only by working employees beyond their normal work hours.
3. The City’s obligation is to compensate employees at the overtime rate when working them beyond their normal work hours and providing portal-to-portal pay when committed to emergency responses outside of the jurisdiction.
4. On August 6, 2019, City Council approved [Resolution 19-078](#), the authorization of portal-to portal pay and overtime for the classifications of Fire Chief, Fire Battalion Chief, Fire Captain/Paramedic, Fire Captain/EMT, Fire Engineer Paramedic/Fire, Engineer/EMT, Firefighter/Paramedic, and Firefighter/EMT.
5. On September 7, 2021, City Council approved [Resolution 21-131](#), affirming those positions and authorizing the Police Commander, Police Sergeant, and Fire Protection Specialists to be added to the list of classifications receiving the portal-to-portal compensation.
6. Since 2021, the Fire and Emergency Services Department has expanded and added several additional positions. As a result, staff requests that the Deputy Chief, Fire Protection Specialist I, and Fire Protection Specialist II be added to the resolution affirming overtime and portal-to-portal pay.

Options

1. Take no action;
2. Affirm the classifications of Fire Chief, Deputy Fire Chief, Fire Battalion Chief, Fire Captain/Paramedic, Fire Captain/EMT, Fire Engineer/Paramedic, Fire Engineer/EMT, Firefighter/Paramedic, Firefighter/EMT, Fire Protection Specialist I, and Fire Protection Specialist II to receive portal-to-portal pay and overtime consistent with the classifications Memorandum of Understanding;
3. Provide alternative direction to staff.

Analysis and Conclusions

As required by law, the City pays its non-exempt employees for all work hours, including travel time to and from out-of-county mutual aid assignments. Participation in these mutual aid assignments must be covered by off-duty firefighters compensated at the one and one-half time (overtime) rate. This is consistent with State and Federal wage laws and is also referenced in the group’s Memorandum of Understanding (MOU).

Fiscal Impact

Filing a local resolution with the State will allow the City to be eligible for portal-to-portal/overtime pay, enabling the City to receive full reimbursement.

CEQA Determination

The City finds that this action is not a project under the California Environmental Quality Act pursuant to State Guidelines Section State CEQA Guidelines, §§ 15060, subd. (b)(2)-(3), 15378.

Recommendation

Approve Resolution 23-XXX, affirming the classifications of Fire Chief, Deputy Fire Chief, Fire Battalion Chief, Fire Captain/Paramedic, Fire Captain/EMT, Fire Engineer/Paramedic, Fire Engineer/ EMT, Firefighter/Paramedic, Firefighter/EMT, Fire Protection Specialist I, and Fire Protection Specialist II to receive portal-to-portal pay and overtime consistent with the classifications Memorandum of Understanding.

Attachments

1. Resolution 23-XXX