



Council Agenda Report

From: Phillip Garcia, Interim Fire Chief
Marlaine Sanders, Interim Administrative Services Director

Subject: Emergency Services Restructuring

Date: October 3, 2017

Facts

1. The September 2000, Growth Management Plan noted that the resources allocated to the Emergency Services Department were inadequate to meet present and future needs. (Since 2000, for example, annual call volume has increased from 2,062 calls for service to over 3,700).
2. The 2003 General Plan Safety Element defined the minimum staffing level at 0.8 firefighters per 1,000 population (current staffing level in 2017 is 0.68 firefighters per 1,000).
3. The November 2016 Fire Services Review conducted by CityGate Associates essentially reiterated the 2000 findings; calling the current staffing a small fire “first aid” fire force.
4. Battalion Chief Aggson resigned at the end of 2016 and Chief Johnson retired at the start of 2017.
5. To fill this void, in February, 2017 the City Council approved contracts for an Interim Fire Chief and a 40-hour Battalion Chief/Fire Marshal, approved three Captains to serve as acting 56-hour (suppression) Battalion Chiefs, authorized the recruitment of a new Fire Chief, directed the CityGate-assisted ES Workshop process be completed, and approved the needed additional funding through September, 2017.
6. Chief Garcia was tasked with presenting an Emergency Services Restructuring plan to Council; Chief Gallagher was tasked with developing a robust fire prevention program.
7. This City Council held an Emergency Services Workshop in August, 2017 and unanimously directed staff to return to the City Council with an implementation and funding plan to:
 - Add a Suppression (56-hour) Battalion Chief position to all three shifts.
 - Add one non-sworn (40-hour) Fire Prevention Specialist to administer the fire prevention program.

A two-person fire squad, a third fire station, and a third fire engine are required to implement future phases.

8. The City’s revised forecast (presented earlier in this agenda) demonstrates revenues are available for the first phase of this restructuring.
9. Recruitment efforts to retain a replacement Fire Chief were unsuccessful in August; until a second recruitment can be completed, Acting Battalion Chief Jonathan Stornetta has been appointed Interim Fire Chief, effective October 2, 2017.
10. City job classifications were revised to reflect the new Battalion Chief and Fire Prevention Specialist positions. Wage levels were established based on benchmark analysis. City met and conferred with SEIU regarding the Fire Prevention Specialist position. The Battalion Chief position will remain part of the Unrepresented, Confidential, Professional & Management Group.

Options

1. Take no action.
2. Convert the three interim fire suppression Battalion Chief positions into three ongoing 56-hour fire suppression Battalion Chief positions; convert the interim Fire Marshal/Battalion Chief position into one ongoing 40-hour Fire Prevention Specialist position; amend the job classes, job descriptions, and wage levels; and appropriate the additional necessary funding.

3. Reject the proposal and keep the Department in its present configuration.
4. Provide alternative direction.

Analysis and Conclusions

In order to implement the Council's conceptual decisions reached at the Workshop, job classifications, descriptions, and salary schedules are necessary for the new 40-hour Fire Prevention Specialist positions and for the conversion of the 40-hour Battalion Chief position to three 56-hour Battalion Chief positions. In addition, the necessary funds for the remainder of the fiscal year need to be appropriated.

Fiscal Impact

Total cost for the remainder of the recommended approach for the remainder of this fiscal year is \$595,400. A prior item on this agenda, the update of the fiscal forecast, indicated that there are sufficient revenues to fund these improvements.

Recommendation

Amend the job classes, approve the job descriptions, and approve the compensation for the new 56-hour Battalion Chief and 40-hour Fire Prevention Specialist classifications; approve the deletion of one 40-hour Battalion Chief, the addition of three 56-hour Battalion Chief positions, and the addition of one 40-hour Fire Prevention Specialist position from the position listing approved in the budget; authorize the City Manager to extend the contract with Richard Gallagher for fire marshal services; and appropriate an additional \$595,404 for the Emergency Services Department for FY 2017-18.

