



Moraga-Orinda Fire District
BOARD OF DIRECTORS
PUBLIC WORKSHOP AND REGULAR BOARD MEETING MINUTES

April 20, 2022

(APPROVED: MAY 18, 2022)

1. OPENING CEREMONIES

The Board of Directors convened a teleconference Open Session at **6:00 p.m.** on **April 20, 2022**, via the Zoom application <https://us02web.zoom.us/j/83954684077>, webinar id: 83954684077 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 Jex	Jonathan Holtzman, District Counsel
Director Baitx (Absent)	Director Jorgens	Marcia Holbrook, District Clerk
Director Danziger	Dave Winnacker, Fire Chief	

2. CONSENT AGENDA (audio 1:37)

2.1 Adopt Resolution 22-10 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.

Motion by Director Jorgens and seconded by Director Danziger to adopt Resolution 22-10 Re-Ratifying Findings and Determining A Need to Continue Holding Remote Meetings By Teleconference. Said motion carried 4-0-1-0 roll call vote (Ayes: Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: Baitx; Abstain: None).

Director Jorgens inquired about the future of public meetings. Fire Chief Winnacker answered the status remains unchanged, and no indication that there will be a need to limit the District's ability to teleconference.

3. PUBLIC COMMENT (audio 2:53)

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

At **6:02 p.m.**, the Board adjourned to Closed Session.

4. CLOSED SESSION

4.1 Conference with Labor Negotiator

(Government Code Section 54957.6)

Agency Designated Representative: Jonathan Holtzman

Employee Org: Fire Chief

4.2 Conference with Legal Counsel – Anticipated Litigation

Significant Exposure to Litigation under Government Code Sections 54956.9(d)(2) and 54956.9(e)(3) – one potential case

4.3 Conference with Legal Counsel - Existing Litigation

(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of case: *Nowicki v. Contra Costa County Employees' Retirement Association et al.*, U.S. District Court, California

Northern District Case No. 3:17-cv-00629-EDL

At approximately **7:00 p.m.**, the Board adjourned the Closed Session.

5. RECONVENE THE MEETING (audio 6:00)

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 **7:03 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	Lucas Lambert, Battalion Chief
Director Baitx (absent)	Gloriann Sasser, Admin. Services Director	Jon Bensley, Captain
Director Danziger	Jeff Isaacs, Fire Marshal	Dennis Rein, Emergency Preparedness Coordinator
Director Jex	Christine Russell, HR Manager	Jonathan Holtzman, District Counsel
Director Jorgens	Mary Smith, Finance Manager	Marcia Holbrook, District Clerk

6. REPORT OF CLOSED SESSION ACTION (audio 11:35)

President Donner stated that the Board took no reportable action on agenda items 4.1-4.3.

7. PUBLIC COMMENT - ITEMS NOT ON THE AGENDA (audio 11:50)

President Donner opened the public comment.

Jake Stuart, Orinda resident, reported that the response time was longer than expected for a fire incident at his home on Monday, April 18, 2022. Mr. Stuart's explained that his home (a registered historical landmark) is located less than a mile from Station 45. Eventually, two engines showed up with a crew of firefighters to assist. Meanwhile, a closer engine sat at Station 45, ready to go but empty. Since this incident, Mr. Stuart learned that Station 45 has three vehicles to respond to calls; only one can be used at any time, given the current staffing levels. No other vehicles from that station can be sent when the Crew is on a medical call or ambulance transport. Since the average time for ambulance transport and return to the station can be over an hour, in some cases up to three, North Orinda residents experience delayed responses waiting for other units to come from farther away. Mr. Stuart learned that the necessary positions to send two vehicles at once were eliminated for Station 45 in 2013 due to financial constraints associated with the recession. Those positions were intended to be restored but were not. The response time for the incident on Monday, April 18, 2022, to Mr. Stuart's home was estimated to take an extra four to six minutes of response time. Mr. Stuart surmised that if someone had a more severe fire or medical emergency, it could be the difference between life and death or lead to a more severe fire with a heightened risk of spreading throughout Northern Orinda. Mr. Stuart stated that Station 45's response zone is considered a severe fire threat by the State of California, and additional staffing is warranted. The Moraga Station 41 has two Firefighters to staff the ambulance and three for the Engine. Mr. Stuart asked why these two positions have not been reinstated despite not being in a recession for many years and many dramatic wildfire seasons since 2017. Mr. Stuart expressed concern and demanded action from the Board to restore Staffing levels to include at least two more Firefighters at Station 45, bringing the total on duty to 5 to ensure both the ambulance and fire engine are in service at all times versus only one at a time.

Jacob Airola, Local 1230 Union Representative, shared that staffing was cut during a perceived fiscal constraint in 2013 and never restored. Restoring the staffing at Station 45 would provide parity with the Moraga Station 41 with a dedicated ambulance and engine company. Other local fire agencies have increased their trucks and personnel. Captain Airola recognized that fire prevention is crucial for keeping the community safe and supports those efforts. Captain Airola requested the Board consider Firefighters as a form of fire prevention and provide the Firefighters with increased staffing.

Sondra, Orinda resident, supported the hiring of extra Firefighters.

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

8. PUBLIC HEARING (audio 17:39)

8.1 Proclamation Thanking Kaitlyn Roach for her Volunteer Service to the Moraga-Orinda.

Fire Chief Winnacker presented the proclamation honoring Kaitlyn Roach for volunteering her time to the fire prevention education and outreach program. Fire Chief Winnacker expressed appreciation, and the Board thanked Ms. Roach for a job well done. Ms. Roach expressed her enjoyment of volunteering and working with the District. President Donner suggested presenting Ms. Roach her certificate at the MOFD Open House on May 7.

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

8.2 Proclamation Honoring the Contra Costa Regional Fire Communications Center during the National Public Safety Telecommunications Week.

Fire Chief Winnacker presented the proclamation honoring the Contra Costa Regional Fire Communications Center Dispatchers and System Status Controllers for their dedication to providing service 24 hours a day, seven days a week, 365 days a year. Jennifer Masterson, Senior Dispatcher, received the proclamation and expressed gratitude for the acknowledgment.

Director Danziger inquired about the process when calling 911 from a cell phone and how the address is known. Ms. Masterson explained the technology called Rapid Deploy. Dispatchers can text with the phone and request GPS data, and the caller can share their location. Ms. Masterson recommended people should use whatever is available when help is needed. The address location is always confirmed. Cell phones typically go through the CHP, and the call is transferred to the dispatch center. The landline phone will go directly to the nearest police or sheriff's department and then dispatch. Regardless, the call will be transferred to the Center. President Donner asked if cell phones no longer go automatically to CHP like they used to and now go directly to dispatch. Ms. Masterson clarified that the calls go directly to CHP, and then the call is transferred to dispatch. Landlines go to the Sheriff's Office or Police Department.

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

9. **CONSENT AGENDA (audio 30:06)****9.1 Meeting Minutes – March 16, 2022 (Regular), March 16, 2022 (Special)/Staff Recommendation: Approve and File**
- 9.2 **Monthly Incident Report – March 2022/Staff Recommendation: Approve and File**
- 9.3 **Monthly Check/Voucher Register – March 2022/Staff Recommendation: Approve and File**
- 9.4 **Monthly Financial Report – March 2022/Staff Recommendation: Approve and File**
- 9.5 **Approval of Payment to Contra Costa County Fire Protection District for Dispatching and Communications Services. Staff Recommendation: Approve payment to Contra Costa County Fire Protection District for dispatching and communications services in the amount of \$203,987.95**
- 9.6 **Contra Costa County Employees' Retirement Association Investment Performance Review - Period Ending: December 31, 2021. Staff Recommendation: Receive and File.**
- 9.7 **Reject Claim from Frederick and Dora Siu in the Amount of \$168,609. Staff Recommendation: Reject Claim from Frederick and Dora Siu in the Amount of \$168,609**

Director Jorgens requested item 9.1 be pulled from the Consent Agenda. Directors Danziger requested item 9.7 be pulled from the Consent Calendar.

Motion by Director Jorgens and seconded by Director Danziger to approve Consent Agenda items 9.2 through 9.6. Said motion carried 4-0-1-0 roll call vote (Ayes: Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: Baitx; Abstain: None).

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

9.1 Meeting Minutes – March 16, 2022 (Regular), March 16, 2022 (Special)

Director Jorgens stated he had comments regarding the thoroughness of the Regular meeting minutes and requested verbatim comments on pages 9-13, agenda item 10.5. The amended minutes were presented.

Motion by Director Jorgens and seconded by Director Jex to approve Consent Agenda item 9.1 03-16-22 (Regular) meeting minutes as amended and March 16, 2022 (Special) meeting minutes as written. Said motion carried 4-0-1-0 roll call vote (Ayes: Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: Baitx; Abstain: None).

Director Danziger asked if public comment needed to be opened. President Donner deferred to District Counsel. District Counsel Holtzman confirmed. **President Donner opened the public comment. There were no requests to address the Board. President Donner closed public comment.**

9.7 Reject Claim from Frederick and Dora Siu in the Amount of \$168,609

Director Danziger commented that the claim is extensive and against MOFD for fuel mitigation work done on Property by a District hired contractor. Director Danziger motioned to reject the claim but requested District Counsel prepare a letter to the claimant informing them of the Board's decision to reject the claim with instructions to send the claim to the contractor with a copy of the letter to the District's insurance representative. District Counsel Holtzman restated said motion to reject the claim, notify the District's insurance carrier, and notify the claimant to pursue the claim with the District's contractor.

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 Danziger and seconded by Director Jex to approve Consent Agenda item 9.7 to reject the claim from Frederick and Dora Siu in the Amount of \$168,609, send a notification to the District's insurance carrier, and notify the claimant to pursue the claim with the District's contractor. Said motion carried 4-0-1-0 roll call vote (Ayes: Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: Baitx; Abstain: None).

