



Moraga-Orinda Fire Protection District

BOARD OF DIRECTORS SPECIAL BOARD MEETING MINUTES

March 20, 2020
(Approved April 29, 2020)

1. The Board of Directors convened a Teleconference Open Session at 1:04 p.m. on March 20, 2020, via the Zoom application, <https://zoom.us/j/537036066>, webinar id: 537-036-066 and/or by Phone 669-900-6833. Pursuant to Executive Order N-25-20, Teleconferencing Restrictions of the Brown Act have been suspended. MOFD is closely following the latest Public Health Order from the Contra Costa Health Services issued on March 16, 2020. At this time, all formal public meetings will continue remotely.

President Danziger called the meeting to order and requested an attendance roll call. Present were the following Directors and Staff:

President Danziger	Director Jorgens	Ian Long, District Counsel, Senior Associate
Director Baitx	Dave Winnacker, Fire Chief	Marcia Holbrook, District Clerk
Director Donner	Gloriann Sasser, Admin Services Director	
Director Jex	Jonathan Holtzman, District Counsel	

2. **PUBLIC COMMENT (audio 4:00)**

President Danziger opened Public Comment. Public comment remained open for a minimum of 3 minutes to allow for potential digital processing delays to ensure that the public had sufficient time and opportunity to send in questions or comments via the Zoom Chat or by the designated email at MOFD.org. There were no requests to address the Board. President Danziger closed Public Comment and added that if delayed public comments were received, the Board would respond.

3. **RESOLUTIONS (audio 8:25)**

- 3.1. **ADOPT RESOLUTION 20-04 DECLARING A LOCAL EMERGENCY IN RESPONSE TO COVID-19**

District Council provided the report. Resolution 20-04, declaring a Local Emergency in response to COVID-19, was prepared for the Board's adoption, acknowledging that a local emergency is declared to exist within the Moraga-Orinda Fire District. Contra Costa County, the Town of Moraga, and the City of Orinda have all declared local emergencies under Government Code Section 8630. The District Board and any official to whom the Board has delegated may promulgate orders and regulations necessary to provide for the protection of life and property under Government Code Section 8634.

The Resolution 20-04 creates the Office and Duties of Director of Emergency Services with authority to exercise the District's Emergency Powers. In addition, the District's Board has the ability to issue orders pursuant to Staffing Orders and other kinds of Orders and under the Meyers-Milias-Brown Act due to the declared Emergency. The Fire Chief will also have the authority to change Staffing Configurations based on the Emergency. An example of possible Staffing Configuration would be if a shortage of Firefighters or Paramedics was created due to the exposure of COVID-19. Staff Configuration changes would need to occur with respect to the quarantine, and the costs associated would be reimbursable due to the Emergency Powers.

Chief Winnacker added that we are entering into a period of great uncertainty. MOFD will work together to provide the best community services by maintaining maximum flexibility, and in partnership and collaboration with the labor group. Chief Winnacker continued to state that there will be things that we are not able to foresee because of the speed at which the COVID-19 is evolving. Resolution 20-04 is intended to give the maximum flexibility and ensure MOFD is configured to meet the needs of the community.

Director Donner inquired about the procedures for Firefighters/Paramedics who are exposed or show symptoms of the COVID-19 virus. Chief Winnacker answered that a policy is in place to provide an off-

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site quarantine or isolation location for members who choose not to go home. As of today, MOFD has not had any cases of COVID-19.

President Danziger asked for the names of the Battalion Chiefs listed in item #4 for the Support Services and the Training. Chief Winnacker answered Battalion Chief Jerry Lee is the BC of Support Services in EMS, and Battalion Chief Steve Gehling is the BC of Training.

President Danziger opened the public comment. There were no requests to address the Board. President Danziger closed the Public Comment. No further discussion from the Board.

Motion by Director Jorgens and seconded by Director Donner to Adopt Resolution 20-04 Local Emergency in response to COVID-19. Said motion carried 5-0 roll call vote (Ayes: Baitx, Donner, Jex, Jorgens, and Danziger; Noes: None; Absent: None).

