



Moraga-Orinda Fire District

Board of Directors

REGULAR MEETING

December 18, 2019

5:30 p.m. CLOSED SESSION

7:00 p.m. OPEN SESSION

8:00 p.m. HOLIDAY RECEPTION

PLEASE NOTE NEW MEETING ADDRESS:

Hacienda Mosaic Room
2100 Donald Drive
Moraga, CA 94556

1. OPENING CEREMONIES

- 1.1 Call the Meeting to Order
- 1.2 Roll Call

2. PUBLIC COMMENT

The public is invited to speak on any matter not appearing on the agenda, and within the subject matter jurisdiction of the District. Comments should be limited to three minutes. Please state your name and address for the record.

3. CLOSED SESSION

3.1 Public Employee Performance Evaluation

(Government Code Section 54957)
Public Employee Appointment Title: Fire Chief

3.2 Conference with Labor Negotiator

(Government Code Section 54957.6)
Agency Designated Representative: Jonathan Holtzman
Employee Organization: Local 2700 United Clerical, Technical & Specialized Employees

4. RECONVENE THE MEETING

- 4.1 Call the Meeting to Order
- 4.2 Pledge of Allegiance

5. REPORT OF CLOSED SESSION ACTION

6. PUBLIC COMMENT

The public is invited to speak on any matter not appearing on the agenda, and within the subject matter jurisdiction of the District. Comments should be limited to three minutes. Please state your name and address for the record.

7. CONSENT AGENDA

7.1 Meeting Minutes – November 20, 2019 (regular)

Staff Recommendation: Approve and File

7.2 Monthly Incident Report for November 2019

Staff Recommendation: Approve and File

7.3 Monthly Check/Voucher Register – November 2019

Staff Recommendation: Approve and File

7.4 Monthly Financial Report – October 2019

Staff Recommendation: Approve and File

8. REGULAR AGENDA

8.1 Election of Board Officers

The Board of Directors will elect new Board Officers to be effective January 2, 2020.

Staff Recommendation: 1) Discuss; 2) Elect Board Officers to be effective January 2, 2020.

8.2 Appointment of Standing and Ad Hoc Committee Members and District Liaisons

The Board of Directors will appoint new Standing and Ad Hoc Committee members and District Liaisons to be effective January 2, 2020.

Staff Recommendation: 1) Discuss; 2) Appoint Standing and Ad Hoc Committee members and District liaisons to be effective January 2, 2020.

8.3 2020 Regular Board Meeting Schedule

Staff will present the 2020 Regular Board Meeting Schedule to the Board for review.

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Approve a 2020 Regular Board Meeting Schedule.

8.4 Approval of Reclassification of 4.5 FTE District Aide Part Time Positions and 1 FTE Fuels Mitigation Crew Supervisor Part Time Positions to 3 FTE Fuels Mitigation Specialists Full Time Three Year Limited Term Positions and Monthly Base Salary Range for the Fuels Mitigation Specialist of \$3,613 to \$4,003

Staff will present information to the Board regarding the reclassification of 4.5 FTE District Aide Part Time Positions and 1 FTE Fuels Mitigation Crew Supervisor Part Time Positions to 3 FTE Fuels Mitigation Specialists Full Time Three Year Limited Term Positions and Monthly Base Salary Range for the Fuels Mitigation Specialist of \$3,613 to \$4,003.

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Approve the Reclassification of 4.5 FTE District Aide Part Time Positions and 1 FTE Fuels Mitigation Crew Supervisor Part Time Positions to 3 FTE Fuels Mitigation Specialists Full Time Positions and Approve Monthly Base Salary Range for the Fuels Mitigation Specialist of \$3,613 to \$4,003.

8.5 Discussion of Fire Flow Tax Revenue

Staff will present information regarding the use of fire flow tax revenue.

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

8.6 Discussion of Station 43 Debt Options

Staff will present information to the Board regarding the District's Debt Options for Station 43.

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

8.7 Review of the Budget Development Policy and Approval of the Annual Operating Budget Timeline Fiscal Year 2020

Staff will present information to the Board regarding the 2020 Budget Development Process and Timeline.

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

8.8 Authorization to Pay Sales Tax and Change Orders and Approve Capital Projects Fund Budget Adjustment Increase in the Amount of \$14,252 for the Type VI Apparatus Purchase

Staff will present information to the Board regarding the Type VI apparatus purchase.

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Approve an Additional \$14,252 to the Type VI Project.

8.9 Update on the Fire Code Adoption

Staff will present an update to the Board regarding the fire code adoption.

Staff Recommendation: 1) Information only

9. COMMITTEE REPORTS

9.1 Audit Ad Hoc Committee (Directors Jex and Danziger)

9.2 Finance Committee (Directors Danziger and Jorgens)

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

9.4 Fire Chief Performance Evaluation Ad Hoc Committee (Directors Baitx and Donner)

10 ANNOUNCEMENTS

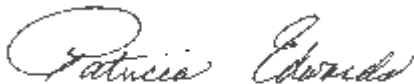
- 10.1 **Brief information only reports related to meetings attended by a Director at District expense** (Government Code Section 53232.3(d))
- 10.2 **Questions and informational comments from Board members and Staff**
- 10.3 **Fire Chief Updates**
 - 10.3.1 **Human Resources Update**
- 10.4 **Communications Received**
- 10.5 **Future Agenda Items**

10 ADJOURNMENT

The Moraga-Orinda Fire Protection District ("District"), in complying with the Americans with Disabilities Act ("ADA"), requests individuals who require special accommodations to access, attend and/or participate in District Board meetings due to a disability, to please contact the District Chief's office, (925) 258-4599, at least one business day prior to the scheduled District Board meeting to ensure that we may assist you.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Moraga-Orinda Fire District to a majority of members of the Board of Directors less than 72 hours prior to that meeting are available for public inspections at 1280 Moraga Way, Moraga, during normal business hours.

I hereby certify that this agenda in its entirety was posted on December 13, 2019, at the Moraga and Orinda Fire Administration offices, Stations 41, 42, 43, 44, and 45. Agenda provided to the Moraga Town Office (Hacienda) and Orinda City Hall.



Interim District Secretary/Clerk

Moraga-Orinda Fire Protection District



BOARD OF DIRECTORS REGULAR BOARD MEETING MINUTES

November 20, 2019

1. The Board of Directors convened in Closed Session at 6:00 p.m. on November 20, 2019 at the Orinda Community Center Room 6, 26 Orinda Way, Orinda, California. President Danziger called the meeting to order and requested an attendance roll call. Present were the following Directors and Staff:

Director Baitx	Director Jorgens	Mariam Morley, District Counsel
Director Donner	President Danziger	Patricia Edwards, Interim District Clerk
Director Jex	Dave Winnacker, Fire Chief	

2. **PUBLIC COMMENT**

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

3. **CLOSED SESSION**

- 3.1 **Conference with Legal Counsel – Potential Litigation**

Potential litigation pursuant to subdivision (d)(2) of Government Code Section 54956.9

- 3.2 **Conference with Legal Counsel – Existing Litigation**

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

Pacific-Mountain Contractors of California, Inc. v. Moraga-Orinda Fire District, Contra Costa County Superior Court C18-02124

- 3.3 **Conference with Labor Negotiator**

(Government Code Section 54957.6)

Agency Designated Representative: Jonathan Holtzman

Employee Organization: Local 2700 United Clerical, Technical & Specialized Employees

- 3.4 **Public Employee Performance Evaluation**

(Government Code Section 54957)

Public Employee Appointment Title: Fire Chief

4. **RECONVENE THE MEETING**

- 4.1 **Call the Meeting to Order**

- 4.2 **Pledge of Allegiance**

President Danziger reconvened the regular business meeting of the Moraga-Orinda Fire District Board of Directors at 7:08 p.m. Present were the following Directors and Staff:

Director Baitx	Director Jorgens	Admin. Services Director Gloriann Sasser
Director Donner	President Danziger	Mariam Morley, District Counsel
Director Jex	Dave Winnacker, Fire Chief	Patricia Edwards, Interim District Clerk

5. **REPORT OF CLOSED SESSION ACTION**

President Danziger reported the following. For Item 3.1, the Board approved the settlement with the Board's former Secretary/Clerk Grace Santos of Santos' employment related claims against the District. In exchange for the District's payment of \$60,000 which includes back pay, damages, and attorney fees, Ms. Santos has released the District from all claims. This is a no-fault settlement in which the parties agree that each party expressly denies any wrongdoing and the agreement does not constitute the admission of liability or wrongdoing by either party. The District's Interim Clerk has brought a copy of the written Settlement Agreement to this meeting in case any member of the public attending the meeting may wish to review the document. For item 3.2, the legal action brought by Pacific-Mountain Contractors of California, Inc. against the Moraga-Orinda Fire District and the related cross complaint have been fully resolved by the parties agreeing to dismiss all the claims with prejudice with no payment of any amount by either party.

President Danziger reported that there was no reportable action was taken by the Board on item 3.3 Labor Negotiator (Government Code Section 54957.6) and on item 3.4 Public Employee Performance Evaluation (Government Code Section 54957). There were no comments from the public on the Closed Session items.

6. PUBLIC COMMENT

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

7. CONSENT AGENDA

7.1 Meeting Minutes – May 15, 2019 (regular), October 16, 2019 (regular)

Staff Recommendation: Approve and File

7.2 Monthly Incident Report for October 2019

Staff Recommendation: Approve and File

7.3 Monthly Check/Voucher Register – October 2019

Staff Recommendation: Approve and File

7.4 Monthly Financial Report – September 2019

Staff Recommendation: Approve and File

7.5 Quarterly Treasurer's Investment Report

Staff Recommendation: Approve and File

7.6 Quarterly Ambulance Billing Report

Staff Recommendation: Approve and File

7.7 Approve Changes to the Audit Ad Hoc Committee and Dissolve the Long Range Financial Forecast Ad Hoc Committee into the Finance Standing Committee

Staff Recommendation: Add President Danziger to the Audit Ad Hoc Committee; Approve the purpose of the Audit Ad Hoc Committee to provide guidance to the new auditor regarding board expectations to remain in force until June 2020; Dissolve the Long Range Financial Forecast Ad Hoc Committee into the Finance Standing Committee.

7.8 Approval of Resolution NO. 19-11 Approving the Sixth Amended Joint Powers Agreement of the Fire Agencies Insurance Risk Authority and the Updated Liability Risk Coverage Agreement

Staff Recommendation: Approve Resolution NO. 19-11 Approving the Sixth Amended Joint Powers Agreement of the Fire Agencies Insurance Risk Authority and the Updated Liability Risk Coverage Agreement

There was no discussion by the Board. President Danziger opened the public comment. There were no requests to address the Board. President Danziger closed the Public Comment.

Motion by Director Jorgens and seconded by Director Jex to approve Consent Agenda items 7.1 through 7.8. Said motion carried a 5-0 voice vote (Ayes: Baitx, Jex, Jorgens, Donner, and Danziger; Noes: None; Absent: None).

8. REGULAR AGENDA

8.1 Annual Audit and Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2019

Administrative Services Director Sasser provided the report. The District annually engages a certified public accountant to audit the District's financial statements. The District's Administrative Services Division prepared the financial statements for the fiscal year ending June 30, 2019. The financial statements have been audited by Eide, Bailly, LLP. In addition to the financial statement audit, Eide, Bailly, LLP was engaged to prepare a required report on the District's Gann appropriations spending limit calculation and a letter to the Board required by professional accounting standards discussing their audit engagement and the procedures they performed. This report includes no audit findings. In addition to the audited financial statements, the District prepared a Comprehensive Annual Financial Report (CAFR) that is designed to meet the requirements of the Government Finance Officers Association (GFOA). The GFOA established the Certificate of Achievement for Excellence in Financial Reporting Program (CAFR Program) in 1945 to encourage and assist state and local governments to go beyond the minimum requirements of generally accepted accounting principles to prepare comprehensive annual financial reports that evidence the spirit of transparency and full disclosure. The GFOA then recognizes individual

governments that succeed in achieving this goal. This is the fourth year the District has participated in the CAFR Program.

Mr. Ahamad Gharaibeh, partner with Eide, Baily, LLP, provided additional information. He stated that the scope of the audit is to insure that the financial statements are fairly stated, confirm that the account balances reported on the financial statements are fairly stated, and review internal controls related to financial reporting. He stated that there were no adjustments and no exceptions or findings to report. Director Jorgens asked if all was good with the District. Mr. Gharaibeh responded affirmatively. President Danziger questioned the methodology. Mr. Gharaibeh explained the process. Director Jex added that CCCERA audits the MOFD pension data.

ASD Sasser provided information regarding the General Fund Update of \$3.1M surplus which did not include the Pension Rate Stabilization Trust contribution of \$1.1M so the actual surplus is approximately \$2M. Revenue exceeded budget projections by 3.6%. The major revenue variances were property taxes and ambulance revenue. Expenditures were below budget due to salaries, overtime and benefits. The General Fund Balance Policy has a minimum of 17% with a goal of 50% of budgeted revenue. In 2017, it was 23%. In 2018, it was 28%. In 2019, it is 31%. The Pension Obligation Bonds (\$11.5M) will be paid off on July 1, 2022. Other District debt is for the construction of Station 43 and new apparatus. The OPEB and retiree health liability is \$14.8M liability. The net pension liability increased by \$11M. The Capital Project Fund balance is \$5M. The North Orinda Shaded Fuel Break project (NOSFB) balance as of June 30, 2019 is \$17K generated from the 12% administrative rate.

Director Jex noted that he and President Danziger met with the auditor and Board comments were incorporated into the CAFR with emphasis on specific key areas including the NOSFB. Funds were expended for NOSFB before the money was received by the District. Director Jorgens asked if the internal processes for the NOSFB were segregated and adequate for the program. Mr. Gharaibeh stated that the NOSFB funds were definitely segregated from the MOFD budget. Director Jex asked about the adequacy of the General Reserve and a 50% policy goal. Mr. Gharaibeh stated that 50% is a prudent reserve and the policy depends on MOFD's needs. Director Jorgens noted that the Teeter Plan was used in 2019 and that timing is important because at some point during the year, the District's reserves were zero. Director Jex noted that without the reserves, MOFD could not have paid for the NOSFB expenses prior to receiving the state's reimbursement. President Danziger questioned the property tax revenue. ASD Sasser stated that the property tax revenue (\$35M) is in the Debt Service Fund and automatically paid to the bank for the Pension Obligation Bonds. President Danziger asked if the District will have extra money when the Pension Obligation Bonds mature in 2022. Chief Winnacker responded that the Board has the opportunity to reallocate the funds and if they are not allocated, the funds become unrestricted General Fund revenue. Director Jex stated that the funds could be set aside for Station 41 and equipment so that the District will not have to pay interest on a loan.

President Danziger opened the public comment. There were no requests to address the Board. There were no comments from the Board. President Danziger closed the Public Comment.

Motion by Director Jex and seconded by Director Jorgens to approve the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2019, the Independent Accountant's Report on Applying Agreed-Upon Procedures for Appropriations Limit Calculation for the Year Ended June 30, 2019 and the Communication With Those Charged With Governance June 30, 2019. Said motion carried a 5-0 voice vote (Ayes: Baitx, Jex, Jorgens, Donner, and Danziger; Noes: None; Absent: None).

The Board took a short recess to review the new Type VI apparatus. The meeting reconvened at 7:52 p.m. with all Board members present.

8.2 Discussion of Reclassification of District Aide Positions to Fuels Mitigation Specialists and Transition From Part Time to Full Time Positions

Chief Winnacker provided the report. Historically, the Moraga Fire District and MOFD maintained a reserve program that supported suppression and administrative functions throughout the District. In 2008, this program ended and part time District Aides were hired. Over time, the Aides evolved from providing general support to carrying out fuels mitigation and fire prevention activities which include Red Tag vegetation management inspections. In 2018 and early 2019, the inconsistency of having part time

employees carrying out inspections created challenges as MOFD significantly expanded fuels mitigation programs. Part time employees regularly leave for other opportunities resulting in 80% turnover in 2018 and 64% turnover in 2019 to date. Hiring and training new employees on a regular basis requires a significant investment of limited staff time. In light of the nature of work being carried out by these employees and in an attempt to make the position more desirable, MOFD intends to reclassify the position of District Aide to Fuels Mitigation Specialist. Most employees in this category are seeking follow on employment in the fire service. Feedback received from former and current employees suggests they struggled to explain the position when interviewing with other agencies. Making the name change will more accurately reflect the nature of the work and will support recruiting efforts. Staff recommends that the Aides be transitioned from part time to full time with benefits. The public's request for chipping, fire assessments, inspections and the adoption of a new Fire Code justifies the need for three positions. This would decrease the time spent by other staff time to answer questions from the public.

Director Jex noted that the cost of three full time positions results in a \$66,082 budget increase. Director Jorgens clarified that the budget increase includes benefits for these positions. Chief Winnacker stated that the cost includes medical benefits and CCCERA. President Danziger questioned the chain of command. Chief Winnacker stated that the Aides report to the Fuels Mitigation Manager who reports to the Fire Marshal. Director Jorgens noted that there has been a very positive response to the chipper program and that it is important to keep the momentum going. Director Donner stated that the community is hungry for more and he supports a name change for the Aides. Chief Winnacker noted that there is currently no opportunity for the Aides to advance.

President Danziger opened the public comment. There were no requests to address the Board. President Danziger closed the Public Comment. President Danziger requested that Chief Winnacker present this item at the December 2019 Board meeting for Board action.

8.3 North Orinda Shaded Fuel Break Biology and Cultural Resources Summary Reports

Chief Winnacker provided the report. In June 2019, MOFD entered into a contract with CalFire to carry out a grant funded \$4.0M fuels mitigation project along 14 miles from Lafayette to Tilden Park. In June, the board authorized a contract with Sequoia Ecological Consulting, Inc. to conduct biological monitoring of the project and District Staff signed a contract with Cultural Resources Practitioners, LLC to conduct cultural monitoring of the project. Both the biological and cultural monitoring contractors provided reports of their work. Chief Winnacker noted that a final report will be submitted to the state for program closeout.

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

8.4 Approval of Amendment No. 2 to the Consulting Services Agreement Between the Moraga-Orinda Fire Protection District and Consolidated CM, Inc. in the Amount of \$160,000 and Approval of Capital Projects Fund Expenditure Budget Adjustment Increase in the Amount of \$65,087

Chief Winnacker provided the report. In September 2017, the Board authorized a contract with Consolidated CM, Inc. (Consolidated) for construction management services for the station 43 construction project in the amount not to exceed of \$229,638. Subsequently, it became necessary to expand the scope of work with Consolidated to include a constructability review due to issues with the construction project. In December 2017, the Board authorized Amendment No. 1 with Consolidated in the amount not to exceed \$62,700 to perform the constructability review. The project time in the original contract covered construction work through December 2018 and anticipated the project would be carried out by FSG. The District subsequently rebid the project and awarded the contract to Sausal Construction who began work in May 2018. As a result of the rebid process, Station 43 opened on May 14, 2019. The additional project time resulted in additional construction management costs and inspections as well as other project issues that resulted in increased construction management costs. Staff requests the Board authorize Amendment No. 2 to the consulting services agreement with Consolidated in the amount of \$160,000. The remaining Station 43 project budget is \$94,913 which is insufficient to pay for the increased construction management costs. A Capital Projects Fund expenditure budget adjustment increase is necessary in the amount of \$65,087.

Director Jorgens noted that the original bid was approximately \$200,000. The project took six months longer than expected and this request is a significant amount of additional money. He asked if the scope

of the project had changed. Chief Winnacker stated that Consolidated identified and justified the additional expenses and that they worked past May as the duration of the project exceeded the estimate. Director Jorgens noted that it was a fixed price contract for a fixed time line. Chief Winnacker responded that Consolidated's request identified \$39,866 expended in taking over the contract from FSG. President Danziger asked if the funds are available in the Capital Fund Balance. Chief Winnacker responded affirmatively.

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

Motion by President Danziger and seconded by Director Baitx to approve Amendment No. 2 to the Consulting Services Agreement Between the Moraga-Orinda Fire Protection District and Consolidated CM, Inc. in the Amount of \$160,000 and Approval of Capital Projects Fund Expenditure Budget Adjustment Increase in the Amount of \$65,087. Said motion carried a 5-0 voice vote (Ayes: Baitx, Jex, Jorgens, Donner, and Danziger; Noes: None; Absent: None). Director Jorgens noted that the Board approved the Amendment and suggested that the Chief attempt to negotiate with Consolidated for a lower amount.

