



# Moraga-Orinda Fire District

## Board of Directors

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**REGULAR MEETING**  
**November 15, 2023 – 5:00 PM**  
5:00 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/81736881768>

or By Phone: 1-669-900-6833  
Webinar ID: 817 3688 1768

**NOTICE OF TELECONFERENCED MEETING:**  
Pursuant to Government Code Section 54953, Subdivision (b), this meeting will include teleconference participation by Board Member Greg Hasler from:  
Courtyard by Marriott  
1717 Broadway  
New York, NY 10019

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### **Public Participation**

This meeting will be conducted in a hybrid format with in-person and remote options for public participation. 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**: Join via the ZOOM link or the dial-in information above. You can access the meeting via a smartphone or computer App (Zoom) or phone. Live Public Comment can be provided via the Zoom app (during the public comment period) by the raise hand feature. The District Clerk will announce, "the next speaker has been unmuted." A notification will appear for the speaker who has raised their hand, asking them to unmute their microphone. Please unmute your microphone and state your first and last name for the record (not required). If participating by phone, dial \*9 to raise your hand. Staff will announce the last four (4) digits of the phone number for dial-in attendees. Participants will be called in the order of hands raised.

**Submit Public Comment Before the Meeting**: Members of the public can provide public comment by sending an e-mail to

[info@mofd.org](mailto:info@mofd.org) no later than 3:00 p.m. the day of the meeting. Those e-mails will be distributed to the Board of Directors and posted on the District's website as part of the public record by 5:00 p.m. on the day of the meeting. Note: any written public comments received after the deadline will not be distributed to the Board of Directors or posted on the District's website until the following day. Written comments will NOT be read into the record. All written public comments are available to view at [mofd.org/agendas](http://mofd.org/agendas)

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

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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 Legal Counsel – Existing Litigation**

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

Name of Case: Sandia Pearson and Anita K. Pearson v Moraga-Orinda Fire District

Case No. [*not yet assigned*]

[Attachment: October 23, 2023 CEQA Notice Letter final.pdf](#)

[Attachment: October 25, 2023 Civil Case Cover Sheet.pdf](#)

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

(Government Code Section 54957.6)

Employee Organization: Local 1230, International Association of Firefighters IAFF

Agency Designated Representative: Luke Jensen

3.3 **Conference with Labor Negotiator - MOFCOA**

(Government Code Section 54957.6)

Employee Organization: Moraga-Orinda Fire Chief Officers' Association

Agency Designated Representative: Luke Jensen

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

(Government Code Section 54957.6)

Employee Organization: Unrepresented Employees

Agency Designated Representative: Luke Jensen

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 Roy Gilbert correspondence received.pdf](#)

[02 Tom Wylie Correspondence Recieved.pdf](#)

[03 Jonathan Goodwin Correspondence Received](#)

- 7.4 **Fire Chief Updates**
  - a. **Finance Report**
  - b. **Human Resources**
  - c. **Fire Marshal**
  - d. **Tunnel East Bay Hills Fuel Break Project**
  - e. **Home Hardening Grant Program**
  - f. **Operations**

[Attachment: Monthly Fire Marshal Report](#)

8. **CONSENT AGENDA**

- 8.1 **Meeting Minutes – September 20, 2023 (special), September 20, 2023 (regular), October 26, 2023 (special)**

Staff Recommendation: Approve and File

[Attachment: 09-20-23 Special Minutes DRAFT.pdf](#)

[Attachment: 09-20-23 Regular Minutes DRAFT.pdf](#)

[Attachment: 10-26-23 Special Minutes DRAFT.pdf](#)

- 8.2 **Monthly Incident Report – September 2023**

Staff Recommendation: Approve and File

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

- 8.3 **Monthly Incident Report – October 2023**

Staff Recommendation: Approve and File

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

- 8.4 **Monthly Check/Voucher Register – October 2023**

Staff Recommendation: Approve and File

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

- 8.5 **Monthly Financial Report – October 2023**

Staff Recommendation: Approve and File

[Attachment: October 2023 Financials.pdf](#)

