



Moraga-Orinda Fire Protection District

BOARD OF DIRECTORS SPECIAL BOARD MEETING MINUTES

May 20, 2020
(Approved June 17, 2020)

1. The Board of Directors convened a Teleconference Open Session at **7:03 p.m.** on **May 20, 2020**, via the Zoom application, <https://us02web.zoom.us/j/82036656026>, webinar id: 820 3665 6026 and/or by Phone 669-900-6833. Pursuant to Executive Order N-29-20, Teleconferencing Restrictions of the Brown Act have been suspended. MOFD is closely following the latest Public Health Order from the Contra Costa Health Services issued on March 17, 2020. At this time, all formal public meetings will continue remotely.

President Danziger called the meeting to order and requested an attendance roll call. Present were the following Directors and Staff:

President Danziger	Director Jorgens	Christine Russell, HR Benefits Manager
Director Baitx	Dave Winnacker, Fire Chief	Jonathan Holtzman, District Counsel
Director Donner	Gloriann Sasser, Admin Services Director	Marcia Holbrook, District Clerk
Director Jex	Jeff Isaacs, Fire Marshal	

President Danziger dedicated the MOFD Special Board Meeting in honor of the eleven firefighters injured in a Los Angeles downtown fire and asked the Moraga-Orinda community to keep the firefighters in their prayers.

2. PUBLIC COMMENT (audio 7:35)

President Danziger opened Public Comment. Public comment remained open for a minimum of 1 minute to allow for potential digital processing delays to ensure that the public had sufficient time and opportunity to send in questions or comments via the Zoom Chat or by the designated email at MOFD.org or by the Raise Hand function via the Zoom App.

Written public comment statements were read into the record by Staff. Written public comments are attached to these minutes.

1. Ken Light

Barry Horn, Orinda resident, and participant on the Orindawoods Firewise Committee and Orinda Firewise Council recommended that MOFD add specific information and videos on the website illustrating the types of bushes and trees that should be removed for fire prevention. Mr. Horn suggested adding examples of alternative plants or trees that can be planted to replace the forbidden ones. In addition, Mr. Horn recommended that MOFD invest in a sophisticated website teaching the community how to be fire safe since there is an enormous commitment from residents to do the work needed in this area.

Cz Czerner, Orinda resident, commented in support of the written public comment letter submitted by Steve Cohn regarding the fire flow tax and that Orinda pays more than Moraga for equal service. Ms. Czerner stated that the MOFD board should ask Moraga residences to act on what their voters wanted, and that is to increase their tax to \$0.30 per fire flow unit.

Sue Wecht, Orinda resident, Firewise leader of Orinda Downs, member of the Orinda Firewise counsel, and a member of a subcommittee tasked with education and outreach announced a Zoom meeting on May 21, 2020 to share the six steps of the FireWise process and how neighborhoods can become certified. Ms. Wecht requested that the MOFD provide more outreach to the communities.

There were no additional requests to address the Board. President Danziger closed Public Comment.

3. PUBLIC HEARING (audio 20:54)

3.1. Public Hearing on the Wildland Urban Interface Fire Area Adoption and First Reading of Ordinance 20-02 Adopting the Wildland Urban Interface Fire Area.

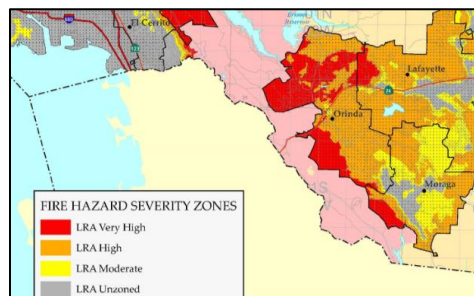
Fire Chief Winnacker provided the report and explained that at the April 2020 meeting, the Board heard the first reading of proposed Ordinance 20-02 to designate portions of the District Wildland Urban Interface

Fire Area for the purpose of requiring ember resistant construction. Following the first reading, the City of Orinda and Town of Moraga raised technical points that do not change the impact of the proposed ordinance 20-02. The changes have been incorporated and are presented in a revised Ordinance for a first reading. The changes include:

1. MOFD Ordinance 2009-01 remains in effect and is not repealed. This ordinance established Very High Fire Hazard Severity Zones.
2. The 2007 draft Very High and High Fire Hazard Severity Zones are designated as Wildland Urban Interface Fire Areas.

Fire Chief Winnacker referred to Public Resources Code (sections 4201 through 4204) and Government Code (sections 51175 through 51189). These codes define Wildland Urban Interface Fire Area as a geographical area identified by the state as Fire Hazard Severity Zone or other areas designated by the enforcing agency to be at significant risk from wildfires. Making this designation requires findings to support the designation. Designation of Local Response Areas of the District as Wildland Urban Interface Area requires the use of ember resistant construction for new buildings. State law currently requires the use of ember resistant construction for new buildings in all State Response Areas within MOFD's jurisdiction outside of the City and Town limits.

Fire Chief Winnacker illustrated the affected areas, shown in Orange on the map included in the staff report. Very High Fire Hazard Severity Zones have required ember resistant construction since 2009 when MOFD adopted them via Ordinance 09-01. CalFire periodically issues new maps, with the next update expected in 2021. Staff will review the new maps when they are made available and provide recommendations to the Board regarding the adoption of the new maps via ordinance.



President Danziger asked if CalFire takes input from MOFD when the maps are updated. Fire Chief Winnacker answered any Fire Agency having jurisdiction has the opportunity to comment if the map accurately reflects the conditions on the ground. The comments are processed and balanced against all other elements that went into the development of the maps. The state issues the recommended maps, and the District has a finite period to review and either adopt or contest the recommended maps.

President Danziger opened Public Comment. There were no requests to address the Board. President Danziger closed Public Comment. No further discussion by the Board.

Motion by Director Jorgens and seconded by Director Jex to adopt the findings and first reading of the Wildland Urban Interface Fire Area Ordinance 20-02. Said motion carried 5-0 roll call vote (Ayes: Baitx, Donner, Jex, Jorgens, and Danziger; Noes: None; Absent: None).

4. CONSENT AGENDA (audio 29:35)

- 4.1. Meeting Minutes – April 29, 2020 (Public Budget Workshop), and April 29, 2020 (Special Meeting)
Staff Recommendation: Approve and File
- 4.2. Monthly Incident Report for April 2020
Staff Recommendation: Approve and File
- 4.3. Monthly Check/Voucher Register – April 2020
Staff Recommendation: Approve and File
- 4.4. Approval of Salary Schedules Effective July 1, 2020
Staff Recommendation: Approve and File

Director Jex asked why the response times on the ambulance report were trending up. Fire Chief Winnacker answered extra time is required to put on additional PPE that the firefighters are wearing while enacting enhanced body substance isolation and protective equipment due to COVID-19.

Director Jex asked why the Workers' Compensation expenses have increased by 17 percent. Administrative Services Director Sasser answered that the District participates in a self-insurance system for Fire Agencies, which is a JPA for Fire Agencies for workers compensation insurance purposes. The increase is based on increased payroll (due to fully staffed positions and increased salaries) and injuries. Director Jex asked if the Workers' Compensation claims are monitored. ASD Sasser confirmed that the claims are reviewed, and safety protocols that need to change are implemented to prevent future claims.