8.5 Authorize the Fire Chief to Amend the Cooperative Funding Agreement Among the East Bay Regional Park District and the Moraga Orinda Fire District for Fuels Management in an Amount Not to Exceed \$313,000

Chief Winnacker provided the report. The District contracted with the State of California to create a 19-mile long shaded fuel break in North Orinda and Lafayette in partnership with CALFIRE, Contra Costa County Fire Protection District, East Bay Municipal Utility District and the East Bay Regional Parks District (EBRPD). In July 2019, the District recognized the need to conduct fuels management work on land owned by EBRPD. To meet this requirement, the District entered into a cooperative funding agreement with EBRPD in the amount of \$84,000. In accordance with District policy, contracts in excess of \$100,000 require board approval. Chief Winnacker noted that work on parklands is very sensitive. The EBRPD has the staff and experience with contractors to conduct this work. The EBRPD does not charge an administration fee.

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

Motion by Director Jorgens and seconded by Director Donner to Authorize the Fire Chief to Amend the Cooperative Funding Agreement Among the East Bay Regional Park District and the Moraga Orinda Fire District for Fuels Management in an Amount Not to Exceed \$313,000. Said motion carried a 5-0 voice vote (Ayes: Baitx, Jex, Jorgens, Donner, and Danziger; Noes: None; Absent: None).

Chief Winnacker added that the District submitted a request for \$1.3M on November 11, 2019 to the state and that he expects one more payment request to be filed.

9. COMMITTEE REPORTS

9.1 Audit Ad Hoc Committee (Director Jex) (and Director Danziger – pending approval under Item 8.3)

Director Jex noted that the MOFD audit is done.

9.2 Finance Committee (Directors Danziger and Jorgens)

No report.

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

Director Baitx reported that they met with the Chief. Director Donner added that there are very few sites available for the station. He encouraged the Chief to speak with the School District.

9.4 Long Range Financial Forecast Ad Hoc Committee (Directors Donner and Jorgens)

No report.

9.5 Fire Chief Performance Evaluation Ad Hoc Committee (Directors Baitx and Donner)

The Board met and discussed this item in the Closed Session portion of the meeting.

10. ANNOUNCEMENTS

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

(Government Code Section 53232.3(d))

No report.

10.2 Questions and informational comments from Board members and Staff

President Danziger reported that he graduated from the Community Emergency Response Team (CERT) training. He commended the volunteers and instructors who coordinate the training.

10.3 Fire Chief Updates

10.3.1 Human Resources Update

Chief Winnacker reported that 33 oral interviews were conducted for the firefighter/paramedics positions. Eighteen will move on to the paramedic skills assessment in early December. He stated that 81 applications were received for the MOFD Clerk positions and that 13 interviews are scheduled for December 12, 2019. The Fire Marshal position opened on November 8, 2019 and will close on November 29, 2019. To date, eleven applications have been received.

10.3.2 Delivery of New Apparatus

The Type VI vehicle and one air light unit were received by the District. One old ambulance will be retired. The District took delivery of the two utility vehicles (Dodge 2500). The District is moving toward standardization of the fleet. The BC vehicle is expected shortly.

10.3.3 Holiday Party

President Danziger asked about a party after the December Board meeting. Chief Winnacker recommended light refreshments and no alcohol. Director Jorgens asked if this item was budgeted. Chief Winnacker stated that the Board allocated \$1,000 last year. President Danziger suggested cookies and punch. The Board concurred.

10.3.4 North Orinda Shaded Fuel Break Update

Chief Winnacker stated that \$1.76M has been reimbursed to date with \$1.3M pending and one more reimbursement request to file. A financial summary will be provided to the Board at the project's closeout. The District will net a 12% administration fee on the \$4.25M. He recommends keeping the account open as other state projects may become available. He is submitting another 20-mile grant proposal for continuing the fuel break. The District used the Teeter Plan in the months of September, October, November, and early December. Director Jex recommended planning for the Teeter Plan next year for billing, recovery, and the impact on the District's cash flow.

The District conducted three prescribed burns: Painted Rock and two within the NOSFB project. Additional burns are planned in the San Pablo Dam area. They will be visible to the community.

10.4 Communications Received

Chief Winnacker reported that a letter was received from David and Ellen Long commending the two firefighter/paramedics who provided exceptional assistance.

10.5 Future Agenda Items

Director Jorgens noted that the revenue from the Fire Flow Tax previously was disbursed into the Capital Reserves. He requested this item be placed on the next agenda. Director Jorgens requested the next agenda include an item to discuss paying off the debt issued for Station 43. President Danziger requested a discussion of the Fire Flow Tax be included on the next agenda. He also requested that the discussion of the third ambulance response and staffing model be agendaized.

11 ADJOURNMENT

At 8:44 p.m., Director Jorgens motion to adjourn the meeting was seconded by Director Donner. Said motion carried a 5-0 voice vote (Ayes: Baitx, Jex, Jorgens, Donner, and Danziger; Noes: None; Absent: None).

For an audio recording of this and other Board meetings, please visit the MOFD District Board Meeting webpage <http://www.mofd.org/board/meetings>

MOFD Response Time Summary by Incident Type (grouped) for All Code 2 and Code 3 Responses.

Will only show Incident Types that are applicable. EMS/Rescue \ Structure Fires (actual type is in a structure) \ Vegetation Fires \ Other Types Grouped - Alarms/Hazards/Pub Svc/Etc... Data is Based On Completed RMS Incident Report Data Entered by Company Officer. Resp. Data Based on "First Arriving Unit". "In District" = Moraga, Orinda, Canyon. "Out of District" = Lafayette & any Other City Aid Provided to.

	November, 2019						Totals		
	All Others (Alarms / Pub Service / Etc.)		EMS / Rescue		Structure Fires			Vehicle Accidents	
	In District	Out of Dist.	In District	Out of Dist.	Out of Dist.	In District		Out of Dist.	Out of Dist.
Incident Totals	92	2	161	1	2	20	3	281	
Median Turnout	1.08	1.50	1.07	0.83	1.38	1.00	1.47	1.08	
Median Resp Time	5.87	15.53	4.83	5.90	7.61	5.98	7.06	5.28	
Resp Time (90th%)	9.62	19.85	8.48	5.90	7.90	9.14	7.45	9.42	

Code 3 Response Time Summary by City and Incident Type. Times shown are based on the First Responding Units Arrival at Scene of Emergency.

	November, 2019						Resp Time (90th%)
	Incident Totals		Median Turnout		Median Resp Time		
	In District	Out of Dist.	In District	Out of Dist.	In District	Out of Dist.	
EMS / Rescue	84	1.15	5.48	9.25			
All Other Types	15	1.10	5.80	9.03			
Totals for City	99	1.15	5.50	9.12			
EMS / Rescue	69	1.00	4.05	7.00			
All Other Types	10	0.92	4.36	7.68			
Totals for City	79	1.00	4.05	7.05			
EMS / Rescue	4	1.26	6.28	7.45			
Structure Fires	2	1.38	7.61	7.90			
Totals for City	6	1.38	7.32	7.90			
EMS / Rescue	1	1.50	10.67	10.67			
Totals for City	1	1.50	10.67	10.67			
Overall Total	185	1.10	5.12	8.30			

Response Totals By Incident Type

	Dec 18	Jan 19	Feb 19	Mar 19	Apr 19	May 19	Jun 19	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Total
All Others (Alarms / Pub Service / Etc.)	98	110	105	98	98	109	126	105	110	116	197	142	1,414
EMS / Rescue	182	165	159	194	181	167	160	155	177	165	174	162	2,041
Structure Fires	2		2		1	4	2		2		5	2	20
Veg Fires		1			2		3	1	4	1	5		17
Vehicle Accidents	20	23	24	23	19	16	10	24	19	21	21	24	244
Grand Total	302	299	290	315	301	296	301	285	312	303	402	330	3,736

Incident Types

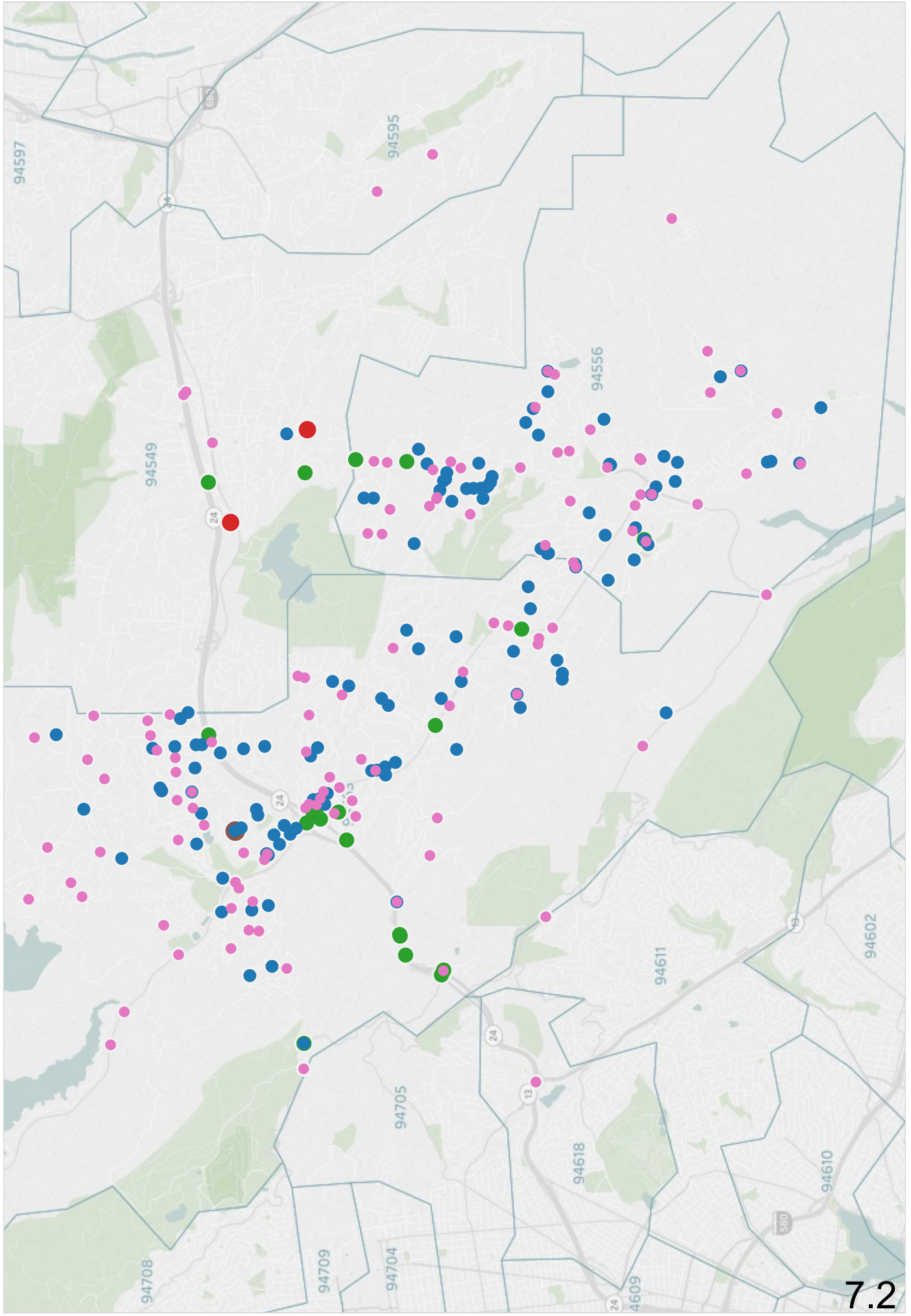
■ All Others (Alarms / Pub Service .. EMS / Rescue

■ Vehicle Accidents

■ Structure Fires

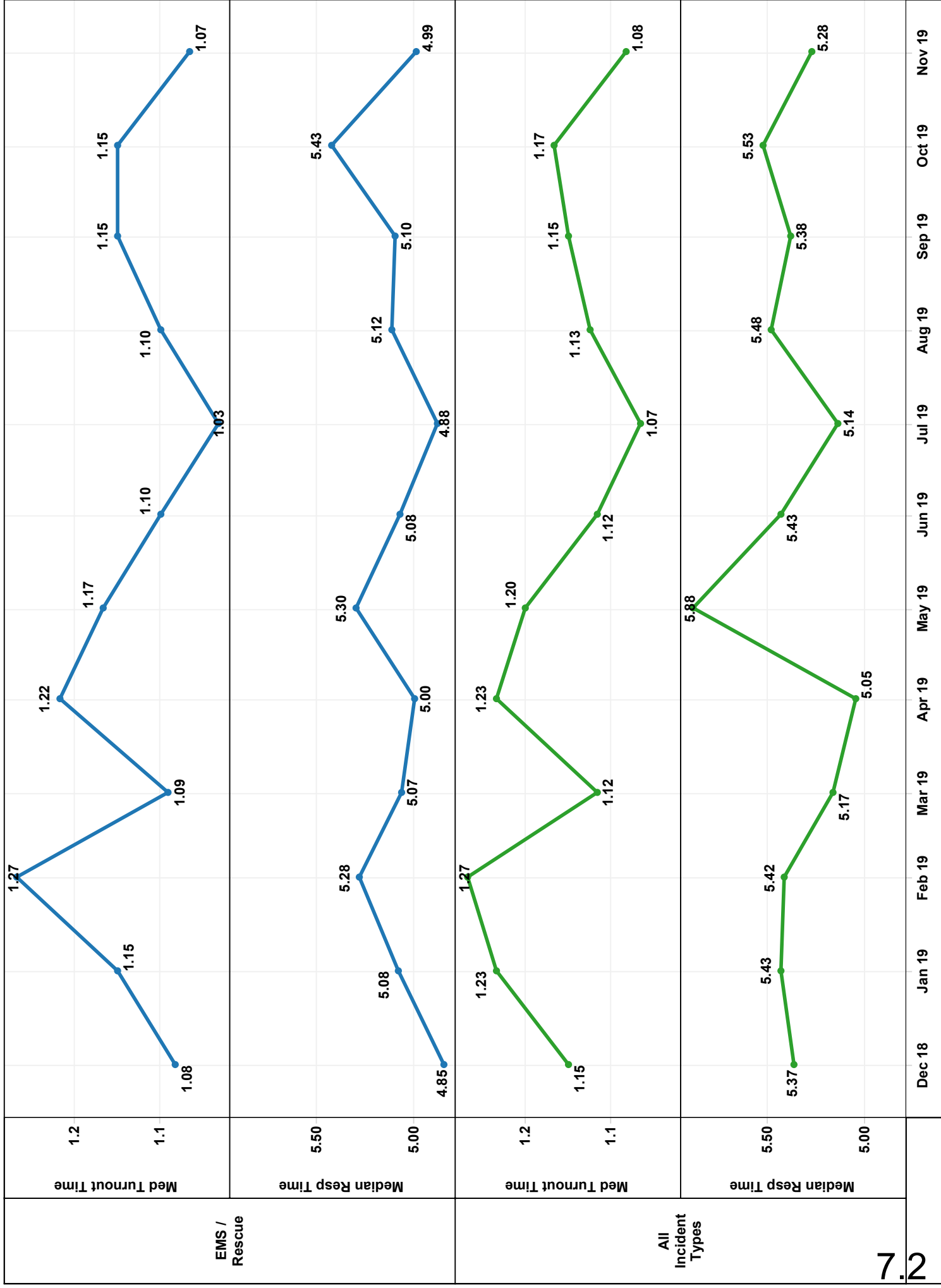
■ Technical Rescues

Incident Location Map for MOFD November 2019



Run Chart for MOFD EMS / Rescue and All Incident Types for the last full 12 months. Median Turnout and Response Times By Month for First At Scene

Units



Moraga-Orinda Fire District
 Check/Voucher Register - Check Register
 From 11/1/2019 Through 11/30/2019

Check Number	Check Date	Name	Check Amount	Transaction Description
112519 ACH	11/25/2019	Firestorm Wildland Fire Suppr...	296,163.53	Work 9/29/19-10/19/19 Invoice 22193
27803	11/1/2019	Accent	930.44	Refund overpayment Re: U05489141
27804	11/1/2019	ADT Security Services	73.04	Services 11/9/19-12/08/19- Station 45
27805	11/1/2019	Anthem Blue Cross-Overpaym...	2,266.12	Refund overpayment re:815A20566
27806	11/1/2019	A T and T	65.75	Acct# 9252589731 181 2 10/20/19-11/19/19 Station
	11/1/2019	A T and T	238.97	Acct# 9252589746 829 9 10/20/19-11/19/19
27807	11/1/2019	A T and T Mobility	775.80	Phone Acct #287016079073 09/16/19-10/15/19
27808	11/1/2019	Bandwidth.com, Inc.	435.56	Service 11/01/19-11/30/19
27809	11/1/2019	Biomedical Waste Disposal	79.00	October 2019 Medical Waste
	11/1/2019	Biomedical Waste Disposal	79.00	October 2019 Medical Waste A/C #0350
27810	11/1/2019	Bound Tree Medical, LLC	609.52	Particulate respirators
27811	11/1/2019	Canopy Health	590.27	Refund overpayment Re: R05916003FD2
27812	11/1/2019	Contra Costa Health Services	90.00	Paramedic-Initial accreditation-M. Lacy
27813	11/1/2019	Contra Costa Door	260.00	Operator arm repair
27814	11/1/2019	Comcast	88.47	8155 40 005 0208436 Station 42-10/24/19-11/23/19
	11/1/2019	Comcast	88.38	8155 40 006 0190996 Station 45-10/23/19-11/22/19
27815	11/1/2019	NEOGOV	250.00	Text messaging added to contract- NeoGov
27816	11/1/2019	Steve Huebner	245.00	PHTLS class-Huebner
27817	11/1/2019	Hunt & Sons, Inc.	494.46	Fuel A/C #72371
	11/1/2019	Hunt & Sons, Inc.	819.06	Fuel A/C #72372
	11/1/2019	Hunt & Sons, Inc.	367.21	Fuel A/C #72373
	11/1/2019	Hunt & Sons, Inc.	940.40	Fuel A/C #72374
	11/1/2019	Hunt & Sons, Inc.	843.68	Fuel A/C #72375
27818	11/1/2019	Kaiser	1,287.98	Refund overpayment Re: 2726597-01
27819	11/1/2019	Andy Kalenian	200.00	Paramedic licence renewal-A. Kalenian
27820	11/1/2019	L.N. Curtis & Sons	2,789.44	Turnout coat and pants-Lambert
	11/1/2019	L.N. Curtis & Sons	920.35	Wildland coats-Azevedo and Caglia
	11/1/2019	L.N. Curtis & Sons	288.19	Wildland pants-Rowe
27821	11/1/2019	S. J. Mazaika	484.15	Chipping week of 10/28/19
27822	11/1/2019	Moraga Hardware & Lumber	17.44	Colored flagging tape
	11/1/2019	Moraga Hardware & Lumber	36.03	Extension cord and USB charging cube-Training tr
	11/1/2019	Moraga Hardware & Lumber	69.90	N95 masks for Aides
	11/1/2019	Moraga Hardware & Lumber	13.48	Tool repair supplies
27823	11/1/2019	Occupational Health Centers ...	110.50	DOT recert-Sillers
27824	11/1/2019	Pacific Gas & Electric	634.77	09/18/19-10/16/19 Station 43
27825	11/1/2019	Red Cloud, Inc.	406.13	Radio brackets and cables
27826	11/1/2019	Grace Santos	0.00	Separation Agreement and General Release
27827	11/1/2019	Siegel Lewitter Malkani	0.00	Separation Agreement and General Release
27828	11/1/2019	Stryker Sales Corporation	810.00	LifPak monitor repair
27829	11/1/2019	Verizon Wireless	940.52	Account 623714059-00001 Service 09/24/19-10/23
27830	11/1/2019	Grace Santos	20,998.70	Separation Agreement and General Release
27831	11/1/2019	Siegel Lewitter Malkani	18,002.60	Separation Agreement and General Release
27832	11/8/2019	360 Fitness Superstore	1,082.50	4 Speed massage guns
27833	11/8/2019	ADP, Inc.	1,457.25	HR/Benefit Workforce processing&Payroll fees enc 10/15/19
27834	11/8/2019	AFSCME Council 57	124.80	Period Ending 10/31/19- 2700 Dues
27835	11/8/2019	ALSCO - American Linen Divi...	520.92	October 2019 linen
27836	11/8/2019	American Fidelity Assurance	2,949.30	Period Ending 10/31/2019
27837	11/8/2019	A T and T	157.17	Acct# 9391053307 10/01/19-10/31/19
27838	11/8/2019	Bound Tree Medical, LLC	3,324.90	Misc supplies
27839	11/8/2019	FASIS - Calif Bank and Trust	256,529.00	2nd Qtr FY19/20 Workers Comp
27840	11/8/2019	CCAC	200.00	District clerk position posting
27841	11/8/2019	Comcast	88.47	8155 40 005 0208428 Station 41-10/29/19-11/28/19
27842	11/8/2019	Concord Uniforms	391.45	Boots-J. Isaacs
27843	11/8/2019	Dave C. Dunn Company, Inc.	2,890.00	St Stephen's church parking lot cleanup-43 Temp station site
27844	11/8/2019	Definitive Networks, Inc.	15,789.54	Service coverage for October 2019

