

Moraga-Orinda Fire District BOARD OF DIRECTORS REGULAR BOARD MEETING MINUTES

May 18, 2022

(APPROVED JUNE 15, 2022)

1. OPENING CEREMONIES

The Board of Directors convened a teleconference Open Session at **6:00 p.m.** on **May 18, 2022**, via the Zoom application https://us02web.zoom.us/j/82326960229, webinar id: 82326960229 and by phone 669-900-6833. This meeting was conducted by webinar and teleconference only in accordance with AB 361. The meeting was not available for in-person attendance.

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

President Donner Director Jex Jonathan Holtzman, District Counsel Director Baitx (arrived at 6:01 p.m.)

Director Jorgens Marcia Holbrook, District Clerk

Director Danziger Dave Winnacker, Fire Chief

2. CONSENT AGENDA (audio 0:50)

2.1 Adopt Resolution 22-13 Re-Ratifying Findings and Determining A Need to Continue Holding Remote Meetings By Teleconference

Director Danziger asked how the Board determines when it is time to resume in-person meetings. Fire Chief Winnacker answered the Board has previously provided direction that meetings should remain in a remote environment due to the continued COVID pandemic as long as it is authorized by the State and deferred to the Board regarding future meetings. President Donner queried the Directors on meeting preference (in-person or teleconference). Director Baitx supported resuming in-person meetings if desired by the other Directors. Director Jorgens stated that the City of Orinda was still meeting remotely. President Donner supported continuing to meet via teleconference. Director Jex commented that the District's remote meetings had increased public participation. Director Jorgens agreed and commented on conducting hybrid meetings. Director Danziger supported continuing remote meetings.

President Donner opened Public Comment. There were no requests to address the Board. President Donner closed Public Comment.

Motion by Director <u>Danziger</u> and seconded by Director <u>Jex</u> to adopt Resolution 22-13 Re-Ratifying Findings and Determining A Need to Continue Holding Remote Meetings By Teleconference. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: None; Abstain: None).

3. PUBLIC COMMENT (audio 4:33)

President Donner opened Public Comment on the Closes Session Items. There were no requests to address the Board. President Donner closed Public Comment.

At **6:05 p.m.**, the Board adjourned to Closed Session.

4. CLOSED SESSION

4.1 Conference with Legal Counsel - Existing Litigation

(Paragraph (1) of subdivision (d) of Section 54956.9) Name of case: *Nowicki v. Contra Costa County Employees' Retirement Association et al.*,U.S. District Court, California Northern District Case No. 3:17-cv-00629-EDL

At **7:00 p.m**., the Board adjourned the Closed Session.

5. RECONVENE THE MEETING (audio 6:18)

- Call the Meeting to Order
- Roll Call
- Pledge of Allegiance

President Donner reconvened the regular business meeting at **7:02 p.m**., requested an attendance roll call, and led the pledge of allegiance. Present were the following Directors and Staff:

President Donner
Director Jorgens
Director Baitx
Director Danziger
Director Danziger
Director Jex
Director Jorgens
Director J

6. REPORT OF CLOSED SESSION ACTION (audio 7:01)

President Donner stated that the Board took no reportable action on agenda item 4.1.

7. PUBLIC COMMENT - ITEMS NOT ON THE AGENDA (audio 7:12)

President Donner opened the public comment.

District Clerk Holbrook announced one written public comment was received by 3:00 p.m. from Cheryl Ku, Moraga resident, regarding the juniper trees growing into the power lines along Moraga Way. The comment was forwarded to the Board of Directors and made available for viewing on the District website, attached to the minutes as item 7.0, public comments.

<u>Suzanne Jones</u>, Moraga resident, and representative of the Bollinger Canyon Improvement Association, shared information about a washed-out fire road that East Bay Regional Park District had not repaired. The fire road that connects Moraga to San Ramon is not passable. Ms. Jones requested the Board encourage EPRPD to restore the road. Fire Chief Winnacker explained it is Fire Trail 42-13. Staff engaged EPRPD on July 3, 2019, regarding the fire code requirement of repairing the fire trail. On July 9, 2019, EPRPD responded that the repair of Fire Trail 42-13 was a low priority. This situation speaks to the ongoing issues with the EPRPD rejecting the Fire District's authority to apply the Fire Code in SRA. President Donner inquired if there has been any correspondence since 2019 about Fire Trail 4213. Fire Chief Winnacker answered there have been verbal discussions, which have resulted in the rejection of the District's authority.

<u>Steve Anderson</u>, Orinda resident, opposed a recent advertisement placed by the Union titled "Orinda's Fire and Ambulance Response is at Risk". Mr. Anderson recommended that Union Leadership reconsider these types of advertisements. Mr. Anderson commented that when the District removed the ambulance service in 2013, it was because of financial necessity and a commitment was made by the 2013 Board of Directors to restore service when feasible.

<u>Mahboud Zabetian</u> (and family) expressed gratitude to the firefighters for a recent response to a house fire at their home. The Zabetian family appreciated the professionalism, compassion, and care the firefighters showed for their home, belongings, and family; and were impressed by the firefighters' ability to keep the fire contained.

There were no additional requests to address the Board. President Donner closed public comment. No further discussion by the Board

8. ANNOUNCEMENTS (audio 16:40)

- 8.1 Brief information only reports related to meetings attended by a Director at District expense (Government Code Section 53232.3(d)). No Report.
- 8.2 Questions and informational comments from Board members and Staff. No Report.
- 8.3 Fire Chief Updates

a. Finance Report

Finance Manager Smith provided the report and presented the status of OES reimbursements, attached to these minutes, item 8.3(a). Director Jorgens asked who pays for the gas when the District vehicles are deployed. Fire Chief Winnacker explained the District receives reimbursement from the State, and while at the incident, fuel services are established in the base camp.

b. Human Resources

Human Resources Manager Russell provided the report and presented a graph of Sick Leave Usage Hours per Fiscal Year and a COVID Sick Leave Timeline, attached to these minutes, item 8.3(b). HR Manager Russell reported the application period for Firefighter Paramedic Trainee and Lateral positions closed on May 13, 2022. The District received 41 applications (32 qualified) for the Trainee position and three (two qualified) for the Lateral position. Oral board interviews are scheduled for the week of June 6, 2022. HR Manager Russell concluded that Cal/OSHA released an updated version of the COVID-19 emergency temporary standards, which remain until December 31, 2022. These new emergency standards instruct employees to follow the California Department of Public Health guidance. The new standards have been incorporated into the District's injury and illness prevention program. Director Danziger inquired about the number of open Firefighter/Paramedic positions. HR Manager Russell answered five. Director Danziger asked if the five open positions included the two candidates enrolled in the academy. HR Manager Russell confirmed. Director Jorgens asked for further clarification on the number of open positions. Fire Chief Winnacker explained the District has 57 authorized line safety positions (52 are currently filled). HR Manager Russell explained the two people currently in the academy are included in the District's position control. The District has five open line safety vacancies.

