



Moraga-Orinda Fire District

Board of Directors

REGULAR MEETING
February 21, 2024 – 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/86373187320>
or By Phone: 1-669-900-6833
Webinar ID: 863 7318 7320

NOTICE OF TELECONFERENCED MEETING:
Pursuant to Government Code Section 54953, Subdivision (b), this meeting will include teleconference participation by Board Member Greg Hasler from:
1599 Castile St
Celebration, FL 34747

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 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.

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 Labor Negotiator - Local 1230, IAFF

(Government Code Section 54957.6)

Employee Organization: Local 1230, International Association of Firefighters IAFF

Agency Designated Representative: Luke Jensen

3.2 Conference with Labor Negotiator - MOFCOA

(Government Code Section 54957.6)

Employee Organization: Moraga-Orinda Fire Chief Officers' Association

Agency Designated Representative: Luke Jensen

3.3 Conference with Labor Negotiator - Unrepresented Employees

(Government Code Section 54957.6)

Employee Organization: Unrepresented Employees

Agency Designated Representative: Luke Jensen

3.4 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. Case No. N23-2201

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

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

[Attachment: October 25, 2023 Verified Petition for Writ of Mandate \[CEQA\]](#)

3.5 Public Employee Performance Evaluation

(Government Code Section 54957)

Public Employee Appointment Title: Fire Chief

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- LAFCO Vacancy on Contra Costa LAFCO - Alternate Public Member .pdf](#)

[02- Fred Weil.pdf](#)

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: January 2024 Fire Marshal Report.pdf](#)

8. **CONSENT AGENDA**

8.1 **Meeting Minutes - January 16, 2024 (special)**

Staff Recommendation: Approve and File

[Attachment: 01-16-24 Special Minutes DRAFT.pdf](#)

8.2 **Meeting Minutes - January 17, 2024 (regular)**

Staff Recommendation: Approve and File

[Attachment: 01-17-24 Regular Minutes DRAFT.pdf](#)

8.3 **Meeting Minutes - January 30, 2024 (special)**

Staff Recommendation: Approve and File

[Attachment: 01-30-24 Special Minutes DRAFT.pdf](#)

8.4 **Monthly Incident Report – January 2024**

Staff Recommendation: Approve and File

[Attachment: Incident Report January 2024.pdf](#)

8.5 **Monthly Check/Voucher Register – January 2024**

Staff Recommendation: Approve and File

[Attachment: Monthly Check Register January 2024.pdf](#)

8.6 **Monthly Financial Report – January 2024**

Staff Recommendation: Approve and File

[Attachment: Financials - January 2024.pdf](#)

8.7 **Quarterly Investment Report - December 31, 2023**

Staff Recommendation: Approve and File

[Attachment: Quarterly Investment Report 12.2023.pdf](#)

8.8 **Authorize the Fire Chief to Enter Into an Agreement with Gutterglove, Inc. for Stainless Steel Gutter Covering Material in the Amount Not to Exceed \$53,722.63**

Staff Recommendation: Authorize the Fire Chief to enter into a purchasing agreement with Gutterglove Inc. in the amount not to exceed \$53,722.63

[Attachment : GutterGlove Quote SalesOrd_8234795.pdf](#)

8.9 **Authorize the Fire Chief to Enter into an Agreement with Motorola Solutions for Handheld Motorola APX8000XE Radio Model 2.5 P25 Phase 2 dual band 7/800 & VHF with East Bay Regional Communications Systems (EBRCS) capabilities in the Amount Not to Exceed \$519,824.67.**

Staff Recommendation: Authorize the Fire Chief to Enter into an Agreement with Motorola Solutions for Handheld Motorola APX8000XE Radio Model 2.5 P25 Phase 2 dual band 7/800 & VHF with East Bay Regional Communications Systems (EBRCS) capabilities in the Amount Not to Exceed \$519,824.67.

