

## **EASTERN PLUMAS RURAL FIRE ANNUAL CONTRACT REVIEW**

*This document represents the Annual Contract Review against Performance*

*January – December 2021*

**BACKGROUND:** In 2019, Gold Mountain CSD entered a 5-year evergreen contract with Eastern Plumas Rural Fire Protection District (EPRFPD) for fire protection and emergency response services. The contract terms outline EPRFPD service obligation agreement and the financial agreement between EPRFPD and GMCSD. The contract states, *“This Agreement shall remain in full force and effect from the Effective Date through*

*2024. may from and this by*

Fiscal Year	Increase 3%	FY Fire Contract Budget
2019/20		\$36,050
2020/21	\$1,110	\$37,132
2021/22	\$1,143	\$38,245
2022/23	\$1,178	\$39,393
2023/24	\$1,213	\$40,575

*June 15, Either party withdraw terminate Agreement providing*

*written notice to the other Party 90 days in advance of the date when the termination shall be effective. Either party reserves the right to re-negotiate this contract at any time within the 5-year contract period.”*

### **FINANCIAL AGREEMENT: CONTRACT COST**

### **SERVICE OBLIGATION AGREEMENTS AS STATED IN CONTRACT AGAINST PERFORMANCE PERIOD. *Note: Contractual agreements are listed as 1-7 in this document.***

- 1) *EPRFPD agrees to furnish such fire protection and/or emergency incident personnel, resources, and facilities to Gold Mountain as may be necessary to suppress fire or mitigate any emergency incident.*

To our knowledge, EPRFPD has responded to all calls within the Nakoma Community for this review period as required by contract.

June 2021, GMCSD implemented a new incident callout report with EPRFPD which provides more specific details on response and resolution to dispatched calls to the Nakoma community. GMCSD acquired a department roster and apparatus list from EPRFPD which allows GMCSD to analyze how incident callouts are being managed and determine if they conflict with our contractual agreement with EPRFPD.

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On the 29<sup>th</sup> of October 2021, EPRFPD was dispatched to a Nakoma residence for a smoke alarm sounding, 9800/Command Vehicle, 9856/Rescue Vehicle, and 9851/Rescue Vehicle responded. The cause for the alarm was a bad battery in one of the residential alarm units. Personnel responding to the call were Chief Frank, Captain Frank, and three firefighters.

The concern of how this response was coordinated is an engine was not brought to the scene. It is understandable that alarm calls are often nuisance or false alarms however, had this callout been for an actual structure fire, the outcome without a fire engine on scene would have played out negatively or at minimum, the fire fight would have been delayed until an engine arrived. Depending on availability of trained engineers and operators, the estimated time for an engine to be on scene from the Delleker station is 15-20 minutes and as high as 30-40 minutes if required for on scene personnel to double back to the EPRFPD Delleker station to bring an engine.

### ***EPRFPD Response:***

“What is not being reported in this document is that first on scene was in contact with 9800 and giving a scene size up. There was no smoke or flame. 9800 and 9813 were in route from “C” Rd and would have stopped at the Delleker or Iron Horse station and picked up an engine if necessary. The last sentence in paragraph one page 2 states it would have taken 15 minutes up to 40 minutes to bring an engine if it was necessary after arriving on scene. Don’t know where these time frames are coming from but they are greatly inflated.”

### ***EPRFPD Response:***

“The equipment deployed. See the previous two responses. Equipment deployed needs to be at the discretion of the Chief, without others seconded guessing without all of the facts.”

For the period of Jan-Dec. 2021, EPRFPD responded to seven incidents in the Nakoma community. GMCSD has call out detail on six responses made by EPRFPD. The average dispatch for on scene time for these incidents is twelve (12) minutes, with a low of arriving in 8 minutes and a high arriving in 17 minutes. The number of incidents for 2020/21 is consistent with the 2019/2020 review. Contract verbiage includes, “EPRFPD *will make every endeavor to respond as expeditiously as possible with the goal being within 10 minutes from time of incident notification.*”

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**Eastern Plumas Rural Fire Incident Call Out Report – Jan to Dec. 2021**

