



Moraga-Orinda Fire District

Board of Directors

REGULAR MEETING

November 18, 2020

5:00 p.m. CLOSED SESSION

7:00 p.m. OPEN SESSION

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

PLEASE NOTE TELECONFERENCE MEETING INFORMATION:

To join the Meeting:

By Phone: 1-669-900-6833

Webinar ID: 891 5592 8749

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

<https://us02web.zoom.us/j/89155928749>

Webinar ID: 891 5592 8749

Public Participation is encouraged by joining via the ZOOM link or the dial-in information above. You can access either via a smartphone or computer App (Zoom) or via phone. Public comment will remain open for a minimum of 1 minute to allow for potential digital processing delays to ensure that the public has sufficient time and opportunity to send in questions or comments.

Written Public Comment can be provided via email at info@mofd.org. Emails will be read into the record by staff during public comment at their normal cadence and will be limited to a maximum of 3 minutes. To be read into the record, e-mail must contain in the subject line "Public Comment – Not on the Agenda" or "Public Comment – Agenda Item #" with the relevant agenda item indicated.

Live Public Comment can be provided via the Zoom app (during public comment) by the raise hand or chat function. If participating by phone, dial *9 to raise your hand. Staff will unmute participant to allow comment. Participants will be unmuted in the order of hands raised or chat request to comment.

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

1. OPENING CEREMONIES

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

2. PUBLIC COMMENT

General public comment on any closed session item that will be heard. Comments may be limited to no more than three minutes pursuant to board policy.

3. CLOSED SESSION

3.1. **Public Employee Performance Evaluation**

(Government Code Section 54957)

Public Employee Appointment Title: Fire Chief

3.2. **Conference with Labor Negotiator**

(Government Code Section 54957.6)

Agency Designated Representative: Jonathan Holtzman

Employee Organization: Local 1230, International Association of Firefighters IAFF

3.3. **Conference with Labor Negotiator**

(Government Code Section 54957.6)

Agency Designated Representative: Jonathan Holtzman

Employee Organization: Unrepresented Employees

3.4. **Conference with Labor Negotiator**

(Government Code Section 54957.6)

Agency Designated Representative: Jonathan Holtzman

Employee Organization: Moraga-Orinda Fire Chief Officers' Association

4. RECONVENE THE MEETING

- 4.1. Call the Meeting to Order
- 4.2. Roll Call

5. REPORT OF CLOSED SESSION ACTION

6. PUBLIC COMMENT – ITEMS NOT ON THE AGENDA

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

7. PUBLIC HEARING

- 7.1. **Public Hearing on Failure to Comply with the Notice to Abate Order for the Following Properties; Declare Properties a Seasonal and Recurrent Nuisance and Order Fire Chief to Abate the Properties.**

| <u>CS#</u> | <u>Assessor Parcel Number</u> | <u>Owner</u> | <u>Address</u> |
|------------|-------------------------------|----------------|----------------|
| 20-2698 | 269160010 | LIU CHUN M TRE | 90 ESTATES DR |

If a property owner fails to comply with an official Notice to Abate, a hearing will be held during a regular schedule district board meeting. At the hearing, the property owner or his or her agent may appear to show cause why the order should not be enforced. For good cause shown, the Board may extend the time for compliance with the order or may rescind the order. Service by mail shall be deemed complete at the time of deposit in the U.S. mail. The failure of any person in possession or owner of the property to receive such notice shall not affect the validity of these proceedings. Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Open the Public Hearing and Hear Public Comment; 4) Review documentation for each property and hear from property owner and or agent; 5) Close the Public Hearing; 6) Declare properties a seasonal and recurrent nuisance and order Fire Chief to Abate the properties.

8. CONSENT AGENDA

- 8.1. **Meeting Minutes – October 21, 2020 (Regular)**
Staff Recommendation: Approve and File
- 8.2. **Monthly Incident Report – October 2020**
Staff Recommendation: Approve and File
- 8.3. **Monthly Check/Voucher Register - October 2020**
Staff Recommendation: Approve and File
- 8.4. **Monthly Financial Report - October 2020**
Staff Recommendation: Approve and File
- 8.5. **Quarterly Investment Report – September 2020**
Staff Recommendation: Approve and File

9. REGULAR AGENDA

- 9.1. **Approval of Agreement for Special Services with Liebert Cassidy Whitmore to Provide Labor Negotiations Services and Appoint Donna Williamson as Lead Negotiator**
Staff will present an Agreement for Special Services with Liebert Cassidy Whitmore to Provide Labor Negotiations Services.
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Approve the Agreement for Special Services with Liebert Cassidy Whitmore to Provide Labor Negotiations Services and Appoint Donna Williamson as Lead Negotiator.

- 9.2. **Approval of Resolution 20-15, A Resolution of the Moraga-Orinda Fire District Requiring Insurance Company Compliance with the Public Resources Code and Government Code.**
Staff will present Resolution 20-15, a Resolution of the Moraga-Orinda Fire District Requiring Insurance Company Compliance with the Public Resources Code and Government Code
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Approve Resolution 20-15, A Resolution of the Moraga-Orinda Fire District requiring insurance company compliance with the public resources code and government code.

10. COMMITTEE REPORTS

- 10.1. **Finance Committee (Directors Danziger and Jorgens)**
10.2. **Facilities Ad Hoc Committee (Directors Baitx and Donner)**
10.3. **Joint Fire Prevention Ad Hoc Committee (Directors Danziger and Jorgens)**

11. ANNOUNCEMENTS

- 11.1. **Brief information only reports related to meetings attended by a Director at District expense**
(Government Code Section 53232.3(d))
11.2. **Questions and informational comments from Board members and Staff**
11.3. **Fire Chief Updates**
 11.3.1. **COVID-19**
 11.3.2. **Human Resources**
 11.3.3. **Fire Marshal**
11.4. **Communications Received**
11.5. **Future Agenda Items**

12. ADJOURNMENT

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

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

I hereby certify that this agenda in its entirety was posted on **November 13, 2020**, at the Moraga and Orinda Fire Administration offices, Stations 41, 42, 43, 44, and 45. Agenda provided to the Moraga Town Office (Hacienda) and Orinda City Hall.



Marcia Holbrook
District Secretary/Clerk



Moraga-Orinda Fire District

TO: The Board of Directors

FROM: Jeff Isaacs, Fire Marshal

DATE: November 18, 2020

SUBJECT: **Item 7.1 – Public Hearing on failure to comply with the Notice to Abate order for the following properties; declare properties a seasonal and recurrent nuisance and order Fire Chief to abate the properties.**

BACKGROUND

In accordance with the California Health and Safety Code, California Fire Code, the Board of Directors must hold a public hearing to allow property owners the opportunity to show cause why the official Notice to Abate order should not be enforced.

On April 24, 2020, all parcels owners within the Fire District were mailed informational postcards identifying the compliance deadline and detailing specific fire code requirements for exterior hazard abatement. Fire Prevention staff performed an assessment of these parcels after the June 15 deadline and found the parcel to be in violation of the exterior hazard abatement requirements.

The property located at 90 Estates was mailed a 15-day Notice to Abate letter identifying the found violations. Staff met with the Property owner and reviewed the identified fire code violations. A second inspection was performed after the 15 days, and violations were still found on the parcels. A second Notice to Abate Letter was mailed, giving the owner an additional 15 days to abate the identified violations. The Notice to Abate letter identified each violation and provided a picture with a description of each violation and ways to correct the violation. A third inspection was performed after the 15 days; violations were still found on the properties. A letter was sent, notifying the property owners that the District would be moving forward with a lien hearing.

On November 9, 2020, an additional letter was mailed, giving details about the hearing and instructions on how to access and participate in the hearing.

CONCLUSION

After the lien hearing and the declaration by the Board that the property violations are a seasonal and recurrent nuisance, Staff will begin the process to hire contractors to abate the violations and place liens on the property.

Properties with Violations:

Assessor Parcel Number (APN)

1. 269-160-010

Address

90 Estates

RECOMMENDATION

- 1) Discuss; 2) Deliberate; 3) Open the Public Hearing and Hear Public Comment; 4) Review documentation for each property and hear from property owner and or agent; 5) Close the public hearing; 6) Declare properties a seasonal and recurrent nuisance and order the Fire Chief to abate the properties.

ATTACHMENTS:

Attachment A – Supporting documentation for 90 Estates with violations.



Moraga-Orinda Fire District

Office of the Fire Marshal

OFFICIAL NOTICE TO ABATE

August 31, 2020

**LIU CHUN M TRE
11 GARDINER CT
ORINDA, CA 94563-3406**

Inspection ID #: 20-2698

In accordance with Moraga-Orinda Fire District Ordinance No.20-01, you are hereby notified of a fire code violation on the following described property owned by you. This violation constitutes a fire hazard and it is deemed necessary to abate such hazard as promptly as possible:

**Parcel Number: 269160010
Parcel Address: 90 ESTATES DR
ORINDA, CA 94563**

YOU ARE HEREBY NOTIFIED TO ABATE THE FIRE CODE VIOLATION LISTED BELOW WITHIN FIFTEEN (15) days from the date of this notice. Failure to comply with the enclosed items shall result in abatement by the Fire District.

You are ordered to clear the vegetation as follows in order to reduce the amount of combustible vegetation on your property. This Notice of Abatement is exempt from California Environmental Quality Act (CEQA) as a fuel management activity for the protection of the environment and natural resources. If you feel that the order would cause a taking of endangered, rare, or threatened plant or animal species, please contact Moraga-Orinda Fire Prevention Staff at (925) 258-4599 before the compliance date to discuss the matter and provide documentation.

| Code Violation: | Code Section: | Violation: |
|---|----------------------|--|
| 20.01 Clearance of Hazardous Vegetation Parcels | 325.6.2.1 | Clearance of brush, vegetative growth and combustible material from parcels: Remove from improved or unimproved parcel all hazardous vegetation and combustible material that are deemed a fire hazard. 325.6.2.2 Parcels under one acre shall require abatement on the entire parcel. |
| 20.01 Maintain 100 ft. | 325.6.3 | Clearance of brush or vegetative growth from structures: Any person owning, leasing, controlling, operating or maintaining any structure in, upon, or adjoining any hazardous fire area shall at all times maintain defensible space around and adjacent to such building by removing and clearing away all combustible material for a distance not less than 100 feet from all portions of the structure. |
| 20.01 Fuel Break | 325.6.2.3 | Parcels over one acre: Parcels over one acre may be required |

| | | |
|--------------------------|-----------|--|
| Required | | to comply with the following requirements: 1. Parcels shall provide 30-foot fuel breaks along the perimeter of the property line. 2. Parcels 10 acres or more shall also provide a 30-foot cross break to divide the parcel into approximately 5-acre sections. 3. Eliminate any ladder fuels that can readily transmit in fuel breaks and cross breaks. 4. Provide 100-foot clearance from unimproved parcels to the property line of improved adjacent parcels. 5. Provide 100-foot clearance around structures in accordance with 325.6.3 |
| 20.01 Tree 6 ft. Air Gap | 325.6.3.4 | Clearance of brush or vegetative growth from structures (6 ft. gap): Maintain trees to remove ladder fuels so that foliage, twigs, or branches are greater than 6 feet above the ground or surface fuels within 100 feet of any structure or within 10 feet of the paved edge of any fire apparatus access road. |

YOU ARE HEREBY FURTHER NOTIFIED that the Board of Directors of this Fire District has declared that if this property must be abated by the Fire District's contractor, the cost of the abatement and an administrative fee will be assessed and a lien may be placed on this property.

This Notice is exempt from California Environmental Quality Act (CEQA) as a fuel management activity for the protection of the environment and natural resources. If you feel that the order would cause a taking of endangered, rare, or threatened plant or animal species, please contact Moraga-Orinda Fire Protection District before the compliance date to discuss the matter and provide documentation.

To report self compliance:

- Visit <https://user.govoutreach.com/moragaorindafdca/support.php?classificationId=33467> to complete the self-assessment form
- Please refer to your ID # 20-2698

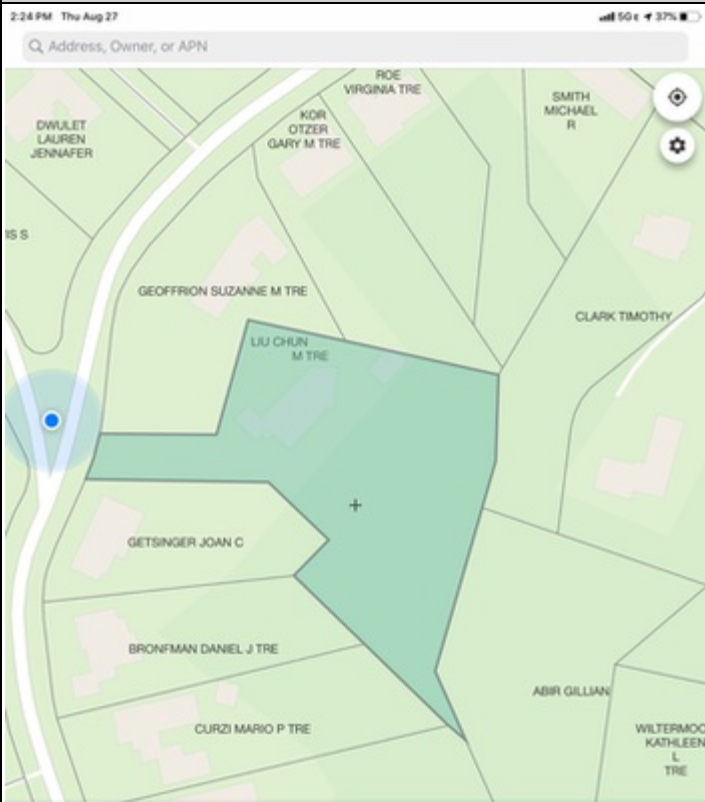
The Fuels Mitigation and Fire Prevention staff are here to help you in your fuel mitigation efforts and we thank you for your cooperation and partnership. If you have any questions or concerns, please contact the Fire Prevention Staff at (925) 258-4525 or email us at mofdaide@mofd.org

Sincerely,



Jeff Isaacs
 Fire Marshal
 Moraga-Orinda Fire District
 1280 Moraga Way
 Moraga, California 94556
 Phone: 925.258.4525 | Fax: 925.376.1699 | www.mofd.org

Photographs



Owner
LIU CHUN M TRE
Address
90 ESTATES
Parcel ID
269160010

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Moraga-Orinda Fire District

Office of the Fire Marshal

OFFICIAL NOTICE TO ABATE

September 24, 2020

**LIU CHUN M TRE
11 GARDINER CT
ORINDA, CA 94563-3406**

Inspection ID #: 20-2698

In accordance with Moraga-Orinda Fire District Ordinance No.20-01, you are hereby notified of a fire code violation on the following described property owned by you. This violation constitutes a fire hazard and it is deemed necessary to abate such hazard as promptly as possible:

**Parcel Number: 269160010
Parcel Address: 90 ESTATES DR
ORINDA, CA 94563**

YOU ARE HEREBY NOTIFIED TO ABATE THE FIRE CODE VIOLATION LISTED BELOW WITHIN FIFTEEN (15) days from the date of this notice. Failure to comply with the enclosed items shall result in abatement by the Fire District.