10. REGULAR AGENDA

10.1 Long Range Financial Forecast April 2022 (audio 39:35)

Administrative Services Director Sasser provided the report. The Long Range Financial Forecast (LRFF) was presented to the Board in a public workshop at the March 16 regular board meeting. The Board directed three changes to the forecast: 1) add the Tunnel East Bay Hills Fuel Break Fund – see lines 52 to 56; 2) add \$750K per year for grants to residents for fuel mitigation and home hardening – see line 24; 3) forecast the minimum cash every year – see line 4. All three changes were incorporated into the forecast included in the Board packet.

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

Director Jorgens stated that the forecast looked acceptable as the District is in sound financial shape, proceeding with the proposed capital projects and meeting all objectives. Director Jex agreed and

thought the forecast came out with a balanced budget each of the years, covering the obligations (particularly on the pension benefit and the health benefit).

President Donner commented that the Board had been together since 2018, and the reserves in 2018 were 28% and in 2021 at 43%. The OPEB trust fund in 2018 was about \$890K and projected in 2022 to be at \$3.4M. The pension stabilization fund in 2018 was \$700K and projected in 2022 to be at \$8.4M. Director Danziger agreed and stated the District has improved its financial standing in the last four years.

Director Danziger commented on the \$750K per year for grants to residents for fuel mitigation and home hardening and was unsure if that was the best use for that money. Director Danziger deferred the discussion to the budget discussion. Director Jorgens stated the challenge is that the first year of LRFF is used as the framework for the budget. Director Danziger said the issue is the current wording for the \$750K and would consider approval if it was worded more toward fire prevention activities. Director Jorgens stated (traditionally) that philosophical questions are discussed during the LRFF plan because that is where the priorities are determined. Director Jex commented the \$750K is not in the current draft budget. The general fund shows a surplus of \$822K in the operating plan, and they should conform. Director Jorgens stated the awkwardness is both items are on the agenda in the same meeting, which is unusual.

President Donner supported the \$750K for fire prevention and home hardening, but was unsure about making homes compliant with the fuel mitigation. The District could hire a contractor to install the fire-retardant vents and be done versus there will be new growth every year with the fuel mitigation.

Director Jex stated he had some uncertainty about how the program could support the FireWise neighborhood programs and believes there are ways to structure the program to benefit the community. President Donner agreed, but more due diligence is needed to figure out how to implement those funds to make it a successful program. Director Danziger agreed. Director Jorgens asked if the Directors wanted to finish discussing the item or have more discussion during the budget. Director Danziger deferred to discussing during the budget discussion.

President Donner stated that a hand was raised and reopened the public comment.

Jacob Airola, Local 1230 Union Representative, commented that along the lines of prevention, the best way to prevent large fires is to put them out when they are small. It makes no sense to take half the budget of what it would cost to restore member staffing and gift public funds to the community. Captain Airola argued the community is the most affluent in the County, possibly the State. Captain Airola urged the Board to consider funding staffing as a priority before hardening individual homes throughout the community and asserted the best way to protect the community is to protect it as a large community, not individual homes.

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

President Donner pointed out that a couple of concerned citizens commented on the Staffing levels at station 45 and requested the Board discuss what a staffing increase would look like on a future agenda. Director Danziger suggested adding that item under future agenda items. No further discussion by the Board.

Motion by Director Jex and seconded by Director Jorgens to adopt the Long Range Finance Forecast as presented. Said motion carried 3-0-1-1 roll call vote (Ayes: Danziger, Jex, and Jorgens; Noes: None; Absent: Baitx; Abstain: Donner).

10.2 Quarter Three Financial Update and Budget Review FY2022 (audio 51:32)

Administrative Services Director Sasser presented a PowerPoint, attached to these minutes, as Item 10.2. A General Fund surplus of \$900K is projected. All major revenue categories (property tax, strike team, ambulance, and fire prevention) are projected to meet budget. Salaries and benefits are projected less than budget \$508K. Operating expenses are projected less than budget \$70K. Strike team activity has gone into the General Fund over the last six years and fluctuated significantly each year. The year 2021 was the highest amount with a surplus of \$1.8M, and the current year surplus is projected to be \$500K. 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 March 2022 unrestricted cash balance decreased significantly due to the pension and OPEB trust contributions to PARS in the amount of \$2.6M.

The District received payment from the State of California for outstanding strike team reimbursement in the amount of \$984K on April 10, 2022. The District started the fiscal year with \$12M in General Fund unrestricted fund balance. The projected surplus in the General Fund would increase the unrestricted fund balance to \$12.9M, which exceeds the Fund Balance Policy minimum of 17% and less than the

Policy goal of 50%. ASD Sasser noted the fund balance is projected to be 42.3% at June 30, 2022. No significant report regarding the Capital Projects Fund, Debt Service Fund, or Tunnel East Bay Hills Fuel Break. Actual results for these funds are trending appropriately—the final update is to be presented after the end of the fiscal year.

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.

Director Danziger asked if the significant increase in leave usage was due to the pandemic. Fire Chief Winnacker confirmed and explained that the District has been very aggressive in encouraging employees to stay home if they are not feeling well. This was done to protect the workforce and the community and change the pre-pandemic model. Director Danziger requested a report on the breakdown of the various types of COVID leave usage and how much COVID leave employees are using as opposed to just regular sick leave. The report could be provided in the next HR report next month (or so) or another manner if determined. Fire Chief Winnacker confirmed.

10.3 Public Budget Workshop - Development of Annual Operating Budget FY2023 and Board Direction Regarding the Draft Budget, General Fund Discretionary Expenditure Budget, Fuels Mitigation Program Continuation Beyond January 2023, Staffing, and Capital Projects Fund Expenditure Budget (audio 1:00)

Administrative Services Director Sasser presented the draft budget, attached to these minutes, item 10.3. The public workshop is the first step in the public budget process to discuss the draft budget. Based on board direction provided during the workshop, the proposed budget will be brought to the Board at the May board meeting for additional public input and additional board direction. The budget is scheduled for adoption at the June board meeting. The latest date the Board can adopt the budget is October.

The draft budget includes General Fund revenue of \$33.5M, General Fund expenditures of \$29.6M, and a transfer to the Capital Projects Fund of \$3.1M, which would result in a budget surplus of \$822K. Total General Fund revenue is projected to increase \$3.1M. Total District property tax revenue is projected to increase 7.47% based on estimates provided by HdL. Property tax revenue in the General Fund is projected to increase 14.5% due to the completion of the pension obligation bonds. Ambulance revenue is projected to increase 3% based on a fee increase. Total General Fund expenditures are budgeted to be \$29.6M. Salaries and benefits expenditures are \$26.3M (includes a July 1, 2022 salary increase of 4% per the MOUs). An OPEB contribution is included at the full annual required contribution of \$351K. A Pension Rate Stabilization Trust contribution is included at the full amount of \$2.1M using a 6.25% discount rate. Operating Expenditures of \$3.3M reflect the same amount as the current year. The draft budget includes a transfer out of the General Fund to the Capital Projects Fund of \$3.1M in order to accumulate reserves to pay cash for the Station 41/Administration construction project.

The proposed FY2023 budget positions included in the draft budget:

Proposed Budget Position	FTE	Notes
Board	5.00	
Finance	3.10	
Human Resources	2.25	
Information Technology	0.25	
Emergency Operations	61.00	The proposed Budget includes a Safety roster strength of 57 positions and four safety management positions.
Fire Prevention	2.00	In 2021 the District outsourced one position. The cost of the contractor is \$260K per year. The total cost of one new position is \$175K per year. Projected savings of \$85K per year for this one position.
Fuels Mitigation	4.00	The proposed budget includes the continuation of three full-time Fuels Mitigation Specialist positions. The positions were authorized for a limited term of three years, which expires in January 2023. Staff requests Board direction regarding the continuation or elimination of the Fuels Mitigation program. Annual cost the of the three Fuels Mitigation positions is \$240K
Emergency Preparedness	0.50	
Tunnel East Bay Hills Fuel Break	2.00	Positions are limited duration, non-benefited, and fully paid for with grant money
TOTAL	80.10	

District’s contractual, operational or legal required non-discretionary expenditures include:

Salaries and benefits - Suppression staff	\$19,600,854
Salaries and benefits - Administration staff	1,670,716

Worker's compensation insurance	1,104,342
Retiree health insurance	871,000
Unemployment insurance	5,000
Operating Expenses	2,686,482
Total non-discretionary	\$25,938,394

Proposed Continuation of Effort expenditures non-mandatory include:

Pension rate stabilization trust contribution	\$2,108,577
Salaries and benefits - Fuels Mitigation staff	558,000
OPEB trust contribution	350,923
Emergency Preparedness/CERT	277,937
Fuels mitigation operating expenses	100,000
Fire chief contingency	100,000
GIS mapping	85,500
Discretionary training	25,000
Exercise equipment	12,000
Drones and supplies	11,400
Total discretionary	\$3,629,337

The draft budget includes the Capital Projects expenditures, which total \$2,040,000. The draft budget also includes a transfer out of the General Fund into the Capital Projects Fund of \$3.1M in order to accumulate reserves in the Capital Projects Fund to pay cash for the Station 41/Administration construction project. The Capital Projects Fund projects a surplus of \$2M and available reserves of 6.4M by June 30, 2023.

Station 41/Administration – Phase I	\$1,000,000
Ambulances – Quantity 2	350,000
Fire Engine Type VI – Quantity 1	250,000
County-wide Evacuation Software (funded by County)	200,000
Battalion Chief Command Vehicle – Quantity 1	100,000
Fire Prevention Ford Rangers – Quantity 2	70,000
Replace Floors – Station 42 and 44	70,000

Staff requested Board direction for the discretionary expenditure budget, the continuation of the Fuels Mitigation program beyond January 2023, additional staffing of the Fire Inspector/Plans Examiner position, capital projects fund expenditures, and any other draft budget changes the Board would like implemented.