Date	Dispatch Time	En Route	On Scene	Released	Detail
Jan					No incidents
Feb					No incidents
Mar					No incidents
Apr					No incidents
May					One incident – no detail
6/30/2021	2207	2211	2222	2347	Male fall victim - Dream Maker
7/8/2021	1937	1938	1948	2021	Medical
8/12/2021	2226	2228	2238	2300	Medical
8/16/2021	1849	1849	1857	1901	False Fire Alarm Response
Sept.					No incidents
10/29/2021	1618	1618	1627	1650	False Fire Alarm Response
Nov					No incidents
12/1/2021	0829		0846	0903	Medical – Male seizures

- 1) *EPRFPD agrees to request mutual aid as needed from nearest fire or emergency response agency depending on apparatus, equipment or personnel needed, immediately upon being dispatched to an incident within the Gold Mountain community.*

There is concern that mutual aid cooperation from EPRFPD has declined over the past year. It is believed that personalities and contractual fire protection changes with the City of Portola have eroded the partnership built between EPRFPD and Beckwourth Fire. Although mutual aid issues have not impacted service to the Nakoma community, it is understood that incidents of refusal by EPRFPD to call for mutual aid when needed have created delays and hampered response and service to the communities served. Feedback of these incidents are concerning for GMCSD as Beckwourth Fire provides fire services for the City of Portola and due to operating in the city, Beckwourth Fire is the closest department to the Nakoma community. In the District's 2019/20 review report, it highlighted the great co-operation in place between EPRFPD and Beckwourth Fire. This new lack of partnership

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between these agencies is concerning and could impact response to the Nakoma community in the event of a major incident.

### *EPRFPD Response:*

“States there is concern over mutual aid cooperation having declined. This is absolutely not true. Beckwourth Fire and EPRFPD have used each other as needed for mutual aid EPRFPD has never not called for mutual aid when required.”

*EPRFPD agrees to notify Gold Mountain of any responses to or affecting the Gold Mountain community monthly at the EPRFPD board meeting in the form of an acceptable standard “run report.”*

A new process for distribution of incident reporting agreed upon by EPRFPD and implemented June 2021. GMCSO now receives incident reporting monthly via email vs. hardcopy by attending the EPRFPD board meetings. Starting June 2021, an enhanced run report form that captures reported response times was agreed upon and implemented thus giving the CSD more detail to measure against performance.

2) *EPRFPD will respond to requests for emergency assistance with available equipment and personnel. It is understood by the Parties that the level of EPRFPD response shall be subject to the availability of appropriate equipment and personnel to the specific call as determined by the EPRFPD Chief in his or her sole discretion, or his or her next available in command.*

As noted in contract obligation #1, there is concern of the proper type of equipment responding to call outs in the community. It is understood that equipment deployment is at the discretion of the Chief however, the CSD should revisit the vagueness of this agreement statement. If shortage of response personnel with proper certification is an issue, Mutual Aid should be requested by EPRFPD as soon as possible.

3) *EPRFPD’s response time will be dictated by weather and road conditions. EPRFPD will make every endeavor to respond as expeditiously as possible with the goal being within 10 minutes from time of incident notification.*

With known limited personnel resources, there is concern that response times will increase starting this winter as Chief and Captain Frank have moved their residence from Clairville to Lake Davis. As frequent first responders, it is estimated that Chief and Captain Frank, are the furthest possible from the Nakoma community while still residing in the EPRFPD service area. Navigating the icy road from Lake Davis to

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Portola will increase response times to Nakoma for the Chief and Captain. Good monitoring of response times and monitoring radio call out details will enable GMCSO to better measure response against contract.

### ***EPRFPD Response:***

“The Chief’s move has only added 1 mile to the previous distance. It should not matter where the Chief lives or is at; as there are other fire fighters that respond.”

- 4) *EPRFPD agrees to provide certain non-emergency ancillary services to include familiarization and training, fire preventive inspections of commercial property, and upon request, EPRFPD agrees to interface on Gold Mountain’s strategic fire plan and will consult with the Gold Mountain Firewise Committee. A Pre-Incident Plan in accordance with NFPA 1620 will be developed after fire prevention inspection corrections are completed.*
- 5) *EPRFPD will perform semiannually training within the Nakoma Community, to be coordinated with the GMCSO’s Fire Services Coordinator. Semiannually, EPRFPD will report or brief the CSD board on the specifics of training that has been conducted.*

There has been one fire fighter training exercise in the Nakoma community for this review period. This training consisted of drafting water from the golf course ponds where three vehicles and at least six members of EPRFPD participated. The contract calls for EPRFPD to report or brief the CSD board on the specifics of training that has been conducted. EPRFPD did not directly brief the CSD board of this training exercise, however, CSD Fire Services Coordinator Bill Robinson assisted in arranging the training and reported back to the CSD board. GMCSO does encourage leadership of EPRFPD to attend and speak at CSD board meetings. GMCSO includes EPRFPD on their distribution of all CSD board meeting agendas. EPRFPD dispatched a wildland engine when the CSD notified EPRFPD of a joint burn operation being conducted by the HOA and CSD. Actual pre-planned training by EPRFPD did not occur during the burn session. To our knowledge, familiarization training did not occur within the district this review period.