c. Fire Marshal

Fire Marshal Isaacs provided the report and outlined the statistics provided in the Monthly Fire Prevention report. Director Danziger asked if the District tracked the number of property transfer inspections that are self-reported versus those requiring a physical inspection. Fire Chief Winnacker answered a significant number of the self-reports require an in-person visit due to the poor-quality

photos submitted. The District is rolling out a new process to increase the quality of the pictures. Director Jorgens asked if the failed property transfers eventually passed inspections. Fire Marshal Isaacs confirmed. Director Jorgens inquired about the exterior hazard inspections and the annual abatement deadline. Fire Chief Winnacker explained the annual deadline applies explicitly to annual grasses and weeds. Annual grasses and weeds account for many of the noted violations. Annual violation notices are issued after the deadline to avoid the likelihood that the District will have to issue a new violation at the same parcel later in the year. The violations the Staff are currently working on are associated with resident complaints about dead trees or hazardous conditions.

Director Danziger inquired about the 2023 Fire Code update. Fire Chief Winnacker reviewed the model code that will come out from the State in late June-early July, which will start the local adoption process. The process will include public hearings before the Board and then ratification hearings before the City of Orinda, Town of Moraga, and the County Board of Supervisors. The new Fire Code goes into effect on January 1, 2023. Fire Chief Winnacker discussed the development of a Regional Model Code (RMC) that local Fire Marshals are working on to incorporate local amendments for a mutually agreed upon RMC. The RMC is in alignment with one of the recommendations of the Easy Bay JPA working group.

Director Jorgens asked if there was an update regarding the letters previously submitted at the March 16, 2022 Board meeting by the East Bay Municipal Utility District, East Bay Regional Park District, and the University of California. Fire Chief Winnacker answered that District Counsel submitted a letter to CAL FIRE Director Tyler asking for an opinion as the letters submitted asserted that only CAL FIRE could enforce standards away from structures in State Responsibility Areas (SRA) lands. No response has been received. The violation notices issued to East Bay Municipal Utility District (EBMUD) were for Ordinance 22-02, fire code violations on EBMUD properties located in the LRA. The point of contention referenced in the letters is the SRA surrounding the incorporated portions of the District. Staff has not taken action in the SRA due to the pending CAL FIRE response, review by the District Council, and Board direction. Staff anticipates providing a Staff Report at the June meeting for Board direction.

Fire Chief Winnacker shared an example of high-quality photos submitted by a resident as part of the self-reporting program in response to the evacuation route letters. Fire Chief Winnacker expressed appreciation to the resident and encouraged all residents to carry out the work identified in the notices and submit the self-compliance using high-quality pictures.

d. Operations

Fire Chief Winnacker provided the report and shared a PowerPoint presentation, attached to these minutes, item 8.3(d). Fire Chief Winnacker reviewed a 911 audio incident and the importance of listening to the dispatcher's questions being asked to the caller. The dispatchers are highly-trained and work through an algorithm designed to gather the necessary information to dispatch the appropriate response and equipment. This particular fire incident was initially reported as a vegetation fire, which elicited a different response and indicated the use of different protective equipment (PPE). The incident was changed to a structure fire which caused the crews to shift to the appropriate vehicles, PPE, and mindset for a structure fire. The dispatch of resources is often delayed by residents giving information in the order that seems logical to them versus listening and responding to the questions from the dispatcher.

MOFD hosted an exercise of the East Bay Incident Management Team in partnership with the San Ramon Valley Fire Protection District and CON FIRE. The exercise executed a mutual response zone area where a fire was simulated between the three jurisdictions. The East Bay Incident Management Team included partners from the Contra Costa County Sheriff's Office, Moraga and Orinda Police Departments, and the District Administrative Staff members. The District also held the first Open House since the COVID pandemic on May 7, 2022.

Fire Chief Winnacker shared a photo of Captain Paramedic Mike Lacy deployed at the Canyon fire in New Mexico as a Safety Officer. Director Danziger asked if Captain Lacy had traveled alone. Fire Chief Winnacker confirmed and explained the vehicles are equipped with Garmin devices, which allow members to provide a status report regularly even in areas with poor cellular coverage. Staff continues to present information and perform assessments for neighborhoods interested in becoming Firewise. Staff is providing an increasing number of educational talks to organized neighborhoods on fire safety. Fire Chief Winnacker recognized a homeowner for organizing a meeting and completing the required fuel mitigation work bringing his parcel into compliance. Caitlyn Roach was presented with the official proclamation and college application letter of recommendation on May 13,

2022. President Donner inquired how many houses are part of the FireWise program. Fire Chief Winnacker answered approximately 30 neighborhoods of varying sizes.

8.4 Communications Received. None.

President Donner opened Public Comment for items 8.1-8.4. There were no requests to address the Board. President Donner closed Public Comment.

9. CONSENT AGENDA (audio 49:50)

- 9.1 Meeting Minutes April 20, 2022 (Regular)/Staff Recommendation: Approve and File
- 9.2 Monthly Incident Report April 2022/Staff Recommendation: Approve and File
- 9.3 Monthly Check/Voucher Register April 2022/Staff Recommendation: Approve and File
- 9.4 Monthly Financial Report April 2022/Staff Recommendation: Approve and File
- 9.5 Salary Schedule Unrepresented Employees Effective July 1, 2022/Staff Recommendation: Approve and File
- 9.6 Quarterly Investment Report. Staff Recommendation: Receive and File.

President Donner opened the public comment for the consent agenda items 9.1-9.6. There were no requests to address the Board. President Donner closed public comment.

Motion by Director <u>Danziger</u> and seconded by Director <u>Jorgens</u> to approve Consent Agenda items 9.1 through 9.6. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: None; Abstain: None).

10. REGULAR AGENDA

10.1 Adopt Resolution 22-14, A Resolution of the Board of Directors of the Moraga-Orinda Fire Protection District of Contra Costa County Honoring the Moraga-Orinda Fire Protection District 25 Years of Service. (audio 50:57)

Fire Chief Winnacker provided the report and read the Resolution honoring the District's 25 Years of Service.