Director Jex inquired about the West Coast Code Consultants expense. ASD Sasser explained that West Coast Code Consultants perform the plan reviews and inspections for the District. Fire Chief Winnacker added that the plan review submissions have decreased, and contracting out the services reduces the expense of hiring a part-time employee.

President Danziger opened Public Comment. There were no requests to address the Board. President Danziger closed Public Comment. No further discussion by the Board.

Motion by Director Jorgens and seconded by Director Jex to approve Consent Agenda items 4.1 through 4.4. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Donner, Jex, and Jorgens; Noes: None; Absent: None).

5. REGULAR AGENDA (audio 36:36)

5.1. Proposed Annual Operating Budget Fiscal Year 2021

Fire Chief Winnacker provided the report. The proposed Annual Operating Budget for the FY 2021 (Budget) has been developed based on the guidance provided by the Board during the community input at the April Public Budget Workshop. The Staff has developed proposed goals, projections, and budget proposals based on the Strategic Plan and Business Plan. On March 13, 2020, the World Health Organization formally declared COVID-19 a global pandemic. On April 29, 2020, the Board discussed the effects of COVID-19 on the budget development process and directed Staff to implement moderate to aggressive spending decreases.

Administrative Services Director Sasser shared a detailed PowerPoint presentation of the Budget.

General Fund

Total General Fund revenue is projected to be \$24.8M, which is \$16K or less than 1% more than the amount of General Fund revenue projected to be received in the fiscal year 2020. Notable differences in General Fund revenue for 2020 are as follows:

- Property tax revenue in the General Fund is projected to increase \$1M or 4.6% based on HdL estimates, primarily due to increased median price of single-family residential properties and increased assessed valuation.
- Ambulance service revenue is projected to decrease \$784K 60% due to COVID-19 effects (50% fewer ambulance transports.)
- Federal grants revenue is projected to decrease \$250K due to having entered the final year of the SAFER grant, which now funds 35% of the salaries and benefits costs for four positions through February 10, 2021. The two prior years the grant-funded 75% of the costs.
- Fire prevention fees for plan reviews, inspections, and permits are projected to decrease by \$148K due to COVID-19 effects (fewer plan reviews and inspections.)

Total General Fund expenditures are projected to be \$26.3M, including salaries and benefits of \$23.6M based on labor agreements, and a pension trust contribution of \$1.6M and an OPEB trust contribution of \$475K. Notable items include the following:

- The Budget reflects the terms of the current labor agreements, which include the following increases effective July 1, 2020:
 - Local 1230: 2% wage increase + 1% equity adjustment
 - MOFCOA and Unrepresented Employees: 2% wage increase
- Permanent salaries are projected to increase 10% due to the salary increases effective July 1, 2020, and due to an increase in the number of filled firefighter paramedic positions (3 recent/new hires to fill 56 of 57 authorized line safety positions.) The increase is also due to the filling of four full-time positions in fire prevention/fuel mitigation. The increase in the number of firefighter-paramedics will result in a reduction in overtime costs.
- Hourly salaries are projected to decrease by 48% due to the elimination of hourly, part-time positions in fire prevention/fuels mitigation.
- Overtime expenditures are projected to be \$1.0M, including planned weather-based staffing increases during local red flag or wind event days, which will staff additional resources during high-risk fire conditions. This is a decrease of 22% from FY2020 due to an increase in the number of filled firefighter paramedic positions.
- Overtime expenditures for personnel assigned to State reimbursable strike teams are projected to increase from \$236K to \$515K.
- Retirement contribution costs are projected to increase by 9%, due to the increase in permanent salaries and the number of filled firefighter paramedic positions and fire prevention/fuels mitigation positions. The Safety retirement rates set by Contra Costa County Employees' Retirement Association increased from 70.94% to 72.57% effective July 1, 2020.
- Health insurance costs are projected to increase by 25% due to projected premium increases and an increase in the number of filled firefighter paramedic positions and fire prevention/fuels mitigation positions. Premiums are projected to increase 5% in January 2021.
- Retiree health insurance costs are projected to increase 5% based on enrollment of current retirees.
- Workers' compensation costs are projected to increase by \$197K or 17%, due to an increase in the District's experience rating modification factor, which is adjusted each year by the District's workers' compensation provider based on four years' of workers compensation usage, and an increase in payroll.
- The proposed Budget includes \$2.7M for operating expenditures, which is a decrease from the FY2020 Budget and a 1% increase over FY2020 projected spending. Additional details regarding the budget reductions are detailed in the report.
- The contribution to the OPEB trust and pension rate stabilization trust fund are included. The Long Range Financial Forecast includes \$2.0M contribution to restricted reserves in the form of the Pension Stabilization Trust Fund (\$1.6M) and OPEB Trust Fund (\$475K). Staff requests additional direction from the Board regarding the OPEB trust and pension rate stabilization contributions for FY2020.

Director Jorgens commented that the property tax projections most likely will trend flat due to the current market meltdown rather than trending up 4.6% a year as projected. Fire Chief Winnacker concurred that the Long-Range Financial Forecast is being updated to reflect the current financial uncertainties, and all of the financial planning is based on conservative estimates for revenue growth.

Operating Expenditures – Moderate to Aggressive Spending Decreases

Per Board direction, Staff reviewed all operating expenditures and implemented moderate to aggressive spending decreases due to COVID-19. The following operating expenditures were reduced/eliminated:

- Computer equipment reduced 33%
- Technical rescue equipment reduced 43%
- Firefighting equipment – hose reduced 70% because a grant was obtained to purchase hoses in FY2020.
- Safety clothing was reduced by 14%
- Computer software – Staff proposed eliminating the OpenGov financial transparency software to save \$6,000. Over the last 90 days, the site had 19 unique visitors who spent an average time on the site of 2:04 minutes.

- Website development was reduced by 72% to maintain the existing website only (no website expansion.)
- Equipment maintenance reduced by 56%
- Building maintenance reduced by 28%
- OPEB valuation reduced 100% - an OPEB valuation is required every other year. Per Board direction, the District was completing it every year. The liability is stable and does not change significantly every year. Staff recommends completing the OPEB valuation every other year to save \$5,500.
- Strike team supplies reduced 27%
- Exercise equipment reduced by 39%
- Public education supplies reduced by 50%
- Miscellaneous supplies reduced 30%

Staffing Summary and Proposed Benefit Changes

The Budget currently accounts for a continuation of staffing as follows pending board direction:

- Safety roster strength of 57 positions
- Increase of Emergency Preparedness Coordinator position from part-time to full-time non-benefitted through December 31, 2020, approved by the Board on April 29, 2020, due to COVID-19.
- Staff recommends eliminating one part-time, benefitted Fire Inspector/Plans Examiner position (0.6 full-time equivalent.) The position has been vacant since May 2019, and the work has been completed by an outside contractor. The District pays an hourly rate for the work that needs to be done. Since COVID-19, the need for inspections and plan review work has decreased significantly. By using a contractor, the District obtains services as needed. The total cost of the benefitted position is \$119K; the contractor's cost is projected to be \$70K.

No employee benefit changes are recommended.

Director Jorgens commented that it would be beneficial for MOFD to reach out to the City of Orinda to help the city understand what capabilities already exist in our community as far as emergency preparedness and fire prevention efforts. Fire Chief Winnacker explained that the Emergency Preparedness Coordinator, Fire Marshal, and Fire Chief are currently participating in the Emergency Preparedness coordination meetings to ensure that the long-standing efforts that MOFD has engaged in the community are not unnecessarily replicated.

