



**Council Meeting: January 29, 2013**

**SUBJECT: Amendment to the Salary Resolution and Classification Plan to Add the Newly-Established Classification of Civilian Fire Marshal**

**BACKGROUND**

This report recommends amending the City's Salary Resolution and Classification Plan to add the newly-established classification of Civilian Fire Marshal.

In the adopted budget of FY 2010/2011, Council approved the operating budget for the Department of Public Safety (DPS) to achieve a cost savings with the reduction of sworn staffing and implementation of a Civilianization Program. Civilianization of positions is a strategy to help offset impacts of previous and future sworn staffing reductions in order to ensure delivery of core services.

In September 2011, DPS asked the Human Resources Department to develop a series of civilian classifications as part of a Department-wide reorganization. The reorganization was in response to the planned reduction of sworn officers through attrition to achieve fiscal savings.

At the February 10, 2012 Strategic Planning Workshop, DPS discussed *Future Issues and Challenges*, including civilianization of identified positions. Civilian positions have been identified and authorized in the FY 2012/2013 Adopted Budget for DPS, including: Fire Prevention Specialists I/II, Community Services Officers, Hazardous Materials Inspectors, and Fire Protection Inspectors. In order to complete the civilianization initiative in the Fire Prevention Unit, the Fire Marshal position was also identified.

The Fire Marshal is a critical position providing a core service to the City of Sunnyvale. To consolidate services and reduce costs, a new Civilian Fire Marshal classification was proposed, combining duties of the current Hazardous Materials Coordinator with the new classification of Civilian Fire Marshal. The proposed restructure would replace the current Hazardous Materials Coordinator and sworn Fire Marshal with one full-time position. However, the total number of sworn officers remains at the authorized level of 195. The sworn position that was previously assigned as Fire Marshal has been deployed in another sworn assignment within DPS.

**EXISTING POLICY**

Section 1103, Classification, of the City Charter states that additions or changes to the classification plan may be adopted from time to time by the City Council upon the recommendation of the City Manager.

**DISCUSSION**

DPS requested the development of a new classification of Civilian Fire Marshal, including an appropriate salary range and bargaining unit designation. Staff conducted a classification and compensation study for the classification of Civilian Fire Marshal that included the following: review of internal management reporting relationships and associated salary differentials; and a review of benchmark and outside agencies with comparable classifications and compensation.

Based on this review, a new classification of Civilian Fire Marshal was developed and is now presented to City Council for approval. The Civilian Fire Marshal would be represented by the Sunnyvale Managers Association bargaining unit. The proposed salary range for the Civilian Fire Marshal is \$116,741 - \$148,995 per year. If authorized by Council, the new classification will become effective the first pay period after January 29, 2013.

**FISCAL IMPACT**

The annual salary and benefits cost for the new Civilian Fire Marshal position is approximately \$19,000 higher than that of the currently budgeted position of Hazardous Materials Coordinator. Based on the timing of when this new position will be hired, any cost differential for the current fiscal year can be absorbed within the existing operating budget of the Department of Public Safety. For the FY 2013/14 Recommended Budget, the Civilian Fire Marshal position will be fully budgeted; however, offsetting reductions in other areas of the DPS budget will be made in order to ensure the impact of this newly established classification is cost neutral to the City.

**PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's Web site.

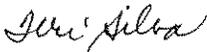
**ALTERNATIVES**

1. Adopt resolutions to amend the City's Classification Plan and Salary Resolution as detailed within this report and reflected by Attachments A and B.
  
2. Do not approve the recommendations contained in this report.

**RECOMMENDATION**

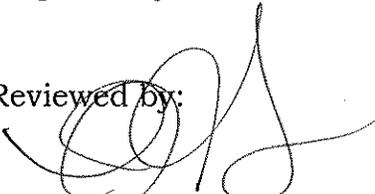
Staff recommends Alternative 1: Adopt resolutions to amend the City's Classification Plan and Salary Resolution to change the respective compensation for Civilian Fire Marshal as listed within this report that will become effective the beginning of the first pay period after January 29, 2013.

Reviewed by:



Teri Silva, Director of Human Resources  
Prepared by: Patricia Lord, Senior Management Analyst

Reviewed by:



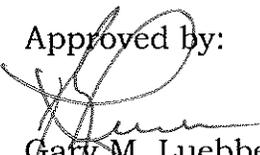
Frank Grgurina, Director of Public Safety

Reviewed by:



Grace Leung, Director of Finance

Approved by:



Gary M. Luebbers  
City Manager

**Attachments**

- A. Resolution to Amend the Classification Plan
- B. Resolution to Amend the Salary Resolution

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING THE CLASSIFICATION PLAN OF THE CIVIL SERVICE BY ADDING THE NEW JOB CLASSIFICATIONS OF CIVILIAN FIRE MARSHAL ADDING THE CLASSIFICATION SPECIFICATIONS THEREFORE**

WHEREAS, at the request of the Department of Public Safety, the Human Resources staff has proposed an amendment to the Classification Plan of the Civil Service of the City of Sunnyvale to add the newly-established job classifications of "Civilian Fire Marshal" and to add the classification specifications therefore; and

WHEREAS, the City Council having considered such proposals and recommendations;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. The City Council hereby amends the Classification Plan of the Civil Service by adding the new job classification title of "Civilian Fire Marshal" and by adding the classification specifications to read as set forth in Exhibit A attached hereto.