President Donner opened the public comment. There were no requests to address the Board. President Donner closed public comment.

Director Danziger expressed gratitude and requested Staff send a copy of the Resolution to the City of Orinda, Town of Moraga, the Board of Supervisors, and other agencies, including East Bay Regional Parks, to acknowledge the 25th anniversary of the MOFD.

At 7:53 p.m., Director Baitx left the meeting due to a call of duty.

Motion by Director <u>Jorgens</u> and seconded by Director <u>Jex</u> Adopt Resolution 22-14, A Resolution of the Board of Directors of the Moraga-Orinda Fire Protection District of Contra Costa County Honoring the Moraga-Orinda Fire Protection District 25 Years of Service. Said motion carried 4-0-1-0 roll call vote (Ayes: Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: Baitx; Abstain: None).

10.2 Increased Suppression Staffing (audio 57:29)

Fire Chief Winnacker provided the report. At the June 2019 meeting, Director Danziger requested a special meeting to discuss increased suppression staffing. The topic of increased staffing was further discussed at the July 2019 meeting. In February 2020, Director Baitx requested that an item be placed on the March 2020 agenda; however, due to COVID-19 shelter-in-place orders, the item was deferred to April 2020. In April 2020, the Board directed Staff to maintain the status quo of 17 suppression members per day. At the April 2022 board meeting, Directors Donner and Danziger requested a staff report be placed on the agenda revisiting this issue.

Fire Chief Winnacker reviewed that from 2007-2013 the District increased daily staffing from 17 to 19 and put a dedicated ambulance in service at station 45 in Orinda. This staffing model ended in 2013 and reverted to the current cross staffed model in which the crew of engine 45 staffs the ambulance when responding to EMS calls. This requires taking engine 45 out of service for the full length of the EMS call and creates a gap in coverage for a median time on task of 62 minutes per call. In 2021, medic 45 was assigned to an incident for a total of 860.63 hours or 9.8% of the time. Engine 45 was assigned to an incident for a total of 83.07 hours or .9% of the time. Combined, the units at station 45 were available to respond to an emergency 89.2% of the time. MOFD's second ambulance unit is staffed with a dedicated crew at station 41 in Moraga and was assigned to an incident for a total of 1090.65 hours or 12.4% of the time. MOFD's engine and truck companies are assigned to incidents between 3-4% of the time.

Fire Chief Winnacker itemized types of incidents and transport totals from 2014-present and characterized the components of EMS calls which are outlined in the staff report. Ambulances are

normally staffed with a crew of two, however the cross-staffing model means that medic 45 responds with a crew of three, thus decreasing efficiency by sending an additional member to the hospital. The District currently has 57 authorized line safety positions (52 are filled). The authorized positions account for daily minimum staffing of 17 members plus two vacation relief positions per shift. When filled, the vacation relief positions are used to backfill for leave usage and members who are off recovering from an injury.

Fire Chief Winnacker stated Suppression staffing could be increased in two ways.

- 1. Authorize six additional positions (from 57 to 63) to maintain vacation relief. The fully burdened cost is \$1.56M.
- At the June 2019 meeting, additional information was requested regarding increasing staffing without adding additional authorized suppression positions. This second option increases daily minimum staffing from 17 to 19 while maintaining the current total authorized positions of 57. Based on FY2019, leave usage and FY2020 pay scales, this option would increase overtime costs by approximately \$1.24M.

Fire Chief Winnacker reviewed the discussion item raised during the April 2022 board meeting, of an alternative staffing model to use paramedics to staff ambulances. Using firefighter paramedics (FF/PM) to staff ambulances is a model which has fallen from favor due to increased staffing costs and is no longer in widespread use in the East Bay. The City of Berkeley, San Ramon Valley, and South San Francisco transitioned to single role paramedic ambulance staffing over the last several years. Smaller departments such as Piedmont (1 station), Albany (1 station), and Alameda City (4 stations) have retained the dual function FF/PM staffing model primarily due to insufficient call volume to support single role positions. Fire Chief Winnacker noted single role paramedics were included in the MOFD's MOU with L1230 under section 32, which includes an agreement by both parties to meet and confer regarding operational impacts of implementation.

Fire Chief Winnacker explained the fully burdened cost of adding (12) single role paramedics is estimated to be \$1.84M/year, excluding any additional supervisory positions required to manage a new group. Creating an additional classification of single role EMTs and staffing ambulances with one EMT and one paramedic would reduce the cost of this model and is in alignment with best practices in place throughout our region. The MOU with L1230 allows for the creation of single role paramedics but does not envision single role EMTs and creating this position would be a meet and confer item. Staffing two MOFD ambulances with dedicated single role crews would reduce daily suppression staffing from 17 to 15, generating \$1.56M in savings to offset the \$1.84M cost of single role paramedic staffing. Fire Chief Winnacker stated, if the Board directed this option, there are currently sufficient openings for suppression staffing on a daily basis that offsetting the FF/PM position at medic 41 would not result in a need to reduce the number of members other than through natural attrition and would not result in a significant increase in staffing costs.

Staff provided four options for the Board to provide direction:

- 1. Maintain status quo of 17 suppressing members per day with 2 vacation relief positions per shift
- 2. Increase staffing to 19 suppression members per day with existing authorized positions
- 3. Increase staffing to 19 suppression members per day with 2 additional vacation relief positions per shift
- 4. Develop proposal to implement single role paramedic staffing

Fire Chief Winnacker recommended the formation of an ad hoc committee with representation from L1230, Management, and Board members to work through a fully vetted staff proposal. Staff requested direction concerning staffing and staff reports to be generated.

President Donner opened the public comment.

<u>Jacob Airola</u>, Local 1230 Union Representative, requested a seat at the table before any determinations occurred. Captain Airola highlighted the ways the 19 Staffing model increases the level of service. It dedicates a three-person engine company to downtown Orinda servicing El Toyonal, Miner, Sleepy Hollow, and the Orinda Downs areas which is within CAL FIRE's very high fire severity zone. The area is plagued with narrow streets and access issues could also prove detrimental in a large urban interface fire. The 19 Staffing model provides a quicker response for EMS calls in the area when M45 would be committed to incident calls as previously referenced in the staff report, provides the area with a more indepth number of personnel, better succession planning and advancement, and opportunities for out-of-county deployments.

There were no further requests to address the Board. President Donner closed public comment.

