



Moraga-Orinda Fire District

Board of Directors

REGULAR MEETING
August 16, 2023 – 6:00 PM
6:00 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/81744161145>

or By Phone: 1-669-900-6833
Webinar ID: 817 4416 1145
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: Members of the public may comment on any item on the agenda before or during the Board's consideration of the item. 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

3.2 **Conference with Legal Counsel – Anticipated Litigation**

Significant Exposure to Litigation under Government Code Sections 54956.9(d)(2) and 54956.9(d)(3) – two potential cases

First potential case: On January 18, 2023, a complaint of employment discrimination against the District was filed with the California Department of Fair Employment and Housing

[Second potential case: August 2, 2023 CEQA threat of litigation](#)

3.3 **Conference with Labor Negotiator - Local 1230, IAFF**

(Government Code Section 54957.6)

Employee Organization: Local 1230, International Association of Firefighters IAFF

Agency Designated Representative: Jonathan Holtzman

3.4 **Conference with Labor Negotiator - MOFCOA**

(Government Code Section 54957.6)

Employee Organization: Moraga-Orinda Fire Chief Officers' Association

Agency Designated Representative: Jonathan Holtzman

3.5 **Conference with Labor Negotiator - Unrepresented Employees**

(Government Code Section 54957.6)

Employee Organization: Unrepresented Employees

Agency Designated Representative: Jonathan Holtzman

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. **ANNOUNCEMENTS**

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

(Government Code Section 53232.3(d))

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

7.3 **Communications Received**

[01- Moraga Homeowner](#)

02- Sandra Fox Sohner

7.4 **Fire Chief Updates**

- a. **Finance Report**
- b. **Human Resources**
- c. **Fire Marshal**
- d. **Tunnel East Bay Hills Fuel Break Project**
- e. **Operations**

[Attachment: Monthly Fire Marshal Report July](#)

8. **CONSENT AGENDA**

8.1 **Meeting Minutes – July 19, 2023 (regular)**

Staff Recommendation: Approve and File

[Attachment: 07-19-23 Regular Minutes DRAFT](#)

8.2 **Monthly Incident Report – July 2023**

Staff Recommendation: Approve and File

[Attachment: Monthly Incident Report July 2023.pdf](#)

8.3 **Monthly Check/Voucher Register – July 2023**

Staff Recommendation: Approve and File

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

8.4 **Monthly Financial Report – July 2023**

Staff Recommendation: Approve and File

[Attachment: July 2023 Financials 08.10.23.pdf](#)

8.5 **Quarterly Investment Report - June 30, 2023**

Staff Recommendation: Approve and File

[Attachment: Quarterly Investment Report 06.2023.pdf](#)

8.6 **Revised Fund Balance Policy Adopted by the Board on July 19, 2023**

Staff Recommendation: 1) Information only

[Attachment A: Fund Balance Policy 07.19.23.pdf](#)

8.7 **PARS Annual Statement - June 2023**

Staff Recommendation: Receive and File

[Attachment: PARS Annual Statement 6.30.2023.pdf](#)

9. **REGULAR AGENDA**

9.1 Approve the Annual Comprehensive Financial Report as of the Fiscal Year Ended June 30, 2022, Communication With Those Charged With Governance June 30, 2022 and Independent Accountant's Report on Applying Agreed-Upon Procedures for Appropriations Limit Calculation For the Year Ended June 30, 2022 or Authorize an Increase in the Amount to Pay Eide Bailly, LLP for Audit Services for the Fiscal Year Ended June 30, 2022 in Order to Complete an Accounting Change to Eliminate an Immaterial Uncorrected Financial Statement Misstatement which resulted in the Overstatement in the Fair Value of the Local Agency Investment Fund in the Amount of \$203,135 and Related Investment Income and Related Net Position

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Approve the Annual Comprehensive Financial Report for the Fiscal Year Ended June 30, 2022, Communication With Those Charged With Governance June 30, 2022 and Independent Accountant's Report on Applying Agreed-Upon Procedures for Appropriations Limit Calculation For the Year Ended June 30, 2022 or Authorize an Increase in the Amount to Pay Eide Bailly, LLP for Audit Services for the Fiscal Year Ended June 30, 2022 in Order to Complete an Accounting Change to Eliminate an Immaterial Uncorrected Financial Statement Misstatement which resulted in the Overstatement in the Fair Value of the Local Agency Investment Fund in the Amount of \$203,135 and Related Investment Income and Related Net Position