- 8.6 **Quarterly Investment Report - September 30, 2023**

Staff Recommendation: Approve and File

[Attachment: Quarterly Investment Report 09.2023.pdf](#)

- 8.7 **Approve a Capital Projects Fund Revenue Budget Adjustment Increase in the Amount of \$250,000 and Approve a Capital Projects Fund Expenditure Budget Adjustment Increase in the Amount of \$250,000 for the Grant of Funds from the State Coastal Conservancy for the Moraga-Orinda Fire District Grazing Project**

Staff Recommendation: Approve a Capital Projects Fund Revenue Budget Adjustment Increase in the Amount of \$250,000 and Approve a Capital Projects Fund Expenditure Budget Adjustment Increase in the Amount of \$250,000 for the Grant of Funds from the State Coastal Conservancy for the Moraga-Orinda Fire District Grazing Project

[Attachment A: 22-32 Resolution State Coastal Conservancy Grazing Project - signed.pdf](#)

[Attachment B: Coastal Conservancy Grant.pdf](#)

- 8.8 **Authorize the Fire Chief to Enter Into an Agreement with Silicon Valley Paving for Cattle Fencing and Access Gates Design and Build Services in the Amount Not to Exceed \$158,700**

Staff Recommendation: Authorize the Fire Chief to enter into an agreement with Silicon Valley Paving not to exceed \$158,700 for the purchase of materials, and installation of cattle fencing, gates, etc. at the John Muir Land Trust's Painted Rock Property.

- 8.9 **Dissolve the Ad Hoc Committee Facilities Station 41 (Directors Danziger and Jex)**

Staff Recommendation: Dissolve the Ad Hoc Facilities Station 41 Committee

- 8.10 **Appoint Luke Jensen, Senior Analyst with Renne Public Law Group as Lead Negotiator**

Staff Recommendation: 1) Appoint Luke Jensen, Senior Analyst with Renne Public Law Group as Lead Negotiator for upcoming labor negotiations.

- 8.11 **Approval of the Annual Operating Budget Timeline Fiscal Year 2025**

Staff Recommendation: Approve and File

[Attachment: Budget Timeline.pdf](#)

- 8.12 **2024 Regular Board Meeting Schedule**

Staff Recommendation: Receive and File.

- 8.13 [Authorize the Fire Chief to Enter Into an Agreement with Gutterglove, Inc. for Stainless Steel Gutter Covering Material in the Amount Not to Exceed \\$99,970](#)

Staff Recommendation: Authorize the Fire Chief to enter into a purchasing agreement with Gutterglove Inc. in the amount not to exceed \$ 99,970

- 8.14 [Authorize Payment to Genasys in the Amount of \\$164,250 for Evacuation Software; Authorize FY2024 Capital Projects Fund Revenue and Expenditure Budget Adjustment Increases in the Amounts of \\$164,250](#)

Staff Recommendation: 1) Authorize Payment to Genasys in the Amount of \$164,250 for Evacuation Software; Authorize FY2024 Capital Projects Fund Revenue and Expenditure Budget Adjustment Increases in the Amounts of \$164,250

[Attachment A: CCC Board Approval\\_Reimburse MOFD for Zonehaven 3rd Year\\_10-17-23.pdf](#)

9. REGULAR AGENDA

- 9.1 [Fire Safe Moraga-Orinda Update: Grant Funding Submissions and Governing Board Establishment](#)

Staff Recommendation: 1) No Action. Information Only.

