



Moraga-Orinda Fire District  
**BOARD OF DIRECTORS**  
**REGULAR BOARD MEETING MINUTES**  
February 16, 2022  
(APPROVED MARCH 16, 2022)

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**1. OPENING CEREMONIES**

The Board of Directors convened a teleconference Open Session at **6:00 p.m.** on **February 16, 2022**, via the Zoom application <https://us02web.zoom.us/j/82595601211>, webinar id: 82595601211 and by phone 669-900-6833. This meeting was conducted by webinar and teleconference only in accordance with AB 361. The meeting was not available for in-person attendance.

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

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

**2. CONSENT AGENDA (audio 0:44)**

**2.1 Adopt Resolution 22-06 Re-Ratifying Findings and Determining A Need to Continue Holding Remote Meetings By Teleconference**

Staff Recommendation: Adopt Resolution 22-06 Re-Ratifying Findings and Determining A Need to Continue Holding Remote Meetings By Teleconference

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

**Motion by Director Jorgens and seconded by Director Baitx to adopt Resolution 22-06 Re-Ratifying Findings and Determining A Need to Continue Holding Remote Meetings By Teleconference. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: None; Abstain: None).**

**3. PUBLIC COMMENT (audio 1:59)**

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

At **6:03 p.m.**, the Board adjourned to Closed Session.

**4. CLOSED SESSION**

**4.1 Public Employee Performance Evaluation**

(Government Code Section 54957)  
Public Employee Appointment Title: Fire Chief

**4.2 Conference with Labor Negotiator**

(Government Code Section 54957.6)  
Agency Designated Representative: Jonathan Holtzman  
Employee Org: Fire Chief

**4.3 Conference with Labor Negotiator**

(Government Code Section 54957.6)  
Agency Designated Representative: Jonathan Holtzman  
Employee Org: Local 1230, Int Assoc. of Firefighters IAFF

**4.4 Conference with Labor Negotiator**

(Government Code Section 54957.6)  
Agency Designated Representative: Jonathan Holtzman  
Employee Organization: Unrepresented Employees

**4.5 Conference with Labor Negotiator**

(Government Code Section 54957.6)  
Agency Designated Representative: Jonathan Holtzman  
Employee Org: Moraga-Orinda Fire Chief Officers' Association

At **6:52 p.m.**, the Board adjourned the Closed Session.

**5. RECONVENE THE MEETING (audio 7:43)**

**5.1 Call the Meeting to Order**

**5.2 Roll Call**

**5.3 Pledge of Allegiance**

President Donner reconvened the Moraga-Orinda Fire District Board of Directors' regular business meeting at **7:00 p.m.**, requested an attendance roll call, and led the pledge of allegiance. Present were the following Directors and Staff:

|                   |                                           |                                           |
|-------------------|-------------------------------------------|-------------------------------------------|
| President Donner  | Dave Winnacker, Fire Chief                | Christine Russell, HR Manager             |
| Director Baitx    | Jeff Isaacs, Fire Marshal                 | Jonathan Holtzman, District Counsel       |
| Director Danziger | Gloriann Sasser, Admin. Services Director | Michael Cohen, District Counsel Associate |
| Director Jex      | Mary Smith, Finance Manager               | Marcia Holbrook, District Clerk           |
| Director Jorgens  |                                           |                                           |

**6. REPORT OF CLOSED SESSION ACTION (audio 7:54)**

President Donner stated that the Board took no reportable action on agenda items 4.1-4.5.

**7. PUBLIC COMMENT - ITEMS NOT ON THE AGENDA (audio 8:09)**

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

**8. PUBLIC HEARING**

**8.1 Public Hearing on Proposed Confirmation of Report for Cost of Abatement, 2021 Season and Adopt Resolution 22-04, Confirming and Adopting the Reported Costs Incurred by the Moraga-Orinda Fire District in Abating Public Nuisances at 231 Rheem Boulevard, Moraga, APN #255-07-2003, Pursuant to Health and Safety code section 14912 (audio 8:28)**

Fire Chief Winnacker provided the report. The purpose of the hearing was to review any objections from property owners legally responsible for the assessment. Fire Chief Winnacker reviewed the background and abatement orders approved by the MOFD Board of Directors on June 16, 2021. A District-approved contractor conducted the abatement. Upon completion, the property owner was billed and had an opportunity to pay prior to the District processing a lien on the property. Staff recommended adopting Resolution 22-04, A Resolution of the Board of Directors of the Moraga-Orinda Fire District Confirming and Adopting the Reported Costs Incurred by the Moraga-Orinda Fire District ("District") in Abating Public Nuisances at 231 Rheem Boulevard, Moraga APN #255-07-2003, pursuant to health and safety code Section 14912.

| <u>Case #</u> | <u>APN #</u> | <u>Owner</u>                             | <u>Mitigation Cost</u> | <u>MOFD Admin Fee</u> | <u>Amount of Lien</u> |
|---------------|--------------|------------------------------------------|------------------------|-----------------------|-----------------------|
| 20-0491       | 255-07-2003  | REICHICK, LANA<br>231 RHEEM BLVD, MORAGA | \$16,200               | \$8,100.00            | \$24,300.00           |

President Donner opened the Public Hearing. There were no requests to address the Board. President Donner closed Public Hearing. No further discussion from the Board

Motion by Director Danziger and seconded by Director Jorgens to adopt Resolution 22-04, Confirming and Adopting the Reported Costs Incurred by the Moraga-Orinda Fire District in Abating Public Nuisances at 231 Rheem Boulevard, Moraga, APN #255-07-2003, Pursuant to Health and Safety code section 14912. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: None; Abstain: None).

**8.2 Public Hearing on Proposed Confirmation of Report for Cost of Abatement, 2021 Season and Adopt Resolution 22-05, A Resolution of the Board of Directors of the Moraga-Orinda Fire District Confirming and Adopting the Reported Costs Incurred by the Moraga-Orinda Fire District ("District") in Abating Public Nuisances at 106 Tappan Lane, Orinda APN #266-38-0009, Pursuant to Health and Safety Code Section 14912 (audio 13.40)**

Fire Chief Winnacker provided the report. The purpose of the hearing was to review any objections from property owners legally responsible for the assessment. Fire Chief Winnacker reviewed the background and abatement orders approved by the MOFD Board of Directors on June 16, 2021. A District-approved contractor conducted the abatement. After the work was executed, the property owner was billed for the work and had an opportunity to pay prior to the District processing a lien on the property. Staff recommended adopting Resolution 22-05, A Resolution of the Board of Directors of the Moraga-Orinda Fire District Confirming and Adopting the Reported Costs Incurred by the Moraga-Orinda Fire District ("District") in Abating Public Nuisances at 106 Tappan Lane, Orinda APN #266-38-0009, pursuant to health and safety code section 14912.

| <u>Case #</u> | <u>APN #</u> | <u>Owner</u>                                    | <u>Mitigation Cost</u> | <u>MOFD Admin Fee</u> | <u>Amount of Lien</u> |
|---------------|--------------|-------------------------------------------------|------------------------|-----------------------|-----------------------|
| 21-0193       | 266-38-0009  | SIU, FREDERICK & DORA<br>106 TAPPAN LANE ORINDA | \$23,400               | \$11,700              | \$35,100.00           |

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

Director Danziger asked what happens if the property owners do not pay the lien. Fire Chief Winnacker explained that the lien is attached to the property tax bill and deferred to the County Tax Assessor regarding failure to pay. No further discussion from the Board

Motion by Director Danziger and seconded by Director Jorgens to adopt Resolution 22-05, A Resolution of the Board of Directors of the Moraga-Orinda Fire District Confirming and Adopting

**the Reported Costs Incurred by the Moraga-Orinda Fire District ("District") in Abating Public Nuisances at 106 Tappan Lane, Orinda APN #266-38-0009, Pursuant to Health and Safety Code Section 14912. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: None; Abstain: None).**

