



Moraga-Orinda Fire District  
**BOARD OF DIRECTORS**  
**REGULAR BOARD MEETING MINUTES**  
March 20, 2024  
(APPROVED APRIL 17, 2024)

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## 1. OPENING CEREMONIES

The Board of Directors convened Open Session at 5:01 p.m. on March 20, 2024, at the Sarge Littlehale Room, 22 Orinda Way, Orinda, California 94563. This meeting was conducted in a hybrid format with in-person and remote options for public participation.

President Roemer called the meeting to order, requested an attendance roll call, and led the Pledge of Allegiance. Present were the following Directors and Staff (present in person unless noted with asterisks):

**Board Member:** Director Steven Danziger, Director Greg Hasler, Director John Jex, Director Craig Jorgens, President Mike Roemer

**Staff:** Fire Chief Dave Winnacker, Administrative Services Director Gloriann Sasser, Human Resources Manager Christine Russell, District Clerk Marcia Holbrook

**District Counsel:** Renne Public Law Group, Founding Partner Jonathan Holtzman, Of Counsel Rubin Cruse, Jr.\*\* (*arrived at 6:15 p.m.*), and Senior Analyst Luke Jensen

## 2. PUBLIC COMMENT – CLOSED SESSION ITEMS (audio 00:00:47)

There were no requests to address the Board.

**At 5:01 p.m., the Board adjourned to Closed Session.**

## 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. N23-2201

### 3.5 Item 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

**At 6:46 p.m., the Board adjourned the Closed Session.**

## 4. RECONVENE THE MEETING (audio 00:02:26)

President Roemer reconvened the Moraga-Orinda Fire District Board of Directors regular meeting at **7:00 p.m.** Present were the following Directors and Staff (present in person unless noted with asterisks):

**Board Member:** Director Steven Danziger, Director Greg Hasler, Director John Jex, Director Craig Jorgens, President Mike Roemer

**Staff:** Fire Chief Dave Winnacker, Administrative Services Director Gloriann Sasser, Fire Marshal Jeff Isaacs, Finance Manager Mary Smith\*\*, Human Resources Manager Christine Russell, District Clerk Marcia Holbrook

**District Counsel:** Renne Public Law Group, Founding Partner Jonathan Holtzman

**5. REPORT OF CLOSED SESSION ACTION (audio 00:02:56)**

There was no reportable action regarding Items 3.1-3.5.

**6. PUBLIC COMMENT - ITEMS NOT ON THE AGENDA (audio 00:03:06)**

Jonathan Goodwin, Canyon resident (attended via Zoom), inquired about the status of the District's Standards of Cover (SOC) survey document. He emphasized the importance of this document in providing crucial information for decision-making for the Board of Directors. He highlighted the need for an unbiased assessment, suggesting the involvement of a consultant rather than solely relying on the Fire Chief's perspective. Mr. Goodwin provided an example regarding the deployment of equipment in different areas of the District to illustrate the significance of the survey. He noted that the item has not been on the agenda for about 1 1/2 years. Mr. Goodwin expressed frustration with the lack of response to his inquiries and asked for clarification on the status of the SOC document.

**There were no additional requests to address the Board.**

Fire Chief Winnacker addressed Mr. Goodwin's concerns by stating that the Standards of Cover (SOC) document is a goal for the current fiscal year, as discussed during the 2023/2024 budget process leading into this fiscal year. Staff is actively collecting the necessary data that is the basis for the SOC and anticipates having the document available by the end of the fiscal year.

**7. PUBLIC HEARING (audio 00:06:55)**

**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.**

Fire Chief Winnacker provided the report. At the February 21, 2024 board meeting, the Board approved the introduction and waived the reading of Ordinance 24-01, revising the schedule of fees for District services. The proposed revisions include a 5% fee increase, reflecting the most recent salary increase as directed by the Board, twelve additional fees, and modification to the description of Repeated False Alarm fees, which now includes the term "Nuisance." Public notice of the proposed fees was given in accordance with Health and Safety Code section 13916(b) and Section 6066 of the Government Code, inviting interested parties to attend the public hearing or submit written comments to be heard on the Ordinance.

