



# Agenda Report

## Fullerton City Council

**MEETING DATE:** OCTOBER 5, 2021

**TO:** CITY COUNCIL / SUCCESSOR AGENCY

**SUBMITTED BY:** STEVE DANLEY, ACTING CITY MANAGER

**PREPARED BY:** ADAM LOESER, FIRE CHIEF

**SUBJECT:** AUTOMATIC AID AGREEMENT WITH PLACENTIA  
CANCELLATION (*Continued from September 21, 2021*)

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### SUMMARY

Request cancellation of June 16, 2020 Automatic Aid Agreement with the City of Placentia and subsequent negotiation of a Mutual Aid Agreement between the City of Fullerton and City of Placentia for the provision of certain fire services.

### RECOMMENDATION

1. Cancel Automatic Aid Agreement and Memorandum of Understanding between the City of Fullerton and the City of Placentia pursuant to the 60-day termination clause.
2. Authorize City Manager and Fullerton Fire Chief to negotiate a Mutual Aid Agreement between the City of Fullerton and the City of Placentia.

### PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statements:

- Public Safety.

### FISCAL IMPACT

There is no fiscal impact.

### DISCUSSION

An Automatic Aid fire agreement requires each city to respond automatically to an emergency dispatch with equitable and reciprocal firefighting and medical resources. This differs from a Mutual Aid agreement which provides a response from the requested Fire Department only if they have resources available to assist at the time of the emergency dispatch.

The City of Fullerton and the City of Placentia established an Automatic Aid agreement on June 16, 2020. In response, the Fullerton Firefighters Association (“FFA”) filed an unfair labor practice charge against the City of Fullerton with the Public Employment Relations Board (“PERB”). The FFA alleged that the City of Fullerton must first formally meet and confer with the FFA over the decision to enter into an automatic aid agreement as well as the potential negotiable effects, including safety issues, of that decision.

While the City of Fullerton maintains that it acted in full accordance with its rights with respect to the automatic aid agreement, the FFA and City of Fullerton reached an agreement through the PERB settlement process that would dispose of the pending charge in its entirety. Per the terms of that agreement, the FFA agreed to dismiss the PERB charge if the City of Fullerton exercises its contractual right to terminate the automatic aid agreement with the City of Placentia. If the City of Fullerton elects not to take action to terminate the automatic aid agreement, the parties would then proceed to an evidentiary hearing at PERB to address the question of the City’s bargaining obligations over this issue.

Ultimately, the City of Fullerton believes that the termination of the automatic aid agreement and the exploration of a mutual aid agreement with the City of Placentia is a viable option to provide fire services, while also benefiting the City of Fullerton by resolving the PERB matter and saving the future costs and a significant diversion of staff time otherwise incurred if the dispute continued.

Attachments:

- Attachment A – Automatic Aid Agreement - City of Placentia
- Attachment B – Memorandum of Understanding