4. REGULAR AGENDA (audio 23:50)

4.1. APPROVAL OF GENERAL FUND EXPENDITURE BUDGET ADJUSTMENT INCREASE IN THE AMOUNT OF \$50,000 FOR COVID-19 EMERGENCY RESPONSE COSTS

Chief Winnacker provided the report. Due to the COVID-19 emergency response, the District is experiencing additional needs and costs. A budget adjustment is necessary to purchase necessary items, including emergency medical supplies, personal protective equipment, and decontamination supplies for District apparatus and facilities. The adjustment will decrease the General Fund FY2020 projected surplus of \$872K to \$822K. The District is tracking COVID-19 expenses and will seek reimbursement from state and federal sources at a later date. Staff recommends the Board approve a General Fund expenditure budget increase in the amount of \$50,000.

Chief Winnacker continued explaining how MOFD has been preparing for the COVID-19 crisis by purchasing additional supplies in the event of future shortages. MOFD has significantly increased the industrial hygiene and cleaning schedule, which resulted in increased consumption of supplies. MOFD has purchased vinyl covers for all fire station mattresses to facilitate cleaning during shift changes. The staff has also purchased enhanced PPE to provide additional layers of protection for our Firefighters/Paramedics, and to preserve our transport capacity as the virus in the community is anticipated to rise over the next several weeks.

Chief Winnacker thanked the Rescue One Foundation for purchasing an AeroClave decontamination system. The AeroClave will significantly decrease the time required to decontaminate our ambulances between transports. MOFD is focused on Firefighter/Paramedic health and safety, as well as making sure that our Firefighters/Paramedics and ambulances do not become vectors that contribute to the spreading of the COVID-19 virus as they provide EMS to our community.

Director Baitx asked if this was the device previously discussed. Chief Winnacker confirmed and added that the Rescue One Foundation not only purchased the AeroClave fogger but a nozzle device as well that connects through a port (which looks like a vacuum cleaner hose) and dispenses the fog inside the ambulance via the nozzle. The decontamination disinfecting solution does not contain Proposition 65 chemicals, and it is EPA food safe.

President Danziger opened the public comment. There were no public comment requests to address the Board. President Danziger closed Public Comment. No further discussion from the Board.

Motion by Director Jorgens and seconded by Director Jex to Approve General Fund Expenditure Budget Adjustment Increase in the Amount of \$50,000 for COVID-19 emergency response costs. Said motion carried 5-0 roll call vote (Ayes: Baitx, Donner, Jex, Jorgens, and Danziger; Noes: None; Absent: None).

4.2. MARCH 25, 2020 REGULAR BOARD MEETING REVIEW (audio 32.53)

Chief Winnacker provided the report. On March 16, 2020, The Contra Costa Health Service Officer issued a Shelter-In-Place order directing all individuals to shelter at their place of residence. In accordance with Contra Costa Public Health's recommendation to practice social distancing, MOFD has canceled participation in all Public Education events through the end of the month, and all non-essential staff is working remotely. MOFD is closely following the latest Public Health Order from the Contra Costa Health Services intended to slow the spread of COVID-19.

Staff seeks direction from the Board on how to proceed for the March 25, 2020, Regular Board Meeting. Options for the Board's consideration are: 1) Hold the Regular Board Meeting virtually with no agenda modifications; 2) Hold the Regular Board Meeting virtually with agenda modifications; 3) Cancel the Regular Board Meeting. Attached, you will find the draft agenda with items 8.1 and 8.3 struck through. Item 8.1, Long Range Financial Forecast will not be ready for board review due to updates being calculated by GovInvest. These updates are related to the filling of vacant positions and increases in fuels mitigation staff. In addition, Item 8.3 Discussion of Ambulance Billing and Collections Process will not be ready for board review due to staff focus on COVID-19 preparation and response.

Director Donner stated that with the state of what's going on in our District and California, MOFD should have the meeting via Zoom as scheduled. Items that are not going to be ready because of Staff working remotely or because of resources spent on COVID-19 should be removed from the agenda.