Director Danziger asked if the Board had a consensus or agreement to do this without hiring and with just using overtime, would that be possible with the existing personnel, and would the overtime have to be mandatory every day. Fire Chief Winnacker confirmed it would require two additional overtime positions per day on top of the existing load, some of which go to mandatory overtime. Staff is currently at 52 suppression staff with 1 member currently off on a long-term injury. Today, the District is staffed at 17 with zero floats. If two additional positions were created per day, those would need to be filled with overtime and/or mandatory overtime. Director Danziger asked if the Board directed Staff to go with this option, would it require a Meet and Confer with L1230. Fire Chief Winnacker answered if the District is changing staffing and conditions, he would recommend a meet and confer as a best practice. District Counsel Holtzman clarified staffing levels are managerial discretion, but the effects are bargainable.

President Donner supported forming a committee to look into increasing the staffing, the implementing of single role paramedic staffing, and getting Director, Local 1230, Fire Chief, and maybe some constituents involvement is a good idea. Director Jorgens agreed.

District Counsel Holtzman stated that if the Board were to create an ad hoc committee that would be a Brown Act committee if it included people who were not from the Board. Alternatively, the Fire Chief could create an ad hoc working group.

Director Jorgens restated for clarification, if the Fire Chief creates an ad hoc working group rather than the Board, Staff could have members from the union, from management, from the board, from the public, and that is not a Brown Act committee because the Board did not create it. District Counsel Holtzman confirmed.

President Donner recommended calling the working group the Increased Staffing Group. District Counsel Holtzman stated the Fire Chief could convene a working group so long as it does not include more than two members of the Board. Director Jorgens supported the Fire Chief convening a working group.

Director Jex asked if Staff conducted any benchmarking of other similar districts. Fire Chief Winnacker asked for clarification regarding the question as the answer would depend if the inquiry was about the density of a firefighter-paramedics to residents, by square miles or by call volume. Director Jex clarified all of the above. Fire Chief Winnacker reviewed the challenges of looking at the surrounding neighbors as the vast majority of residents live in the flatlands where responses can come from multiple directions. The surrounding neighbors are buffered by Emeryville, Oakland, El Cerrito, Kensington, and Albany and the firefighting/EMS resources can flow seamlessly back and forth between neighborhoods because there are multiple ways to access them.

Fire Chief Winnacker discussed that the District's density of firefighters by population is significantly higher than the regional standard because the population density relative to the number of ways one can get from one point to the other is very limited. The District's density is higher, but that is misleading because the terrain is much different. The demographics are spread out evenly throughout the area. The District's numbers are higher relative; however, the need is higher because of the distributed nature of the community and the limited number of routes in and out of specific areas. Director Danziger provided statistics that the District has approximately 1 FF/2,200 residents, CON FIRE has 1 FF/6,000 residents; but, as explained, the District has very different demographics. Director Jex asked if the numbers were of FF/PM. Director Danziger clarified the statistics include different ranks, not just firefighters.

Director Jorgens stated if the objective is to have more service and a dedicated ambulance in the area, assuming it can be done efficiently, effectively, and economically, it would be a good investment and an increase in service. Director Jorgens supported the formation of a working group to explore the alternatives. President Donner agreed. Director Jex agreed. Director Danziger asked about the 12 single role paramedic number in the staff report. Fire Chief Winnacker answered that it is for two ambulances, one for stations 41 and 45. Director Jorgens asked if Board direction had been provided.

Fire Chief Winnacker repeated back the direction provided to form a working group to discuss increased service levels, and requested clarification if the discussion of increased service levels is through the development of the single role paramedic position. Fire Chief Winnacker took the liberty to add, if discussing single role paramedics, the working group should also discuss the single role EMT so there is an understanding of what an EMT/paramedic ambulance staffing model would look like. The discussion would also include the discussion of the supervisory model that would be needed to manage this group. The group would require supervision, and the current model of a shift Battalion Chief responsible for EMS does not have the appropriate capacity to take on the additional responsibilities. Fire Chief Winnacker summarized, the working group discussion would include the review of a single role paramedic program, a review of an EMT paramedic mix, retaining ALS ambulances with staffing of one EMT and one medic, and the appropriate supervisory increase in staffing that would be needed to run that program.

President Donner requested the working group also look deeper into the Increased Staffing model as well as FF/PM. Fire Chief Winnacker asked if there were any specifics on that portion of the discussion. President Donner explained he did not consider the effects on station 41 and losing two FF/PM with this staffing model, therefore, actually reducing the firefighter staffing with this model. Fire Chief Winnacker stated it is the Board's pleasure to choose to do something else. Fire Chief Winnacker expressed confidence that the working group could explore that model further and establish a single paramedic unit with a single role. A workgroup of six will not be effective, resulting in an increase (1.56 FTE, plus .92 FTE) of about 2.5 FTE or more.

Fire Chief Winnacker confirmed that the single role option eliminates the FF/PM positions on medic 41 and results in staffing two single-role dedicated ALS ambulances. If the interest is in discussing the 19 FF/PM staffing model, it is unclear what additional information is being requested. Fire Chief Winnacker reminded the Board of previous staff reports. The Board can direct an increase in staffing, and there would be a budget discussion associated with the \$1.56M cost of increasing paramedic staffing. The Board could have provided this direction during the previous discussion and decided not to provide that directive but could now. In the absence of understanding specific elements to be discussed, staff requires guidance regarding what additional elements of the 19 FF/PM staffing model the working group should explore.

Director Jex asked if the working group would consider the issue of funding and financing. Director Jorgens assumed the group would provide a complete report presenting the math so the Board could make an informed decision. District Counsel Holtzman clarified the working group would only have the ability to make recommendations. Fire Chief Winnacker reiterated the request for Board direction on increasing FF/PM staffing and if that should be included in the working group discussion. President Donner expressed concern of having fewer firefighter boots on the ground if a wildfire were to occur. Director Jorgens inquired when a dedicated ambulance is sent to a fire, if the ambulance personnel work on the fire or work on medical purposes. Fire Chief Winnacker stated the primary role at the incident is to serve as an ALS care and ALS transport, but FF/PM are capable of serving as firefighters.

Director Danziger asked if the item should be placed on the next agenda. Fire Chief Winnacker reiterated the request for direction for the working group's mandate. If the working group's mandate is to develop a proposal to implement single role paramedics staffing as outlined in staff recommendation #4, then direction has been provided. Some of the discussion has been ambiguous and open-ended regarding increasing staffing to 19, or an undefined hybrid model should be explored. Fire Chief Winnacker stated it would be helpful for the working group to stay on task and requested a clear understanding of the working group's mandate from the board's direction. The mandate could be all four options, any combinations of the four options, or the number four option included in the staff report.