You are ordered to clear the vegetation as follows in order to reduce the amount of combustible vegetation on your property. This Notice of Abatement is exempt from California Environmental Quality Act (CEQA) as a fuel management activity for the protection of the environment and natural resources. If you feel that the order would cause a taking of endangered, rare, or threatened plant or animal species, please contact Moraga-Orinda Fire Prevention Staff at (925) 258-4599 before the compliance date to discuss the matter and provide documentation.

| Code Violation: | Code Section: | Violation: |
|---|----------------------|--|
| 20.01 Clearance of Hazardous Vegetation Parcels | 325.6.2.1 | Clearance of brush, vegetative growth and combustible material from parcels: Remove from improved or unimproved parcel all hazardous vegetation and combustible material that are deemed a fire hazard. 325.6.2.2 Parcels under one acre shall require abatement on the entire parcel. |
| 20.01 Maintain 100 ft. | 325.6.3 | Clearance of brush or vegetative growth from structures: Any person owning, leasing, controlling, operating or maintaining any structure in, upon, or adjoining any hazardous fire area shall at all times maintain defensible space around and adjacent to such building by removing and clearing away all combustible material for a distance not less than 100 feet from all portions of the structure. |
| 20.01 Fuel Break | 325.6.2.3 | Parcels over one acre: Parcels over one acre may be required |

| | | |
|--------------------------|-----------|--|
| Required | | to comply with the following requirements: 1. Parcels shall provide 30-foot fuel breaks along the perimeter of the property line. 2. Parcels 10 acres or more shall also provide a 30-foot cross break to divide the parcel into approximately 5-acre sections. 3. Eliminate any ladder fuels that can readily transmit in fuel breaks and cross breaks. 4. Provide 100-foot clearance from unimproved parcels to the property line of improved adjacent parcels. 5. Provide 100-foot clearance around structures in accordance with 325.6.3 |
| 20.01 Tree 6 ft. Air Gap | 325.6.3.4 | Clearance of brush or vegetative growth from structures (6 ft. gap): Maintain trees to remove ladder fuels so that foliage, twigs, or branches are greater than 6 feet above the ground or surface fuels within 100 feet of any structure or within 10 feet of the paved edge of any fire apparatus access road. |

YOU ARE HEREBY FURTHER NOTIFIED that the Board of Directors of this Fire District has declared that if this property must be abated by the Fire District's contractor, the cost of the abatement and an administrative fee will be assessed and a lien may be placed on this property.

This Notice is exempt from California Environmental Quality Act (CEQA) as a fuel management activity for the protection of the environment and natural resources. If you feel that the order would cause a taking of endangered, rare, or threatened plant or animal species, please contact Moraga-Orinda Fire Protection District before the compliance date to discuss the matter and provide documentation.

To report self compliance:

- Visit <https://user.govoutreach.com/moragaorindafdca/support.php?classificationId=33467> to complete the self-assessment form
- Please refer to your ID # 20-2698

The Fuels Mitigation and Fire Prevention staff are here to help you in your fuel mitigation efforts and we thank you for your cooperation and partnership. If you have any questions or concerns, please contact the Fire Prevention Staff at (925) 258-4525 or email us at mofdaide@mofd.org

Sincerely,



Jeff Isaacs
 Fire Marshal
 Moraga-Orinda Fire District
 1280 Moraga Way
 Moraga, California 94556
 Phone: 925.258.4525 | Fax: 925.376.1699 | www.mofd.org

Photographs



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Moraga-Orinda Fire District

Office of the Fire Marshal

OFFICIAL NOTICE TO ABATE

October 7, 2020

**LIU CHUN M TRE
11 GARDINER CT
ORINDA, CA 94563-3406**

Inspection ID #: 20-2698

The Moraga-Orinda Fire District has notified you in accordance with Moraga-Orinda Fire District Ordinance No.20-01 that a fire code violation on the following described property owned by you constitutes a fire hazard and that it is deemed necessary to abate such hazard as promptly as possible:

**Parcel Number: 269160010
Parcel Address: 90 ESTATES DR
ORINDA, CA 94563**

On April 24, 2020 the district mailed to you and all residence in the district an exterior hazard control post card. This post card provided information in regards to the requirements of MOFD Ordinance No.20-01 and advised you that all property owners are required to comply with the requirements in MOFD Ordinance 20-01.

On August 27, 2020 MOFD Fire Prevention Staff performed an assessment on your property which resulted in the issuance of an Exterior Hazard Notification letter, this letter advised you that violation(s) of MOFD Ordinance No.20-01 were determined to exist on your property and required that these violation(s) be fixed with 30 days.

MOFD Fire Prevention Staff performed a follow up inspection on October 7, 2020 and determined that previously identified violations remained present on your property. A 15-day Notice to Abate letter was mailed on September 23, 2020. Due to the continued presence of violations, this letter is to inform you that the Moraga-Orinda Fire District is preparing to process your property for abatement by the District. If you have question about this process or need more time please contact the District Fuels Mitigation Manager at phone # 925-258-4520 or ggraham@mofd.org

YOU ARE HEREBY FURTHER NOTIFIED that the Board of Directors of this Fire District will convene a hearing prior to declaring that this property be abated by the Fire District's contractor and that the cost of the abatement and administrative fee be assessed through a lien placed on this property

This Notice is exempt from California Environmental Quality Act (CEQA) as a fuel management activity for the protection of the environment and natural resources. If you feel that the order would cause a taking of endangered, rare, or threatened plant or animal species, please contact Moraga-

7.1A

Orinda Fire Protection District before the compliance date to discuss the matter and provide documentation.

To report self compliance:

- Visit <https://user.govoutreach.com/moragaorindafdca/support.php?classificationId=33467> to complete the self-assessment form
- Please refer to your ID # 20-2698

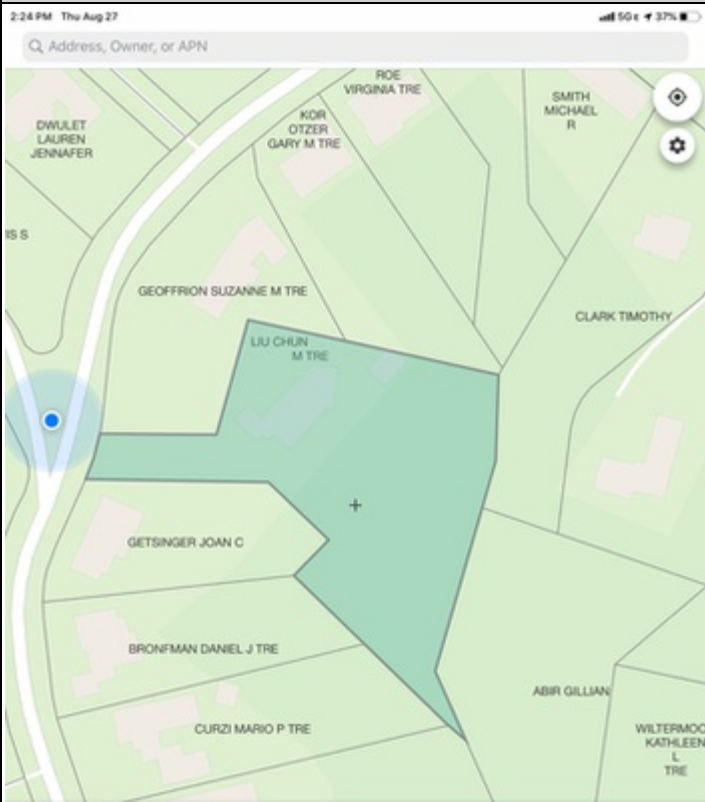
The Fuels Mitigation and Fire Prevention staff are here to help you in your fuel mitigation efforts and we thank you for your cooperation and partnership. If you have any questions or concerns, please contact the Fire Prevention Staff at (925) 258-4525 or email us at mofdaide@mofd.org

Sincerely,



Jeff Isaacs
Fire Marshal
Moraga-Orinda Fire District
1280 Moraga Way
Moraga, California 94556
Phone: 925.258.4525 | Fax: 925.376.1699 | www.mofd.org

Photographs



Owner
LIU CHUN M TRE
Address
90 ESTATES
Parcel ID
269160010

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Code Enforcement Case: CE-20-2698

Entered on: 08/27/2020 4:41 PM

Printed on: 11/09/2020

Topic: Weed Abatement
 Due Date: 10/21/20
 Initiated by: Fire
 Hearing Date:

Status: Open
 Assigned To: Gorden Graham
 Hearing Time:

Permit

Permit #: _____ Business name: _____ License #: _____
Property Location

Occupant Name:

Address: 90 ESTATES DR , 94563

Phone:

Cell #:

APN : 269160010

Owner Information

Owner Name: LIU CHUN M TRE

Address: 11 GARDINER CT
ORINDA, CA 94563-3406

Phone: 5103668018

Cell #: 9258998836

Actions

| Action | By | Date | Time | Note/Observation |
|-----------------------|---------------|------------|----------|--|
| Inspection | Gorden Graham | 08/27/2020 | 4:41 pm | Inspected upon receipt of complaint |
| Case Notes | Gorden Graham | 08/28/2020 | 12:21 pm | Owner Pacific Lighthouse Restaurant in Alemenda, resides at 11 Gardiner Ct , Orinda Ca |
| Notice to Abate | Gorden Graham | 08/28/2020 | 4:24 pm | Send to (Owner) |
| Case Notes | Gorden Graham | 09/03/2020 | 9:28 am | Spoke with Mr Lee, will meet on parcel 9/9 at 10:00 |
| Case Notes | Gorden Graham | 09/09/2020 | 12:09 pm | Met with Mr Lee on property today. Walked parcel and outlined abatement requirements. Lee is in process of hiring a contractor for abatement |
| Inspection | Gorden Graham | 09/23/2020 | 2:50 pm | Abatement in progress, still much more to go |
| Notice to Abate | Gorden Graham | 09/23/2020 | 2:51 pm | Send to (Owner) |
| Inspection | Gorden Graham | 10/07/2020 | 11:26 am | No change in property status since last inspection |
| Pre Lien Notification | Gorden Graham | 10/07/2020 | 11:26 am | Send to (Owner) |
| Inspection | Gorden Graham | 10/22/2020 | 9:50 am | Inspected , no change in the status of this property since last inspection |
| Case Notes | Gorden Graham | 10/22/2020 | 9:52 am | Left phone message for property owner , requesting phone call and update on abatement |
| Inspection | Gorden Graham | 11/06/2020 | 11:02 am | No change in property status since last inspection. Left voice message for property owner |
| Case Notes | Mona Berestka | 11/09/2020 | 8:24 am | Lien Hearing Notification: Sent copies of Word doc to Jeff, Gorden and Marcia. Will send notice in the mail today. Notice has been uploaded in system, Document #12. |

Violations

| # | Violation Type | Due Date | Status | Closed Date |
|---|--|----------|--------|-------------|
| 1 | 20.01 Clearance of Hazardous Vegetation Parcels Corrections Required:Remove all dead or dying trees, combustible material, hazardous vegetation, and/or rubbish from entire parcel. | | Open | |
| | 20.01 Maintain 100 ft. | | Open | |
| 2 | Corrections Required:Measure 100 feet from the building to any direction and mark the 100-foot zone. Remove all dead material such as tree branches, dry grass, brush, and dead trees from this zone. If 100 feet is not practical due to lot size, property line will be used. | | | |
| | 20.01 Fuel Break Required | | Open | |
| 3 | Corrections Required:Disc, mow, grade or use other means to remove all fuels in a fuel break around the perimeter of the parcel and cross breaks as described in 325.6.2.3. Alternate means and measure may be considered if topography makes this impractical. Alternate means and measure must be approved by the Fire District. | | | |

4 20.01 Tree 6 ft. Air Gap

Open

Corrections Required: Remove all dead vegetation from under the tree. Remove live vegetation that comes within 6' (measured vertically) of the lower portions of the tree branches.

Inspection Notes

Date: _____ Time: _____

Findings: _____

Photographs

2:24 PM Thu Aug 27

Q Address, Owner, or APN

ROE VIRGINIA TRE
SMITH MICHAEL R
KOR OTZER GARY M TRE
GEOFFRION SUZANNE M TRE
LIU CHUN M TRE
CLARK TIMOTHY
GETSINGER JOAN C
BRONFMAN DANIEL J TRE
CURZI MARIO P TRE
ABIR GILLIAN
WILTERMOG KATHLEEN L TRE

Owner
LIU CHUN M TRE
Address
90 ESTATES
Parcel ID
269160010

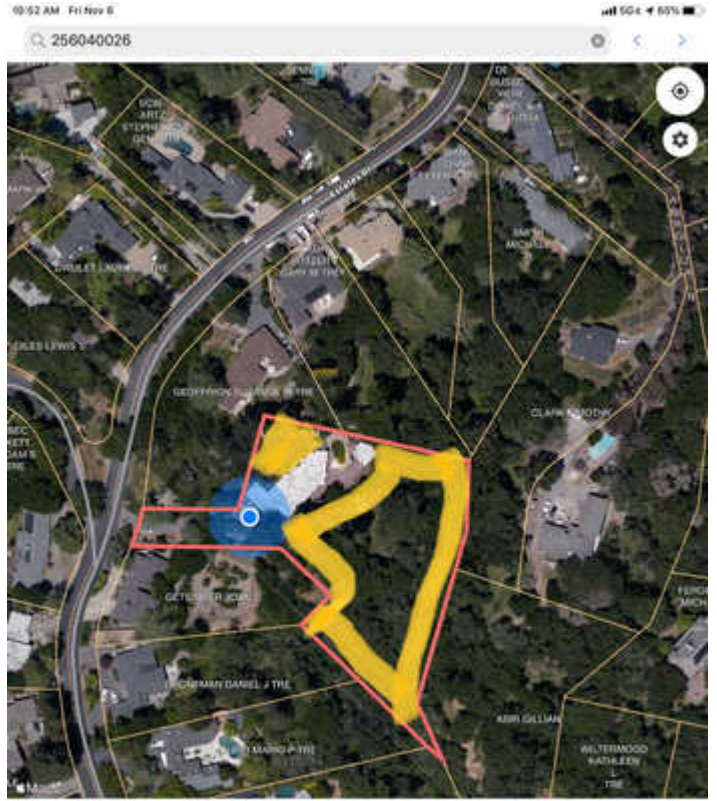
1F2E8BE3-852B-4C60-97FB-57F4E810AF6E.png



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Owner
LIU CHUN M TRE
Address
90 ESTATES
Parcel ID
269160010

90 Estates abatement areas



11/6



11/6



11/6



11/6



11/6



11/6



11/6



Moraga-Orinda Fire Protection District

BOARD OF DIRECTORS REGULAR BOARD MEETING MINUTES

October 21, 2020

1. OPENING CEREMONIES

The Board of Directors convened a Teleconference Open Session at **5:02 p.m.** on **October 21, 2020**, via the Zoom application, <https://us02web.zoom.us/j/82178505268>, webinar id: 821 7850 5268 and by phone 669-900-6833. 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.

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

| | | |
|--------------------|----------------------------|--|
| President Danziger | Director Jex | Gloriann Sasser, Admin Services Director |
| Director Baitx | Director Jorgens | Marcia Holbrook, District Clerk |
| Director Donner | Dave Winnacker, Fire Chief | |

District Clerk Holbrook noted an administrative typographical error on the numbering of the closed session items. Item Conference with Labor Negotiator, Employee Organization: Unrepresented Employees listed as 3.2 and should be 3.3, and item 3.3 Conference with Labor Negotiator, Employee Organization: Moraga-Orinda Fire Chief Officers' Association is listed as 3.3 and should be item 3.4.

2. PUBLIC COMMENT (audio 3:00)

President Danziger opened Public Comment on the closed session items. Public comment remained open for a minimum of 1 minute to allow for potential digital processing delays to ensure that the public had sufficient time and opportunity to send in questions or comments. There were no requests to address the Board. President Danziger closed Public Comment.

At **5:06 p.m.**, the Board adjourned to Closed Session.