2. Except as herein modified, the Classification Plan, Resolution No. 143-77, as amended, shall remain in full force and effect.

3. This resolution shall take effect at the beginning of the first pay period after January 29, 2013.

Adopted by the City Council at a regular meeting held on \_\_\_\_\_, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

ATTEST:

APPROVED:

\_\_\_\_\_  
City Clerk  
SEAL

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Joan A. Borger, City Attorney

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING RESOLUTION NO. 190-05, THE CITY'S SALARY RESOLUTION, BY AMENDING THE PAY SCHEDULE**

WHEREAS, by separate resolution, the City's Classification Plan, has been amended to add the new classification of "Civilian Fire Marshal" for which a pay schedule must be added to the City's Salary Resolution No. 190-05;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT Resolution No. 190-05 is hereby amended by modifying Pay Plan Category D/E (Classified Management Employees) by adding the following classifications, as set forth below:

<b>Classification</b>	<b>Job Code</b>	<b>From</b>	<b>To</b>
Civilian Fire Marshal	0369	\$116,741	\$148,995

Adopted by the City Council of the City of Sunnyvale at a regular meeting held on \_\_\_\_\_, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST:

APPROVED:

\_\_\_\_\_  
City Clerk  
(SEAL)

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Joan A. Borger, City Attorney

**CIVILIAN FIRE MARSHAL**Class Code:  
tbdCITY OF SUNNYVALE  
Established Date: TBD**DEFINITION:**

Under administrative direction, manages the Fire Prevention Unit of the Department of Public Safety in connection with the investigation of fires, fire prevention, code compliance, inspections, hazardous materials, the Certified Unified Program Agency (CUPA), and the review of proposed construction for compliance with codes and regulations; serves as the Department's highest level technical expert on hazardous materials, fire prevention and related regulations; coordinates activities with other divisions, departments, outside agencies and organizations; assists in establishing department goals, objectives, policies and procedures; performs incident command system functions, as qualified and as needed; performs related duties as assigned.

**DISTINGUISHING CHARACTERISTICS**

This position involves oversight of engineering work and administrative direction of a complex caliber requiring thorough familiarity with both fire protection and chemical engineering principles and fire prevention and hazardous materials regulations, the exercise of technical judgment on numerous and important details, risk assessments and the approval of engineered systems. The position is responsible for the administration of the California Unified Program Agency (CUPA) that consolidates six statewide hazardous materials programs and regularly reports to California Environmental Protection Agency (CalEPA). Administrative direction is provided by the Deputy Chief of Fire Services. This classification is distinguished from the Deputy Chief of Fire Services classification in that the latter is responsible for overall management of the Fire Services Bureau within Public Safety.

**ESSENTIAL JOB FUNCTIONS:**

*(May include, but are not limited to, the following):*

- Manages the activities, operations, and services of the Fire Prevention Unit, including research, code development, code enforcement, fire safety construction inspection, plan review, fire investigation and records management; plans, coordinates, reviews and approves the work of assigned staff; provides administrative and technical direction to assigned staff.
- Supervises and participates in the development, implementation and maintenance of unit goals, objectives, policies and procedures; and, assists in the development and implementation of department-wide goals, policies and procedures.
- Oversees and participates in the development of the Fire Prevention Unit budget; administers and monitors the yearly budget; implements budget adjustments as necessary; develops and manages fees associated with the California Unified Program Agency and other fire prevention programs; collaborates with budget

analysts to ensure cost recovery goals are being met.

- Applies for, administers and monitors multiple grant programs.
- Prepares work programs and associated budgets.
- Supervises assigned staff, including engineers, technical, clerical and professional staff; and assigns division work activities.
- Coordinates projects with work of other City departments and other private and public agencies.
- Develops and prepares reports and correspondence.
- Provides technical and professional advice to the Director, other City staff, the City Council, and various City boards and commissions on fire prevention and hazardous materials matters; represents the City at intergovernmental committees, community and civic groups, regulatory agencies and the public; establishes and maintains a customer service orientation within the Fire Prevention Unit.
- Serves as the Department's highest level technical expert on hazardous materials, fire prevention and related regulations.
- Secures public safety through the development, adoption, maintenance and enforcement of fire prevention and hazardous materials regulations.
- Monitors new and pending statewide legislation and regulatory changes affecting fire protection, fire investigation and hazardous materials.
- Conducts special, complex, or difficult inspections and investigations to ensure compliance with ordinances, laws, and regulations governing the storage, handling, use and disposal of hazardous materials.
- Oversees management of the plan review process for commercial, industrial, multi-family housing, residential plats, schools, nursing homes, churches, public assemblies and similar buildings.
- Oversees management of the plan review process for fire protection systems, fire alarm systems, and water supply systems submitted for approval.
- Supports and provides direction to first responders and sworn staff on strategies and tactics to mitigate hazards to the community.
- Responds to emergency situations including off-duty response involving actual or suspected hazardous materials or biological agents to provide technical advice to command staff and response personnel.
- Supervises and participates in the investigation and determination of the origin and cause of fire incidents.
- Develops education programs and disseminates materials necessary to educate the

public on methods of fire prevention and safety.

