



Moraga-Orinda Fire Protection District

BOARD OF DIRECTORS
SPECIAL BOARD MEETING

MOFD/MORAGA/ORINDA

JOINT FIRE PREVENTION COMMITTEE MINUTES

June 22, 2020

(Approved July 15, 2020)

1. OPENING CEREMONIES

The Board of Directors convened in Open Session at **4:00 p.m.** on June 22, 2020, via the Zoom application, Hosted by the City of Orinda. Log in provided <https://tinyurl.com/ydgx5ec4>, webinar id: **920 6687 7193** and by phone **1-669-900-9128**. Pursuant to Executive Order N-29-20, Teleconferencing restrictions of the Brown Act have been suspended. MOFD is closely following the latest Public Health Order from the Contra Costa Health Services issued on March 17, 2020. At this time, all formal public meetings will continue remotely.

A. Call to Order/Roll Call

MOFD: President Steve Danziger, Board member Michael Donner, Board member John Jex, Board member Craig Jorgens, Fire Chief Dave Winnacker
Moraga: Mayor Kymberleigh Korpus and Councilmember Steve Woehleke
Orinda: Mayor Darlene Gee and Councilmember Dennis Fay

B. Adoption of Agenda

Orinda Mayor Darlene Gee welcomed everybody, and the Subcommittee unanimously adopted the agenda as proposed.

C. PUBLIC FORUM

The Subcommittee took public comments from Orinda Residents Melanie Light, Ken Light, Charles Porges, Nick Waranoff, and Rachel Duclos. Written public comments are attached to these minutes (Attachment A).

1. Steve Cohn
2. Rachel Duclos
3. Melanie Light

D. Agenda Items

I. **Introductions/Selection of Temporary Chair and Vice Chair**

The Subcommittee selected Mayor Darlene Gee as the Chair and Mayor Kimberleigh Korpus as the Vice Chair.

II. **Discussion Items**

Fire Chief Winnacker discussed fire risk reduction on large parcels surrounding the district. The discussion included EBMUD, EBRPD, CALTRANS, and Private Landowners.

Fire Chief Winnacker reviewed the proposed Fire Code Ordinance 20-01 (First Reading on June 17, 2020), the CEQA Notice of Exemption filed with Contra Costa County on June 22, 2020, and the Wildland Urban Interface – Fire Area Ordinance 20-02 passed by the MOFD Board of Directors on June 17, 2020.

Fire Chief Winnacker reviewed the Emergency response to fires and discussed evacuation planning, CERT, LARIG, and HD Cameras.

Fire Chief Winnacker outlined the fire risk reduction on small parcels in the district. The outline included: best practices, outreach and education, FireWise communities, PG&E, roadside fuel reduction, grants, chipping, and funding measures. Fire Chief Winnacker explained that the MOFD outreach and education includes an updated annual mailer to all residents, improved website, community fire safety presentations, enhanced fuel mitigation videos, and social media campaigns.

Fire Chief Winnacker reviewed the MOFD chipper program and the overwhelming public response it generated. Fire Chief Winnacker stated it would take a multi-year, multi-million dollar effort to address years of neglect. A revenue measure would be needed to fund this work at the scale needed to make a substantial difference in the region's fire safety.

The City of Orinda reviewed the city's trim notices and City Manager Newsletter.

III. Discuss long and short term goals of the Joint Subcommittee

The Subcommittee decided to have Mayor Gee, Mayor Korpus, and President Danziger meet to discuss charter, rules, and goals of the Subcommittee.

IV. Future Agenda Items

- a. The City of Orinda presentation on the inclusion of fire mitigation on public property as a priority in a potential sales tax measure in November.

Written public comments are attached to these minutes (Attachment B).

1. Nick Waranoff

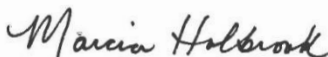
- b. Review of Public Educational Materials related to the private property fuel mitigation program – What more can be done by MOFD and Cities.

V. Set Date and Time for Next Meeting

Next meeting date to be set in a couple of weeks pending a look at everyone's schedule.