Attachments

1. Battalion Chief Classification
2. Wage Schedule MGMT – Battalion Chief
3. Fire Prevention Specialist Classification (Supervisor/Professional/Coordinator I/II)
4. Wage Schedule SEIU – Fire Prevention Specialist
5. Contract with Richard Gallagher, to be extended

BATTALION CHIEF

DEFINITION

Under administrative direction, assists in planning, organizing, coordinating, and directing both emergency and non-emergency activities of the Department; directs emergency scene operations where multiple resources are working; supervises subordinate staff members; administers and tracks budgets; performs other duties as required.

SUPERVISION RECEIVED AND EXERCISED

Receives administrative direction from the Emergency Services Chief. Directly or indirectly supervises lower level classes within the department.

CLASS CHARACTERISTICS

The Battalion Chief organizes and oversees day-to-day activities and is responsible for providing professional-level support to the Emergency Services Chief in a variety of areas. The incumbents are accountable for accomplishing departmental planning and operational goals and objectives and for furthering City goals and objectives within policy and procedural guidelines. Responsibilities include coordinating the activities of the department with those of other departments, providing work direction and assistance to department staff; participating in department management at the policy-making level; analyzing community needs and designing strategies to prioritize programs and services to meet them; may act as Emergency Services Chief in his/her absence.

ESSENTIAL JOB FUNCTIONS (Illustrative Only)

- Oversees fire suppression, medical emergencies, rescue, hazardous materials spills and releases, fire code enforcement and related activities for a shift.
- Assists in the development and implementation of goals, objectives, policies, procedures and work standards for the department.
- Maintains optimal operational readiness of fire companies by planning, organizing, and directing personnel in training relating to firefighting tactics and strategy, fire prevention, code enforcement, hazardous materials emergencies, disaster preparedness, EMS, equipment operation, maintenance, repair and testing and other departmental activities.
- Assists in compiling and administering the budget for the department; conducts short and long-term departmental planning.
- Monitors crew and individual performance and behavior while providing positive instruction to Fire Captains and fire companies.
- Plans, schedules, assigns, supervises and reviews the work of assigned staff.
- Recommends selection of staff; authorizes discipline as required; provides policy guidance and interpretation.
- Performs complex and difficult support work within programmatic and procedural guidelines.
- Oversees processes; ensures adherence to quality standards.
- Reviews and researches a variety of reports, records and documents; produces a variety of specialized reports; may develop report formats and utilize varied databases.
- Assists in monitoring various researches and analyzes transactions to resolve concerns.

- Updates City records and procedures in assigned areas pursuant to change in law, City policies and procedures, Memorandums of Understanding, and other pertinent rules and regulations.
- Confers with other departments on questions regarding, and other matters related to emergency and non-emergency activities.
- Conducts or directs various research studies; analyzes results; evaluates alternatives, makes recommendations and prepares narrative and statistical reports.
- Plans and develops policies, procedures and events for department.
- Advises and guides management to resolve problems and recommends solutions related to departmental or Citywide issues.
- Prepares and directs the preparation of a variety of written correspondence, reports, procedures, ordinances and other written materials.
- Confers with department representatives, other agencies and employees regarding administration and interpretation of department policies and procedures.
- Prepares designs, specifications and cost estimates for assignments and projects.
- Provides quality control of City functions by reviewing reports, applications, studies, design and construction; provides enforcement actions to ensure that the quality standards of the City are achieved.
- Provides technical information and instruction regarding applicable procedures and methods; interprets and explains rules, regulations, and procedures, answers questions and resolves concerns.
- May act as the Emergency Services Chief on a relief or assigned basis.
- Attends meetings, conferences, workshops and training sessions, and reviews publications and materials to become and remain current on principles, practices, and new developments in emergency services.
- Acts as the liaison to other public agencies and private organizations relevant to the assigned project and department.
- Interacts with the public and/or community groups in response to complaints, requests for information, and conflict resolution; develops and participates in activities/programs with community partners.
- Performs other duties as assigned.

QUALIFICATIONS

Knowledge of:

- Emergency services operations and organizational practices.
- Current, widely accepted emergency response practices in the areas of medical, fire, hazardous materials, technical rescue and Emergency Operations Center activation.
- Administrative principles and practices, including goal setting, program development and supervision of staff.
- Modern safety practices within the fire service.
- Principles and practices of public agency budget development, administration and accountability.
- Computer applications related to the work, including word processing, spreadsheet and data base applications.
- Techniques for providing a high level of customer service to public and City staff, in person and over the telephone.
- Principles and practices of employee supervision, including work planning, assignment, review and evaluation, and the training of staff in work procedures.
- Applicable federal, state and local laws, codes and regulations.

