



# Moraga-Orinda Fire District

## Board of Directors

### CALL AND NOTICE OF A SPECIAL MEETING

September 15, 2021

**6:45 p.m. OPEN SESSION (No Closed Session)**

*Pursuant to Executive Order N-29-20, Teleconferencing Restrictions of the Brown Act have been suspended.*

#### **PLEASE NOTE TELECONFERENCE MEETING INFORMATION:**

To join the Meeting:

By Phone: 1-669-900-6833

Please click the link below to join the webinar by Zoom:

<https://us02web.zoom.us/j/84031717970>

Webinar ID: 840 3171 7970

**Public Participation** is encouraged by joining via the ZOOM link or the dial-in information above. You can access it either via a smartphone or computer App (Zoom) or via phone.

Live Public Comment can be provided via the Zoom app (during public comment) by the raise hand feature. If participating by phone, dial \*9 to *raise your hand*. Staff will call on participants by the name provided or last 4 digits of phone number for dial-in attendees. When your name or number is called, a notification is sent requesting that you unmute your microphone. Participants will be called in the order of hands raised to comment.

Written Public Comment can be provided via email at [info@mofd.org](mailto:info@mofd.org).

- Emails received by **3pm** on the day of the meeting will be forwarded to the Board of Directors. Emails will be made a part of the public record and available to view by 5pm on the day of the meeting by following this link [www.mofd.org/agendas](http://www.mofd.org/agendas)
- Comments may also be submitted by e-mail during the meeting up until the closure of the public comment period on the relevant agenda item. These will be read into the record by staff at their normal cadence and will be limited to a maximum of 3 minutes. To be read into the record, email must contain in the subject line "Public Comment – Not on the Agenda" or "Public Comment – Agenda Item #" with the relevant agenda item indicated.

The meeting will be live streamed via the MOFD YouTube Channel. A link is accessible via the District's website.

#### 1. OPENING CEREMONIES

- 1.1. Call the Meeting to Order
- 1.2. Roll Call

#### 2. PUBLIC COMMENT – ITEMS NOT ON THE AGENDA

At the beginning of each regular District Board meeting, any member of the public may address the District Board concerning any item **not** on the Board's agenda but within the subject matter jurisdiction of the Board. Speakers will be limited to three (3) minutes unless otherwise specified by the Presiding Officer. The public will be given an opportunity to speak on each agenda item at the time it is called. The Board may discuss and/or take action regarding any or all of the items listed below. Once the public comment portion of any item on this agenda has been closed by the Board, no further comment from the public will be permitted unless authorized by the Board and if so authorized, said additional public comment shall be limited to the provision of information not previously provided to the Board or as otherwise limited by order of the Presiding Officer or the Board.

#### 3. SPECIAL AGENDA

- 3.1. **Adopt Resolution 21-16 Identifying the Terms and Conditions for Fire Department Emergency Response Away From Their Official Duty Station and Assigned to an Emergency Incident**  
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Adopt Resolution 21-16 Identifying the Terms and Conditions for Fire Department Emergency Response Away From Their Official Duty Station and Assigned to an Emergency Incident.

#### 4. ADJOURNMENT

*The Moraga-Orinda Fire Protection District ("District"), in complying with the Americans with Disabilities Act ("ADA"), requests individuals who require special accommodations to access, attend and/or participate in District Board meetings due to a disability, to please contact the District Chief's office, (925) 258-4501, at least one business day prior to the scheduled District Board meeting to ensure that we may assist you.*

Any disclosable public records related to an open session item on a Regular meeting agenda and distributed by the Moraga-Orinda Fire District to a majority of members of the Board of Directors less than 72 hours prior to that meeting are available for public inspections at 1280 Moraga Way, Moraga, during normal business hours.

I hereby certify that this agenda in its entirety was posted on **September 14, 2021**, at the Moraga and Orinda Fire Administration offices, Stations 41, 42, 43, 44, and 45. Agenda provided to the Moraga Town Office (Hacienda) and Orinda City Hall.

*Marcia Holbrook*

Marcia Holbrook, District Secretary/Clerk



# Moraga-Orinda Fire District

**TO:** Board of Directors  
**FROM:** Dave Winnacker, Fire Chief  
**DATE:** September 15, 2021  
**SUBJECT:** **Item 3.1 – Adopt Resolution 21-16 Identifying the Terms and Conditions for Fire Department Emergency Response Away From Their Official Duty Station and Assigned to an Emergency Incident**

## **BACKGROUND**

Each year, personnel from the District are deployed on mutual aid assignments as participating members of the California Fire Service and Rescue Emergency Mutual Aid System. The California Fire Assistance Agreement (CFAA) is the negotiated reimbursement mechanism for local government fire agency responses under the Mutual Aid System. Reimbursement from the State of California is based on established pay scales and MOU language called “Pass-through Pay”.