**The District received one written comment from Charles Porges opposing the fees for energy storage systems and photovoltaic installations. The comment was included in the board packet as attachment C. A written response to the written comment was provided by Fire Chief Winnacker and included in the board packet as attachment D.**

Fire Chief Winnacker addressed the public comment and clarified that the fees for energy storage systems and photovoltaic installations are not duplicative of work done by PG&E or the county building department, as they are specifically for fire code enforcement and firefighter safety. While some fees were previously included under general categories like plan review, the new fees aim to increase transparency for residents. PG&E does not issue permits for construction documents. Fire code officials and inspectors play a crucial role in ensuring these systems are installed safely and in accordance with regulations. Fire Chief Winnacker highlighted incidents where residents installed systems without proper permits, leading to safety concerns for firefighters. The proposed fees are meant to increase transparency and ensure compliance with codes designed to protect firefighters and public safety. Director Danziger expressed appreciation for the written response from Staff. He mentioned receiving inquiries from the public and forwarding the Fire Chief's explanation.

Fire Chief Winnacker expressed his support for the energy storage systems and photovoltaic installations as the systems enhance community resilience. Such measures can significantly reduce the number of service calls during public safety power shutoffs (PSPS).

**President Roemer opened the Public Hearing and Comment. There were no additional requests to address the Board. President Roemer closed the Public Hearing and Comment. No further questions or discussion by the Board.**

**Motion by Director Jorgens and seconded by Director Danziger to Adopt 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. Said Motion carried a 5-0 roll call vote (Ayes: Danziger, Hasler, Jex, Jorgens, and Roemer; Noes: None; Absent: None; Abstain: None)

**8. ANNOUNCEMENTS (audio 00:13:58)**

**8.1 Brief information only reports related to meetings attended by a Director at District expense (Government Code Section 53232.3(d)).** Director Danziger attended the LAFCO meeting last week with no reportable actions. There were no expenses associated with this meeting. President Roemer inquired about the recent LAFCO candidate statements he received. Fire Chief Winnacker responded that the statements had been received as correspondence today. President Roemer concluded there was no need to act on the candidate's statements at tonight's board meeting. District Clerk Holbrook confirmed.

**8.2 Questions and informational comments from Board members and Staff.** None.

**8.3 Communications Received.** Two (2) communications were acknowledged: 1) Richard Olsen regarding the Home Hardening Grant program (included in the packet); 2) George J. Grover, Jr regarding the removal of Junipers (received after the packet was posted and is attached to these minutes). Director Jorgens informed that he contacted the Orindawoods Homeowners Association regarding home hardening grant opportunities and also intended to contact the Moraga Country Club.

**8.4 Fire Chief Updates**

**a. Finance Report**

Finance Manager Smith provided the report covering the status of Office of Emergency Service (OES) reimbursements, the Tunnel East Bay Hills Fuel Break, and Treasury Bills updates. Staff will continue projecting cash flows to determine the amount of investment available upon maturity of treasury bills. The presentation is attached to these minutes (item 8.4(a)). FM Smith reported that the interim audit occurred during the week of March 11, 2024. Additionally, on March 1, 2024, the District sent a letter to the County Auditor-Controller's office concerning the accounting treatment for treasury bills interest. The County is investigating the matter.

Director Jorgens asked if the surplus in the General Fund would always be invested. ASD Sasser confirmed. Director Danziger inquired whether the investments would extend beyond the end of the fiscal year, noting that not all investments mature precisely at the end of the fiscal year. ASD Sasser confirmed that the investments have varying maturity dates and can span across fiscal years. Director Danziger inquired if Staff attempted to time the investments so that they matured in June. ASD Sasser responded in the negative, stating that some investments roll over. Discussion ensued among the Directors about the expected decreasing interest rates. ASD Sasser noted that the last investment made was over 5%. Director Jorgens commented that the District will not be able to forecast the rate for all next year.