Director Jorgens supported the recommendation of item #4 as it appears to solve the need; it meets the benchmarks like the neighbors and industry standards, it is economically affordable, and it increases service capability. Director Danziger agreed. Director Danziger opposed the model of mandatory overtime due to potential job burnout and injuries. Director Jex agreed with both statements as it is affordable, and if it is not working, it could be re-addressed. Director Danziger commented that the discussion should not be taken off the table to add the additional FF/PM because L1230 and community members may have ideas and other persuasive reasoning as to why the District would want to add additional FF/PM on those rigs.

Fire Chief Winnacker reiterated the request for direction regarding the mandate for the working group on a topic where more information may be needed with regard to the development of a proposal. Fire Chief Winnacker clarified that he was not suggesting the working group discuss any or all of the items or exclude any other options. If options 1-3 are to be included in the working group, specificity is needed regarding any additional information the Board hopes will be developed from the working group process that has not already been provided. The working group's role is to bring back additional information to the Board. The mandate for option #4 is clear as it has not been previously discussed, or vetted as a proposal. If options 2 and 3 are to be included, the mandate is unclear regarding the additional information being requested that has not already been provided in previous staff reports.

Director Jorgens stated the new working group would develop new data the Board does not already have after discussions with L1230 and Firefighters and gather information on the new concept to bring back to the Board for discussion. President Donner supported the group in gathering more information.

Director Danziger asked if the group would include staffing two ambulances with FF/PM, like Station 41. President Donner asked if the group could include that in the discussion. Fire Chief Winnacker reiterated the request for the mandate for the working group to keep on track. Information has been provided to the

Board on increased staffing over the last two years, and the Board has not provided direction to move forward with that information. The Board has also not provided direction on the specific elements of the additional information that are sought that has not already been provided on increasing the FF/PM staffing model. Fire Chief Winnacker deferred to the Board but felt all relevant information has already been provided in previous staff reports regarding increased staffing. It would be productive to keep the working group on task and stay within the Board directed mandate. It would be helpful to know what specific elements of increased FF/PM staffing are sought. The opinion of whether or not it is a good idea or beneficial or has beneficial outcomes is well understood. Fire Chief Winnacker understood the mandate for option #4, to develop a single role paramedic staffing model. The group would develop the model and requirements to implement, ensure compliance with county standards, develop a proposal for the EMT position, which is currently not in the MOU, and develop the supervisory position that would need to be created to oversee the program and cost. This mandate is clear for the working group to develop and bring back to the Board for consideration next to the other three options where information has already been provided.

Fire Chief Winnacker again stated he believed all relevant information had already been provided for options 1-3. If there is additional information, it would be helpful to understand what that information is to keep the working group within the mandate and focused on moving forward in a manner designed to meet the Board's request for additional information. President Donner acknowledged and understood.

Director Jorgens supported limiting the working group to develop information about option #4 and for Staff to bring it back to compare to the other options provided in the staff report. Director Danziger agreed and requested adding a proposal to implement a single role EMT and paramedic staffing. Director Jorgens agreed. Fire Chief Winnacker affirmed the direction to form a working group that will explore the opportunities to field a single role EMT and paramedic position, plus a supervisory position, and then come back to the Board for further discussion and comparison with the other available alternatives. President Donner requested to be part of the working group.

No further discussion by the Board.

10.3 Home Hardening Grants Pilot Program Options (audio 1:39:50)

Fire Chief Winnacker provided the report. During the March 2022 Long Range Financial Forecast meeting, Director Jorgens requested \$750k be added to the 2023 budget for fire safety incentive programs. At the April 2022 Budget Workshop, the Board directed a staff report be generated identifying best practices for a \$500k home hardening grant program. Staff consulted with representatives from the Town of Woodside, Woodside Fire Protection District, the Montecito Fire Protection District, Town of Truckee, Truckee Fire Protection District, Tahoe-Douglas Fire Protection District, and the Marin County WPA. As a result of these discussions and an extensive review of available literature regarding FireSafe Councils, community resiliency efforts, and incentive-based structures, the following was proposed for a MOFD home hardening incentive program:

- 1. Provide grants of up to 50% of project cost, not to exceed \$1,500/per parcel.
- Eligible projects are limited to the retrofit of existing residential roofing assemblies and vents, not
 otherwise required by code, using materials and construction methods approved for emberresistant construction according to the standard identified in Section 7A of the California Building
 Code and/or R337 of the California Residential Code.

Fire Chief Winnacker noted agencies that do fuel mitigation grants and grants for vegetation modification, involve on-site visits before and after the project. The District is not currently staffed to support on-site visits for the program. If the District instituted a program that involved on-site visits, additional Staff would be required to conduct the on-site visits. In addition, in conferring with various agencies, the program requires a significant amount of staff engagement to ensure that the grant program money was not being used to supplant funds that would have otherwise been spent. Fire Chief Winnacker made note of section 2 in the staff report, should a grant incentive program be enacted, homes that are under new construction or a major remodel and are otherwise required to include these construction features should not be eligible.

President Donner opened the public comment. There were no requests to address the Board. President Donner closed public comment.

Director Jorgens inquired about the \$1,500 amount. Fire Chief Winnacker explained that after speaking with other agencies, reviewing the cost of the vents, and the number of parcels. Fire Chief Winnacker noted that the grant funds are taxable. Any distributed grants that exceed \$600 must be issued a 1099. Director Jorgens recommended limiting the grant to \$1,000 for 500 homes and suggested not including labor in the amount. The purchase should only be for hardware and with a discount code the District

provides. Director Jorgens recommended utilizing the online self-reporting feature similar to fire compliance process. Fire Chief Winnacker expressed concerns with on-site inspections specific to vegetation management, and stated home hardening and retrofitting have had great success, with pictures and invoices which can be confirmed remotely.

Director Danziger asked about the retrofitting of existing residential roofing and vents and if that meant replacing the roof. Fire Chief Winnacker confirmed. Director Danziger asked about qualifying roof material and if his new roof material would qualify. Fire Chief Winnacker answered no and explained his roof is a Class A covering. The qualifying type would be a Class A assembly that includes the underlayment, the flashing, and how the roof is assembled. Director Jorgens commented that the vent covers and other ember-resistant material should be the objective of the program. The grant program would be for people who voluntarily upgrade to a Class A roof assembly. The program would specifically target replacing wood shakes and increasing the level of protection. Director Danziger inquired if going from concrete tile is Class A. Fire Chief Winnacker answered the covering, but not the assembly. Fire Chief Winnacker explained the roofer would have to provide documentation of the assembly. Director Danziger acknowledged that the covering should not be eligible.