E. ADJOURNMENT

The Subcommittee agreed to adjourn the Meeting at **5:50 p.m.**



Marcia Holbrook
District Secretary/District Clerk

From: [Sheri Smith](#)
To: [Craig Jorgens](#); [Cynthia Battenberg](#); [Darlene Gee](#); [Winnacker, David](#); [Dennis Fay](#); [Kymberleigh Korpus](#); [Larry Theis](#); [Michael Donner](#); [Steve Danziger](#); [Steve Salomon](#); [Steve Woehleke](#)
Cc: [Marcia Holbrook](#); [Marty McInturf](#)
Subject: FW: Comments regarding the MOFD / Moraga / Orinda Fire Prevention Joint Subcommittee Meeting - June 22, 2020
Date: Monday, June 22, 2020 2:34:43 PM

From: Steve Cohn
Sent: Monday, June 22, 2020 1:44 PM
To: Sheri Smith
Subject: Comments regarding the MOFD / Moraga / Orinda Fire Prevention Joint Subcommittee Meeting - June 22, 2020

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Subcommittee:

Orinda and MOFD need to reassess their priorities.

The threat of a devastating wildfire destroying a significant portion of Orinda and killing residents of Orinda has existed for decades but with climate change that risk is increasing. The CPUC has recognized this. The insurance industry is recognizing this. The residents of Orinda have recognized this.

The Orinda City Council and the MOFD Board of Directors need to recognize this and take action.

Orinda needs to shift its priorities from infrastructure and downtown planning to fire prevention.

MOFD needs to shift its benefits from revenue savings for some of its service area residents and excess funding of employee benefits.

I am not saying that its prior and current goals were bad, it's just that they are not life-and-death as wildfires have shown themselves to be.

The time to act is now.

Sincerely,

Steve Cohn
Orinda

From: [Sheri Smith](#)
To: [Craig Jorgens](#); [Cynthia Battenberg](#); [Darlene Gee](#); [Winnacker, David](#); [Dennis Fay](#); [Kymberleigh Korpus](#); [Larry Theis](#); [Michael Donner](#); [Steve Danziger](#); [Steve Salomon](#); [Steve Woehleke](#)
Cc: [Marcia Holbrook](#); [Marty McInturf](#)
Subject: FW: Comment for today's first meeting of the joint subcommittee on wildfire prevention
Date: Monday, June 22, 2020 11:43:49 AM

From: Rachel Duclos
Sent: Monday, June 22, 2020 11:40 AM
To: Sheri Smith
Cc: Melanie Light and the Orinda Firewise Council
Subject: Comment for today's first meeting of the joint subcommittee on wildfire prevention

CAUTION: This email is from an external source. Be careful when clicking links or opening attachments!

Hi Sheri,

Here are my comments for the public record. I'll read them as well.

Dear City Council members and MOFD Board members,

Thank you for forming this committee. I am committed to remaining hopeful and positive.

Specifically, I am hoping that this first meeting and the committee generally can keep things simple, concrete, collaborative, and expedited. Reducing wildfire fuel seems like one of the easier to define problems we can have. The dead and dangerous trees, fuel ladders, and dry grasses are either here, threatening our homes and our lives, or they are gone.

While I understand that funding is the next question, let's please resolve to not fight bitterly over funding, pitting other priorities against fuel abatement. We all know this work has to get done. We also all know that the money can be found if we keep in mind that the fuel threatens our homes and our lives. Other goals are also important and need to be funded, but let's resolve to not pretend the money does not exist. The good news is that a lot of this work is a one time expenditure: removing dead and dangerous trees, and fire ladders, is a one time expense, albeit a large one, and then maintenance is relatively easy and inexpensive.

In this meeting, I want to see all of the tools put on the table, and a concrete easy to understand plan for the remainder of 2020 start to develop.

Here are some of the tools we can put on the table for the rest of 2020:

- * City of Orinda put a 2 year moratorium on tree permits (up to 18 inches in diameter) and the requirement to replant. Keep in place permits for heritage oaks.
- * City of Orinda and MOFD train city workers to document and report egregiously dangerous fuel situations as they drive around town.
- * City of Orinda properly clear and care for city property per firewise recommendations.
- * MOFD continue with citations and enforcement on private property.
- * Bring back the chipper program, perhaps jointly funded by MOFD and Orinda, or a nominal fee to residents. Perhaps that can be a model going forward - it's free until June 15, then there's a nominal fee.