**b. Human Resources**

HR Manager Russell provided recruitment update. The five Firefighter Paramedics trainees participating in the CONFIRE academy are expected to graduate on May 20, 2024. One additional Firefighter Paramedic trainee will start at the Alameda City Fire Academy on May 20, 2024. The application period for the Fire Engineer/Fire Engineer Paramedic II promotional exam is open until April 7, 2024, with the exam scheduled for April 10-11, 2024. The District has one Fuels Mitigation Specialist vacancy. Interviews were conducted, with additional interviews scheduled for the following day. An update will be provided at the April meeting. Director Danziger inquired about the number of applications received. HR Manager Russell answered twelve. Director Jorgens asked about the number of interviews scheduled. HR Manager Russell answered eleven.

**c. Fire Marshal**

Fire Marshal Isaacs presented the report, focusing on state-mandated inspections reporting six re-inspections were conducted and failed. The first R-2 inspections at St. Mary's also failed. Staff observed progress with a reduction in the number of violations. Director Jorgens inquired if the inspections were conducted annually and asked how the schools went from passing to 15 pages of violations. Fire Marshal Isaacs responded that the inspections had not passed in the years prior. Previous inspections were conducted during the summer when students were absent, resulting in hazards being overlooked. Inspections now occur when students are present.

Fire Chief Winnacker proceeded to share two photos of a fuels mitigation violation of a tree. One photo was submitted by a resident and the other taken on-site by Staff. The two photos revealed the Owner had photoshopped the violation out of the photo. Fire Chief Winnacker emphasized the

importance of Staff validating the self-compliance photos to ensure compliance and the time which is consumed by this work.

**d. Tunnel East Bay Hills Fuel Break Project**

Fire Marshal Isaacs provided a brief update. Due to heavy rains work has been temporarily halted. Crew 12 is scheduled to resume operations the second week of April. Approximately 75 to 100 piles have been established, with plans to burn before the grass changes. Director Jorgens inquired about the status of Crew 12. Fire Marshal Isaacs explained that Crew 12 was utilized throughout the winter and will begin their Fire Season training in April. Fire Chief Winnacker stated that the State grant funds enabled the Crew to remain active during the winter, preventing layoffs and enhancing regional efficiency. The continuity of the Crew's employment reduced the time needed to train new Staff. The collaboration between CONFIRE and MOFD state-funded grant resources has resulted in regional benefits.

Director Danziger inquired about the continued use of West Coast Code Consultants (WC-3) for plan reviews despite the District hiring a person for that purpose. Fire Marshal Isaacs explained that due to the state mandated inspections, the plan review responsibilities were temporarily shifted from Staff to WC-3. Once Staff catches up with inspections, he will resume performing plan reviews. However, WC-3 will be retained for specialized or technical projects.

**e. Home Hardening Grant Program**

Fire Chief Winnacker reported on upcoming plans to distribute the next batch of gutter guards, assessing demand, ordering more materials, and organizing further distributions. Collaboration with HOAs and other groups to share the distribution workload is ongoing. Director Jorgens mentioned he is working with HOAs to provide the necessary details for the next material order.

**f. Operations**

Fire Chief Winnacker provided the Operations update, highlighting ongoing training activities in preparation for the new year. The presentation is attached to these minutes (item 8.4(f)). He emphasized the complexity of coordinating multiple entities and engines. A high-speed pursuit occurred on February 28, 2024, resulting in a head-on collision in the District. An apparatus update was shared showing the re-boxing of the District ambulance. Additionally, a Type 6 apparatus is being constructed with the delivery date unknown but anticipated in late spring or early summer. The Station 45 Open House is scheduled for May 4, 2024.

Director Danziger proposed adding an item to the agenda under Fire Chief Updates titled "Upcoming Calendar and Events." This section would include dates for events such as the next meeting, open house dates, recruit academy graduation, and other public events involving MOFD participation. Fire Chief Winnacker inquired if this would encompass events for the next 30 days, which Director Danziger confirmed, specifying events until the next meeting. Director Jorgens favored the idea.