Director Jorgens opposed replacing the roofs and supported supplying the vents. Director Danziger agreed and wondered if gutter guards were being included. Fire Chief Winnacker deferred to the Board on the specific items to be included. Director Jorgens asked if gutter guards would be helpful. Fire Chief Winnacker answered the gutters have to be fire-rated. Staff recommended any items used for the grant program would need to be on the State's material listing service that list material that meet or exceed the requirements for 7A and 337 construction. The list is appropriate for a Wildland Urban Interface construction.

Director Danziger expressed concern about submitting photos for the verification process and the need for the on-site verification requirement. Director Jorgens supported the submission of online pictures for vents and only envisioned the program for vents and referred to the Diablo Fire Safe Council grant process.

Director Danziger commented that people who live in apartments or condominiums would not be able to benefit from the program. Director Jorgens answered the landlords would benefit. President Donner stated if you are home hardening, successful in getting these vents and preventing fires, the program benefits everyone in the District. Director Jorgens added renters do not pay taxes. Director Danziger agreed.

Director Jex supported the program so long as the administration process does not burden existing Staff or engage additional personnel. Director Jex asked if a dollar designation would be for Moraga, Orinda, and Canyon or on a first-come, first-serve basis. Director Jorgens stated District Counsel said the program could not differentiate. President Donner supported having the funds available for anybody in the District on a first-come, first-serve basis. Director Jorgens agreed.

Director Danziger supported implementing the ember-resistant vents for the program. President Donner and Director Jorgens were in favor. Director Danziger inquired on the amount to be \$1,500 or \$1,000. Director Jorgens supported the amount of \$1,000. Director Danziger supported limiting the grant to \$1,000/parcel. Director Jex agreed to up to \$1,000/parcel, not to include labor. Director Jorgens volunteered to negotiate a deal on supplying the vents.

Director Jorgens motioned to approve a \$500K program for grants with a \$1,000 limit/parcel, and Staff to develop a way to verify that the vents are installed and reimbursing only for the materials. District Counsel Holtzman stated the agenda did not allow the motion. The Board directed Staff to bring the item back for approval with the details and specifications on how the program will work. Fire Chief Winnacker requested direction from Counsel regarding the requirements for Board action. District Counsel Holtzman to work with Staff on the requirements for approving and formalizing the grant program.

No further discussion by the Board.

10.4 Proposed Annual Operating Budget FY2023 (audio 2:02:33)

Administrative Services Director Sasser provided the report and presented a PowerPoint presentation on the proposed draft budget, attached to these minutes, item 10.4. The proposed budget presentation is the second step in the public budget process and the second public meeting to discuss the proposed budget. A public board budget workshop was held in April 2022. The purpose of the presentation is to provide an opportunity for additional public input and additional board direction. The budget is scheduled for adoption at the June board meeting, which is best business practice. The latest date the Board can adopt the budget is October.

During the April board budget workshop, the Board gave the following direction:

- 1. Continue the fuels mitigation program, which was a three-year pilot program. The program includes 3 Fuels Mitigation Specialist positions.
- 2. Add one new Fire Prevention position of Fire Inspector/Plans Examiner. This work is currently outsourced to a contractor.
- 3. The Board directed the establishment of a new Fire Prevention pilot program for home hardening grants in the amount of \$500K.
- 4. Finally, the capital projects fund expenditures were reviewed in detail, and the Board directed the inclusion of all of the capital purchases.

The proposed budget includes General Fund revenue of \$33.5M, General Fund expenditures of \$30M, and a transfer out of the General Fund into the Capital Projects Fund of \$3.1M for the Station 41/Administration construction project. This results in a General Fund budget surplus of \$322K. Many of the District's expenditures are required based on contractual, operational, or legal requirements. The non-discretionary expenditures are detailed on the slide and total \$25.9M. Some expenditures are not mandatory; however, represent a continuation of effort. These expenditures are listed on the Proposed Budget 2023 Discretionary/Continuation of Effort slide. The proposed budget includes one new program in Fire Prevention to provide home hardening grants to residents in the amount of \$500K. The Proposed Budget FY2023 Authorized Positions slide shows the authorized positions included in the draft budget.

The draft budget includes 3 new positions compared to last year: one new Fire Inspector/Plans Examiner position in Fire Prevention that is currently outsourced to a contractor and 2 non-benefitted, temporary positions for the Tunnel East Bay Hills Fuel Break that are entirely funded by the grant from the State of California. Fire Chief Winnacker highlighted the 2023 goals include Emergency Operations, Continue to develop GIS program, Emergency Medical Services, Provide COVID-19 support to District personnel and Contra Costa County Health Services, Increase in-house EMS training, Training, and Develop the training site at Station 41. Administration goals include the implementation of new software to produce the board meeting agenda and packets and technology improvements for the accounts payable process.

The draft budget includes the Capital Projects listed on the slide, which total \$2M

Station 41/Administration Rebuild - Phase I	\$1,000,000
Ambulances (quantity 2)	350.000
Fire Engine Type VI	250,000
County-wide Evacuation Software (reimbursed)	164,250
Battalion Chief Command Vehicle	100,000
Ford Rangers for Fire Prevention (quantity 2)	70,000
Floor Replacement - Stations 42 and 44	70,000
Total	2 004 250

Director Jorgens commended the Staff on the budget adoption creation, process, and presentation.

President Donner opened the public comment. There were no requests to address the Board. President Donner closed public comment.

No further discussion by the Board.

10.5 Financing Options for Station 41/Administration Construction Project (audio 2:13:36)

Administrative Services Director Sasser provided the report. At the April 20, 2022, Board meeting, a Board member requested information regarding financing one-half the cost of the Station 41/Administration construction project. Brandis Tallman provided four scenarios which are included in the board packet. ASD Sasser reviewed the four scenarios.

President Donner opened the public comment. There were no requests to address the Board. President Donner closed public comment.

At 9:09 p.m., Director Danziger lost connection. Director Jorgens commented on the discussion regarding when the District has a project to finance. President Donner agreed. All Directors determined the information will be useful when the project is underway and can update the interest rates at that time. At 9:11 p.m., Director Danziger reconnected to the meeting. ASD Sasser repeated the Staff report. No further discussion by the Board.