Moraga-Orinda Fire District
 Check/Voucher Register - Check Register
 From 11/1/2019 Through 11/30/2019

Check Number	Check Date	Name	Check Amount	Transaction Description
27845	11/8/2019	EBMUD	268.58	Water 08/27/19-10/24/19
	11/8/2019	EBMUD	368.22	Water 08/30/19-11/05/19 2"
	11/8/2019	EBMUD	532.32	Water 08/30/19-11/30/19 6"
27846	11/8/2019	ECMS, Inc.	389.73	PPE inspection and repair
27847	11/8/2019	FDAC EBA	1,921.31	November 2019 vision & life insur.
27848	11/8/2019	Entenmann-Rovin Co.	924.04	Captain badges and belt buckles
27849	11/8/2019	FirePoppy Consulting	990.00	Prescribed fire plan-Wagner Ranch Sub-Unit 1a
27850	11/8/2019	Uriel Garcia	2,418.75	GIS services 6/5/19-8/26/19
27851	11/8/2019	Hunt & Sons, Inc.	825.30	Fuel A/C #72371
	11/8/2019	Hunt & Sons, Inc.	452.51	Fuel A/C #72372
	11/8/2019	Hunt & Sons, Inc.	345.19	Fuel A/C #72373
	11/8/2019	Hunt & Sons, Inc.	721.95	Fuel A/C #72374
	11/8/2019	Hunt & Sons, Inc.	789.66	Fuel A/C #72375
27852	11/8/2019	IAFF Local 1230 Dues	8,073.76	Period Ending 10/31/19-Dues
27853	11/8/2019	IAFF Local 1230 Insurance	1,944.09	Period Ending 10/31/19- Insurance
27854	11/8/2019	L.N. Curtis & Sons	1,785.29	2 Kunkle valves and certifications
27855	11/8/2019	Mallory Safety & Supply, LLC	7,129.88	SCBA flow tests, parts and repairs
27856	11/8/2019	S. J. Mazaika	868.65	Chipping week of 11/4/19
27857	11/8/2019	Mobile Modular	595.00	Modular removal and cleaning fee
27858	11/8/2019	Office Depot	94.70	Copy paper and cleaning supplies
27859	11/8/2019	Pacific Office Automation	210.81	Copies 08/04/19-10/16/19
27860	11/8/2019	Smart Clean Building Mainten...	245.00	November 2019 cleaning service
27861	11/8/2019	Staples Advantage	686.40	Misc. supplies
27862	11/8/2019	The UPS Store	30.35	Returning expired narcotics
27863	11/8/2019	V-Studio	5,265.00	Application development of fire hazard assessment-Phase 5
27864	11/8/2019	West Coast Code Consultants	9,946.13	Contract FM & Plans examiner/inspector-October 2
27865	11/15/2019	Airgas USA, LLC	667.19	Oxygen-Station 45- #2867225
	11/15/2019	Airgas USA, LLC	499.31	Tank Rental-Station 41- #2118770 -October 2019
	11/15/2019	Airgas USA, LLC	54.64	Tank Rental-Station 44- #2902766 -October 2019
	11/15/2019	Airgas USA, LLC	328.98	Tank Rental-Station 45- #2867225 -October 2019
27866	11/15/2019	Alameda County Fire Departm...	1,590.11	Misc. repairs
	11/15/2019	Alameda County Fire Departm...	7,905.20	Misc. repairs-Unit 455
27867	11/15/2019	A T and T	346.67	Acct# 9391035207 10/12/19-11/11/19
27868	11/15/2019	A T and T Mobility	321.92	iPads 10/3/19-11/2/19
	11/15/2019	A T and T Mobility	222.24	Suppression mobile 10/3/19-11/2/19
27869	11/15/2019	Bound Tree Medical, LLC	974.43	Blood pressure cuffs
	11/15/2019	Bound Tree Medical, LLC	1,519.05	O2 Resus packs
27870	11/15/2019	Contra Costa Door	2,172.00	App door repair-panel damage
27871	11/15/2019	Contra Costa Appliance Service	120.00	Oven repair 10/22/19
27872	11/15/2019	California Fire Chiefs Assoc.	1,200.00	2019-2020 Membership-Chief and 3 BC's
27873	11/15/2019	Dell Financial Services	614.79	Rental & Admin Fee 12/01/19-12/31/19 A/C #001-8402535-010
27874	11/15/2019	Entenmann-Rovin Co.	970.09	Firefighter and BC badges
27875	11/15/2019	Expert Tree Service	9,500.00	Tree removal Wagner Ranch & Sleepy Hollow sch
27876	11/15/2019	Grainger, Inc.	627.47	14 Gallon fuel stations
27877	11/15/2019	Happy Pixel Studio, LLC	1,125.00	Website hosting and maint. through 12/31/19
27878	11/15/2019	L.N. Curtis & Sons	2,894.05	Annual Hurst tool service
	11/15/2019	L.N. Curtis & Sons	14,355.00	Hotline SJ hose-replacement from Merrill fire
	11/15/2019	L.N. Curtis & Sons	352.35	Spill absorbant
	11/15/2019	L.N. Curtis & Sons	983.05	Structure and wildland boots
27879	11/15/2019	Moraga Hardware & Lumber	25.12	Station repairs
	11/15/2019	Moraga Hardware & Lumber	25.09	Supplies for fire trail signs
27880	11/15/2019	Paymentus Group, Inc.	135.54	Credit card fees-October 2019
27881	11/15/2019	Pacific Gas & Electric	461.53	10/04/19-11/03/19- Station 44
	11/15/2019	Pacific Gas & Electric	1,227.31	10/4/19-11/03/19 Station 45 Electric
	11/15/2019	Pacific Gas & Electric	132.54	10/8/19-11/05/19-Station 42 Gas

Moraga-Orinda Fire District
 Check/Voucher Register - Check Register
 From 11/1/2019 Through 11/30/2019

Check Number	Check Date	Name	Check Amount	Transaction Description
27882	11/15/2019	Dennis Rein	6.00	Bridge fare to Kincade fire
27883	11/15/2019	Republic Services	530.41	November 2019 Trash A/C#302100093245
	11/15/2019	Republic Services	101.65	November 2019 Trash A/C#302100094052
	11/15/2019	Republic Services	511.09	November 2019 Trash A/C#302100095331
	11/15/2019	Republic Services	101.65	November 2019 Trash A/C#302100108522
27884	11/15/2019	Reliable Pharmaceutical Retur...	150.00	Expired pharmaceutical disposal
27885	11/15/2019	Seever & Sons Tire Pros	1,474.44	Tires-Engine 43
27886	11/15/2019	Shred-it	70.62	October 2019 pick-up
27887	11/16/2019	Pathos Screen Printing	990.76	Shirts and sweatshirts for Aides
27888	11/22/2019	Alameda County Fire Departm...	57,168.47	Misc. repairs
27889	11/22/2019	A T and T	5.53	Acct#9391060223 10/13/18-11/12/18 Conference calling
27890	11/22/2019	AT&T	42.80	Internet 11/10/19-12/09/19 - Station 43
27891	11/22/2019	Bound Tree Medical, LLC	2,442.10	Misc supplies
27892	11/22/2019	Contra Costa Appl & Kit Center	2,154.18	Oven replacement
27893	11/22/2019	Comcast	88.38	8155 40 006 0191002 Station 44-11/14/19-12/13/19
27894	11/22/2019	Concord Uniforms	916.93	Fuel mitigation uniforms-C. Mackie
	11/22/2019	Concord Uniforms	514.61	Fuel mitigation uniforms-J. Isaacs
	11/22/2019	Concord Uniforms	916.93	Fuel mitigation uniforms-M. Nazario
	11/22/2019	Concord Uniforms	514.61	Fuel mitigation uniforms-O. Harasis
	11/22/2019	Concord Uniforms	916.93	Fuel mitigation uniforms-S. Call
	11/22/2019	Concord Uniforms	916.93	Fuel mitigation uniforms-T. Walls
27895	11/22/2019	Dell Financial Services	302.46	Rental & Admin Fee 11/01/19-11/30/19 A/C #001-8402535-009
27896	11/22/2019	EVO	7,749.15	Emergency vehicle lighting-New utility truck-Vin 95
	11/22/2019	EVO	7,749.15	Emergency vehicle lighting-New utility truck-Vin 95
27897	11/22/2019	Anthony Grgurevic	79.29	Reimburse fuel for new Utility trucks from Elk Grov
27898	11/22/2019	Have Air Will Travel, Inc.	220.00	Service call-Station 41- E41
27899	11/22/2019	L.N. Curtis & Sons	165.08	Black strap handlelok
	11/22/2019	L.N. Curtis & Sons	139.37	Ziko wheel chock
	11/22/2019	L.N. Curtis & Sons	116.84	Ziko wheel chock holder
27900	11/22/2019	S. J. Mazaika	988.05	Chipping week of 11/11/19
	11/22/2019	S. J. Mazaika	767.91	Chipping week of 11/18/19
27901	11/22/2019	Moraga Hardware & Lumber	15.28	Tarp for NOSFB grass seed
27902	11/22/2019	Office Depot	143.14	Copy paper and cleaning supplies
27903	11/22/2019	Pacific Gas & Electric	729.65	10/07/19-11/04/19 Station 42 Electric
	11/22/2019	Pacific Gas & Electric	53.29	10/07/19-11/04/19 Admin
	11/22/2019	Pacific Gas & Electric	578.61	10/07/19-11/04/19 Station 41
	11/22/2019	Pacific Gas & Electric	262.38	10/17/19-11/15/19 Station 43
27904	11/22/2019	SoftwareOne	11,255.47	Microsoft EA 11/1/2019-10/31/2020
27905	11/22/2019	TIAA Commercial Finance, Inc.	223.34	Copier Rental November 2019 A/C #20317889-1
27906	11/22/2019	Verizon Wireless	56.28	12-lead modem wireless 10/11/19-11/10/19
27907	11/22/2019	Tiffany Walls	35.00	LiveScan reimbursement
397543265	11/26/2019	Government Leasing and Fina...	300,624.66	Apparatus lease payment- Contract 077-0020368-(
CC-1119	11/8/2019	CCCERA Retirement	170,097.21	CCCERA retirement payment-October 2019 contributions
CP066	11/5/2019	Calif. Public Employees'	173,267.17	CalPers Health Ins
CU-1119	11/8/2019	1st NorCal Federal Credit Union	1,702.20	Period ending 10/31/19-NorCal FCU
DD066	11/8/2019	Delta Dental Plan of Calif.	16,484.34	Delta Dental ACH payment
L0869505248	11/6/2019	Employment Development Dept.	899.99	UI-07/01/19-09/30/19
PFA 1119	11/8/2019	Moraga-Orinda Professional Fi...	1,722.00	Period ending 10/31/19- MOPFA
Stmt 10/22/19	11/26/2019	U.S. Bank	21,096.43	A/C #4246-0445-5564-6748 10/22/19
Report Total			1,527,541.19	

Moraga-Orinda Fire District
Statement of Revenues and Expenditures - General Fund Actual to Budget 19/20
From 7/1/2019 Through 10/31/2019

		Current Period Actual	Total Budget \$ - Original	Total Budget \$ Variance - Original	Percent Total Budget Remaining - Original
Revenue					
Taxes					
Property Tax-Current Secured	4010	19,535,566.83	20,740,454.00	(1,204,887.17)	(5.81)%
Property Tax-Supplemental	4011	99,292.57	300,000.00	(200,707.43)	(66.90)%
Property Tax-Unitary	4013	0.00	200,000.00	(200,000.00)	(100.00)%
Property Tax-Curr Unsecured	4020	635,502.33	600,000.00	35,502.33	5.92%
Prop Tax- Prior Secured	4030	0.00	(45,000.00)	45,000.00	(100.00)%
Prop Tax-Prior Supplement	4031	0.00	(30,000.00)	30,000.00	(100.00)%
Prop Tax Prior Unsecured	4035	4,951.43	(10,000.00)	14,951.43	(149.51)%
Fire Flow Tax	4066	1,088,615.46	1,085,000.00	3,615.46	0.33%
Total Taxes		<u>21,363,928.62</u>	<u>22,840,454.00</u>	<u>(1,476,525.38)</u>	<u>(6.46)%</u>
Use of Money & Property					
Investment Earnings	4181	0.00	70,000.00	(70,000.00)	(100.00)%
Total Use of Money & Property		<u>0.00</u>	<u>70,000.00</u>	<u>(70,000.00)</u>	<u>(100.00)%</u>
Intergovernmental Revenue					
Homeowners Relief Tax	4385	0.00	149,000.00	(149,000.00)	(100.00)%
Intergovernmental Revenue-Federal Grants	4437	96,552.00	420,000.00	(323,448.00)	(77.01)%
CA FF JAC Training Funds	4440	0.00	6,500.00	(6,500.00)	(100.00)%
Other/In Lieu of Taxes	4580	967.52	900.00	67.52	7.50%
Measure H-Emerg Med Ser Subsid	4896	0.00	85,514.00	(85,514.00)	(100.00)%
Total Intergovernmental Revenue		<u>97,519.52</u>	<u>661,914.00</u>	<u>(564,394.48)</u>	<u>(85.27)%</u>
Charges for Service					
Permits	4740	1,313.00	2,000.00	(687.00)	(34.35)%
Plan Review	4741	109,708.00	250,000.00	(140,292.00)	(56.12)%
Inspection Fees	4742	11,361.00	33,000.00	(21,639.00)	(65.57)%
Weed Abatement Charges	4744	12,668.50	20,000.00	(7,331.50)	(36.66)%
CPR/First Aid Classes	4745	289.00	1,000.00	(711.00)	(71.10)%
Reports/ Photocopies	4746	192.75	350.00	(157.25)	(44.93)%
Other Charges for Service	4747	7,252.00	6,000.00	1,252.00	20.87%
Total Charges for Service		<u>142,784.25</u>	<u>312,350.00</u>	<u>(169,565.75)</u>	<u>(54.29)%</u>
Charges for Service - Ambulance					
Ambulance Service Fees	4898	449,898.09	1,938,000.00	(1,488,101.91)	(76.79)%
Ambulance Service Fee Reimbursements	4899	(74,007.21)	(188,000.00)	113,992.79	(60.63)%
Ambulance Collection Recovery Payments	4900	1,119.78	1,600.00	(480.22)	(30.01)%
Ground Emergency Medical Transportation	4901	(20,230.32)	50,000.00	(70,230.32)	(140.46)%
Total Charges for Service - Ambulance		<u>356,780.34</u>	<u>1,801,600.00</u>	<u>(1,444,819.66)</u>	<u>(80.20)%</u>
Other Revenue					
Other Revenue-Strike Team Recovery	4971	9,647.92	800,000.00	(790,352.08)	(98.79)%
Other Revenue & Financing Sources	4972	0.00	18,000.00	(18,000.00)	(100.00)%
Other Revenue-Misc.	4974	5,345.66	1,000.00	4,345.66	434.57%
Misc Rebates & Refunds	4975	736.59	1,000.00	(263.41)	(26.34)%
Sale of Surplus Property	4980	400.50	500.00	(99.50)	(19.90)%
Transfers In	4999	606.97	0.00	606.97	0.00%
Total Other Revenue		<u>16,737.64</u>	<u>820,500.00</u>	<u>(803,762.36)</u>	<u>(97.96)%</u>
Total Revenue		<u>21,977,750.37</u>	<u>26,506,818.00</u>	<u>(4,529,067.63)</u>	<u>(17.09)%</u>

Moraga-Orinda Fire District
Statement of Revenues and Expenditures - General Fund Actual to Budget 19/20
From 7/1/2019 Through 10/31/2019

		Current Period Actual	Total Budget \$ - Original	Total Budget \$ Variance - Original	Percent Total Budget Remaining - Original
Expenditures					
Salaries & Benefits					
Permanent Salaries	5011	2,916,809.74	9,968,534.00	7,051,724.26	70.74%
Temporary Salaries	5013	70,353.30	269,651.00	199,297.70	73.91%
Overtime	5014	514,958.29	1,830,828.00	1,315,869.71	71.87%
Deferred Compensation	5015	6,968.00	22,700.00	15,732.00	69.30%
Overtime - Strike Team	5016	189,809.20	540,020.00	350,210.80	64.85%
Contract Services	5018	37,788.17	0.00	(37,788.17)	0.00%
Worker's Compensation Recovery	5019	(49,192.13)	(150,000.00)	(100,807.87)	67.21%
Payroll Taxes -FICA,SUI	5042	58,500.66	207,193.00	148,692.34	71.77%
Payroll Processing Fees	5043	3,875.55	20,000.00	16,124.45	80.62%
Retirement Contributions	5044	1,628,445.38	5,388,042.00	3,759,596.62	69.78%
Life/Health Insurance-Permanent Employees	5060	354,519.77	1,380,492.00	1,025,972.23	74.32%
Employee's-Health Insurance Contribution	5061	(33,807.96)	(140,664.00)	(106,856.04)	75.97%
Retiree Health Insurance	5062	406,336.57	1,275,000.00	868,663.43	68.13%
Retiree-Health Insurance Contribution	5063	(112,842.33)	(350,000.00)	(237,157.67)	67.76%
Unemployment Insurance	5064	0.00	11,000.00	11,000.00	100.00%
Retiree-Health OPEB Contribution	5065	0.00	559,108.00	559,108.00	100.00%
Vision Insurance	5066	4,861.68	20,796.00	15,934.32	76.62%
Pension Rate Stabilization	5067	0.00	1,023,850.00	1,023,850.00	100.00%
Workers' Compensation Insurance	5070	256,529.00	1,021,161.00	764,632.00	74.88%
Total Salaries & Benefits		6,253,912.89	22,897,711.00	16,643,798.11	72.69%
Operating Expense					
Office Supplies	6100	2,814.38	10,300.00	7,485.62	72.68%
Postage	6101	1,364.86	5,000.00	3,635.14	72.70%
Books & Periodicals	6102	156.34	7,660.00	7,503.66	97.96%
Printer Ink Cartridges	6103	49.95	2,500.00	2,450.05	98.00%
Telephone/Communication	6110	14,828.86	50,000.00	35,171.14	70.34%
Dispatch/Comm Center Services w/ AVL MDT	6111	0.00	188,700.00	188,700.00	100.00%
Utilities- Sewer	6120	4,625.17	4,100.00	(525.17)	(12.81)%
Utilities-Garbage	6121	4,979.20	14,050.00	9,070.80	64.56%
Utilities-PG&E	6122	20,117.09	69,900.00	49,782.91	71.22%
Utilities-Water	6123	6,913.90	18,300.00	11,386.10	62.22%
Utilities-Medical Waste	6124	1,020.23	2,200.00	1,179.77	53.63%
Small Tools & Instruments	6130	314.60	8,250.00	7,935.40	96.19%
Minor Equipment/Furniture	6131	0.00	1,500.00	1,500.00	100.00%
Computer Equipment & Supplies	6132	84.74	3,000.00	2,915.26	97.18%
Gas Power Chain Saw/Other Equipmen	6133	270.96	6,800.00	6,529.04	96.02%
Fire Trail Grading	6135	9,632.78	25,000.00	15,367.22	61.47%
Fire Fighting Equipment & Supplies	6137	4,711.24	7,000.00	2,288.76	32.70%
Fire Fighting Equipment-Hoses & Nozzles	6138	0.00	16,000.00	16,000.00	100.00%

