



# Moraga-Orinda Fire District

## Board of Directors

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**REGULAR MEETING**  
**March 20, 2024 – 5:00 PM**  
5:00 p.m. CLOSED SESSION  
7:00 p.m. OPEN SESSION  
\*\*Public Workshop\*\*

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/88037126104>

or By Phone: 1-669-900-6833  
Webinar ID: 880 3712 6104

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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 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 **Conference with Legal Counsel - Existing Litigation**

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

Name of Case: Peter J. Nowicki v. Contra Costa County Employee' Retirement Association, Moraga-Orinda Fire District, and Does 1 - 25 inclusive

Case No. Case No. MSC17-01266

[Attachment: Peter Nowicki v. CCCERA, MOFD Case No. MSC17-01266 Declaration of R. Benjamin Nelson ISO Motion For Leave.pdf](#)

[Attachment: Peter Nowicki v. CCCERA, MOFD Case No. MSC17-01266 Fifth Amended and Supplemental Petition.pdf](#)

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 **[Second Reading and Adoption of Ordinance No. 24-01, 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) Conduct a public hearing; 4) Adopt

Ordinance No. 24-01, 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.pdf](#)

[Attachment B: Fee Schedule 2024.pdf](#)

[Attachment C: Written Public Comment Received](#)

[Attachment D: Response to Written Public Comment](#)

## 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**

[01 - Richard Olsen.pdf](#)

### 8.4 **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: February 2024 Fire Prevention Report.pdf](#)

## 9. CONSENT AGENDA

### 9.1 **Meeting Minutes - February 21, 2024 (regular)**

Staff Recommendation: Approve and File

[Attachment: 02-21-24 Regular Minutes.pdf](#)

### 9.2 **Monthly Incident Report – February 2024**

Staff Recommendation: Approve and File

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

### 9.3 **Monthly Check/Voucher Register – February 2024**

Staff Recommendation: Approve and File

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

### 9.4 **Monthly Financial Report – February 2024**

Staff Recommendation: Approve and File

[Attachment: February 2024 Financials.pdf](#)

## 10. REGULAR AGENDA

### 10.1 **Public Workshop Long Range Financial Forecast March 2024**

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

[Attachment A - LRFF March 2024.pdf](#)

[Attachment B - Capital March 2024.pdf](#)

[Attachment C - Apparatus March 2024.pdf](#)

### 10.2 **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: 24-02 MOFD Rules Tracked Changes \(2-21-24 JVH\) \(distributed at the meeting\).docx](#)

[Attachment B: 24-02 MOFD Rules Additional Modifications.pdf](#)

[Attachment C: 24-02 MOFD Rules of Procedure Final.pdf](#)

### 10.3 **Discuss Recognizing Various Groups with Ceremonial Documents including Proclamations that fall outside the Subject Matter Jurisdiction of the Fire District**

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Provide Direction to Staff  
[Attachment: City of Brentwood Proclamation Policy](#)  
[Attachment: City of Lafayette Proclamation Policy](#)  
[Attachment: Town of Danville Proclamation Policy](#)

11. **COMMITTEE REPORTS**

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

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

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

I hereby certify that this agenda in its entirety was posted on March 13, 2024, 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.



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Marcia Holbrook  
District Secretary/Clerk