10.6 Authorize Engagement Letter for Audit Services with Eide Bailly, LLP for the Fiscal Year Ended June 30, 2022 in the Amount Not to Exceed \$35,000 (audio 2:18:10)

Administrative Services Director Sasser provided the report. In June 2020, the Board authorized Staff to sign an engagement letter with Eide Bailly, LLP for audit services for the fiscal years 2020, 2021, and 2022. The cost of the FY2022 audit was authorized in the amount not to exceed \$26,010. At the April

20, 2022, Board meeting, the Audit Committee reported to the Board that Eide Bailly informed the Audit Committee that Eide Bailly could not meet the District's usual audit schedule and could not present the audited Annual Comprehensive Financial Report until February 2023. Eide Bailly also informed the Audit Committee that the cost of the audit would increase to \$40,000. The Board discussed the audit contract and determined that the Board would accept the revised audit schedule and would like to retain Eide Bailly to complete the FY2022 audit. Staff subsequently met with Eide Bailly and negotiated the timeline and audit fee of \$35,000, incorporated into the Engagement Letter. Staff will issue a request for proposals for audit services beginning with the FY2023 audit. Staff recommended the Board authorize Staff to sign the engagement letter for audit services with Eide Bailly, LLP for the Fiscal Year Ended June 30, 2022, in the amount not to exceed \$35,000.

President Donner opened the public comment. There were no requests to address the Board. President Donner closed public comment.

Motion by Director <u>Jorgens</u> and seconded by Director <u>Danziger</u> to Authorize Engagement Letter for Audit Services with Eide Bailly, LLP for the Fiscal Year Ended June 30, 2022 in the Amount Not to Exceed \$35,000. Said motion carried 4-0-1-0 roll call vote (Ayes: Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: Baitx; Abstain: None).

No further discussion by the Board.

10.7 Approve a Capital Projects Fund Expenditure Budget Adjustment Increase and a General Fund Expenditure Budget Adjustment Decrease in the Amount of \$35,810 (audio 2:20:05)

Fire Chief Winnacker provided the report. The proposed FY2023 budget includes \$100k to purchase a Battalion Chief Command Vehicle to replace an aging 2008 Chevy Suburban. Due to COVID-19 causing disruptions to the supply chain, a previously approved purchase of a Dodge 2500 utility vehicle ordered under the California State GSA contract was canceled by the manufacturer in 2021. For various reasons, this vehicle is now available for pick up from the GSA-approved dealer in Elk Grove, California at 2019 (error in staff report) should say 2020 pricing (\$35,810.) This represents an almost 30% saving from current GSA pricing. Staff recommended approving the proposed budget adjustment to take advantage of this vehicle's availability, and the cost savings associated with 2019 (error in staff report) should say 2020 pricing. The proposed budget adjustment will increase Capital Projects Fund expenditures and decrease the General Fund Fire Chief Contingency expenditure budget. If this budget adjustment is approved, Staff will move forward with the purchase and adjust the proposed FY2023 Budget capital expense to subtract the vehicle cost while continuing to budget for the upfitting costs (radios, lights, reflective striping, etc.)

President Donner opened the public comment. There were no requests to address the Board. President Donner closed public comment.

No further discussion by the Board.

Motion by Director <u>Jex</u> and seconded by Director <u>Jorgens</u> to Approve a Capital Projects Fund Expenditure Budget Adjustment Increase and a General Fund Expenditure Budget Adjustment Decrease in the Amount of \$35,810. Said motion carried 4-0-1-0 roll call vote (Ayes: Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: Baitx; Abstain: None).

11. COMMITTEE REPORTS (audio 2:24:07)

- 11.1 East Bay Hills Wildfire Prevention and Vegetation Management Joint Powers Agency Meetings (Directors Danziger and Jorgens). No Report.
- **11.2 MOFD 25th Anniversary Celebration Ad Hoc Committee** (Directors Danziger and Jex). Director Danziger stated Staff would be ordering the flags.
- **11.3 Facilities Station 41 Ad Hoc Committee** (Directors Baitx and Donner). No Report.
- **11.4 Audit Committee** (Directors Danziger and Jex). No Report.
- 11.5 Joint Fire Prevention Ad Hoc Committee w/City of Orinda (Directors Danziger and Jorgens). Director Jorgens provided the report. The committee is scheduled to meet on May 26 at 6 p.m. Discussions from the last meeting included the City and Staff working on a jointly managed, City of Orinda funded grant program and discussed paying part of a person's salary if hiring a person was needed. There were a number of things the City of Orinda moved forward on as a result of the committee discussions.

President Donner opened the public comment. There were no requests to address the Board. President Donner closed public comment.

12. ANNOUNCEMENTS (audio 2:28:13)

12.1 Future Agenda Items.

Director Danziger requested a short staff report on the condition of Fire Road 42-13. Fire Chief Winnacker reported that the road continues to be closed. As far as a resolution, it will be hard to disentangle from the broader issue of full authority and SRA within our recognized exterior boundaries. Director Jorgens suggested Staff add the status with CAL FIRE and situation previously discussed. President Donner requested a photo of the washout with the report of the fire road.

Director Danziger requested a calendar of upcoming events on a monthly basis, especially events Directors may want to attend. Director Jorgens listed evacuation drills as an example.

Director Jex requested an update on Caltrans and the 24 Highway fuel mitigation. Fire Chief Winnacker reported Staff has reached out several times for an update and has not received a response but will continue to inquire. Fire Chief Winnacker noted while Staff remains engaged and will continue to try to get answers from CalTrans, they have been clear that they are not required to answer to the District, and sometimes they become unresponsive as they have in this case.

President Donner opened the public comment. There were no requests to address the Board. President Donner closed public comment.

Director Danziger requested to close the meeting in memory of Firefighter David Balfour.

13. ADJOURNMENT

At 9:27 p.m., Director <u>Jorgens</u> motion and seconded by Director <u>Jex</u> to adjourn the meeting. Said motion carried 4-0-1-0 roll call vote (Ayes: Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: Baitx; Abstain: None).

Marcia Holbrook, Marcia Holbrook

District Secretary/District Clerk

For an audio recording of this and other Board meetings, please visit the MOFD District Board Meeting at www.mofd.org/agendas.

From:
To: Info

Subject: Vegetation issues along Moraga Way, Large Junipers growing into the Power Lines

Date: Friday, May 13, 2022 2:41:11 PM

Hello, Please mention the Large Juniper Trees Growing into the Power Lines along Moraga Way-Near the Villa Moraga Condos (near MCC Golf Course End).

Thank You.

Cheryl M. Ku, Moraga Resident.