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

Director Danziger supported the continuation of the three Fuels Mitigation Specialist positions proposed in the draft budget and inquired about adding another Fuels Mitigation Specialist position. Fire Chief Winnacker reviewed the practical challenges of expanding the Fuels Mitigation program. The program (as designed) has had a significant amount of turnover as Staff moves on with careers to become Firefighters or similar. Increasing the size will increase the administrative burden on recruiting, hiring, and training. Other practical difficulties are the size and space of the office and the number of available vehicles. Fire Chief Winnacker stated the program is currently well-positioned and added the Plans Examiner/Fire Inspector has more of a career progression and recommended the position is likely to have less turnover and is capable of a broader array of operations to include the business inspections and other things the Board has previously expressed an interest in, with less supervision.

Director Danziger asked if the additional position proposed is the new position of the Fire Inspector/Plans Examiner. Fire Chief Winnacker confirmed. Director Danziger recalled the District had that position back in 2018. Fire Chief Winnacker confirmed it was a .5 FTE, which was appropriate for the volume of plans the District had at that time. Director Danziger inquired about the types of inspections the person would perform. Fire Chief Winnacker explained the position was proposed specifically in response to the Board's concern about the non-mandatory inspections that the District could be conducting as well as fuel inspections. This person would participate in fuel inspections, transfer inspections, and more technical inspections associated with construction permits.

President Donner asked if the recruiting would be internal or require outside hiring. Fire Chief Winnacker answered that the District hopes to have an internal candidate. If the District does not have an internal candidate, the job would be opened. Director Danziger supported continuing the three Fuels Mitigation Specialist positions, as well as the new position for the Fire Inspector/Plans Examiner.

Director Jex asked if Fire Inspector/Plans Examiner position would be able to take on the additional responsibilities of managing a \$750K grant program. Fire Chief Winnacker answered no and explained the position has a full-time workload with the current flow of plans and development. Fire Chief Winnacker stated Staff is sensitive to the Board's direction about expanding the non-mandatory inspections for businesses which will consume any additional available time.

Director Jorgens agreed with the idea of doing ember-proof vents and suggested adding a person to manage the grant program, much like the Diablo Fire Safe Council, instead of adding a person to the inspection/chipper program. The Diablo Fire Safe Council example is very well organized and efficient with not much overhead. The No Juniper left behind campaign shows that there is a lot that can be done as a one-time thing. The District could have a negotiated contract with the vendors that sell the vents and provide District residents with discounts. Counsel has stated before that grants are legal as long they are given out fairly and equitably. Director Jorgens expressed the importance of the District having a three-prong approach, enforcement, suppression, providing incentives to people, and helping people to actually do the required mitigation and hardening required by the fire code.

Director Danziger requested to go back to the discussion of the Fire Inspector/Plans Examiner proposed position and asked if there are any additional opportunities for revenue generation by the position. Fire Chief Winnacker confirmed and explained charging fees for inspections is an industry-standard. At the Board's direction, the fee schedule could be modified with associated fees for the inspections the person would be performing. Fire Chief Winnacker noted that the inspections associated with permits have fees associated with those inspections. Director Jorgens asked if the fees included the plan review. Fire Chief Winnacker confirmed. Director Danziger asked if there was a consensus on the continuation of the three Fuels Mitigation Specialist position and programs. President Donner supported continuing the fuels mitigation program. Director Jorgens concurred. Director Danziger asked if there was a consensus on the new Fire Inspector/Plans Examiner position. All Directors were in favor of the new position.

Director Danziger stated that, in theory, he liked the program for the grants and the home hardening but felt the fuel mitigation part was too broad. Director Danziger agreed on the home hardening part of the program as that could be financially burdensome to some people and supported some kind of incentive, rebate, or bulk buying program. Director Danziger heard that the City of Orinda is also looking at a similar program for their residents. Director Danziger would be in favor of a similar kind of program but requested to hear more specifics details of how the fuels mitigation would work and expressed concern regarding the fuel as it would be burdensome and complex and does not know how the District could administer such a program. Director Jorgens suggested delegating the first year to just home hardening. Director Danziger suggested the program be developed with the Fire Chief and other jurisdictions to see how other Districts manage such a program.

Director Jex suggested each Director submit recommendations and/or issues to Staff so Staff might address those issues at the next board meeting. President Donner asked if there would be any benefit to an ad hoc committee for this particular item. Fire Chief Winnacker answered the challenge would be to have an ad hoc committee that speaks for the full Board. Fire Chief Winnacker summarized the Board's direction to create a home hardening pilot program. Staff will query other jurisdictions that have similar programs to harvest the best practices from those other examples and come back to the Board with a proposal as a standalone item associated with the budget presentation in May. Fire Chief Winnacker requested additional direction regarding the budgeting of the program.

President Donner supported some type of home hardening program but expressed concern with the complexity of fuel mitigation. Director Jex stated the FireWise program has lost momentum and it could benefit by being weaved into a grant-type program to stimulate the expansion of the FireWise program. FireWise is very strong in Orinda, but Moraga is still behind in development. President Donner asked if Director Jex was suggesting that the District donate a set amount to a FireWise community. Director Jorgens commented that the District could have those people be involved and help with applications or get the word out. The home hardening needs to be on a home-by-home basis.

President Donner stated the Board would like to move forward. Fire Chief Winnacker asked for an anticipated budget allocation for the program. Director Danziger stated that \$750K was a little high. Director Jorgens suggested a couple of plans be presented, a plan at \$500K and a plan at \$750K. Director Danziger supported \$500K. President Donner supported \$500K for a home hardening program. All Directors concurred.

Fire Chief Winnacker requested confirmation that the Board supported the proposed capital projects fund expenditures. President Donner asked for more information be presented on the rebuild of Station 41 payment options. Director Danziger agreed and suggested a future agenda item since the expenditure for next year's budget is \$1M and not the entire \$8M. The \$1M is for the planning and other parts to get the project started. Director Jorgens stated the planning could not be financed. President Donner agreed. Fire Chief Winnacker stated the discussion about financing would be either in the LRFF discussion in the out years when the time came to make major outlays.

Director Danziger inquired about the proposed ambulance expenditures. Fire Chief Winnacker explained currently, the District has four ambulances and reviewed two are gas and two are diesel. The District has a history of on-the-job injuries and numerous complaints from residents being transported because of the rough ride quality of the medium duty diesel ambulances. Replacing the ambulances is needed and per the normal replacement schedule for the light-duty gas chassis. Director Danziger asked if some other alternative fuel would replace the gas ambulances. Fire Chief Winnacker answered no, the proposed replacement units are gasoline powered.

Director Jorgens asked if the District could buy a Ford Ranger for \$35K and their availability. Fire Chief Winnacker confirmed and stated the Rangers take about six months to receive. Director Danziger requested Staff review the rest of the items listed for the capital projects fund. Fire Chief Winnacker reviewed the Fire Engine Type VI benefits given the variety and nature of the Wildland Urban Interface around the District. Type VI is a better fit due to its agility and mobility to get to many of the smaller places surrounding the developed portions of the District. The District will retire one of the older Type III and replace it with Type VI. Staff continues to pursue grant funds for a smaller, lighter, more agile single rear axle water tender to accompany an attack. Type VI is significantly cheaper than Type III and is a better fit for the District's response needs and lower cost.

Director Jorgens commented that the District gets paid for the people and the equipment when deploying members. Director Jorgens asked if the District keeps track of how much the District gets paid for each piece of equipment the District sends out and the associated wear and tear. The District is approving a capital expenditure as if the District uses it all, but other people are renting it from the District. The District should account for the money received from the government for the deployments and vehicle use. Fire Chief Winnacker answered that the District does account and track by rig. The primary purpose of the tracking by rig is to identify trends with maintenance to flag when a rig is starting to get beyond its service life because the business lines all converge into the same funding source.

Director Jorgens stated the District keeps track of the revenue but never flows it down to the Capital assets. Fire Chief Winnacker stated the information is tracked and will share that information with the directors. Over time the actual cost to buy and maintain the equipment is significantly defrayed by the revenue generated by out-of-county deployments. Director Jorgens stated that theoretically the decision to make these future capital expenditures is justified because the District is effectively getting paid back by renting the vehicles. President Donner reiterated that Type VI is a better rig for our District. Director Jorgens agreed. President Donner inquired about the tank capacity. Fire Chief Winnacker answered it depends on the rig.

Fire Chief Winnacker reviewed the evacuation software as a pass-through funded by the County. Staff is working to shift the contract from District to the County. If retained, the District will ensure reimbursement is received from the County in advance of making payment. Fire Chief Winnacker relayed the District is transitioning away from the 2008 Suburban vehicles. One Battalion Chief vehicle was replaced two years ago, and the District would like to replace the second one. The Fire Prevention Ford Rangers will be used until they die since they do not leave the District, and there is no concern about the mechanical reliability. The vehicles will need to be replaced in the future due to usage by the Fuels Mitigation Specialists and potential out-of-county deployments. Fire Chief Winnacker reviewed the previously discussed ongoing maintenance of Station 42 and 44.

Director Jorgens asked if Staff had the appropriate guidance needed for the draft budget. Fire Chief Winnacker confirmed the general agreement on the capital projects, the continuation of the Fuels Mitigation Specialist positions, and the creation of the Plans Examiner/Fire Inspector position. Staff will present options for a Home Hardening Pilot Grant Program funded at \$500K and provide additional information to inform future discussions about capital expenditures associated with Station 41 appropriate to finance.

Director Danziger inquired about the CERT program and asked if the City of Lafayette paid a portion of the cost. Fire Chief Winnacker confirmed the City of Lafayette pays for a portion of the salary of the Emergency Preparedness Coordinator, which goes to defray some of the costs of the Lamorinda CERT program. Director Danziger asked if the amount budgeted included part of the Emergency Preparedness

Coordinator's salary, supplies, equipment, storage, and other things needed for the program. Fire Chief Winnacker confirmed.

