Resolution approving the hiring of permanent career civilian federal firefighters displaced by the closure of the National Park Service Fire Station in the Presidio, pursuant to the authority granted by California Government Code Section 53270.

WHEREAS, California Government Code Section 53270 permits a local government, when hiring additional firefighters, to appoint as a member a permanent career civilian federal firefighter who meets specific criteria, upon approval of the local government’s governing body and notwithstanding any other provision of law; and

WHEREAS, The California legislature found that hiring of permanent career civilian federal, state and local government firefighters by local governments was a matter of statewide concern, and provided that the appointment authority in Government Code Section 53270 would take “precedence over any provision of, or any condition or circumstance arising from a provisions of a charter, ordinance or resolution that governs employment of firefighters;” and

WHEREAS, Under Section 53270, to effectuate the purposes of that Section, the California Firefighter Joint Apprenticeship Program administers, prepares and circulates to local governments a list of permanent career civilian firefighters eligible for appointment under that Section; and

WHEREAS, The federal government, National Park Services (NPS), is ceasing to provide fire and emergency medical services in the Presidio of San Francisco (Presidio), and not later than September 30, 2010, will close its fire station in the Presidio. The federal firefighters at the Presidio fire station have been providing fire and emergency medical services to all of the Presidio, including “Area A” under the jurisdiction of the NPS and “Area...
WHEREAS, The City and County of San Francisco has negotiated agreements with the NPS and the Trust for the San Francisco Fire Department (SFFD) to provide fire, emergency medical and related services in the Presidio; and

WHEREAS, Not later than September 30, 2010, all Presidio firefighters will be terminated from their positions as firefighters at the Presidio due to the closure of the Presidio fire station; and

WHEREAS, Firefighters at the Presidio Station were notified that if they wished to seek appointment to the SFFD, they could advise SFFD of their interest; and

WHEREAS, The SFFD conducted a selection process, including interviews of interested Presidio firefighters, and has selected fifteen permanent career civilian federal firefighters from the Presidio station for appointment, subject to the requirement that the selected firefighters pass SFFD's minimum hiring qualifications regarding physical and medical requirements, as well as the Candidate Physical Agility Test (CPAT) and a background check; and

WHEREAS, All firefighters the SFFD selected meet the criteria for appointment set forth in California Government Code Section 53270; and

WHEREAS, All firefighters the SFFD selected for appointment are on the list prepared and circulated by the California Firefighter Joint Apprenticeship Program under Section 53270; and

WHEREAS, SFFD intends to offer a limited Fire Academy to introduce and orient the federal firefighters selected for appointment to SFFD policies, procedures and practices; and

WHEREAS, the San Francisco Fire Department is in need of firefighters; and
WHEREAS, San Francisco Firefighters Union Local 798, IAFF, AFL-CIO does not object to the SFFD hiring these fifteen Presidio firefighters; and

WHEREAS, On July 19, 2010, the Civil Service Commission approved appointment by the SFFD of fifteen federal firefighters displaced from the Presidio; now, therefore, be it

RESOLVED, That the SFFD may appoint fifteen permanent career civilian federal firefighters from the Presidio Fire Service, on the following conditions:

1. The SFFD must select for appointment Presidio firefighters who are on the list prepared and circulated by the California Firefighter Joint Apprenticeship Program under California Government Code Section 53270;

2. The SFFD shall hire twelve (12) displaced federal firefighters in the H2 Firefighter classification;

3. The SFFD shall hire three (3) displaced federal firefighters in the H3, Level II classification;

4. The SFFD shall appoint the federal firefighters within 48 months after termination from their positions as federal firefighters at the Presidio;

5. SFFD shall not appointment a federal firefighter under this resolution unless that individual passes SFFD’s minimum hiring qualifications regarding physical and medical requirements, as well as the CPAT and a background check; and

6. All firefighters appointed pursuant to this resolution are subject to the same requirements of any other newly appointed SFFD firefighter, including successful completion of a standard one year probation, subject to all applicable Civil Service Commission Rules.
Resolution approving the hiring of permanent career civilian federal firefighters displaced by the closure of the National Park Service Fire Station in the Presidio, pursuant to the authority granted by California Government Code Section 53270.

August 10, 2010 Board of Supervisors - ADOPTED
Ayes: 10 - Alioto-Pier, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Avalos

I hereby certify that the foregoing Resolution was ADOPTED on 8/10/2010 by the Board of Supervisors of the City and County of San Francisco.

[Signature]
Angela Calvillo
Clerk of the Board

[Signature]
Mayor Gavin Newsom
Date Approved: August 17, 2010