



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Robert Sapien, Jr.

SUBJECT: See Below

DATE: October 7, 2024

Approved  Date: 10/16/24

COUNCIL DISTRICT: Citywide

SUBJECT: Resolution to Define the Terms and Conditions Requiring Allowable Fire Department Personnel Hours to be Reassigned to Mutual Aid Events

RECOMMENDATION

Adopt a resolution identifying the terms and conditions that require allowable Fire Department personnel hours for portal-to-portal coverage to be reassigned to mutual aid events.

SUMMARY AND OUTCOME

The Fire Department requests the adoption of a resolution that defines allowable personnel hours for portal-to-portal coverage for the purpose of receiving reimbursement from the State of California and/or federal agencies. Portal-to-portal coverage is defined as the entire time of commitment, beginning at the time of initial dispatch from home base through the time of return to home base. The resolution will ensure that the City is positioned to recover the costs incurred when the Fire Department’s personnel are deployed to mutual aid events.

BACKGROUND

The California Governor’s Office of Emergency Services serves as the agent between local government fire departments and state and federal agencies that request mutual aid response. The California Governor’s Office of Emergency Services is responsible for providing systematic mobilization, organization, and operation of necessary fire and rescue resources through the California Fire and Rescue Mutual Aid System, mitigating the effects of disasters and ensuring that the responding agencies understand and comply with the terms and conditions of the agreement applicable to their response.

Financial reimbursement for local agency fire departments' mutual aid response is outlined in the California Fire Assistance Agreement.

ANALYSIS

It is the intent of the signatories to the California Fire Assistance Agreement to reimburse California Fire and Rescue Mutual Aid System agencies for the accrued financial liability for the cost of assisting the State of California and federal fire agencies. The rates, methodologies, and formulas in the agreement are intended to provide for such costs. The reimbursement shall be consistent with the California Fire and Rescue Mutual Aid System agency's normal internal business practices and any existing memorandum of understanding (MOU)/memorandum of agreement (MOA), governing body resolution, or equivalent, which supports those business practices.

When the duration of a mutual aid response exceeds 12 hours, or four hours for the Department of Interior, local agencies need to have an existing MOU/MOA, governing body resolution, or resolution with language including portal-to-portal coverage. Under the California Fire Assistance Agreement, portal-to-portal coverage is defined as the entire time of commitment, beginning at the time of initial dispatch from home base through the time of return to home base.

For the City to receive reimbursements to include portal-to-portal coverage, the City needs to update its reimbursement documentation. In lieu of an MOU/MOA containing portal-to-portal language, the California Governor's Office of Emergency Services will accept a governing body resolution to adopt the portal-to-portal compensation agreement for specific classifications.

Adoption of the resolution secures the City's ability to be reimbursed for portal-to-portal coverage. If no such resolution is adopted, the City will only be reimbursed for actual hours worked on-site of a mutual aid response; the City will not be eligible to seek reimbursement for portal-to-portal coverage. The resolution, if approved, will have no expiration date. The resolution will be a valid standing document unless the City makes specific changes, e.g., updates to the personnel approved for mutual aid deployments.

EVALUATION AND FOLLOW-UP

No follow-up is needed for this item.

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COORDINATION

This memorandum was coordinated with the City Attorney's Office and City Manager's Budget Office.

PUBLIC OUTREACH

This memorandum will be posted on the City's Council Agenda website for the October 29, 2024 City Council meeting.

COMMISSION RECOMMENDATION AND INPUT

No commission recommendation or input is associated with this action.

CEQA

Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment.

PUBLIC SUBSIDY REPORTING

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.



ROBERT SAPIEN, JR.
Fire Chief, Fire Department

For questions, please contact Athena Trede, Deputy Director, Fire Department, at athena.trede@sanjoseca.gov or (408) 794-6953.