- Standard office support practices and procedures, including the use of standard office equipment.
- Records management principles and practices.
- Techniques for dealing effectively with the public, vendors, contractors and City staff, in person and over the telephone.

Skill in:

- Assisting in developing and implementing goals, objectives, policies, procedures, work standards.
- Overseeing and participating in the management of fire suppression and prevention, emergency medical services training and disaster preparedness services and activities.
- Planning, organizing, scheduling, assigning, reviewing and evaluating the work of staff.
- Selecting, training and providing professional development to staff in work procedures.
- Interpreting, applying and explaining complex laws, codes, regulations and ordinances.
- Perform complex, analytical and legal research work and analysis.
- Making accurate arithmetic, financial and statistical computations.
- Using English effectively to communicate in person, over the telephone and in writing.
- Using initiative and independent judgment within established policy and procedural guidelines.
- Preparing clear and concise reports, correspondence, policies, procedures and other written materials.
- Using tact, initiative, prudence and independent judgment within general policy, procedural and legal guidelines.
- Working in a team atmosphere and participating on a variety of citywide committees to enhance the provision of City services.
- Effectively representing the department and the City in meetings with governmental agencies, community groups and various business, professional, educational, regulatory and legislative organizations.
- Entering and retrieving data from a computer with sufficient speed and accuracy to perform assigned work.
- Establishing and maintaining effective working relationships with those contacted in the course of the work.

Education and Experience:

Any combination of training and experience that would provide the required knowledge, skills and abilities is qualifying. A typical way to obtain the required qualifications would be:

Equivalent to graduation from a four-year college or university with major course work in a related field.

Eight years of increasingly responsible full-time experience at the Fire Captain level or current status as a Chief Officer.

Additional experience as outlined above may be substituted on a year-for-year basis for the educational requirement up to a maximum of two years.

Licenses and Certifications:

Requires the possession of the following certifications:

- Fire Officer issued by the California Office of the State Fire Marshal
- Rescue Systems 1: Basic Rescue Skills
- Hazardous Materials for the First Responder Operations
- Fire Operations in the Urban Interface (S-205/215)
- Ignition Operations (S-234/219)
- Basic Air Operations (S-270)
- Intermediate Fire Behavior (S-290)
- Advanced Incident Command System for Command and General Staff (I-400)
- Strike Team Leader Engine (STEN) qualified within two years of appointment, opportunities permitting.

Possession of a Chief Fire Officer certification issued by the California Office of the State Fire Marshal is highly desirable.

Must possess a valid California class C driver's license and have a satisfactory driving record.

Physical Demands:

Must possess mobility to work in an emergency incident setting and use power and hand tools and equipment; mobility to function at various field sites; physical stamina to perform work at an emergency incident, work on uneven terrain and lift and carry equipment and materials weighing over 80 pounds; mobility to work in a standard office setting and use standard office equipment, including a computer; mobility to operate a motor vehicle and to visit various City meeting sites; vision to read printed materials and a computer screen; and hearing and speech to communicate in person, before groups, over the telephone and a two-way radio.

Other Requirements:

Incumbents in this classification work 24-hour shift assignments, including weekends and holidays, and may be required to work overtime with little or no notice. Due to the varied and unpredictable nature of the work, incumbents may also be required to work under the following conditions:

During a shift, Battalion Chiefs are subject to unpredictable interruptions of sleep periods during which they must function effectively, including directing the work of others in emergency situations. While performing many emergency-related duties, a Battalion Chief is required to lift, carry and/or drag objects such as a hose line or smoke ejector weighing up to 80 pounds, and wear a self-contained breathing apparatus weighing up to 80 pounds for short or long distances and often in combination. While performing emergency aid, a Battalion Chief may lift and carry victims which requires use of the stomach and lower back muscles to support the body.