President Donner asked if the Board needed to take any action. Fire Chief Winnacker answered the budget workshop was to receive input and direction. ASD Sasser will build the draft budget and bring it back to the Board for review and further input at the May meeting. Director Danziger inquired about the proposed equity increase to the Finance Manager. Fire Chief Winnacker explained in reviewing the parity between the different positions and changes that occurred with the position over the last several years, transitioning from Accountant to Finance Manager, that the salary did not reflect the changes. Staff reviewed the supervisory responsibilities, the educational requirements, and the parity with the other positions with similar supervisory and educational requirements and determined that that position was significantly below the internal market. Director Jorgens asked if Board needed to approve the increase. Fire Chief Winnacker stated there would be an adjustment to the salary schedule brought back to the Board for approval.

President Donner opened the public workshop and comments.

Vincent Wells, Local 1230 Union President, requested an opportunity to meet with Staff to discuss the budget prior to it being approved. A lot of things are being added, including positions. Local 1230 supports the fuel mitigation positions but has not had a chance to follow up on how those approved positions are working out and would like to discuss the additional staff position.

Director Jorgens commented Board approval was not necessary. Mr. Wells acknowledged and wanted to make sure Local 1230 was granted the opportunity before the approval date. President Donner asked Fire Chief Winnacker to meet with Local 1230 before our next meeting. Fire Chief Winnacker agreed.

There were no further requests to address the Board. President Donner closed the public workshop and comments.

Director Danziger commented on the Board of Directors' goals and objectives and intended to submit additional goals and objectives to Staff and suggested all Directors submit before the next meeting. No further discussion by the Board.

10.4 NIST Wildfire Technical Instruction 2205 (audio 1:55)

Fire Chief Winnacker provided the report. The National Institute of Standards and Technology published its latest instruction concerning wildfire. The publication represents a significant advancement of the scientific understanding of the pathways that fire requires to spread within a community and advances the understanding of the importance of the distance between structures. The NIST is a fundamental rethink of the potential for home-to-home transmission within a community. It provides a better understanding of how fire prevention and fire suppression plans should be aligned to the structure separation density in a community. Whereby as a home or two ignite, the potential is created for the fire to transition from a vegetation-based spread to a structure-based spread. Structure-based spread is interrupted by the passive measures where the pathways have been removed in advance. There is enough separation that both the radiant and convective heat from an involved structure does not ignite either the next structure or the horizontal fuel ladder that will allow fire to spread, and when a fire suppression response disrupts that fire spread. The NIST publication recommends a rethink of some of our large-scale fire suppression plans for an incident, like the Berkeley Hills, where hundreds of engines are brought in, and how the structure to structure spread will be addressed with fire suppression resources.

Fire Chief Winnacker explained how the NIST publication would inform future fire code updates as Staff reviews the new best practices and requirements coming out of state law. These include increasing the non-combustible zone and disrupting the horizontal fuel ladders in the form of fences and other portions of the built environment that bring fire to a home. The recommendations suggest non-combustible fencing within 5 feet of a structure. Staff will continue to balance the competing imperatives between maintaining the idyllic suburban landscape and a fire-safe and resilient community. Fire Chief Winnacker encouraged the community to read and review the NIST publication.

Director Jorgens asked if the recommendations would impact setback requirements. Fire Chief Winnacker answered it is recognized that the 6-foot setbacks are not enough, and fire will spread once it becomes established in a structure and drops off dramatically at 30-feet. What is not known is where that sweet spot is where you see the majority of the benefit, which is somewhere between 6-feet and 30-feet. Future studies will determine, particularly in very high fire hazard severity zones, those requirements as the understanding of fuel mitigation on a single parcel and the resiliency and the hardening of that home is reliant on the mitigation hardening measures that have taken place on the surrounding parcels as well. The interactions between these different parcels will inform land-use planning and lot siting

decisions. Director Jorgens inquired about the impact of SB9 (allowing lot splits) and setback requirements. Fire Chief Winnacker stated SB9 allows the lot splits, and the current code with no windows allows zero setbacks. The code does not view the problem this way but will change with studies such as this one.

Director Danziger commented on the Fire Marshal working with other jurisdictions in the County and asked about future fire code updates. Fire Chief Winnacker stated additional progressive measures would be incorporated. Fire Marshal Isaacs has convened a County-wide group of Fire Marshals representing every jurisdiction in the County and is in the process of compiling all the surrounding fire codes to identify alignments and deviations and ultimately develop a Model Regional Code. The advantages of having a Model Regional Code will create a standard that every jurisdiction will consider adopting during the next triennial fire code update cycle.

Director Danziger stated one of the common questions received from people outside of the District is how come where we live is not up to the same standard as the MOFD community. Director Danziger expressed support for the idea of standardization throughout the County and for more jurisdictions to establish the MOFD standards.

President Donner opened the public comment.

Mark McCullah, MOFD Captain, requested permission to speak on the previous agenda item 10.3, draft budget. President Donner approved. Captain McCullah commented on the capital projects and the purchasing of ambulances and how the purchase fits into the long-range financial plan. Captain McCullah requested the Board to consider looking at other agencies as the District is the last agency still paying Firefighters, Captains, and Engineers to staff ambulances as other agencies seem to be moving away from that model.

Jonathan Goodwin, Canyon Resident, expressed support for wildfire prevention; however, at the same time, he is in favor of proportionality. Mr. Goodwin stated there has never been a problem with structure to structure transmission of fire in this area. Mr. Goodwin appealed to the Board to have a sense of proportionality and stated there is no evidence of this happening in our area, and asked for a more thoughtful approach to meeting the conditions in our area. Mr. Goodwin requested the Board to consider proportionality.

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

10.5 Approve Establishment of a Joint Fire Prevention Ad Hoc Committee with the City of Orinda and Appoint Two Directors to the Ad Hoc Committee (audio 2:11)

Fire Chief Winnacker provided the report. On December 2, 2021, correspondence was received from the City of Orinda City Council requesting a joint meeting with the City of Orinda City Council and the MOFD Board to discuss how to best collaborate and address the fire prevention and emergency preparedness concerns of the mutual constituents. The joint special meeting was held on March 16, 2022. The purpose of the Joint Fire Prevention Ad Hoc Committee with the City of Orinda is to ensure the coordination of fire prevention efforts. The Joint Fire Prevention Ad Hoc Committee will consist of two members of the City of Orinda City Council and two members of the MOFD Board of Directors. Staff contacted the Town of Moraga and offered to establish a similar joint fire prevention ad hoc committee with the Town of Moraga if interested.

Director Danziger commented that the appointed Directors should be the Directors that represent Orinda and volunteered to be on the Committee. Director Jorgens volunteered to be on the Committee. President Donner volunteered to be on the Committee. Director Danziger stated that since he only represents part of Orinda, he supported President Donner and Director Jorgens to be on the Committee. Director Jex agreed and stated if a Committee is formed for Moraga, he will volunteer to be on that Committee.

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 Approve the Establishment of a Joint Fire Prevention Ad Hoc Committee with the City of Orinda and Appoint Directors Donner and Jorgens to the Ad Hoc Committee. Said motion carried 4-0-1-0 roll call vote (Ayes: Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: Baitx; Abstain: None).

10.6 Update Fire Risk Reduction Community Application Board of Forestry and Fire Protection (audio 2:14)

Fire Marshal Isaacs provided the report. In 2018, the California State Legislature passed SB 901, adding section 4290.1 to the Public Resource Code, creating a requirement for the Board of Forestry to develop and maintain a list of Fire Risk Reduction Communities. The list represents local agencies located in a State Responsibility Areas (SRA) or in Local Responsibility Areas (LRA) with Very High Fire Hazard Severity Zones (as designated by section 51178 of the Government Code) and agencies that meet best practice standards for local fire planning. SB 901 identified three criteria for the Board of Forestry to consider when creating the list. The list is outlined in the staff report. In 2019, California State Legislature passed Assembly Bill 1823 (Chapter 339), adding additional criteria that the Board of Forestry consider when creating the Fire Risk Reduction Community list. Local Agencies added to the list will receive additional credits for future grant funding from CAL FIRE. On March 28, 2022, Staff submitted the application to the Board of Forestry, demonstrating both compliance with the requirements and dedication to fire planning that exceeds the State minimum standards. Successful applicants are expected to be notified in June or July 2022.

Director Jex asked for clarification on the purpose of the application. Fire Marshal Isaacs said it recognizes our community as a Fire Risk Reduction Community and helps by giving the District additional points for future grant applications.

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.

10.7 Adopt Resolution 22-11, A Resolution of the Board of Directors of the Moraga-Orinda Fire Protection District of Contra Costa County Recognizing the J & J Ranch as a Shelter-In-Place Community (audio 2:19)

Fire Chief Winnacker provided the report and noted a typographical error on the second page of the staff report, Wilder HOA should say J & J Ranch. In February 2022, the California Department of Insurance (CDI) published the Safer From Wildfires Framework, identifying steps outlined in the staff report to reduce the potential for wildfire loss. The framework includes two measures currently recognized by insurance carriers for discounts. These are FireWise and Shelter in Place communities. Since 2017, the District has supported the growth of FireWise from zero active neighborhoods to 30. The City of Rancho Santa Fe has designated several neighborhoods as shelter in place communities based on ember-resistant construction features, road width, and vegetation management. Within MOFD's jurisdiction, several neighborhoods have these features based on post-2007 construction to ember resistant standards and compliance with a development-specific Wildfire Hazard Assessment and Plan. Staff recommended the Board adopt Resolution 22-11, Recognizing the J & J Ranch as a Shelter-In-Place Community.

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 Adopt Resolution 22-11, A Resolution of the Board of Directors of the Moraga-Orinda Fire Protection District of Contra Costa County Recognizing the J & J Ranch as a Shelter-In-Place Community. Said motion carried 4-0-1-0 roll call vote (Ayes: Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: Baitx; Abstain: None).

