



Moraga-Orinda Fire District

Board of Directors

REGULAR MEETING May 17, 2023 – 6:30 PM

6:30 p.m. CLOSED SESSION
7:00 p.m. OPEN SESSION

MEETING LOCATION:
Sarge Littlehale Room
22 Orinda Way
Orinda, CA 94563

To access the meeting remotely:
please click the link below to join the webinar by Zoom:
<https://us02web.zoom.us/j/83880244774>
or By Phone: 1-669-900-6833
Webinar ID: 838 8024 4774
note: *disclaimer below*

Public Participation

This meeting will be conducted in a hybrid format with in-person and remote options for public participation. *Please be advised that those participating in the meeting remotely via Zoom do so at their own risk. The meeting will not be cancelled if any technical problems occur during the meeting. If you are participating via the Zoom meeting link (i.e. web platform), and experience personal technological difficulties, please re-join the meeting by phone via phone number provided above.

For In-person Attendees, face coverings are strongly encouraged and attendees are encouraged to be up-to-date on the COVID-19 vaccine. Social distance should be maintained when practical. If you are feeling sick, please do not attend the meeting in person.

SPEAKER CARDS: If you would like to speak during the public forum or on an item listed on the agenda, you are invited to submit a speaker card to the District Clerk. You will be permitted to speak even if you elect not to submit a speaker card or decline to provide information requested on the card. After the Board of Directors has heard from everyone who submitted speaker cards, anyone electing not to submit a speaker card may form a line at the lectern. Public comment is limited to 3 minutes per speaker per agenda item.

For Remote Attendees, by joining via the ZOOM link or the dial-in information above. You can access the meeting either via a smartphone or computer App (Zoom) or via phone. Live Public Comment can be provided via the Zoom app (during public comment) by the raise hand feature. If participating by phone, dial *9 to *raise your hand*. Staff will call on participants by the name provided or last 4 digits of phone number for dial-in attendees. When your name or number is called, a notification is sent requesting that you unmute your microphone. Participants will be called in the order of hands raised to comment.

Written Public Comment can be provided via email at info@mofd.org.

- Emails received by 3:00 p.m. on the day of the meeting will be forwarded to the Board of Directors. Emails will be made a part of the public record and available to view by 5:00 p.m. on the day of the meeting by following this link mofd.org/agendas
- Comments may also be submitted by e-mail during the meeting up until the closure of the public comment period on the relevant agenda item. These will be read into the record by staff at their normal cadence and will be limited to a maximum of 3 minutes. Emails received during the meeting will be made a part of the public record and available to view by 5:00 p.m. the following day of the meeting by following this link mofd.org/agendas

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

1. **OPENING CEREMONIES**

- Call the Meeting to Order
- Roll Call
- Pledge of Allegiance

2. **PUBLIC COMMENT - CLOSED SESSION ITEMS**

3. **CLOSED SESSION**

3.1 **Conference with Real Property Negotiators**

(Government Code Section 54956.8)

Agency Negotiator: David Winnacker

Negotiating parties: Moraga School District

Under Negotiations: Consideration of and authorization to proceed with real estate negotiations by the Fire Chief regarding potential acquisition of the real properties concerning price and terms of payment. Real Property: 257-210-013-5

4. **RECONVENE THE MEETING**

- Call the Meeting to Order
- Roll Call

5. **REPORT OF CLOSED SESSION ACTION**

6. **PUBLIC COMMENT – ITEMS NOT ON THE AGENDA**

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

7. **PUBLIC HEARING**

7.1 [Waive the First Reading and Introduce Ordinance 23-06, a Moraga-Orinda Fire District of Contra Costa County, California Declaring Certain Hazardous Vegetation and Combustible Material a Public Nuisance and Providing for the Abatement and/or Removal Thereof; and finding that adoption of the Ordinance is exempt from the California Environmental Quality Act.](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Conduct a public hearing; 4) Introduce and waive the first reading of Ordinance 23-06, a Moraga-Orinda Fire District of Contra Costa County, California Declaring Certain Hazardous Vegetation and Combustible Material a Public Nuisance and Providing for the Abatement and/or Removal Thereof; 5) Direct changes if needed.

[Attachment: 23-06 MOFD Nuisance Ordinance Final 2023-05-10.docx](#)

7.2 [Waive the First Reading and Introduce Ordinance 23-07, an Ordinance of the Moraga-Orinda Fire District of Contra Costa County, California, repealing Ordinance No. 21-01, an Ordinance Adopting an Administrative Citation Program, and Adopting an Amended Administrative Citation Program; and finding that adoption of the Ordinance is exempt from the California Environmental Quality Act.](#)

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Conduct a public hearing; 4) Introduce and waive the first reading of Ordinance 23-07, an Ordinance of the Moraga-Orinda Fire District of Contra Costa County, California, repealing Ordinance No. 21-01, an Ordinance Adopting an Administrative Citation Program, and Adopting an Amended Administrative Citation Program; 5) Direct changes if needed.

