

RESOLUTION NO. 2021-XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN  
MARCOS IDENTIFYING THE TERMS AND CONDITIONS FOR FIRE  
DEPARTMENT RESPONSE AWAY FROM OFFICIAL DUTY  
STATION AND ASSIGNED TO AN EMERGENCY INCIDENT

WHEREAS, the City of San Marcos Fire Department (SMFD) is a public agency located in the County of San Diego, State of California, and

WHEREAS, through the California Fire and Rescue Mutual Aid System and under the provision of the California Fire Assistance Agreement (CFAA), and at the request of the California Governor's Office of Emergency Services (Cal OES), California Department of Forestry and Fire Protection (CAL FIRE), Federal Fire Agencies or other fire agencies, San Marcos Fire Department personnel can be assigned to locations throughout California in the event of a local, State, or federal emergency; and

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

WHEREAS, the City of San Marcos has in its employ Fire Department response personnel including: Fire Chief, Division Chief, Battalion Chief, Fire Captain, Fire Engineer, Firefighter/Paramedic, Emergency Medical Technician, Fire Marshal, Deputy Fire Marshal, Fire Inspector, Fire/EMS Administrative Services Manager, EMS Coordinator, Senior Office Specialist, and Office Specialist; and

WHEREAS, the City of San Marcos 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 San Marcos 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 with another agency under the California Fire Assistance Agreement.

NOW, THEREFORE, BE IT RESOLVED that:

1. 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.

2. 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 to compensate such personnel.
3. The San Marcos 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.
4. 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. Fire department response personnel include: Fire Chief, Division Chief, Battalion Chief, Fire Captain, Fire Engineer, Firefighter/Paramedic, Emergency Medical Technician, Fire Marshal, Deputy Fire Marshal, Fire Inspector, Fire/EMS Administrative Services Manager, EMS Coordinator, Senior Office Specialist, and Office Specialist.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of San Marcos, at a regularly scheduled Council Meeting thereof, this 8th day of June 2021 by the following roll call vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:

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Rebecca D. Jones, Mayor  
City of San Marcos

ATTEST:

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Phillip Scollick, City Clerk  
City of San Marcos