Capital Projects Fund

Capital Projects Fund revenue is projected to be \$1.1M (fire flow tax.) This money will be used to transfer to the Debt Service Fund for debt payments (\$937K.)

Capital Projects Fund expenditures are projected to be \$0. The following planned capital improvements have been deferred due to COVID-19 per Board direction:

- Station 41/Administration remodel \$1,000,000
- Station 45 remodel – architect \$500,000

Debt Service Fund

The proposed Budget includes required debt service payments of \$4.5M for the District's pension obligation bonds and two leases (Station 43, two fire engines, one fire truck, and two ambulances.) The funding source for the debt service payments is property tax revenue of \$3.9M and fire flow tax revenue from the Capital Projects Fund.

Use of General Fund Balance Reserves and Fund Balance Policy

The proposed Budget projects use of unrestricted General Fund balance of \$1,520,480. Projected unrestricted fund balance in the General Fund as of June 30, 2021, is \$7.0M, in the Debt Service Fund \$3.7M, in the Capital Projects Fund \$4.6M and the North Orinda Emergency Fuel Break Fund \$450K.

The District's fund balance policy states the District will maintain a minimum fund balance of unrestricted fund balance in the General Fund of at least 17% of budgeted General Fund revenue at fiscal year-end. The District has a goal to maintain a minimum unrestricted fund balance in the General Fund of 50% of budgeted General Fund revenue. The current unrestricted reserve is 34%. The General Fund balance projected on June 30, 2021, will be 28.4% of budgeted General Fund revenue. The projection assumes the Board does not provide direction to reduce expenditures further and/or increase revenue.

OPEB Contribution – Retiree Health Insurance

In 2015 the District established an OPEB Trust account to set aside money to pay for retiree health insurance benefits. As of March 31, 2020 (the most recent available), the balance in the OPEB Trust account is \$1.75M, and the inception-to-date rate of return gross of fees is 3.14% gross of fees.

The actuarially determined OPEB contribution for retiree health insurance for FY2021 is \$475,482. This amount is included in the Long Range Financial Forecast. If the District does not make the contribution, the District's unfunded liability for retiree health insurance would likely increase.

Pension Trust Contribution- Restricted Reserve Fund Balance

In 2017 the District established a Pension Trust reserve fund. As of March 31, 2020 (the most recent available), the balance in the Pension Trust account is \$2.64M, and the inception-to-date rate of return gross of fees is 2.39%.

The Long Range Financial Forecast includes a pension trust contribution for FY2021 of \$1,562,792. This amount is calculated based on District Board-directed pension assumptions, which are more conservative than CCCERA's pension assumptions. The District is required to make monthly contributions to CCCERA for both the unfunded pension liability and normal cost based on CCCERA's assumptions. The FY2021 Budget includes approximately \$3.4M for required payments to CCCERA for the unfunded pension liability and \$2.3M for required payments for the normal cost. The pension trust contributions are in addition to the required amounts paid to CCCERA. The pension trust contributions can only be used to pay for pension costs and increase the District's General Fund restricted fund balance. If the District does not make the pension trust contribution in FY2021, the District's net pension liability calculated by CCCERA will not change.

ASD Sasser concluded the proposed budget presentation, and Staff requested additional Board direction and public input. The FY2021 Budget is scheduled for adoption at Regular Board Meeting on June 17, 2020.

President Danziger asked about possible ramifications of not passing a budget in June. Fire Chief Winnacker answered that the proposed FY2021 budget has significant reductions in projects and programs. The absence of adopting a new budget means that the old Budget would remain in effect.

President Danziger opened Public Comment.

Dennis Fay, Councilman for the City of Orinda, thanked the District for the continued commitment to wildfire prevention during these very difficult financial times. Councilman Fay also expressed that he was looking forward to the Joint Fire Prevention Ad Hoc Committee between MOFD and the City of Orinda.

There were no additional requests to address the Board. President Danziger closed Public Comment.

Director Jex asked if additional modeling and modifications of the Long-Range Financial Forecast (LRFF) would be available in June as a resource to review before approving the proposed Budget. Director Jex added that the adoption of the Budget might go beyond June if the LRFF is not available. Fire Chief Winnacker responded the LRFF is expected to be available before the June meeting.

Director Jex commented on the general reserve fund policy of maintaining a 17% balance, which was set several years ago. Director Jex recommended increasing the objective or goal to 50%, which allows MOFD to operate without borrowing from the Teeter plan. The reserve balance should reflect what is disclosed in the Comprehensive Annual Financial Report (CAFR).

Director Jex inquired about the process for developing the goals and objectives and strengthening some, so they are more robust. Fire Chief Winnacker explained that the goals and objectives are developed by the Managers and reviewed by the Fire Chief. The goals and objectives for the Board of Directors are carried over from prior years and are available for input and updating.

President Danziger agreed with Director Jex's comments. President Danziger requested that the Board of Directors take a look at the goals and objectives for the Board and submit to the Fire Chief for updating. President Danziger will follow up with the Fire Chief for revising page 16 of the proposed Budget.

Director Jorgens made a general recommendation that departments should establish quantitative ways to measure goals and objectives.

Director Jorgens asked about the projected increase in Strike Team overtime and Strike Team revenues. Fire Chief Winnacker explained that last year's fire season was an anomaly, and the forecasting for this year's fire season is expecting to increase. In addition, MOFD's staffing health has increased, and we have been able to successfully hire, train and retain additional firefighters while not experiencing the departures through retirement or lateral moves that we saw in previous years that gives us additional firefighters to deploy both strike teams.

Director Jorgens inquired about the expense item for information technology. ASD Sasser answered the expense is for Definitive Networks and Cloud hosting. ASD Sasser explained the challenge with our information technology: it requires 24/7 service due to our business nature. The Fire Agency is more complex and unique than an eight to five business because it includes our emergency services. Fire Chief Winnacker added that given the residential environment the District and Stations are located, the cost of the fiber connection and regional standards for fire station connectivity is the primary driver.

Director Jorgens stated agreement with Director Jex and that the Board needs to have Long-Range Financial Forecast discussion prior to adopting the proposed FY2021 Budget.

President Danziger agreed with both Directors Jex and Jorgens and commented that the current FY2020 Budget could be adjusted as needed until the LLRF is received.

President Danziger asked why the EMT paramedic licensing was reduced by 43 percent. Fire Chief Winnacker answered that it is a cyclical requirement. President Danziger asked for an explanation of the 50 percent reduction in maintenance of equipment. Fire Chief Winnacker explained MOFD over the last two years made significant expenditures in both maintenance and replacement. The proposed amount is the Program Managers' assessment of what is needed to maintain programs. The reduction is not deferred maintenance.

President Danziger asked if the reduction in professional services investigations is because MOFD does not anticipate doing as many backgrounds on hiring for the coming year. Fire Chief Winnacker confirmed.

President Danziger asked for an explanation for the exterior hazard removal. Fire Chief Winnacker explained the citation process when properties are found to be in violation. The funding used is in the absence of a Lien. Some circumstances warrant immediate removal, given the increased focus on fuel mitigation and fire prevention. Based on the Board's previous decision to create both the Fuels Mitigation Manager position and the three Fuels Mitigation Specialist positions, we anticipate an increase in activity in both educational outreach and citations for people who are unable or unwilling to comply.