10.8 Update on the East Bay Hills Wildfire Prevention and Vegetation Management Joint Powers Agency (audio 2:22)

Fire Chief Winnacker provided the report. Over the last two years, a group of East Bay residents has advocated for creating a regional Joint Powers Authority (JPA) to address the issue of wildfire prevention and safety. In 2020, a similar effort resulted in creating the Marin Wildfire Prevention Authority. A series of meetings have been held to discuss the proposal with participation from elected officials, the public, and Staff. The most recent meeting on April 1, 2022, resulted in a proposal to send a letter to the nine-member agencies of the Hills Emergency Forum (HEF) requesting three key tenets. The nine members include the City of Oakland, City of Berkeley, City of El Cerrito, MOFD, CALFIRE (does not pay dues), EBMUD, EBRPD, UC Berkeley, and Lawrence Berkeley National laboratory. HEF expanded its membership to any East Bay agency with interest in wildfire prevention. The expanded HEF continues to have monthly, staff-only meetings, focusing on the coordinated work that needs to happen. The HEF agencies are considering incorporating a meeting of governing board or elected officials from the member organizations. The HEF was formed following the Tunnel Fire in 1991, and MOFD has been a member since 2004.

Fire Chief Winnacker has been attending the JPA meetings as the President of the Contra Costa County Fire Chiefs' Association to better understand what the JPA is proposing and how the fire service can support its laudable goals. A JPA working group letter was submitted to HEF and discussed at the April

12, 2022, regular meeting. Representatives attending requested additional time to consider the request and seek guidance from their agency's leadership to expand the HEF to include any agency in the East Bay with an interest in wildfire and have a further discussion regarding the creation of an additional governing board or forum for elected officials to gather to discuss wildfire and to share information. The results of the feedback from the various agencies have not been received. Staff assumes that the MOFD Board would not be opposed to an expansion of the HEF on the grounds that additional people gathering in a group to share information would be beneficial.

Director Jorgens commented that the participants at the meeting supported expanding HEF with some reluctance about forming or having the next layer up of people involved. Fire Chief Winnacker concurred and stated there was a discussion at the JPA and HEF meetings about having an appetite for creating a forum for elected officials that would require some resourcing as those elected officials are likely to have ideas that require staff work. Fire Chief Winnacker stated the final results are unknown, and explained there is some trepidation amongst the current HEF members regarding expansion and also questions about whether or not expansion would continue to serve the public interest as it was felt it has since the late 90s.

President Donner opened the public comment.

Jonathan Goodwin, Canyon resident, asked for an explanation of the scope of work that HEF encompasses, which to his understanding, is when UC Berkeley wants to clear something and have an adjacent property to the City of Oakland, they try to make it easier for these sorts of projects to go through, and inquired with the expanded option, what is the scope of work that is envisioned. Previously HEF has been deliberate about excluding any public participation and wondered if because this is being pushed by the public if that element is also in play.

Fire Chief Winnacker answered the HEF exists to share information and support the coordination of work in adjacent parcels. There is an annual media day that the HEF staff organizes and pre-COVID there was an annual breakfast at the end of the year along with the production of the annual report. HEF has neither the mandate nor the resources to actually conduct. The discussion of what the mandate of the new or expanded group would be is to be defined and predicated on a positive response from the HEF. The JPA meetings addressed that meetings that involved elected officials would be open to the public.

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

10.9 Adopt Resolution No. 22-12 Adopting Amendment-5 to Employment Agreement Between Moraga-Orinda Fire District and David Winnacker (audio 2:30)

District Counsel Holtzman provided the report and presented the proposed amended agreement between the Moraga-Orinda Fire District and David Winnacker. Government code section 54957.6 required that the proposed changes be read into the record.

District Counsel Holtzman read the amended contract with Fire Chief Winnacker, which extends the contract for two years. Because Fire Chief Winnacker had one year left on the contract, three years from December 2021, the contract extends with an option, by mutual agreement, to extend for an additional two years. The contract provides that effective January 1, 2022. Fire Chief Winnacker's base annual salary increased by 10%, from \$255,774 to \$281,351. The contract further provides that for the following two years, Fire Chief Winnacker's base salary increased by 5% each those years from \$281,351 to \$295,419, effective January 1, 2023, and from \$295,419 to \$310,189, effective January 1, 2024. All other terms of his contract remain unchanged.

Directed Danziger stated both President Donner and himself were on the subcommittee that met with Fire Chief Winnacker and agreed that Fire Chief Winnacker had exceeded expectations in his performance of his duties. The community is safer with the increased emphasis on fire prevention around the evacuation routes of Moraga Way and Moraga Road, and other streets. Over \$10M in grants had been brought into the District for shaded fuel breaks in the last two years, resulting in approximately \$1M coming to MOFD from the administrative fees. In reviewing the salary of Fire Chief Winnacker, it was generally average compared to other Fire Chiefs in the area. The amendment brings Fire Chief Winnacker more in line with where his salary should be. Director Jorgens concurred and stated Fire Chief Winnacker has more than exceeded expectations. Director Jorgens expressed support for the contract and thanked Fire Chief Winnacker for doing an excellent job. Director Jex concurred and expressed support for the contract. President Donner concurred and stated Fire Chief Winnacker has done an amazing job in the community and expressed gratitude for his service to the District and Country.

President Donner opened the public comment.

Jonathan Goodwin, Canyon resident, expressed concern about what happens after Fire Chief Winnacker leaves the District and the precedent is set for a high salary. Mr. Goodwin hopes that the Board can do what it wishes to do and somehow negotiate with the understanding that the District may not be able to afford, particularly in harder times, a more than average salary.

Director Jorgens responded that when Fire Chief Winnacker was hired, he was significantly below the salary of the person he replaced.

Vincent Wells, Local 1230 Union President, concurred with the Board comments about Fire Chief Winnacker and said he has a great working relationship with Fire Chief Winnacker. Mr. Wells expressed concern that the Board did not look at the Firefighters in the same light during the last labor negotiations. The L1230 members deserve the same level of praise and appreciation, and their pay should be at a similar level. Fire Chief Winnacker will be one of the highest-paid Fire Chiefs in Contra Costa County. The Firefighters are in the middle.

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

Motion by Director Danziger and seconded by Director Jorgens to Adopt Resolution No. 22-12 Adopting Amendment-5 to Employment Agreement Between Moraga-Orinda Fire District and David Winnacker. Said motion carried 4-0-1-0 roll call vote (Ayes: Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: Baitx; Abstain: None).

11. COMMITTEE REPORTS (audio 2:42)

11.1 Audit Committee (Directors Danziger and Jex).

Director Jex reported the Audit Committee met with the Auditor on April 18, 2022. The Auditor discussed a staffing shortage and issues with completing the audit in the normal timeframe. During COVID, many audit firms of this size have lost many or most of their staff. As a result, the firm had to hire people and pay an additional \$20K-\$30K more a year in salaries. The Committee concluded there would be an increase in the cost of services going from \$25K to \$40K to cover the cost incurred for hiring additional staff. The Auditor indicated that the Auditor will not complete the audit until January-February 2023. The Committee recommended amending the agreement with the Auditor. The Committee discussed requesting new proposals for the audit, which would probably result in a substantially higher number than what is being discussed. In the last RFP for auditing services, most firms were not interested. The one firm's proposal indicated a minimum of \$50K three years ago.

President Donner asked if the increase would be from \$25K to \$40K. Director Jex confirmed. President Donner asked for confirmation that the alternative firms three years ago proposed a \$50K contract. Director Jorgens confirmed and added that included two months of phone calls to 40 different auditing firms. President Donner asked if Director Jex was happy with the scope of work that our current firm performs. Director Jex confirmed.

Director Danziger added that the firm made it clear that due to the industry-wide attrition and the increase in cost, the cost would be closer to \$40K to complete the audit with the delay in completing the audit until the end of the year in January 2023. There is no legal requirement to have the audit before the end of the year, and there is an agency that reviews the audit. The Auditor said that the District could ask for an extension on that review by the agency. The current contract has no penalty or way to hold them accountable if they decide not to complete the audit. Director Danziger proposed offering a lower amount \$35K, and agreed that an RFP is not the best option. Director Danziger asked if there were ramifications of receiving the audit in January. Director Jex provided additional background on the staffing situation in the industry, which resulted in firms resigning from their clients. Director Jex stated there are no other options.

Director Jorgens stated that even with the increase, after the shake up in the industry, they are still below what their cover bid was two years ago. Director Jorgens added there is no obvious plan B considering what is happening in the industry, and unsure if anybody would be willing to perform the audit. Then the District would not have an audit. Director Danziger asked if Director Jorgens would go back and do an amendment to the contract and pay the \$40K. The firm did not present an exact number and only stated around \$40K. Director Jorgens answered yes, when there is no binding contract, they can walk away, and the District does not have anybody willing to fill their shoes.

Director Jorgens stated it is not realistic to expect the firm to lose money. The firm was a low bidder in the last RFP process and has done an amazing job. The accountants before were seriously problematic. Director Jex added, if you remember, the District had to restate previous financial statements.

Director Danziger supported the \$40K. Director Jex added Staff could include the language in the engagement letter. Director Danziger asked if there were any issues with not getting the audit until January or February. Director Jex stated the Auditor indicated there is a requirement, but you can get an extension. Director Jorgens added that the extension must be from the Secretary of State. Fire Chief Winnacker answered the extension is from the Certificate of Excellence (GOFA) and is the only timeline associated with the completion of the audit. There is a requirement that the District adopt the Budget by a certain time, but that is not the case with an audit.

Director Jorgens said the GOFA does not actually audit the books, and their only function is to review that the District has filled in the forms in the right format. Fire Chief Winnacker added the timeliness of the completion is reviewed. Director Jorgens declared that GOFA is not an official agency and has no requirements. Fire Chief Winnacker concurred and clarified if the Board of Directors is comfortable with receiving the reports of the audit in January-February, outside of the calendar year, there is no external entity that has a concern about that, except the GOFA, and a request for an extension can be submitted.