- * Street signs prohibiting parking on the street on Red Flag days.
- * Community education. I've heard that there are folks who think we are coming for their trees. We are not. We want to see trees limbed to the proper height and fire ladders pruned or removed. We want to see the three feet adjacent to the road cleared so that we can evacuate in a fire and have a decent chance of surviving. The vast majority of people want this.

Let's not make it more complicated than it has to be.

Warmly,

Rachel Duclos
Sleepy Hollow
Orinda Firewise Council Executive Committee

From: [Sheri Smith](#)
To: [Craig Jorgens](#); [Cynthia Battenberg](#); [Darlene Gee](#); [Winnacker, David](#); [Dennis Fay](#); [Kymberleigh Korpus](#); [Larry Theis](#); [Michael Donner](#); [Steve Danziger](#); [Steve Salomon](#); [Steve Woehleke](#)
Cc: [Marcia Holbrook](#); [Marty McInturf](#)
Subject: FW: comments for the Fire Prevention Joint Subcommittee
Date: Sunday, June 21, 2020 11:29:10 AM

From: Melanie Light
Sent: Saturday, June 20, 2020 12:55 PM
To: Sheri Smith
Subject: comments for the Fire Prevention Joint Subcommittee

To: Members of the Fire Prevention Joint Subcommittee
 FROM: Melanie Light, Chair Orinda Firewise Committee

I find myself with very mixed feelings about this inaugural meeting to jointly work on solutions to the threat of wildfire in Orinda and Moraga. The creation of the subcommittee is an enormous acknowledgment of the reality of this threat to our lives and property. We are all very grateful that Mayor Gee and Council Member Fay have taken this action. We have been informed that Orinda staff have started to clear some of the city-owned land. We know that Mayor Gee and Council Member Fay have been working with the utilities like CalTrans and PGE already. That is important and slow-going work. We also understand that government works slowly and certain problems are not easy to solve. They require negotiations over time. Understood and appreciated.

We would like to establish a little clarity about the subcommittee members' intentions at the outset of this venture. In particular, I would like to ask MOFD directors Steven Danziger and Michael Donner why they are on this subcommittee given two of their votes at the last MOFD board meeting on June 17th. At that meeting they voted down their own 2021 goal of appointing a community based advisory board to address strategic, financing and governance issues. This sends a clear signal that the MOFD board does not want input from the residents. The second vote was a block vote by the three directors who are backed by the firefighters union – Steven Danziger, Michael Donner and Gregory Baitx – to cancel the chipper program for the summer. Between Jan 1 and June 12 they had disposed of 190 tons of excess fuel, served 385 homes and spent \$50,000. The program is wildly popular and over 20 letters and 25 people came to the meeting to ask that it be continued.

The MOFD board had just wrapped up their discussion about the new budget, which will be nearly \$25million with a \$1.5 million shortfall they are taking out of their \$7million reserve account. Moreover, the directors noted they had \$500,000 in unspent funds left over from last year which they will sock away. They have enough money to come up with the \$50,000 - \$100,000 it would cost to fund this program over the summer with subcontractors. They voted NO.

The citizens of Orinda and Moraga lay an ever larger golden egg, lately around \$23 million, at the feet of the Moraga Orinda Fire District each and every year. Yet the MOFD board does not want our input and does not feel they need to help its citizens prevent a wildfire. Why are Steven Danziger and Michael Donner on this subcommittee?

As I review the agenda for today, knowing that this subcommittee will not meet again for three months, I do not see any actionable items here. The executive committee has worked with all five Orinda council members to develop a list of actions that can be implemented NOW with little or no cost. We have submitted them to each council member individually and at public council meetings. To my knowledge, there has been no follow up. For example, we suggested that the DPW staff who are out in the city every day be trained to spot and report fire hazards. To get this idea enacted would involve a phone call, but to my knowledge no one has followed up on this. My fear is that to get that phone call to occur it will take months of lobbying on the part of citizens, many subcommittee meetings

and much negotiation. I sincerely hope that fear is overblown.