President Danziger asked why the Target Safety training is budgeted at zero. Fire Chief Winnacker explained that the Joint Apprenticeship Committee or the Jack Program would be funding the ongoing use of Target Solutions for training.

President Danziger asked for an explanation on the District Sponsored expenses. Fire Chief Winnacker explained that it is part of the career development guide that identifies the District funded training and career development.

President Danziger asked for an explanation of claims expense. ASD Sasser clarified that no claims are anticipated for FY2021.

President Danziger requested input on the idea of not filling vacant positions and filling vacant positions with overtime. Fire Chief Winnacker deferred to the Board on that policy decision. Currently MOFD has 57 authorized positions. MOFD has been aggressively trying to reach 57 positions per the Board direction. If the Board's direction changes, Staff will stop the hiring process. Fire Chief Winnacker noted a year lag between when a vacancy is created and filled. Two years ago, MOFD was down approximately nine positions. Members did not get to consistently go home on their day off because members were being held over in mandatory status due to obligations to maintain 17 on-duty at all times. President Danziger requested that Staff come to the Board for discussion prior to filling vacant positions.

Director Jex asked if the health and life insurance increase is due to the increase in filled staff positions. ASD Sasser confirmed.

President Danziger asked for confirmation that the MOFD General Reserves would cover the \$1 million dollar deficit. Fire Chief Winnacker confirmed.

Director Jex commented that MOFD has a balance in the General Fund. If MOFD has several years like FY2021, MOFD will be in a position where the District would not be able to operate. The goal of 50 percent in the General Fund Reserve Balance provides the funds in July, August, September, and October when the tax revenues or other revenues are not available. If MOFD operates below the 50 percent General Reserve Balance, we will need to borrow funds. The borrowing of reserves to fund the Operating Budget cannot be repeated on an ongoing basis, or we will liquidate. MOFD would then be worse off, potentially firing people and cutting services.

Fire Chief Winnacker summarized that Staff would continue to work on the Long-Range Financial Forecast and seek input from the Directors concerning the Board's goals and objectives. Staff will provide additional information on program objectives and success measurements.

No further discussion from the Board.

5.2. Ambulance Billing and Revenue (audio 100:28)

Fire Chief Winnacker provided the report. At the April 2020 meeting, the Board requested information regarding the District's ambulance billing process, including collection efforts and write-off procedures regarding opportunities to make up lost revenue associated with decreased ambulance calls for service. The District responded to 2,309 emergency medical calls during FY2019 with gross revenue of \$1,864,494. The District has experienced a reduction of approximately 50 percent in call volume since the onset of the COVID-19 health crisis. As addressed during the budget workshop, the reduction in call volume negatively impacts ambulance revenue while the District's costs remain the same. The District has a long-standing policy of writing off charges for residents that exceed what insurance will pay. Further, the District is obligated to accept Medi-Care and Medi-Cal reimbursement significantly below MOFD ambulance rates.

- Avg. Medi-Care payment: \$469
- Avg. Medi-Cal: \$149
- Avg. Private Insurance: \$1,780
- Avg. Transport: \$697

At the June 2019 meeting, the Board approved the following fee schedule:

- Emergency Ambulance Response Base Rate: \$2,600
- Assessment Without Transport: \$624
- First-Responder Fee: \$624
- Mileage: \$42
- Oxygen Administration: \$130

Bad Debt Write Off Process

Bad debt write-offs for the period July 1, 2019, through December 31, 2019, total \$100,308. The District's billing contractor (Wittman) provides a listing of all recommended accounts to be sent to collections. Staff

reviews the detail of each account recommended for collections and provides approval. The account is then sent to collections and written off. The most recent write-offs included 17 accounts and totaled \$18,598 with details as follows:

- Six accounts were for services provided on Highway 24
- Two accounts were for services provided at St. Mary's College
- One account was for service provided in Tilden Park
- One account was for service provided at the Orinda BART station

Collections Process

The District contracts with American Capital Enterprises for the collection of unpaid accounts. For the period July 1, 2019, through January 31, 2020, American Capital collected \$6,478 of District ambulance fees that had been written off.

Increased Revenue Opportunities

At the April meeting, the Board requested more information regarding opportunities to increase ambulance revenue. There are three basic ways to increase revenue.

1. Increase the ambulance base rate. MOFD rates are currently leveled with San Ramon Valley and Contra Costa County and reflect actual costs. Increasing the ambulance base rate would require justification and will have a minimal impact on revenue as resident write-offs and Medi-Cal and Medi-Care rates would not be effected.
2. End or reduce resident write off. This would increase revenue but would result in residents receiving a bill beyond what their insurance provider pays. Some residents with Medi-Care coverage would be effected by a 20% copay.
3. Enact a facility fee for health care facilities that generate significant call volume. MOFD responds to facilities for both ambulance transports and calls, such as a lift assist, that do not result in transport to a hospital. The chart below shows MOFD responses to these facilities in 2019. Of note, these five facilities generated 13% of the District's emergency medical calls for service. Due to the residents' age, the majority of these calls are reimbursed by Medi-Care at \$469.

President Danziger opened Public Comment.

Nick Marnell, Lamorinda Weekly, submitted written comment asking if ambulance revenue is expected to drop 60 percent next year, why is ambulance billing administration (GL Code 6312, Page 12) dropping only 32 percent.

Fire Chief Winnacker answered the proposed FY2021 Budget, previously discussed, was designed to be conservative. Due to the unknown duration of the current COVID-19 crisis, MOFD does not know when the calls for service will recover. There is an understanding that a significant number of elective medical procedures are being deferred or delayed as people seek ways to avoid going to a hospital as a potential location for the spread of COVID-19. Therefore, Staff used conservative estimates for ambulance revenue and conservative estimates for the billing prices. In addition, the ambulance activity that preceded the current environment has delays in the ambulance payments. The ambulance services that were previously provided at the higher volume will bleed into next year with regard to the billing process.

There were no additional requests to address the Board. President Danziger closed Public Comment.

Director Donner asked what amount the Staff was thinking for a facility fee. Fire Chief Winnacker responded that the fee is going to require additional study. Fire Chief Winnacker noted that the facility fee would be to the facility and not to the patient. Fire Chief Winnacker also explained that in many cases, the facility is making staffing decisions that result in the facility's using the 911 system and relying on frontline firefighters for routine assistance such as lift assistance.

Director Donner inquired if EMS calls have increased since the last board meeting. Fire Chief Winnacker answered EMS volume remains very low as people shelter in place.

Director Jorgens questioned the collections process and requested information on how the collections are performed to ensure all parties are held responsible for unpaid ambulance fees. Fire Chief Winnacker replied that Staff would follow-up with the requested information.

Director Jorgens supports enacting a facility fee for health care facilities.

President Danziger opposed the facility fee due to the possibility that the facility will pass the expense on to the patient.

Director Jorgens requested that Staff investigate how a facility would handle an imposed facility fee and determine if it would be billed to the patient.

Director Baitx supports enacting a facility fee for health care facilities or urgent care.