**8.3 Third Public Hearing on Redistricting Process; Review District Maps; Review the Criteria for Adopting New District Boundaries/Maps; Receive Input from the Public; Receive direction from the Board of Directors; Adopt Resolution 22-07, a Resolution of the Board of Directors of the Moraga-Orinda Fire Protection District Adopting an Adjusted Election Division Map (audio 16:34)**

Fire Chief Winnacker provided the report. On January 19, 2022, regular board meeting, a first public hearing was held to discuss redistricting. At this meeting, the Board requested additional information, including maps showing census blocks with population. At the January 19, 2022, regular board meeting, directors raised questions regarding changes between districts 3 and 4 along Ivy Drive and proposed changes between voting districts 5 and 4 in the Orinda Woods HOA. In response, proposed changes were made to preserve the continuity of Orinda Woods as a community of interest. The Board provided additional direction to better balance the population of voting district 3 at the special board meeting on January 26, 2022, and the modified voting districts were created. The District's redistricting expert incorporated the changes in the updated draft/final map. Directors requested a map showing underlying census blocks with population. Staff recommended adopting the new district boundaries/maps and adopting Resolution 22-07, a Resolution of the Board of Directors of the Moraga-Orinda Fire Protection District adopting an adjusted election division map. Michael Cohen, District Counsel, was available to answer any questions.

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

Director Danziger asked if the District was required to notify the residents who were moving from one division to another division. District Council Cohen answered the only publication requirements are the public hearings, which the District satisfied. Director Danziger asked when the new maps take effect. District Council Cohen answered 30 days after approval. The shapefiles that contain the data that compose the actual maps will be transmitted to the Contra Costa County Registrar Elections Division. However, to satisfy the statutory timeline, it is the date Resolution 22-07 is adopted. Director Danziger inquired if the specific addresses were provided to the County. District Council Cohen explained the data provided by FLO Analytics are very detailed maps, including all the data with whole census tracts and all the other relevant information. Director Danziger asked if the District receives a copy of the information submitted to the County Registrar. District Council Cohen confirmed. Director Danziger asked if the directors could have access to the information. District Council Cohen confirmed. No further discussion from the Board

**Motion by Director Jorgens and seconded by Director Jex to Adopt Resolution 22-07, a Resolution of the Board of Directors of the Moraga-Orinda Fire Protection District Adopting an Adjusted Election Division Map. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: None; Abstain: None).**

**8.4 Public Hearing and Second Reading of Ordinance 22-01, An Ordinance of the Moraga-Orinda Fire District of Contra Costa County Adopting a Revised Schedule of Fees for District Services (audio 21:58)**

Administrative Services Director Sasser provided the report. The District's fee schedule has been updated and includes a consumer price index increase of 3.8%. New fees have been added to the fee schedule to allow the District to recover the costs of providing mandated inspections of public schools. The first public hearing and reading of the proposed fee Ordinance 22-01 were held on January 19, 2022. The Board directed no changes at the January meeting. Staff recommended the Board waive the second reading of Ordinance 22-01, conduct the second public hearing, accept comments from the public and adopt Ordinance 22-01, adopting a revised schedule of fees for district services.

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

Director Jorgens inquired about adding fees for sending emergency blocking vehicles to Highway 24. Fire Chief Winnacker answered Staff is working on researching the legal authority to charge the fee. The district's fee schedule can be amended at a future date if a new fee is established. Director Danziger inquired why there is no fee associated with the Group R-3.1 Daycare-Residential, AP 11.1 Daycare Residential. Fire Marshal Isaacs explained that State Fire Marshal prohibits charging a fee for this inspection type. No further discussion from the Board

**Motion by Director Jorgens and seconded by Director Jex to adopt Ordinance 22-01, An Ordinance of the Moraga-Orinda Fire District of Contra Costa County Adopting a Revised Schedule of Fees for**

**District Services. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: None; Abstain: None).**

**8.5 Public Hearing and First Reading of Ordinance 22-02, an Ordinance of the Moraga-Orinda Fire District of Contra Costa County, California, Adopting Requirements for Undeveloped Parcels and Certain Low-Density Large Developed Parcels and Findings of Fact Establishing Additional Requirements in the State Responsibility Areas and Local Responsibility Areas (audio 25:54)**

Fire Chief Winnacker provided the report. In January 2022, the 2022 California Fire Code draft was released, beginning the next fire code cycle. The fire code cycle will include public hearings before the MOFD Board, Orinda City Council, Moraga Town Council, and Contra Costa County Board of Supervisors. Ordinance 22-02 is intended to establish requirements for undeveloped parcels within the Fire District outside of the fire code as part of the triennial update cycle. The Findings of fact are included in the Ordinance, which identifies the Weather/Climatic, Vegetation, Geologic, and Topographical conditions, which makes Ordinance 22-02 necessary and establishes a fire hazard within the Fire District requiring specific measures on undeveloped parcels. Fire Chief Winnacker reviewed the proposed standards to reduce the risk of uncontrolled wildfire on undeveloped parcels and the requirement for developed and undeveloped parcels. A correction was made to the staff report: under Fuel Break Requirements on Undeveloped Parcels, (a)(ii) should read Parcels of at Least Greater Than One but Less Than Ten Acres. A Fuel Break of 30 feet shall be created and maintained around the entire perimeter of the Parcel. Staff recommended introducing and waiving the first reading of Ordinance 22-02, accepting comments from the public, and providing direction to Staff.

Director Jorgens asked what the requirements are if a Person has 11 acres and two houses. Fire Chief Winnacker answered the Fire Code would apply and not be subject to Ordinance 22-02. Fire Chief Winnacker explained Ordinance 22-02 is designed to deal with undeveloped Parcels or Parcels that have very low density. President Donner inquired how many Parcels would be affected by Ordinance 22-02. Fire Chief Winnacker answered the vast majority of the lands that would be affected are in the surrounding wilderness lands outside the incorporated City and Town or some of the large publicly owned lands within the City and the Town, which are already primarily in compliance. Director Danziger expressed concern that the word "may" in the sentence could be treated as a single parcel with the approval of the Fire Chief or designee under the section regarding multiple contiguous Parcels owned by the same Owner and asked how the determination would be made. Fire Chief Winnacker answered if the Owner of multiple continuous Parcels applied for a permit and provided the 100-foot perimeter around the perimeter, an assessment of the topography, fuel loading, and potential for destructive wildfire spread would be factored in determining if the perimeter fuel break would be sufficient.

Director Jex asked how many of the Parcels affected are homeowners' associations (HOA) or connected to residential property. Fire Chief Winnacker answered the residential Parcels with a single structure have been enforced under the fire code. The major expansion is applied to undeveloped Parcels. The HOA's with open space usually have a requirement as part of the subdivision agreement. The significant area to which Ordinance 22-02 applies is the wilderness lands that surround the incorporated portions of the City of Orinda or the Town of Moraga. Director Jex asked if there is a phase-in period to comply with the new standards. Fire Chief Winnacker confirmed. Director Jex expressed concern about potential District abatement hearings and lien-funded work. Fire Chief Winnacker clarified that Ordinance 22-02 does not provide the authority for lien-funded work. Failure to comply would result in issuing a citation under Ordinance 21-01. Director Danziger asked if a Corporation, HOA, or an Entity falls under the "Person" definition. Fire Chief Winnacker confirmed and explained public resource code 4101, a very expansive definition of "Person."

**President Donner opened the Public Hearing.**

District Clerk Holbrook announced three written public comments in support of Ordinance 22-02 were received by 3:00 p.m., forwarded to the Board of Directors, and made available for viewing on the District website. 1) Nick Waranoff, Orinda resident; 2) Melanie Light, Orinda resident; 3) Ken Light, Orinda resident, attached to these minutes, Written Public Comments, attachment A.