The 1300 homes that comprise the Orinda Firewise Council want fire prevention actions to occur this summer. The conditions for a catastrophic wildfire have never been worse. We will not tolerate a subcommittee that does not walk away from this meeting with no plan of action.

Moreover, it is also clear that meaningful wildfire mitigation work will not occur without a funding source dedicated to wildfire fire prevention. We citizens should not have to lobby and beg every year to get left-over dollars to try and save our city from a life-threatening disaster that looms in the shadows. A sales tax that will be shared 4 different ways is not acceptable. We would like to see this subcommittee to devise funding sources and have a plan of action to get them.

Below is the list of ideas that all the Orinda City Council members agree are good to do and easily done of which you are all well aware. We would like to see these carried out or we would like to know exactly why they cannot be executed and we would like to see substitutions that will be executed immediately. We cannot wait three months when the peak of the fire season is upon us.

Having laid before you all my concerns about this subcommittee, I want to state that we are in full support of this subcommittee and will do whatever we can to assist the members in creating actionable solutions to the threat of wildfire here in Orinda and Moraga. We have no choice but to move forward despite challenges.

Ideas for City Councils and MOFD to Implement ASAP

Low cost and easily enacted:

- o Educate the Public Works employees to identify fire hazard conditions and to report them to the MOFD for mitigation.
- o Insist on Firewise protocols to be incorporated into all downtown planning. Wilder has been built to high fire prevention standards and this did not incur additional costs.
- o Follow up on getting the permit requirement waived for the removal of trees up to 18" in diameter, with only the heritage oaks needing an evaluation. This could last for up to 2 years. Don't require substitute planting. Coordinate with the Orinda Firewise Council to contract with known companies like Roman's or Traverso to offer Orinda citizens a discount for a certain window of time, like the months prior to the MOFD deadline for compliance with the fire code.
- o City Education Strategy: mailers/brochures put or mailed out several times per year that educate and promote fuel mitigation. For example, one year the city could push for removal of combustible plants like juniper, bamboo, broom, etc and one year they could push for residents to remove all ladder fuel situations from their property.
 - 1. mail large brochures like the recycling company does 4 times a year. Most of our input to the subcommittee can be easily MOFD postcard once a year is good but not enough and this year too small to get attention. Develop and deliver to every household a magazine like the ones

developed by FireSafe Marin or Portola Valley.

- 2. establish an informative website such as firesafemarin.org
 - 3. host webinars on topics related to fire prevention. Let's give the chief a break and get some other experts to talk such as the research scientists from Cal who have done the wildfire computer modeling.
 - 4. do more to promote Firewise in all neighborhoods of Orinda and Moraga by putting links to it on each city's website.
- o No Street Parking on Red Flag Days signs should go up on as many streets as possible in Orinda. Possibility of the city to use its easement on streets to do this? No enforcement dollars necessary as neighbors can enforce this.

Other doable but slightly more complicated ideas:

- o Strategies to remove all dead and dangerous trees:
 - Perform an audit by an arborist of all trees and send a list of those which need to be removed ASAP to residents.
- o Step up enforcement – perhaps in combination with the education program. Example: during the brochure campaign to remove juniper, the city would exert some kind of enforcement with stiff fines. This would support the MOFD fire code which makes juniper “illegal” and also shows the city is serious about saving lives.

More Expensive

- o Assess and then clear the easements on either side of the roads in Orinda, starting with the main evacuation routes, but extending to all roads in Orinda.

Funding Ideas:

- o A funding source dedicated to wildfire fire prevention. For example, a parcel tax of \$75/year similar to one that passed in Marin: <https://www.marincounty.org/main/county-press-releases/press-releases/2019/cao-wildfirejepa-111919>.
- o Calfire grants or corporate grants similar to the ones that Marin FireSafe won.
- o Coordinate with the MOFD grant writer who can be “borrowed” for City grant writing.
- o Designate a significant portion of the upcoming sales tax to ongoing wildfire prevention programs.