Moraga-Orinda Fire District
Statement of Revenues and Expenditures - General Fund Actual to Budget 19/20
From 7/1/2019 Through 10/31/2019

		Current Period Actual	Total Budget \$ - Original	Total Budget \$ Variance - Original	Percent Total Budget Remaining - Original
Fire Fighting Equipment-Class A Foam	6139	0.00	5,125.00	5,125.00	100.00%
Medical & Lab Supplies	6140	31,703.61	100,000.00	68,296.39	68.30%
Food Supplies	6150	4,979.10	4,000.00	(979.10)	(24.48)%
Safety Clothing & Personal Supplies	6160	20,494.98	120,000.00	99,505.02	82.92%
Household Expense	6170	4,559.48	17,000.00	12,440.52	73.18%
Household Expense-Linen	6171	1,780.17	6,440.00	4,659.83	72.36%
Public & Legal Notices	6190	0.00	10,000.00	10,000.00	100.00%
Dues, Memberships & Professional Fees	6200	382.50	8,555.00	8,172.50	95.53%
EMT/Paramedic Licensure Fees	6201	690.00	4,000.00	3,310.00	82.75%
Rent & Leases (Equipment)	6250	8,539.25	29,900.00	21,360.75	71.44%
Computer Software & Maintenance	6251	43,149.59	75,500.00	32,350.41	42.85%
Website Development & Maintenance	6252	4,245.00	8,000.00	3,755.00	46.94%
EPA ID# Verification Fee	6264	150.00	150.00	0.00	0.00%
CCC HazMat Plan (CUPA)	6265	462.00	3,000.00	2,538.00	84.60%
BAAQMD & Environmental Health Fees	6266	0.00	900.00	900.00	100.00%
Air Monitor Maintenance & Replacement	6269	0.00	1,300.00	1,300.00	100.00%
Maintenance -- Equipment	6270	28,004.82	70,840.00	42,835.18	60.47%
Central Garage Repairs	6271	10,467.49	200,000.00	189,532.51	94.77%
Central Garage Gasoline & Oil	6272	27,271.08	65,000.00	37,728.92	58.04%
Central Garage Tires	6273	3,983.88	7,500.00	3,516.12	46.88%
Service/Repair Fuel System Dispensers	6274	0.00	2,500.00	2,500.00	100.00%
Aerial Ladder & Pump Testing	6275	0.00	1,000.00	1,000.00	100.00%
Smog Inspections	6276	93.85	500.00	406.15	81.23%
Air Compressor Quarterly Service	6278	1,690.61	3,000.00	1,309.39	43.65%
Hydro Test SCBA & Oxy Cylinder	6279	0.00	2,500.00	2,500.00	100.00%
Tank Testing	6280	0.00	1,000.00	1,000.00	100.00%
Maintenance -- Building	6281	17,266.59	64,000.00	46,733.41	73.02%
Maintenance -- Grounds	6282	1,205.05	6,400.00	5,194.95	81.17%
Meetings & Travel Expenses	6303	1,387.15	3,875.00	2,487.85	64.20%
Medical - Pre-Emp Processing and Annual Exams	6311	3,762.93	30,000.00	26,237.07	87.46%
Ambulance Billing Administration Fees	6312	22,473.28	74,160.00	51,686.72	69.70%
Outside Attorney Fees	6313	35,572.68	150,000.00	114,427.32	76.28%
Outside CPR Instructors	6314	0.00	2,000.00	2,000.00	100.00%
CCC County Tax Administration Fee	6316	0.00	205,000.00	205,000.00	100.00%
Professional Services	6317	12,935.00	46,000.00	33,065.00	71.88%
Professional Services - Labor Negotiator	6318	1,719.50	2,000.00	280.50	14.03%
Professional Services - Technology	6319	47,976.00	205,452.00	157,476.00	76.65%

Moraga-Orinda Fire District
Statement of Revenues and Expenditures - General Fund Actual to Budget 19/20
From 7/1/2019 Through 10/31/2019

		Current Period Actual	Total Budget \$ - Original	Total Budget \$ Variance - Original	Percent Total Budget Remaining - Original
Professional Services - Pre-Employment Investigations	6320	6,485.00	15,000.00	8,515.00	56.77%
Professional Services - Promotional Exams & Recruitment	6321	193.07	6,000.00	5,806.93	96.78%
Professional Services-OPEB Actuarial Valuation	6322	2,889.41	5,500.00	2,610.59	47.47%
Exterior Hazard Removal	6323	12,007.50	25,000.00	12,992.50	51.97%
Professional Services-Prop Tax Audit & Forecasting	6326	0.00	8,200.00	8,200.00	100.00%
Professional Services	6327	0.00	14,000.00	14,000.00	100.00%
Burn Trailer Grant Maintenance	6352	0.00	3,500.00	3,500.00	100.00%
Testing Materials & Training Props	6354	2,652.51	20,000.00	17,347.49	86.74%
Career Development Classes	6357	2,809.96	25,000.00	22,190.04	88.76%
Target Safety Online Training	6359	3,515.00	9,000.00	5,485.00	60.94%
Training & Education Classes-Paramedic & EMT CE	6360	2,205.00	10,000.00	7,795.00	77.95%
District Sponsored Training-Mandated	6361	(1,331.61)	20,000.00	21,331.61	106.66%
Recruiting Costs	6470	4,333.00	40,000.00	35,667.00	89.17%
Strike Team Supplies	6474	7,053.78	9,500.00	2,446.22	25.75%
Community Emergency Response Team	6475	804.75	8,000.00	7,195.25	89.94%
Exercise Supplies/Maint.	6476	4,530.12	5,000.00	469.88	9.40%
Recognition Supplies	6478	0.00	4,000.00	4,000.00	100.00%
Other Special Departmental Exp	6479	47,516.28	95,950.00	48,433.72	50.48%
Public Education Supplies	6480	859.09	3,700.00	2,840.91	76.78%
CPR Supplies	6481	0.00	1,000.00	1,000.00	100.00%
LAFCO	6482	16,300.67	12,500.00	(3,800.67)	(30.41)%
Emergency Preparedness Expense	6484	0.00	10,000.00	10,000.00	100.00%
Misc. Services & Supplies	6490	7,836.57	35,800.00	27,963.43	78.11%
Fire Chief Contingency	6491	13,335.04	100,000.00	86,664.96	86.66%
Property & Liability Insurance	6540	45,781.00	57,000.00	11,219.00	19.68%
Total Operating Expense		<u>588,606.03</u>	<u>2,520,507.00</u>	<u>1,931,900.97</u>	<u>76.65%</u>
Other Expense					
Bank Fees	7510	2,528.81	3,300.00	771.19	23.37%
County Tax Collection Fees	7530	0.00	300.00	300.00	100.00%
Claims Expense	7540	60,304.48	0.00	(60,304.48)	0.00%
Transfers to Debt Service Fund	7999	161,208.80	1,085,000.00	923,791.20	85.14%
Total Other Expense		<u>224,042.09</u>	<u>1,088,600.00</u>	<u>864,557.91</u>	<u>79.42%</u>
Total Expenditures		<u>7,066,561.01</u>	<u>26,506,818.00</u>	<u>19,440,256.99</u>	<u>73.34%</u>
Excess of Revenues Over/ (Under) Expenditures		<u>14,911,189.36</u>	<u>0.00</u>	<u>14,911,189.36</u>	<u>0.00%</u>

Moraga-Orinda Fire District
Statement of Revenues and Expenditures - Capital Projects Fund Actual to Budget-19/20
From 7/1/2019 Through 10/31/2019

		Current Period Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original
Revenue					
Use of Money & Property					
Investment Earnings	4181	0.00	10,000.00	(10,000.00)	(100.00)%
Total Use of Money & Property		0.00	10,000.00	(10,000.00)	(100.00)%
Intergovernmental Revenue					
Intergovernmental Revenue-Fed...	4437	0.00	75,169.00	(75,169.00)	(100.00)%
Total Intergovernmental Revenue		0.00	75,169.00	(75,169.00)	(100.00)%
Charges for Service					
Impact Mitigation Fees	4743	10,000.00	40,000.00	(30,000.00)	(75.00)%
Total Charges for Service		10,000.00	40,000.00	(30,000.00)	(75.00)%
Other Revenue					
Sale of Surplus Property	4980	5,199.00	0.00	5,199.00	0.00%
Transfers In	4999	0.00	73,451.00	(73,451.00)	(100.00)%
Total Other Revenue		5,199.00	73,451.00	(68,252.00)	(92.92)%
Total Revenue		15,199.00	198,620.00	(183,421.00)	(92.35)%
Expenditures					
Other Expense					
Bank Fees	7510	78.00	200.00	122.00	61.00%
Fire Flow Tax Collection Fees	7531	0.00	14,000.00	14,000.00	100.00%
Apparatus/Vehicles-Fixed Asset ...	7703	97,344.31	381,619.00	284,274.69	74.49%
Buildings-Station #43-Fixed Ass...	7706	39,375.02	202,266.00	162,890.98	80.53%
FEMA (AFG) Grants-Fixed Asse...	7707	16,194.00	17,000.00	806.00	4.74%
Buildings-Stations-Fixed Asset E...	7708	0.00	30,000.00	30,000.00	100.00%
Misc. Equipment Expense	7709	0.00	82,686.00	82,686.00	100.00%
Total Other Expense		152,991.33	727,771.00	574,779.67	78.98%
Total Expenditures		152,991.33	727,771.00	574,779.67	78.98%
Excess of Revenues Over/ (Under) Expenditures		(137,792.33)	(529,151.00)	391,358.67	(73.96)%

Moraga-Orinda Fire District
Statement of Revenues and Expenditures - Debt Service Fund Actual to Budget-19/20
From 7/1/2019 Through 10/31/2019

		Current Period Actual	Total Budget \$ - Original	Total Budget \$ Variance - Original	Percent Total Budget Remaining - Original
Revenue					
Taxes					
Property Tax-Current Secured	4010	3,709,744.00	3,709,744.00	0.00	0.00%
Total Taxes		3,709,744.00	3,709,744.00	0.00	0.00%
Use of Money & Property					
Investment Earnings	4181	29.18	500.00	(470.82)	(94.16)%
Total Use of Money & Property		29.18	500.00	(470.82)	(94.16)%
Other Revenue					
Transfers In	4999	161,208.80	1,011,549.00	(850,340.20)	(84.06)%
Total Other Revenue		161,208.80	1,011,549.00	(850,340.20)	(84.06)%
Total Revenue		3,870,981.98	4,721,793.00	(850,811.02)	(18.02)%
Expenditures					
Other Expense					
Pension Obligation Bond Principal Payment	7900	2,945,000.00	2,945,000.00	0.00	0.00%
Pension Obligation Bond Interest Payment	7901	299,236.50	521,609.00	222,372.50	42.63%
Apparatus Lease Principal Payment	7902	0.00	658,811.00	658,811.00	100.00%
Apparatus Lease Interest Payment	7903	0.00	31,657.00	31,657.00	100.00%
Lease Agreement Station 43 Principal	7906	125,000.00	250,000.00	125,000.00	50.00%
Lease Agreement Station 43 Interest	7907	36,208.80	71,081.00	34,872.20	49.06%
Transfers to Other Funds	7997	606.97	0.00	(606.97)	0.00%
Total Other Expense		3,406,052.27	4,478,158.00	1,072,105.73	23.94%
Total Expenditures		3,406,052.27	4,478,158.00	1,072,105.73	23.94%
Excess of Revenues Over/ (Under) Expenditures		464,929.71	243,635.00	221,294.71	90.83%

Moraga-Orinda Fire District
Statement of Revenues and Expenditures - NOSFB Fund Actual to Budget-19/20
From 7/1/2019 Through 10/31/2019

		Current Period Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original
Revenue					
Intergovernmental Revenue					
Misc State Aid/ Grants	4435	2,993,216.03	4,173,250.00	(1,180,033.97)	(28.28)%
Total Intergovernmental Revenue		2,993,216.03	4,173,250.00	(1,180,033.97)	(28.28)%
Total Revenue		2,993,216.03	4,173,250.00	(1,180,033.97)	(28.28)%
Expenditures					
Salaries & Benefits					
Temporary Salaries	5013	53,348.21	123,802.00	70,453.79	56.91%
Overtime	5014	2,990.88	0.00	(2,990.88)	0.00%
Payroll Taxes -FICA,SUI	5042	3,280.39	9,471.00	6,190.61	65.36%
Total Salaries & Benefits		59,619.48	133,273.00	73,653.52	55.27%
Operating Expense					
Office Supplies	6100	219.01	0.00	(219.01)	0.00%
Professional Services	6317	592,423.41	650,000.00	57,576.59	8.86%
Exterior Hazard Removal	6323	2,028,780.99	3,389,977.00	1,361,196.01	40.15%
Total Operating Expense		2,621,423.41	4,039,977.00	1,418,553.59	35.11%
Total Expenditures		2,681,042.89	4,173,250.00	1,492,207.11	35.76%
Excess of Revenues Over/ (Under) Expenditures		312,173.14	0.00	312,173.14	0.00%



Moraga-Orinda Fire District

TO: Board of Directors
FROM: Dave Winnacker, Fire Chief
DATE: December 18, 2019
SUBJECT: Item 8.1 – Election of Board Officers

BACKGROUND

Each year, the Board of Directors elects new officers. The 2019 officers are as follows:

President	Steven Danziger
Vice President	Craig Jorgens
Secretary	John Jex
Treasurer	Michael Donner
Director	Gregory Baitx

RECOMMENDATION

- 1) Discuss; 2) Elect new officers to be effective January 2, 2020.



Moraga-Orinda Fire District

TO: Board of Directors
FROM: Dave Winnacker, Fire Chief
DATE: December 18, 2019
SUBJECT: Item 8.2 – Appointment of Standing and Ad Hoc Committee Members and District Liaisons

BACKGROUND

Each year, the Board of Directors appoints new Committee Members and District Liaisons.

The Board presently has one Standing Committee and three Ad Hoc Committees:

Finance Standing Committee	Directors Danziger and Jorgens
Audit Ad Hoc Committee – Sunsets June 2020	Directors Danziger and Jex
Facilities Station 41 Ad Hoc Committee	Directors Baitx and Donner
Fire Chief Performance Evaluation Ad Hoc Committee	Directors Donner and Baitx

The Board presently assigns District Liaisons to five outside agencies:

Contra Costa Special Districts Association	Director Jex
Contra Costa County Fire Boards and Commissioners Assoc.	Director Danziger
Local Agency Formation Committee	Director Donner
Orinda City Council	Director Jorgens
Moraga Town Council	Director Baitx

RECOMMENDATION

- 1) Discuss; 2) Appoint new Finance Committee members, Ad Hoc Committee members, and District Liaisons to be effective January 2, 2020.



Moraga-Orinda Fire District

TO: Board of Directors
FROM: Dave Winnacker, Fire Chief
DATE: December 18, 2019
SUBJECT: Item 8.3 – 2020 Regular Board Meeting Schedule

BACKGROUND

The Board of Directors conducts Regular Board meetings on the third Wednesday of each month. Various other special meetings are scheduled throughout the year to address time sensitive District issues. The Regular Board Meeting Schedule for 2020 is as follows:

January	15	July	15
February	19	August	19
March	18	September	16
April	15	October	21
May	20	November	18
June	17	December	16

There are three requests to change the monthly meeting to the second or fourth Wednesday:

- January 8 instead of 15
- March 11 or 25 instead of March 18
- May 13 instead of 20

RECOMMENDATION

Staff recommends the Board approve a 2020 Regular Board Meeting Schedule.



Moraga-Orinda Fire District

TO: Board of Directors

FROM: Dave Winnacker, Fire Chief

DATE: December 18, 2019

SUBJECT: Item 8.4 – Approval of Reclassification of 4.5 FTE District Aide Part Time Positions and 1 FTE Fuels Mitigation Crew Supervisor Part Time Positions to 3 FTE Fuels Mitigation Specialists Full Time Three Year Limited Term Positions and Monthly Base Salary Range for the Fuels Mitigation Specialist of \$3,613 to \$4,003

BACKGROUND

Historically, the Moraga Fire District and MOFD maintained a reserve program that supported suppression and administrative functions throughout the district. In 2008 this program was ended and part time District Aides were hired. Over time, the Aides evolved from providing general support to carrying out fuels mitigation and fire prevention activities, to include Red Tag vegetation management inspections. In 2018 and early 2019, the inconsistency of having part time employees carrying out inspections created challenges as MOFD significantly expanded fuels mitigation programs. Further, part time employees regularly leave for other opportunities resulting in 80% turnover in 2018 and 64% turnover in 2019 to date. Hiring and training new employees on a regular basis requires a significant investment of limited staff time to hire and train.

Fire District Aide Turnover Rate		
10/31/2019		
2018		
	<u>Budgeted Aide Positions</u>	
	Under the Fire Marshal	5
	Separations	4
	Turnover Rate	80%
2019		
	<u>Budgeted Aide Positions</u>	
	Under the Fire Marshal	5
	Fuels Mitigation Supervisor	2
	Fuels Mitigation - 6 mo LT	4
	Total	11
	Separations	7
	Turnover Rate	64%

Reclassification of District Aide Positions to Fuels Mitigation Specialist

In light of the nature of work being carried out by these employees and in an attempt to make the position more desirable, MOFD intends to reclassify the position of District Aide to Fuels Mitigation Specialist. Most employees in this category are seeking follow on employment in the fire service and feedback received from former and current employees suggests they struggled to explain the position when interviewing with other agencies. Making the name change will more accurately reflect the nature of the work and will support recruiting efforts.

Transition From Part Time to Full Time Three Year Limited Term Positions

As the position has evolved and MOFD's fuels mitigation program has grown, the use of part time positions, working an irregular schedule has posed a series of challenges. Follow up to resident questions and complaints can be delayed, different staff members conduct initial and follow up inspections, and chipper service is difficult to schedule more than 1 or 2 weeks out. To address this issue, it is recommended that the program be transitioned from the current nine authorized part time positions to full time positions. Full time positions will increase reliability and capacity relative to the current model.

There are options to the number of full time positions the District could deploy as follows:

Budgeted cost of 11 part-time positions	\$190,325
Budgeted cost per full-time position	\$85,469
Savings with 2 full-time positions	\$19,387
Additional cost with 3 full-time positions	\$66,082

The Board discussed this item at the November 20, 2019 Board meeting. The Board discussed that there is community demand for fuels mitigation services. The Board directed staff to bring this item for action to create three full time positions. Staff recommends the position is established as a three year limited term position.

Establish Monthly Base Salary Range for Fuels Mitigation Specialist Position

Based on a review of the job duties and a review of comparable positions in other agencies, staff recommends a monthly base salary range of \$3,613 to \$4,003. The position be a full-time benefitted position. The benefits include pension benefits through Contra Costa County Employees' Retirement Association (CCCERA).

Staff consulted with CCCERA regarding retirement benefit options for a limited term position. At the end of the three year term, the employee will have the following options for the contributions at CCCERA:

1. Cash out the contributions
2. Roll contributions into another type of retirement account (401K, 457, etc.)
3. Leave contributions with CCCERA and work for a reciprocal employer
4. Leave contributions with CCCERA until person reaches age 70 and then receive a pension. A person does not have to have 5 years of service if he/she retires at age 70.

Recommended Action

- 1) Discuss; 2) Deliberate; 3) Approve the following:

- a. Reclassification of 4.5 FTE District Aide Part Time Positions and 1 FTE Fuels Mitigation Crew Supervisor Part Time Positions to 3 FTE Fuels Mitigation Specialists Full Time Three Year Limited Term Positions;
- b. Monthly Base Salary Range for the Fuels Mitigation Specialist of \$3,613 to \$4,003



Moraga-Orinda Fire District

TO: Board of Directors

FROM: Dave Winnacker, Fire Chief
Gloriann Sasser

DATE: December 18, 2019

SUBJECT: Item 8.5 – Discussion of Fire Flow Tax Revenue

BACKGROUND

At the November Board meeting, the Board directed staff to place an item on the agenda to discuss fire flow tax revenue. The District collects a fire flow tax each year in the amount of approximately \$1,085,000.