3. CLOSED SESSION

3.1. Public Employee Performance Evaluation

(Government Code Section 54957)

Public Employee Appointment Title: Fire Chief

3.2. Conference with Labor Negotiator

(Government Code Section 54957.6)

Agency Designated Representative: Jonathan Holtzman
Employee Organization: Local 1230, International Association of Firefighters IAFF

3.3 Conference with Labor Negotiator

(Government Code Section 54957.6)

Agency Designated Representative: Jonathan Holtzman
Employee Organization: Unrepresented Employees

3.4 Conference with Labor Negotiator

(Government Code Section 54957.6)

Agency Designated Representative: Jonathan Holtzman
Employee Organization: Moraga-Orinda Fire Chief Officers' Association

4. RECONVENE THE MEETING (audio 16:45)

4.1 Call the Meeting to Order

4.2 Roll Call

President Danziger reconvened the regular business meeting of the Moraga-Orinda Fire District Board of Directors at **7:08 p.m.** and requested an attendance roll call. Present were the following Directors and Staff:

| | | |
|--------------------|--|--|
| President Danziger | Director Jorgens | Christine Russell, HR Benefits Manager |
| Director Baitx | Dave Winnacker, Fire Chief | Jonathan Holtzman, District Counsel |
| Director Donner | Gloriann Sasser, Admin Services Director | Amy Ackerman, District Counsel |
| Director Jex | Jeff Isaacs, Fire Marshal | Marcia Holbrook, District Clerk |

5. REPORT OF CLOSED SESSION ACTION (audio 17:30)

President Danziger stated that the Board took no reportable action on agenda items 3.1-3.4.

6. PUBLIC COMMENT - ITEMS NOT ON THE AGENDA (audio 17:44)

President Danziger opened Public Comment.

Anonymous (Citizen X), expressed concern on a de facto policy of the Fire Chief being on strike teams during high fire season. Citizen X asked if the Board had publicly discussed a de facto policy with public awareness and input. President Danziger confirmed and suggested that the Fire Chief provide an update during the Fire Chief report, item 12.3. Fire Chief Winnacker added the public could view this information in the Fire Chief contract, available on the District's website.

Charles Porges, Orinda Resident, asked for a status report on the Chipper program. President Danziger answered the Fire Marshal report, item 12.3.3. will provide a Chipper program update.

There were further no requests to address the Board. President Danziger closed Public Comment.

7. PUBLIC HEARING (audio 24:32)

7.1. **Public Hearing to consider the proposed revision to the Schedule of Fees for District Services and Adoption on Resolution 20-14 Modifying a Schedule of Fees for District Services.**

Fire Marshal Isaacs provided the report. On January 8, 2020, the District adopted resolution 20-01, revising a Schedule of Fees for District Services. With the adoption of the new fire code Ordinance 20-01, there is a need to add new fees associated with section 325.9.10; Sale or Transfer of Property. Using the District's existing online system, property owners can self-report compliance with the fire code and check the status of a property with no fee. Additional functionality was created to allow sellers and real estate professionals to check a property's status using the on-line system. In addition to these methods, there may be cases where Staff will need to perform in-person inspections and educate the property owner on the scope of work required for compliance. There may also be times when the buyer or seller decides to bypass the self-service system and call the office to check property status. The District has also implemented an online payment option (in addition to paying by check) in response to COVID19 and improved efficiencies for plan reviews, operational permits, and other fee-based actions. There is a need to recover the user fees charged by the credit card processing company. Staff recommends the Board adopt the proposed new fees effective October 22, 2020.

- Property Sale or Transfer Online Self Check- no charge
- Property Sale or Transfer On-Site First Inspection Fee- \$150
- Property Sale or Transfer On-Site Re-Inspection Fee- \$200
- Seller or Buyer Phone or Over the Counter Compliance Check Fee- \$20
- Online payment Debit and Credit Card User Fee – 2.45% of gross volume
- Online payment ACH/eCheck User Fee - \$1

President Danziger opened the Public Hearing. There were no requests to address the Board. President Danziger closed the Public Hearing.

President Danziger asked if title companies or real estate brokers received notification that this item would be on the agenda. Fire Chief Winnacker responded Staff has a regular and open dialogue with the Contra Costa County Association of Realtors and explained that the responsibility does not lie with the Realtor but with the Seller. A no-cost option is available to all Realtors and Sellers. The cost recovery element addresses the time and resources for those who choose not to use the no-cost online portal option. The District has a finite number of fuel mitigation-fire prevention resources. Time spent looking up a property, accessible through a self-help mechanism, is time Staff is not performing other critical work that only they can perform. The imposed fees should encourage Realtors and Sellers to utilize the free, no-cost online option. President Danziger asked if the office was open to receive payments by check. Fire Chief Winnacker stated that the office is closed due to COVID19. Payment by check option is available by mail.

Director Jorgens asked about the re-inspection fee and if re-inspections require more time and work than the first inspection. Fire Chief Winnacker responded that the re-inspection is more involved because the person either is unable or unwilling to use the self-report online portal. The self-report online portal is a simple process that involves taking five pictures and uploading them to the site. The second trip tends to be a significantly longer amount of time spent on site.

No further discussion by the Board.

Motion by Director Jorgens and seconded by Director Baitx to Adopt Resolution 20-14 Modifying a Schedule of Fees for District Services. Said motion carried 5-0 roll call vote (Ayes: Baitx, Donner, Jex, Jorgens, and Danziger; Noes: None; Absent: None; Abstain: None).

7.2. Public Hearing on Adoption of Urgency Ordinance 20-04 Requiring Electrical Utilities to Provide Notice of Work in High Fire-Risk Areas and Restricting Certain Electrical Utility Work During Red Flag Warning Periods.

Fire Chief Winnacker provided the report. In the wake of recent catastrophic wildfires in California, and pursuant to Senate Bill 901 and rules of the California Public Utilities Commission (CPUC), publicly owned California electric utilities are required to prepare plans for constructing, maintaining, and operating their electrical lines and equipment in a manner that minimize the risk of wildfire. Senate Bill 901 added Section 764 (b) to the Public Utilities Code:

An electrical corporation that has a contract for private fire safety and prevention, mitigation, or maintenance services shall make an effort to reduce or eliminate the use of contract private fire safety and prevention, mitigation, and maintenance personnel in favor of employing highly skilled and apprenticed personnel to perform those services in direct defense of utility infrastructure in collaboration with public agency fire departments having jurisdiction.

Further, Assembly Bill 2380 changed Health and Safety Code 14865 by adding the following language:

The Legislature intends to provide for the highest level of safety for firefighters and the communities they protect by regulating the use of privately contracted private fire prevention resources. Nothing in this part shall be construed or otherwise interpreted to authorize public agencies to contract for firefighting services or other first response services. The Legislature finds and declares that firefighting and fire protection services are a municipal function and a public good to be provided by public agencies and their employees.

Certain portions of the District fall within Very High Fire Hazard Severity Zones as identified on the most recent California Department of Forestry and Fire Protection Fire and Resource Assessment Program map; and/or within the Tier 2 - Elevated and Tier 3 - Extreme zones as identified on the most recent California Public Utilities Commission Fire-Threat Map; and/or locally designated Wildland Urban Interface – Fire Areas supported by a finding of fact and as defined in MOFD Ordinance 20-02 which areas are hereafter referred to as high fire risk areas (HFRA). To reduce the risk of loss of life and property due to uncontrolled wildfire, the District has instituted a burn ban during high fire danger periods. Due to the topography, climate, and vegetative fuel types prevalent in the District, historical fire activity has occurred between June and December.

Staff recommends that given the substantial risk of wildfires in the District, in order to ensure the public's safety and for the District to carry out its duties as the exclusive provider of fire prevention, fire suppression, and emergency response within its service area, any electrical utility engaging a SIPT or otherwise engaging in fire safety, prevention, or mitigation services in an area designated as a High Fire Risk Area during any time between June 1 and December 1 or when the District has imposed an Open Burning Ban, must provide notice to the District.

Fire Chief Winnacker explained two important elements proposed in the urgency ordinance; 1) Non-emergency work scheduled by the electrical utility company identified as hazardous to warrant a SIPT team deployment should be required to inform the District of the deployment. A SIPT team is a crew made up of electrical utility personnel, in a type six fire apparatus, carrying fire suppression tools deployed to monitor utility work that could lead to a wildfire. Senate Bill 901 directs public electrical utilities to collaborate with local fire districts, and notification is a necessary first step towards collaboration; 2) Public concern of non-emergent utility work impacting the roadways and the potential of igniting a fire during red flag days. Fire Chief Winnacker shared a recent fire that burned 20 acres in Moraga by a resident using a lawnmower and pointed out that something as innocuous as using a lawnmower can lead to a significant fire.

Fire Chief Winnacker expressed concern that scheduled non-emergent work that reaches the threshold of requiring a SIPT team's deployment, should not to be performed in the District in high fire risk areas on red flag days. Fire Chief Winnacker clarified that the ordinance notification requirement is exclusively about scheduled non-emergency work. Scheduled non-emergent utility work should be performed on non-red flag days to reduce the community's exposure to utility caused wildfire.

President Danziger opened the Public Hearing. There were no requests to address the Board. President Danziger closed the Public Hearing.

Director Baitx asked if working in collaboration included picking up the fee for up staffing engines when performing hazardous work. Fire Chief Winnacker answered that a fee component was not included in the ordinance.

Director Jorgens requested more information on the restrictions of electrical utilities performing non-emergency work on red flag days. Fire Chief Winnacker explained the ordinance specifies that the restrictions apply to work that requires the deployment of a SIPT team. Fire Chief Winnacker clarified that a SIPT team's deployment relates to work that the utility company's internal risk assessment triggered a high-risk level. A level high enough to start a wildfire, and the utility company determined the need to deploy specialized resources to that site. The ordinance excludes emergency work. Director Jorgens inquired if the District tried asking the utility company to inform the District of a SIPT team's deployment. Fire Chief Winnacker responded that based on experience, an ordinance is recommended. Director Jorgens asked District Council Holtzman about the legal risks of passing the ordinance. District Council Holtzman provided comments on the ordinance. District Council Ackerman reviewed the different options and steps the Board could take regarding a challenge.

President Danziger asked District Council Holtzman about the potential legal fees and financial impact. District Council Holtzman responded that there would be the cost of defending the ordinance. President Danziger commented on an article in the San Francisco Chronicle about the use of private firefighters in cities and districts and asked if the ordinance would apply to private firefighters. Fire Chief Winnacker answered that the ordinance only applies to public utility SIPT teams. President Danziger asked how Staff determined the penalties. District Council Ackerman replied that the penalties are determined by state law.

President Danziger expressed support for the urgency ordinance. Director Baitx expressed support of the urgency ordinance and asked if there was a way to prohibit roadwork on major evacuation routes on red flag days. Fire Chief Winnacker deferred to District Council and added that state law specifies that evacuation and managing the roads associated with evacuation routes are police department functions. Fire Chief Winnacker commented that it falls to the City/Town responsible for overseeing the roadwork to take action to restrict roadwork that could impact an evacuation. Fire Chief Winnacker mentioned this could be an opportunity for the liaisons to the Town of Moraga and City of Orinda to engage in that discussion. Director Jorgens responded that it was a discussion at the last Orinda City Council meeting. President Danziger suggested that it be discussed at the next Joint Fire Prevention subcommittee.

No further discussion by the Board.

Motion by Director Jex and seconded by Director Baitx to waive the reading and adopt Urgency Ordinance 20-04, Requiring Electrical Utilities to Provide Notice of Work in High Fire-Risk Areas and Restricting Certain Electrical Utility Work During Red Flag Warning Periods. Said motion carried 5-0 roll call vote (Ayes: Baitx, Donner, Jex, Jorgens, and Danziger; Noes: None; Absent: None; Abstain: None).

8. CONSENT AGENDA (audio 61:10)

- 8.1. **Meeting Minutes – September 16, 2020 (Regular)**
Staff Recommendation: Approve and File
- 8.2. **Monthly Incident Report - September 2020**
Staff Recommendation: Approve and File
- 8.3. **Monthly Check/Voucher Register - September 2020**
Staff Recommendation: Approve and File
- 8.4. **Monthly Financial Report – September 2020**
Staff Recommendation: Approve and File

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

Motion by Director Donner and seconded by Director Jex to approve Consent Agenda items 8.1 and 8.4. Said motion carried 5-0 roll call vote (Ayes: Baitx, Donner, Jex, Jorgens, and Danziger; Noes: None; Absent: None; Abstain: None).

9. PROCLAMATION

9.1. PROCLAMATION HONORING THE LAMORINDA COMMUNITY EMERGENCY RESPONSE TEAM (audio 63:24)

Fire Chief Winnacker presented a proclamation honoring the Lamorinda Community Emergency Response Team for educating citizens about disaster preparedness and basic disaster response to emergency situations. The Board of Directors and Emergency Preparedness Manager Rein thanked all the CERT volunteers and dedication to safety preparedness. Duncan Seibert and Julie Luckenbach expressed appreciation and thanked the Board for their sponsorship and support.

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

10. REGULAR AGENDA

10.1. Approval of GASB 75 OPEB Valuation Report as of June 30, 2020 (audio 76:40)

Administrative Service Director Sasser provided the report. A draft GASB 75 OPEB Valuation Report as of June 30, 2020, was presented to the Board on September 16, 2020. The updated OPEB valuation report measured the net OPEB liability at \$14,234,499, a 4.1% decrease from the prior year liability. The liability was measured using a discount rate of 6.25% and assumes the District will continue to pre-fund the recommended contribution every year. Staff recommends the Board approve the GASB 75 OPEB valuation report as of June 30, 2020.

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

President Danziger commented that this is a report that the Board approves every year. Director Jex asked if this information will go into the CAFR. ASD Sasser confirmed. President Danziger noted that the report was updated with the correct salary information.

No further discussion by the Board.

Motion by Director Jorgens and seconded by Director Donner to approve the GASB 75 OPEB Valuation Report as of June 30, 2020. Said motion carried 5-0 roll call vote (Ayes: Baitx, Donner, Jex, Jorgens, and Danziger; Noes: None; Absent: None; Abstain: None).

10.2 Quarter One Financial Update and Budget Review (audio 80:21)

Administrative Service Director Sasser provided the report and presented a PowerPoint presentation. Due to the economic uncertainties caused by the COVID-19 pandemic, Staff will provide quarterly financial updates and budget reviews during FY2021. Financial reports for July 1, 2020, through September 30, 2020, were provided in the board packet. When Staff prepared the current fiscal year budget last spring, the pandemic's economic effects were uncertain. To maintain budget flexibility, the District followed GFOA recommendations and adopted a conservative budget and budgeted revenue conservatively low and expenditures conservatively high. The budget adopted in June of 2020 budgeted a general fund deficit of \$1.5 million. The deficit included contributions to both the OPEB and pension trust.

Quarter One Financial Update

Revenue – Exceed budget \$1.5M

- Property tax – meet budget
- Strike team revenue +\$1.1M
- Ambulance services +\$278K
- Fire prevention/plan review +\$50K

Expenditures – Exceed budget \$648K

- Salaries (\$149K)
- Strike team overtime +\$598K
- Overtime +\$528K
- Retirement contributions (\$336K)

Quarter One Projected General Fund

- Adopted Budget deficit of \$1.5M
- Updated deficit \$657K
- Pension trust contribution \$1.6M
- OPEB trust contribution \$475K

Updated General Fund Projections

- Revenue: \$26.3M
- Expenditures: \$27.0M
- Deficit: (\$657K)

COVID-19 Expenditures FY2021: Expenditures July 1 through September 30, 2020: Total: \$6,978

- Technology equip/work from home: \$3,165
- EMS cases: \$701

- Personal protective equipment/supplies: \$2,447
- Cleaning of Station 45: \$1,840
- Testing and quarantine expenses \$625
- Rescue One donation (\$1,800)

Director Jorgens inquired about the increase in overtime. ADS Sasser explained the increase in sick leave usage caused an increase in overtime. Fire Chief Winnacker added the increase in sick leave usage is because of the preventive measures for COVID19 following exposure. And when a member is feeling sick, they are encouraged not to come to work. Director Jorgens asked how the forecast for sick leave was determined. ASD Sasser responded that Staff based the projection of \$1.6 million on usage in past years and this year. A quarterly review will allow for projections to be adjusted as the economic situation is very dynamic.