### ***EPRFPD Response:***

“Training at the pond was to develop a plan. The challenges identified during the training are an action item for GM CSD maintenance personal to perform, which still has not been done.”

The reason given by EPRFPD for limited training in 2021 is COVID-19. Chief reported they have conducted familiarization drive-throughs in 2021 although, GMCSO’s Fire Services Coordinator has never been informed of when these familiarization drive-throughs occur and EPRFPD presence in the community has not been observed or reported.

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### *EPRFPD Response:*

"As agreed upon with Bill Robinson, having EPRFPD firefighters do familiarization training by driving through and finding specific addresses or locations constitutes training within the community."

With protective measures in place, it is inexcusable that training is not conducted as outlined in the contract agreement, particularly when training did occur in the district in 2020 during the COVID-19 surge. Aside from the golf course pond drafting exercise, EPRFPD made no actual attempt to organize other training sessions in the district and semiannual briefing to the CSD board has not been coordinated or received.

### *EPRFPD Response:*

"The reason the GM CSD board was not directly briefed on trainings was because it was EPRFPD's understanding that with Bill Robinson being the liaison he would be briefing the board."

It is also noted is that EPRFPD continues to disregard contract agreement related to complying with a Pre-Incident Plan for training. In other words, EPRFPD does not conform to NFPA 1620 Pre-Incident Planning.

Fire inspections of Nakoma commercial buildings (FLW Lodge, Altitude, and the Inn) were completed July 14, 2021 with results presented to the CSD's Fire Services Coordinator on Aug 24, 2021. A follow up inspection scheduled within 90 days to confirm corrections was to have been made. On the 28<sup>th</sup> of October, Chief Frank sent an e-mail to the Nakoma Resort Manager and GMCSO Fire Services Coordinator, Bill Robinson that due to, *"the abrupt arrival of winter weather and due to the expected winter closure of Nakomas we will reschedule the walk through until spring 2022."*

This rescheduling does not make sense for the reasons given as the weather and closing of the buildings were not an issue and the facilities were open. It would take about two to three hours at the most to complete a compliance inspection. What does make sense is Chief Frank and Capt. Elaine are on seasonal/family leave, 11/03/2021 to sometime Spring 2022. We only know this from a fire department roster update we received on 11/03/21. No other communication was received at GMCSO that Chief and Captain Frank would be out of the area for an extended period. It is also noted on the Nov.3, 2021 department roster that EPRFPD Battalion Chief Sears is out on leave until November 30, 2021, leaving limited staffing and leadership in place. Gold Mountain CSD was never notified of the leadership changes or who would be acting as EPRFPD Chief during Chief Frank's absence nor was contact information for their interim leadership team provided to GMCSO. On January 21, 2022 GMCSO was able to confirm that Lieutenant Todd Turner, EMT/E and Medical Officer Leah Turner AEMT are the acting leadership team until Chief Frank returns. It is unknown if Battalion Chief Pete Sears EMT/E has returned from leave.

### *EPRFPD Response:*

"The leave of absence was not a secret as alluded to. Chief is still very much involved via email and phone, and there is no problem if issues come up to contact him. It is unrealistic to expect the Chief to

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be at every call. Lieutenant Turner is highly trained and been acting as a Captain, though not formally promoted until January 2022. “

Chief and Captain Frank are often the first responders to Nakoma community incident call out. Their absence and absence of their next in line authority during the same time is concerning and even more concerning that GMCSO was never notified of these absences and what GMCSO should expect. The entire interim leadership team at EPRFPD are EMT's, trained firefighters are not included in this arrangement.

On November 8, 2021, GMCSO Fire Services Coordinator Bill Robinson toured the three Nakoma commercial buildings to check compliance of the issues raised by EPRFPD during the July 14, 2021, inspections. The compliance review required 2.5 hours to locate and check if corrections were made. Overall, most deficiencies were addressed. Anything requiring signage or electrical rewiring has not corrected. Sample photos of electrical wiring issues are included as exhibits A and B.

