



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 881-2401

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

January 20, 2015

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**ADOPT A RESOLUTION RECOGNIZING THE PRACTICE THAT
CONSOLIDATED FIRE PROTECTION DISTRICT PERSONNEL
ARE COMPENSATED ON A PORTAL TO PORTAL BASIS
WHEN ASSIGNED TO AN EMERGENCY INCIDENT
(ALL DISTRICTS) (3 VOTES)**

SUBJECT

This action is to adopt a resolution recognizing the past practice of the Consolidated Fire Protection District (District) to compensate its employees on a portal to portal basis when they are assigned to an emergency incident in another fire agency's jurisdiction (out-of-jurisdiction emergency incidents). This resolution will facilitate the continued recovery of incident-related eligible personnel costs when District employees are assigned on a portal to portal basis to an emergency incident through the statewide California Fire Assistance Agreement (CFAA).

IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY:

1. Adopt the resolution that recognizes the past practice of the District to compensate its employees on a portal to portal basis when assigned to an emergency incident in another fire agency's jurisdiction. This resolution will continue the current level of cost recovery from other fire agencies for District personnel costs when its employees are assigned to an emergency incident in another fire agency's jurisdiction through the statewide CFAA.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

26 January 20, 2015


PATRICK OZAWA
ACTING EXECUTIVE OFFICER

The purpose of this action is to facilitate the continued recovery of District costs related to portal to portal compensation of its employees who are assigned to an out-of-jurisdiction emergency incident through the CFAA. The District's portal to portal compensation practice recognizes the fact that the employees assigned to these incidents cannot go home nor can they leave the incident during their assignment. As such, the employees are compensated for all hours assigned to the incident. The CFAA facilitates reimbursement to statewide assisting fire agencies for their costs associated with the assignment of their personnel to out-of-jurisdiction emergency incidents on a portal to portal basis. In other words, the assisting agencies can be reimbursed for the entire length of time their employees are assigned to these incidents.

The CFAA was changed, effective January 1, 2015, to eliminate the practice of reimbursing assisting fire agencies on a portal to portal basis for its personnel costs. Instead, the CFAA will only provide reimbursement for personnel costs related to time spent by employees on certain activities during an incident. However, the CFAA will continue to reimburse fire agencies for personnel costs on a portal to portal basis if a Memorandum of Understanding (MOU) or governing body resolution has been approved which recognizes the past practice of the agency to compensate its employees on a portal to portal basis.

Implementation of Strategic Plan Goals

This resolution will support the County's Strategic Plan in the area of Operational Effectiveness and Fiscal Sustainability (Goal 1) by ensuring the District maximizes the reimbursement from the responsible jurisdictional agencies for District personnel costs incurred when its employees are assigned to an out-of-jurisdiction emergency incident

FISCAL IMPACT/FINANCING

This resolution will positively impact the District by sustaining cost recovery revenue at the current level for eligible costs incurred while mitigating an emergency incident in the jurisdiction of another fire agency. Without this resolution, the existing level of District cost recovery will be decreased by up to 67 percent. There is no impact on net County cost.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The CFAA outlines the responsibilities and reimbursement guidelines for California public fire agencies when those agencies assist in mitigating an out-of-jurisdiction emergency incident. This Agreement impacts the District primarily when the District commits personnel resources to emergency incidents on State Responsibility Areas or Federal Responsibility Areas. The CFAA had authorized the practice of reimbursing fire agencies for their personnel commitments on a portal to portal basis by allowing reimbursement for the total time personnel were assigned to an out-of-jurisdiction emergency incident.

On January 1, 2015, a proposed change to the CFAA language will reduce the reimbursement level for personnel costs unless the District, as well as other agencies, has an approved MOU or governing body resolution that recognizes that past practice of compensating its employees on a portal to portal basis when assigned to an out-of-jurisdiction emergency incident.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

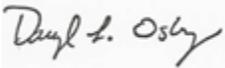
This resolution will have no impact on current services.

CONCLUSION

Upon approval by your Honorable Board, please instruct the Executive Officer to electronically submit a Statement of Proceedings and return four (4) executed copies of the resolution to the following:

Consolidated Fire Protection District
1320 N. Eastern Avenue
Los Angeles, CA 90063
Executive Office – Emergency Operations
Acting Chief Deputy David R. Richardson Jr.
David.Richardson@fire.lacounty.gov

Respectfully submitted,



DARYL L. OSBY
FIRE CHIEF, FORESTER & FIRE WARDEN

DLO:mtm

Enclosures

c: Executive Officer, Board of Supervisors
Chief Executive Office
County Counsel
Auditor-Controller

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF LOS ANGELES ACTING AS THE GOVERNING BODY OF
THE CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY
RECOGNIZING THAT THE PERSONNEL OF THE CONSOLIDATED FIRE PROTECTION
DISTRICT OF LOS ANGELES COUNTY ARE COMPENSATED ON A PORTAL TO PORTAL
BASIS WHEN ASSIGNED TO EMERGENCY INCIDENTS**

WHEREAS, through the California Fire and Rescue Mutual Aid System at the request of the California Governor's Office of Emergency Services (Cal OES), Cal FIRE, federal fire agencies, or other fire agencies, Consolidated Fire Protection District of Los Angeles County (District) personnel can be assigned to locations throughout California in the event of a local, State, or federal emergency; and

WHEREAS, the past practice of the District has been to compensate its employees on a portal to portal basis, regardless of cost reimbursement, when its personnel are assigned to an emergency incident in the jurisdiction of another fire agency; and

WHEREAS, it is the intent of the State's Office of Emergency Services to change California Fire Assistance Agreement (CFAA) language to eliminate portal to portal reimbursement for District personnel effective January 1, 2015, unless a Memorandum of Understanding or governing body resolution is in place that confirms the District's personnel are compensated on a portal to portal basis for all time assigned to an emergency incident; and

WHEREAS, as a result of this new requirement, the Board of Supervisors of the County of Los Angeles is adopting this resolution to memorialize the current and past practice of the District compensating its personnel on a portal to portal basis when they are assigned to an emergency incident in another agency's jurisdiction.

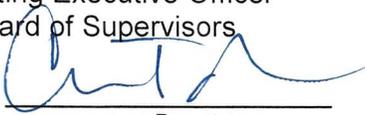
NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of the County of Los Angeles does hereby, as of the date of this resolution, recognize the current and past practice that all District personnel are compensated on a portal to portal basis for all time assigned to an emergency incident.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Fire Chief take appropriate action to file this resolution with Cal OES and other fire agencies as required to thereby continue cost reimbursement to the District on a portal to portal basis when its employees are compensated on a portal to portal basis when assigned to an emergency incident in the jurisdiction of another fire agency.

The foregoing resolution was adopted by the Board of Supervisors of the County of Los Angeles at the regular meeting on the 20th day of January 2015.



PATRICK OGAWA
Acting Executive Officer
Board of Supervisors

By 
Deputy

APPROVED AS TO FORM

MARK J. SALADINO
County Counsel

By: 
Principal Deputy County Counsel