Director Donner asked if the overtime numbers were related to the backfilling of the strike teams. Fire Chief Winnacker responded that the strike team overtime is separated from the overtime numbers.

Director Jex inquired about the timeline for when the cost for strike teams is incurred and when MOFD receives reimbursement. ASD Sasser explained the timeframe, variables, and process. MOFD has not received any payment for strike team activity since July 2020. A detailed tracking system is used to determine the strike team revenue. Fire Chief Winnacker added that the process is manual, and given the volume of incidents, this year will be delayed. Director Jex asked if the assumption used to not borrow from the teeter plan included the strike team income. ASD Sasser confirmed the strike team income was not included in the assumption. Director Jex asked if the abatement work was included on the balance sheet. ASD Sasser stated that MOFD had spent \$35,000 on mandated weed abatement charges on seven different parcels. The property owners have been issued invoices and have been included on the balance sheet. Fire Chief Winnacker mentioned that the property owner has the opportunity to pay the bill before a lien is placed.

President Danziger asked if any of the COVID19 expenses are reimbursable. Fire Chief Winnacker confirmed by the grant approved by the Board in September 2020. President Danziger asked if Staff included the North Orinda Shaded Fuel Break (NOSFB) in the General Fund deficit. ASD Sasser responded the NOSFB is a separate fund and not included in the General Fund deficit. President Danziger inquired about the process of closing out the NOSFB fund. Fire Chief Winnacker clarified that in the absence of Board direction, it defaults to the general reserves.

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

No further discussion by the Board.

10.3. Approval of increase in the amount not to exceed \$180,000 from \$90,000 with Arborworks and Expert Tree Service to complete the lien work to abate fire hazards (audio 102:10)

Fire Marshal Isaacs provided the report. In June 2019, the Board approved and authorized MOFD to enter into a contract with CalFire to carry out a grant-funded \$4.0M Fuels Mitigation Project along 14 miles from Lafayette to Tilden Park. In July 2019, the Board authorized several contracts for fuel reduction work. Two contractors were hired to remove diseased and dead trees and selected non-native Monterey Pine and Eucalyptus trees within the project boundaries. The North Orinda Shaded Fuel Break project (NOSFB) has a balance of \$200,000 to use towards completing the removal of the hazardous trees. On August 19, 2020, the Board authorized the Fire Chief to enter into agreements with Contra Costa Tree, Expert Tree Service, East Bay Tree Service, Inc., Fire Ready, ArborWorks, and Contra Costa Tree & Stump Removal in the amount (not to exceed) \$90,000 each to create a list of six contractors to abate fire hazards. After a thorough review of the insurance requirements, Contra Costa Tree and Contra Costa Tree & Stump Removal contractors did not meet the District's insurance standards. Because of the expired NOSFB contracts, Staff used the existing contracts with ArborWorks and Expert Tree Service to complete the tree removal for the NOSFB. ArborWorks and Expert Tree Service are approaching the current contract limits due to the extra tree removal work performed and the reduction in the number of approved contractors (from six to four). Staff recommended increasing the not to exceed the amount from \$90,000 per contract for ArborWorks and Expert Tree Service not to exceed \$180,000.

President Danziger opened Public Comment. There no further requests to address the Board. President Danziger closed Public Comment.

Director Jorgens asked for clarification on the \$20K difference. Fire Chief Winnacker explained that Staff plans to utilize all funds for the NOSFB. The contractors' not-to-exceed amount is set as a ceiling to give flexibility depending on who is available to carry out the work. President Danziger asked if Staff considered utilizing the Fuels Mitigation staff to work on the NOSFB. Fire Chief Winnacker answered that it would require pulling Staff from a backlog of projects for the chipper program, currently scheduled through December. Director Baitx asked for clarification on the amount per contract. Fire Chief Winnacker answered it is \$180,000 per contract.

No further discussion by the Board.

Motion by Director Jorgens and seconded by Director Donner to Approve an increase in the amount not to exceed \$180,000 from \$90,000 with Arborworks and Expert Tree Service in order to complete the lien work to abate fire hazards. Said motion carried 4-1-0-0 roll call vote (Ayes: Donner, Jex, Jorgens, and Danziger; Noes: Baitx; Absent: None; Abstain: None).

11. COMMITTEE REPORTS (audio 108:52)

11.1 Finance Committee (Directors Danziger and Jorgens)

No report.

11.2 Facilities Station 41 Ad Hoc Committee (Directors Baitx and Donner)

No report.

11.3 Joint Fire Prevention Ad Hoc Committee (Directors Danziger and Jorgens)

President Danziger reported that the committee is scheduled to meet on October 29, 2020.

12. ANNOUNCEMENTS (audio 111:45)

12.1. Brief information only reports related to meetings attended by a Director at District expense (Government Code Section 53232.3(d))

No report.

12.2. Questions and informational comments from Board members and Staff

No report.

12.3. Fire Chief Updates

12.3.1 COVID-19

The County's positivity rate is two percent below the threshold that becomes a CDC concern. The County is hovering just above the tier 3 target. The new cases per day, per hundred thousand residents on a seven-day rolling average, were up around 20 in mid-July. Currently, the new cases are 4.5 cases per day per hundred thousand. MOFD continues to follow enhanced protective measures, especially concerning the congregate-care facilities with several outbreaks. The majority of the County's cases still reside in those facilities. MOFD has not seen any delays in basic PPE. However, we have seen a delay in advanced PPE, such as powered air-purifying respirators. Orders placed back in April have been pushed out to a February 2021 delivery.

Wildfire has burned a quarter-million acres so far. The community and the state have reached fire fatigue—before the traditional fire season for the Lamorinda area in October, November, and December. The forecasters call for mid-December rain events that will mark the end of the fire season. Fire Chief Winnacker reiterated that fire season is not over, as seen with the 20-acre fire in the Sanders Ranch area, and reviewed the ignition source. Fire Chief Winnacker reminded the community that now is a dangerous time to reduce fuel. Fire season is the time to plan fuel reduction work in the early spring. The fire code's new elements will help reduce the community's exposure to risk by reducing fuel by June 1. The District is still receiving complaints about hazardous parcels. MOFD encourages everyone to do their fuel mitigation work in the spring and talk with your neighbors about fuel mitigation work and signing up your neighborhood as an NFPA Firewise USA neighborhood.

MOFD has had several members deployed in various roles (from engines line, EMTs, safety officers, division supervisor, strike team leaders). Many members have recently become qualified in the CICC system. MOFD has gained valuable experience working on fires outside of the District. If a big fire occurs inside the District, it will not be the first time members have seen something of that scale or the first time triaging structures, prioritizing evacuations, and working large and complex communication plans with resources from surrounding areas have never worked together before. MOFD is fortunate to have firefighters who have stepped up to help other communities while gaining invaluable experience to benefit our community.

President Danziger asked Fire Chief to talk about his recent deployment and certifications received. Fire Chief Winnacker shared that he was deployed to the Creek Fire located above Fresno. This wildfire is the largest single fire in state history and has burned 350,000 acres. Fire Chief Winnacker worked as a Liaison Officer for the California Interagency Incident Management Team 14. As Liaison Officer, the role included bringing together various stakeholders and cooperators to ensure that the right people were doing the right work and coordinated in a manner that was productive towards resolving both the fire itself and the aftermath of the fire. Additional responsibilities included working on the repopulation and the FEMA disaster assistance. Working with Congressman McClintock, associated with the disaster declaration, and developing an understanding of how the disaster declaration process works and processed through federal elected officials, presidential certification, and release of funds. Fire Chief Winnacker explained working the out of district fires takes members out of their normal routine and exposes them to hands-on experiences and learning. The experience prepares members for the infrequent but catastrophic fires we have in this area. One of the challenges of a large-scale fire in this area is that fire moves very fast in a short duration, and there is not much time for learning on the job.

President Danziger stated that the Board is notified when the Fire Chief or members are out of District and expressed confidence that the District has the coverage needed in the community. Director Baitx added the Fire Chief deployments require that he is able to leave to return to the District when required. Fire Chief Winnacker confirmed and stated that he is a single resource with the requirement to leave on a moment's notice. Appointments are limited to relative proximity to the District.

12.3.2 **Human Resources**

Human Resource Benefits Manager Russell provided the report. The Battalion Chief recruitment filing deadline is December 1, 2020. The Moraga Valley Presbyterian Church will host the three-part assessment center on Tuesday, December 8, 2020. The assessment center will consist of an inbox exercise, oral board interview, and a fire simulation exercise. Several raters will be used from outside agencies to evaluate the candidates. No applications were received to date. Historically applicants submit applications two to three days before the deadline. President Danziger asked if the current vacancy is filled with an acting Battalion Chief. HR Benefits Manager Russell confirmed.

12.3.3 **Fire Marshal**

Fire Marshal Isaacs provided the report. Staff conducted 2,800 inspections to date and has 90 open cases. MOFD currently receives three to five complaints a day. The chipper program resumed on October 6, 2020, and the Staff is chipping Monday through Friday. The program has chipped 45 tons of material. The chipper has been fully booked through January 2021. The new fire code's real estate portion came into effect, resulting in three to five requests per day seeking assistance in understanding the new requirements and the online compliance system. Director Jorgens asked for an update on the Sleepy Hollow Grant. Fire Marshal Isaacs answered they are currently performing the work supported through the Diablo Fire Safe Council Grant. Fire Chief Winnacker added a pre-chipping day that occurred last Friday. The community is working with a grant-funded Arborist to take down portions of tree limbs obstructing the roadway to open up evacuation routes. Sleepy Hollow has developed a very innovative "No Juniper Left Behind" program to incentivize people to pull out Juniper.

12.4 **Communications Received**

President Danziger reported on communication received from Nasser Jandali on September 29, 2020. Fire Marshal Isaacs reviewed the communication with Mr. Nasser regarding the fire code violations on his property. Mr. Nasser was continuously granted additional time to abate the hazards but failed to comply. Staff moved the property to the lien hearing in July 2020, regular board meeting. Staff abated the hazards in mid-September. The Staff was in full communication with Mr. Nasser. President Danziger asked if Mr. Nasser was billed for the work completed. Fire Marshal Isaacs confirmed.

Fire Chief Winnacker reviewed additional communications from the community thanking the District for the chipping program and the lien funded work being completed.

12.5 **Future Agenda Items**

No Report

President Danziger opened Public Comment.

Anonymous (Citizen X) shared his concerns with allowing the Fire Chief on strike teams during high fire season.

President Danziger responded that the Board is satisfied with the requirements set forth by the Board, as stated in the Fire Chief's contract. Fire Chief Winnacker added that the Battalion Chiefs are the frontline responders and staffed 24/7. Director Jorgens asked for a review of new and acting Battalion Chiefs procedures if an emergency happened, and the Fire Chief was out of the District. Fire Chief Winnacker explained that all new and acting Battalion Chiefs must meet the required qualifications to serve in the position. Additional Staff is added on red flag days. A second Battalion Chief is assigned to provide additional coverage both within the District and in the County in the event of a large-scale incident.

Mark Evans, Orinda resident and chair of the Monta Vista FireWise Community thanked MOFD Staff for their professionalism and assistance in becoming Firewise.

There were no further requests to address the Board. President Danziger closed Public Comment.

No further discussion by the Board.

13. ADJOURNMENT (audio 139.40)

Director Donner dedicated the meeting to honor the memory of San Francisco Firefighter/Paramedic Jason Cortez.

At 9:12 p.m., Director Donner motion and seconded by Director Jorgens to adjourn the meeting. Said motion carried 5-0 roll call vote (Ayes: Baitx, Donner Jex, Jorgens, and Danziger; Noes: None; Absent: None; Abstain: None).

Marcia Holbrook

Marcia Holbrook,
District Secretary/District Clerk

MOFD Response Time Summary by Incident Type (grouped) for All Code 2 and Code 3 Responses.

Will only show Incident Types that are applicable. EMS/Rescue \ Structure Fires (actual type is in a structure) \ Vegetation Fires \ Other Types Grouped - Alarms/Hazards/Pub Svc/Etc... Data Is Based On Completed RMS Incident Report Data Entered by Company Officer. Resp. Data Based on "First Arriving Unit". "In District" = Moraga, Orinda, Canyon. "Out of District" = Lafayette & any Other City Aid Provided to.

| | October, 2020 | | | | | | | | | |
|--------------------------|---|--------------|--------------|--------------|-----------------|-------------|-------------|-------------|-------------------|--------------|
| | All Others (Alarms / Pub Service / Etc..) | | EMS / Rescue | | Structure Fires | | Veg Fires | | Vehicle Accidents | |
| | In District | Out of Dist. | In District | Out of Dist. | In District | In District | In District | In District | In District | Out of Dist. |
| Incident Totals | 79 | 2 | 124 | 4 | 2 | 1 | 5 | 3 | Totals | |
| Median Turnout | 1.52 | 1.42 | 1.27 | 0.83 | 1.20 | 3.48 | 1.77 | 1.63 | | |
| Median Resp Time | 6.53 | 10.72 | 5.87 | 10.23 | 10.05 | 10.65 | 9.62 | 5.18 | | |
| Resp Time (90th%) | 9.65 | 10.72 | 9.29 | 14.52 | 15.13 | 10.65 | 11.18 | 6.32 | | |

Code 3 Response Time Summary by City and Incident Type. Times shown are based on the First Responding Units Arrival at Scene of Emergency.