**There were no further requests to address the Board. President Donner closed Public Hearing.**

Fire Chief Winnacker concluded that the next steps would be to schedule a meeting with the City of Orinda Manager and Town of Moraga Manager to provide an opportunity to answer questions and engage the residents of unincorporated Bollinger and Canyon to ensure questions are answered. The proposed second reading and adoption of ordinance 22-02 is scheduled for the regularly scheduled meeting in March. No further discussion from the Board

**8.6 Public Hearing and First Reading of Ordinance 22-03, an ordinance of the Moraga-Orinda Fire District of Contra Costa County, California, Designating the Local Responsibility Areas (LRA) previously designated as Wildland Urban Interface – Fire Area as (LRA) Very High Fire Hazard Severity Zones (audio 40:00)**

Fire Chief Winnacker provided the report. In 2018 the Legislature passed SB901 expanding the applicability of the regulations promulgated under Public Resource Code 4290 to land in LRA VHFHSZ. This law was enacted through CRC Title 14, 1270.02, which took effect July 1, 2021. The expansion of these regulations does not include lands designated WUI-FA. California Fire Code (CFC), Chapter 49 defines WUI-FA as the CFC, Title 24 Part 9, of the California Building Standards Code, and limited to buildings and areas immediately adjacent to a structure. With the expansion of the state's fire safety regulations to LRA VHFHSZ, the WUI-FA designation is no longer adequate to ensure the most progressive laws and regulations to reduce the risk of wildfire loss are in effect within the fire district. Current Fire Hazard Severity Zone maps were published in draft form in 2007 and final form in 2009. New maps have not been published. Since 2009 fire severity and loss have increased dramatically, with 15 of the 20 most destructive fires occurring since the current maps were published. As a result, there is a pressing need to update fire hazard severity zones to reflect current reality. Staff recommended waiving the first reading Ordinance 22-03, accept comments from the public, and provide direction to Staff.

Director Danziger commended the Staff and District for the proactive measures taken in fire prevention over and above the state's requirements. President Donner concurred.

Director Jorgens asked if the previously identified WUI zone areas will be reclassified as very high severity zones. Fire Chief Winnacker confirmed. Director Jorgens asked about the impact on insurance rates. Fire Chief Winnacker stated CAL FIRE and the Board of Forestry fire hazard severity zone maps published on the CAL FIRE's web page will not reflect the changes made at the District level. The CAL FIRE maps remain the same maps adopted by the State Fire Marshal in 2009. Fire Chief Winnacker added that an insurer could become aware of the District's Fire Hazard Severity Zones and cause a change in the insurance calculations. Fire Chief Winnacker speculated that it is a low possibility because the insurance industry uses a sophisticated fire spread model as the primary driver in the decision to change the rate-setting or decision to not insure. Fire Chief Winnacker stated the new maps (eight years past due) would show a significant expansion of very high fire hazard severity zones based on the improvements in modeling and the changes in observed fire behavior. Fires are behaving differently and spreading differently than in the past. Fire has burned over the Sierra Crest twice this year. The only two instances in recorded history. The Staff has not seen the new maps; however, when the new maps are released, there will be significant expansions similar to expansions the District is proposing and exceeded by the new state maps.

Director Donner asked if the Firewise communities and fuel mitigation achievements have been shared with the insurance industry. Fire Chief Winnacker answered Staff has engaged in several efforts and explained the challenges of not having a single clearinghouse. President Donner asked if there was any concern with adopting 22-03 and possible insurance issues. Fire Chief Winnacker answered from a fire and life safety perspective, the benefit of applying more stringent State Standards to expanded areas of the District is a tangible benefit that outweighs the low potential of insurance renewal or rate-setting considerations.

Director Jex asked if the maps were expanding significantly to the East. Fire Chief Winnacker confirmed and explained the expansion of the maps. Director Jorgens asked if there was an alternative to change the fire code to apply the same rules. Fire Chief Winnacker explained the only place wildland-urban interface fire area is recognized in the fire code is in chapter 49, which is specific to the requirement for ember-resistant construction. The state fire safety laws and Title 14 Staff is seeking to only apply in the LRA and very high fire hazard severity zones. Director Baitx expressed similar concerns as Director Jorgens regarding insurance rates and loss of insurance. Director Jex asked if Ordinance 22-02 would be reviewed with the City of Orinda and the Town of Moraga. Fire Chief Winnacker confirmed once the Board provides direction.

**President Donner opened the Public Hearing.**

District Clerk Holbrook announced 13 written public comments were received in support of Ordinance 22-03 by 3:00 p.m., forwarded to the Board of Directors, and made available for viewing on the District website. 1) Jan and Mary Lou Blumer; 2) Tim Meltzer; 3) Marianne McKay; 4) Colleen Brannon; 5) Nick Waranoff; 6) Ann Walgenbach; 7) Michele Turre; 8) Rob Elia and Suzanne Jones; 9) Melanie Light; 10) Ken Light; 11) Amelia and Pete Wilson; 12) Susan Anacker; and 13) William Hudson. Attached to these minutes, Written Public Comments Attachment A.

Ann Walgenbach, Moraga resident and Bollinger Canyon Firewise representative, encouraged the Board to pass Ordinance 22-03. Mrs. Walgenbach shared the insurance benefits and discounts her community has received for becoming a Firewise community.

Suzanne Jones, Moraga resident, encouraged the Board to support ordinance 22-03 and reported her positive experience with her insurance company.

**There were no further requests to address the Board. President Donner closed Public Hearing.**

President Donner stated the Board should continue to discuss the Ordinance 22-03 at the next regular meeting and consider adoption. No further discussion from the Board

**9. CONSENT AGENDA (audio 1:00)**

**9.1 Meeting Minutes – January 19, 2022 (Regular), January 26, 2022 (Special)**

Staff Recommendation: Approve and File

**9.2 Monthly Incident Report – January 2022**

Staff Recommendation: Approve and File

**9.3 Monthly Check/Voucher Register – January 2022**

Staff Recommendation: Approve and File

**9.4 Monthly Financial Report – January 2022**

Staff Recommendation: Approve and File

**9.5 Quarterly Ambulance Report - December 2021**

Staff Recommendation: Information Only

**9.6 Quarterly Treasurer's Investment Report – December 2021**

Staff Recommendation: Approve and File

**9.7 Declare 1989 Seagrave Aerial Tiller Training Truck Surplus and Authorize Staff to Donate the Tiller Training Truck to the City of Richmond, California**

Staff Recommendation: Declare 1989 Seagrave Aerial Tiller Training Truck Surplus and Authorize Staff to Donate the Tiller Training Truck to the City of Richmond, California

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

**Motion by Director Jorgens and seconded by Director Jex to approve Consent Agenda items 9.1-9.7. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: None; Abstain: None).**

**10. REGULAR AGENDA**

**10.1 Asset Allocations and Approval of Investment Guidelines Documents for the Pension Trust and the Other Post-Employment Benefits Trust (audio 1:03)**

Administrative Services Director Sasser provided the report. At the regular board meetings on November 17, 2021, and January 19, 2022, the Board directed changes to the PARS investment guidelines documents for the OPEB trust and the Pension trust. The changes were incorporated into the OPEB trust and Pension trust investment documents. The changes include increasing the asset allocation for equities, increasing the risk tolerance, decreasing the percentage held in developed International markets, eliminating high yield bonds, and eliminating investments in emerging markets. The changes are detailed in the staff report and in the red-line versions of the documents. Staff recommended the Board approve the Investment Guidelines Documents for the Pension Trust and Other Post-Employment Benefits Trust.

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

**Motion by Director Jorgens and seconded by Director Danziger to Approve Investment Guidelines Documents for the Pension Trust and the Other Post-Employment Benefits Trust. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: None; Abstain: None).**

**10.2 Mid-Year Budget Review FY2022 and Approval of General Fund Revenue Budget Adjustment Increase in the Amount of \$1,521,287, General Fund Expenditure Budget Adjustment Increase in the Amount of \$1,821,542, Capital Projects Fund Revenue Budget Adjustment Increase in the Amount of \$158,050 and Capital Projects Fund Expenditure Budget Adjustment Increase in the Amount of \$8,036 (audio 1:05)**

Administrative Services Director Sasser provided the report and presented a PowerPoint presentation attached to these minutes, Item 10.2 attachment A. The budget was adopted in June 2021 and projected a General Fund surplus of \$744K. When the budget was originally adopted, Labor negotiations were in progress. No salary or benefit increases were included in the original budget. Subsequently, new MOUs

were approved, which included salary and benefit increases. The increases have been included in the mid-year expenditure projections. The updated projected surplus is \$444K. Total revenue is projected to exceed budget \$1.5M. Property tax revenue is projected to meet budget. Ambulance revenue is projected to exceed budget \$705K. Strike team revenue is projected to exceed budget \$800K. ASD Sasser highlighted expenditure variances.