### ***EPRFPD Response:***

”Inspection of commercial buildings. Yes an email was sent, however, no one questioned or objected to postponing follow up inspections. The “rewiring” was a recommendation to put a 4 gang box under the deck instead of the power strip. The e-mail was sent to all involved in the inspections not just Bill Robinson. If objections had been voiced at the time, re-inspection would have taken place immediately.”

As a side note, the 2019/2020 CSD annual review report of EPRFPD reflects that commercial property inspections were completed and finalized in 2020.

On September 20, 2021, EPRFPD board of directors approved the use of radios for GMCSO staff to be used during emergency situations where staff of GMCSO can provide directions and assistance to incoming response vehicles. A training by Chief Frank was to be scheduled prior to GMCSO using the radios. Chief Frank was unable to complete the training prior to his leave and has indicated the training will occur in Spring 2022, six to seven months after EPRFPD board of directors approved their use.

### **Firewise Community Support:**

Challenges existed in 2021 for holding a large indoor face to face Firewise Annual Meeting. A hybrid in person/virtual annual Firewise meeting was held on August 7, 2021, where Capt. Elaine Frank from EPRFPD was in attendance via Zoom. In past years, prior to COVID, Firewise was able to host a variety of community events, all which had participation from EPRFPD.

A finding in the 2019/20 review called out that Chief Frank is concerned about the visibility of address signage on granite markers in the community. With the effort of Firewise addressing this issue, momentum

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has increased with residents requesting the reflective 911 address signs that can be obtained through the HOA.

### **Communication:**

It has become increasingly difficult to communicate with EPRFPD. The GMCSO Fire Services Coordinator sets the date with EPRFPD for commercial facility inspections in the spring each year and this year, EPRFPD did not show up on the decided day and gave the excuse that they did not receive a reply of confirmation, this after the date had been confirmed. What was later learned is that reception of cell and data service at Lake Davis is sporadic and information is not always received promptly by the Chief, Captain, or board president Graham. This is an obvious concern for GMCSO when we are unable to reach leaders who provide services for the CSD and Nakoma community.

GMCSO Board President has experienced a breakdown in communication from EPRFPD board chair where schedule meetings went unattended by EPRFPD. Response from Jeanne Graham is lack of cell reception, lack of time, and unavailability due to family matters.

More concerning was the absence of contact from EPRFPD during the critical time of the Dixie Fire as it neared the City of Portola. Outreach to Jeanne Graham from GMCSO board president to discuss the EPRFPD evacuation strategy and how the Nakoma community could interface in the planning details was answered with, *"I'm too busy."* GMCSO board president Curtis then reached out to Portola's City Manager and subsequently was included on an evacuation strategy planning and emergency mitigation email list that included Beckwourth Fire, City officials and staff, and supporting emergency agencies. It was Beckwourth Fire who offered support and assistance to GMCSO if needed and they provided rapid response to questions posed by GMCSO board president.

Late October 2021, Bill Robinson, GMCSO Fire Services Coordinator, was informed Chief Frank came by the CSD office looking for GM Rich McLaughlin. Since Rich was out of the office on travel, Bill Robinson sent Chief Frank an e-mail asking, *"Is there anything I can do to help?"* The response to the message sent by Robinson came from Capt. Frank, *"Chief wanted to talk with Rich McLaughlin, I will forward your message to the Chief."* Bill Robinson has not received further communication from the Chief to his offer of assistance. GMCSO leadership has made clear to Jeanne Graham and Chief Frank that Bill Robinson is the district's point of contact for fire related items. There is a pattern of EPRFPD dismissing Fire Coordinator Robinson and by-passing him for fire related questions/issues and even responses to his emails. In previous



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conversations with Jeanne Graham, EPRFPD hesitates to work through Robinson. They have not been specific on their reasoning; however, their actions are in direct conflict with the direction from GMCSO board president Curtis and GM McLaughlin.

There is also confusion on the EPRFPD chain of command for communications. It seems Chief Frank has been removed from responding to requests and when responses are received, they come from Captain Elaine Frank. GMCSO board president Curtis has requested their communication protocol from board president Graham, however, has not received that detail. Since November 3, 2021 when Chief and Captain Frank took leave, communication with GMCSO has been non-existent. On January 25, 2022, GMCSO became aware that all requests made of EPRFPD must be approved by Board Chair Graham.