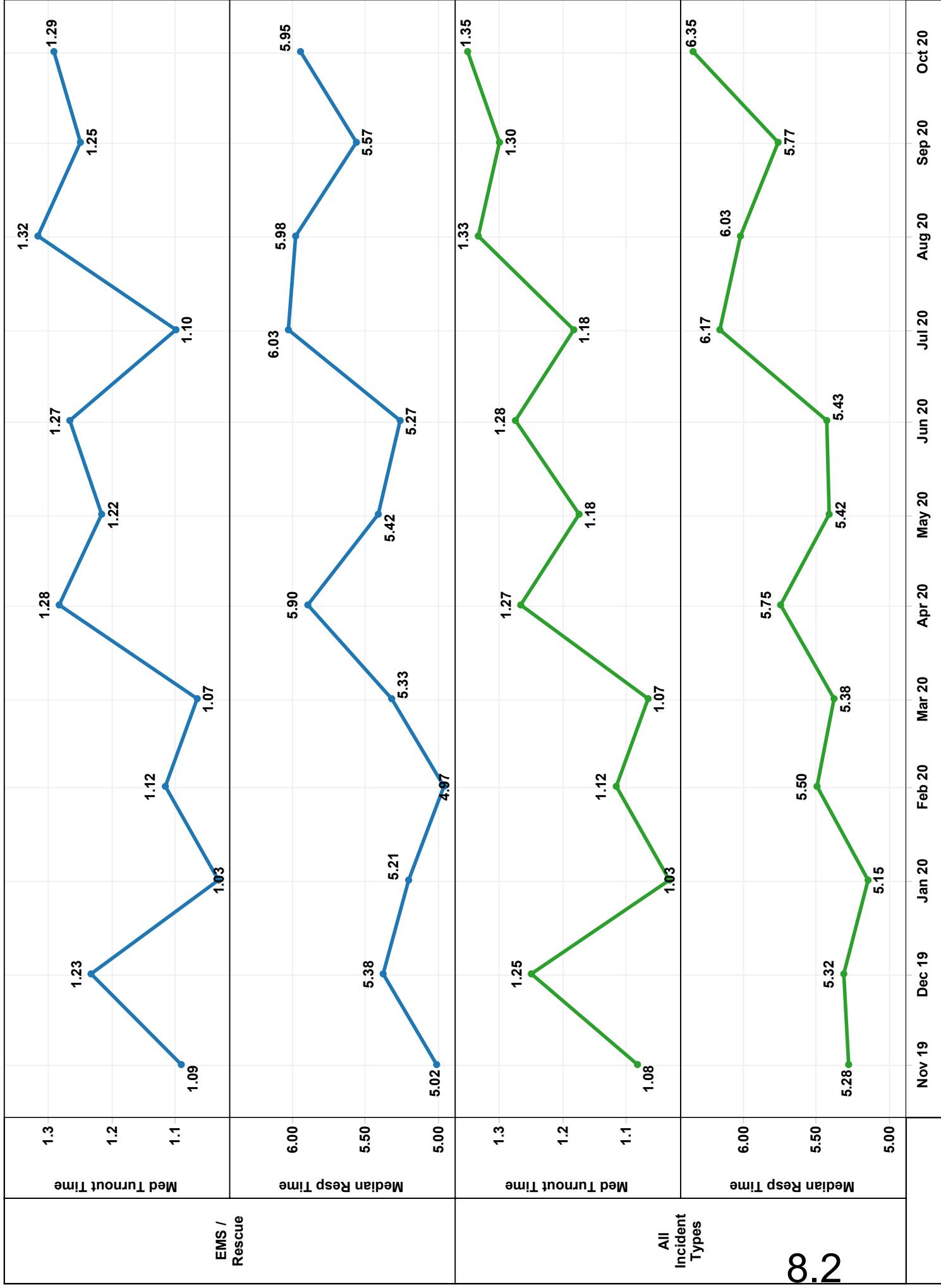
| | October, 2020 | | | | | | | | | |
|------------------------|-----------------|--------------|----------------|--------------|------------------|-------------|-------------------|--------------|--|--|
| | Incident Totals | | Median Turnout | | Median Resp Time | | Resp Time (90th%) | | | |
| | In District | Out of Dist. | In District | Out of Dist. | In District | In District | In District | Out of Dist. | | |
| EMS / Rescue | 53 | | 1.43 | | 6.48 | | 9.47 | | | |
| All Other Types | 19 | | 1.62 | | 7.02 | | 9.72 | | | |
| Totals for City | 72 | | 1.48 | | 6.53 | | 9.62 | | | |
| EMS / Rescue | 43 | | 1.17 | | 4.95 | | 7.15 | | | |
| Structure Fires | 1 | | 1.55 | | 4.97 | | 4.97 | | | |
| All Other Types | 8 | | 1.63 | | 6.68 | | 10.65 | | | |
| Totals for City | 52 | | 1.27 | | 5.18 | | 7.51 | | | |
| EMS / Rescue | 4 | | 0.88 | | 6.07 | | 9.30 | | | |
| Totals for City | 4 | | 0.88 | | 6.07 | | 9.30 | | | |
| Overall Total | 128 | | 1.33 | | 5.94 | | 9.38 | | | |

Response Totals By Incident Type

| | Nov 19 | Dec 19 | Jan 20 | Feb 20 | Mar 20 | Apr 20 | May 20 | Jun 20 | Jul 20 | Aug 20 | Sep 20 | Oct 20 | Total |
|---|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|
| All Others (Alarms / Pub Service / Etc.) | 129 | 98 | 113 | 88 | 87 | 75 | 79 | 93 | 101 | 123 | 115 | 115 | 1,216 |
| EMS / Rescue | 169 | 191 | 179 | 166 | 157 | 103 | 132 | 148 | 143 | 144 | 133 | 129 | 1,794 |
| Structure Fires | 2 | 1 | | 3 | 1 | 2 | | 7 | | 3 | 3 | 2 | 24 |
| Veg Fires | | | | 1 | | 2 | 1 | 8 | 7 | 5 | 1 | 1 | 26 |
| Vehicle Accidents | 24 | 48 | 29 | 18 | 23 | 12 | 9 | 14 | 11 | 11 | 13 | 8 | 220 |
| Grand Total | 324 | 338 | 321 | 276 | 268 | 194 | 221 | 270 | 262 | 286 | 265 | 255 | 3,280 |

Run Chart for MOFD EMS / Rescue and All Incident Types for the last full 12 months. Median Turnout and Response Times By Month for First At Scene

Units



8.2

Incident Types

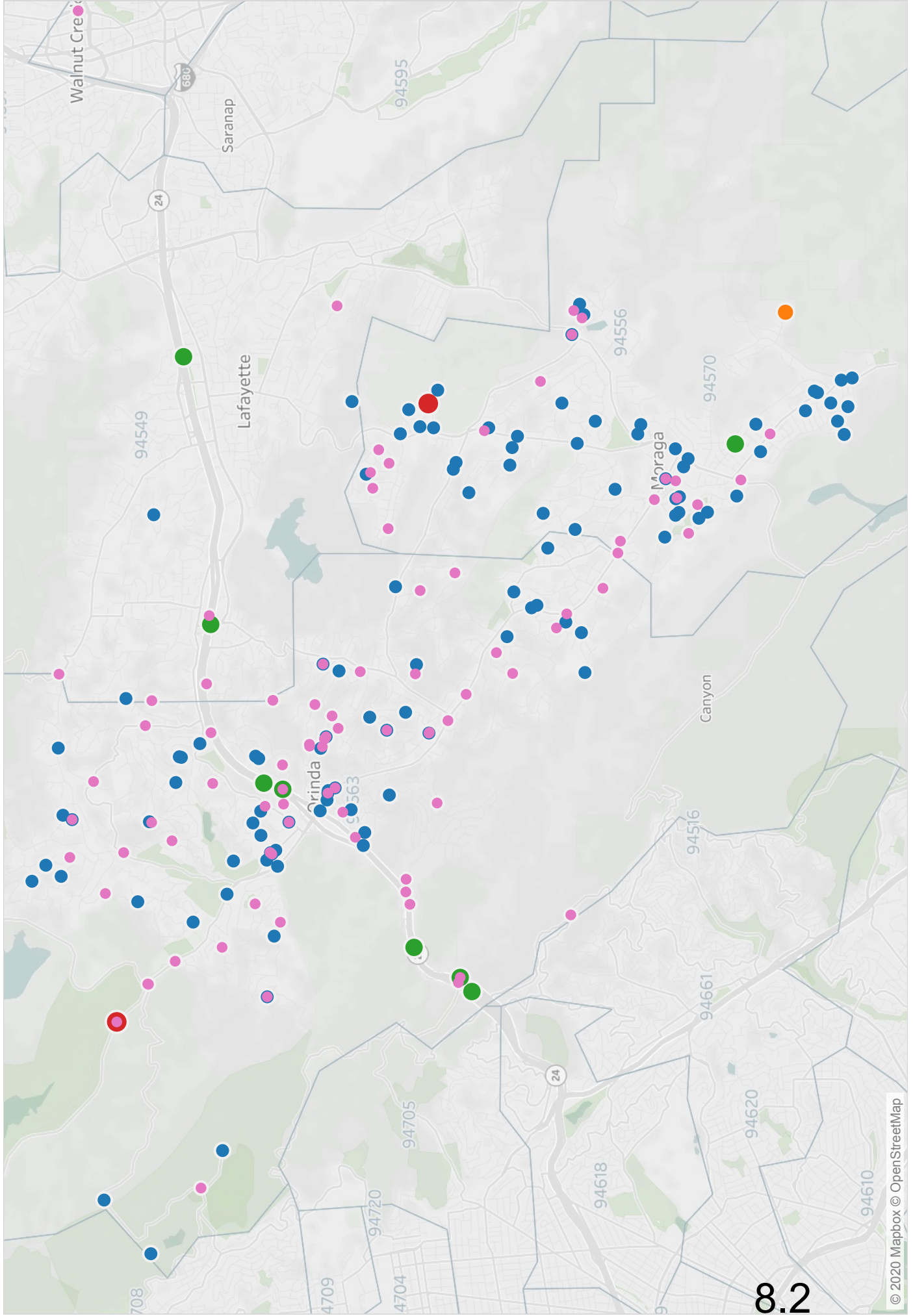
■ All Others (Alarms / Pub Service .. EMS / Rescue

■ Veg Fires

■ Vehicle Accidents

■ Structure Fires

Incident Location Map for MOFD October 2020



Moraga-Orinda Fire District
 Check/Voucher Register - Check Register
 50 - General Fund
 From 10/1/2020 Through 10/31/2020

| Check Number | Check Date | Name | Check Amount | Transaction Description |
|--------------|------------|---------------------------------|--------------|--|
| 29188 | 10/1/2020 | ADT Security Services | 77.06 | Security Service 10/9-11/8/20 |
| 29189 | 10/1/2020 | A T and T | 1,848.00 | Telephone service |
| 29190 | 10/1/2020 | Bandwidth.com, Inc. | 882.82 | Services - Sept and October |
| 29191 | 10/1/2020 | Comcast | 90.01 | Comcast 09.23-10.22.20 |
| | 10/1/2020 | Comcast | 90.10 | Internet Service 9/24-10/23/20 |
| 29192 | 10/1/2020 | Stephen Cooke | 190.00 | ACLS Renewal |
| | 10/1/2020 | Stephen Cooke | 210.00 | PALS Renewal |
| 29193 | 10/1/2020 | Jared Costanza | 133.51 | Strike Team - Hotel Room 8/25/20 |
| 29194 | 10/1/2020 | East Bay Tree Service | 2,500.00 | Weed Abatement 7 Austin Court 9/9/20 |
| 29195 | 10/1/2020 | FasTrak Invoice Processing D... | 6.00 | Benicia Bridge - Toll - License CA1456096 |
| | 10/1/2020 | FasTrak Invoice Processing D... | 6.00 | Benicia Bridge Toll Lic CA1456090 |
| 29196 | 10/1/2020 | Hunt & Sons, Inc. | 4,059.97 | Fuel 9/16/20 |
| 29197 | 10/1/2020 | Matt Lopez | 309.90 | Strike Team - Hyatt Hotel Reimbursement 08/28-9/ |
| 29198 | 10/1/2020 | Office Depot | 37.54 | Office Supplies |
| 29199 | 10/1/2020 | Brian Oliver | 309.90 | Strike Team - Hyatt Hotel Reimbursement 8/27-8/3 |
| 29200 | 10/1/2020 | Otis Elevator | 615.00 | Maintenance Service Contract 10/1-12/31/20 |
| 29201 | 10/1/2020 | Pitney Bowes | 182.99 | Postage Machine Lease 7/30-10/29/20 |
| 29202 | 10/1/2020 | Dennis Rein | 399.36 | Strike Team - Per Diem/lodging - Red Salmon Con |
| 29203 | 10/1/2020 | Renne Public Law Group, LLP | 10,118.17 | Legal Services - August |
| 29204 | 10/1/2020 | Steve Rogness | 468.75 | Strike Team - Per Diem/Mileage Red Salmon Com |
| 29205 | 10/1/2020 | Thomas Schwedhelm | 200.00 | PALS/CPR Recertification |
| 29206 | 10/1/2020 | Stat Med Urgent Care | 200.00 | Physical - Mark DeWeese |
| 29207 | 10/8/2020 | ADP, Inc. | 962.70 | Payroll Service |
| 29208 | 10/8/2020 | Airgas USA, LLC | 428.01 | Oxygen |
| 29209 | 10/8/2020 | ALSCO - American Linen Divi... | 452.32 | Monthly Linen Service |
| 29210 | 10/8/2020 | American Fidelity Assurance | 3,773.85 | Flex Spending - October |
| 29211 | 10/8/2020 | American Fidelity | 1,238.14 | Supplemental Life Insurance October |
| 29212 | 10/8/2020 | A T and T | 161.29 | Calnet services 9/1-9/30/20 |
| 29213 | 10/8/2020 | Bay Area News Group | 180.60 | Classified Ad |
| 29214 | 10/8/2020 | Comcast | 90.10 | Modem - Station 41 9/29-10/28/20 |
| 29215 | 10/8/2020 | Definitive Networks, Inc. | 16,092.00 | Monthly Service - September |
| 29216 | 10/8/2020 | East Bay Tree Service | 2,400.00 | Weed Abatement 30 Ramona Drive |
| 29217 | 10/8/2020 | EBMUD | 1,423.26 | Water Service |
| | 10/8/2020 | EBMUD | 289.34 | Water Service 7/30-9/29/20 |
| 29218 | 10/8/2020 | EAN Services, LLC | 1,599.66 | Bensley/Lacy Rental -Strike Tea |
| 29219 | 10/8/2020 | IAFF Local 1230 Dues | 8,106.26 | IAFF Dues 10.10 for September |
| 29220 | 10/8/2020 | IAFF Local 1230 Insurance | 2,006.58 | IAFF Insurance 10.10 for September |
| 29221 | 10/8/2020 | Keenan & Associates | 0.00 | Life Insurance and VSP - September |
| | 10/8/2020 | Keenan & Associates | 0.00 | Life Insurance/Supplemental Life/VSP - October |
| 29222 | 10/8/2020 | L.N. Curtis & Sons | 302.33 | Dual Certified Pants |
| 29223 | 10/8/2020 | Brian Oliver | 225.00 | Paramedic Re-Cert. |
| 29224 | 10/8/2020 | Pitney Bowes | 182.99 | Postage Machine |
| 29225 | 10/8/2020 | Gloriann Sasser | 15.14 | HDMI Cable |
| 29226 | 10/8/2020 | Shred-it | 151.12 | Shredding Service |
| 29227 | 10/8/2020 | Christopher Sillers | 275.00 | Paramedic Renewal |
| 29228 | 10/8/2020 | Staples Advantage | 923.74 | Misc. Supplies |
| 29229 | 10/8/2020 | TargetSolutions Learning | 3,515.00 | TSCheckit - Fire Vehicles |
| 29230 | 10/8/2020 | The UPS Store | 65.29 | Shipping for Fire Equipment Repair |
| 29231 | 10/8/2020 | Verizon Wireless | 895.12 | Wireless Service 8/24-9/23/20 |
| 29232 | 10/8/2020 | Wells Fargo Bank | 1,500.00 | Trustee Fees 10/4/20-10/3/21 |
| 29254 | 10/15/2020 | Airgas USA, LLC | 55.07 | Argon & Oxygen |
| | 10/15/2020 | Airgas USA, LLC | 408.76 | Helium, Nitrogen, Oxygen |
| | 10/15/2020 | Airgas USA, LLC | 350.50 | Oxygen |
| 29255 | 10/15/2020 | Jacob Airola | 997.46 | Strike Team - Hotel Reimbursement - LNU Comple Fire |
| 29256 | 10/15/2020 | Andrea Ngo | 20.75 | Side fence latch replacement -Incident#20103099 |