ASD Sasser reviewed the current year's cash flow compared to the prior two years. The District started the fiscal year with \$15.7M in unrestricted cash and investments. The District received its latest major cash inflow in December 2021. The District did not utilize the Teeter Plan this fiscal year. The District started the fiscal year with \$12M in General Fund unrestricted fund balance. The projected surplus would increase the unrestricted fund balance to \$12.4M, which would exceed the Fund Balance Policy minimum of 17% and be less than the Policy goal of 50%, projection is 40.8%. Staff recommended two mid-year General Fund budget adjustments. The first is to increase revenue \$1,521,287, and the second is to increase expenditures \$1,821,542. If the budget adjustments are approved, the revised General Fund budget surplus would be \$443,939. The Capital Projects Fund has a projected deficit of \$584K due to several budgeted capital purchases. The Debt Service Fund has a planned use of reserves of \$2.1M due to the final year of the pension obligation bonds. The pension obligation bonds will be paid-in-full on July 1, 2022. Staff recommended a Capital Projects Fund revenue budget adjustment increase in the amount of \$158,050 and an expenditure budget adjustment increase of \$8,036.

President Donner asked if the ambulance revenue is resuming to the pre-covid responses. Fire Chief Winnacker confirmed.

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

**Motion by Director Jorgens and seconded by Director Jex to Approve General Fund Revenue Budget Adjustment Increase in the Amount of \$1,521,287, General Fund Expenditure Budget Adjustment Increase in the Amount of \$1,821,542, Capital Projects Fund Revenue Budget Adjustment Increase in the Amount of \$158,050 and Capital Projects Fund Expenditure Budget Adjustment Increase in the Amount of \$8,036. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: None; Abstain: None).**

**10.3 Determine the Amount of the OPEB Trust Contribution and the Amount of the Pension Rate Stabilization Program Trust Contribution for Fiscal Year 2022 and Authorize the Transfer of District Funds to Complete the Trust Contributions (audio 1:15)**

Administrative Services Director Sasser provided the report. The District participates in the Public Agency Retirement Services (PARS) Post-Employment Benefits Trust. The District's PARS trust account includes money set aside for other post-employment benefits (OPEB), retiree medical benefits, and money set aside for the pension rate stabilization program to pre-fund pension costs. The District makes annual contributions to both accounts. The Board has the authority to decide the amount and timing of any contributions. The OPEB actuarial valuation report dated June 30, 2021 (most recent) calculated a trust contribution of \$303,906. The fiscal year 2022 Budget includes \$434,528 for the OPEB contribution. Staff requested Board direction regarding the amount of the OPEB trust contribution. The fiscal year 2022 Budget includes \$2,362,470 for the pension rate stabilization trust contribution. Unlike OPEB, there is no updated actuarial information for the pension trust contribution, and the assumptions have not changed. The amount included in the budget is the current pension trust contribution amount. Staff requested Board direction regarding the amount of the pension rate stabilization trust contribution.

Director Danziger asked how the Board has handled in the past when the actuarial valuation report calculates the contribution considerably lower than the budgeted amount. Fire Chief Winnacker answered the Board has been consistent with making a full actuarially recommended contribution or ARC. The Board has always made the ARC contribution.

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

**Motion by Director Jorgens and seconded by Director Danziger to contribute \$303,906 to the OPEB Trust Contribution and \$2,362,470 for the Pension Rate Stabilization Trust contribution and Authorize the Transfer of District Funds to Complete the Trust Contributions. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: None; Abstain: None).**

**10.4 Approval of Unrepresented Employee Handbook Authorizing Salary and Benefits for Unrepresented Employees Effective February 17, 2022, in Order to Add Juneteenth National Independence Day Federal Holiday (audio 1:19)**

Fire Chief Winnacker provided the report. At the January 19, 2022 Board meeting, a Director directed Staff to place on the agenda an item to consider adding Juneteenth as a holiday for unrepresented employees. The District has 11 Unrepresented Non-safety Employee positions. Represented Safety Employees receive holiday pay in lieu of holiday time off per the terms of the Memorandum of Understanding (MOU) between the District and the International Association of Firefighters Local 1230 and per the terms of the MOU between the District and the Moraga-Orinda Fire Chief Officers Association. The MOUs were agreed to in October 2021 and November 2021, effective July 1, 2021. Neither MOU includes Juneteenth as a holiday. The annual cost of the additional holiday for Unrepresented employees - \$0 (loss of 8 hours of productivity) and Represented safety employees - \$88,000 per year ongoing. Staff recommended the Board provide direction to Staff to amend or not amend the Unrepresented Employee Handbook.

Director Danziger commended Staff for placing the item on the agenda. Director Jorgens asked if the District grants the holiday to the unrepresented employees, what does that do to the represented employees in the MOUs where the holiday was not negotiated. Fire Chief Winnacker answered that given the language of the MOU; there will be a Meet and Confer about whether or not the holidays apply to represented employees under the language of the MOU. Director Jorgens commented that the federal government passed the holiday back in June 2021 and was not part of the five months of negotiations with the Represented Employees. Director Jorgens recommended the holiday for represented employees be moved to next year's negotiations rather than taking place now.

District Counsel Holtzman stated labor issues should be discussed in closed session. The Board should consider that the Firefighters Union could argue that that language in the MOU means they would be entitled to the holiday provided by Resolution. District Counsel Holtzman added that the intent of giving a holiday is to give a holiday in celebration of something. The firefighters would not get any additional time off. The firefighters would get additional pay because firefighters do not get holidays off. President Donner recommended moving the labor item discussion into closed session. District Counsel Holtzman confirmed that it is appropriate to discuss in closed session under labor negotiations. All directors agreed.

**President Donner opened the public comment.**

Vincent Wells, Local 1230 Union President, requested adding Juneteenth as a holiday to the list of recognized District holidays and having more discussion.

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

President Donner stated that agenda item 10.4 would be pulled from the agenda. Further discussion to resume in closed session. The item will be brought back to open session after closed session discussions. No further discussion by the Board.

**10.5 Approve a Capital Projects Fund Expenditure Budget Adjustment Increase in the Amount of \$6,897 and Authorize Purchase of a Chipper Truck in the Amount of \$103,326 (audio 1:30)**

Fire Chief Winnacker provided the report. The Board approved the purchase of a truck and chipper for up to \$180K in the 2021-2022 budget. A chipper has been purchased for \$83,571. Due to supply chain disruptions, the approved purchasing options have been difficult to secure. Staff identified an available unit via SourceWell, an approved GSA equivalent in the amount of \$103,325.77. Staff recommended a budget adjustment in the amount of \$6,897 and approval of the purchase due to the District's purchasing policy.

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

**Motion by Director Jorgens and seconded by Director Jex to Approve a Capital Projects Fund Expenditure Budget Adjustment Increase in the Amount of \$6,897 and Authorize Purchase of a Chipper Truck in the Amount of \$103,326. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: None; Abstain: None)**

**10.6 Establish an Ad-Hoc Committee to Attend the East Bay Hills Wildfire Prevention and Vegetation Management Joint Powers Agency Meetings and Appoint Two Directors to the Ad-Hoc Committee to Attend the Meetings (audio 1:33)**

At the January 19, 2022 board meeting, two directors expressed interest in attending meetings regarding the potential formation of an East Bay Wildfire Prevention Joint Powers Authority (JPA). A group of organizations is exploring the formation of the JPA. The JPA formation discussions began in December

2021 and will continue into 2022. A series of meetings will occur roughly once per month in 2022. Fire Chief Winnacker attended a presentation given by the JPA as the Contra County Fire Chiefs Association President to the Alameda County Fire Chiefs Association. Staff recommended establishing an Ad-Hoc Committee to attend the East Bay Hills Wildfire Prevention and Vegetation Management Joint Powers Agency meetings and appoint two Directors to the Ad-Hoc Committee to attend the meetings. Directors Danziger and Jorgens volunteered for the ad-hoc committee and attended the meetings.

