Moraga-Orinda Fire Protection District

BOARD OF DIRECTORS
REGULAR BOARD MEETING MINUTES
October 21, 2020
(Approved November 18, 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 (audio17:44)**
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 CICCS 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 receivs 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