Moraga-Orinda Fire District
Check/Voucher Register - Check Register
50 - General Fund
From 10/1/2020 Through 10/31/2020

| Check Number | Check Date | Name | Check Amount | Transaction Description |
|--------------|------------|-------------------------------|--------------|--|
| 29257 | 10/15/2020 | The Appliance Doctor | 135.00 | Dishwasher Service |
| 29258 | 10/15/2020 | Biomedical Waste Disposal | 79.00 | Monthly Service - Station 45 |
| | 10/15/2020 | Biomedical Waste Disposal | 132.82 | Monthly Service and 10 Gallon container pick-up - Station 41 |
| 29259 | 10/15/2020 | CCCERA | 371.00 | GASB68 Financial Reporting |
| 29260 | 10/15/2020 | Dell Financial Services | 619.32 | Computer Lease |
| | 10/15/2020 | Dell Financial Services | 225.92 | Computer Leasel - monthly payment |
| 29261 | 10/15/2020 | Daniel Dick | 607.52 | Strike Team - Hotel Reimbursement - Glass fire |
| 29262 | 10/15/2020 | EBMUD | 565.60 | Water Service 8.03-10.02.20 |
| | 10/15/2020 | EBMUD | 192.54 | Water Service 8.03-10.20.20 |
| 29263 | 10/15/2020 | Entenmann-Rovin Co. | 138.45 | Engineer Badge (Lopex) |
| 29264 | 10/15/2020 | Katy Himsl | 218.96 | Strike Team - Hotel reimbursement - COVID |
| 29265 | 10/15/2020 | HomeTeam Pest Defense, LLC | 115.00 | Pest Service - Account 1029632 |
| | 10/15/2020 | HomeTeam Pest Defense, LLC | 115.00 | Pest Service - Account 1035425 |
| | 10/15/2020 | HomeTeam Pest Defense, LLC | 115.00 | Pest Service - Account 72619298 |
| | 10/15/2020 | HomeTeam Pest Defense, LLC | 115.00 | Pest Service - Account 914925 |
| | 10/15/2020 | HomeTeam Pest Defense, LLC | 115.00 | Pest Service -Account 916501 |
| 29266 | 10/15/2020 | Keenan & Associates | 2,188.98 | Life Insurance and VSP - September |
| 29267 | 10/15/2020 | Andrew Leach | 309.90 | Strike Team - Hotel Reimbursement - LNU Comple Fire |
| 29268 | 10/15/2020 | Office Depot | 163.76 | Face masks |
| | 10/15/2020 | Office Depot | 2,010.86 | Office Supplies |
| 29269 | 10/15/2020 | Orinda Motors, Inc. | 374.46 | 2019 RAM service |
| 29270 | 10/15/2020 | Pacific Gas & Electric | 1,176.70 | Gas & Electric 9.03-10.02.20 |
| | 10/15/2020 | Pacific Gas & Electric | 112.00 | Gas & Electric 9.04-10.02.20 |
| | 10/15/2020 | Pacific Gas & Electric | 2,410.62 | Gas & Electric 9/2-10/1/20 |
| 29271 | 10/15/2020 | Jacob Reberg | 339.41 | Strike Team - Hotel Reimbursement - COVID |
| 29272 | 10/15/2020 | Republic Services | 1,643.52 | August and October Trash Service |
| | 10/15/2020 | Republic Services | 289.86 | Trash Service |
| 29273 | 10/15/2020 | Stat Med Urgent Care | 875.00 | Flu Shots |
| 29274 | 10/15/2020 | Wittman Enterprises, LLC | 5,563.99 | Ambulance Billing - July |
| 29275 | 10/22/2020 | Jacob Airola | 600.00 | Reimbursement - CSU Class |
| 29276 | 10/22/2020 | Alameda County Fire Depart... | 17,949.88 | Fire Apparatus Repair and Service - Aug/Sept |
| 29277 | 10/22/2020 | A T and T | 947.54 | Wireless Service - Sept and Oct |
| 29278 | 10/22/2020 | A T and T | 172.04 | CalNet Service 9/12-10/11/20 |
| 29279 | 10/22/2020 | AT&T | 134.75 | Internet - Sept/Oct |
| 29280 | 10/22/2020 | Jon Bensley | 484.12 | Strike Team Reimburs. - Lake Fire/SCU Lightning/SQF Comp |
| 29281 | 10/22/2020 | Bigger Tree Trucks | 8,300.00 | Chipper Rental |
| 29282 | 10/22/2020 | Comcast | 90.01 | Modem |
| 29283 | 10/22/2020 | Travis Dulli | 225.00 | CA State Paramedic Recert |
| 29284 | 10/22/2020 | EBMUD | 309.92 | Water Service 8/12-10/12/20 |
| 29285 | 10/22/2020 | Expert Tree Service | 6,000.00 | Lien Work - Weed Abatement - Oak Rd. |
| | 10/22/2020 | Expert Tree Service | 4,000.00 | Lien Work - Weed mitigation - Barbara Rd. |
| 29286 | 10/22/2020 | HomeTeam Pest Defense, LLC | 115.00 | Pest Service |
| 29287 | 10/22/2020 | Hunt & Sons, Inc. | 682.89 | Fuel |
| 29288 | 10/22/2020 | L.N. Curtis & Sons | 281.66 | Boots |
| | 10/22/2020 | L.N. Curtis & Sons | 260.46 | Fire Gloves |
| | 10/22/2020 | L.N. Curtis & Sons | 591.60 | Survivor Flashlight with Battery |
| | 10/22/2020 | L.N. Curtis & Sons | 237.08 | Tactical Pants |
| 29289 | 10/22/2020 | Minuteman Press | 667.01 | Decals for Wood Chipper |
| 29290 | 10/22/2020 | William Moffett | 89.81 | Soundproofing materials |
| 29291 | 10/22/2020 | Office Depot | 130.40 | Bathroom tissue |
| | 10/22/2020 | Office Depot | 28.16 | Cartridge/Tape |
| | 10/22/2020 | Office Depot | 109.24 | Toner - Station 43 |
| 29292 | 10/22/2020 | Pacific Gas & Electric | 2,874.90 | Gas & Electric 9/3-10/4/20 |

Moraga-Orinda Fire District
 Check/Voucher Register - Check Register
 50 - General Fund
 From 10/1/2020 Through 10/31/2020

| Check Number | Check Date | Name | Check Amount | Transaction Description |
|---------------|------------|---------------------------------|--------------|---|
| 29293 | 10/22/2020 | PLIC | 33.30 | Life Insurance |
| 29294 | 10/22/2020 | Claudia Samson | 521.00 | Overpayment of CCCERA medical deduction |
| 29295 | 10/22/2020 | Shred-it | 75.56 | Shredding service October |
| 29296 | 10/22/2020 | Smart Clean Building Mainten... | 245.00 | Cleaning Service -October |
| 29297 | 10/22/2020 | Sun Valley Heating & Air Con... | 370.71 | Station 43 - Air filter replacement |
| 29298 | 10/22/2020 | TIAA Commercial Finance, Inc. | 223.33 | Copier Lease |
| 29299 | 10/22/2020 | Verizon Wireless | 56.22 | Wireless Service 9/11-10/10 |
| 29300 | 10/22/2020 | West Coast Code Consultants | 7,095.00 | In-House Plan review - September |
| | 10/22/2020 | West Coast Code Consultants | 3,039.30 | Senior Fire Inspector - September |
| 29301 | 10/22/2020 | Wittman Enterprises, LLC | 4,248.57 | Ambulance Billing - September |
| 29302 | 10/29/2020 | Jacob Airola | 277.50 | Master's Class - Reimbursement balance |
| 29303 | 10/29/2020 | A T and T Mobility | 1,278.22 | Wireless Service 09/02-10/3 |
| 29304 | 10/29/2020 | Jon Bensley | 423.88 | Strike Team - Cal OES HQ 10.14-10.23.20 |
| 29305 | 10/29/2020 | Bound Tree Medical, LLC | 651.51 | Syringe/Laryngoscope handle/electrodes |
| 29306 | 10/29/2020 | Kevin Brashem | 301.00 | Reimbursement - Covid Test |
| 29307 | 10/29/2020 | Clayton Dayley | 400.00 | Firehouse Speaker Housings -Station 42 |
| 29308 | 10/29/2020 | Dan Elbanna | 16.17 | Postage/Yellow Jacket Foam |
| 29310 | 10/29/2020 | Pacific Gas & Electric | 64.52 | Gas & Electric 9/15-10/15/20 |
| 684 | 10/15/2020 | U.S. Bank | 19,369.81 | CalCard Statement 09.22.20 |
| ACHCalpers... | 10/6/2020 | Calif. Public Employees' | 190,166.57 | CalPers 10.10.20 |
| ACHCCER... | 10/6/2020 | CCCERA | 186,165.85 | CCCERA 10.10.20 |
| ACHDD10.10 | 10/6/2020 | Delta Dental Plan of Calif. | 17,510.44 | Delta Dental 10.10.20 |
| ACHMOPFA... | 10/6/2020 | Moraga-Orinda Professional F... | 2,124.00 | MOPFA 10.10.20 |
| ACHNorcal | 10/6/2020 | | 1,702.20 | Norcal 10.10.20 |
| Wire10.01.20 | 10/1/2020 | Chase | 0.00 | Chase Loan Pymt 10/1/20 Station 43 |
| | | Total 50 - General Fund | 574,983.78 | |

Moraga-Orinda Fire District
 Check/Voucher Register - Check Register
 60 - North Orinda Emergency Fuel Break
 From 10/1/2020 Through 10/31/2020

| <u>Check Number</u> | <u>Check Date</u> | <u>Name</u> | <u>Check Amount</u> | <u>Transaction Description</u> |
|---------------------|-------------------|---|---------------------|--------------------------------------|
| 29309 | 10/29/2020 | Expert Tree Service | <u>80,100.00</u> | Tree Removal - Sleepy Hollow - NOSFB |
| | | Total 60 - North Orinda Emergency Fuel Break | 80,100.00 | |
| Report Total | | | <u>655,083.78</u> | |

Moraga-Orinda Fire District
Statement of Revenues and Expenditures
27 - Capital Projects Fund
From 7/1/2020 Through 10/31/2020

| | | Current Period Actual | Total Budget | Total Budget Variance | Percent Total Budget Remaining |
|---|------|--------------------------|--------------|--------------------------|--------------------------------------|
| Revenue | | | | | |
| Taxes | | | | | |
| Fire Flow Tax | 4066 | 0.00 | 1,088,000.00 | (1,088,000.00) | (100.00)% |
| Total Taxes | | 0.00 | 1,088,000.00 | (1,088,000.00) | (100.00)% |
| Use of Money & Property | | | | | |
| Investment Earnings | 4181 | 0.00 | 10,000.00 | (10,000.00) | (100.00)% |
| Total Use of Money & Property | | 0.00 | 10,000.00 | (10,000.00) | (100.00)% |
| Charges for Service | | | | | |
| Impact Mitigation Fees | 4743 | 60,000.00 | 0.00 | 60,000.00 | 0.00% |
| Total Charges for Service | | 60,000.00 | 0.00 | 60,000.00 | 0.00% |
| Other Revenue | | | | | |
| Other Revenue & Financing Sources | 4972 | 53,257.89 | 53,258.00 | (0.11) | (0.00)% |
| Sale of Surplus Property | 4980 | 3,171.00 | 0.00 | 3,171.00 | 0.00% |
| Total Other Revenue | | 56,428.89 | 53,258.00 | 3,170.89 | 5.95% |
| Total Revenue | | 116,428.89 | 1,151,258.00 | (1,034,829.11) | (89.89)% |
| Expenditures | | | | | |
| Other Expense | | | | | |
| Bank Fees | 7510 | 38.00 | 200.00 | 162.00 | 81.00% |
| Fire Flow Tax Collection Fees | 7531 | 0.00 | 14,000.00 | 14,000.00 | 100.00% |
| Apparatus/Vehicles-Fixed Asset Expenditures | 7703 | 13,577.59 | 73,850.00 | 60,272.41 | 81.61% |
| Operating Transfers Out | 7999 | 161,400.32 | 922,948.00 | 761,547.68 | 82.51% |
| Total Other Expense | | 175,015.91 | 1,010,998.00 | 835,982.09 | 82.69% |
| Total Expenditures | | 175,015.91 | 1,010,998.00 | 835,982.09 | 82.69% |
| Excess of Revenues Over/ (Under) Expenditures | | (58,587.02) | 140,260.00 | (198,847.02) | (141.77)% |

Moraga-Orinda Fire District
Statement of Revenues and Expenditures
50 - General Fund
From 7/1/2020 Through 10/31/2020

| | | Current Period Actual | Total Budget | Total Budget Variance | Percent Total Budget Remaining |
|--|------|--------------------------|----------------------|--------------------------|--------------------------------------|
| Revenue | | | | | |
| Taxes | | | | | |
| Property Tax-Current Secured | 4010 | 20,815,635.51 | 22,080,300.00 | (1,264,664.49) | (5.73)% |
| Property Tax-Supplemental | 4011 | 34,038.62 | 300,000.00 | (265,961.38) | (88.65)% |
| Property Tax-Unitary | 4013 | 0.00 | 200,000.00 | (200,000.00) | (100.00)% |
| Property Tax-Curr Unsecured | 4020 | 0.00 | 625,000.00 | (625,000.00) | (100.00)% |
| Prop Tax- Prior Secured | 4030 | 0.00 | (50,000.00) | 50,000.00 | (100.00)% |
| Prop Tax-Prior Supplement | 4031 | 0.00 | (40,000.00) | 40,000.00 | (100.00)% |
| Prop Tax Prior Unsecured | 4035 | 0.00 | (10,000.00) | 10,000.00 | (100.00)% |
| Total Taxes | | 20,849,674.13 | 23,105,300.00 | (2,255,625.87) | (9.76)% |
| Use of Money & Property | | | | | |
| Investment Earnings | 4181 | 0.00 | 35,000.00 | (35,000.00) | (100.00)% |
| Total Use of Money & Property | | 0.00 | 35,000.00 | (35,000.00) | (100.00)% |
| Intergovernmental Revenue | | | | | |
| Homeowners Relief Tax | 4385 | 0.00 | 149,000.00 | (149,000.00) | (100.00)% |
| State Mandated Costs Reimbursement | 4436 | 11,171.30 | 0.00 | 11,171.30 | 0.00% |
| Intergovernmental Revenue-Federal Grants | 4437 | 78,246.35 | 232,821.00 | (154,574.65) | (66.39)% |
| Other/In Lieu of Taxes | 4580 | 978.21 | 900.00 | 78.21 | 8.69% |
| Measure H-Emerg Med Ser Subsid | 4896 | 0.00 | 85,514.00 | (85,514.00) | (100.00)% |
| Total Intergovernmental Revenue | | 90,395.86 | 468,235.00 | (377,839.14) | (80.69)% |
| Charges for Service | | | | | |
| Permits | 4740 | 1,991.00 | 500.00 | 1,491.00 | 298.20% |
| Plan Review | 4741 | 86,650.00 | 50,000.00 | 36,650.00 | 73.30% |
| Inspection Fees | 4742 | 1,044.00 | 2,000.00 | (956.00) | (47.80)% |
| Weed Abatement Charges | 4744 | 34,560.00 | 20,000.00 | 14,560.00 | 72.80% |
| Reports/ Photocopies | 4746 | 473.00 | 350.00 | 123.00 | 35.14% |
| Other Charges for Service | 4747 | 606.00 | 1,000.00 | (394.00) | (39.40)% |
| Total Charges for Service | | 125,324.00 | 73,850.00 | 51,474.00 | 69.70% |
| Charges for Service - Ambulance | | | | | |
| Ambulance Service Fees | 4898 | 363,358.54 | 600,000.00 | (236,641.46) | (39.44)% |
| Ambulance Service Fee Reimbursements | 4899 | (4,391.35) | (100,000.00) | 95,608.65 | (95.61)% |
| Ambulance Collection Recovery Payments | 4900 | 1,161.31 | 1,000.00 | 161.31 | 16.13% |
| Ground Emergency Medical Transportation | 4901 | 0.00 | 25,000.00 | (25,000.00) | (100.00)% |
| Total Charges for Service - Ambulance | | 360,128.50 | 526,000.00 | (165,871.50) | (31.53)% |
| Other Revenue | | | | | |
| Other Revenue-Strike Team Recovery | 4971 | 560,834.21 | 600,000.00 | (39,165.79) | (6.53)% |
| Other Revenue & Financing Sources | 4972 | 0.00 | 18,000.00 | (18,000.00) | (100.00)% |
| Other Revenue-Misc. | 4974 | 124.20 | 1,000.00 | (875.80) | (87.58)% |
| Misc Rebates & Refunds | 4975 | 2,082.09 | 1,000.00 | 1,082.09 | 108.21% |
| Sale of Surplus Property | 4980 | 1,804.00 | 500.00 | 1,304.00 | 260.80% |
| Transfers In | 4999 | 237.15 | 0.00 | 237.15 | 0.00% |
| Total Other Revenue | | 565,081.65 | 620,500.00 | (55,418.35) | (8.93)% |