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

**The directors agreed to establish an Ad-Hoc Committee to Attend the East Bay Hills Wildfire Prevention and Vegetation Management Joint Powers Agency Meetings and Appoint Director Danziger and Director Jorgens to the Ad-Hoc Committee to Attend the Meetings.**

#### **10.7 Celebrating the 25th Anniversary of MOFD (audio 1:36)**

Fire Chief Winnacker provided the report. Following the January 19, 2022 board meeting, the Ad Hoc Committee developed a list of MOFD 25th Anniversary Ideas for discussion and deliberation. Former MOFD Director Dick Olsen also provided a history of previous anniversary celebrations. The FY2022 Annual Operating Budget does not include appropriations for 25<sup>th</sup>-anniversary expenditures. A budget adjustment will be necessary if the action items result in a cost to the District.

Director Jorgens supported all the ideas. Director Danziger commented the ideas are a great way to honor the hard-working and dedicated men and women of MOFD. The last MOFD celebration was for the 10th anniversary. Director Jex recommended posters rather than banners (24" by 36"). The cost for five would be around \$200, but not to exceed \$500 for all. President Donner recommended acknowledging the Rescue One Foundation as well. Director Danziger proposed a small budget adjustment would be needed for some of the items presented. Director Danziger requested that a 25<sup>th</sup>-anniversary logo be placed on everything where the District currently has a logo, including agendas for this year. Some ideas included press releases, a Resolution, a birthday cake, a trophy case, or an area to display the history of the District. Director Danziger proposed acknowledging all of the former Fire Chiefs with a photo and the dates they served and perhaps a plaque that would stay in Admin with acknowledging all the volunteer Directors that have served our District and with the years of their service.

Fire Chief Winnacker stated a logo will require a designer to alter the vector file cost associated with procuring a 25<sup>th</sup>-anniversary logo. Fire Chief Winnacker was uncertain about providing pictures for the former Fire Chiefs; the plaque with the names of the directors will also have an associated cost. Staff to determine if the District has photos dating back to 1997. Director Danziger commented that Captain Airola is working on the logo and recommended that the ad-hoc committee schedule a meeting with Fire Chief Winnacker for further discussion. The ad-hoc committee would propose a budget adjustment at a later date and requested the item be added to the next agenda.

**President Donner opened the public comment.**

Jacob Airola, MOFD Captain, commented that a logo has been designed and converted into a vector image. Pending approval from the Chief, 50 t-shirts can be printed and ready to go by April 1.

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

#### **10.8 Traffic Calming Devices on Fire Apparatus Access Roads (audio 1:36)**

Fire Chief Winnacker provided the report. In September 2021, Orinda city staff notified the District that the City Council would consider approving the installation of speed cushions on Dalewood Drive. Staff reviewed the plans, and plan review comments indicated an offset would be required to limit the impact on emergency vehicle response times to this outlying area. Staff requested a copy of the traffic study required by the Orinda Neighborhood Traffic Management Plan (NTMP) for Level 3 traffic calming devices to understand the speeding issue regarding the project. The requested information has not been provided. At the February 1, 2022, Orinda City Council meeting, the City considered the Appeal of MOFD's Staff Rejection of Dalewood Drive Speed Cushions without a 20 Foot Offset. MOFD submitted a letter to the City Council highlighting the request for information and stating that an appeal was premature. The Orinda City Council declined to appeal the issue and directed Orinda City staff to provide additional information.

Fire Chief Winnacker explained that while speed cushions and other engineered solutions reduce the impact to emergency response times, any modification to a roadway that will slow speeding cars will necessarily slow fire engines and ambulances. Given the outlying nature of the area in question and the existing challenges with providing timely emergency response for fire and EMS incidents, Staff believes

it is critical to balance the need for timely access and egress during an emergency with day-to-day traffic safety. A necessary pre-condition of this balance is an accurate understanding of the traffic safety issue the traffic calming measures are intended to address and an understanding of the education and enforcement efforts that have previously been instituted. Upon receipt of the requested information, Staff will conduct an analysis seeking to balance these competing demands. Staff is also in the process of compiling actual response data, which is inclusive of reflex time at the call processing as well as turnout time.

President Donner shared past experiences regarding speed cushions, the reduction in response times, and the hindrance of the care of patients in an ambulance. Director Baitx agreed. Director Danziger asked if Staff was waiting for the City of Orinda to follow procedures. Fire Chief Winnacker confirmed the procedures outlined in the NTMP process. Director Danziger commented that a similar issue in his district was resolved with a stop sign. Director Jorgens understood Dalewood does not meet the criteria for a stop sign. Director Jorgens asked if spacing the speed cushions 20' apart would make a difference. President Donner answered there are too many variables to answer. Director Baitx inquired if the bumps are spaced apart like the triple bump seen with grooves in the middle. Fire Chief Winnacker explained the speed cushion is narrow and 6" high, designed to offset with enough distance (assuming there is no oncoming traffic or vehicles parked), the apparatus can avoid going over them. Director Baitx commented from experience how the speed bumps bring an engine almost to a complete stop. Fire Chief Winnacker stated the plan review requires more study and further analysis. Director Baitx inquired about the Town of Moraga speed bumps installed in 2007 that slowed response times and were removed. Fire Chief Winnacker confirmed.

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

#### **11. COMMITTEE REPORTS (audio 2:01)**

- 11.1 Audit Committee (Directors Danziger and Jex).** No report
- 11.2 Facilities Station 41 Ad Hoc Committee (Directors Baitx and Donner).** No report.
- 11.3 MOFD 25<sup>th</sup> Anniversary Celebration Ad Hoc Committee (Directors Danziger and Jex).** The report was provided under agenda item 10.7

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

#### **12. ANNOUNCEMENTS (audio 2:05)**

- 12.1 Brief information only reports related to meetings attended by a Director at District expense (Government Code Section 53232.3(d)).**  
Director Jorgens reported attendance at the JPA meeting via zoom and stated minutes of the meeting are available.
- 12.2 Questions and informational comments from Board members and Staff.** No Report.
- 12.3 Fire Chief Updates**
  - 12.3.1 Firefighter of the Year**  
Fire Chief Winnacker congratulated and recognized Firefighter of the Year, Captain Jacob Airola, and Captain Jon Bensley for receiving the Chief's Award. President Donner expressed appreciation. Director Jorgens expressed appreciation.
  - 12.3.2 COVID-19**  
Fire Chief Winnacker reported there was a significant impact with the Omicron variant on Staff in December and January with transmission tapering off. New masking requirements were adopted in accordance with the updated requirements.
  - 12.3.3 Human Resources**  
Human Resources Manager Russell provided the report. Annual physicals for Suppression Staff are projected to be completed by the end of April. HR staff is implementing NEOGOV, a cloud-based onboarding module for processing new hire paperwork. Director Danziger asked when the new recruits started the academy. HR Manager Russell answered the trainees started the Fire Academy with the City of Berkeley on February 7, 2022.
  - 12.3.4 Fire Marshal**  
Fire Marshal Isaacs provided the report. Staff has been working with East Bay Municipal District (EBMUD) and Contra Costa County Fire Prevention above Campolindo, where the jurisdictions come together to identify dead trees and property owners. Staff is working on an application for the Fire Risk Reduction Community Application. Assembly bill 1823 required the California Board of Forestry to develop a fire risk reduction community list criteria. The application period closes on April 1 and will not open for two years. The District would receive additional points when

applying for CAL FIRE Fire Prevention grants if selected. Fire Marshal Isaacs outlined the quarter plans provided in the staff report. Fire Chief Winnacker stated Fire Marshal Issacs will continue to work with the local Fire Marshals from Alameda and Contra Costa counties to identify alignment areas between local amendments and work towards a regional model code to increase standardization across municipal boundaries. President Donner thanked Fire Marshal Isaacs for his dedication and hard work throughout the District. All Directors concurred. Director Danziger acknowledged the article in the newspaper mentioning Fire Marshal Isaacs assisting CON FIRE and their fuel break grant application to continue MOFD's fuel mitigation work.