Incumbents are exposed to a variety of weather conditions and are required to tolerate very hot and very cold temperatures. When responding to emergencies, incumbents also are exposed to other elements, including smoke, heat, flames, hazardous chemicals, and blood and other bodily fluids. In these situations, they must be able to observe or monitor people or objects to ensure compliance with safety standards; stand, sit or walk for extended periods of time, unable to rest at will; use explosive strength, as in sprinting or jumping; walk over rough, uneven or rocky surfaces; use arms above shoulder level; bend or stoop repeatedly or continually over time; and use common hand

tools, such as hammers, saws and screw drivers. Incumbents are required to have the ability to hear a variety of warning devices and alarms, gas leaks, and/or calls for help. Some rescue duties require the operation of mechanical rescue equipment and the monitoring of proper safety techniques in the use of such equipment.

The operation of firefighting equipment often requires the coordinated movement of more than one limb simultaneously. Emergency situations may require incumbents to work in small, cramped crawl spaces, areas where vision is limited, and/or at heights, including on roof tops and/or ladders. A Battalion Chief must be able to distinguish among colors, including colors of smoke and flame, color coded equipment, hazardous materials identification placards, and wires, in order to identify or respond to potentially dangerous situations. Attendance at off-hours meetings and occasional travel are required. May be required to respond to off-hours emergency situations.

This class description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the class change.

Classification	Current Wage Ranges						Amended Salary Ranges-to be implemented with PERS contract change (3.0%)					
	Range	Step 1	Step 2	Step 3	Step 4	Step 5	Range	Step 1	Step 2	Step 3	Step 4	Step 5
Confidential Assistant	295a	3793	4028	4275.9	4539	4819.5	294b	3908	4149	4405	4676	4965
Technician III (Info Systems Tech)	339a	4723.7	5015.3	5323.4	5651.8	6000.7	338b	4866	5166	5484	5822	6181
Supv/Prof/Coord I	339a	4723.7	5015.3	5323.4	5651.8	6000.7	338b	4866	5166	5484	5822	6181
Executive Assistant	347a	4916.4	5219.4	5540.7	5882.4	6244.5	347b	5064	5377	5707	6059	6432
Professional Manager II	411a	6763.7	7182.9	7625.6	8096.8	8596.6	411b	6967	7399	7855	8340	8855
Professional Manager III	460a	8638.4	9172.9	9739	10340	10977	460b	8898	9449	10032	10650	11307
Executive Manager	505a	10811	11480	12188	12941	13738	505b	11136	11825	12554	13329	14151
Safety Battalion Chief	468a	8990.3	9546.3	10135	10760	11424	468b	9261	9833	10439	11083	11767
Safety Professional Manager III	468a	8990.3	9546.3	10135	10760	11424	468b	9261	9833	10439	11083	11767
Safety Executive Manager	513a	11252	11947	12685	13467	14297	513b	11590	12306	13066	13872	14727

SUPERVISOR/PROFESSIONAL/COORDINATOR I/II

DEFINITION

Under general supervision, directs the daily activities of assigned work division(s) through appropriate delegation, technical skills training and/or work supervision; provides administrative, skilled, and/or technical expertise and performs a variety of support tasks involving the operation, enforcement, maintenance and problem resolution of departmental and/or City-wide systems and functions; and performs related work as required.

SUPERVISION RECEIVED AND EXERCISED

This classification receives direct or general supervision from assigned administrative and or management staff. Provides supervision and/or technical and functional lead direction, instructs and reviews lower level classes and/or volunteers within the division/department.

CLASS CHARACTERISTICS

Class oversees day-to-day operations and participates in all activities of assigned work function. Responsibilities require the frequent use of tact, discretion, and independent judgment as well as specific technical knowledge of departmental and City activities. The work also requires the interpretation and application of policies, procedures and regulations and involves frequent contact with the public.

Supervisor/Professional/Coordinator I plans, organizes, and performs specialized clerical and technical work and participates in the development and implementation of goals, objectives and policies. This supervisory class is characterized by the responsibility of a reduced variety and complexity of assignments than the following classification.

Supervisor/Professional/Coordinator II demonstrates greater initiative, self-direction, conflict resolution, and independence of decision-making than the preceding classification. Incumbent supervises an increased number of staff, handles a higher scope of assignment variety and complexity, executes a higher difficulty of project coordination and displays increasing professional/technical knowledge and/or skills.