[Attachment A: Moraga-Orinda FD IFB 02_12_2024.pdf](#)

[Attachment B: EMW-2022-FG-03891_- _Award_Package_MOFD_Radio_Grant.pdf](#)

8.10 **Authorize Amendment to Increase Fire Ready Contract in the Amount of \$74,875**

Staff Recommendation: 1) Authorize staff to enter into a contract amendment with Fire Ready in the amount of \$74,875 in order to close out the fuel reduction work completed by Fire Ready.

9. **REGULAR AGENDA**

- 9.1 [Mid-Year Budget Review FY2024 and Approval of a Capital Projects Fund Expenditure Budget Adjustment Decrease in the Amount of \\$3,794,906 and Authorize an Operating Transfer Out of the General Fund into the Capital Projects Fund in the Amount of \\$3,000,000](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Approve Capital Projects Fund Expenditure Budget Adjustment Decrease in the Amount of \$3,794,906 and Authorize an Operating Transfer Out of the General Fund into the Capital Projects Fund in the Amount of \$3,000,000
[Attachment A: Mid Year Budget Review 23-24.pdf](#)
- 9.2 [Determine the Amount of the OPEB Trust Contribution and the Amount of the Pension Rate Stabilization Trust Contribution for Fiscal Year 2024 and Authorize the Transfer of District Funds to Complete the Trust Contributions](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Determine the amount of the OPEB trust contribution and the amount of the pension rate stabilization trust contribution for fiscal year 2024 and authorize the transfer of District funds to complete the trust contributions.
- 9.3 [First Reading and Introduction of Ordinance No. 24-01, An Ordinance of the Moraga-Orinda Fire Protection District of Contra Costa County Revising a Schedule of Fees for District Services and Superseding Ordinance No. 23-02, as amended pursuant to Board direction.](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Introduce and Waive the Reading of Ordinance No. 24-01, of the Moraga-Orinda Fire Protection District of Contra Costa County Revising a Schedule of Fees for District Services and Superseding Ordinance No. 23-02 effective April 22, 2024, as amended pursuant to Board direction.
[Attachment A: 24-01 Ordinance Schedule of Fees \(REC 12-18-23\) first reading.doc](#)
[Attachment B: Fee Schedule 2024.pdf](#)
- 9.4 [Resolution 24-03, a Resolution of the Board of Directors of the Moraga-Orinda Fire Protection District nominating a Director as a Representative of Special Districts on the Contra Costa Local Agency Formation Commission](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) If the Board would like to nominate a Director to serve on the Contra Costa Local Agency Formation Commission, it is recommended that the Board adopt a resolution to nominate a Moraga-Orinda Fire District Board member to serve as a special district representative on the Contra Costa Local Agency Formation Commission
[Attachment A: LAFCO 2024 Independent Special District Election Packet.pdf](#)
[Attachment B: Resolution No. 24-03 LAFCO Candidate Nomination.docx](#)
- 9.5 [Adopt Resolution 24-02 revising Rules of Procedure for Board Meetings addressing voting requirements, rules for public comment, removal of the Board Officer positions of Secretary and Treasurer, and adding disruptive conduct procedures](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Adopt Resolution 24-02 revising Rules of Procedure for Board Meetings addressing voting requirements, rules for public comment, adding disruptive conduct procedures, removal of the Board Officer positions of Secretary and Treasurer, and other issues.
[Attachment A: Legislative Version Resolution No. 11-03 MOFD Rules of Procedure redline.pdf](#)
[Attachment B: Director Steven Danziger Memo Style.pdf](#)
[Attachment B: Director John Jex Memo Style.pdf](#)
[Attachment C: 24-02 resolution revised rules of procedure 02-16-24.pdf](#)
- 9.6 [Discussion regarding the addition to the Rules of Procedure Section 4.7 \(b\) Conflict of Interest and Section 11 regarding the Successorship of Election of Officers](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Provide direction to Staff

10. COMMITTEE REPORTS

- 10.1 **Standing Audit Committee (Directors Hasler and Jex)**
 10.2 **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 February 16, 2024, 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
District Secretary/Clerk