President Danziger asked if a fee would be imposed if a patient is transported. Fire Chief Winnacker explained that the suggested fees are produced in response to Board direction. The proposed fee is intended to reduce the reliance from professionally managed healthcare facilities on the MOFD frontline firefighter/paramedics for routine services (which can be addressed with in-house staffing decisions and through the use of non-urgent inter-facility BLS transport). In addition, five professionally managed healthcare facilities generate 13 percent of the calls within a service district of 14,000 parcels, which do not produce 13 percent of the ad valorem and fire flow tax.

Director Jex inquired the cost to MOFD to service professionally managed healthcare facilities. Director Jex shared a quick analysis if the fee was set at \$300, it would generate \$100K in revenue.

President Danziger asked District Council about the process for initiating a fee. District Council Holtzman responded that facility fees exist in other districts. Mr. Holtzman will research the procedures and process of the enactment of imposing a facility fee and noted that it is within the power of the District to impose a fee.

President Danziger summarized that the Board is opposed to options one and two and supports option three. President Danziger requested District Council research facility fees in other jurisdictions as well as the procedures of enactment.

No further discussion by the Board.

5.3. Approve Establishment of a Joint Fire Prevention Ad Hoc Committee with the City of Orinda and Town of Moraga (audio 121:20)

Fire Chief Winnacker provided the report. On May 5, 2020, the City of Orinda established a city council subcommittee to meet quarterly with representatives of the District board and allowing for an expansion to include the Moraga Town Council members. The purpose of the joint committee is to ensure the success of community fire prevention efforts. By working together, the City of Orinda, Town of Moraga, and the District can ensure the separate agencies are up-to-date with fire prevention efforts and identify where the City and Town need to assist and examine opportunities to leverage resources. The City of Orinda committee will consist of two city council members. The Orinda Staff Report dated May 5, 2020, was included in the report.

President Danziger expressed support of the fire prevention ad hoc committee. President Danziger added that City of Orinda's Mayor Gee and Supervisor Anderson should participate on the committee based on feedback from Canyon citizens. President Danziger asked District Council if the Brown Act rules would govern the meetings. Mr. Holtzman confirmed.

Directors Danziger, Donner, and Jorgens volunteered to serve on the committee.

President Danziger opened Public Comment. Written public comment statements were read into the record by Staff. Written public comments are attached to these minutes.

1. Rob and Jan Formanek

Melanie Light, Orinda resident, thanked the MOFD for their attention to wildfire prevention. Ms. Light strongly recommended including a citizen representative on the subcommittee.

Directors Jorgens and Donner supported the idea of a citizen representative on the subcommittee. President Danziger suggested Ms. Light request participation from the City of Orinda, who established the subcommittee.

Nick Waranoff, Orinda resident, cautioned the MOFD board as it develops the subcommittee with the City of Orinda. Mr. Waranoff shared that some people in Orinda want to shift activities from the fire district to the Orinda City Council and duplicate the fire district's efforts. Mr. Waranoff expressed appreciation of the MOFD to take action and does not want to see that delayed.

Melanie Light, Orinda resident, expressed that the joint subcommittee will help improve efficiency and not duplicate efforts. Ms. Light stated that the MOFD does a fabulous job, but more could be happening in the community.

Director Donner asked District Council if members from the MOFD board can work with the Moraga Town Council to collaborate without violating the Brown Act. Mr. Holtzman answered yes so long as it is not a committee and non-quorum representation of the MOFD board, and those two members do not have jurisdiction over the issues discussed.

District Council Holtzman added that the Ad Hoc Committee formed is an appointed body and advisory committee and must follow the Brown Act guidelines. Mr. Holtzman recommended that the committee be a brown act committee and not an Ad Hoc Committee. If MOFD has a majority of the MOFD Directors at the subcommittee meeting, the meeting must be noticed as a joint meeting of the two Boards, and it becomes a meeting of the Board.

There were no additional requests to address the Board. President Danziger closed Public Comment.

President Danziger commented that three Directors are interested in participating in the subcommittee. District Council Holtzman recommended that the Board make a motion for the three MOFD board members to participate in the joint subcommittee. Mr. Holtzman will proceed with working with the City of Orinda Council and determine any Brown Act rules for the MOFD board.

Director Donner recommended that the subcommittee meet more often than the proposed quarterly schedule. Director Jorgens agreed.

No further discussion by the Board.

Motion by Director Jex and seconded by Director Jorgens to Approve the Establishment of a Joint Fire Prevention Committee with three Board members with the City of Orinda and Town of Moraga. Said motion carried 5-0 roll call vote (Ayes: Baitx, Donner, Jex, Jorgens, and Danziger; Noes: None; Absent: None).

5.4. Termination of Fire Chief Performance Evaluation Ad Hoc Committee. (audio 146:43)

District Council Holtzman provided the report. The Fire Chief Performance Evaluation Ad Hoc Committee has completed its work. Termination of the Fire Chief Performance Evaluation Ad Hoc Committee is recommended.

President Danziger opened Public Comment. There were no requests to address the Board. President Danziger closed Public Comment. No further discussion by the Board.

Motion by Director Jorgens and seconded by Director Jex to Terminate the Fire Chief Performance Evaluation Ad Hoc Committee. Said motion carried 5-0 roll call vote (Ayes: Baitx, Donner, Jex, Jorgens, and Danziger; Noes: None; Absent: None).

5.5. Resolution 20-06 Establishing the 2020/21 Fire Flow Tax Rates for the Orinda and Moraga Service Zones. (audio 149:26)

Fire Chief Winnacker provided the report. Every year the District is required to set the rate for the Fire Flow Tax in each of the District's two service zones. In order to place the tax on the County Assessor's rolls for FY2020/21, the tax rate must be established by Board action and then levied against each parcel.

The current year FY2019/20 Fire Flow Tax Rate was established at six cents (\$.06) in both Moraga and Orinda and yielded:

	Orinda Service Zone	Moraga Service Zone	Total 2019/20
Fire Flow Tax Revenue	\$549,231	\$539,384	\$1,088,615

Staff recommends the Board adopt Resolution No. 20-06, approving the Fire Flow Tax rate of six cents (\$.06) in both the Moraga and Orinda service zones.

President Danziger opened Public Comment. Written public comment statements were read into the record by Staff. Written public comments are attached to these minutes.

1. Steve Cohn
2. Melanie Light
3. Lucy Talbot
4. Kathleen Finch

Nick Waranoff, Orinda resident, agreed with the comments of Steve Cohn for the reasons stated in his email and urged the MOFD Board to adopt his suggestion.

There were no further requests to address the Board. President Danziger closed Public Comment.

Director Jorgens commented that the Board does not have enough historical information to have a detailed discussion on the fire flow tax and how it was established when MOFD was formed. Director Jorgens stated that further discussion would need to happen to approve something other than what is proposed on the May 20, 2020 agenda. Director Jorgens asked if the fire flow tax is determined on an annual basis. Fire Chief Winnacker confirmed.

Fire Chief Winnacker continued to review the historical information on the fire flow tax. On January 14, 1997, Contra Costa County Board of Supervisors adopted Resolution 97-16, ordering the Moraga-Orinda Fire Protection District Consolidation based on the recommendations of LAFCO. Based on the language, the authorization to levy a special tax or fire flow tax in the Moraga Fire Protection District shall be continued with the tax proceeds utilized solely to fund activities in the former Moraga Fire Protection District Service Area. The authorization to levy a special tax or fire flow tax in the Orinda Fire Protection District shall be submitted to the electorate for approval in June of 1997 with the proceeds, and approved tax utilized solely to fund activities in the Orinda Fire Protection District service zones. The Resolution provides a list of things for which the money is constrained.