In an effort to ensure agencies are fully reimbursed in a timely manner, the State has asked each agency to provide a resolution that covers any and all response employees whom are eligible for pass-through pay with or without MOU language.

Authorizing portal to portal pay for employees ensures that the District will continue to be eligible for full reimbursement through the CFAA.

## **Update**

The attached resolution updates Resolution 15-07, adopted in April 2015, to add members of the fire prevention staff. Staff has identified opportunities to deploy these members to non-fire line support positions on major incidents in positions such as Base Camp Radio Operator, Damage Inspection Specialist, Damage Inspection Manager, and other CICCIS positions. The district benefits from limited fire prevention staff deployments in the following ways:

1. Increased understanding of fire behavior resulting in better inspection and fire safety information sharing.
2. Increased retention through career-developing deployment opportunities.
3. Development of large incident-specific support skills and experience which can be leveraged in the event of a major fire in our area.

Staff will carefully balance core in-district job requirements with deployment opportunities to ensure fire prevention goals are achieved. There is no cost to the district as OES reimburses all salary and benefits expenses in addition to an admin fee.

## **STAFF RECOMMENDATION**

1) Discuss; 2) Deliberate; 3) Adopt Resolution 21-16 Identifying the Terms and Conditions for Fire Department Emergency Response Away From Their Official Duty Station and Assigned to an Emergency Incident.

## **ATTACHMENTS**

Attachment A – Resolution 21-16

## RESOLUTION 21-16

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MORAGA-ORINDA FIRE PROTECTION DISTRICT IDENTIFYING THE TERMS AND CONDITIONS FOR FIRE DEPARTMENT RESPONSE AWAY FROM THEIR OFFICIAL DUTY STATION AND ASSIGNED TO AN EMERGENCY INCIDENT.**

WHEREAS, the Moraga-Orinda Fire Protection District is a public agency located in the County of Contra Costa, State of California; and

WHEREAS, it is the Moraga-Orinda Fire Protection District's payment to all its employees for time worked; and

WHEREAS, the Moraga-Orinda Fire Protection District has in its employ, Fire Safety response personnel include: Fire Chief, Assistant Chief, Battalion Chief, Fire Captain, Fire Captain-Paramedic I, Fire Captain-Paramedic II, Engineer, Engineer-Paramedic I, Engineer-Paramedic II, Firefighter-Paramedic, Firefighter, Fire Marshal, Fuels Mitigation Program Manager, and Fuels Mitigation Specialist; and

WHEREAS, the Moraga-Orinda Fire Protection District will compensate its employees portal to portal while in the course of their employment and away from their official duty station and assigned to an emergency incident, in support of an emergency incident, or pre-positioned for emergency response; and

WHEREAS, the Moraga-Orinda Fire Protection District will compensate its employees overtime in accordance with their current Memorandum of Understanding while in the course of their employment and away from their official duty station and assigned to an emergency incident, in support of an emergency incident, or pre-positioned for emergency response.

Now, Therefore, Be It Hereby resolved by the Board of Directors that:

1. Personnel shall be compensated according to Memorandum of Understanding (MOU), Personnel Rules and Regulations, and/or other directive that identifies personnel compensation in the workplace.
2. In the event a personal classification does not have an assigned compensation rate, a "Base Rate" as set forth in an organizational policy, administrative directive or similar document will to compensate such personnel.
3. The Moraga-Orinda Fire Protection District will maintain a current salary survey or acknowledgement of acceptance of the "base rate" on file with the California Governor's Office of Emergency Services, Fire Rescue Division.

4. Personnel will be compensated (portal-to-portal) beginning at the time of dispatch to the return to jurisdiction when equipment and personnel are in service and available for agency response.
5. Fire department response personnel include: Fire Chief, Assistant Chief, Battalion Chief, Fire Captain, Fire Captain-Paramedic I, Fire Captain-Paramedic II, Engineer, Engineer-Paramedic I, Engineer-Paramedic II, Firefighter-Paramedic, Firefighter, Fire Marshal, Fuels Mitigation Program Manager, and Fuels Mitigation Specialist.
6. Resolution 21-16 supersedes Resolution 15-07

**PASSED, APPROVED and ADOPTED** this 15<sup>th</sup> day of September 2021 at a special meeting of the District Board of Directors held virtually due to the COVID-19 pandemic, on motion made by Director \_\_\_\_\_ and seconded by Director \_\_\_\_\_, and duly carried with the following roll call vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

**Resolution 21-16**  
**Dated: September 15, 2021**

---

Craig Jorgens, President  
Board of Directors

ATTEST:

---

Marcia Holbrook  
District Secretary/District Clerk