- Performs other related duties as assigned.

### **WORKING CONDITIONS**

Position requires sitting, standing, walking on level, uneven and slippery surfaces, reaching, twisting, turning, kneeling, bending, stooping, squatting, crouching, grasping and making repetitive hand movements in the performance of daily duties. Acute hearing is required in both the field and the office. Near vision is required when reading plans, written reports and other documents, and far vision is required when inspecting work sites. The need to lift, carry and push equipment and containers weighing up to 25 pounds is also required. The job duties expose the incumbent to the outdoors, which may include exposure to electrical hazards, chemicals, hazardous materials, skin irritants, fumes, solvents and air contaminants. The nature of the work may also require the incumbent to climb ladders, work in construction zones and heavy traffic conditions. Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such accommodations.

### **MINIMUM QUALIFICATIONS:**

#### **Education and Experience:**

The minimum qualifications for education and experience can be met in the following way:

Bachelor's degree from an accredited college or university in engineering, environmental science, public administration or a related field; AND

Five years of increasingly responsible professional experience in fire protection engineering, hazardous materials management or enforcement, including two years in a supervisory or project management capacity.

#### **Knowledge of:**

- The principles and practices of fire protection and chemical engineering as applied to the development and construction of buildings and hazardous processes;
- Applicable federal and state laws, codes and regulations, including those related to fire prevention, fire protection systems and hazardous materials;
- Methods and procedures to monitor compliance with regulations, codes, and laws;
- Record management principles.
- Principles and practices of supervision and training;
- Methods and techniques of scheduling work assignments;
- Principles, practices and techniques of program development, administration and evaluation;
- Principles and practices of local government administration;
- Methods and techniques of record keeping and report preparation;

- Modern principles and practices of chemistry, biology or geology as applied to regulated hazardous materials, hazardous wastes, and industrial wastes;
- Hazardous waste sampling techniques and analysis, including field testing;
- Procedures associated with hazardous materials clean-up and disposal.

**Skill in:**

- Planning and directing the work of subordinates;
- Performing and reviewing difficult engineering computations and making comprehensive recommendations on engineering problems;
- Comparing hazards, probability of occurrence and consequence to establish risk and rank risks based on the effect to and in the community;
- Making rational, logical decisions;
- Maintaining accurate and organized records;
- Maintaining effective working relationships with others;
- Expressing oneself clearly and concisely in writing;
- Demonstrating sound engineering judgment;
- Developing and maintaining a high standard of professional conduct and civic responsibility.

**Ability to:**

- Coordinate and effectively manage all aspects of a multifunctional unit;
- Plan organize, manage, direct and evaluate the work of assigned staff;
- Develop and coordinate work programs;
- Develop and administer operational budget;
- Research and analyze operational and technical issues and develop appropriate recommendations for action;
- Review complex engineering plans, specifications and calculations;
- Interpret, implement, explain and apply applicable laws, codes, regulations standards, policies and procedures;
- Manage grants and contracts;
- Develop and maintain accurate record keeping systems;
- Operate assigned equipment, including personal computer and a variety of word processing and software programs;
- Establish and maintain cooperative working relationships with those contacted in the course of

work, including elected officials, advisory body members, developers, contractors, City staff and the general public;

- Ensure that the City's philosophy of customer service is understood by all subordinate employees and carried out in all forms of communication;
- Observe safety principles and work in a safe manner;
- Educate the public on matters of hazardous materials storage, handling and disposal; create professional business correspondence, memoranda, reports and other documentation as required;
- Communicate effectively, both orally and in writing.

**Willingness to:**

- Travel to remote sites within the City to conduct inspections of discharges of suspected hazardous materials;
- Work irregular hours or shifts, and on nights, weekends, holidays, or in emergency situations when needed;
- Work in, with and around hazardous substances;
- Work with and around laboratory chemical and reactive agents used to analyze suspected hazardous materials; analyze and interpret laboratory tests on suspected discharges of hazardous wastes;
- Wear a respirator or breathing apparatus and protective clothing and equipment;
- Work outdoors occasionally, in a variety of weather conditions.
- Respond to emergencies associated with hazardous materials at any time of the day or night.

**Licenses/Certificates:**

Possession and continued maintenance of a valid class C California driver's license and a safe driving record.

**DESIRABLE QUALIFICATIONS**

- Public sector professional experience in fire prevention, inspection, arson investigation and/or suppression.
- A Master's Degree in engineering, environmental science, public administration or a related field.
- Possession and continued maintenance of an Underground Storage Tank (UST) Inspector certification from the International Code Council (ICC).
- Fire Marshal certification by the California Office of the State Fire Marshal.