#### **Finance Report**

Finance Manager Smith provided the report and presented the status of OES reimbursements, attached to these minutes, Finance Report; attachment A. Director Danziger asked if the dropbox would be implemented. Finance Manager Smith confirmed.

#### **12.3.5 Operations**

Fire Chief Winnacker provided the report. Due to technical difficulties, no slides were presented. Fire Chief Winnacker expressed concerns over the lack of rainfall in January and February and the dry weather conditions. Fire Chief Winnacker discussed the recent fires in Colorado, Irvine, and airport fire outside Bishop. Fire Chief Winnacker commented that the fires are not expected this time of year. The fires are an opportunity to remind firefighters and residents that fire season is coming. Staff is preparing for the upcoming fire season through exercises with our surrounding agencies, incorporating CAL FIRE and a joint response from San Ramon, CON FIRE, and MOFD in and around Bollinger. The Team is working out the communication system, the incident management structure, and ensuring that all agencies are operating off a single and standardized communications should the incident exceed the local agencies' capacity on the initial response.

Staff continues to work towards fuel mitigation and prevention, both in the form of the East Bay Tunnel Hills fuel break. It is critically important that residents have a defensible space around their homes and reduce the prevalence of combustion fuel beds throughout the District. Regardless of the size of the fuel break constructed, carried embers will travel far, and when they land in a receptive fuel bed, new fires will start. It is critical residents harden their homes that are the default shelter-in-place locations. The community must improve its resilience, so those embers are less likely to start fires, and (when they do) those fires are less likely to spread because we have disrupted the continuity of the fuel bed. Fire Chief Winnacker reported day-to-day operations to continue efforts with Caltrans to pre-position resources typically assigned to the Bay Bridge to move some of those to the Caldecott on those heavy precipitation days when the District sees a significant increase in vehicle accidents.

**12.4 Communications Received.** No new significant communications were received.

**12.5 Future Agenda Items.** Director Danziger requested an update on the latest community warning system signups for the District at a future meeting.

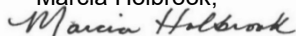
**President Donner opened the public comment. There were no requests to address the Board. President Donner closed public comment.** No further discussion by the Board.

President Donner expressed prayers and thoughts for the three Oakland firefighters recently injured and closed the meeting in remembrance of Captain Max Fortuna with the Stockton Fire Department, who was shot and killed in an incident. Thoughts and prayers go out to the Family and Stockton Fire Department.

#### **13. ADJOURNMENT**

**At 9:21 p.m., Director Jorgens motion and seconded by Director Danziger to adjourn the meeting. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: None; Abstain: None).**

Marcia Holbrook,



District Secretary/District Clerk


Written Public Comments  
Attachment A

**From:** [Jacques Blumer](#)  
**To:** [Info](#)  
**Subject:** Ordinance 22=03  
**Date:** Sunday, February 13, 2022 9:58:04 AM

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Members of the MOFD Board,

I am writing in support of adoption of Ordinance 22-03 to re-designate MOFD's Wildland Urban Interface as a Very High Fire Hazard Severity Zone. I live in the Bluffs, one of the areas that would be re-designated, and believe that this change is prudent. It will help give MOFD more tools to help us prepare for wildlife and make our properties as well as any new construction that occurs safer for everyone.

Sincerely,  
Jan and Mary Lou Blumer  
  
Moraga, CA

**From:** [Timothy Meltzer](#)  
**To:** [Info](#)  
**Subject:** Ordinance 22-03  
**Date:** Sunday, February 13, 2022 3:17:00 PM

---

***Dear Moraga-Orinda Fire District Board of Directors:***

***I have been a Moraga resident for over 33 years. My daughter, son-in-law and three children have lived in their home on Sanders Drive for the last eight years. It was only a few years ago that a late-night grass fire threatened the homes at Sanders Ranch and those on Sanders Drive, among others in the adjacent areas.***

***With the threat of fire becoming ever more alarming in our area, we need up-to-date maps that accurately depict the real dangers and trigger the needed policies and guidelines to best protect public safety and prioritize mitigation work in the district.***

***Accordingly, we urge you to adopt Ordinance 22-03 to re-designate the MOFD's high fire hazard severity zones within its local responsibility area to very high.***

***Thank you,***

***Tim Meltzer***



***Moraga, CA 94556***

**From:** [Marianne](#)  
**To:** [Info](#)  
**Subject:** Ordinance 22-03  
**Date:** Tuesday, February 15, 2022 4:42:50 PM

---

Dear MOFD Board of Directors,

I urge you to please pass Ordinance 22-03. I am a resident of Valley Hill/Bollinger Canyon and the maps need to reflect the reality of the whole area. We have worked very hard to become a Firewise Community and we want MOFD to have all the tools to make sure our community is as fire-ready as possible. I spent many hours last year mowing and clearing brush on my property and neighbors property. It will enable MOFD to require needed mitigation measures to make sure that new developments as well as major remodels and add ones are as fire safe as possible.

Thank you for being so proactive.

Marianne McKay

Sent from my iPad

**From:** [Colleen Brannon](#)  
**To:** [Info](#)  
**Subject:** Adopting Ordinance 22-03  
**Date:** Tuesday, February 15, 2022 5:15:55 PM

---

Dear MOFD Board of Directors,

I am a resident of the Bollinger Canyon portion of the State Responsibility Area which is already subject to title 14. Please pass Ordinance 22-03 so that the adjacent neighborhood whose fire risk is as high, are made subject to the same requirements .

Thank you for working on being proactive in reducing a fire disaster.

Colleen Brannon

**From:** [Nick Waranoff](#)  
**To:** [Info](#)  
**Subject:** Agenda Feb. 16, 2022 Items 8.5 and 8.6  
**Date:** Tuesday, February 15, 2022 7:08:34 PM

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I write to support the adoption of these ordinances, for the reasons stated by Chief Winnacker and Fire Marshal Isaacs (8.5), and by Chief Winnacker (8.6).

Nick Waranoff

**From:** [Ann Walgenbach](#)  
**To:** [Info](#)  
**Subject:** Requesting you vote yes on Ordinance 22-03  
**Date:** Tuesday, February 15, 2022 11:37:14 PM

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Hello,

I am writing on behalf of myself and my family to request that you approve Ordinance 22-03. We are residents of Valley Hill Drive off Bollinger Canyon Rd. I was the lead who submitted our FireWise application and I am very aware of the hard work that my neighbors are doing here on Valley Hill and on nearby deeper Bollinger and Bluffs to reduce our fire risk. We are all very concerned about the increasing fire danger back here and we would really appreciate that the areas in question- one directly adjacent to us, be held to the same high fire standards to which our area is being held. It is important that these regulations also apply to other areas in Moraga and Orinda that are high fire danger. Our past several fire seasons have just been too scary....

Thank you for your consideration and we hope that the Board will see the importance of this matter and vote in support of the Ordinance.

Thank you!

Ann Walgenbach

“Life is not a journey to the grave with the intention of arriving safely in a pretty and well preserved body, but rather to skid in broadside, thoroughly used up, totally worn out, and loudly proclaiming, wow! what a ride!!!”

Anonymous

Sent from my iPhone

**From:** [Michele Turre](#)  
**To:** [Info](#)  
**Subject:** Re: Ordinance 22-03  
**Date:** Wednesday, February 16, 2022 12:01:03 PM

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Dear MOFD Board of Directors,

As the owner of property and a residence in the Valley Hill Drive neighborhood of Bollinger Canyon abutting the Bollinger Canyon Study Area, I was very concerned to learn that the Study Area is not subject to the same Title 14 Fire regulations as our abutting neighborhood.