Historically, the fire flow tax was recorded in the Capital Projects Fund and was used as a dedicated funding source for capital expenditures and debt payments for capital purchases. On March 15, 2018, the Board directed staff to record the fire flow tax in the General Fund instead of the Capital Projects Fund (Attachment A.) This was implemented for the first time as part of the FY2019 budget (Attachment B.) The fire flow tax revenue was then transferred out of the General Fund into the Debt Service Fund for debt payments for capital purchases and the remainder was transferred into the Capital Projects Fund.

Recording the fire flow tax revenue in the General Fund increases the amount of money necessary to be maintained in the General Fund unrestricted fund balance per the Board's policy and goal to maintain a percentage of unrestricted General Fund revenue.

RECOMMENDATION

- 1) Discuss; 2) Deliberate; 3) Provide direction to staff

ATTACHMENTS

Attachment A – Board Meeting Minutes March 15, 2018

Attachment B – Staff Report Item 7.1 May 2, 2018

Moraga-Orinda Fire Protection District



BOARD OF DIRECTORS SPECIAL BOARD MEETING MINUTES

March 15, 2018
(Approved April 18, 2018)

1. **Opening Ceremonies**

The Board of Directors convened in Open Session at 5:03 P.M. on March 15, 2018 at the Sarge Littlehale Room, Orinda, California. President Barber called the meeting to order. Present were the following Directors and Staff:

President Barber	Director Jex	Gloriann Sasser, Admin Services Director
Director Anderson	Director Jorgens	Judith Propp, District Counsel
Director Famulener	Dave Winnacker, Fire Chief	Patricia Edwards, Interim District Clerk

2. **Public Comment**

There was no comment from the public.

3. **Regular Calendar**

3.1 Public Workshop

President Barber stated that the purpose of the meeting is a public workshop for the preparation of the Long Range Financial Plan. The first year is a plan and subsequent years are projections of assumptions. Director Famulener noted that Judith Propp is attending the meeting as substitute counsel for Jonathan Holtzman.

Chief Winnacker provided the report. The Plan projects District revenue and expenditures over a forward-looking 15-year period. The Ad Hoc Labor Negotiations Committee requested a public financial workshop to discuss the Long Range Financial Plan. He noted that Version A continues what was done in the past and Version B uses a more conservative methodology. Questions from the Board of Directors prior to the meeting included: medical cost increases; transfers to the General Fund; expenditures for Stations 43, 45, and 41; whether the schedule included all the capital projects; and OPEB funding at 3% per year. Chief Winnacker noted that additional projections with changed assumptions are included in Version C. The Board discussed staff recommendations by item. Chief Winnacker reviewed the projections for each Version.

Property Tax Revenue at HdL Projections or 3%

President Barber noted that HdL projects property tax revenue to increase by 4-4.5%. Director Famulener recommended using the HdL projection. Director Anderson recommended that the Board consider the economy and the impact of real estate in California and supported using a conservative 3%. Director Jex concurred with 3-3.5%. Director Jorgens noted that the HdL projections were made before the change in the tax laws and recommends 3.5%.

Steve Cohn suggested that the Board consider a medium range of 4-4.5% as 3% is ridiculously low. He anticipates that most of the tax base increase will come from unrealized gains in the property pool. President Barber agreed with Director Anderson's recommendation that the Board err on the side of a lower annual increase but strive to be as accurate as possible. He added that long term projections are sure to be inaccurate. He recommended a 3.5% range. Mark McCullah, Local 1230, asked if these were action items or for information only. President Barber said the workshop was to provide advice to the staff and action would be taken at a subsequent regular meeting. Mr. McCullah stated that property tax value is not a concern for this area and recommended deferring to the expert opinion.

Director Anderson requested more discussion on the actual percentage prior to the motion. He supports a conservative fiscally prudent view. Using 3% might be low but prepares the District if there is an economic downturn. Director Anderson's motion to adopt the 3% in Version B for property tax revenue increases was seconded by Director Jex. Director Famulener noted that HdL's projections are 4.51% to 4%. She stated that if the Directors believe that the professional assessment is wrong, that HdL should be brought back with an updated plan. Director Anderson noted that the HdL report was made before the federal tax law changes and that a professional opinion is an "opinion". He added that both Moraga and Orinda support a more conservative figure. He does not support the consultant's opinion. Director Jex believes that the assumptions used by HdL are not reliable. Director Jorgens agreed with Director Anderson and that 3-3.5% seems more realistic. There were no comments from the public. Said motion carried a 4-1 roll-call vote (Ayes: Anderson, Barber, Jex, and Jorgens; Noes: Famulener).

OPEB Contributions per Actuarial Calculations or \$500,000

Chief Winnacker said that staff seeks direction on whether the OPEB contributions should remain at the actuarial calculations or at the rate of \$500,00 per year. Director Jorgens asked if the actuarial calculations from last year were a long term forecast. Chief Winnacker stated that the actuarial recommended contributions increase over time: \$374,000 in 2017-18; \$385,000 in 2018-19; \$396,00 in 2019-20; and \$408,000 in 2020-21. Version B provides a \$500,00 flat rate per year. The UAL is amortized over 20 years with a 6.25% discount rate. Director Anderson recommended a commitment to the trust using a higher percentage. He believes that the 3% recommended in Version B is not fiscally prudent. Director Jex noted that if the \$500,000 amount is used, the existing unfunded liability is not fully covered in fifteen years. Director Jorgens supports a fiscally conservative approach. Director Jex noted that \$500,000 gets the District closer to funding this liability. Director Jorgens asked what is a reasonable amortization period. President Barber noted that all of the projections assume a uniform growth over time. He asked if it would be relatively easy for purposes of projections to assume one rate over a short period and a different growth rate over a longer period. Chief Winnacker responded affirmatively. President Barber opened the OPEB item for public comment.

Vince Wells, President Firefighters Local 1230, asked for clarification of the issue. President Barber stated that the question is the assumption that should be used to fund the OPEB trust. Mr. Wells noted that there were significant health care changes in the last contract which should impact the future OPEB obligation. MOFD is the only fire district in the county that does not offer retiree health care for those hired after this contract so future employees will not create OPEB. He is concerned about the impact of OPEB contributions on the operating budget. President Barber asked if the assumptions for paying down the unfunded OPEB obligation considered this matter. Ms. Sasser stated that the actuarial evaluation is based on how much retiree health is provided for all active employees. President Barber noted that the unfunded OPEB liability is \$15 million. Ms. Sasser stated that the actuarial evaluation was based on a 20-year amortization.

Mr. Cohn stated that these numbers should be presented on a spreadsheet in order to be clear. Director Famulener stated that the Board decided last year on a 20-year payoff at 6.25%. This is a long range position paper and not a budget. She agreed with Director Jorgens' suggestion that \$250,000 be put in the General Fund to make it more secure. President Barber asked if there is an amortization table which shows what happens to the unfunded liability over time. Ms. Sasser responded that a table is not in the actuarial evaluation. Director Jex stated that the \$374,000 figure came from the actuary and asked if the \$500,000 is an arbitrary number. Ms. Sasser stated that \$500,000 is an arbitrary alternative number. Director Jorgens supports the Board's earlier decision of 6.25% rate over 20 years and assume Plan A numbers and apply this to the trust funding needs. For clarity, Director Anderson suggested that the direction to staff start with the base in Exhibit A and annually add whatever amount is recommended by the actuary. Director Jorgens noted that there should be a zero balance if the actuary is correct. President Barber agreed with Director Jorgens and requested that staff prepare an amortization table. President Barber stated that the consensus of the Board is to use the assumption in Version A. Director Anderson requested clarification that using the numbers in Version A with the projected rate of return within the trust will amortize the OPEB liability in 20 years. Director Jorgens asked staff to confirm with the actuary. Ms. Sasser responded that staff will.

Pension Rate Stabilization Trust (PRST) Contributions at Actuarial Calculations or \$500, 000

Director Famulener stated that the Board previously decided on a 20-year plan at 6.25% which is a projection and that the amount can be changed if needed. Director Anderson stated that the magnitude of the PRST amortization is more than that of the OPEB fund. Director Jex concurred and stated that, if the objective of the PRST is to fully fund it, the rate needs to be increased. Director Jorgens recommended that the Board use the same assumptions as used for OPEB: 6.25% investment earning rate and 6.25% discount rate. He requested that the beginning date for the earning rate and for the discount rate be consistent with the other assumptions in the model. CCCERA's projections would pay down the existing liability by 2032. President Barber noted that, in Version C, unfunded actuarial liability payments to CCCERA end in 2030 but payments into the Pension Stabilization Trust would continue for two more years. Director Famulener stated that, in two years, \$2 million will come into the General Fund when the bond is paid off. Director Jex agreed with President Barber and supports Version C. Director Anderson stated that Version A allows the unfunded liability to continue to increase. Director Jorgens stated that Version B also allows the unfunded liability to continue. He noted that it was important to get the history and starting part correct for the obligations and assets. President Barber stated that, using this methodology, the Board needs to start contributions in 2017-18. Director Jorgens stated that the payment should start in 2018-19. Director Famulener asked if the PRST payment of \$2 million would be paid in 2018-19. President Barber said that the purpose of this payment should not be confused with labor

negotiation discussions. Director Famulener asked if the District takes \$2 million from the General Fund, will it have the money needed to pay for salary increases. Chief Winnacker responded that he could not answer the question. Director Anderson noted that the Board needs to address the liabilities realistically. He noted that Version A is not realistic. He suggested that the PRST fund contributions be significantly increased in 2018-19. Director Jex stated that the Board should address this significant issue now and not delay this obligation. Director Jorgens noted that a significant pension unfunded liability remains if the CCCERA assumptions are used. President Barber questioned Director Jorgens that the assumptions for the Pension Rate Stabilization Fund trust is 6.25% in Version C but the OPEB funding continues at 3%. Director Jorgens stated that the percentages are not the growing rate. President Barber opened the discussion to public comment.

Vince Wells, President Firefighters Local 1230, noted that the Board established funding for various accounts at a previous meeting and that it is inappropriate to make changes before the labor negotiations. Doubling or tripling down on the payments may be viewed as "bad faith". Steve Cohn stated that Version C is dangerous to the General Fund reserve balance. Director Anderson stated that any funds in the OPEB and PRST can only be used to pay those trust obligations.

President Barber commented that the PRST unfunded liability would never be paid off using the prior analysis. It is necessary to consider the District's future financial stability. He stated that it is hard to determine the optimal time to begin based on the spreadsheet provided. Ms. Sasser stated that payments are included monthly to pay down the unfunded liability based on CCCERA's actuarial evaluations. Director Jorgens noted that there are three sets of numbers. CCCERA assumes a 7% earning rate and a 7% discount rate. He believes that 6.25% is more realistic. Director Famulener stated that the District should pay \$375,000 this year and suggested that staff look into amortization with the additional \$1.5 million in 2018-19. Director Anderson noted that labor negotiations became dicey last year because of a lack of long range financial planning and the issue needs to be realistically addressed. He is uncomfortable adding \$2 million in 2017-18 and 2018-19 because it does not bode well during negotiations.

President Barber suggested that it is important to think of what is best for the District's long term sustainability without service cutbacks or compensation reductions. He does not support a delay as this will result in an increase in the liability. Director Jex stated that the purpose of the PRST was to accumulate monies to meet the obligation if the District was unable to fund it during a shortfall. President Barber noted that it can be viewed as deferred compensation. He believes that the long range projections do not include any "bad" times and this option allows the District to respond during those times. He opened the item for public comment. There was no public comment.

Director Jorgens proposed: using 6.25% earning rate and 6.25% discount rate; updating the model with the appropriate earnings and salary increases to date; make a \$375,000 payment in 2017-18; increase the payment in 2018-19 by half of the 2019-20 figure and then let the model determine the amount needed after 2019-20. Director Famulener clarified that the payments would be \$374,000 in 2017-18 and \$500,000 in 2018-19 and 2019-20. Director Anderson clarified that the payments would be \$374,000 in 2017-18; \$1.1 million in 2018-19; and in 2019-20 use the model's algorithm assumptions. The motion was seconded by Director Anderson. President Barber opened the public comment.

Mark McCullah, Local 1230, stated that this is poor timing for this discussion but there is a liability which needs to be addressed. He added that the District has a problem with retention and recruiting firefighters in large part due to staff being undercompensated. Director Famulener agreed that the timing is poor and added that this is a projection and not a budget. Funds should not be taken from the General Fund and put into a trust. Director Jex stated the purpose of the discussion for a long range plan is to plan for known and anticipated expenditures. The plan can be refined to add what should be included in order to increase and enhance the financial viability of the District. Director Jorgens noted that this item was discussed last year. Director Famulener disagreed and stated that the Board decided on \$374,000 and paid that last year. President Barber stated that the purpose of the meeting is to provide advice to Chief Winnacker to develop a new spreadsheet and not to adopt final numbers. This is a public record which is discussed in public to see alternatives without prejudicing how a Director would vote on final approval. Director Anderson asked if another compromise could be presented. He withdrew his second on Director Jorgens' motion and asked for alternatives.

Director Anderson's substitute motion suggested easing into the PRST as follows: \$374,000 in 2017-18; add \$1.2 million in 2018-19; \$1.7 million in 2019-20; \$2.5 million in 2010-21; \$3 million in 2021-22. Director Famulener seconded the motion. Director Jorgens clarified that this option would cost less than the

CCCCERA estimate. Director Jex is concerned that \$5 million per year across the board will take almost ten years at the current funding before there is sufficient money in the trust to use. Director Jorgens stated that it important to understand what base figure is being used from Version A or Version C. Director Famulener asked counsel if the \$2 million payment in previously unseen Version C can be done. Attorney Propp stated that, from a legal standpoint because it is a workshop, a formal final action is not taken so the information can be considered. Chief Winnacker noted that Version C was prepared by staff in response to requested inputs. Staff is requesting direction from the Board in order to prepare an updated forecast. Director Anderson restated his substitute motion to fund PRST as follows: \$374,000 in 2017-18; \$1.1 million in 2018-19; \$1.7 million in 2019-20; \$2.5 million in 2020-21; \$3 million in 2021-22; in 2022-23 the unfunded liability would be amortized over a 20-year period. Chief Winnacker asked if this is a “number” or 50% of the actuarial recommendation for 2018-19. Director Anderson stated that it is just a number. Director Jorgens corrected the figures to be \$2.2 million in 2020-21 and \$ 2.7 million in 2021-22.

At 6:54 p.m., President Barber requested a short break. The meeting reconvened at 7:02 p.m. with all Board and staff members present.

President Barber asked the Board to consider another substitution. He asked staff to do an analysis to ramp up from 2018 to 2022-23 or 2023-24 in an orderly fashion and meet with an Ad Hoc Committee and present this information at a later meeting. Chief Winnacker asked what the starting point should be. President Barber suggested using the starting point in Version A and then ramp up to 2022-23. Director Jorgens noted that there is money in the General Fund and suggested that various scenarios be run. President Barber’s request to start in 2018-19 and implement the plan evenly through 2022-23 using a formula instead of numbers did not receive a second. President Barber reiterated Director Anderson’s substitute motion to fund PRST as follows: \$374,000 in 2017-18; \$1.1 million in 2018-19; \$1.7 million in 2019-20; \$2.2 million in 2020-21; \$2.7 million in 2021-22; and in 2022-23 the unfunded liability would be amortized over a 20-year period. This motion was seconded by Director Jorgens. Said motion carried a 4-1 roll-call vote (Ayes: Anderson, Barber, Jex and Jorgens; Nay: Famulener). President Barber noted that the Board is not committed to these numbers but will evaluate them at the next meeting. Director Jorgens clarified that the Board voted to put numbers on a spreadsheet for long term planning purposes and did not direct staff to spend any funds.

General Fund Reserve Requirements – 17% or 50%

President Barber noted that staff requests the Board provide direction regarding increasing minimum fund balance reserve levels from 17% to 50%. Chief Winnacker stated that a 17% minimum unrestricted fund balance in the General Fund was adopted by the Board in 2017. Staff Director Famulener questioned where the 50% figure came from. Chief Winnacker responded that the 50% came from the Ad Hoc Committee. Director Anderson suggested that the Board stay with 17% in light of the changes to OPEB and the PRST. Director Jex reported that he looked at General Fund Reserve figures for 2016 and 2017 for several cities and that the average reserve was 60% in terms of total revenues. He suggested that the Board target 60% rather than 50% as he felt that 17% is grossly inadequate. Funds can be transferred into the reserve as restricted balance for unplanned events. Director Jorgens noted that 17% is only two months of operating fund needs and having reserves is a fiscally responsible way to operate an organization. He stated that 50% should be a long term “goal” or “target”. Director Famulener noted that none of the agencies referenced by Director Jex have a Fire Flow Tax. The Fire Flow Tax is part of the Capital Fund but can be used as part of the General Fund. President Barber asked staff where the Fire Flow Tax appears in the budget. Ms. Sasser stated that the Fire Flow Tax is in Capital Fund revenues. President Barber asked if it would make any difference if the Fire Flow Tax was listed in General Fund and then appropriated out to Capital. Ms. Sasser responded that the Board requested Fire Flow Tax to be used for capital expenditures and that is why it is presented there. Director Anderson stated that the intent of the Fire Flow Tax was for Capital projects. President Barber summarized the Board’s discussion that the Fire Flow Tax (line 5g) be eliminated and that line 7a be retitled from Capital Fund Revenues to Fire Flow Tax. Director Famulener disagreed and noted that the Fire Fund Tax (line 5g) be populated with actual numbers and off set transfer to Capital appear elsewhere on the spreadsheet. President Barber opened the public comment

Steve Cohn stated that the Fire Flow Tax is not just for capital projects. He suggested that all taxes go into the General Fund and be allocated out of the General Fund. President Barber agreed with Director Famulener’s recommendation to put the Fire Flow Tax into General Fund Revenues and then showing appropriations to Capital. Director Jorgens concurred. Chief Winnacker confirmed the Board’s direction to move the Fire Flow Tax to line 5g and then move into Capital Funds having been funded from the General Fund.

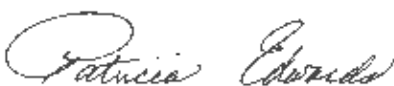
President Barber continued the discussion of the General Fund Reserve. Director Jorgens asked how the target would be implemented on the spreadsheet. Ms. Sasser stated that line 3a shows the percent of General Fund revenue. The minimum fund balance policy is shown throughout the Long Range Plan. Chief Winnacker added that it is a planning goal for the annual budget and that there is no enforcement mechanism. President Barber noted that the Board's desire to move to higher reserves leaves open the question of the rate. Director Famulener suggested a 20% reserve. President Barber stated that the reserve percentage is somewhat arbitrary. Director Anderson noted that the percentage is a 'target' and has no impact on the long range financial forecast. Director Jex noted that the District is already at 25% reserves. He stated that it is prudent to have adequate fund balances to meet existing obligations and provide for funding for any capital needs rather than borrowing. Director Jorgens stated that, rather than a percentage, the long term goal should be to earn money on the reserves for the entire year. He supports a larger reserve. President Barber agreed with Director Anderson and stated that having a goal of sufficient reserves to avoid borrowing funds is desirable. Chief Winnacker stated that, in the absence of guidance, staff will continue to use 17% as the desired threshold. President Barber asked what is the correct reserve number. Director Jex stated that a 50% reserve would fund the District for six months and probably would eliminate the need for the District to borrow. Director Anderson noted that 50% would be a policy goal and he does not want this goal to impact other expenditures. President Barber noted that there is no adverse consequence to having a Board goal of 50%. Director Famulener's motion that the Board retain its resolution (17-02) setting the reserve at 17% and set a long term goal of getting to 50% was seconded by Director Jorgens. President Barber opened the public comment.

Mark McCullah's remarks regarding Director Jex's comments included: questioning how the specific cities were selected; that it was hard to make a comparison based on tax revenue; that the District is meeting its obligations; and if the compensation packages for these cities were evaluated. Director Jex stated that the cities selected were based on proximity and the availability of CAFR data on the cities' websites. He acknowledged that there were differences in agency operations but there were similarities for the purpose of bench marking. Vince Wells, President Firefighters Local 1230, stated that the CAFR data did not relate to the cities' policies. He stated that the reserve policy does impact the budget. If reserve data from other agencies are being used, their policies should also be evaluated. Director Famulener's motion in long term planning to establish an aspirational goal of getting to a 50% reserve was seconded by Director Jorgens. Said motion carried a 5-0 roll-call vote (Ayes: Anderson, Barber, Famulener, Jex, and Jorgens).