[Attachment A: Audit Associate Email 7.31.2023.pdf](#)

[Attachment B: Moraga-Orinda Fire District 2022 Final Financial Statements.pdf](#)

[Attachment C: Moraga-Orinda Fire District 2022 Final Management Letter.pdf](#)

[Attachment D: Moraga-Orinda Fire District 2022 Final GANN Statements.pdf](#)

- [Attachment E: LAIF Balance and Investment Report 6.30.2022.pdf](#)
- 9.2 [Direct the Investment Rate of Return and Discount Rate to be Used for the Other Post-Employment Benefits Actuarial Valuation Report as of June 30, 2023; Direct the Discount Rate to be Used for the Pension Rate Stabilization Trust Fund](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Direct the investment rate of return and discount rate to be used for the GASB 75 OPEB Actuarial Valuation Report as of June 30, 2023; 4) Direct the discount rate to be used for the Pension Rate Stabilization Trust funding and District pension information provided in the next Long Range Financial Forecast update scheduled for April 2024.
- [Attachment A: Moraga Orinda Fire Protection District Expected Returns 7.2023](#)
- 9.3 [Draft of the Elements to be included in the Moraga-Orinda Fire District's Standards of Cover \(SOC\) Request For Proposal](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Provide direction to Staff
- 9.4 [Authorize the Purchase of Scott Self-contained Breathing Apparatus \(SCBA\) from AllStar Fire Equipment Inc. in the amount of \\$536,888.22](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Authorize the Purchase of Scott Self-contained Breathing Apparatus (SCBA) from AllStar Fire Equipment Inc. in the amount of \$536,888.22
[Attachment A: 2303 MOFD SCBA RFP.pdf](#)
[Attachment B: 0616 Q Moraga - Orinda SCBA - BID.pdf](#)
- 9.5 [Adopt Resolution 23-16 Identifying the Terms and Conditions for Fire Department Emergency Response Away From Their Official Duty Station and Assigned to an Emergency Incident](#)
 1) Discuss; 2) Deliberate; 3) Adopt Resolution 23-16 Identifying the Terms and Conditions for Fire Department Emergency Response Away From Their Official Duty Station and Assigned to an Emergency Incident
[Attachment A: Resolution 23-16 Mutual Aid Response](#)
- 9.6 [Waive the First Reading and Introduce Ordinance No. 23-05, an Ordinance of the Moraga-Orinda Fire Protection District of Contra Costa County, California, amending the Purchasing and Contracting Procedures and Authorities](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Introduce and Waive the First Reading of Ordinance No. 23-05, an Ordinance of the Moraga-Orinda Fire Protection District of Contra Costa County, California, amending the Purchasing and Contracting Procedures and Authorities; 4) Review a draft resolution and procedures to contract for special services; and 5) Provide direction to Staff
[Attachment A: 23-05 Amending Purchasing Procedures Ordinance 16-01 \(Revised 7-17-23 - redline\).pdf](#)
[Attachment B: 23-05 Amending Purchasing Procedures Ordinance 16-01 \(Clean\).pdf](#)
[Attachment C: 23-15 Resolution Establishing Contracting Procedures \(REC 7-17-23\).pdf](#)

10. **COMMITTEE REPORTS**

- 10.1 **Standing Audit Committee (Directors Hasler and Jex)**
- 10.2 **Ad Hoc Committee Develop Plans for Expanding the Fire Prevention Program (Directors Hasler and Jorgens)**
- 10.3 **Ad Hoc Committee Facilities Station 41 (Directors Danziger and Jex)**
- 10.4 **Ad Hoc Committee Joint Fire Prevention w/City of Orinda (Directors Jorgens and Roemer)**

11. **ANNOUNCEMENTS**

- 11.1 **Future Agenda Items**

12. **ADJOURNMENT**

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

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

I hereby certify that this agenda in its entirety was posted on August 11, 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.

A handwritten signature in black ink that reads "Marcia Holbrook". The signature is written in a cursive style with a large initial "M".

Marcia Holbrook
District Secretary/Clerk