

5/03/18
City Council Meeting

**Handouts received after
agenda posted**



711 West Cinnamon Drive • Lemoore, California 93245 • (559) 924-6700 • Fax (559) 924-9003

Staff Report

Item No: 1-1

To: Lemoore City Council
From: Nathan Olson, City Manager
Date: May 3, 2018 **Meeting Date:** May 3, 2018
Subject: Lemoore Volunteer Fire Department Pay Option

Strategic Initiative:

<input type="checkbox"/> Safe & Vibrant Community	<input type="checkbox"/> Growing & Dynamic Economy
<input checked="" type="checkbox"/> Fiscally Sound Government	<input type="checkbox"/> Operational Excellence
<input type="checkbox"/> Community & Neighborhood Livability	<input type="checkbox"/> Not Applicable

Proposed Motion:

Discussion, direction and/or action regarding the mechanism the City will use to fund the Lemoore Fire Department for volunteers services.

Subject/Discussion:

Resolution 2018-05 was adopted by the Lemoore City Council to pay Lemoore Fire Department Volunteers five dollars (\$5), per call, meeting and training attended, in accordance with all FLSA, federal, state and local laws. So the City could comply with the laws and pay the individual firefighters, the volunteers were asked to submit W9's, which would result in a 1099 being issued to each volunteer at the end of the calendar year. However, upon further review it was determined that due to the agreement with the City's Risk Management Authority, having the volunteers submit a W9 would void the worker's compensation coverage currently received, as the RMA would view the individuals as contractors and not volunteers. Another option suggested was to have the volunteers submit a W4 and checks could and would be issued through the payroll system. The Lemoore Volunteer Firefighter Association however, contends that the City can legally pay the Association (non-profit) instead of the individual volunteers, and at present, the Association Members are unwilling to sign and present W4's to the City.

Because of this dilemma, staff has come up with three options for the Council to consider to address this issue.

Alternative #1: Do not pay volunteers on a per call, meeting and trainings attended basis. Rather, establish expenditures within the Fire Department budget (4222) that would cover all the costs of performing the function of public safety fire services and outreach. Such line items would be subject to City of Lemoore Purchasing Policy, and would be accounted for during the budget process. This method is the most transparent and allows for consistent budget control.

Alternative #2: Pay the volunteers \$5/call as outlined in resolution 2018-05. This method requires tracking calls and can leave the budget fluctuations unknown, unless specific protocols are put in place, or a cap is established on the amount paid per year or paid per volunteer. This option also requires the volunteers to fill out the appropriate tax forms so the City can comply with the applicable laws.

Alternative #3, Contract with the non-profit association to perform ancillary services, separate from to the services fire services provided by the volunteers. For example, the association could help recruit and advertise for potential fire volunteers and introduce them to the City for vetting. The contract would also spell out requirements for community events/involvement and would require financial accountability from the association back to the City. The City would establish a contract amount to fund the Association's outreach efforts. Additionally, line items would be added to the City budget to cover all necessary expenses for volunteers to perform public fire safety functions including equipment, training, materials, and on-incident expenses related to the safety of fire volunteers. Alternat #3 would require repeal of Resolution 2018-05.

Financial Consideration(s):

Unknown at this time, however financial impact is not anticipated.

Commission/Board Recommendation:

N/A

Staff Recommendation:

Staff recommends approving Alternative #1: Do not pay volunteers on a per call, meeting and trainings attended basis. Rather, establish expenditures within the Fire Department budget (4222) that would cover all the costs of performing the function of public safety fire services and outreach.

Attachments:

- Resolution:
 - Ordinance:
 - Map
 - Contract
 - Other
- List:

Review:

- Asst. City Manager
- City Attorney
- City Clerk
- City Manger
- Finance

Date:

05/03/18
05/03/18
05/03/18