ESSENTIAL JOB FUNCTIONS (Illustrative Only)

- Provides information, guidance, or problem resolution regarding City and departmental activities and functions that may require the interpretation and explanation of policies, rules, procedures and ordinances to staff or external organizations, agencies and businesses related to area of assignment.
- Researches and resolves difficult service problems that include internal and external issues, applying rules, laws ordinances, regulations, policies and procedures and appropriate judgment to meet service needs.
- Confers with department representatives, other agencies and employees regarding administration and interpretation of department policies and procedures.
- Assists with the development of performance standards, operating procedures, and reporting systems.

- Ensures that the administrative and/or technical functions and daily operations of the department/division are effectively carried out.
- Compiles budget estimate information for staffing, supply, and equipment requirements for a work unit; monitors budget and expenditures for compliance with department goals and policies.
- Prepares a variety of special technical reports and studies.
- Informs management of departmental issues including present and potential work problems and suggestions for new or improved way of addressing such problems.
- Organizes and maintains various administrative, confidential, reference and follow-up files, records and databases; purges as required.
- Receives visitors and telephone calls; responds to written and verbal requests from a variety of agencies and organizations, City staff, and the public.
- Performs project research; may prepare and reconcile technical reports and documents; and performs other technical work related to City or department activities.
- May conduct field inspections to evaluate compliance with City ordinances, State laws, and other requirements, including suggestions for correcting non-compliance.
- May design, implement, promote, and coordinate special projects, programs, and events, including fund-raising activities that vary depending on department to which assigned.
- May identify alternative funding sources, coordinate and complete grant applications, and monitor funds for compliance with goals and policies.
- Attends meeting, conferences, workshops, and training sessions, and reviews publications and materials to become and remain current on principles, practices, and new developments in assigned work areas.
- May assist with the recruitment of department staff and/or volunteers.
- May plan and update the work schedule of assigned staff.
- Performs other duties as assigned.

Examples of duties when performing the supervisory function include, but are not limited to:

- Screens and assigns workload; plans, prioritizes and assigns tasks and projects; counsels, trains and coaches staff and/or volunteers, assists in developing performance standards; monitors work, develops staff skills and evaluates performance; identifies training needs and provides training for staff.

QUALIFICATIONS

Knowledge of:

- Basic organization and function of public agencies, including the role of an elected City Council.
- Federal, state, and City codes, regulations, policies, agreements, technical processes and procedures related to City and departmental activities.
- Applicable laws, rules and regulations.
- Standard office administrative practices and procedures, including the use of standard office equipment.
- Business letter writing, techniques for preparing informational materials and the standard format for reports, correspondence and other written materials.
- English usage, spelling, grammar and punctuation.
- Computer applications related to the work, including word processing, database and spreadsheet applications.
- Records management principles and practices.
- Business arithmetic and basic statistical techniques.
- Principles and practices of management and supervision.

- Occupational safety and health rules and regulations.
- Basic theories and methods associated with functional regulation and research.
- Techniques for providing a high level of customer service to the public, representatives of other agencies, and City staff, in person and over the telephone.

Skill in:

- Learning the functions and procedures for the department to which assigned.
- Providing varied and responsible work requiring the use of independent judgment, tact, and discretion.
- Interpreting, applying, explaining, and implementing policies, procedures, technical processes and computer applications related to the City, department, or organizational unit to which assigned.
- Leadership, coordinating staff, and delegating tasks.
- Collecting, compiling, analyzing, and summarizing varied information, proposing and considering alternatives, and reaching sound conclusions.
- Effectively representing the department and the City in meetings with community groups and various business, professional, educational, regulatory, and legislative organizations.
- Effectively communicating verbal and written instructions.
- Compiling information from varied sources and preparing accurate records and reports.
- Composing correspondence, informational materials and reports independently or from brief instructions.
- Making accurate arithmetic and statistical calculations.
- Using English effectively to communicate in person, over the telephone and in writing.
- Using initiative and independent judgment within established policy and procedural guidelines.
- Organizing own work, initiating processes, coordinating projects, setting priorities, meeting critical deadlines, and following up on assignments with a minimum of direction.
- Establishing and maintaining a records management system for an organizational unit.
- Handling confidential/sensitive information with discretion.
- Taking a proactive approach to customer service issues.
- Word processing and entering data into standard computer formats and producing correspondence and reports with speed and accuracy sufficient to perform assigned work.
- Establishing and maintaining effective working relationships with those contacted in the course of the work.