Thanks for turning your attention to wildfire prevention.

We look forward to being proud of our city as a model of intelligent action.

Melanie Light, Chair, Orinda Firewise Council

Barry Horn, Executive Committee, Orinda Firewise Council
Dan Detzner, Executive Committee, Orinda Firewise Council
Ken Light, Executive Committee, Orinda Firewise Council
Rachel Duclos, Executive Committee, Orinda Firewise Council
Sue Wecht, Executive Committee, Orinda Firewise Council

On Sat, Jun 20, 2020 at 12:34 PM Melanie Light wrote:

Hi Sheri,
Here is my letter for the meeting for the record and I would like to read it and speak in public as well.
Thanks!!
Melanie

To: Members of the Fire Prevention Joint Subcommittee
FROM: Melanie Light, Chair Orinda Firewise Committee

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Thanks for turning your attention to wildfire prevention.

We look forward to being proud of our city as a model of intelligent action.

Melanie Light, Chair, Orinda Firewise Council

Barry Horn, Executive Committee, Orinda Firewise Council

Dan Detzner, Executive Committee, Orinda Firewise Council

Ken Light, Executive Committee, Orinda Firewise Council

Rachel Duclos, Executive Committee, Orinda Firewise Council

Sue Wecht, Executive Committee, Orinda Firewise Council

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Melanie Light



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Melanie Light



From: [Sheri Smith](#)
To: [Craig Jorgens](#); [Cynthia Battenberg](#); [Darlene Gee](#); [Winnacker, David](#); [Dennis Fay](#); [Kymberleigh Korpus](#); [Larry Theis](#); [Michael Donner](#); [Steve Danziger](#); [Steve Salomon](#); [Steve Woehleke](#)
Cc: [Marcia Holbrook](#); [Marty McInturf](#)
Subject: FW: MOFD/MORAGA/ORINDA FIRE PREVENTION JOINT SUBCOMMITTEE MEETING June 22, 2020
Date: Sunday, June 21, 2020 11:31:48 AM

From: Nick Waranoff
Sent: Friday, June 19, 2020 1:37 PM
To: Sheri Smith
Cc: Darlene Gee; Dennis Fay; Amy Worth; Inga Miller
Subject: MOFD/MORAGA/ORINDA FIRE PREVENTION JOINT SUBCOMMITTEE MEETING June 22, 2020

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Please accept this comment on the following Agenda item:

IV. Future Agenda Items

- a. Orinda presentation on inclusion of fire mitigation on public property as a priority in a potential sales tax measure in November

The fact that this item is even on the Agenda is what is so very wrong with Orinda's government – with the current Council. Every other agenda item is some kind of discussion or planning item. As is this. But there is one big difference: Orinda can and should be using its best efforts, and money in its General Fund, to perform fire mitigation on its property now. The budgeted amount of \$50,000, and the somewhat higher amount (\$73,000?) spent to date, are insufficient, as I argued to the Council, to no avail, many months ago (January?), when the budget was first discussed.

Why is it more important to spend General Fund dollars on more Downtown Planning (including \$200,000 for an EIR) than on fire mitigation?

Why do the residents/taxpayers have to approve a new tax in order to get Orinda to perform a basic, core, legal obligation to fully perform fire mitigation on the property it owns?

Orinda's approach to budgeting is completely the reverse of what it should be. Basic, core, legal obligations like fire prevention should be funded by the General Fund. Optional tasks like Downtown Planning should be put to a vote and funded by a tax if approved by the voters. Instead, Orinda commits the

General Fund to optional projects like Downtown Planning, and then comes hat in hand to the taxpayers, whining that it has on money for basic, core, legal obligations, and asking the voters to approve yet another tax.

It is time to defund Downtown Planning, and commit those funds (\$1 million) to Orinda's basic, core, legal obligations, including but not limited to fully performing fire mitigation on property it owns.

Nick Waranoff

Orinda resident since 2002

P.S. I have not copied Orinda Councilmember Nick Kosla because he has demonstrated by his words and actions that he has no interest in my opinions.