**President Roemer opened Public Comment.**

Jonathan Goodwin, Canyon resident (attended via Zoom), raised questions about the structure and responsibilities of the Office of the Fire Marshal. He sought clarity on the specific roles and responsibilities within the fire prevention department to better understand the bureau's functions because, in the past, the fire marshal performed the plan reviews and inspections.

Fire Chief Winnacker responded by reviewing the evolution of the Fire Prevention Division and explained how Fire Prevention had grown substantially over the past six years. The responsibilities have expanded significantly with the increase in wildfire prevention and evolving state fire safety laws.

President Roemer asked if there were any additional public comments. District Clerk Holbrook noted that Jonathan Goodwin had raised his hand again to comment. Director Jorgens stated the rule allowed only one opportunity for public comment. President Roemer affirmed this rule.

**There were no additional requests to address the Board.**

**9. CONSENT AGENDA (audio 00:09:27)**

- 9.1 Meeting Minutes – February 21, 2024 (regular)**
- 9.2 Monthly Incident Report – February 2024**
- 9.3 Monthly Check/Voucher Register – February 2024**
- 9.4 Monthly Financial Report– February 2024**

**President Roemer Opened Public Comment.**

Jonathan Goodwin, Canyon resident (attended via Zoom), commented that he had two minutes remaining to comment on the previous item. He recommended that the Fire Prevention Bureau make an [Organizational Chart](#) available to the public. He then commented on the consent agenda. Mr. Goodwin commended the board meeting minutes from the last meeting. He questioned the monthly incident report, noting the absence of a breakdown by station, which used to be included. He also inquired about the significant difference in median turnout time between in-district and out-of-district responses, speculating it might be due to data collection methods. Lastly, he sought clarification on a 15-minute response time to an incident in Canyon, suggesting it may have been related to searching for an abandoned vehicle rather than an actual emergency response.

Fire Chief Winnacker responded that the median turnout time discrepancy for the out-of-district responses was most likely due to a small number of calls in the sample size. He explained that in-district responses have a larger sample size and align with expected turnout times results. Regarding the 15-minute response time to the incident in Canyon, he confirmed it was due to locating an abandoned vehicle.

**There were no additional requests to address the Board.**

**Motion by Director Jorgens and seconded by Director Jex to approve Consent Agenda items 9.1-9.4. The Motion carried a 5-0 roll call vote (Ayes: Danziger, Hasler, Jex, Jorgens, and Roemer; Noes: None; Absent: None; Abstain: None).**

## 10. REGULAR AGENDA

### 10.1 Public Workshop Long Range Financial Forecast March 2024 (audio 00:45.21)

Administrative Services Director Sasser presented the updated Long Range Financial Forecast (LRFF) during the annual public workshop. The presentation is attached to these minutes as item 10.1. The LRFF spans a forward-looking 10-year period and is separate from the Annual Operating Budget. Staff requested Board direction on the LRFF to prepare the Annual Operating Budget, set to be presented on April 17, 2024. The LRFF is also scheduled for adoption on April 17, 2024.

ASD Sasser reported on the progress of preparing the FY 2025 Annual Operating Budget, with most categories complete except for Operating Expenditures, which are still in process. The LRFF incorporates completed budget work to date and reflects a 7.5% increase in operating expenses.

The significant assumptions for revenue and expenditures in the LRFF were presented:

- Property taxes are projected to increase by +3.97% in FY24-25 and +3.5% thereafter.
- Ambulance revenue to increase by +5% in FY24-25 and +1.5% thereafter.
- Net strike team revenue projected to be \$200K/\$50K\* (\*vehicle portion) in FY24-25, with a +3% increase thereafter.
- Tunnel East Bay Hills Fuel Break Admin Fee estimated at \$684K in FY2026 into General Fund, subject to Board direction.
- Salary and Overtime to increase by +3% starting July 1, 2024, and then +3% annually thereafter.
- New positions proposed starting July 1, 2024: Deputy Fire Chief (\$494K) and Office Specialist in Emergency Preparedness (\$117K).
- Benefits to increase by +3% throughout.
- CCCERA (Contra Costa County Employees' Retirement Association) projections utilized from GovInvest. CCCERA projections are pending.
- Full actuarially recommended contributions for OPEB Funding are assumed.
- Full contribution recommended for Pension Rate Stabilization Fund is assumed using a 6.25% discount rate, with CCCERA projected to increase by +9.0% in 2023 and salary increases of 3%.