Moraga-Orinda Fire District
Statement of Revenues and Expenditures
50 - General Fund
From 7/1/2020 Through 10/31/2020

| | | Current Period Actual | Total Budget | Total Budget Variance | Percent Total Budget Remaining |
|---|------|--------------------------|----------------------|--------------------------|--------------------------------------|
| Total Revenue | | <u>21,990,604.14</u> | <u>24,828,885.00</u> | <u>(2,838,280.86)</u> | <u>(11.43)%</u> |
| Expenditures | | | | | |
| Salaries & Benefits | | | | | |
| Permanent Salaries | 5011 | 3,266,662.96 | 10,323,118.00 | 7,056,455.04 | 68.36% |
| Temporary Salaries | 5013 | 36,053.28 | 97,637.00 | 61,583.72 | 63.07% |
| Overtime | 5014 | 692,257.43 | 1,031,328.00 | 339,070.57 | 32.88% |
| Deferred Compensation | 5015 | 7,368.00 | 22,100.00 | 14,732.00 | 66.66% |
| Overtime - Strike Team | 5016 | 1,034,371.13 | 515,000.00 | (519,371.13) | (100.85)% |
| Contract Services | 5018 | 29,069.40 | 70,000.00 | 40,930.60 | 58.47% |
| Worker's Compensation Recovery | 5019 | (34,745.27) | (80,000.00) | (45,254.73) | 56.57% |
| Payroll Taxes -FICA,SUI | 5042 | 75,764.85 | 181,086.00 | 105,321.15 | 58.16% |
| Payroll Processing Fees | 5043 | 5,066.00 | 22,000.00 | 16,934.00 | 76.97% |
| Retirement Contributions | 5044 | 1,786,875.07 | 5,704,391.00 | 3,917,515.93 | 68.68% |
| Life/Health Insurance-Permanent Employees | 5060 | 455,637.34 | 1,466,892.00 | 1,011,254.66 | 68.94% |
| Employee's-Health Insurance Contribution | 5061 | (45,743.06) | (136,956.00) | (91,212.94) | 66.60% |
| Retiree Health Insurance | 5062 | 394,195.84 | 1,275,000.00 | 880,804.16 | 69.08% |
| Retiree-Health Insurance Contribution | 5063 | (107,075.65) | (350,000.00) | (242,924.35) | 69.41% |
| Unemployment Insurance | 5064 | 0.00 | 11,000.00 | 11,000.00 | 100.00% |
| Retiree-Health OPEB Contribution | 5065 | 0.00 | 475,482.00 | 475,482.00 | 100.00% |
| Vision Insurance | 5066 | 6,250.18 | 20,976.00 | 14,725.82 | 70.20% |
| Pension Rate Stabilization | 5067 | 0.00 | 1,562,792.00 | 1,562,792.00 | 100.00% |
| Workers' Compensation Insurance | 5070 | 305,894.00 | 1,386,576.00 | 1,080,682.00 | 77.94% |
| Total Salaries & Benefits | | <u>7,907,901.50</u> | <u>23,598,422.00</u> | <u>15,690,520.50</u> | <u>66.49%</u> |
| Operating Expense | | | | | |
| Office Supplies | 6100 | 3,583.00 | 8,400.00 | 4,817.00 | 57.35% |
| Postage | 6101 | 1,034.63 | 3,000.00 | 1,965.37 | 65.51% |
| Books & Periodicals | 6102 | 159.00 | 2,460.00 | 2,301.00 | 93.54% |
| Printer Ink Cartridges | 6103 | 274.13 | 2,500.00 | 2,225.87 | 89.03% |
| Telephone/Communication | 6110 | 20,962.05 | 47,200.00 | 26,237.95 | 55.59% |
| Dispatch/Comm Center Services w/ AVL MDT | 6111 | 0.00 | 188,700.00 | 188,700.00 | 100.00% |
| Utilities- Sewer | 6120 | 0.00 | 5,000.00 | 5,000.00 | 100.00% |
| Utilities-Garbage | 6121 | 5,220.42 | 14,150.00 | 8,929.58 | 63.11% |
| Utilities-PG&E | 6122 | 22,634.21 | 69,900.00 | 47,265.79 | 67.62% |
| Utilities-Water | 6123 | 7,205.24 | 21,100.00 | 13,894.76 | 65.85% |
| Utilities-Medical Waste | 6124 | 606.82 | 2,200.00 | 1,593.18 | 72.42% |
| Small Tools & Instruments | 6130 | 4,512.03 | 8,000.00 | 3,487.97 | 43.60% |
| Minor Equipment/Furniture | 6131 | 0.00 | 1,500.00 | 1,500.00 | 100.00% |
| Computer Equipment & Supplies | 6132 | 159.24 | 2,000.00 | 1,840.76 | 92.04% |
| Gas Power Chain Saw/Other Equipmen | 6133 | 2,179.53 | 6,800.00 | 4,620.47 | 67.95% |
| Fire Trail Grading | 6135 | 4,410.71 | 25,000.00 | 20,589.29 | 82.36% |

Moraga-Orinda Fire District
Statement of Revenues and Expenditures
50 - General Fund
From 7/1/2020 Through 10/31/2020

| | | Current Period Actual | Total Budget | Total Budget Variance | Percent Total Budget Remaining |
|---|------|--------------------------|--------------|--------------------------|--------------------------------------|
| Fire Fighting Equipment & Supplies | 6137 | 0.00 | 7,000.00 | 7,000.00 | 100.00% |
| Fire Fighting Equipment-Hoses & Nozzles | 6138 | 0.00 | 6,000.00 | 6,000.00 | 100.00% |
| Fire Fighting Equipment-Class A Foam | 6139 | 0.00 | 15,000.00 | 15,000.00 | 100.00% |
| Medical & Lab Supplies | 6140 | 50,150.68 | 115,000.00 | 64,849.32 | 56.39% |
| Food Supplies | 6150 | 53.12 | 5,500.00 | 5,446.88 | 99.03% |
| Safety Clothing & Personal Supplies | 6160 | 9,454.05 | 95,000.00 | 85,545.95 | 90.05% |
| Non-Safety Clothing & Personal Supplies | 6161 | 841.35 | 0.00 | (841.35) | 0.00% |
| Household Expense | 6170 | 2,796.47 | 17,000.00 | 14,203.53 | 83.55% |
| Household Expense-Linen | 6171 | 1,873.04 | 6,440.00 | 4,566.96 | 70.92% |
| Public & Legal Notices | 6190 | 641.56 | 10,000.00 | 9,358.44 | 93.58% |
| Dues, Memberships & Professional Fees | 6200 | 2,527.50 | 8,150.00 | 5,622.50 | 68.99% |
| EMT/Paramedic Licensure Fees | 6201 | 1,150.00 | 4,000.00 | 2,850.00 | 71.25% |
| Rent & Leases (Equipment) | 6250 | 8,978.96 | 30,500.00 | 21,521.04 | 70.56% |
| Computer Software & Maintenance | 6251 | 36,490.14 | 76,600.00 | 40,109.86 | 52.36% |
| Website Development & Maintenance | 6252 | 4,800.00 | 6,800.00 | 2,000.00 | 29.41% |
| EPA ID# Verification Fee | 6264 | 0.00 | 150.00 | 150.00 | 100.00% |
| CCC HazMat Plan (CUPA) | 6265 | 3,615.00 | 3,000.00 | (615.00) | (20.50)% |
| BAAQMD & Environmental Health Fees | 6266 | 150.00 | 900.00 | 750.00 | 83.33% |
| Air Monitor Maintenance & Replacement | 6269 | 107.22 | 1,300.00 | 1,192.78 | 91.75% |
| Maintenance -- Equipment | 6270 | 14,937.63 | 51,000.00 | 36,062.37 | 70.71% |
| Central Garage Repairs | 6271 | 82,502.00 | 180,000.00 | 97,498.00 | 54.17% |
| Central Garage Gasoline & Oil | 6272 | 17,724.67 | 65,000.00 | 47,275.33 | 72.73% |
| Central Garage Tires | 6273 | 295.00 | 10,000.00 | 9,705.00 | 97.05% |
| Service/Repair Fuel System Dispensers | 6274 | 0.00 | 2,500.00 | 2,500.00 | 100.00% |
| Aerial Ladder & Pump Testing | 6275 | 0.00 | 1,000.00 | 1,000.00 | 100.00% |
| Smog Inspections | 6276 | 0.00 | 500.00 | 500.00 | 100.00% |
| Air Compressor Quarterly Service | 6278 | 0.00 | 6,000.00 | 6,000.00 | 100.00% |
| Hydro Test SCBA & Oxy Cylinder | 6279 | 0.00 | 2,500.00 | 2,500.00 | 100.00% |
| Tank Testing | 6280 | 0.00 | 1,120.00 | 1,120.00 | 100.00% |
| Maintenance -- Building | 6281 | 18,750.38 | 91,000.00 | 72,249.62 | 79.40% |
| Maintenance -- Grounds | 6282 | 6,875.00 | 12,400.00 | 5,525.00 | 44.56% |
| Meetings & Travel Expenses | 6303 | 68.00 | 1,500.00 | 1,432.00 | 95.47% |
| Employee Assistance Program | 6309 | 0.00 | 9,800.00 | 9,800.00 | 100.00% |
| Medical - Pre-Emp Processing and Annual Exams | 6311 | 1,190.00 | 30,000.00 | 28,810.00 | 96.03% |

Moraga-Orinda Fire District
Statement of Revenues and Expenditures
50 - General Fund
From 7/1/2020 Through 10/31/2020

| | | Current Period Actual | Total Budget | Total Budget Variance | Percent Total Budget Remaining |
|---|------|--------------------------|---------------------|--------------------------|--------------------------------------|
| Ambulance Billing Administration Fees | 6312 | 14,483.97 | 60,000.00 | 45,516.03 | 75.86% |
| Outside Attorney Fees | 6313 | 17,317.20 | 150,000.00 | 132,682.80 | 88.46% |
| CCC County Tax Administration Fee | 6316 | 0.00 | 196,900.00 | 196,900.00 | 100.00% |
| Professional Services | 6317 | 8,753.53 | 37,000.00 | 28,246.47 | 76.34% |
| Professional Services - Labor Negotiator | 6318 | 0.00 | 75,000.00 | 75,000.00 | 100.00% |
| Professional Services - Technology | 6319 | 48,410.75 | 205,452.00 | 157,041.25 | 76.44% |
| Professional Services - Pre-Employment Investigations | 6320 | 0.00 | 5,000.00 | 5,000.00 | 100.00% |
| Professional Services - Promotional Exams & Recruitment | 6321 | 0.00 | 2,000.00 | 2,000.00 | 100.00% |
| Professional Services-OPEB Actuarial Valuation | 6322 | 371.00 | 0.00 | (371.00) | 0.00% |
| Exterior Hazard Removal | 6323 | 14,100.00 | 25,000.00 | 10,900.00 | 43.60% |
| Professional Services-Prop Tax Audit & Forecasting | 6326 | 0.00 | 7,350.00 | 7,350.00 | 100.00% |
| Professional Services | 6327 | 0.00 | 14,000.00 | 14,000.00 | 100.00% |
| Testing Materials & Training Props | 6354 | 3,515.00 | 20,000.00 | 16,485.00 | 82.42% |
| Career Development Classes | 6357 | 3,201.50 | 25,000.00 | 21,798.50 | 87.19% |
| District Sponsored Training & Education Classes | 6358 | 425.00 | 0.00 | (425.00) | 0.00% |
| Training & Education Classes-Paramedic & EMT CE | 6360 | 838.00 | 10,000.00 | 9,162.00 | 91.62% |
| District Sponsored Training-Mandated | 6361 | 3,525.88 | 20,000.00 | 16,474.12 | 82.37% |
| Election Expense | 6465 | 0.00 | 20,000.00 | 20,000.00 | 100.00% |
| Recruiting Costs | 6470 | 0.00 | 15,000.00 | 15,000.00 | 100.00% |
| Strike Team Supplies | 6474 | 24,946.31 | 6,900.00 | (18,046.31) | (261.54)% |
| Community Emergency Response Team | 6475 | 253.30 | 8,000.00 | 7,746.70 | 96.83% |
| Exercise Supplies/Maint. | 6476 | 0.00 | 4,000.00 | 4,000.00 | 100.00% |
| Recognition Supplies | 6478 | 138.45 | 2,450.00 | 2,311.55 | 94.35% |
| Other Special Departmental Exp | 6479 | 10,374.34 | 160,900.00 | 150,525.66 | 93.55% |
| Public Education Supplies | 6480 | 0.00 | 1,000.00 | 1,000.00 | 100.00% |
| LAFCO | 6482 | 14,773.69 | 18,000.00 | 3,226.31 | 17.92% |
| Emergency Preparedness Expense | 6484 | 182.66 | 10,000.00 | 9,817.34 | 98.17% |
| Misc. Services & Supplies | 6490 | 965.89 | 28,300.00 | 27,334.11 | 96.59% |
| Fire Chief Contingency | 6491 | 10,000.07 | 250,000.00 | 239,999.93 | 96.00% |
| Property & Liability Insurance | 6540 | 57,646.00 | 57,000.00 | (646.00) | (1.13)% |
| Total Operating Expense | | 573,135.32 | 2,714,822.00 | 2,141,686.68 | 78.89% |
| Other Expense | | | | | |
| Bank Fees | 7510 | 2,129.35 | 3,000.00 | 870.65 | 29.02% |

Moraga-Orinda Fire District
Statement of Revenues and Expenditures
50 - General Fund
From 7/1/2020 Through 10/31/2020

| | Current Period Actual | Total Budget | Total Budget Variance | Percent Total Budget Remaining |
|--|--------------------------|----------------|--------------------------|--------------------------------------|
| County Tax Collection Fees | 7530 0.00 | 300.00 | 300.00 | 100.00% |
| Total Other Expense | 2,129.35 | 3,300.00 | 1,170.65 | 35.47% |
| Total Expenditures | 8,483,166.17 | 26,316,544.00 | 17,833,377.83 | 67.76% |
| Excess of Revenues Over/ (Under) Expenditures | 13,507,437.97 | (1,487,659.00) | 14,995,096.97 | (1,007.97)% |

Moraga-Orinda Fire District
Statement of Revenues and Expenditures
60 - North Orinda Emergency Fuel Break
From 7/1/2020 Through 10/31/2020

| | | Current Period Actual | Total Budget | Total Budget Variance | Percent Total Budget Remaining |
|--|------|--------------------------|--------------|--------------------------|--------------------------------------|
| Expenditures | | | | | |
| Salaries & Benefits | | | | | |
| Temporary Salaries | 5013 | 1,282.07 | 4,000.00 | 2,717.93 | 67.95% |
| Payroll Taxes -FICA,SUI | 5042 | 98.08 | 306.00 | 207.92 | 67.95% |
| Total Salaries & Benefits | | 1,380.15 | 4,306.00 | 2,925.85 | 67.95% |
| Operating Expense | | | | | |
| Professional Services | 6317 | (1,870.00) | 0.00 | 1,870.00 | 0.00% |
| Exterior Hazard Removal | 6323 | 80,903.71 | 212,000.00 | 131,096.29 | 61.84% |
| Total Operating Expense | | 79,033.71 | 212,000.00 | 132,966.29 | 62.72% |
| Total Expenditures | | 80,413.86 | 216,306.00 | 135,892.14 | 62.82% |
| Excess of Revenues Over/ (Under) Expenditures | | (80,413.86) | (216,306.00) | 135,892.14 | (62.82)% |