For the safety of all residents in Bollinger Canyon, and the surrounding vicinity, it is critical that the study area share fire regulations comparable to those regulating the adjacent unincorporated land. We share the same access roads and fire protection in a remote very high-risk area, all of which should be subject to the same high fire-safety standards.

Bollinger Canyon residents have worked hard to become a FireWise community. MOFD should be able to require mitigation measures to ensure future development is as fire-safe as is possible.

To help protect our lives and property, I urge you to vote yes on Ordinance 22-03.

Thank you,

Michele Turre

[REDACTED]  
Moraga, CA 94556  
[REDACTED]

**From:** [Suzanne Jones](#)  
**To:** [Info](#)  
**Subject:** Comment re 2/16.22 Agenda Item 8.6 , LRA VHFHSZ  
**Date:** Wednesday, February 16, 2022 12:41:29 PM

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To the MOFD Board of Directors:

We are writing to express our support for the adoption of Ordinance 22-03. First, however, we want to express our sincere appreciation to the District for the critical work it is doing to help the Moraga-Orinda-Canyon community become better educated about and prepared for wildfire.

The District's outreach and support efforts—including the Chief's excellent community presentations explaining the risks, District staff's consultations to help residents improve defensible space, and the MOFD chipping program--have very directly helped us do a much better job preparing our home and our family to survive a wildfire.

We are also grateful for MOFD's ongoing work to secure funding for additional shaded firebreaks, and that it is collaborating with natural-resource agencies and organizations to take a balanced approach to protecting habitat and environmental resources while significantly reducing the ability of wildfire to spread through the community.

Within this context of MOFD's many efforts to respond adequately to rapidly increasing fire dangers, we write in support of Ordinance 22-03 before you tonight. As important as all the aforementioned strategies are, the District cannot mitigate our area's fire risks to the maximum extent feasible without the ability to apply state regulations within the LRA, where appropriate, as well as the SRA.

We currently live within the SRA and are thus already subject to the Title 14 fire regulations. We have noted with concern that abutting LRA lands, with fire hazards every bit as great as ours, are not currently subject to the same set of rules.

Ordinance 22-03 would enable these LRA zones to be treated in accordance with their true risks, allowing for appropriate measures to reduce fire dangers in both the SRA and the LRA, to the benefit of everyone. We urge you to adopt the ordinance.

With very best regards,

Rob Elia and Suzanne Jones



Moraga, CA 94556

**From:** [Melanie Light](#)  
**To:** [Info](#)  
**Subject:** Input regarding items 8.5 and 8.6 for tonight's meeting  
**Date:** Wednesday, February 16, 2022 1:01:30 PM

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Dear MOFD Board,

Please note for the record that I am **very much in favor** of Item 8.5 – Public Hearing and First Reading of Ordinance 22-02 an Ordinance of the Moraga-Orinda Fire District of Contra Costa County, California, Adopting Requirements for Undeveloped Parcels and Certain Low Density Large Developed Parcels and Findings of Fact Establishing Additional Requirements in the State Responsibility Areas and Local Responsibility Areas.

Item 8.6 – Public Hearing and First Reading of Ordinance 22-03, An ordinance of the Moraga-Orinda Fire District of Contra Costa County, California, designating the Local Responsibility Areas (LRA) previously designated as Wildland Urban Interface – Fire Area as (LRA) Very High Fire Hazard Severity Zones

There is a pressing need to update fire hazard severity zones to reflect the current reality.

Sincerely,  
Melanie Light  
Orinda resident

--

Melanie Light



**From:** [Ken LIGHT](#)  
**To:** [Info](#)  
**Subject:** Yes for 8.5 and 8.6 on tonight's meeting packet  
**Date:** Wednesday, February 16, 2022 1:09:27 PM

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Dear MOFD Board

I am **very much in favor** of item 8.5 – Public Hearing and First Reading of Ordinance 22-02 an Ordinance of the Moraga-Orinda Fire District of Contra Costa County, California, Adopting Requirements for Undeveloped Parcels and Certain Low Density Large Developed Parcels and Findings of Fact Establishing Additional Requirements in the State Responsibility Areas and Local Responsibility Areas.  
Item 8.6 – Public Hearing and First Reading of Ordinance 22-03, An ordinance of the Moraga-Orinda Fire District of Contra Costa County, California, designating the Local Responsibility Areas (LRA) previously designated as Wildland Urban Interface – Fire Area as (LRA) Very High Fire Hazard Severity Zone

There is a immediate and pressing need to update fire hazard severity zones to reflect the current reality we are facing in our community. PLEASE SUPPORT THESE MEASURES AND SUPPORT THE WILDFIRE SAFETY OF ORINDA.

Sincerely,  
Ken Light

**From:** [Amelia Wilson](#)  
**To:** [Info](#)  
**Subject:** Ordinance 22003  
**Date:** Wednesday, February 16, 2022 1:25:45 PM

---

Dear President Donner and Directors, MOFD:

Please pass ordinance 22-03 tonight. I live on Lost Valley Drive and there is no doubt that we are a very high severity zone; just look down on us from the top of Hall Drive and you'll see – despite all the clearing of brush and trees in the Valley – we live in a virtual forest. And have been living in a very high fire zone for years even if not designated as such.!

We value MOFD and the emphasis it places on fire prevention, and believe Ordinance 22-33 will give added tools to keep Lost Valley and all of Orinda in a much safer situation.

Please vote yes on Ordinance 22-33.

Amelia and Pete Wilson

**From:** [Susan MacCharles Anacker](#)  
**To:** [Info](#)  
**Subject:** Item 8.5 - Ordinance 22-02, Item 8.6 - Ordinance 22-03 Public Comment  
**Date:** Wednesday, February 16, 2022 2:21:49 PM

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Dear Board of Directors:

I am writing in support of these two Ordinances. Both will reduce the risk of uncontrolled wildfires and by updating the fire hazard severity zones it will provide a realistic map for MOFD to follow in evacuation and fire fighting.

Thank you,  
Sincerely,  
Susan Anacker  
Firewise Leader Orindawoods

**From:** [William Hudson](#)  
**To:** [Info](#)  
**Subject:** In re Ordinance 22-03 at tonight's meeting  
**Date:** Wednesday, February 16, 2022 2:41:36 PM

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Dear MOFD Board of Directors:

I live in Sleepy Hollow, love it for its semi-rural character and have been very appreciative of all of MOFD's work, for literally decades, to help reduce fire risks of that setting on my property and in my neighborhood. I am very appreciative and impressed by the escalation of its work—from the North Orinda Shaded Fuel Break to the chippers which I and my neighbors have used several times-- to match the growth of the threat and the understanding of it.

Ordinance 22-03 on your agenda tonight is another step the process that makes MOFD so outstanding, proactively evaluating threats and developing appropriate responses. My area is currently in a "high" fire severity zone, and I am in favor of the ordinance re-classifying it to "very high" for the many prevention benefits it will bring.