#### **Pension Costs**

- CCCERA Board uses a discount rate of 6.75%.
- CCCERA actual year-to-date investment returns January 1, 2023, through December 31, 2023: +9.0%. These rates will affect CCCERA rates beginning July 1, 2025.
- Updated 5-year rate projections from CCCERA are in process. Staff expects to receive the updated projections before the next board meeting; therefore, Staff will include CCCERAs projections in the LRFF, which should be better than the projections coming out of GovInvest.
- Staff presented a chart highlighting the District's substantial financial challenges over the next five years. These challenges notably impact the Safety Classic rates that the District must pay to CCCERA. Initially, the Safety Classic rates remained stable in the 70% range, indicating that for every dollar of pensionable payroll that the District had to pay equaled \$0.70 to CCCERA. However, in fiscal year 2024, this rate increased to 80% and in fiscal year 2025, it rose by another

10%, reaching 91.30%. This escalation represents a significant financial development and poses a considerable challenge for the District over the next five years. The projections for the next five years are based on GovInvest data, and once the CCCERA rates are received, these figures will be updated accordingly.

Director Danziger inquired if the increase in the Safety Classic rates was due to poor investment returns. Fire Chief Winnacker answered that a -10.7% return in 2021 on an assumed rate of 6.75%, essentially meant a -17% net difference which was smoothed in over a period of time to recoup the losses.

ASD Sasser continued to explain the total funding designated for pension costs for FY 2024 is \$9.6M (\$8,494,825 paid to CCCERA, and \$1,151,900 paid to the Pension Rate Stabilization Trust, board directed). The total funding designated for pension costs is reflected using a 6.25% discount rate.

ASD Sasser next displayed a chart forecasting the Unrestricted Fund Balance for the years 2024-2034 based on the LRFF and reviewed the District's long-term debt. The District has one outstanding debt balance totaling \$2,078,000 at an interest rate of 2.14% for the Station 43 construction. The final slide in the presentation detailed Capital Projects Fund expenditures for the fiscal year 2025 budget:

- Remodel Station 45 \$1.0M
- Ambulances (2) \$330K
- Fire Chief Vehicle \$75K
- Rebuild of Fire Station 41 and Administration
  - FY2026 \$7.0M
  - FY2027 \$3.6M
- Funding from the General Fund transfers to the Capital Projects Fund
  - FY2025 \$3M
  - FY2026 and FY2027 \$2M per year
  - FY2028 through FY2034 \$1.1M per year

Director Jex asked about the disparity between Total Revenue on Line 1 and Total General Fund Revenue on Line 15. ASD Sasser clarified that Line 1 comprises General Fund Revenue, Capital Projects Fund Revenue, and Debt Service Fund Revenue. The Tunnel East Bay Hills Fuel Break was not included in Line 1. Director Hasler sought clarification, and ASD Sasser reiterated that Line 1 includes General Fund, Capital Projects Fund, and Debt Service Fund revenues.

Director Jex questioned why there are two separate calculations for revenues and expenditures. Fire Chief Winnacker explained rows 1-5 were added to improve accessibility to the forecast information for the public. The rows provide a quick overview of the District's financial health without requiring individuals to understand every detail of the spreadsheet. Fire Chief Winnacker emphasized that while the detailed calculations are still present in the spreadsheet, the addition of these top lines simplifies the presentation of the District's financial metrics, making them more straightforward and accessible to stakeholders.

