

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE TO IDENTIFY THE TERMS AND CONDITIONS FOR MUTUAL AID RESPONSE TO EMERGENCY INCIDENTS OUTSIDE OF THE JURISDICTION AND TO RESCIND AND REPLACE RESOLUTION NO. 696-15.

WHEREAS, the City of Sunnyvale (“City”) Department of Public Safety (“DPS”) is a public agency providing fire protection services located in the County of Santa Clara, State of California, and

WHEREAS, the City last adopted Resolution No. 696-15 setting forth its terms and conditions for mutual aid incidents; and

WHEREAS, the City desires to adopt this new Resolution reestablishing the terms and conditions for mutual aid incidents and repealing Resolution No. 696-15 in its entirety; and

WHEREAS, DPS routinely responds to requests for assistance to incidents outside the jurisdiction; and

WHEREAS, under California Fire Assistance Agreement (“CFAA”) City has participated as a Mutual Aid Provider and the request for resources to respond for assistance has been governed through the CFAA; and

WHEREAS, the City has in its employ, Fire response personnel to include: Battalion Chief, Chief, Deputy Chief/Division Chief/Assistant Chief, Engineer, Apparatus Officer, Firefighter/EMT, General Mechanic, Lieutenant and Radio Operator; and

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

WHEREAS, the City 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 will compensate its employees overtime in accordance with their current Memorandum of Understanding 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.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. City Personnel shall be compensated according to the Public Safety Officers Association Memorandum of Understanding (MOU), Public Safety Managers Association MOU, Communication Officers Association MOU, Personnel Rules and Regulations, and/or any other directive that identifies personnel compensation in the workplace.
2. In the event a DPS 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 compensate such personnel.
3. DPS 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.
4. City 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.
5. DPS Fire department response personnel include: Battalion Chief, Chief, Deputy Chief/Division Chief/Assistant Chief, Engineer, Apparatus Officer, Firefighter/EMT, General Mechanic, Lieutenant and Radio Operator.
6. Resolution No. 696-15 is hereby repealed in its entirety and this Resolution shall become effective on the same date adopted by the City Council.

Adopted by the City Council at a regular meeting held on _____, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST:

APPROVED:

DAVID CARNAHAN
City Clerk
(SEAL)

LARRY KLEIN
Mayor

APPROVED AS TO FORM:

REBECCA L. MOON
Interim City Attorney