Director Jex supported approving the Auditor. Director Danziger asked about the \$40K amount. Director Jex supported the \$40K. Director Jorgens stated the approval of the Auditor and amount are not on the agenda. Fire Chief Winnacker confirmed and stated it is helpful to have the sense of the Board to begin a discussion with the Auditor with the intent of ensuring that we retain their services and are able to produce an audit with the Board's understanding that the completion of the audit may be as late as February under the current circumstances. All Directors agreed. No further discussion by the Board.

- 11.2 **Facilities Station 41 Ad Hoc Committee (Directors Baitx and Donner).** No report.
- 11.3 **MOFD 25th Anniversary Celebration Ad Hoc Committee (Directors Danziger and Jex).** Director Danziger reported T-shirts are available for pick up at Station 41. Some difficulty was experienced in ordering the flags but should be finalized soon. Car sticker decals are also available.
- 11.4 **East Bay Hills Wildfire Prevention and Vegetation Management Joint Powers Agency Meetings (Directors Danziger and Jorgens).** Update provided under item 10.8.

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

12. ANNOUNCEMENTS (audio 2:48)

- 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**

- a. **CICCS Update**

Fire Chief Winnacker introduced Captain Jon Bensley, District representative for the Regional California Incident Command Certification System (CICCS) certification committee. Captain Jon Bensley provided the report. The Moraga-Orinda Fire District established itself statewide as a dependable source of qualified and experienced personnel to assist in the CICCS. CICCS is an all-hazard qualification and certification system that enhances the State's ability to deploy resources to complex and catastrophic incidents with trained and qualified personnel. Captain Bensley reviewed the complexity that goes into the District's ongoing efforts to increase the District's participation in out-of-county deployments and opportunities. CICCS was the culmination of several recommendations out of the Calabasas Fire report in 1996 when the Calabasas fire caused several Firefighter burn injuries due to entrapment. Resource ordering and Command and Control issues were identified as some of the contributing factors. The review of this fire recommended the development of qualifications and experience requirements for all Firefighters responding to mutual aid wildland/urban interface incidents. In 1997, the Firefighting Resources of California Organized for Potential Emergencies (FIREScope) and the California Office of Emergency Services (Cal OES) adopted the National Wildfire Coordinating Group's Position Qualification Guide to standardize the education, training, and experience needed to fill certain positions on the fire line. CICCS was implemented in August 2002. Captain Bensley outlined the positions listed in the staff report for MOFD personnel involved in the CICCS system.

Captain Bensley stated that over half the applications for all the Firefighters come from the District. This is a testament to the culture in the District and fosters mentorship and support for the process of opening task books and getting qualified. The District is a known name/brand for support. One day the District will need support, and based on the relationships developed, the support will be here for the District.

Director Danziger asked if people have multiple qualifications for multiple positions. Captain Bensley confirmed. Director Danziger commented that it reflects very positively on our District and the commitment of our Firefighters and the community and expressed appreciation for the work. Director Jex asked how someone in the department gets involved. Captain Bensley stated it is on a volunteer basis, and members are invited to participate. Director Danziger asked what positions the Fire Chief holds. Fire Chief Winnacker answered Strike Team Leader, Division Supervisor, Liaison Officer qualified, and has an open book for Safety Officer. Fire Chief Winnacker explained how people are self-selected with encouragement from other team members, which has resulted in an extraordinarily high percentage of members with multiple qualifications.

b. Finance Report

Finance Manager Smith provided the report and presented the status of OES reimbursements, attached to these minutes, Item 12.3(b). Finance Manager Smith reported that the 2021 outstanding net receivable balance is zero. Director Danziger inquired about the lockbox. Finance Manager Smith reported the lockbox is good and explained the District receives copies of the check and corresponding documentation. Director Danziger asked if it was done remotely. Finance Manager Smith confirmed.

c. Human Resources

Human Resources Manager Russell provided the report. On April 4, 2022, a promotional Fire Engineer examination was conducted, and eligibility was established, which is good for 2-years. In addition, a Firefighter Paramedic Trainee and Firefighter Paramedic Lateral recruitment was released on April 15, 2022, and will remain open for four weeks. The final filing deadline is May 13, 2022. Oral board interviews are tentatively scheduled in June. President Donner asked how many people were on the Engineer eligibility list. HR Manager Russell answered one. President Donner asked if the District has received any applications for the open positions. HR Manager Russell answered none for the Lateral and seven for the Trainee position. Director Danziger asked if more than one applied for the Engineer list. HR Manager Russell answered yes.

d. Contra Costa County Implementation of Adopted Maps

District Clerk Holbrook provided the report. Back on February 23, 2022, the Redistricting Data, Resolution, and Final Maps adopted on February 16, 2022, were transmitted to the Contra Costa County Elections Division. On April 13, 2022, the District received confirmation that both the mapping and candidate filing divisions have everything needed to implement the Adopted Maps. The County confirmed once boundary changes have been incorporated into the County system, the District will be notified end of June.

e. Fire Marshal

Fire Marshal Isaacs provided the report and outlined the statistics provided in the Monthly Fire Prevention report. Director Jorgens asked if the information on the report is based on a calendar year. Fire Marshal Isaacs confirmed. Director Jorgens asked if the District actually had 200 real estate transfers for the year. Fire Marshal Isaacs confirmed. Fire Chief Winnacker stated the number is on pace compared to 794 last year. Director Jorgens requested a status update on the East Bay Tunnel Fuel Break Grant, reporting on the details of the plan, hiring, and the hiring process. Similar reporting as with the North Orinda Shared Fuel Break. President Donner agreed. Fire Chief Winnacker confirmed and stated Staff is still involved in the very laborious and slow process of working with the landowners and getting environmental clearance, so the work units are aligned with the places approved to do the work and under what conditions. Staff has not forgotten about the obligation to share that information, so both the Board and the public are aware of where the project is and the corresponding timelines. Fire Chief Winnacker stated the North Orinda Shaded Fuel Break included a CEQA exemption. The East Bay Tunnel project does not have the CEQA exemption. As a result, Staff is working through the process.

Fire Marshal Isaacs continued to report on an illegal burn violation during the active burn ban. Staff received a complaint from a neighbor reporting the concerned burning. Initially the property owners reported having a BBQ; however, after Staff was allowed access to the property they found an illegal burn. It was determined the owners were burning brush in a burn barrel. The owners explained they were trying to remove their hazardous vegetation. Staff was able to educate them on the proper way to remove hazardous vegetation and educated them about the chipping programs and the requirements of the fire code.

f. Emergency Preparedness Coordinator

Emergency Preparedness Coordinator Rein presented a PowerPoint, attached to these minutes, Item 12.3(f). Director Jorgens expressed appreciation. Director Danziger commented that the event happening with the Canyon Community exercise is the first the Board is hearing about the event and requested future exercises be shared with the Directors. Fire Chief Winnacker

confirmed. Emergency Preparedness Coordinator Rein appreciated the support received from all the Firefighters supporting the volunteers.

g. Operations

Battalion Chief Lambert provided the report and shared a PowerPoint presentation, attached to these minutes, item 12.3(g). Battalion Chief Lambert shared an incident that involved an event of cardiac arrest and reviewed the life-saving steps taken during the incident. The information was paraphrased in order to protect the information of the patient. The incident involved a male who complained of chest pains and shortness of breath. The patient stated that the onset of chest pain and shortness of breath started at the same time, and the new onset of symptoms was unprovoked. The chest pain was described as throbbing and at the center of his chest. The patient denied cough or sputum production or any cause of trauma. The patient presented with pale, cool, clammy skin signs, and the patient had clear and equal lung sounds bilateral. The EKG discovered the patient was experiencing a STEMI. The Crew administered medications and performed CPR. The patient experienced cardiac rhythm changes to sinus rhythm, and a return of spontaneous circulation was restored. Battalion Chief Lambert shared photos as the crew was dispatched and the address confirmation process (wall map, the printout or dispatch screen, and iPad located in the ambulance). Battalion Chief Lambert noted the remarkable turnout time (described from when the alarm is received to when personnel is actually in the apparatus) was eight seconds. The response time from the station to the arrival at the incident location was three minutes and 23 seconds. The Crews spent a total time on scene of 11 minutes and 15 seconds (defined as once they arrive at the incident to once they depart the incident). The transport time from the incident to John Muir Medical Center was 15 minutes and 43 seconds. Battalion Chief Lambert recognized the Rescue One Foundation for donating the tools carried in the ambulances and used on this call. Battalion Chief Lambert also noted the cardiac surgeon gave kudos for the aggressive treatment of pre-hospital medication, interventions taken, and the fast arrival time and transport time to the hospital. Battalion Chief Lambert concluded with the sharing of Firefighter Tom Schwedhelm being recognized for life-saving efforts of a pediatric patient while assigned to the Dixie fire in Butte County. Firefighter Schwedhelm is receiving the life-saving medal from the California EMS Authority. President Donner requested more success stories like the ones shared and asked the message be relayed to Captain Martinez for setting the high response times.

Fire Chief Winnacker reported that the District has resumed the public education activities and invited the Directors to May 7, 2022, Spring Open House at Station 45. Director Danziger requested, for the record, information about the District's investments in Russia. Fire Chief Winnacker declared that the District does not have any investment in Russia. Director Jorgens commented the District has very few investments in bonds, which have gone down tremendously as interest rates have gone up at an unprecedented rate. The District also does not have any investments, not only in Russia but in most of the developing world now, which is also going down precipitously in the last few months.

12.4 Communications Received. No Relevant Communications received

12.5 Future Agenda Items.

Director Danziger requested a Resolution recognizing the 25th Anniversary of MOFD and a report on up staffing at Station 45. President Donner inquired if the District still has two cadets at the Berkeley Academy and expected graduation. Fire Chief Winnacker answered in late July 2022. Director Danziger asked if anyone had received the golden ticket. Fire Chief Winnacker answered no.