Director Jex asked about the forecasting method for cash and investments. ASD Sasser explained December 15 is the driver of the projections with revenue and expenses added in as they occur throughout leading up to December 31. Director Jorgens added it is when the District's cash reserves reached a minimum, as it offered a more accurate representation of the District's financial health. Fire Chief Winnacker noted the Board's previously stated interest in avoiding the need to use the Teeter Plan.

Director Jorgens asked about the 8.85% increase on Line 17 for Safety Salaries, noting that it did not align with the contract terms. ASD Sasser explained that the 8.85% increase compares to FY2024 and FY2025, which assumes that the Board authorizes all the positions (Deputy Fire Chief, Office Specialist, and 57 Safety personnel). Fire Chief Winnacker noted that the current year's salaries are adjusted to reflect the actual number of firefighters, which is 51. He explained that this adjustment is made during mid-year corrections to align the budget with the actual number of personnel. Each year, the budget assumes a certain number of firefighters, in this case the number is 57, along with projected overtime.

Director Jorgens pointed out that an additional 3% is included in the number. Fire Chief Winnacker responded the 3% is assumed and displayed on the right side column. Director Jorgens observed that the percentage is added in because the cell contains a 1.03% multiplier. ASD Sasser confirmed. Director Jorgens commented that it is difficult to make changes when some of the calculations rely on variables from the right-hand column, and others are hard coded with a formula. Director Jorgens said the opposite happens with overtime. Fire Chief Winnacker explained that the District routinely reallocates funds from the salary budget to the overtime budget because the District uses overtime to fill vacant positions. The

overtime typically amounts to 1.5% of salary, while filling vacant positions cost approximately 1.9% of salary.

Director Jorgens inquired about the replacement schedule for two ambulances; one retired a year earlier than expected, and the other three years earlier. Fire Chief Winnacker explained that the medium-duty ambulances were not utilized as intended due to time loss injuries and complaints about ride quality from the public. Fire Chief Winnacker stated that the new F450 ambulances were selected based on insights gained from neighboring agencies like San Ramon and Berkeley to ensure reliability, ride quality, and durability. Director Jorgens asked about the Chevy Tahoe. Fire Chief Winnacker confirmed that the timing aligns with its anticipated service life. Director Jorgens inquired about the column headings indicating "2018 replacement costs." Fire Chief Winnacker suggested it might be related to the timing of the last assessment but assured that Staff would investigate the heading of the column.

Director Jorgens asked about the negative balance in the Capital Fund for two years and why Staff hadn't transferred more funds from the surplus in the General Fund. ASD Sasser explained that the Capital Fund currently holds money from past transfers. Staff continued transferring the same \$2M amount to maintain consistency. The decision to allocate more funds was at the Board's discretion.

Director Jorgens requested that scenarios be provided for the LRFF. He stated that salaries are a major variable and suggested adjustments of 1% or 2% up or down to observe the significant impact on financial figures. He expressed concern about CCCERA's fixed assumption of a 3% increase, which historically has proven inaccurate. Director Jorgens emphasized the need to adjust this assumption in GovInvest.

Director Hasler requested that Staff contact the Property Tax Consultant to acquire updated property tax figures in light of the recent court case involving the National Association of Realtors and the expected decrease in property values.

President Roemer pointed out the significance of property taxes as the District's primary revenue source. He recalled information from the packet indicating a decrease in the number of property sales and average sale prices within the District for the current year. President Roemer expressed concern about the impact of various factors on revenue, such as insurance prices or a housing market downturn. He recommended running a scenario to assess the consequences of a housing market downturn.

Director Jorgens talked about the impact of Proposition 13 on property values. Property prices and the number of sales is crucial in determining the overall impact on property tax revenue. Director Jorgens also requested a scenario with a sensitivity analysis. ASD Sasser sought clarification about the year and property tax assumptions to be used.