Capital Expenditures – Issue Debt or Pay Cash for Construction of Stations 41 and 45 and Administration

Director Famulener recommended, for purposes of long term spreadsheet projections, that the District use the 3% cost projections. Director Anderson concurred. Director Jex doubted that the Board could borrow at 3% for 15-years for capital assets in today's market. Director Famulener stated that the Board should determine a percentage and use it for long term projections. Director Jex asked about the station construction costs. Chief Winnacker stated that there are no specific plans and that the existing estimates were taken from a previous staff report. Director Jorgens suggested that the Board borrow money over ten years. President Barber stated that there were many unknowns and data are needed regarding interest rates, available collateral, estimated construction costs, and inflation before the Board can give meaningful advice. Director Jex stated it is important to anticipate and plan for future needs. President Barber suggested revisiting the assumed construction costs and determining a range factoring in inflation. Chief Winnacker asked the Board to provide direction on the length of the loan cycle and the rate to use assuming that debt will be involved in the construction of future fire stations. Director Jorgens suggested contacting the lender for the current station. Chief Winnacker replied that a rate of 3.5% for 15-years was quoted but the issue of collateral was not included. President Barber opened the public comment. There was none.

At 8:04 P.M., President Barber called for adjournment of the special meeting.



Interim District Secretary/Clerk

For an audio recording of this and other Board meetings, please visit the MOFD District Board Meeting webpage <http://www.mofd.org/board/meetings>



Moraga-Orinda Fire District

TO: Board of Directors

FROM: Dave Winnacker, Fire Chief
Gloriann Sasser, Administrative Services Director

DATE: May 2, 2018

SUBJECT: Item 7.1 - Proposed Annual Operating Budget Fiscal Year 2018/19

Background

Over the past several months the proposed Annual Operating Budget for Fiscal Year 2018/19 (Budget) has been developed. Staff has developed proposed goals, projections and budget proposals based on the Strategic Plan and Business Plan. The proposed Budget will be presented to the Board tonight in a public workshop to obtain board direction and public input. The next steps are the revised proposed Budget will be presented to the Board for additional board direction and public input on May 16, 2018. The proposed Budget is scheduled for adoption on June 20, 2018.

The proposed Budget projects a General Fund surplus of \$171K, a Debt Service Fund surplus of \$241K and a Capital Projects Fund deficit of \$236K.

General Fund

Total General Fund revenue is projected to be \$24.6M, which is \$2.0M or 8.7% more than the amount of General Fund revenue projected to be received in fiscal year 2017/18. Notable differences in General Fund revenue for 2017/18 are as follows:

- Property tax revenue in the General Fund is projected to increase \$1.2M or 6.0% based on HdL estimates. This is primarily due to increased median price of single family residential properties, increased assessed valuation and Proposition 8 property tax restorations.
- Fire flow tax revenue will be recorded in the General Fund beginning in 2018/19 per Board direction (\$1.1M.)
- Ambulance service revenue is projected to increase 1.4% due to a proposed fee increase and increased call volume.
- Federal grants revenue is projected to be \$480K due to the SAFER grant which will fund 75% of the salaries and benefits costs for four firefighter paramedics in 2018/19.
- Fire prevention fees for plan review, inspections and permits are projected at the same amounts as 2017/18.

Total General Fund expenditures are projected to be \$23.4M. This includes salaries and benefits of \$20.8M based on labor agreements. Notable items include the following:

- The Budget reflects the terms of the labor agreements that end June 30, 2018, which include a salary increase of 1% on June 1, 2018. No additional salary increases are included in the Budget.
- Permanent salaries are projected to increase 5% due to the 1% salary increase effective June 1, 2018 and due to an increase in the number of authorized firefighter paramedic positions approved by the Board in January 2018.
- Hourly salaries are projected to increase 44% due to the proposed addition of a six-month fuels mitigation pilot program. The proposed Budget includes funding for a half-time Fuels Mitigation Program Manager and four additional half-time District Aides. All positions would be part-time, non-benefitted positions. Funding is included for six-months only to correspond with the weed abatement/fire season (February through July.) Projected personnel cost for the proposed program is \$72K.
- Overtime expenditures are projected to be \$2.0M. This includes planned weather-based staffing increases during local red flag or wind event days which will staff additional resources during high-risk fire conditions. This also includes overtime for personnel assigned to State reimbursable strike teams. This is a decrease from 2017/18 due to the hiring of additional Firefighter Paramedics.
- Retirement contribution costs are projected to increase 5%. This is primarily due to the increase in permanent salaries and increase in number of firefighter paramedic positions. The Safety retirement rates set by Contra Costa County Employees' Retirement Association increased slightly from 70.94% to 71.36%.
- Health insurance costs are projected to increase 13% due to projected premium increases and an increase in the number of authorized firefighter paramedic positions. Premiums are projected to increase 10% in January 2019.
- Retiree health insurance costs are projected to increase 4% based on enrollment of current retirees.
- Workers' compensation costs are projected to increase \$158K or 22%. This is primarily due to an increase in the District's experience rating modification factor (\$75K), 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 (\$83K).
- The proposed Budget includes appropriations for the District's 2018/19 contribution to the other post employment benefits trust account of \$440K for retiree health benefits based on the District's most recent actuarial valuation.
- The proposed Budget includes appropriations for a contribution to the pension rate stabilization fund of \$1.1M based on the Long Range Financial Forecast. Staff requests additional direction from the Board regarding the 2018/19 pension rate stabilization contribution.
- The proposed Budget includes \$2.6M for operating expenditures
- The proposed Budget includes an operating transfer out of the General Fund of \$1.1M to the Capital Projects Fund equal to the fire flow tax revenue.

Capital Projects Fund

Capital Projects Fund revenue is projected to be \$150K plus an operating transfer in from the General Fund of \$1.1M equal to the fire flow tax revenue.

Capital Projects Fund expenditures are projected to be \$1.5M. The following capital improvements are recommended for 2018/19:

- Legally required \$1.0M transfer to Debt Service Fund for debt payments

- Apparatus purchases of \$160K:
 - One Type VI vehicle - \$100K
 - One Air/Light Rehabilitation Unit - \$60K. This is a \$240K unit and a grant is funding \$160K of the cost.
- Capital contingency for unexpected needs \$150K
- Station 44 traffic alerting system \$50K
- Other equipment \$85K

The Station 43 construction project was budgeted in FY2017/18. The project is planned for completion in FY2018/19. The remaining budget will be encumbered (carried over) as of June 30, 2018.

Debt Service Fund

The proposed Budget includes required debt service payments of \$4.3M for the District's pension obligation bonds and three leases (Station 43, four ambulances, two fire engines and one fire truck.) The funding source for the debt service payments is property tax revenue of \$3.5M and resources from the General Fund.

Staffing Summary and Proposed Benefit Changes

The following staffing is recommended:

- Safety roster strength of 57 positions
- Elimination of one vacant District Aide part-time position in Administrative Services (0.5 full time equivalent.)
- Establishment of the following part-time, non-benefitted positions as part of a six-month pilot fuels mitigation program in Fire Prevention:
 - One Fuels Mitigation Program Manager (0.5 full time equivalent)
 - Four District Aides (2.0 full time equivalent)

No employee benefit changes are recommended.

Fund Balance Reserves and Fund Balance Policy

The proposed Budget projects a total fund balance increase for fiscal year 2018/19 of \$177K. Projected unrestricted fund balance in the General Fund as of June 30, 2019 is \$5.9M, in the Debt Service Fund \$3.3M and in the Capital Projects Fund \$4.2M.

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. It is projected the General Fund balance at June 30, 2019 will be 23.85% of budgeted General Fund revenue.

Recommended Action

Staff requests Board provide direction regarding the proposed Annual Operating Budget Fiscal Year 2018/19.

Attachments

Attachment A – Proposed Annual Operating Budget Fiscal Year 2018/19



Moraga-Orinda Fire District

TO: Board of Directors

FROM: Dave Winnacker, Fire Chief
Gloriann Sasser, Administrative Services Director

DATE: December 18, 2019

SUBJECT: Item 8.6 – Discussion of Station 43 Debt Options

BACKGROUND

At the November Board meeting, the Board directed staff to place an item on the agenda to discuss Station 43 debt options. In 2016 the District formed the Moraga-Orinda Fire Protection District Public Facilities Financing Corporation. The Financing Corporation is a nonprofit public benefit corporation. Per the Bylaws Section 2.2, the mission of the Financing Corporation is to provide assistance to the District in financing the acquisition, construction and improvement of public buildings, works and equipment for the District, together with site development, landscaping, utilities, furnishings and appurtenance and related facilities.

DIFFERENCES IN EQUIPMENT LEASES AND REAL PROPERTY LEASES

When the District finances vehicles or equipment, it enters into an equipment lease and can issue debt as the District. In this case, the vehicles or equipment are the subject of the lease. No counter-party/financing corporation is needed. For real property transactions, the District cannot use the equipment lease structure and must use another method to finance the purchase. In particular, Health & Safety Code 13906(b) provides that the District may borrow money to acquire property, but that any “indebtedness to be incurred shall not exceed an amount equal to three times the actual income from property taxes received pursuant to Section 13896 for the fiscal year preceding the year in which the indebtedness is incurred . . . [and] Any indebtedness shall be repaid within 10 years from the date on which it is incurred.” This provision prohibits the District from financing projects on a basis more than 10 years. Therefore, the lease-lease back structure, with a financing corporation as the counter-party to the lease documents, is used by fire protection districts and other public agencies for long-term financings.

STATION 43 DEBT TERMS

The Financing Corporation issued debt through JPMorgan Chase Bank, N.A. in the amount of \$4,069,000 to pay for the construction of Station 43. The fixed annual interest rate of the debt is 2.14% and the term is 15 years with a maturity date of April 1, 2031. The annual debt service payment is approximately \$321,000 (Attachment A). The remaining payments are as follows:

Interest	\$ 434,761
Principal	\$3,259,000

The debt is callable without penalty on or after April 1, 2020. The total amount to call the debt on April 1, 2020 is approximately \$3,293,871 (principal and interest.)

STATION 43 DEBT OPTIONS

Staff has identified four options for the Station 43

- debt.
1. Call and retire debt without penalty on or after April 1, 2020 with District funds
 2. Refinance on a 10-year or less term without using the Financing Corporation
 3. Maintain the status quo and adopt a resolution that the District will not use the Financing Corporation to issue future debt.
 4. Maintain the status quo

Recommended Action

1) Discuss; 2) Deliberate; 3) Provide direction to staff



Moraga-Orinda Fire District

TO: Board of Directors

FROM: David Winnacker, Fire Chief
Gloriann Sasser, Administrative Services Director

DATE: December 18, 2019

SUBJECT: Item 8.7 – Review of the Budget Development Policy and Approval of the Annual Operating Budget Timeline Fiscal Year 2020

Background

The District has a Budget Development Policy (Attachment A). The purpose of the Policy is to provide a process for developing the Annual Operating Budget. A Budget Timeline (Attachment B) has been drafted based on the Policy.

Per the Policy, the Proposed Budget shall be submitted to the Board in May at a public Budget Workshop. The Proposed Budget shall then be revised based on Board direction at the Budget Workshop and then submitted to the Board in May at the regular Board meeting. Per the Policy, the Proposed Budget is not submitted to the Finance Committee.

Staff requests Board direction regarding the Policy and whether the Board wants to continue the same budget process or change the Policy to reflect a different process. If the Board would like to continue to have a Budget Workshop, the Board should decide on a date to hold the Budget Workshop.

Recommended Action

Staff recommends the Board provide direction regarding the Budget Development Policy and approve the Annual Operating Budget Timeline Fiscal Year 2021.

Attachments

Attachment A – Budget Development Policy
Attachment B – Annual Operating Budget Timeline Fiscal Year 2021



Moraga-Orinda Fire District

Budget Development Policy

Purpose:

The Health and Safety Code mandates that California special districts adopt a budget each year. Funds appropriated are authorized to be expended as necessary and proper for special district purposes. The Budget Development Policy provides a process for developing the Moraga Orinda Fire Protection District (District) Annual Operating Budget (Budget).

Policy:

The District shall adopt a final Budget by October 1 of each fiscal year.

This policy establishes the procedures concerning Budget development.

The coordinators of the Budget are the Fire Chief, Administrative Services Director or designee(s), with direct support from each division in the District.

A. Mid-Year Budget Review - February

Budget development begins with a mid-year Budget review in February or during a month selected by the Fire Chief. The mid-year review is a detailed analysis of District revenue and expenditure line items for the current fiscal year. The District fiscal year is from July 1 through June 30 of the next calendar year. The mid-year review shall be published and distributed to the Board, staff and general public for consideration during the month of February or during a month selected by the Fire Chief. The mid-year financial analysis provides the starting point for next fiscal year's Budget.

B. Preliminary Budget Development – February & March

Administrators receive a written Budget Packet and a written Budget Timeline in February that provides detailed instructions and deadlines for the Budget process. Administrators shall meet with the Fire Chief or designated representative and submit the following to the Finance Division for the next fiscal year: 1) goals and objectives, 2) preliminary Budget requests, 3) personnel requests and 4) capital equipment requests. During this time, revenue sources are projected by Administrative Services staff.

A draft Budget shall be compiled for review by the Fire Chief, Administrative Services Director or designated representative(s). Individual meetings with each division are held with the Fire Chief or designated representative as deemed necessary by the Fire Chief. Programs, projects and staffing are reviewed in these sessions and approval is dependent on available funding and Fire Chief recommendation.

C. Proposed Budget – April & May

Recommendations and revisions from division review sessions shall be incorporated into the Proposed Budget. The Proposed Budget shall be submitted to the Board in May at a Budget Workshop for detailed review, public comment and Board direction in a public meeting. Public requests and concerns shall be considered during this time.

The Proposed Budget shall be revised based on Board direction at the Budget Workshop. The revised Proposed Budget shall be submitted to the Board in May at a Board meeting for additional detailed review, public comment and Board direction in a public meeting. Public requests and concerns shall be considered during this time.

The Proposed Budget will not be submitted to the Finance Committee.

D. Adopted Budget – June

After deliberation and final changes, the Budget shall be adopted by the Board of Directors. Preferably the Budget shall be adopted in June, prior to the beginning of the next fiscal year. In the event of unusual circumstances, the Budget may be adopted after the beginning of the fiscal year. Regardless, in accordance with Health and Safety Code Section 13895, the final Budget shall be adopted by October 1 of each fiscal year.



Moraga-Orinda Fire District

Annual Operating Budget Timeline Fiscal Year 2021

December

12/10/19 Fire Chief assigns Goals and Objectives to manager
Management Budget Meeting – Operating, Capital and Personnel budget worksheets distributed

February

2/19/20 Board adopts mid-year budget adjustments

March

3/3/20 Goals and Objectives due to Fire Chief
3/10/20 Operating, Capital and Personnel budget worksheets due to Finance
3/17/20 Draft Budget to Fire Chief
3/18/20 Updated Long Range Financial Forecast to Board
3/23-27/20 Fire Chief meets with managers regarding budget requests

April

Public Board Budget Workshop

May

5/20/20 Proposed Budget presented to Board

June

6/17/20 Board adopts Annual Operating Budget



Moraga-Orinda Fire District

TO: Board of Directors

FROM: Dave Winnacker, Fire Chief

DATE: Dec 18, 2019

SUBJECT: Item 8.8 – Authorization to Pay Sales Tax and Change Orders and Approve Capital Projects Fund Budget Adjustment Increase in the Amount of \$14,252 for the Type VI Apparatus Purchase

BACKGROUND

As part of the 2019 Budget process, the Board approved \$100,000 to field a new Type VI fire apparatus. Type VI apparatus are generally built on an F-550 or equivalent chassis with 150-300 gallons of water and small firefighting pump. They cost between \$150,000 and \$220,000 to purchase depending on specifications.

The 2019 budget request was based on assumptions regarding construction costs derived from calculating the component parts. An assessment of the district's ability to assemble the parts determined that this capacity did not exist in-house and alternatives to traditional construction would result in marginal cost savings without the benefit of an overall apparatus warranty and NFPA 1906 certification.

At the April, 2019 Board meeting, Directors approved a transfer of \$53,000 to the Capital budget to fund the construction of the new Type VI apparatus. This brought the approved amount for the project to \$153,000

BUDGET ADJUSTMENT

During the construction process, several change orders were identified that were determined to be worth pursuing the first of which was for \$308 to move the 2.5" hose storage to a more accessible location. The second change order was for \$300 to install the radios in the unit while it was apart and being built. It was determined that the cost savings to make these changes during production was significant.

The final significant change in cost was due to an oversight during ordering. The sales tax for the vehicle purchase was not in the quote from Maintainer and was missed on the purchase order during ordering. This cost is typically paid by the manufacturer prior to delivery. The state tax on purchase is \$10,693.61 and the local taxes on purchase is \$2,949.96 for a total of \$14,251.57.

RECOMMENDATION

- 1) Review, discuss, and approve an additional \$14,251.57 to the Type VI project.

ATTACHMENT

Attachment A – Type VI Spec Sheet



MAINTAINER CUSTOM BODIES

PROPOSAL

Maintainer Custom Bodies Spitfire Type 6
Honda Gas Pump, 300-Gallon Tank

BUILD SPECIFICATIONS

NEW ALL-ALUMINUM NINE FOOT (9') MAINTAINER SPITFIRE TYPE 6 BODY

The apparatus body shall be manufactured as per the following specifications:

BODY DESIGN:

The body shall be modular in design, capable of being removed and remounted on a new chassis. Body integrity and strength to be independent of chassis mounting

BODY MATERIALS:

The following shall be the minimum acceptable materials, gauge, and finish used:

Aluminum Body - All construction panels shall be 5052-H32 aluminum of .125" thickness

Aluminum Diamond Plate - All diamond plate shall be 3003-H14 aluminum of .125" thickness

Body Mounting - All body mounting bolts to be minimum Grade 5

Exterior Fasteners - All exterior nuts, bolts, and screws shall be stainless steel

BODY SUPER-STRUCTURE:

Lateral floor structure built using 3.0" H x 2.0" W x .125" aluminum tubing welded to longitudinal, doubled 1.0" x 3.0" flatbar. Formed 5.0" channel ties floor structure at front with 3.0" H x 2.0" W x .125" aluminum tubing at rear. Structure is welded and gusseted to the side-wall structure for maximum strength and durability. A welded bulkhead panel above the floor structure secures the compartments at the front of the body.

CORROSION PROTECTION: Electrolysis Corrosion Kontrol (ECK) to prevent dissimilar metal corrosion

UNDERCOATING:

Underside of the vehicle floor and structure sprayed with Corashield automotive undercoating

APPARATUS BODY PAINT FINISH:

Fire apparatus standards, exhibiting excellent gloss and color retention properties. Application follows PPG-certified paint processes. Color to match chassis.