Sincerely,

William Hudson  


Orinda, CA 94563



# Mid-Year Budget Review

July 1, 2021 – December 31, 2021

### Quarter Two General Fund Surplus Projections

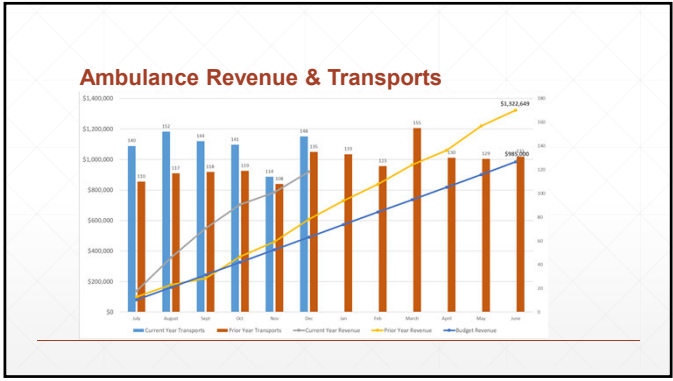
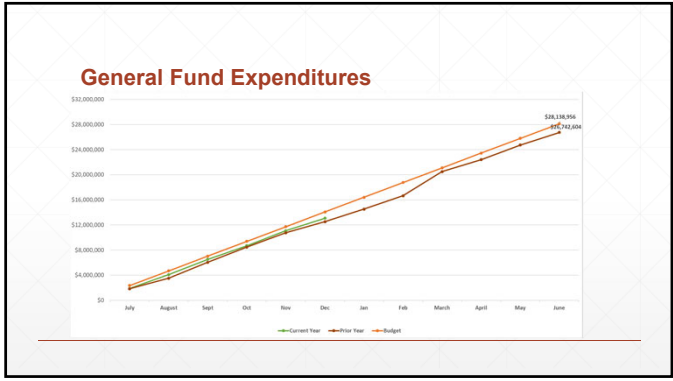
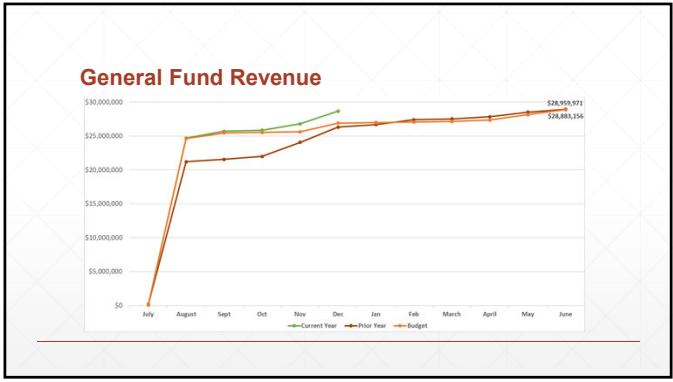
- Original Budget surplus \$744K
- Labor negotiations were ongoing – no salary increases were included in the original budget
- New MOUs effective July 1, 2021
  - Salary increases 4%
  - Medical insurance increases
  - Other benefit increases
- Projected surplus \$444K

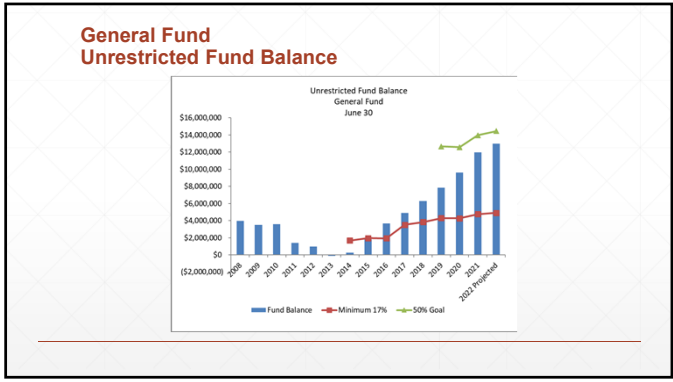
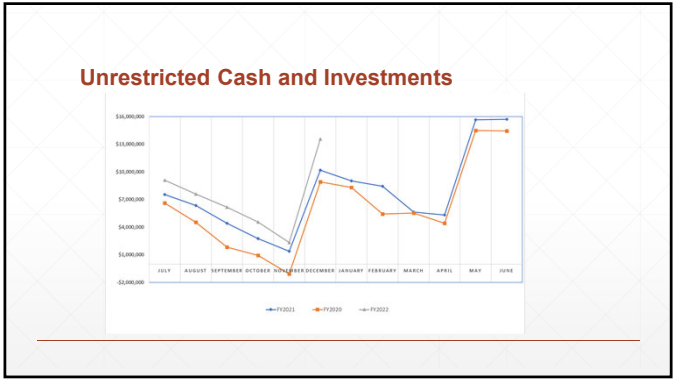
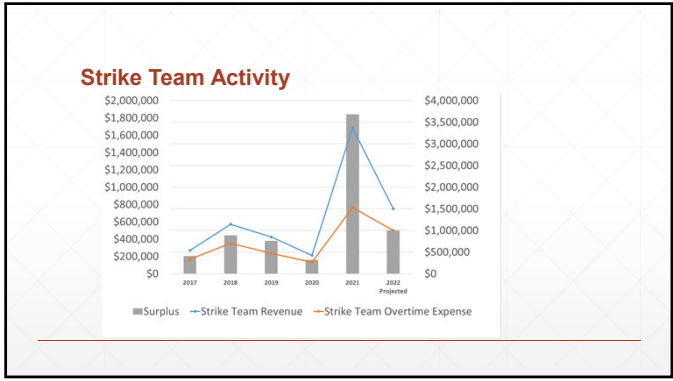
|              | Budget June 2021 | Projected After Quarter Two |
|--------------|------------------|-----------------------------|
| Revenue      | \$28.9M          | \$30.4M                     |
| Expenditures | \$28.1M          | \$30.0M                     |
| Surplus      | \$744K           | \$444K                      |

### Quarter Two Financial Update

Revenue – Exceed budget \$1.5M      Expenditures – Exceed budget \$1.8M

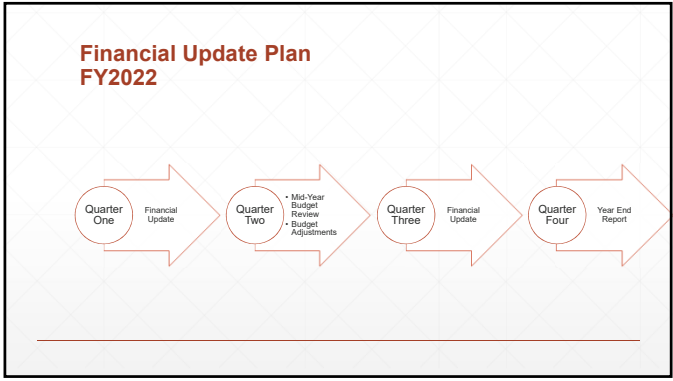
- Property tax meet budget
- Ambulance services +\$705K
- Strike team revenue +\$800K
- Fire prevention/plan review +\$16K
- Salaries exceed budget \$319K
- Overtime exceed budget \$850K
- Strike team overtime exceed budget \$370K
- Health insurance exceed budget \$160K
- Operating expenses exceed budget \$162K





- ### Recommended Budget Adjustments General Fund
- Revenue – Increase \$1,521,287
  - Expenditures – Increase \$1,821,542
  - Revised Budget Surplus - \$443,939

- ### Other Funds
- Capital Projects Fund – Projected deficit \$584K
    - Recommended revenue budget adjustment increase \$158,050
    - Recommended expenditure budget adjustment increase \$8,036
  - Debt Service Fund – Projected deficit \$2.1M





# Finance Report

February 16, 2022

## Strike Team Reimbursement - OES



- Strike Team Receivable Update:

|                                   | Actual             | Estimated          |                    |
|-----------------------------------|--------------------|--------------------|--------------------|
|                                   | <u>2020-2021</u>   | <u>2021-2022</u>   | <u>Total</u>       |
| OES Strike Team Receivable        | \$3,384,361        | \$1,418,355        | \$4,802,716        |
| OES Payments Received             | <u>\$2,459,811</u> | <u>\$1,200,468</u> | <u>\$3,660,279</u> |
| <b>Net Receivable Outstanding</b> | <b>\$ 924,550</b>  | <b>\$ 217,887</b>  | <b>\$1,142,437</b> |

- 2020-2021 Invoices – pending reimbursement from FEMA
- 2021-2022 – \$217k outstanding

# Finance Report Continued

- Other Items

- New Chase Bank Accounts (Payroll and Operating) have been created
- Transition from Citibank to Chase bank in process:
  - Payroll Processor – updating bank account information
  - Vendor ACH information set up
  - Debit filters – set up with Chase
  - Check order – new checks from Chase