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.

13. ADJOURNMENT

At 10:51 p.m., Director Danziger motion and seconded by Director Jorgens, to adjourn the meeting. Said motion carried 4-0-1-0 roll call vote (Ayes: Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: Baitx; Abstain: None).

Marcia Holbrook,

Marcia Holbrook
District Secretary/District Clerk

Item 10.2, Financial Quarter Three Report



Financial Update Quarter Three

July 1, 2021 – March 31, 2022

Quarter Three Projected General Fund Surplus

- 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 \$900K

	Budget June 2021	Projected After Quarter Three
Revenue	\$28.9M	\$30.4M
Expenditures	\$28.1M	\$29.5M
Surplus	\$744K	\$900K

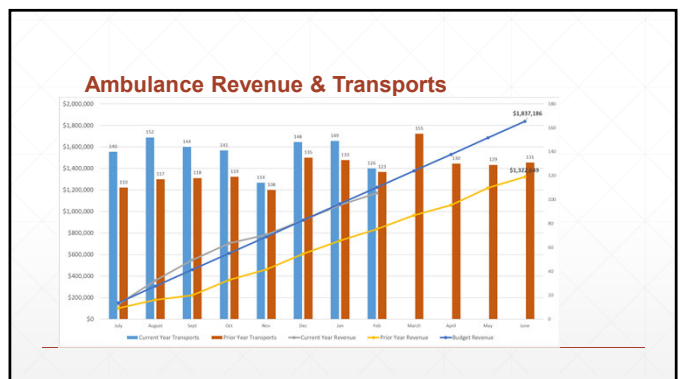
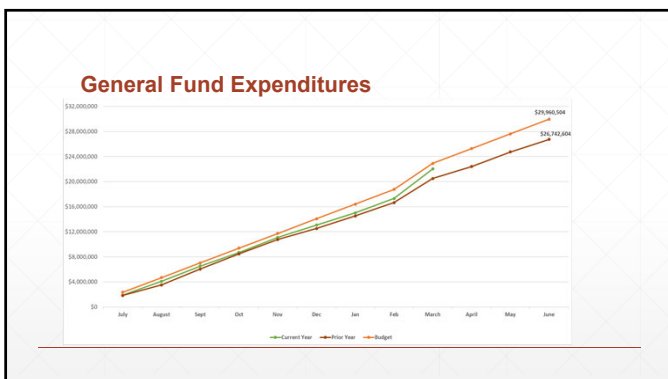
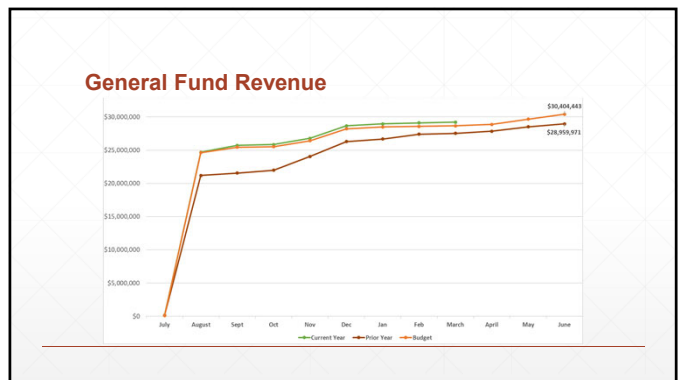
Quarter Three Financial Update

Revenue – Exceed budget \$19K

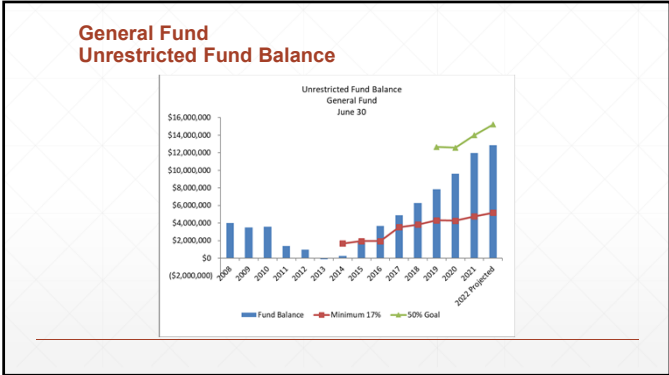
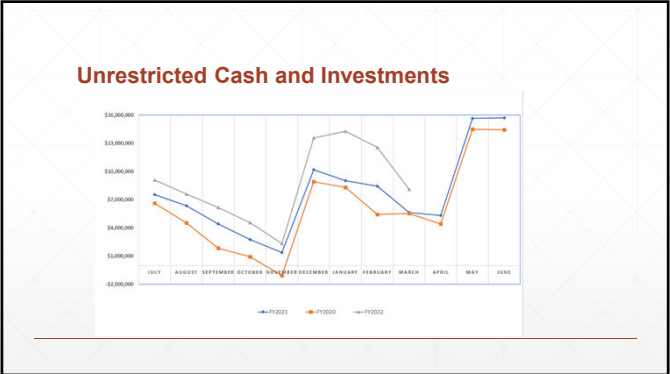
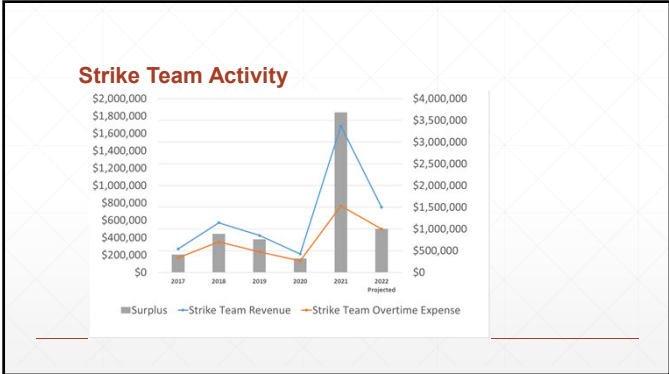
- Property tax meet budget
- Strike team revenue meet budget
- Ambulance services meet budget
- Fire prevention/plan review meet budget

Expenditures – Less than budget \$438K

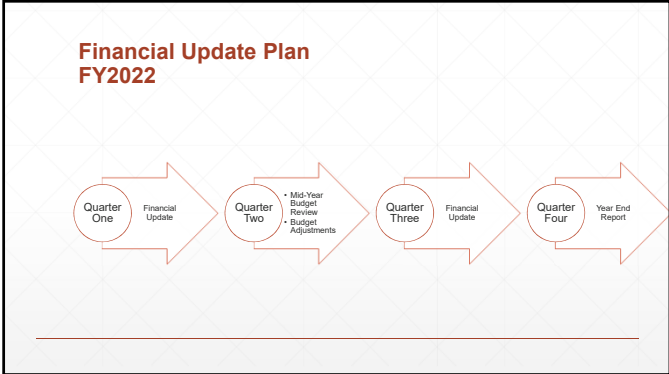
- Salaries less than budget (\$200K)
- Overtime less than budget (\$150K)
- Health insurance less than budget (\$80K)
- Retirement contributions less than budget (\$50K)
- OPEB contribution less than budget (\$131K)
- Services & supplies less than budget (\$70K)



Item 10.2, Financial Quarter Three Report



- ### Other Funds
- Capital Projects Fund – Projected deficit \$567K
 - Debt Service Fund – Projected deficit \$2.1M
 - Tunnel East Bay Hills Fuel Break – Projected surplus \$48K




Moraga Orinda Fire District 2023 Annual Operating Budget Proposed

MORAGA-ORINDA FIRE DISTRICT

DRAFT

Annual Operating Budget
Fiscal Year 2023

PUBLIC BOARD
BUDGET WORKSHOP



Board of Directors Meeting
April 20, 2022

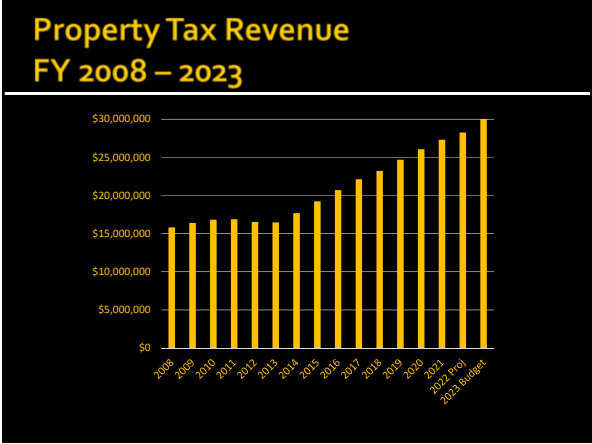


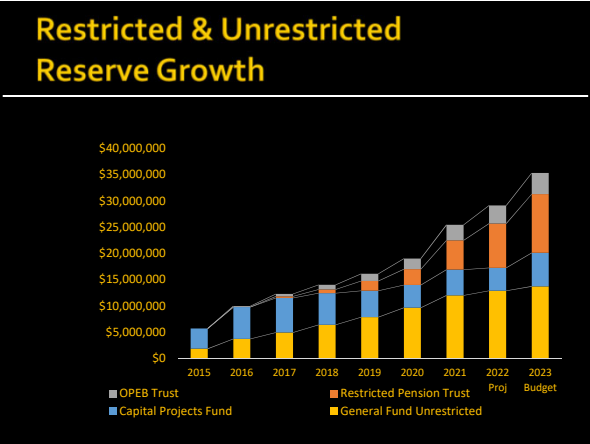
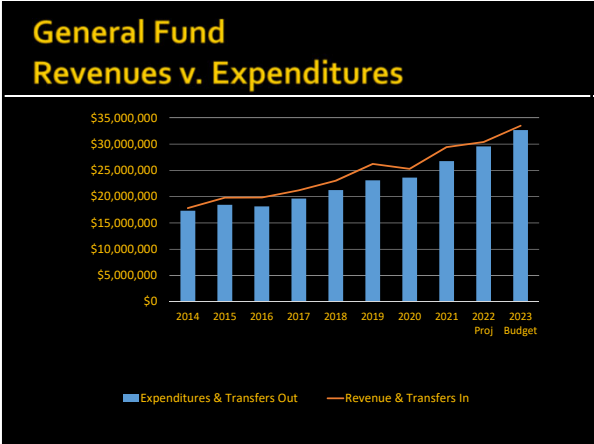
General Fund Budget Overview Surplus \$822,400