STONE GUARDS: Front body corners, .125" aluminum diamond plate protective guards, 24" high

REAR BODY CHEVRON:

"Diamond Grade" Chevron reflective striping, six inch (6") wide, minimum 50% of the entire rear body

REFLECTIVE STRIPE: A four-inch (4") black "Scotchlite" stripe will be provided full length of vehicle

BODY COMPARTMENT COATING:

Interior of body compartment to be fully coated to aid in abrasion resistance

ADJUSTABLE SHELF CHANNEL:

Vertically mounted Uni-Strut channel in all exterior compartments for adjustable shelving and trays

8.8A



BUILD SPECIFICATIONS

COMPARTMENT DOORS:

The compartments shall be equipped with flush mounted hinged doors constructed of 3/16" aluminum with 3/4" x 2.5" extruded interior bracing. Doors to have greaseable stainless steel hinges, isolated from body. Vertically hinged doors to be held open approximately 95-degrees via gas spring

Door Latch & Mechanism: D-Ring style door latch with keyed lock. Three-point latching via roller style rod ends and center striker

Weather Resistance: Each compartment opening protected by metal-backed clip-on bulb seal

NOTE: Key Lock: Compartment door latches with keyed cylinder lock assembly

EXTERIOR COMPARTMENT SPECIFICATIONS:

DRIVER'S SIDE:

COMPARTMENT L1: Measures 54 1/2" H x 35" W x 23" D

Three (3) adjustable shelves constructed of 3/16" aluminum with 1.5" lip

COMPARTMENT L2: Measures 30" H x 44" W x 23" D

One (1) adjustable shelf constructed of 3/16" aluminum with 1.5" lip

COMPARTMENT L3: Measures 54 1/2" H x 30" W x 23" D

Three (3) adjustable shelves constructed of 3/16" aluminum with 1.5" lip

OFFICER'S SIDE:

COMPARTMENT R1: Measures 54 1/2" H x 35" W x 23" D

Three (3) adjustable shelves constructed of 3/16" DA finished aluminum with 1.5" lip

COMPARTMENT R2: Measures 30" H x 44" W x 23" D

One (1) adjustable shelf constructed of 3/16" DA finished aluminum with 1.5" lip

COMPARTMENT R3: Measures 54 1/2" H x 30" W x 23" D

Three (3) adjustable shelves constructed of 3/16" DA finished aluminum with 1.5" lip

TRANSVERSE COMPARTMENT L1/R1: Measures 54 1/2" H x minimum 20"W at chassis frame height

REAR BODY SKID/TANK AREA:

Completely open center deck area to measure approximately 85" long x 49" wide x 38" high. Body floor to be reinforced to accommodate the skid/water load intended. Center deck area to be painted job color

SKID MOUNTED C.E.T. HONDA 20-HP GASOLINE PUMP & 300 GALLON TANK:

PUMP: CET DI-PFP-20hpHND-MR single stage centrifugal pump, bolted directly engine, with a 2.5" NPT suction inlet, and a 1.5" NPT discharge outlet. The pump shall be capable of a maximum discharge volume of 290 GPM at 50 PSI, and a maximum discharge pressure of 190 PSI while pumping 100 GPM. In the center of the performance curve, the pump to be capable of pumping 60 GPM at 175 PSI

ENGINE: 4-stroke Honda gas powered, 20 horsepower V-twin overhead valve engine. Engine to be air cooled, 12 volt electric start via quick-disconnect with weather-proof style connection

8.8A



MAINTAINER CUSTOM BODIES

PROPOSAL

BUILD SPECIFICATIONS

PUMP PRIMER: A manual hand-pump primer to be installed at the pump location

FUEL: Honda engine fuel to be supplied via a three (3) gallon plastic fuel tank at engine/pump location

PUMP CONTROLS: Control panel constructed of non-glare material to be installed at the engine/pump location. Controls include; a master switch, key start, a 2.5" discharge pressure gauge, mini water and foam tank level gauges

FOAM SYSTEM: Trident 'Foamate' Model #31.008.0 ATP-1.0 Class A around-the-pump foam system

SUCTION PIPING: Stainless steel (welded joints) schedule 40 suction piping tested to 400 PSI. Piping shall consist of a 2.5" tank to pump line with a 2.5" flexible rubber hump hose. Includes 2.5" Akron fire type grade valve with Trident chrome handle. Additional suction valve for overboard drafting or for utilizing pressurized supply. Includes 2.5" Akron fire type valve with a Trident chrome handle. Suction inlet terminated with a 2.5" NST female swivel fitting, debris screen, and tethered 2.5 NST polished aluminum male plug. All piping to be painted black.

WORK LINE SIDE, MANIFOLD: Two (2) 1" NPT and two (2) 1 1/2" NPT discharge outlets, chrome caps

TANK FILL: One inch (1") tank fill with Akron fire type ball valve on the work line side of the manifold

DISCHARGE MANIFOLD: Welded 2" x 2" square industrial stainless steel

DISCHARGES TO REAR OF UNIT:

One (1) 1.0 Akron fire type ball valve with a chrome Trident handle, for booster reel

One (1) 1.5 Akron fire type ball valve with a chrome Trident handle, NST thread, polished aluminum cap

One (1) 1.5 Akron fire type ball valve with a chrome Trident handle, for pre-connected 1 1/2" discharge

One (1) 2.5 Akron fire type ball valve with a chrome Trident handle, NST thread, polished aluminum cap

POLY WATER TANK CONSTRUCTION: Constructed of 1/2" thick polypropylene sheet stock, black in color and UV stabilized. Tank to incorporate transverse partitions interlocked with longitudinal partitions for high strength and to allow for maximum water and air flow. Sight gauge 2" in width, and 70% transparent

FILL TOWER: 8" round combination vent/overflow and manual fill tower.

TANK CAPACITY: The tank shall have a capacity of 300 US gallons of water. Limited Life Time Warranty

TANK OUTLETS: One (1) 2 1/2" female NPT tank to pump suction fitting and one (1) 1 1/2" female NPT tank fill fitting with flow deflector.

TANK MOUNTING BLOCKS: Three (3) parallel mounting blocks for the mounting of tank accessories

SKID BASE: Full width skid base, 45" wide x 85" long, manufactured of 3/4" polypropylene welded to the tank. Design provides direct mounting to floor of the apparatus

SUMP: Integral to the tank, recessed a minimum 3/4" from the floor

FOAM CELL: Drop-in type, capacity of 10 US gallons of foam, integral to the water tank. Tethered cover

8.8A



MAINTAINER CUSTOM BODIES

PROPOSAL

BUILD SPECIFICATIONS

BOOSTER HOSE REEL:

One (1) low profile Hannay Model EF 4138-17-18, 12-volt electric rewind steel booster reel with one-inch (1") 90-degree super swivel joint, one-inch (1") NST-M riser, horizontal gear crank rewind will be provided. Reel to be installed with 100' of one-inch (1") 800# red rubber booster hose with hard-coat aluminum couplings. Hose roller provided at each side of vehicle

HOSE STORAGE COMPARTMENTS:

There shall be two (2) hose storage compartments fabricated from aluminum diamond plate attached to the roof of the vehicle over side compartments. One storage compartment (1) to accommodate 200' of 2 1/2", and one (1) for 200' of 1 1/2"

HYDRANT / SPANNER WRENCH SET: Task Force Tips A3845 wrench set at rear

REAR BODY STEPS: Heavy duty folding steps with integral step light installed on the rear body face

REAR BODY HANDRAIL: Non-slip 1.25" extruded aluminum tubing with chrome plated stanchion ends

ELECTRICAL SYSTEM BASE: Per N.F.P.A. 1901, SAE, and FMVSS standards. Master warning device switch energizes all warning and optical warning devices with separate signaling modes for response and static operation. Minimum two (2) spare wires installed each body side loom.

Design provides a standardized platform for reliable and repeatable hard-wired or multiplexed electrical systems that can be documented and easily serviced and maintained.

ELECTRICAL SYSTEM, OPERATING:

Carling rocker type switches for all vehicle warning and scene lights. Function labels provided each switch

BATTERY CONTROL SYSTEM, IGNITION SWITCH:

Battery master control through the chassis ignition switch. Heavy-duty 200-Amp constant duty solenoid to provide 12-volt battery power to the vehicle.

BATTERY CHARGER: Kussmaul Auto Charge Low Profile LPC 20 Series

120-VOLT SHORELINE AUTO EJECT: Kussmaul Super 20-amp, automatic shoreline disconnect

COMPARTMENT LIGHTING: LED strip lighting

PUMP COMPARTMENT LIGHTING: LED strip lighting overhead of pump and control panel

ELECTRONIC SIREN & SPEAKER: Whelen Siren # 295SLSA1, CPI 3800 100-watt speaker

FRONT LIGHT BAR: Whelen Edge Ultra Freedom F4N0VLED light bar

FRONT LOWER WARNING LIGHTS:

Whelen M2RC series Super LED lights with chrome bezels, grille mounted, red LED's with clear lenses

SIDE UPPER WARNING LIGHTS:

Whelen M7RC series Super LED lights with chrome bezel, two (2) each side, red LED's with clear lenses

SIDE LOWER WARNING LIGHTS:

M2RC series Super LED lower lights with chrome bezels, three (3) each side, red LED's with clear lenses

8.8A



BUILD SPECIFICATIONS

SIDE UPPER SCENE LIGHTS: Whelen M7RC series Super LED lights with chrome bezels, two (2) each side

REAR UPPER WARNING/SCENE LIGHTS:

Whelen M9 warning and scene LED lights with chrome bezels, two (2) each upper corner, warning lights to be red LED's with clear lenses

REVERSE ACTIVATED REAR SCENE LIGHTS: When apparatus transmission is placed in reverse

REAR D.O.T. QUAD CLUSTER W/WARNING LIGHT:

Whelen M6 series LED lights four (4) light cluster; red combination stop/tail light, amber turn signal, white back-up light, red warning light

LED CLEARANCE LIGHTS: Weldon 1500 Series LED marker lamps

LED UNDERBODY LIGHTS: TecNiq Series LED under body lights with SS brackets

CHASSIS RELATED ACCESSORIES

CAB CONTROL CONSOLE:

Protected environment for the electrical systems interface to the apparatus body. Accommodates siren and warning light controls, two (2) pre-wired antenna cables, dual USB port, and mini water and foam tank level gauges. Console to be fabricated from .125" aluminum with removable top cover, Zolatone coating

FRONT BUMPER: Buckstop Classic front bumper & grille guard

FRONT WINCH: Warn 12,000# winch with synthetic rope

RUNNING BOARDS: Aluminum diamond plate

REAR STEP AND BUMPER: Aluminum diamond plate cover, full width of body, attached to chassis frame

TRAILER HITCH/LIGHTS : Class IV trailer hitch, combination 7-pin/flat blade trailer light plug connector

CAB STEP LIGHTS: Whelen 0S Series LED step lights provided, each cab door

BACK-UP CAMERA: OEM chassis back up camera system

BACK-UP ALARM: Federal Signal Evacuator electronic back-up alarm

FUEL FILL DOOR: Flush mounted fuel fill access

TIRE PRESSURE MONITORING DEVICES: Shipped loosed, calibration after vehicle is loaded

MUD FLAPS - REAR: Black rubber mud flaps at rear wheels

WARNING LABELS AND INFORMATION PLATES: Labels by Innovative Controls

VEHICLE ROAD AND SYSTEMS INTEGRITY TESTING:

Road test and systems integrity test including a full 12-volt electrical test conducted at the time of vehicle completion. All systems having a mechanical function to be tested

8.8A



MAINTAINER CUSTOM BODIES

PROPOSAL

BUILD SPECIFICATIONS

CONSTRUCTION PROVISIONS:

The proposed vehicle shall conform to all applicable NFPA Standards 1906, (Current Ed.), provisions and requirements. Additionally, the vehicle shall conform to all FMVSS, DOT, SAE, TRA, ULI, TBEA, and State Motor Vehicle regulations.

M323 RAM CHASSIS:

2018 Ram 5500 4x4 Crew Cab, 173" Wheelbase
6.7L Cummins Turbo Diesel
Aisin 6-Speed Automatic Transmission
4x4 Electronic Shift on the Fly
GVWR: 19,000lbs
Tires: 225/70Rx19.5G All Position FT, RR Traction
Dual Heavy-Duty Alternators, 440-amp Total
Dual Batteries
Emergency/Fire/Rescue Prep Package
Chrome Appearance Group, Bumper & Grille
Polished Aluminum Wheels
Power Windows
Driver, Passenger Mirrors, Power, Heated, Folding
Remote Keyless Entry
Custom Red Per Customer Specification

8.8A



Moraga-Orinda Fire District

TO: Board of Directors
FROM: Dave Winnacker, Fire Chief
DATE: December 18, 2019
SUBJECT: Item 8.9 – Update on the Fire Code Adoption

BACKGROUND

Every three years the district conducts a fire code update to implement new codes. The basis of the fire code is the California Fire Code which is adopted and amended. The last such update occurred in 2016 and was implemented through MOFD Ordinance 16-02. As an independent special district, MOFD must coordinate the adoption of new codes with City of Orinda, the Town of Moraga, and Contra Costa County. All four entities must adopt the code to ensure uniform standards throughout our jurisdiction.

ADOPTION TIMELINE

Staff will present the proposed changes to the public in two meetings:

1. Monday, December 16th, at the Orinda Library Auditorium at 7:00 pm.
2. Tuesday, January 28th, at the Joaquin Moraga Middle School Auditorium 7:00 pm.

Following these meetings, the proposed changes will be presented to the MOFD board, City of Orinda Council and Town of Moraga Council for a first reading. A second reading and adoption will be scheduled for the subsequent meeting. The code will then be sent to the County Board of Supervisors for adoption.

MAJOR CHANGES

The update is intended to be progressive and make significant changes to reduce the threat of fire in our community. A summary of changes is included in Attachment A and they are in alignment with the ideas summarized in MOFD Strategic Wildfire Risk Reduction Plan (http://www.mofd.org/literature_247807/Wildfire_Prevention_Strategic_Plan)

Line of Effort #5: Fire Code Updates

In partnership with the city of Orinda, Town of Moraga, and Contra Costa County, the Fire Marshal will develop a model code update for the next code adoption cycle to address the new reality of wildfire threat. This code will include requirements for all new construction and major remodels/additions to comply with ember resistant building standards, under eave sprinklers for all construction that meets the district's current interior sprinkler requirements, and other measures that are currently being developed.

- Moves the compliance date for annual fuels reduction work from 15 June to 31 May
- Extends the period to complete abatement work following a citation from 10 to 15 days
- Requires the removal of combustible ground cover, to include mulch, within 24” of a structure
- Requires the removal of Eucalyptus and Monterrey Pine within 6’ of a structure
- Requires the removal of Juniper and Bamboo within 10’ of public and private roads by the end of 2023
- Requires an exterior fire hazard inspection within 6 months prior to sale or transfer of real property
- Reduces the square foot requirements for fire sprinklers in new construction to 2000 square feet
- Requires fire sprinklers for additions that exceed 100% of the original area
- Requires exterior under eave sprinklers be included as part of new fire sprinkler systems
- Declares all areas of the fire district WUI for the purposes of the fire code
- Requires Ember Resistant Construction for all new construction
- Requires the roof and vent screen elements of Ember Resistant Construction for substantial additions and remodels

ATTACHMENT

Attachment A – 2019 Fire Code Adoption and MOFD Ordinance - Summary of Changes
 Attachment B – Proposed Ordinance 20-XX Adopting the 2019 California Fire Code Update

RECOMMENDATION

- 1) Information Only

2019 Fire Code Adoption and MOFD Ordinance-Summary of Changes

Amendment to Chapter 3 Amended to Add Chapter 325 Exterior Hazard Control Standards

Changes to Section 325

- Moves up the compliance date from June 15th to May 31st for annual hazardous vegetation removal to align with surrounding agencies.
- Strengthens code language to mitigating risk associated with parcels/open space.
- Improves the notification/abatement order legal process with more concise code language and extends the period for abatement from 10 to 15 days.
- Does not allow combustible material on the ground within 2 feet of the exterior walls of buildings and requires 24-inch air gap between ground and specimen species in this zone. This applies to all existing and new buildings.
- Requires all Junipers and Bamboo within 10 feet of a public or private road to be removed by December 31, 2023. This applies to all parcels.
- Increases the clearance requirements for trees to greater than 6' above the ground, ground fuels, or roofs. This applies to all existing buildings.
- Requires Monterey Pine and Eucalyptus trees within 6' of a structure be removed. This applies to all existing buildings.
- Requires an exterior fire hazard inspection prior to any sale or transfer of real property. This inspection may be carried out up to 6 months prior to the sale.
- Simplifies the code language to address other combustible material types that constitute a fire hazard.

Amendment to Chapter 4 Emergency Planning and Preparedness

- Adopts entire Chapter.
- Adds a false alarm fee.

Amendment to Chapter 5 Fire Service Features

Section 503 Roads and Fire Department Access

For new construction and substantial additions:

- Increases road width serving 1-2 dwelling units from 16 feet to a minimum of 18 feet.
- Increases the road width from 20 to 28 feet minimum.
- Increases road width to 36 for truck operations in taller buildings (+35 feet) and near fire hydrants.
- Changes gradient requirement for grooved concrete to 15% instead of 16%.
- Reduces the number of dwelling units for the required number of fire department access roads:
 - 1-20 units 1 road
 - 21-50 units 2 roads
 - 51-100 units 3 roads
 - 101+ units 4 roads

Chapter 9 Building Safety and Fire protection

Amendment to Section 903 Automatic Sprinkler Systems

- Expands the definition of a substantial addition, expansion, remodel or renovation that aligns with Contra Costa County building Code. Added 50% of the aggregate linear wall within the fire area regardless of square footage.
- Adds fire sprinkler requirement for any structure over 2000 square feet regardless of use type.
- Adds exterior under eave sprinklers for R-1, R-2 and R-3 buildings when fire sprinklers are required.
- Adds fire sprinkler requirement for additions to existing R-3 structures when adding over 100% of the existing area of the structure.

Amendment to Chapter 49 Requirements for Wildland Urban Interface Fire Areas

- Amends the limits by definition of Wildland Urban Interface. All lands within the response area of the Moraga-Orinda Fire District are defined as in the Wildland Urban Interface and therefore, new residential construction is subject to all relevant code requirements including CBC Chapter 7A, CRC R337 and CRSC Chapter 12-7A for construction materials.
- Requires existing R-3 residential structures that have a substantial addition, expansion, remodel or renovation to provide a class "A" roof and screening of ventilation openings as required for new construction.

Chapter 56 Explosives and Fireworks

- 5601.3 Fireworks. The possession, manufacture, storage, sale, handling, and use of fireworks are prohibited.
- Amended exception 2. Snap caps are not allowed. Party poppers are still allowed under the exception.

Adoption and amendment to Appendix D Fire Apparatus Roads

- Adopts all of Appendix D (California did not adopt all of Appendix D).
- Increases the road width for aerial operations to 36 feet.
- Amends the remoteness requirement to allow for a circular route or other alternative as approved by the fire code official. An alternate means of protection addressing wildfire risk is required.

ORDINANCE NO. 20-XX

**AN ORDINANCE OF THE MORAGA-ORINDA FIRE DISTRICT
OF CONTRA COSTA COUNTY, CALIFORNIA,
ADOPTING THE 2019 EDITION OF THE CALIFORNIA FIRE CODE
(WITH CERTAIN AMENDMENTS) AND
BY REFERENCE, THE INTERNATIONAL FIRE CODE, 2018 EDITION,
PUBLISHED BY THE INTERNATIONAL CODE COUNCIL**

The Board of Directors, as the governing body of the Moraga-Orinda Fire District does ordain as follows:

Part 1. ADOPTION OF THE CALIFORNIA FIRE CODE.

For the purpose of prescribing regulations governing conditions hazardous to life and property from fire, explosion or hazardous substances, materials and devices, and from conditions hazardous to life and property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Moraga-Orinda Fire District are hereby referred to adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

The Moraga-Orinda Fire District does hereby adopt the California Fire Code-2019 edition, including Appendices A, B, BB, C, CC, D (AMENDED TO ADD CHANGES), H and by reference, the International Fire Code as published by the International Code Council being particular the 2018 edition and thereof and whole thereof, save and except such portions as are hereinafter added, modified or amended by Part 2 of this ordinance is hereby adopted pursuant to Section 13869 of the California Health and Safety Code and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the Moraga-Orinda Fire District, in the state of California,

Repealing Ordinance No. 16-02 of the Moraga-Orinda Fire District; and all other Ordinances and parts of the Ordinances in conflict therewith.

Part 2. AMENDMENTS TO THE CALIFORNIA FIRE CODE.

The 2019 California Fire Code is amended by the changes, additions and modifications set forth in this Section 2. Chapter and Section numbers used below are those of the 2018 International Fire Code.

CHAPTER 1 ADMINISTRATION

Section 101.1 is amended to read:

101.1 Title. These regulations shall be known as the Fire Code of the Moraga-Orinda Fire District, hereinafter referred to as "this code".

Section 102.1 is amended by adding item 5 to read:

102.1 Construction and design provisions. The construction and design provisions of this code shall apply to:

5. Where not otherwise limited by law, the provisions of this Code shall apply to vehicles, ships, boats, and mobile vehicles when fixed in a specific location within the boundaries of this jurisdiction.

Section 105.4.3 Applicant Responsibility has been amended to read:

105.4.3.1 Responsibility of Permittee. It shall be the responsibility of the applicant to ensure that the construction documents include all of the fire protection requirements and that the shop drawings are complete and in compliance with the applicable codes and standards. Building Permits shall be presumed by the District to incorporate all of the work that the applicant, the applicant's agent, employees and/or contractors shall carry out. Said proposed work shall be in accordance with the approved plans and with all requirements of this code and any other laws or regulations applicable thereto. No City, Town or County approval shall relieve or exonerate any person from the responsibility of complying with the provisions of this code nor shall any vested rights be created for any work performed in violation of this code.