Director Hasler agreed that a sensitivity analysis would be appropriate. He recommended considering scenarios where the assumed annual revenue growth rate is adjusted from the current 3% to a lower rate, such as 1%, to help determine when the District might encounter financial difficulties under different growth rate assumptions. Director Jorgens suggested decreasing the percentage by 1% and running a 2.5% instead of 3.5%. Director Hasler concurred with decreasing the assumption by 1% to show sensitivity.

ASD Sasser requested direction for the scenarios to determine if the Board wanted one scenario featuring the 2.5% property tax revenue and 3% salary or multiple scenarios incorporating alternative salary rates of 4% and 2%. Director Jorgens requested two separate scenarios: one focusing solely on real estate and another on the other variables.

Director Jorgens inquired if the property tax revenue had been finalized. ASD Sasser confirmed FY2025 property tax revenue was based on sales from the calendar year 2023 and is finalized. President Roemer asked if Staff recommended running the numbers starting in FY 25/26. ASD Sasser confirmed.

**President Roemer opened Public Comment.**

Jacob Airola, Local 1230 Union Representative (attended in person), expressed concern about the two additional positions: Deputy Fire Chief and an Office Specialist in emergency preparedness. He stated that the positions come on top of six Fire Prevention Specialists, an Office Manager, and Emergency preparedness Coordinator. He pointed out that six firefighter positions remain unfilled. Firefighters are concerned about being understaffed. Captain Airola questioned the prioritization of a robust Administration and Fire Prevention Bureau over a fully staffed fire response.

**There were no additional requests to address the Board.**

**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 (audio 01:20:58)**

District Counsel Holtzman provided the report and highlighted the changes made since the last meeting on February 21, 2024. He directed the Board to page 193 of the Board packet, which contained the red-lined version showing the recent modifications. District Counsel Holtzman explained that most changes were minor and addressed the previous points raised by board members. The notable changes included specifying start times for closed sessions, clarifying the notice period for special meetings, and consolidating sections related to public comments. The revisions enhanced clarity and procedural efficiency without altering substantive content.

Director Danziger inquired about the provision stating that one cannot succeed oneself under the Election of Officers section. District Counsel responded that he did not see it in the current version. President Roemer remembered that it was one of the items singled out from the rules at the last meeting. District Counsel confirmed but stated Director Danziger had agreed to reinstate the language at the February board meeting. District Counsel Holtzman suggested the provision could be read into the record and the resolution could be adopted as amended. All directors agreed. Fire Chief Winnacker read the language from the February 21, 2024, Staff Report, Item 9.6.

No member of the Board shall serve in the same position of President or Vice President for more than one consecutive year unless all other board members decline to accept nomination to serve as either President or Vice-President, in which case the current President or Vice President may serve a second consecutive term in that office.

District Counsel Holtzman recommended a Motion to adopt Resolution 24-02 as presented, incorporating the additional language read by the Fire Chief. Director Danziger asked if the rules needed to address procedure for changing the order of items on the agenda. District Counsel Holtzman answered it was not required.

**President Roemer opened Public Comment. There were no requests to address the Board. President Roemer opened Public Comment on the Motion. There were no requests to address the Board.**

**Motion by Director Jorgens and seconded by Director Danziger to Adopt Resolution 24-02 revising Rules of Procedure for Board Meetings as presented, adding language to the section on Election of Officers, [No member of the Board shall serve in the same position of President or Vice President for more than one consecutive year unless all other board members decline to accept nomination to serve as either President or Vice President, in which case the current President or Vice-President may serve a second consecutive term in that office]. Said Motion carried a 5-0 roll call vote (Ayes: Danziger, Hasler, Jex, Jorgens, and Roemer; Noes: None; Absent: None; Abstain: None).**

**10.3 Discuss Recognizing Various Groups with Ceremonial Documents, including Proclamations that fall outside the Subject Matter Jurisdiction of the Fire District. (audio 01:36:30)**

Fire Chief Winnacker provided the report. A director requested a discussion about recognizing various groups outside the Fire District's subject matter jurisdiction. Staff contacted neighboring cities and municipalities for sample policies regarding issuing proclamations and provided responses from local cities and sample policies. Staff requested Board direction regarding establishing a proclamation policy.