The fire flow tax that was previously adopted by the Moraga Fire Protection District in 1980 set the fire flow tax at a \$.06 cap. In 1992, the then Board of Directors of the Moraga Fire Protection District placed Measure C on the ballot out of concerns of drastic reductions in state funding (which did not occur). Although the vote was positive and the cap was lifted from \$.06 to \$.30, at no time during the history of the Moraga Fire Protection District has the rate gone above \$.06 and at no time since MOFD was formed the rates been set in an unequal manner between the two service districts.

Fire Chief Winnacker listed the amounts of the Moraga fire flow tax rates from 1981-1992: (1981 \$.015, 1982 \$.022, 1983-1987 \$0.0, 1988 \$.037, 1989 \$.037, 1990 \$0.037, 1991 \$0.0, and 1992 \$.06) and stated that the LAFCO document details the need to pass the fire flow tax affirmatively in the city of Orinda at the time of formation. There has also been a significant amount of discussion over the fire flow tax that has not resulted in an unequal setting of the fire flow tax between the two services or our service zones.

Director Jex pointed out that the language approved in the Resolution stated that the fire flow tax must be spent within each of the service zones. Therefore, if the Moraga fire flow tax is raised to \$.30 cents,

spending those funds in Orinda would violate the language that was previously approved by the Board. District Council Holtzman confirmed.

Director Jorgens motioned to approve the proposed fire flow tax as presented.

Director Baitx seconded the motion to approve the proposed fire flow tax as presented.

President Danziger inquired on the complex formula used to assess a property. ASD Sasser explained that the fire flow tax is based on the square footage of the house or the dwelling unit on the property. In addition, if sprinklers are installed in the house, the homeowner has to come to the fire district for a plan review and permit. ASD Sasser is informed of the installed fire sprinkler system, and the fire flow tax is reduced.

No further discussion by the Board.

Motion by Director Jorgens and seconded by Director Baitx to approve Resolution 20-06 Establishing the 2020/21 Fire Flow Tax Rates for the Orinda and Moraga Service Zones. Said motion carried 5-0 roll call vote (Ayes: Baitx, Donner, Jex, Jorgens, and Danziger; Noes: None; Absent: None).

5.6. Estimated Cost of Emergency Paid Sick Leave Due to COVID-19. (audio 173:50)

Fire Chief Winnacker provided the report. At the April 2020 meeting in response to the COVID-19 pandemic, the Board authorized additional paid sick leave to benefitted employees consistent with Contra Costa County as follows:

- 1) Authorized all existing and new benefitted employees hired before January 1, 2021, to automatically receive 80 hours of Emergency Paid Sick Leave (prorated for part-time employees). This leave can be used for any reason consistent with the District's Sick Leave Policy or COVID-19 related reasons (sick, caring for a child, unable to work, etc.). In addition to the 80 hours of Emergency Paid Sick Leave, the District allotted an additional 64 hours of sick leave to all benefitted employees (prorated for part-time employees) for a total of 144 hours per benefitted employee. This leave does not expire.
- 2) Authorized restoration of sick leave used by employees during the period March 10, 2020 through April 7, 2020 to the employee's sick leave accrual bank.

The estimated value to all employees is 144 hours: \$443,966 and Restoration: \$10,865, total \$454,831. The amounts are based on the employee's base rate and not necessarily an accurate depiction of the District's cost, nor does it reflect what time this will occur because it's unknown due to the uncertainty of the pandemic.

President Danziger commented that sick leave allotment is based on action taken at the state level and is consistent with Contra Costa County. In addition, President Danziger noted that MOFD has the potential for reimbursement for all COVID-19 related costs.

Director Jex asked for clarification on the period the sick leave covers. Fire Chief Winnacker answered that it is a one-time award or allocation of additional hours to be used through the end of their career.

President Danziger opened Public Comment. There were no requests to address the Board. President Danziger closed Public Comment. No further discussion by the Board.

6. COMMITTEE REPORTS (audio 180:50)

6.1 Finance Committee (Directors Danziger and Jorgens)

No report.

6.2 Audit Ad Hoc Committee (Directors Danziger and Jex)

No report.

6.3 Facilities Station 41 Ad Hoc Committee (Directors Baitx and Donner)

No report.

President Danziger opened Public Comment. There were no requests to address the Board. President Danziger closed Public Comment.

Director Jex recommended ASD Sasser to reach out to the auditors to establish a meeting time for the Audit Ad Hoc Committee.

7. ANNOUNCEMENTS (audio 183:44)

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

(Government Code Section 53232.3(d))

No report.

7.2 Questions and informational comments from Board members and Staff

President Danziger requested for Staff to look into the possibility of streaming the MOFD meetings after the shelter-in-place order has ended to allow for remote public participation, either through YouTube, Facebook, or Zoom.

7.3 Fire Chief Updates

7.3.1 COVID-19

Fire Chief Winnacker provided the report. Contra Costa County continues to see a flattening of the curve and, therefore, a reduction in restrictions. Orinda continues to have outbreaks at the skilled nursing facility, and patients continue to test positive. MOFD transported an infected patient last week and will continue to treat the facility, residents, and staff as if they are all positive and take the necessary additional precautions. One of the challenges that the facilities continue to face is the movement of staff between various facilities. MOFD continues to work with the County Health Officer and the EMS Agency to keep them informed about the experiences and the conditions MOFD is encountering.

MOFD has continued to maintain our decontamination and enhanced hygiene procedures. Fire Chief Winnacker thanked the Rescue One Foundation for the enhanced decontamination fogger used to decontaminate the MOFD ambulances. The fogger is currently utilized at station 45, which allows MOFD to rapidly turn the apparatus around and quickly put it back in service fully and reliably decontaminated.

Fire Chief Winnacker acknowledged Human Resource Benefits Manager Christine Russell and Battalion Chief Steve Gehling for successfully implementing and completing an on-site Engineer's Exam. The Engineer's Exam was a remarkable accomplishment and able to process and notify the members of the results the same day.

7.3.2 Human Resource Update

Human Resource Benefits Manager Russell provided the report and announced the new Finance Manager; Mary Smith will start on June 1, 2020. Mary will oversee payroll, accounts payable, accounts receivable, and accounting operations and report to ASD Sasser. Mary holds an MBA in finance from Saint Mary's College and is coming to MOFD from Carondelet High School, where she has served as a controller for the past several years. The ALCO fire academy trainees returned to the academy on May 11, 2020, with a projected graduation date in early June.

Fire Marshal Isaacs provided an update on fuels mitigation and fire prevention. During the period of May 1, 2020 through May 15, 2020, MOFD had a total of eight chipping days. The Fuels Mitigation Specialists serviced 83 properties, removing 35.5 tons of chip material (two of the chipping days the material was broadcast back onto the property). Fire Marshal Isaacs commented on the Firewise neighborhoods and other neighborhood sign-ups for two days of chipping, but it results in three and four days of chipping. The fuels mitigation staff is receiving phone calls from neighborhoods requesting callbacks, resulting in MOFD servicing an area seven or eight times. The free Chipper Program has become a great resource and partnership with our citizens to reduce hazardous fuel.

