

C-13

May 18, 2021

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a Resolution amending and replacing RES-15-0036 identifying the Terms and Conditions for Fire, Police, and Health and Human Services Departments responses to incidents outside of the jurisdiction when the City is compensated or reimbursed for such response. (Citywide)

DISCUSSION

Under the Statewide Disaster and Civil Defense Master Mutual Aid Agreement, the Long Beach Fire Department (LBFD) responds to requests from the State of California Office of Emergency Services (OES) to assist with fire and emergency rescue incidents outside of Long Beach. Responses are typically for wildfires within the state of California. Additionally, in past years, the OES has called upon LBFD's Urban Search and Rescue and Swiftwater Rescue Teams to assist in rescue and recovery efforts in the aftermath of hurricanes in Texas and Louisiana.

In such responses, LBFD compensates all personnel from the time they leave the City until the time they return. This is referred to as "portal to portal" compensation, including travel time, time spent working on the incident, and rest periods. Historically, the OES has reimbursed LBFD for all personnel and equipment costs incurred during this portal-to-portal period. LBFD participates in an annual salary survey from OES to ensure OES reimbursement is based on the most current rates.

In 2015, the OES advised all local agencies that they will reimburse only for actual hours worked on a mutual aid incident unless the local agency has a Resolution in place that memorializes its practice of compensating its employees on a portal-to-portal basis. Without the Resolution, OES will not reimburse for travel time and rest periods, even though the City would continue to incur these costs. On March 24, 2015, the City Council adopted a Resolution identifying the terms and conditions for LBFD response to incidents outside of Long Beach when the City is reimbursed for such response. Since then, employees of the Long Beach Police Department (LBPD) have also responded to requests to assist with incidents outside of Long Beach, primarily as members of an incident management team or in related positions. Similarly, certain employees of the Health and Human Services Department (Health Department) are qualified to serve on incident management teams or in related support positions on incidents outside of Long Beach. Therefore, the requested action will expand the Resolution to include LBPD, Health Department, and additional LBFD positions not included in the original Resolution who respond to such incidents outside of Long Beach.

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This matter was reviewed by Deputy City Attorney Sarah E. Green on April 19, 2021 and by Budget Management Officer Rhutu Amin Gharib on May 3, 2021.

TIMING CONSIDERATIONS

City Council action is requested on May 18, 2021, to ensure the City can continue to be reimbursed for the full costs of providing fire, emergency, and Incident Management Team services under the mutual aid system.

FISCAL IMPACT

In Fiscal Year 2020, the City incurred costs of \$2,853,860 in deploying staff to statewide mutual aid incidents, all of which will be reimbursed by OES. Without the requested Resolution, OES will only reimburse the City for a portion of the costs of future mutual aid deployments. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



XAVIER D. ESPINO
FIRE CHIEF



ROBERT G. LUNA
CHIEF OF POLICE



KELLY COLOPY
DIRECTOR
HEALTH AND HUMAN SERVICES

APPROVED:



THOMAS B. MODICA
CITY MANAGER

ATTACHMENT: RESOLUTION

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING AND REPLACING
RESOLUTION NO. RES-15-0036 IDENTIFYING THE TERMS
AND CONDITIONS FOR COMPENSATION RELATING TO
REIMBURSED LONG BEACH FIRE DEPARTMENT, POLICE
DEPARTMENT AND DEPARTMENT OF HEALTH AND
HUMAN SERVICES RESPONSES TO INCIDENTS OUTSIDE
OF THE JURISDICTION

WHEREAS, the Long Beach Fire Department, Police Department and
Department of Health and Human Services routinely respond to requests for assistance
to incidents outside the jurisdiction; and

WHEREAS, the request for resources to respond for assistance may be
through an "Assistance for Hire" arrangement; and

WHEREAS, the City of Long Beach may be compensated for resources
provided or reimbursed for response expenses through such agreements; and

WHEREAS, Long Beach Fire Department, Long Beach Police Department,
and Department of Health and Human Services personnel will be compensated for "portal
to portal" time, including travel time, working time at the incident, and rest time during the
response;

NOW, THEREFORE, the City Council of the City of Long Beach resolves as
follows:

Section 1. When the City of Long Beach receives compensation and/or
reimbursement for incident/event response through an agreement, such compensation
and/or reimbursement will be used for personnel compensation, equipment use, repair,
and replacement, and allowable administrative costs as authorized by the agreement.

1 Section 2. Personnel shall be compensated according to a Memorandum
2 of Understanding (MOU), Personnel Rules and Regulations, and/or other directive that
3 identifies personnel compensation in the workplace.

4 Section 3. In the event a personnel classification does not have an
5 assigned compensation rate, a "Base Rate" as set forth in an organizational policy,
6 administrative directive or similar document will be used to compensate such personnel.

7 Section 4. The City of Long Beach will maintain a current salary survey
8 or acknowledgement of acceptance of the "base rate" on file with the California
9 Governor's Office of Emergency Services, Fire Rescue Division.

10 Section 5. Personnel will be compensated for all time "portal to portal"; or
11 all time beginning at the time of dispatch to the return to the jurisdiction.

12 Section 6. The City of Long Beach response personnel may include:,
13 Battalion Chief, Fire Captain, Fire Engineer/Apparatus Operator, Fire Boat Operator,
14 Firefighter/Paramedic, Firefighter/EMT, Firefighter, Marine Safety Officer, Marine Safety
15 Sergeant - Boat Operator, Marine Safety Captain, Accounting Clerk, Administrative
16 Analyst, Building Services Supervisor, Public Affairs Assistant, Police Officer, Police
17 Corporal, Police Sergeant, Police Lieutenant, Community Program Specialist, and Public
18 Health Nurse.

19 Section 7. This resolution shall take effect immediately upon its adoption
20 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

21 I hereby certify that the foregoing resolution was adopted by the City
22 Council of the City of Long Beach at its meeting of _____, 2021, by the
23 following vote:

24 Ayes: Councilmembers: _____
25 _____
26 _____
27 _____
28 _____

OFFICE OF THE CITY ATTORNEY
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Long Beach, CA 90802-4664

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Noes: Councilmembers:

Absent: Councilmembers:

City Clerk