Finance Report

May 18, 2022

Strike Team Reimbursement - OES



• Strike Team Receivable Update:

 Estimated

 2021-2022

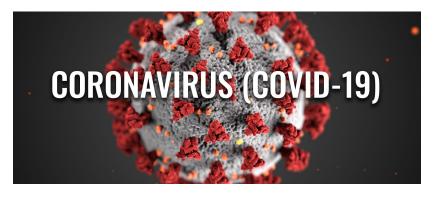
 OES Strike Team Receivable
 \$1,473,001

 OES Payments Received
 \$1,387,314

 Net Receivable Outstanding
 \$ 85,687

• Vehicle Reimbursement portion of OES Strike Team Reimbursement:

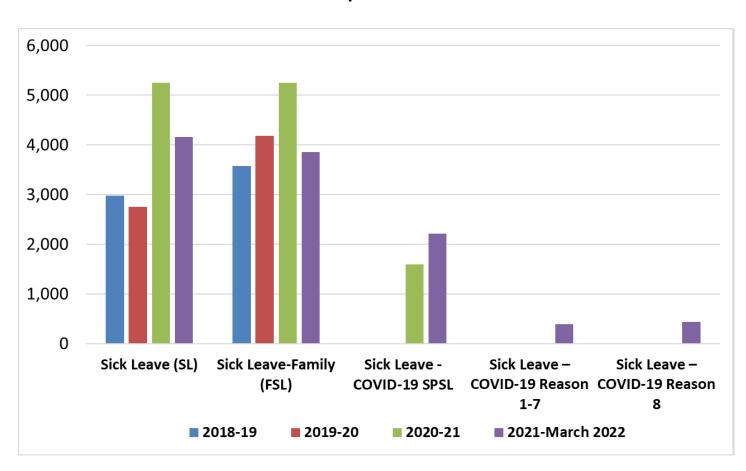
Actual 2020-2021: \$90,197
Estimated 2021-2022: \$20,528
2021-2022 – \$86k outstanding



COVID Sick Leave Timeline

- March 2020 COVID begins
- March 2020 Families First Coronavirus Response Act signed requiring 2 weeks of emergency paid sick leave for COVID-19 reasons with an expiration date of December 31, 2020.
- April 2020 Board authorized 144 hours of Emergency Paid Sick Leave with no expiration date.
- March 2021 SB95 signed requiring 2 weeks of COVID-19 Supplemental Paid Sick Leave (SPSL) with an expiration date of September 30, 2021.
- April 2021 Board authorized 2 weeks SPSL with direction to place expiration date on October 2021 agenda.
- October 2021 Board authorized to keep SPSL in effect until further notice.
- February 2022 SB114 signed requiring up to 2 weeks of additional COVID sick leave with an expiration date of September 30, 2022.
- February 2022 Board authorized up to 2 weeks of additional COVID sick leave with the right to establish the sunset at a future date.

Sick Leave Usage Hours per Fiscal Year

















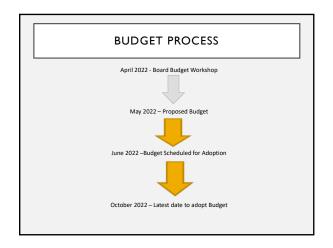












BOARD DIRECTION DURING BUDGET WORKSHOP

MORAGA-ORINDA FIRE DISTRICT

DRAFT

Annual Operating Budget Fiscal Year 2023

PUBLIC BOARD BUDGET WORKSHOP

- Continue the fuels mitigation program including 3 Fuels Mitigation Specialist positions
- Y Add one new position in Fire Prevention: Fire Inspector/Plans Examiner
- Establish a new pilot program in Fire Prevention for home hardening grants \$500K
- Include the Capital Projects Fund expenditures as presented

GENERAL FUND BUDGET OVERVIEW SURPLUS \$322,400

General Fund Revenue	\$33.5M
Salaries and Benefits Expenditures	26.3
Operating Expenditures	3.8
Transfer Out to Capital Projects Fund	3.1
Revenue in Excess of Expenditures	\$0.3M

PROPOSED BUDGET 2023 NON-DISCRETIONARY EXPENDITURES

Salaries and benefits - Suppression staff	\$19,600,854
Salaries and benefits - Administration staff	1,670,716
Worker's compensation insurance	1,104,342
Retiree health insurance	871,000
Unemployment insurance	5,000
Operating Expenses	2,698,482
Total non-discretionary	\$25,950,394

PROPOSED BUDGET 2023 DISCRETIONARY/CONTINUATION OF EFFORT

Pension rate stabilization trust contribution	\$2,108,577
Salaries and benefits - Fuels Mitigation staff	558,000
OPEB trust contribution	350,923
Emergency Preparedness/CERT	277,937
Fuels mitigation operating expenses	100,000
Fire chief contingency	100,000
GIS mapping	85,500
Discretionary training	25,000
Exercise equipment	12,000
Drones and supplies	11,400
Total discretionary	\$3,629,337

PROPOSED BUDGET 2023 EXPANSION OF SERVICE Home hardening grants \$500,000

PROPOSED BUDGET FY2023 **AUTHORIZED POSITIONS** Board 5.00 Finance 3.10 **Human Resources** 2.25 Information Technology 0.25 Suppression Staffing 61.00 Fire Prevention 2.00 4.00 Fuels Mitigation Tunnel East Bay Hills Fuel Break 2.00 **Emergency Preparedness** 0.50 Total 80.1

GENERAL FUND GOALS

Y Emergency Operations

Y Continue to develop GIS program

Y Emergency Medical Services

- Provide COVID-19 support to District personnel and Contra Costa County Health Services
- Y Increase in-house EMS training

Training

Y Develop the training site at Station 41

GENERAL FUND GOALS

• Fire Prevention

- Develop and establish a new home hardening grant program
- Continue community chipping services
- Adopt citation authority and process
- Develop technology based systems to increase efficiency of assessments

Administration

- Issue RFP for audit services for FY2023 audit
- Administer financial elements of all grants including the Tunnel East Bay Hills Fuel Break Grant





PROPOSED EXPENDITURES CAPITAL PROJECTS FUND

Station 41/Administration Rebuild - Phase I	\$1,000,000
Ambulances (quantity 2)	350,000
Fire Engine Type VI	250,000
County-wide Evacuation Software (reimbursed)	164,250
Battalion Chief Command Vehicle	100,000
Ford Rangers for Fire Prevention (quantity 2)	70,000
Floor Replacement - Stations 42 and 44	70,000
Total	2,004,250