Fire Marshal Isaacs updated the Board on the fire prevention website and the MOFD grant to fund a new fire prevention website. MOFD is committed to making a fire prevention website that is

useful and helpful to our citizens. The Staff has reached out to a couple of Firewise groups for additional input. In the creation of a new fire prevention website, Staff will make sure that it is useful and that it will not require additional funds for ongoing maintenance.

President Danziger asked if the new fire prevention website would be a link from our current web site. Fire Marshal Isaacs confirmed. President Danziger requested that Fire Marshal Isaacs send a list of disallowed plants and recommended plants that are more fire-resistant to the Board. Fire Marshal Isaacs acknowledged and added that the list would include non-native plants and native plants that citizens can choose from that will be drought-resistant and fire-resistant. President Danziger clarified that the plant list needs to have a symbol next to the listed plants identifying if the plants are native or non-native.

Fire Chief Winnacker reminded the Board and residents that the next time the Board meets is after the fuels mitigation deadline of June 15th. This date is the annual requirement for the completion of fuels mitigation work. The work includes cutting grass to less than 3 inches, trimming trees to create at least a five-foot air gap, and breaking up any concentrations of the non-irrigated wild brush while removing vegetation within three feet of the roadside and 15 feet measured vertically. On June 15, the Fire Marshal, Fuels Mitigation Manager, and Fuels Mitigation Specialists will be conducting assessments and issuing 30-day notices. The fuel clean-up will be completed one way or another, and MOFD encourages citizens to do it voluntarily.

7.4 Communications Received

7.4.1 Mr. Clint White - Captain Michael Lacy and Crew

Fire Chief Winnacker shared the letter and expressed the good fortune of Mr. White in proximity to a highly trained crew who provided expert care promptly. Captain Lacy and Crew saved Mr. White's life. It is a remarkable good news story. MOFD looks forward to Mr. White's recovery (once the COVID-19 restrictions are lifted) to visit the crew at the fire station.

President Danziger asked if the Fire Chief is responsible for determining the restrictions at fire stations for visitors. Fire Chief Winnacker confirmed and stated that restrictions would be in alignment with best practices as directed by the county health officer.

7.5 Future Agenda Items

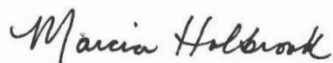
President Danziger stated that our next meeting is scheduled for June 17, 2020. President Danziger asked in any other members would be interested in starting the meeting earlier. District Council Holtzman commented that normally the Board would be holding closed sessions.

All members of the Board consented to leave the June 17, 2020, regular board meeting as scheduled.

President Danziger opened Public Comment. There were no requests to address the Board. President Danziger closed Public Comment. No further discussion by the Board.

8. ADJOURNMENT (Audio 205:40)

At 10:22 p.m., Director Jorgens motion and seconded by Director Baitx to adjourn the meeting. Said motion carried 5-0 roll call vote (Ayes: Baitx, Jex, Jorgens, Donner, and Danziger; Noes: None; Absent: None).



Marcia Holbrook, District Secretary/Clerk

From: [Ken LIGHT](#)
To: [Info](#)
Subject: Public Comment
Date: Wednesday, May 20, 2020 2:16:26 PM

Dear MOFD Board Members.

I wanted to start off by saying thank you and thank you again for the chipper program. As an active member of the Via Farallon/La Cuesta Firewise neighborhood organization I participated in the program and watched my neighbors join in as well. The program was an amazing opportunity to motivate our next-door neighbors to clean up a valley behind their house that hadn't been cleared in over 25 years. It was a valley hidden, away from anyone's eyes and might have never been taken care of without the program. It was amazing to see scrub trees cut, dead trees hauled up and trees limbed up. I thought this would never happen, but it did!

If we have learned anything from the pandemic and how Washington has handled it, we know they were too late to realize the seriousness of the virus and needless lives were lost and the economic havoc that has been unleashed might have been prevented. But they were more interested in politics and not thinking of their citizens. You have taken some great steps forward, let's continue and I wanted to ask you to be bold in your decisions and put politics aside and look out for our community.

One way to be bold is to see that the joint gathering of the Orinda & Moraga City council members and MOFD, also have representation from the Firewise Council. Leaving out the voices of those of us who live in our wildfire vulnerable neighborhoods would be a big misstep.

We do see your firefighters and support staff as our heroes, but this is your chance as board members to be champions and leaders and manage the wildfire crisis we face in the coming months. I ask you to look deeply into your budget and find and fund the resources to mitigate the danger now. One thing is we should look to have Moraga residents pay their fair share of fire flow tax so we might have the additional funds to do the important community work that is necessary

We are doing our part by pushing the Orinda City Council to include funding for city wide wildfire education, deploying signage that designates no parking on many of our narrow streets during red flag days, training Orinda city public works department staff to be able to identify and report homes to MOFD that need to have property and foliage mitigated. I even suggested that the council think like Anaheim, a city southeast of Los Angeles, which has recently re-upped its contract with the company Environmental Land Management to keep goats grazing on city hillsides nearly year-round.

Wildfire prevention needs to be a partnership and should be the highest priority for MOFD with finding and deploying funds to us the residents so that the threat of wildfire is lessened. Please take the next steps to support the Firewise community's efforts and let's not let Orinda turn into fire bait.

Ken Light

Item 5.2

#01

From: [Nick Marnell](#)
To: [Info](#)
Subject: public comment - Agenda item 5.1
Date: Wednesday, May 20, 2020 8:29:37 PM

If ambulance revenue is expected to drop 60 percent next year, why is ambulance billing administration (GL Code 6312, Page 12) dropping only 32 percent?

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Nick Marnell
Senior Staff Writer
Lamorinda Weekly


From: [REDACTED]
To: [Info](#)
Cc: [Jan Formanek](#); [Melanie Light](#)
Subject: Comment to MOFD Board on Community Wildfire Resilience
Date: Wednesday, May 20, 2020 1:34:28 PM

To: MOFD Board

Regarding MOFD's leadership and support for wildfire resilience, we commend MOFD for your ongoing serious efforts to mitigate wildfire risks across the North Orinda wildland-urban interface. These include, but are not limited to the North Orinda Fuel Break, controlled burns, support for fuels reduction (the chipper program), and community-wide educational sessions. We regard this work to be of critical importance for the safety of our neighborhoods and encourage you to continue and expand on it, including the appropriate budgetary and resource allocations.

While many Orinda residents, including us, have formed Firewise neighborhoods to promote wildfire resilience education and hardening, the challenge is bigger than these efforts alone can meet. Many residential and public areas remain vulnerable with dangerous sources of fuel. For our community to realize the potential of becoming truly wildfire resilient, we can only succeed with your continued strong leadership. Thank you.

Sincerely,

Rob and Jan Formanek

[REDACTED]

Item 5.5 #01

From: Steve Cohn <[REDACTED]>
Sent: Sunday, May 17, 2020 11:06 AM
To: Craig Jorgens - MOFD <[REDACTED]>; Gregory Baitx <[REDACTED]>; John Jex - MOFD <[REDACTED]>; Michael Donner - MOFD <[REDACTED]>; Steve Danziger - MOFD <[REDACTED]>
Cc: Winnacker, David <[REDACTED]>; Steve Salomon <[REDACTED]>; Amy Worth - Orinda Council <[REDACTED]>; Darlene Gee - Orinda Council <[REDACTED]>; Dennis Fay - Orinda Council <[REDACTED]>; Inga Miller - Orinda Council <[REDACTED]>; Nick Kosla - Orinda Council <[REDACTED]>
Subject: May 20, 2020 MOFD Board Meeting Public Comment - Agenda Item # 5.5

MOFD Board, including my elected representative Steve Danziger:

Please consider increasing the FY 2020/21 fire flow tax rates to their statutory limits, \$0.30 for the Moraga Zone and \$0.06 for the Orinda Zone.