[Attachment A: FSMO Creation Update \(06Nov2023\).pdf](#)

- 9.2 [Provide Direction Regarding the Draft Annual Comprehensive Financial Report as of the Fiscal Year Ended June 30, 2023, Draft Memorandum on Internal Control for the Year Ended June 30, 2023, Draft Required Communications for the Year Ended June 30, 2023 and Draft Independent Accountant's Report on Applying Agreed-Upon Procedures for Appropriations Limit Calculation For the Year Ended June 30, 2023](#)

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Provide Direction Regarding the Draft Annual Comprehensive Financial Report for the Fiscal Year Ended June 30, 2023, Draft Memorandum on Internal Control for the Year Ended June 30, 2023, Draft Required Communication for the Year Ended June 30, 2023 and Draft Independent Accountant's Report on Applying Agreed-Upon Procedures for Appropriations Limit Calculation For the Year Ended June 30, 2023

[Attachment A: MOFPD ACFR DRAFT 11.08.2023.pdf](#)

[Attachment B: MOFPD RC FY23 DRAFT 11.06.23.pdf](#)

[Attachment C: MOFPD MOIC FY23 DRAFT 11.06.23.pdf](#)

[Attachment D: MOFPD GANN FY23 DRAFT 11.06.23.pdf](#)

- 9.3 [Overview of the District's Information Technology Infrastructure](#)

Staff Recommendation: 1) No Action. Information Only.

- 9.4 [Authorize Amendment to Contract with Definitive Networks, Inc. to Provide Management of Mobile Devices and Mobile Data Computers, Office 365 and Management of Additional Laptop Computers and Security in the Amount of \\$69,574 for the Period October 1, 2023 through June 30, 2025](#)

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Authorize Amendment to Contract with Definitive Networks, Inc. to Provide Management of Mobile Devices and Mobile Data Computers, Office 365 and Management of Additional Laptop Computers and Security in the Amount of \$69,574 for the Period October 1, 2023 through June 30, 2025

- 9.5 [Quarter One Financial Update and Budget Review FY2024](#)

Staff Recommendation: 1) No action required; Informational purposes only

[Attachment A: Quarter One Financial Update.pdf](#)

- 9.6 [Adopt Resolution 23-17 Authorizing a Service Contract for Legal Services with Downey Brand in an Amount Not to Exceed \\$125,000 for Litigation Under the California Environmental Quality Act \(CEQA\) from Sandia Pearson and Anita K. Pearson Challenging the Approval of Amended Fuel Break Ordinance No. 23-08](#)

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Adopt Resolution 23-17 Authorizing a Service Contract for Legal Services with Downey Brand in an Amount Not to Exceed \$125,000 for Litigation from Sandia Pearson and Anita K. Pearson Challenging the Approval of Amended Fuel Break Ordinance No. 23-08

[Attachment A: 23-17 Authorize Downey Brand.pdf](#)

- 9.7 [Report from the Ad Hoc Committee Plans for Expanding the Fire Prevention Program; Expand the Home Hardening Grant Program to include Hiring Crews to Cut and Burn Brush Anywhere in the District, Advertising Availability of Screen and Gutter Guards to Increase Adoption, Pay for Outside Chipper Crews During the Summer Months and Provide Needs Based Grants for Elderly or Otherwise Infirm for Large Tree Removal](#)

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Approve to amend and expand the Home Hardening Grant Program to include:

1. Hiring crews to cut and burn brush anywhere in the District
2. Advertising availability of screen and gutter guards to increase adoption
3. Paying for outside chipper crews during the summer months when our crews are inspecting
4. Needs based grants for elderly or otherwise infirm for large tree removal.

- 9.8 [Election of Board Officers](#)

Staff Recommendation: 1) Discuss; 2) Elect new board officers to be effective January 1, 2024.

- 9.9 [Review of Standing and Ad Hoc Committees to Approve and/or Dissolve the Committees for 2024](#)

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Approve and/or Dissolve the Standing and Ad Hoc Committees for 2024

- 9.10 [Appointment of Standing and Ad Hoc Committee Members and District Liaisons](#)

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Appoint new Audit Committee members, Ad Hoc Committee members, and District Liaisons to be effective January 1, 2024

## 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 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](http://www.mofd.org/agendas).

I hereby certify that this agenda in its entirety was posted on November 9, 2023, at the Moraga and Orinda Fire Administration offices, Stations 41, 42, 43, 44, and 45 and electronically at [www.mofd.org/agendas](http://www.mofd.org/agendas). Agenda provided to the Moraga Town Office (Hacienda) and Orinda City Hall.



Marcia Holbrook  
District Secretary/Clerk