General Fund Revenue	\$33.5M
Salaries and Benefits Expenditures	26.3
Operating Expenditures	3.3
Transfer to Capital Projects Fund	3.1
Revenue in Excess of Expenditures	\$0.8M

- ### General Fund Budget Highlights Surplus \$822,400
- General Fund Revenues: \$33.4M (+\$3.1M)
 - Property taxes: \$30.4M (+7.5%/+14.5%)
 - Ambulance fees: \$1.7M (3%)
 - Plan Review/Permits: \$-32K (-1.4%)
 - Intergovernmental: \$-200K (-4.6%)

- ### General Fund Budget Highlights Surplus \$822,400
- General Fund Expenditures: \$29.6M
 - Salaries & benefits: \$26.3M
 - OPEB Contribution: \$351K (full ARC)
 - Pension Rate Stabilization Trust: \$2.1M (full amount 6.25% discount rate)
 - Operating: \$3.3M (+0%)





Proposed Budget FY2023 Authorized Positions

Board	5.00
Finance	3.10
Human Resources	2.25
Information Technology	0.25
Emergency Operations	61.00
Fire Prevention	2.00
Fuels Mitigation	4.00
Emergency Preparedness	0.50
Tunnel East Bay Hills Fuel Break	2.00
Total	80.10

- ### Proposed Budget 2023 Authorized Positions
- Emergency Operations
 - Safety roster 57
 - Safety management 4
 - Tunnel East Bay Hills Fuels Break – 2 limited duration positions
 - Fire Inspector/Plans Examiner – 1
 - Fuels Mitigation Specialist - 3

Proposed Budget 2023 Non-Discretionary Expenditures

Salaries and benefits - Suppression staff	\$19,600,854
Salaries and benefits - Administration staff	1,670,716
Worker's compensation insurance	1,104,342
Retiree health insurance	871,000
Unemployment insurance	5,000
Operating Expenses	2,686,482
Total non-discretionary	\$25,938,394

Proposed Budget 2023 Continuation of Effort

Pension rate stabilization trust contribution	\$2,108,577
Salaries and benefits - Fuels Mitigation staff	558,000
OPEB trust contribution	350,923
Emergency Preparedness/CERT	277,937
Fuels mitigation operating expenses	100,000
Fire chief contingency	100,000
GIS mapping	85,500
Discretionary training	25,000
Exercise equipment	12,000
Drones and supplies	11,400
Total discretionary	\$3,629,337

Capital Projects Fund

Proposed Expenditures

Station 41/Administration – Phase I	\$1,000,000
Ambulances – Quantity 2	350,000
Fire Engine Type VI – Quantity 1	250,000
County-wide Evacuation Software (funded by County)	200,000
Battalion Chief Command Vehicle – Quantity 1	100,000
Fire Prevention Ford Rangers – Quantity 2	70,000
Replace Floors – Station 42 and 44	70,000

Proposed transfer from the General Fund to the Capital Projects Fund \$3.1M

Board Direction Requested

- General Fund continuation of effort budget
- Fuels Mitigation Program – Continuation beyond January 2023
- Staffing – Fire Inspector/Plans Examiner
- Capital Projects Fund expenditures
- Any other direction regarding the draft Budget (\$822K surplus)



Finance Report

April 20, 2022

Strike Team Reimbursement - OES



• Strike Team Receivable Update:

	Actual <u>2020-2021</u>	Estimated <u>2021-2022</u>	<u>Total</u>
OES Strike Team Receivable	\$3,386,614	\$1,473,001	\$4,859,615
OES Payments Received	<u>\$3,386,614</u>	<u>\$1,387,315</u>	<u>\$4,773,929</u>
Net Receivable Outstanding	\$ 0	\$ 85,686	\$ 85,686

- 2020-2021 Invoices – Payment received 4/11/22
- 2021-2022 – \$86k outstanding

Finance Report Continued



• Other Items

- Transition from Citibank to Chase bank completed:
 - Payroll processed via Chase on 4/10 – closed Citibank Payroll account
 - Small balance remaining in Citibank A/P to cover outstanding checks
 - Lockbox service effective 4/4/22

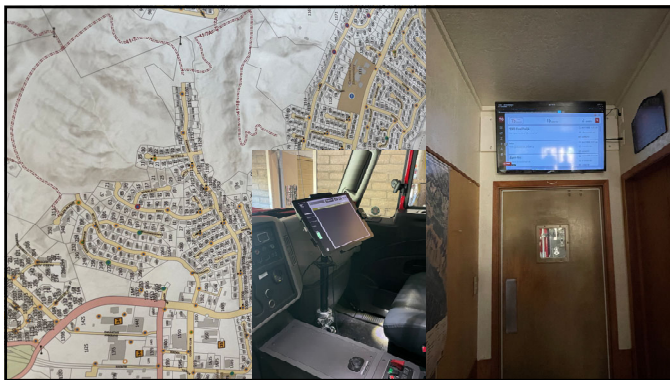
MOFD Board Update
April 20, 2022



**Cardiac Arrest with Return of
Spontaneous Circulation (ROSC)**
Moraga, CA
March 12, 2022

Incident Summary:

Male with chief complaint of chest pain and shortness of breath. Pt. stated that onset of chest pain and shortness of breath started at the same time at approx. 1515 hrs. New onset of symptoms were unprovoked. Chest pain was described as "throbbing" in the center of chest, non-radiating, 6/10. Pt. denies cough or sputum productions. Pt. denies trauma. Pt. alert and oriented X4 to person, place, time and event. Pt. presented with pale, cool, clammy skin signs. Pt. had clear and equal lung sounds bilaterally. It was discovered through 12-lead EKG that pt. was experiencing a STEMI. Pt. was administered 324 mgs. of Aspirin PO and given 0.4 mgs. of Nitroglycerin SL. Pt.'s cardiac rhythm changed to polymorphic pulseless V-Tach. CPR was immediately initiated and pt. was defibrillated at 360 J. Pt. experienced cardiac rhythm change to sinus rhythm and ROSC was restored. Pt. became normotensive with GCS 15. Fluid challenge was initiated. Pt. monitoring continued throughout transport to John Muir Medical Center where pt. care was transferred to ED staff.



**Cardiac Arrest with Return of
Spontaneous Circulation (ROSC)**
Moraga, CA
March 12, 2022

Response Time Summary

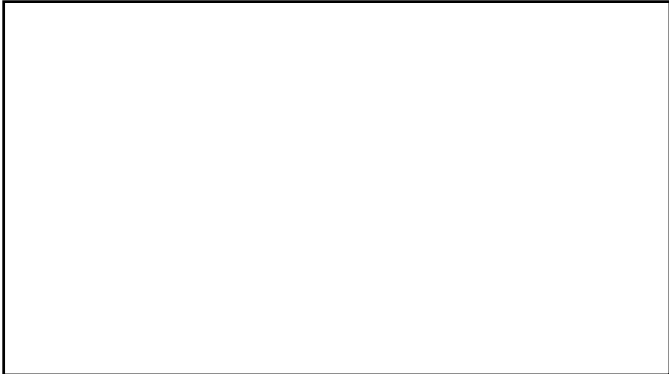
Dispatched at	15:57:53	Turnout Time= 8 seconds
Responding at	15:58:01	Response Time= 3 minutes 23 seconds
1 st unit on Scene at	16:01:24	On Scene Time= 11 minutes 15 seconds
Enroute JMMC at	16:12:39	Transport Time= 15 minutes 43 seconds
At JMMC at	16:28:22	



Assessment and Intervention Timeline:

- PQRST 16:04
- 12-Lead EKG 16:06
- 324 mgs. Aspirin Administered 16:07
- STEMI Activation 16:11
- 12-Lead Transmitted to JMMC 16:11
- IV Administered 16:13
- Glucose Check 16:14
- 0.4 Mgs. Nitro 16:15
- CPR Initiated 16:16
- Defibrillation 16:17
- Fluid Challenge 16:19





Dixie Fire Paramedics Staying At Redding Hotel Rescue Boy From Drowning At Hotel's Pool

10/26/2021 10:00am Redding Star/Star, Learning, Paramedics


EMSA
EMERGENCY MEDICAL SERVICES AUTHORITY
CALIFORNIA

California EMS Awards 2021

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OUR NEWSLETTER



Emergency Preparedness Update


- Communications-Support Unit
- Lamorinda CERT
- Fire Adapted Community Liaisons
- Lamorinda Area Radio Interest Group
- Events & Exercises



Emergency Preparedness Update

• Communications-Support Unit


Mobile Water Supply




MOFD Incident Support Center




RAWS



Radio Updates



CPR Training






• Lamorinda CERT

Community Water Drum Sales



CERT Basic Training



Class 2109 - 17
Class 2201 - 20
Total 37 in current fiscal year

Monthly GMRS Radio Net





• Fire Adapted Community Ambassadors

Training



Outreach



Action



Data





Completed Interactions

398

- 38 Fire Adapted Community Ambassadors



• Lamorinda Radio Interest Group

Tuesday Morning Coffee



Lamorinda Emergency Radio Repeater System







• Upcoming Events & Exercises

- Canyon Community Evacuation Exercise- April 23
- East Bay Incident Management Team Exercise- April 25
- Lamorinda GMRS Communications Exercise- May 4
- MOFD Spring Open House- May 7
- Lamorinda CERT Monthly Update Training- May 9
- MOFD Volunteer Appreciation BBQ- May 19