Education and Experience:

Any combination of training and experience that would provide the required knowledge, skills and abilities is qualifying. A typical way to obtain the required qualifications would be:

Maintenance Supervisors: Equivalent to graduation from high school and four years of skilled maintenance experience of facilities and/or equipment. Supplemental education in supervisory or business coursework is desirable.

All other Supervisors/Professionals/Coordinators I: Equivalent to graduation from an accredited four-year college or university and two years responsible experience in a related field.

Dispatch/Records Supervisor: Equivalent to graduation from an accredited four-year college or university and four years responsible experience in a related field; including two years in a supervisory or lead capacity.

Fire Prevention Specialist II: Equivalent to graduation from an accredited four-year college or university and four years responsible experience in a related field.

Experience in dealing with the public, working in a public agency setting and in working in an organization that will have provided a knowledge of the departmental function to which assigned is desirable.

Licenses and Certifications:

Must possess a valid California Class C driver’s license and have a satisfactory driving record.

Dispatch/Records Supervisor: Requires the possession of Emergency Medical Dispatcher, CPR, and First Aid certifications. Requires the possession of or the ability to obtain a POST Public Safety Dispatcher Supervisory Certificate and a POST Records Supervisor Certificate within a one-year timeframe. A Public Records Act Certificate is desirable.

Facilities Maintenance Supervisor: Must possess the ability to obtain a valid California Class A driver’s license within one year of appointment.

Fire Prevention Specialist I: Requires the possession of or the ability to obtain a California State Fire Training Fire Inspector II certification within one year of appointment.

Fire Prevention Specialist II: Requires the possession of or the ability to obtain a California State Fire Training Fire Inspector II certification within two years of appointment.

Fleet Supervisor: Must possess a valid California Class A driver’s license and have a satisfactory driving record.

Physical Demands:

Must possess mobility to work in a standard office setting and to use standard office equipment, including a computer; vision to read printed materials and a computer screen; and hearing and speech to communicate in person and over the telephone. May need to possess mobility to work in a standard shop setting and use power and hand tools and equipment; mobility to inspect various field sites; physical stamina to perform maintenance repair work, work on uneven terrain and lift and carry equipment and materials weighing up to 60 pounds; vision to read printed materials and a computer screen; and hearing and speech to communicate in person, over the telephone and a two-way radio.

Other Requirements:

Attendance at off-hours meetings and response to off-hours emergencies may be required. May be exposed to inclement weather conditions, fumes, odors, dust, and potentially toxic chemicals and conditions.

Typical Working Titles included in this classification:

- Supervisor/Professional/Coordinator I
- Administrative Services Coordinator
- Adult Services Librarian
- Airport Services Coordinator
- Assistant Planner

Children's Services Librarian
Community Services Coordinator
Facilities Maintenance Supervisor
Fire Prevention Specialist I
Fleet Supervisor
Human Resources Specialist
Parks Maintenance Supervisor
Recreation Marketing Coordinator
Reference Librarian
Senior Center Recreation Coordinator
Sports Recreation Coordinator
Tourism Coordinator
Volunteer & Events Coordinator
Youth Recreation Coordinator

Supervisor/Professional/Coordinator II

Dispatch/Records Supervisor
Fire Prevention Specialist II

This class description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the class change.