Director Danziger believed that recognizing groups with ceremonial documents or proclamations falls within the scope of a publicly funded organization. He emphasized the importance of recognizing federally accepted celebratory months to build community and honor diversity; however, suggested a selective approach, only acknowledging prominent months such as Black History Month, Pride Month, and American Red Cross Month. He proposed handling proclamations on an ad hoc basis without a formal policy. Director Hasler agreed.

Fire Chief Winnacker explained the necessity of establishing a policy due to the absence of a standardized list of recognized months or organizations at the federal or state level. He emphasized the need for clear direction from the Board to avoid ambiguity and ensure efficient use of staff resources. Director Danziger acknowledged the need for clarity but favored handling proclamations on an ad hoc basis.

Director Jorgens expressed concerns about potential divisiveness if the Board were to select certain groups for recognition over others. He suggested limiting proclamations to events directly related to the

District's activities, such as special rescues or heroic acts. President Roemer expressed concern about potential controversies arising from selective recognition. As an alternative, he proposed adjourning meetings "in honor of" or "in memory of."

District Counsel Holtzman noted no legal issues with adjourning meetings "in honor of" but highlighted the challenges if the Board disagrees and debates the motion. President Roemer suggested an informal agreement and deferring formal action until November. Director Danziger appreciated the opportunity to discuss the item. He was fine with adjourning meetings "in honor of" and did not need to issue formal proclamations as they may create more work and discussion than is necessary. Director Jorgens agreed. No directors expressed any opposition. There was no further discussion.

**President Roemer opened Public Comment. There were no requests to address the Board.**

**11. COMMITTEE REPORTS (audio 01:57:23)**

**11.1 Ad Hoc Committee Joint Fire Prevention w/City of Orinda** (Directors Jorgens & Roemer).  
Director Jorgens reported a meeting is scheduled on March 21, 2024.

**11.2 Standing Audit Committee** (Directors Jex & Hasler). District Jex reported a meeting is scheduled on April 1, 2024.

Director Danziger inquired about attending the Ad Hoc Fire Prevention (2 x 2 meeting) as a citizen. District Counsel Holtzman explained the challenges associated with this request, stating that while technically it wouldn't violate the Brown Act if Director Danziger attended as an audience member and did not speak, it was still not advisable. District Counsel Holtzman emphasized that there is a significant risk, although it may not technically violate the Brown Act in smaller meetings with fewer witnesses and no recordings. Therefore, Counsel advised against Director Danziger attending the meeting as a citizen.

**President Roemer opened Public Comment. There were no requests to address the Board.**

**12. ANNOUNCEMENTS (audio 02:33:24)**

**12.1 Future Agenda Items.**

Director Jorgens proposed adding an agenda item to discuss increasing expenditures for fire prevention, including budget allocations for this year's expenditures. District Counsel Holtzman sought clarification on the specific expenditures being proposed. Director Jorgens explained that one idea was to order more gutter guards, as there was a high demand for them. Fire Chief Winnacker reiterated his concerns about the logistical challenges of distributing the guards due to staffing limitations.

Director Jorgens inquired about the quantity of gutter guards that could be obtained in a shipment. Fire Chief Winnacker responded that typically the amount is between 60 and 100 boxes per shipment. He mentioned the extensive back-and-forth communication with the Orindawoods HOA regarding ordering the material. Director Jorgens indicated he would follow up directly with the Fire Chief to address his inquiries.

**President Roemer opened Public Comment. There were no requests to address the Board.**

**13. ADJOURNMENT**

**At 9:02 p.m., Director Jorgens motioned and seconded by Director Roemer to adjourn the meeting in recognition that February is Black History Month. Said Motion carried a 5-0 roll call vote (Ayes: Danziger, Hasler, Jex, Jorgens, and Roemer; Noes: None; Absent: None; Abstain: None)**

/s/ Marcia Holbrook  
District Secretary/District Clerk