President Danziger agreed and requested that item 8.2, discussion on Increase Suppression Staffing be removed from the agenda in addition to items 8.1 and 8.3. President Danziger explained that to discuss 8.2, item 8.1 (Long Range Financial Forecast) is needed information. In addition to removing items 8.1-8.3, President Danziger requested that the meeting time be moved from the regular schedule at 7:00 P.M., to 4:00 P.M.

Director Jorgens agreed with delaying items 8.1, 8.2, and 8.3. Director Jorgens suggested that instead of having a Regular Board Meeting, MOFD should have just an Informational Board Meeting to keep the lines of communication open and discuss what is happening in the District.

Director Jex added that if the Consent Items listed on the March 25, 2020 draft agenda are not critical for Board review, the Board could focus on having an Informational Session regarding the status of COVID-19.

Directed Danziger asked for staff input on the Consent Calendar, and on items 8.4 (Adopting Amendment-3 to Employment Agreement between Moraga-Orinda Fire District and David Winnacker) and item 8.5 (Approval of Unrepresented Employee Handbook Authorizing Salary and Benefits for Unrepresented Employees Effective March 26, 2020; Approval of Salary Schedule for Unrepresented Employees Effective March 26, 2020).

Administrative Services Director Sasser responded that item 8.5 has to do with the former local 2700 Represented Employees. Local 2700 is no longer representing those Employees, and therefore, those Employees need to be added to the Unrepresented Employee Handbook. Chief Winnacker provided additional comment that when 2700 disavowed interest in representing the current employees, those members fell into a gray area. Chief Winnacker expressed the importance of approving the proposed modifications in the Unrepresented Handbook to help clarify the uncertain status for those unrepresented Employees.

Director Jorgens suggested that the Board modify the agenda to keep the critical items previously suggested and include an update from the Fire Chief on the status of COVID-19 and the effects on our community and MOFD. Chief Winnacker answered that the update would be covered under item 10.3.1, Fire Chief Updates, COVID-19.

President Danziger asked District Council on the Closed Session item, Conference with Labor Negotiator, and if Closed Session was necessary. District Council conferred with Administrative Service Director

Sasser and determined that the Closed Session was not needed as the Item was completed and moved to Open Session on the agenda.

Director Donner notified the Board that Director Baitx was dropped from the teleconference and is currently logging back into the meeting. Director Baitx confirmed re-entry into the meeting. President Danziger reviewed the proposed changes to the March 25, 2020 agenda.

President Danziger opened the public comment. There were no requests to address the Board. President Danziger closed Public Comment.

Motion by Director Jorgens and seconded by Director Jex to hold the Regular Board Meeting on March 25, 2020, with agenda modifications of starting the meeting at 4:00 P.M., removing items 8.1, 8.2, 8.3, and 8.4. Said motion carried 5-0 roll call vote (Ayes: Baitx, Donner, Jex, Jorgens, and Danziger; Noes: None; Absent: None).

Board discussion continued on clarification of the motion. District Council suggested keeping item 8.4 since the Board already had discussion and agreement in the previous Closed Sessions.

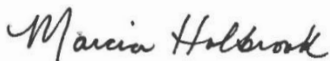
Motion amended by Director Jorgens and seconded by Director Jex to hold the Regular Board Meeting on March 25, 2020, with the following agenda modifications: Change the meeting start to 4:00 P.M., remove item 2.0, Executive Session, remove items 8.1, 8.2, and 8.3 from the Regular Agenda. Said motion carried 5-0 roll call vote (Ayes: Baitx, Donner, Jex, Jorgens, and Danziger; Noes: None; Absent: None).

President Danziger re-opened the public comment. There were no requests to address the Board. President Danziger closed Public Comment. No further discussion from the Board.

Director Jorgens suggested that one local number be listed on the agenda. President Danziger requested that the Secretary look into providing one number for the next meeting.

5. ADJOURNMENT

At 2:01 p.m., Director Jorgens motion and seconded by Director Donner to adjourn the meeting. Said motion carried 5-0 roll call vote (Ayes: Baitx, Jex, Jorgens, Donner, and Danziger; Noes: None; Absent: None).



Marcia Holbrook, District Secretary/Clerk

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