Classification	Amended Salary Ranges May 7, 2017 (2%)						Amended Salary Ranges-to be implemented with PERS contract change (2.5%)					
	Range	Step 1	Step 2	Step 3	Step 4	Step 5	Range	Step 1	Step 2	Step 3	Step 4	Step 5
Admin Asst I	246b	3031	3218	3416	3627	3852	246c	3107	3299	3502	3718	3949
Admin Asst II	270b	3416	3627	3850	4089	4341	270c	3502	3718	3947	4192	4450
Admin Asst III	295b	3870	4109	4362	4630	4917	295c	3967	4212	4472	4746	5040
Maint Specialist I	246b	3031	3218	3416	3627	3852	246c	3107	3299	3502	3718	3949
Maint Specialist II	270b	3416	3627	3850	4089	4341	270c	3502	3718	3947	4192	4450
Maint Specialist III	295b	3870	4109	4362	4630	4917	295c	3967	4212	4472	4746	5040
Technician I	295b	3870	4109	4362	4630	4917	295c	3967	4212	4472	4746	5040
Eng Tech I												
Laboratory Tech I												
Planning Tech												
Plnt Oper I (W/WW)												
Technician II	310b	4171	4428	4701	4990	5298	310c	4276	4539	4819	5115	5431
Community Srvc Officer												
Eng Tech II												
Equip Mech												
Laboratory Tech II												
Plnt Oper II (W/WW)												
Police Officer Recruit												
Technician III	339b	4819	5117	5431	5766	6122	339c	4940	5245	5567	5911	6276
Asst Planner												
Bldg/Eng Inspector												
Eng Tech III												
Info Systems Tech												
Plnt Oper III (W/WW)												
Supv/Prof/Coord I	339b	4819	5117	5431	5766	6122	339c	4940	5245	5567	5911	6276
Technician IV	358b	5298	5625	5971	6339	6730	358c	5431	5766	6121	6498	6899
Sr Bldg/Eng Inspector												
Info Systems Tech												
Web Specialist												
Technical Supv I	358b	5298	5625	5971	6339	6730	358c	5431	5766	6121	6498	6899
Supervisor (W/WW)												
Supv/Prof/Coord II	378b	5853	6214	6597	7004	7437	378c	6000	6370	6762	7180	7623
Technical Supv II	378b	5853	6214	6597	7004	7437	378c	6000	6370	6762	7180	7623
Chief Plant Oper (W/WW)												

AGREEMENT FOR TEMPORARY PART-TIME EMPLOYMENT

THIS AGREEMENT is between the **CITY OF PASO ROBLES**, State of California, a municipal corporation (hereinafter referred to as "City"), and Richard Gallagher, an individual (hereinafter referred to as "Employee"):

WITNESSETH:

WHEREAS, the Emergency Services Department of the City of Paso Robles has a need for an employee to perform special backfill projects, to provide needed skills related to necessary duties of the Emergency Services Department (outlined in Exhibit A) on a limited part-time basis as a Battalion Chief; and

WHEREAS, Employee is competent and qualified to perform the services required by this Agreement;

NOW, THEREFORE, the parties do mutually agree as follows:

1. Scope of Services: Pursuant to this contract, Employee shall perform for the Emergency Services Department the duties associated with projects listed in Exhibit A. Employee shall perform said duties under the direct supervision of the Interim Emergency Services Chief or the City Manager.
2. Compensation: Employee shall be compensated as follows:
 - A. Hourly Rate of Pay: Employee shall be paid at the rate of \$65.91 per hour (hereinafter referred to as "Hourly Rate"). Payments will be made on regularly scheduled City payroll dates. Employee will be responsible for keeping track of her hours worked on a daily time sheet form, provided by the City.
 - B. Hours per Week: This employment is for part-time, intermittent "on call" work, with no set or guaranteed number of hours. The City will assign Employee hours to work on an "as-needed" basis.
 - C. Payment for Work Done in Excess of 40 Hours Per Week: The position is not exempt from FLSA overtime pay requirements. The Employee shall be paid at one and one-half times the regular rate of pay for any time worked in excess of 40 hours per week. Overtime work must be pre-approved by the Interim Emergency Services Chief or the City Manager.
 - D. Work less than 960 hours per year: Employee is allowed to work a maximum of 960 hours per fiscal year. Employee has not exceeded this maximum annual amount. The City retains the right to reduce, change, or amend the number of hours worked consistent with the Department's workload and other needs. If Employee's annual hours are approaching 960, then the City retains the right to summarily suspend Employee's duties under this Agreement and to reassign any scheduled hours, as needed, to ensure that Employee does not exceed the maximum hours allowed by this Agreement.