As you know, your projected budget shows a deficit this year of \$1.0 million for the General Fund. In addition, at your last meeting you were made aware of the extreme need for fire prevention spending in Orinda; hearing from Mayor Gee of Orinda, Orinda City Council Member Fay, and numerous citizens.

By increasing the Moraga Zone fire flow tax rate from \$0.06 to \$0.30, the District could generate an additional \$2.15 million in revenue, enough to balance the budget and fund \$1 million of vegetation reduction in Orinda.

You may ask “why should Moraga taxpayers pay for fire prevention efforts in Orinda?” I think you already know the answer.

Orinda taxpayers are paying the bulk of MOFD’s tax revenue. The 6,300 homes in the Orinda Zone pay a total of about \$15.5 million in ad valorem taxes plus \$550,000 in Fire Flow taxes to MOFD; resulting in an average of \$2,550 per household. The 6,500 homes in the Moraga Zone pay a total of about \$9.9 million in ad valorem taxes plus \$540,000 in Fire Flow taxes to MOFD; resulting in an average of \$1,600 per household.

Increasing the tax on the Moraga Zone by \$2.15 million would increase the average tax in the Moraga Zone to \$1,940 per household, closer to but still \$300 a year less than the tax paid by households in the Orinda Zone. To then use \$1 million dollars of revenue for fire prevention in the Orinda Zone, equating to \$160 per household in the Orinda Zone, is not unfair.

Please consider this change.

Item 5.5 #02

From: Melanie Light [REDACTED]
Sent: Wednesday, May 20, 2020 2:53 PM
To: Marcia Holbrook [REDACTED]
Subject: Re: letter for the public record for May 20th board meeting

May 20, 2020

Dear Directors of the MOFD Board,

These are challenging times, to be sure. Covid has devastated budgets in every village, town and state in our country. At the same time conditions for wildfires have increased. There has been a 60% increase in wildfires between January and May this year over last year. In fact, the risk is so severe now that Governor Newsom is adding \$127 million to enhance the Office of Emergency Services, including for emergency services, wildfire suppression and wildfire prevention.

MOFD must respond to this threat as well with aggressive funding and action. We must do more to prevent fires not just wait to suppress them. The challenge is to intelligently marshal the resources we have to prepare for this increased threat to lives and property here in Orinda and Moraga. Please make this budget work for the residents here. If we can sufficiently harden our homes and neighborhoods with a focused execution of the relatively simple and well-known measures to curb the power of a wildfire, we can move on from a frightening situation to a more manageable effort to refine and maintain what can be a more fire-resistant community. But we cannot wait. We need more guidance, enforcement and actual fuel removal in this year's budget for MOFD to be used as soon as possible.

We see two opportunities for the directors. The first is a simple remedy to shrink the budget gap and generate funding for wildfire prevention. Raising the Fire Flow tax over several years is another way to close that gap. Depending on whether it is raised a portion or to the limit allowed, this will ease the financial burden now, at a time when we desperately need funding for wildfire prevention programming.

The second opportunity is to leverage programming and strategies through the new joint subcommittee. One obvious benefit of having these three entities talk to each other is that efforts will not be duplicated. For example, in the May 19 Orinda City Council meeting, the Orinda Police Chief has outlined the need for a strategy and plan for evacuation. It was not at all evident this had been coordinated with the MOFD evacuation planning efforts. The Police Chief wants to hire a staff person dedicated to evacuation and disaster preparedness. How would that person be working with the evacuation and disaster preparedness staff person at MOFD? Are their plans

Item 5.5

coordinated? Please give your full support to this joint subcommittee. There is so much that can be accomplished!

Thanks for turning your attention to wildfire prevention. We have made progress on hardening our homes against wildfire but have much more to do. We look forward to being proud of our city as a model of astute and capable action.

Melanie Light

Chair

Orinda Firewise Council

&

Rachel Duclos

Executive Committee

Orinda Firewise Council

Item 5.5 #03

From: [Winnacker, David](#)
To: [Marcia Holbrook](#)
Subject: FW: Please create an equitable Fire Flow tax to Moraga taxpayers and help our communities generate the revenue necessary for fire prevention efforts
Date: Wednesday, May 20, 2020 1:24:52 PM

From: Lucy Talbot [REDACTED]
Sent: Wednesday, May 20, 2020 12:12 PM
To: Winnacker, David [REDACTED]
Subject: Please create an equitable Fire Flow tax to Moraga taxpayers and help our communities generate the revenue necessary for fire prevention efforts

Dear Chief Winnacker,

I know you share the concerns of Orinda citizens about the potential for devastation from a wildfire. Since 1991 and the Oakland fire, I have not ceased to worry about the probability for Orinda to be next. When MOFD was formed, I believed this was the best solution for Orinda to help control their own destiny and protect themselves from disaster by having a local fire district. Over the years, I have developed a greater clarity for the situation. The fundamental structure that was established when MOFD was formed was significantly flawed. One community was taxed at a certain rate and the other was taxed at a rate far below. This disparity not only was unequal, putting a greater burden on one community, but it also impacted the ability of the fire district to generate adequate revenue to perform services necessary to insure the safety of both communities. Our Orinda community leaders have finally come to the realization that fire prevention is our most critical need and are willing to work with MOFD to seek solutions to this massive problem. The time has come to do your part by creating funding that can help scale the actions needed to harden our communities. We will all benefit when we share more equitably in the cost. I urge MOFD to increase the Fire Flow tax in Moraga to the rate that was identified when MOFD was formed. Our communities depend on your strong sense of urgency to correct this decades long problem.

Thank you,
Lucy Talbot
Member, Orinda FireWise Council

[REDACTED]
[REDACTED]
[REDACTED]

-----Original Message-----

From: kathymfinch [REDACTED] >
Sent: Wednesday, May 20, 2020 11:23 AM
To: Winnacker, David [REDACTED]
Subject: Moraga parcel tax

Dear Chief Winnacker,

In light of the need for funds for our district in order to initiate additional fire prevention measures, I urge you to increase Moraga's fire flow parcel tax. As a resident of Orinda, I am disheartened that this tax rate has still not increased to the amount that Moraga agreed to twenty-five years ago. Each household in Orinda contributes over \$2500 annually while each household in Moraga contributes only \$1600 annually. The long-promised increase in Moraga's parcel tax, which is twenty-five years overdue, would help alleviate the budget deficit. Additionally, even with this parcel tax increase, Moraga's annual contribution wouldn't come close to Orinda's. Many of my neighbors in Orinda had their homeowners insurance cancelled in the past year, due to the district's being placed in the "high risk" for wildfire category. Those of us who didn't lose our insurance were subject to staggering rate increases — my premiums doubled. The Orinda-Moraga district needs immediate fire prevention measures, and a fair Fire Flow Parcel Tax for Moraga will help us all.

Sincerely,
Kathleen Finch
[REDACTED]
Orinda