[Attachment: 23-07 Amendment to Administrative Citation Ordinance Final 2023-05-010.docx](#)

8. **ANNOUNCEMENTS**

8.1 **Brief information only reports related to meetings attended by a Director at District expense.**

(Government Code Section 53232.3(d))

8.2 **Questions and informational comments from Board members and Staff**

8.3 **Communications Received**
[Attachments: 04-24-23 Child Abuse Prevention Council.pdf](#)

- 8.4 **Fire Chief Updates**
- a. **Finance Report**
 - b. **Human Resources**
 - c. **Fire Marshal**
 - d. **Tunnel East Bay Hills Fuel Break Project**
 - e. **Prescribed Fire Update**
 - f. **Operations**

[Attachment: April 2023 Fire Prevention Report](#)

9. **CONSENT AGENDA**

9.1 **Meeting Minutes – April 19, 2023 (regular), April 19, 2023 (public workshop)**

Staff Recommendation: Approve and File

[Attachment: 04-19-23 Regular Minutes DRAFT](#)

[Attachment: 04-19-23 Public Budget Workshop Minutes DRAFT](#)

9.2 **Monthly Incident Report – April 2023**

Staff Recommendation: Approve and File

[Attachment: Operations Report April 2023.pdf](#)

9.3 **Monthly Check/Voucher Register – April 2023**

Staff Recommendation: Approve and File

[Attachment: Check Register April 2023.pdf](#)

9.4 **Quarterly Investment Report**

Staff Recommendation: Approve and File

[Attachment: Quarterly Investment Report 03.2023.pdf](#)

9.5 **Dissolve the Ad Hoc Investment Committee**

Staff Recommendation: 1) Dissolve the Ad Hoc Investment Committee

10. **REGULAR AGENDA**

10.1 **Adopt Resolution 23-11 of the Moraga-Orinda Fire Protection District Appointing the Board Members of the Board of Directors as Members of Board of Appeals**

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Adopt Resolution 23-11 of the Moraga-Orinda Fire Protection District Appointing the Board Members of the Board of Directors as Members of Board of Appeals

[Attachment: Resolution 23-11 Appointing Board Members as Members of Board of Appeals \(MMM\).docx](#)

10.2 **Annual Audit and Provide Direction Regarding the Draft Annual Comprehensive Financial Report as of the Fiscal Year Ended June 30, 2022, Draft Communication With Those Charged With Governance June 30, 2022 and Draft Independent Accountant’s Report on Applying Agreed-Upon Procedures for Appropriations Limit Calculation For the Year Ended June 30, 2022**

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Provide Direction Regarding the Draft Annual Comprehensive Financial Report for the Fiscal Year Ended June 30, 2022, Draft Communication With Those Charged With Governance June 30, 2022 and Draft Independent Accountant’s Report on Applying Agreed-Upon Procedures for Appropriations Limit Calculation For the Year Ended June 30, 2022

[Attachment A: MOFD ACFR Draft 5.11.23.pdf](#)

[Attachment B: Draft Management Letter.pdf](#)

[Attachment C: GANN LIMIT Draft 5.11.23.pdf](#)

10.3 **Proposed Annual Operating Budget Fiscal Year 2024**

Staff Recommendation: Provide direction to Staff regarding the Proposed Annual Operating Budget Fiscal Year 2024

[Attachment A: Draft Budget 2024 May 2023 Board Meeting.pdf](#)

[Attachment B: Balance Sheet March 31 2023.pdf](#)

10.4 **Consider the approval of the Request for Funding in the Amount of \$3,500 from Oakland**

[Firesafe Council for a MOFD Contribution to the Legal and Facilitation costs to establish an East Bay Hills Wildfire Prevention MOU](#)

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Provide board direction on the request for funding in the amount of \$3,500 from Oakland Firesafe Council for a MOFD contribution to the legal and facilitation costs to establish an East Bay Hills Wildfire Prevention MOU

[Attachment A: Email from Wildfire Prevention Working Group Funding Allocation](#)

[Attachment B: Oakland Firesafe Council Jon Kaufman and Lisa Jacobs.pdf](#)

[Attachment C: Oakland Firesafe Council Request MOFD Letter.pdf](#)

10.5 [Fund Balance Policy and General Fund Minimum Fund Balance Policy](#)

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Provide direction to Staff regarding the Fund Balance Policy and General Fund Minimum Fund Balance Policy

[Attachment A - Resolution 22-21 Fund Balance Policy](#)

10.6 [Development of a Pension Funding Policy](#)

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Provide direction to staff regarding development of a Pension Funding Policy

[Attachment A - Resolution 17-05 PARS.pdf](#)

[Attachment B - Core Elements of a Funding Policy for Governmental Pension and OPEB Plans.pdf](#)

[Attachment C - Pension Funding Policy Excerpts GovInvest.pptx](#)

[Attachment D - Pension Funding Policy Sample Colma.docx](#)

[Attachment E - Pension Funding Policy Sample Rolling Hills Estates.docx](#)

[Attachment F - Pension Funding Policy Sample.docx](#)

10.7 [Revisions to the Board of Directors Purpose and Standard of Level of Performance Included in Annual Operating Budget](#)

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Provide Direction to Staff

[Attachment A: Board of Directors Standard Level of Performance \(Page 12\).pdf](#)

[Attachment B: MOFD BOARD - BUDGET DOC.pdf](#)

11. **COMMITTEE REPORTS**

11.1 **Standing Audit Committee (Directors Hasler and Jex)**

11.2 **Ad Hoc Committee Develop Plans for Expanding the Fire Prevention Program (Directors Hasler and Jorgens)**

11.3 **Ad Hoc Committee Facilities Station 41 (Directors Danziger and Jex)**

11.4 **Ad Hoc Committee Joint Fire Prevention w/City of Orinda (Directors Jorgens and Roemer)**

12. **ANNOUNCEMENTS**

12.1 **Future Agenda Items**

13. **ADJOURNMENT**

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

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

I hereby certify that this agenda in its entirety was posted on May 12, 2023, at the Moraga and Orinda Fire Administration offices, Stations 41, 42, 43, 44, and 45 and electronically at www.mofd.org/agendas. Agenda provided to the Moraga Town Office (Hacienda) and Orinda City Hall.

Marcia Holbrook

Marcia Holbrook
District Secretary/Clerk