3. Employment Status:

- A. Benefits: Employee understands and agrees that she is not, and will not be, eligible to receive any benefits from the City, including any City group plan for hospital, surgical, or medical insurance, any City retirement program, or any paid holidays, vacation, sick leave, or other leave, with or without pay, or any other job benefits available to an employee in the regular service of the City, except for Worker's Compensation Insurance coverage.
 - B. No Membership in Bargaining Unit: Employee understands that they are not a member of any bargaining unit and are not covered by the terms of any Memorandum of Understanding with any represented or unrepresented group of City employees.
 - C. No Property Right in Employment: Employee understands and agrees that the terms of her employment are governed only by this agreement and that no right of regular employment for any specific term is created by this agreement. Employee further understands that they acquire no property interest in their employment by virtue of this agreement, that the employment is "at will" as defined by the laws of the State of California (meaning that they can be terminated at any time for any reason or for no reason), and that they are not entitled to any pre- or post-deprivation administrative hearing or other due process upon termination or any disciplinary action.
 - D. Employment of a Retiree: Employee understands that CalPERS retired annuitants may be employed by a CalPERS public agency employer, by temporary appointment for a limited duration to a position not to exceed 960 hours in any fiscal year for all such employers; either (1) during an emergency to prevent stoppage of public business or (2) because the retired employee has skills needed in performing the work of limited duration. In the event Employee is providing service to any other CalPERS public agency employer during the term of this Agreement, Employee must notify the City of such employment and disclose on a periodic basis the number of hours Employee is performing for that other public agency to ensure that the minimum number of hours is not exceeded.
4. Representation of Employee: Employee represents that they are properly trained and certified to perform the duties required of the position and this agreement. Employee further represents that they will maintain, at their expense and on their own time, any certifications necessary to the performance of their part-time employment.
5. Term of Agreement: This Agreement shall commence on October 1, 2017, and shall terminate on _____. Employment is at-will and may be terminated with or without cause and with or without notice at any time by the City.

6. Non-Assignment of Agreement: This Agreement is intended to secure the individual services of the Employee and is not assignable or transferable by employee to any third party.
7. Governing Law/Venue: This Agreement shall be interpreted according to the laws of the State of California. Venue for any action or proceeding regarding this contract shall be in San Luis Obispo County.
8. Enforceability: If any term, covenant, condition, or provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions hereof shall remain in full force and effect and shall in no way be affected, impaired or invalidated thereby.
9. Conflict of Interest: Employee agrees that during the term of this Agreement, they will not maintain any financial interest or engage in any other contract employment, occupation, work, endeavor or association, whether compensated for or not, that would in any way conflict with, or impair Employee's ability to perform the duties described in this Agreement. Any work performed for the City outside the terms of this Agreement must be approved in advance in writing by the City Manager. Employee agrees to disclose whether they are performing work for any other CalPERS public agency employer as required by section 3.D. of this Agreement.
10. Entire Agreement and Modification: This Agreement constitutes the entire understanding of the parties hereto. This Agreement supersedes any previous contracts, agreements, negotiations or understandings, whether written or oral, between the parties. Employee shall be entitled to no other compensation or benefits than those specified herein, and Employee acknowledges that no representation, inducements or promises not contained in this Agreement have been made to Employee to induce Employee to enter into this Agreement.

No changes, amendments, or alterations hereto shall be effective unless in writing and signed by both parties. Employee understands that no oral modification of this Agreement made by any officer, agent, or employee of the City is effective. Employee specifically acknowledges that in entering into and executing this Agreement, they rely solely upon the provisions contained herein and no others.

11. Support Services and Equipment: Employee shall be provided office space and the necessary equipment during assigned working hours, sufficient to fulfill obligations under this Agreement, as determined by the interim Emergency Services Chief at no cost to employee.
12. Reimbursement for Expenses: Employee shall be reimbursed by City in accordance with standard City travel policy for all authorized and necessary travel undertaken by Employee in performance of services pursuant to this Agreement. Employee shall document and claim said reimbursement for such travel in the manner and forms required by the City. Other than as specifically provided herein, Employee shall receive no other compensation or reimbursements for expenses incurred by them in performance of this Agreement.

DATE: _____

EMPLOYEE _____
RICHARD GALLAGER

DATE: _____

CITY _____
THOMAS FRUTCHEY
CITY MANAGER

“Exhibit A”

- Our fee schedule program for special permits has never been utilized. There is no mechanism known at this time to collect any fees.
- Our company inspection program is essentially free floating with no accountability or supervision to monitor the program.
- The City is mandated to have a Title 19 policy in place that essentially requires sprinklered buildings to be inspected every 5 years. We have just started using a volunteer to figure out what buildings are sprinklered so we can institute a program.
- There is a lack of continuity with our training program, simply because there is no one individual with the rank and authority to set policy and monitor results.