### ***EPRFPD Response:***

"The perceived breakdown in communication with EPRFPD Board Chair says that scheduled meetings have not been attended. The only scheduled meetings not attended were the Fire Study group and another board member was scheduled to attend. There was a tentative meeting scheduled for after the fire study group in July. What was said in the Board Chair's email was that it is always best to call on land line, that the only time cell phone is used when away from the campground. Communication during the Dixie fire. Evacuation plans and drills have been discussed and performed previous to the Dixie fire. Residents were informed not to count on law enforcement or FD to evacuate them as they will be engaged in fighting the fire and traffic control. Disagree with chain of events and statements that are being made. EPRFPD has no record of the District office, Chief, or Board being contacted. EPRFPD Board Chair email, let GMCSO chair know in an email that she was out of town, but did not state that "I'm too busy"; nor was it stated what the reason for a meeting was. Chief was looking for Rich McLaughlin to discuss a matter that he was directly involved with. Bill Robinson was not involved, so Chief wanted to communicate directly with Rich. It was not urgent and able to be handled when Rich returned from travel. Since the current contract went to effect in 2019 there has been a non-voting seat on EPRFPD board for a representative from GM CSO board, which has not been attended consistently."

### ***EPRFPD Response:***

"If communication is coming from Captain Frank in lieu of Chief Frank it is because Chief is driving and tells Captain Frank what to say and it is sent from her phone. E-mails coming from Captain Frank are usually items she takes care of or schedules; or Chief has told her how to respond. Chief Frank has always been involved in all communication. There appears to be a lot of misinformation, innuendoes, and statements out of context in this report."

### ***EPRFPD Response:***

"This communication challenge has been addressed by two different actions 1) All communication between Chief Frank (or any other FF) and Bill Robinson will not be between just the two of them, but will have at a minimum cc to EPRFPD, Rich McLaughlin, GM CSO board chair, and EPRFPD board chair. 2) As of March 21st Skylar (sp) will also be contacted."

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### **COMMENTS - PERFORMANCE TO CONTRACT OBLIGATIONS:**

Our last review found EPRFPD meeting expectations and contract agreements. There were suggestions made to increase the level of communication and develop an enhanced incident callout report form, which moved forward and accomplished until communication issues raised again. It is apparent that much has changed at EPRFPD where standards agreed upon with GMCSO are being by-passed. As an excellent customer of EPRFPD, GMCSO's expectations are at minimum that contractual agreements and obligations are met. This review finds deficiencies with EPRFPD performance. It is possible a few deficiencies can be partially explained by staff shortages and COVID 19 requirements. However, the issues related to lack of communication, absence of leadership and lack of follow through by EPRFPD is not acceptable and must be addressed.

#### **EPRFPD Response:**

"It is unfortunate EPRFPD was not included more in the development of this review, so that more factual information could be contained with it."

### **\*FINDINGS and RECOMMENDATIONS by PRIORITY**

*If the recommendations of findings are not accepted or resolution cannot be achieved, it is the board's responsibility to pursue alternative fire and emergency services through other providers.*

	<b>Finding</b>	<b>Repeat/ New</b>	<b>Recommendation</b>
1	Lack of communications and communication protocols	Repeat	Establish protocols with written agreement to adherence. Monitor and report
2	Lack of partnership with other fire agencies	New	Highlight impacts to GMCSO and contract obligations to support
3	Familiarization and onsite training	New	Establish agreed upon 2022 training schedule with type and date. Monitor and report
4	Standard Operating Guidelines – responding personnel and equipment	New	Establish SOG to be included in Fire Contract with EPRFPD
5	Incident Call Out monitoring and reporting	Repeat	Modify monthly reporting to include responding equipment type. Continue call-out monitoring and adherence to Contract and protocols
6	Fire Contract vagueness	New	Revise to include measurable standards where possible

### **JANUARY 21, 2022 – GMCSO BOARD OF DIRECTORS AGREED UPON ACTION TO ADDRESS REPORT FINDINGS**

1. Investigate alternative fire and emergency services available through other providers

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2. Formally notify EPRFPD board of directors of actions by GMCSD Board and transmit this report to EPRFPD Board of Directors
3. Report back to GMCSD board no later than March 18,2022 with report and recommendations