Moraga-Orinda Fire District
Statement of Revenues and Expenditures
90 - Debt Service Fund
From 7/1/2020 Through 10/31/2020

| | | Current Period Actual | Total Budget | Total Budget Variance | Percent Total Budget Remaining |
|--|------|--------------------------|---------------------|--------------------------|--------------------------------------|
| Revenue | | | | | |
| Taxes | | | | | |
| Property Tax-Current Secured | 4010 | 3,884,311.00 | 3,884,311.00 | 0.00 | 0.00% |
| Total Taxes | | 3,884,311.00 | 3,884,311.00 | 0.00 | 0.00% |
| Use of Money & Property | | | | | |
| Investment Earnings | 4181 | 1.19 | 500.00 | (498.81) | (99.76)% |
| Total Use of Money & Property | | 1.19 | 500.00 | (498.81) | (99.76)% |
| Other Revenue | | | | | |
| Transfers In | 4999 | 161,400.05 | 922,948.00 | (761,547.95) | (82.51)% |
| Total Other Revenue | | 161,400.05 | 922,948.00 | (761,547.95) | (82.51)% |
| Total Revenue | | 4,045,712.24 | 4,807,759.00 | (762,046.76) | (15.85)% |
| Expenditures | | | | | |
| Other Expense | | | | | |
| Pension Obligation Bond Principal Payment | 7900 | 3,265,000.00 | 3,265,000.00 | 0.00 | 0.00% |
| Pension Obligation Bond Interest Payment | 7901 | 222,609.15 | 359,527.00 | 136,917.85 | 38.08% |
| Apparatus Lease Principal Payment | 7902 | 0.00 | 581,689.00 | 581,689.00 | 100.00% |
| Apparatus Lease Interest Payment | 7903 | 0.00 | 19,560.00 | 19,560.00 | 100.00% |
| Lease Agreement Station 43 Principal | 7906 | 128,000.00 | 256,000.00 | 128,000.00 | 50.00% |
| Lease Agreement Station 43 Interest | 7907 | 33,400.05 | 65,699.00 | 32,298.95 | 49.16% |
| Total Other Expense | | 3,649,009.20 | 4,547,475.00 | 898,465.80 | 19.76% |
| Total Expenditures | | 3,649,009.20 | 4,547,475.00 | 898,465.80 | 19.76% |
| Excess of Revenues Over/ (Under) Expenditures | | <u>396,703.04</u> | <u>260,284.00</u> | <u>136,419.04</u> | <u>52.41%</u> |



Moraga-Orinda Fire District

| QUARTERLY INVESTMENT REPORT | | | | | | |
|---|--|------------------|------------------------|--------------------|------------------|---------------------|
| SEPTEMBER 30, 2020 | | | | | | |
| Type of Investment | Financial Institution | Date of Maturity | Par Value/ Original | Market Value | Rate of Interest | Fiscal Year-to-Date |
| Cash | Contra Costa County | N/A | \$ 105,879 | \$ 105,879 | 0.00% | \$ - |
| Cash | Citibank | N/A | 1,793,102 | 1,793,102 | 0.00% | \$ - |
| Local Agency Investment Fund | Local Agency Investment Fund | N/A | 2,525,313 | 2,535,704 | 0.84% | \$ 14,410 |
| Money Market | Wells Fargo Government Money Market Fund | N/A | 0 | 0 | 0.00% | \$ 1 |
| Total | | | \$4,424,294 | \$4,434,685 | | \$ 14,411 |
| Average Weighted Yield | 0.48% | | | | | |
| Market values obtained from monthly statements issued by Citibank and Wells Fargo Bank | | | | | | |
| Sufficient funds exist to meet the District's financial obligations for the next six months using the County of Contra Costa's "Teeter Plan". In 1949, the California Legislature enacted an alteratvie method for the distribution of secured property taxes to local agencies known as the "Teeter Plan". The Teeter Plan is a tax distribution procedure by which secured tax rolls are distributed to the District on the basis of the tax levy, rather than on the basis of actual tax collections. While the County bears the risk of loss on delinquent taxes that go unpaid, it benefits from the penalties associated with these delinquent taxes when they are paid. In turn, the Teeter Plan provides the District with stable cash flow and the elimination of credit risk. | | | | | | |
| The September 2020 investments are in accordance with the District adopted investment policy. | | | | | | |
| Gloriann Sasser Administrative Services Director October 15, 2020 | | | | | | |



Moraga-Orinda Fire District

TO: Board of Directors

FROM: Jonathan Holtzman, General Counsel

DATE: November 18, 2020

SUBJECT: Item 9.1 – Approval of Agreement for Special Services with Liebert Cassidy Whitmore to Provide Labor Negotiations Services and Appoint Donna Williamson as Lead Negotiator

BACKGROUND

The District's Memorandums of Understanding (MOU) with United Professional Fire Fighters of Contra Costa County I.A.F.F. Local 1230 and with Moraga-Orinda Fire Chief Officers' Association expire on June 30, 2021. Per the MOU with Local 1230, the deadline to meet and negotiate ground rules is December 31, 2020 and the deadline to commence negotiations is March 1, 2021.

RECOMMENDATION

- 1) Discuss; 2) Deliberate; 3) Approve the Agreement for Special Services with Liebert Cassidy Whitmore to Provide Labor Negotiations Services and Appoint Donna Williamson as Lead Negotiator.

ATTACHMENT

Attachment A – Agreement for Special Services with Liebert Cassidy Whitmore to Provide Labor Negotiations Services

AGREEMENT FOR SPECIAL SERVICES

This Agreement is entered into between the law firm of LIEBERT CASSIDY WHITMORE, A Professional Corporation (“Attorney” or “LCW”), and the MORAGA-ORINDA FIRE PROTECTION DISTRICT, (“District”).

1. Conditions

This Agreement will not take effect, and Attorney will have no obligation to provide services, until District returns a properly signed and executed copy of this Agreement.

2. Attorney’s Services

Attorney agrees to provide District with consulting, representational and legal services pertaining to employment relations matters, including representation in negotiations and in administrative and court proceedings, as requested by District or otherwise required by law.

3. Fees, Costs, Expenses

District agrees to pay Attorney the sums billed monthly for time spent by Attorney in providing the services, including reasonable travel time.

The current range of hourly rates for Attorney time is from Two Hundred Ten to Three Hundred Eighty Dollars (\$210.00 - \$380.00). See Schedule I for a full Fee Schedule. Attorney reviews its hourly rates on an annual basis and, if appropriate, adjusts them effective July 1. Attorney will provide the District with written notification of any adjustment in the range of rates. Attorney bills its time in minimum units of one-tenth of an hour.

For Litigation Matters

See Schedule II attached for a description of Attorney's Litigation and E-Discovery Management.

Other Expenses

District agrees to reimburse Attorney for necessary costs and expenses incurred by Attorney on behalf of District. Attorney bills photocopying charges at Fifteen Cents (\$0.15) per page. See Schedule I attached.

Payment by District against monthly billings is due upon receipt of statements, and is considered delinquent if payment is not received within thirty (30) days of the date of the invoice.

4. Professional Liability Insurance

The California Business & Professions Code requires us to inform you whether we maintain errors and omissions insurance coverage applicable to the services to be rendered to you. We hereby confirm that the firm does maintain such insurance coverage.

5. Arbitration of Professional Liability or Other Claims

Disputes. If a dispute between District and Attorney arises over fees charged for services, the controversy will be submitted to binding arbitration in accordance with the rules of the California State Bar Fee Arbitration Program, set forth in California Business and Professions Code, sections 6200 through 6206. The arbitrator or arbitration panel shall have the authority to award to the prevailing party attorneys' fees, costs and interest incurred. Any arbitration award may be served by mail upon either side and personal service shall not be required.

If a dispute arises between District and Attorney over any other aspect of the attorney-client relationship, including, without limitation, a claim for breach of professional duty, that dispute will also be resolved by arbitration. It is understood that any dispute as to any alleged breach of professional duty (that is, as to whether any legal services rendered under this agreement were allegedly unnecessary, unauthorized, omitted entirely, or were improperly, negligently or incompetently rendered) will be determined by submission to arbitration as provided by California law, and not by a lawsuit or resort to court process except as California law provides for judicial review of arbitration proceedings. **Both parties to this agreement, by entering into it, are giving up their constitutional right to have any such dispute decided in a court of law before a jury, and instead are accepting the use of arbitration.** Each party is to bear its own attorney's fees and costs.

6. File Retention

After our services conclude, Attorney will, upon District's request, deliver the file for the matter to District, along with any funds or property of District's in our possession. If District requests the file for the matter, Attorney will retain a copy of the file at the District's expense. If District does not request the file for this matter, we will retain it for a period of seven (7) years after this matter is closed. If District does not request delivery of the file for this matter before the end of the seven (7) year period, we will have no further obligation to retain the file and may, at our discretion, destroy it without further notice to District. At any point during the seven (7) year period, District may request delivery of the file.

7. Assignment

This Agreement is not assignable without the written consent of District.

8. Independent Contractor

It is understood and agreed that Attorney, while engaged in performing the terms of this Agreement, is an independent contractor and not an employee of District.

9. Authority

The signators to this Agreement represent that they hold the positions set forth below their signatures, and that they are authorized to execute this Agreement on behalf of their respective parties and to bind their respective parties hereto.

10. Term

This Agreement is effective October 27, 2020, ongoing and may be modified by mutual agreement of the parties. This agreement shall be terminable by either party upon thirty (30) days written notice.

LIEBERT CASSIDY WHITMORE,
A Professional Corporation

MORAGA-ORINDA FIRE
PROTECTION DISTRICT

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

SCHEDULE I – FEES & COSTS

1. Hourly Rates (As of Agreement Effective Date)

| | |
|-------------------------------|---------------------|
| Partners | \$380.00 |
| Senior Counsel | \$325.00 |
| Associates | \$210.00 - \$305.00 |
| Labor Relations/HR Consultant | \$240.00 |
| Paralegals | \$135.00 |
| E- Discovery Specialists | \$135.00 |
| Law Clerks | \$135.00 - \$175.00 |

2. COSTS

| | |
|----------------|-----------------|
| 1. Photocopies | \$0.15 per copy |
|----------------|-----------------|

SCHEDULE II

LCW LITIGATION and E-DISCOVERY MANAGEMENT

LCW is committed to using state-of-the-art technology to efficiently manage and harness electronically-stored information (“ESI”) in compliance with Federal and State law requirements. LCW partners with an outside managed services provider to provide Relativity, the industry leading e-discovery software, for this purpose. The cost for each matter will depend on the volume and format of the data. For non-complex data up to 50 gigabytes, LCW charges a monthly fee of \$375 on all active litigation matters for data management, including data validation and security, ingestion, de-duplication, culling and streamlining, and creation of Relativity fields for expedited review. For data of 50 gigabytes and over and for complex data requiring specialized services (e.g., payroll data, spreadsheets with underlying formulas, video, advanced searches, etc.), additional charges are incurred and are passed through to the client. For such charges, we will provide an itemized bill from our managed services provider and obtain client approval prior to incurring the charges.

Litigation Case Staffing

LCW has organized its litigation practice to meet the challenges of today’s complex litigation cases. We employ a dedicated Litigation Manager – a non-billing attorney litigator – whose responsibility is to monitor all litigation cases to ensure quality, efficiency, and adherence to client and firm litigation guidelines. Each litigation case is staffed with a Partner, an Associate (or Associates, as required and as approved by the Client), a Paralegal and an E-Discovery Specialist. Our E-Discovery Specialists have extensive experience in the efficient management of electronic data through every stage of the e-discovery life cycle, and they strategize with attorneys and clients on effective ESI protocols. This makes the document review process more efficient and enables our attorneys to target the most relevant data to meet litigation objectives. Working with our e-discovery managed services provider, we are able to provide state-of-the-art data processing and hosting services at below-market rates.



Moraga-Orinda Fire District

TO: The Board of Directors

FROM: Dave Winnacker, Fire Chief
Jeff Isaacs, Fire Marshal

DATE: November 18, 2020

SUBJECT: Item 9.2 – Approval of Resolution 20-15, A Resolution of the Moraga-Orinda Fire District Requiring Insurance Company Compliance with the Public Resources Code and Government Code.

BACKGROUND:

On several occasions District staff have been contacted by residents concerned that their insurance company was requiring fuel mitigation which exceeds the District's standards. Staff researched the issue and identified relevant elements of the Government Code and Public Resources Code.

GOVERNMENT CODE AND PUBLIC RESOURCE CODE:

Working with District Counsel, Staff has identified relevant portions of the Government Code and the Public Resources Code.

Government Code section 51182(a)(3) states the following shall apply to Local Responsibility Areas

An insurance company that insures an occupied dwelling or occupied structure may require a greater distance than that required under paragraph (1) if a fire expert, designated by the fire chief or fire official from the authority having jurisdiction, provides findings that the clearing is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite the structure, and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of wildfire to the structure. The greater distance may not be beyond the property line unless allowed by state law, local ordinance, rule, or regulation.

Public Resources Code section 4291(a)(1)(C)(3) states the following shall apply to State Responsibility Areas

An insurance company that insures an occupied dwelling or occupied structure may require a greater distance than that required under paragraph (1) if a fire expert, designated by the director, provides findings that the clearing is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite the structure, and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of wildfire to the structure. The greater distance may not be beyond the property line unless allowed by state law, local ordinance, rule, or regulation.

This resolution is being recommended in order to increase awareness of the Government Code and Public Resource Code as they pertain to insurance company requirements.

RECOMMENDATION:

1) Discuss; 2) Deliberate; 3) Approve Resolution 20-15, A Resolution of the Moraga-Orinda Fire District requiring insurance company compliance with the public resources code and government code.

ATTACHMENTS

Attachment A - Resolution 20-15, a resolution of the Moraga-Orinda Fire District requiring insurance company compliance with the public resources code and government code.

RESOLUTION NO. 20-15

A RESOLUTION OF THE MORAGA-ORINDA FIRE DISTRICT REQUIRING INSURANCE COMPANY COMPLIANCE WITH THE PUBLIC RESOURCES CODE AND GOVERNMENT CODE

WHEREAS, The Moraga-Orinda Fire Protection District ("District") is the sole and exclusive provider of fire protection, prevention, and suppression services within its jurisdictional territory, as determined by the Contra Costa County Local Agency Formation Commission and in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code § 56000 et seq.); and,

WHEREAS, The District adopted and amended the 2019 California Fire Code with Ordinance 20-01; and

WHEREAS, Ordinance 20-01 includes requirements for the creation and maintenance of defensible space through exterior hazard abatement which meet or exceed the requirements in Public Resource Code 4291; and,

WHEREAS, Government Code section 51182(a)(3) states the following shall apply to Local Responsibility Areas "An insurance company that insures an occupied dwelling or occupied structure may require a greater distance than that required under paragraph (1) if a fire expert, designated by the fire chief or fire official from the authority having jurisdiction, provides findings that the clearing is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite the structure, and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of wildfire to the structure. The greater distance may not be beyond the property line unless allowed by state law, local ordinance, rule, or regulation." and,

WHEREAS, Public Resources Code section 4291(a)(1)(C)(3) states the following shall apply to State Responsibility Areas "An insurance company that insures an occupied dwelling or occupied structure may require a greater distance than that required under paragraph (1) if a fire expert, designated by the director, provides findings that the clearing is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite the structure, and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of wildfire to the structure. The greater distance may not be beyond the property line unless allowed by state law, local ordinance, rule, or regulation."; and,

WHEREAS, the District has determined, that insurance company compliance with the relevant sections of the Government Code and Public Resources Code is in the interest of the residents of this jurisdiction; and,

NOW THEREFORE BE IT RESOLVED that insurance companies operating within the District shall comply with Government Code section 51182(a)(3) and Public Resources Code section 4291(a)(1)(C)(3).

PASSED, APPROVED and ADOPTED by the Board of Directors of the Moraga-Orinda Fire District at the regular meeting of the District Board held virtually on the 18th day of November 2020, on a motion made by Director XX, seconded by Director XX, and duly carried with the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Resolution 20-15

Dated: November 18th, 2020

Steven Danziger, President
Board of Directors

ATTEST:

Marcia Holbrook
District Secretary/District Clerk