Section 105.6 is amended to read:

105.6 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in 105.6.1 through 105.6.53.

Section 105.6 is amended to add subsections: 105.6.50 through 105.6.53:

105.6.52 Battery systems. A permit is required to operate stationary storage battery systems having the capacities exceeding the values shown in Table 1206.2 pursuant to Section 1206.

105.6.53 Christmas tree sales. A permit is required to use a property for the purpose of selling cut Christmas trees.

105.6.54 Model rockets. A permit is required to sell or launch model rockets pursuant to California Code of Regulations Title 19, Division 1 Article 17.

105.6.55 Temporary water supply. A permit is required to use a temporary water supply for construction of residential projects or subdivisions pursuant to Section 3312.1.

Section 105.7 is amended to read:

105.7 Required construction permits. The fire code official is authorized to issue construction permits for operations set forth in Chapter 1, Sections 105.7.1 through 105.7.30.

Section 105.7.26 has been added to read:

105.7.26 Medical gas systems. A construction permit is required for the installation of or modification to a medical gas system pursuant to Section 5306.

Section 105.7.27 has been added to read:

105.7.27 Access for fire apparatus. A construction permit is required to install, improve, modify or remove public or private roadways, driveways, gates, and bridges for required fire apparatus access pursuant to Section 501.3.

Section 105.7.28 has been added to read:

105.7.28 Construction, alteration, or renovation of a building for which a building permit is required. A construction permit is required to construct, add to, alter, renovate, rebuild, or move into the jurisdiction a structure for which a building permit is required.

Section 105.7.29 has been added to read:

105.7.29 Subdivision of land. A construction permit is required for any subdivision of land within the District. Plans shall be submitted for all land developments and/or improvements proposed within the District.

Section 105.7.30 has been added to read:

105.7.30 Water supply for fire protection. A construction permit is required for water supply for fire protection. Plans shall be submitted to determine adequate water supplies and fire hydrants are provided for all facilities, buildings or portions of buildings either constructed or moved into the District pursuant to Section 507.

Section 109.1 is amended to read:

109.1 Board of appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there is hereby created a Board of Appeals. The Board of Appeals is comprised of the Board of Directors. The fire code official shall be an ex officio member of said Board but shall have no vote on any matter before the board. The Board shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

Section 110.4 is amended to read:

110.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be subject to the criminal sanctions set forth in Health and Safety Code section 13871. Each day that a violation continues after such due notice has been served shall be deemed a separate offense.

Section 112.4 is amended to read:

112.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than 500 dollars or not more than 5,000 dollars.

CHAPTER 2 DEFINITIONS

Section 202 is amended by adding the following definitions:

ABATE AND OR ABATEMENT. An act used to remove, destroy, eliminate, seize, impound or mitigate a public nuisance.

ABATEMENT COSTS. Any and all costs incurred by the District to abate hazardous vegetation or combustible material on any property pursuant to this ordinance, including physical abatement costs, administration fees, technical reports or surveys, and any other actual costs incurred by the District for the abatement proceeding, including attorney's fees, if applicable.

ADMINISTRATOR. The Fire Chief.

ALL WEATHER DRIVING SURFACE. A roadway designed to carry the imposed weight loads of fire apparatus with asphalt, concrete or other approved surface.

BOARD OF DIRECTORS. The governing body of the District.

COMBUSTIBLE MATERIAL. Rubbish, litter or material of any kind other than hazardous vegetation that is combustible and endangers the public safety by creating a fire hazard as determined by the fire code official.

CORPORATION COUNSEL. The Attorney for the District.

DEFENSIBLE SPACE. The area adjacent to a structure or dwelling as determined by the fire code official where wildfire prevention or protection practices are implemented to provide the key point of defense from an approaching wildfire or to minimize the spread of a structure fire to wildlands or surrounding areas.

DISTRICT BOARD. The Board of Directors of the District.

EXTERIOR FIRE HAZARD INSPECTION. A property inspection intended to identify hazard areas and evaluate the risk to life and structures from exterior fires.

FIRE APPARATUS ACCESS ROAD. A road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term that includes, but is not limited to a fire lane, public street, private street, driveway, parking lot lane, and access roadway.

FIRE CODE OFFICIAL. The Fire Chief or a duly authorized representative, or other person as may be designated by law, appointment or delegation and charged with the administration and enforcement of this code.

FIRE HAZARD. Any condition or conduct which: (a) increases or may increase the threat of fire to a greater degree as determined by the fire code official (b) may obstruct, delay, hinder or interfere with the operations of the fire department or the egress of occupants in the event of fire.

FIRE PROTECTION PLAN. A document prepared for a specific parcel, project or development. This document shall address ways to minimize and mitigate the fire problems created by the project or development, with the purpose of reducing impact on the community's fire protection delivery system. It shall be prepared by the applicant when required by the fire code official. It must be approved by the fire code official.

FUEL BREAK. A strategically located block or strip, on which a cover of dense, heavy, or combustible vegetation has been changed to one of lower fuel volume or reduced combustibility, as an aid to fire control. Fuel breaks require annual and recurring maintenance.

HAZARDOUS VEGETATION. Vegetation that is combustible and endangers the public safety by creating a fire hazard including but not limited to seasonal and recurrent grasses, weeds, stubble, brush, dry leaves, dry needles, dead, dying or diseased trees and any other vegetation as determined by the fire code official.

IMPROVED PARCEL. A portion of land of any size, the area of which is determined by the Assessor's maps and records and may be identified by an Assessor's Parcel Number upon which a structure is located.

LADDER FUEL. Fuel that provides vertical continuity between surface fuel and canopy fuel strata, increasing the likelihood that fire will carry from surface fuel into the crowns of shrubs and trees.

PARCEL. A portion of land of any size, the area which is determined in the records of the County Assessor (Reference Health and Safety Code 14883).

PERSON. Includes; individuals, firms, partnerships, and corporations.

PUBLIC NUISANCE. A declaration by the fire code official that the presence of combustible materials on any parcel creates a fire hazard or threat to public safety (Health and Safety Code 14875 and 14876).

STREETS. See fire access roads.

STRUCTURE. Any dwelling, house, building or other type of construction.

SUBSTANTIAL ADDITION, EXPANSION, REMODEL OR RENOVATION. An addition or expansion of a building where the new fire area exceeds 50 percent of the existing fire area or an addition, expansion remodel or renovation where the removal or replacement of 50 percent or greater of the linear length of the walls of the building is done (exterior plus interior). The cumulative total of construction over a 5-year period is used to determine if a substantial addition, expansion, remodel or renovation has occurred. It is not the intent of this section to require the entire building to be brought into compliance with the new construction requirements of the current codes.

TEMPORARY FIRE DEPARTMENT ACCESS ROAD FOR CONSTRUCTION. An approved temporary roadway for emergency vehicle use during construction.

TEMPORARY WATER SUPPLY. A water source stored for firefighting purposes in an approved above ground tank during combustible construction.

TREE LITTER. Any limbs, bark, branches and/or leaves in contact with other vegetation or left to gather on the ground or the roof of a structure.

UNIMPROVED PARCEL. A portion of land of any size, the area of which is determined by the Assessor's maps and records and may be identified by an Assessor's Parcel Number upon which no structure is located.

WEEDS. All weeds growing upon streets or private property in this jurisdiction and includes

1. Dry grass, stubble, brush, litter, or other combustible materials that endanger the public safety by creating a fire hazard.

WILDLAND-URBAN INTERFACE AREA. The area where structures are in or near wildland vegetation and are at the greatest risk of wildfire loss due to the proximity of combustible vegetation. For purpose of this code, all areas within the district will be considered wildland urban interface.

CHAPTER 3 GENERAL PRECAUTIONS AGAINST FIRE

Section 304.1.2 is amended to add:

304.1.2. Hazardous Vegetation and Combustible Material. Weeds, grass, vines, leaves, brush, diseased or dead trees, combustible growth, debris, or rubbish capable of being ignited and endangering property shall be cut down, removed or reduced by the owner or occupant of the premises. Clearance of combustibles upon default of the owner or occupant shall be in accordance with Section 325.

Section 308 OPEN FLAMES is amended to adopt entire section.

Chapter 3 is amended to add Section 325 as follows:

325 EXTERIOR FIRE HAZARD CONTROL

325.1 Scope This section provides provisions intended to identify hazard areas and mitigate the risk to life and structures from wildland fire exposures and fire exposures from adjacent structures and to mitigate fires from spreading to or from wildland fuels that may threaten life, overwhelm fire suppression capabilities, or result in property loss.

325.1.2 Purpose. The purpose of this section is to establish minimum requirements in wildland-urban interface areas that will increase the ability of a building to resist the intrusion of flame or burning embers by a vegetation fire, including the identification of hazardous fire areas that require applicable defensible space provisions as set forth by and enforced by the fire code official and applicable state and local fire resistive building standards that are enforced by the local building official and fire code official.

325.1.3 Jurisdictional authority. The Board of Directors as the supervising, legislative and executive authority of this jurisdiction has the authority to act pursuant to Part 5 (commencing with Section §14875), Division 12, of the State of California Health and Safety Code, to clear or order the clearing of hazardous vegetation and combustible material where such hazardous vegetation and combustible material endangers the public the safety by creating a fire hazard. Such fire hazard abatement shall be conducted in accordance with the provisions of Part 5 and/or this code. In the application of the provisions of Part 5 to fire hazard abatement proceeding under this code and the Fire Protection District Law of 1961, the terms “Board of Directors” or “Board” when used in Part 5, shall mean the Board of Directors of this jurisdiction under this article; and the officer designated in Section §14890 of Part 5 shall mean the Fire Chief.

325.1.4 Contract for services. The Board of Directors reserves and retains the power to award a contract for such fire hazard abatement work where the employees of this jurisdiction are not used to perform such abatement work.

325.1.4.1 Technical reports. The Board of Directors reserves and retains the power to award a contract for a survey or other technical report to determine parcel ownership information in cases of dispute. The parcel owners that are the subject of the report will each pay for one-half the cost of the report, payable to the District upon completion of the report.

Section 325.2 has been added to read:

325.2 Definitions.

The following definitions are defined in Chapter 2:

ALL WEATHER DRIVING SURFACE.
ABATE AND/OR ABATEMENT.
ABATEMENT COSTS.
COMBUSTIBLE MATERIAL.
DEFENSIBLE SPACE.
EXTERIOR FIRE HAZARD INSPECTION.
FIRE PROTECTION PLAN.
FUEL BREAK.
HAZARDOUS VEGETATION.
IMPROVED PARCEL.
LADDER FUEL.
PARCEL.

**PERSON.
PUBLIC NUISANCE.
RUBBISH.
STREETS.
STRUCTURE.
TREE LITTER.
UNIMPROVED PARCEL.
WEEDS.
WILDLAND-URBAN INTERFACE AREA.**

325.3 Public nuisance. The Board of Directors or fire code official may declare that all hazardous fire areas, including any combustible materials, hazardous vegetation, upon private property or streets are a public nuisance. Weed nuisance is seasonal and recurrent and shall be abated every year by May 31. Hazardous vegetation and combustible materials are required to be maintained year-round as determined by the fire code official.

325.3.1 Hazardous vegetation and combustible material. The Board hereby declares that all hazardous vegetation, growing upon parcels or streets in this jurisdiction and all combustible material on private property or streets in this jurisdiction are public nuisances. Such hazardous vegetation as it pertains to annual grasses and weeds may be seasonal and recurrent but must be maintained year-round as determined by the fire code official without any further hearing.

325.3.2 Seasonal and recurrent nuisance. If the nuisance is seasonal and recurrent, the Board of Directors shall so declare. Thereafter, such annual grasses and weeds and hazardous vegetation, shall be abated every year or as declared by the fire code official.

325.4 Unlawful disposal. Any person who places, deposits or dumps combustible material or hazardous vegetation on a parcel whether or not he/she owns such parcel, is subject to the criminal sanctions set forth in Health and Safety Code Section 13871.

325.5 Abatement of hazard.

325.5.1 Hazardous vegetation and combustible Material Reduced or Removed. Parcels are to be maintained free of hazardous vegetation and combustible material.

325.5.2 Prohibition. No person who has any ownership or possessory interest in or control of parcel of land shall allow to exist thereon any hazardous vegetation or combustible material which constitutes a fire hazard as determined by the fire code official.

325.6 General abatement requirements. The provisions of this section shall govern the abatement of combustible materials and hazardous vegetation creating a fire hazard upon premises (reference Government Code 51175-51189 and Public Resources Code 4291). The District shall develop minimum abatement standards for land in residential, business, industrial areas, or improved or unimproved parcels of any size, including vacant parcels of any type. Such standards shall be approved by the Board of Directors and may be modified periodically as circumstances dictate.

325.6.1 Clearance of hazardous vegetation, combustible materials from street. The fire code official is authorized to require areas within 3 feet on each side and 15 feet in height of public and private roads, to be abated of hazardous vegetation and combustible material.

Exception. Single specimens of trees, ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy succulents or similar plants used a ground cover, provided that they do not form a means of readily transmitting fire and not lower than 15 feet measured vertically and 3 feet measured horizontally from the roadway surface.

325.6.2 Clearance of brush, hazardous vegetation and combustible material from parcels.

All improved and unimproved parcels declared a public nuisance by the Board of Directors shall be abated as determined by the fire code official.

325.6.2.1 Remove from improved and unimproved parcels all hazardous vegetation & combustible material that are deemed a fire hazard.

325.6.2.2 Parcels one acre or less (43,560 square feet) shall require abatement of the entire parcel.

325.6.2.3 Parcels over one acre (43,560 square feet) may be required to comply with the following requirements:

1. Parcels shall provide 30-foot fuel breaks along the perimeter of the property line.
2. Parcels 10 acres or more shall provide a 30-foot cross breaks to divide the parcel into approximately 5-acre sections.
3. Eliminate any ladder fuels that can readily transmit fire in fuel breaks and cross breaks.
4. Provide 100 feet clearance from unimproved parcels to fence line to improved adjacent parcels.
5. Provide 100 feet clearance around structures.

325.6.3 Clearance of hazardous vegetation and combustible material from structures. Any person owning, leasing, controlling, operating or maintaining any building in, upon, or adjoining any hazardous fire area shall at all times maintain defensible space around and adjacent to such building by removing and clearing away all hazardous vegetation and combustible material for a distance not less than 100 feet from all portions of the structure. Distances may be increased or decreased by the fire code official based on site-specific analysis of local conditions.

Exception: Single specimens of trees or ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy succulents or similar plants used a ground cover, provided that they do not form a means of readily transmitting fire as determined by the fire code official.

325.6.3.1 Remove that portion of any tree that extends within 10 feet of the outlet of any chimney or stovepipe.

325.6.3.1.1 Remove hazardous vegetation and combustible material around any outdoor wood burning fire pit, heating or cooking appliance.

325.6.3.2 Maintain any tree, shrub, or other plant adjacent to or overhanging any building free of dead limbs, branches or other combustible material or that is determined to be a fire hazard.

325.6.3.3 Maintain the roof of any structure and roof gutters free of leaves, needle, or hazardous vegetation and other combustible materials.

325.6.3.4 Maintain trees within 100 feet of any building or structure or within 10 feet of any portion of any highway, street, ally, or driveway which is improved or used for vehicle travel or other vehicular purposes. To remove ladder fuel so that foliage, twigs or branches are greater than 6 feet above the ground, or ground fuel.

325.6.3.5 Maintain 6 feet of vertical clearance between roof surfaces and portions of trees overhanging any building or structure.

Exception. All Monterey Pines (*Pinus radiata*) and Eucalyptus (Genus *Eucalyptus*) must be 6 feet or greater from any structure.

325.6.3.6 Maintain all ground areas within 2 feet of the exterior walls of any building or structure free of hazardous vegetation and combustible materials including combustible mulch.

325.6.3.7 Remove all Junipers (genus *juniperus*) and Bamboo (genus *bambusa*) within 10 feet of the edge of all public and private roads by December 31, 2023.

325.7 Fire Protection Plan. A fire protection plan shall be prepared by the applicant when required by the fire code official. It must be approved by the fire code official.

325.8 Cost. The cost of the fire protection plan preparation and review shall be the responsibility of the applicant.

325.9 Abatement procedures.

325.9.1 Manner of giving notice. The fire code official shall cause a copy of the notice/order to be both physically posted in a conspicuous location on the property and also mailed or otherwise delivered to the property owner as such person's name and address appears on the last county equalized assessment roll. If the address is unknown, that fact shall be so stated, and the property will be physically posted with the notice/order in a conspicuous place or location. Service by mail shall be deemed complete at the time of deposit in the U.S. mail. The failure of any person in possession or owner of the property to receive such notice shall not affect the validity of these proceedings.

325.9.1.1 Abatement order. The fire code official of this jurisdiction may order the abatement of hazardous vegetation, combustible material, as described in Sections 304.1 and 325.2. On making the order, the fire code official of this jurisdiction shall mail a copy of a notice/order to the owner of the affected property as he/she and his/her address appear upon the current and last county equalized assessment roll as of January 1 of each calendar year, or as his/her address is known to this jurisdiction. The notice/order is also physically posted upon the affected property in a conspicuous location and published in this jurisdiction, not less than ten (15) days prior to the date of the abatement hearing. Copies of the notice shall be headed with the words "Notice to Abate hazardous vegetation & combustible material" in letters at least one inch high. The notice shall be in substantially the following form:

NOTICE OF VIOLATION AND ORDER TO ABATE HAZARDOUS VEGETATION AND COMBUSTIBLE MATERIAL

You are hereby notified that hazardous vegetation & combustible material a fire hazard on the following property owned by you:

(Describe property by common street designation, by metes and bounds, Assessor's code area and parcel number, or by reference to attached map).

You are hereby notified and ordered to remove the hazardous vegetation & combustible material fifteen (15) days from the date of this notice. If you fail to do so, the Moraga-Orinda Fire District will remove it and the cost of the abatement, including administrative costs, will be collected as property taxes and will be a lien on your property until paid. The lien may prevent the sale of the property and it shall be the responsibility of the property owner upon payment of the property taxes to have the lien removed. Contact the Fire District for a release of lien that must be filed by the property owner at the County Recorder's Office.

You are hereby further notified that the Board of Directors has declared that such hazardous vegetation & combustible material constitute a public nuisance and that such hazardous vegetation & combustible material also constitute a seasonal and recurring nuisance that must be maintained.

You may appear before the Board of Directors of this jurisdiction on (time and date) at (place-room, street, address, and city) to show cause why this order should not be enforced. (Signed):
(Name of fire code official of name of jurisdiction)

325.9.2 Notice for seasonal and recurring nuisance. In the case of hazardous vegetation and combustible material, which have previously been declared to constitute a seasonal and recurring nuisance, a fire code official will physically post a notice on the property, mail a post card notice to the owner(s) of the property via U.S. mail at the address as it appears on the current assessment roll. The notice will state that hazardous vegetation or combustible material of a seasonal and recurrent nature are located on the property and that they constitute a public nuisance and a fire hazard that must be abated by removal or reduction. If the violation is not removed, it will be abated by the Moraga-Orinda Fire District, in which case the costs of removal, plus an administrative fee will be assessed to the parcel. The cost will constitute a lien upon the property until paid. No hearing will take place.

325.9.3 Immediate hazard. When, in the opinion of the fire code official, an extreme fire hazard exists which constitutes an immediate threat to public health, safety, and welfare, and it is deemed necessary to abate such hazard as promptly as possible, said fire hazard shall be removed or abated within five (5) days of the physical posting of the Notice to Abate on the affected parcel.

325.9.4 Hearing date. A hearing will be held during a regularly schedule district board meeting. The date of the notice is the date on which the notice is placed in the US mail or the date on which it is posted on the property. At the hearing, the property owner or his or her agent may appear to show cause why the order should not be enforced. For good cause shown, the Board may extend the time for compliance with the order or may rescind the order. Service by mail shall be deemed complete at the time of deposit in the U.S. mail. The failure of any person in possession or owner of the property to receive such notice shall not affect the validity of these proceedings.

325.9.5 Contract award. If the owner fails to comply with the order, the fire code official of this jurisdiction may have the hazardous vegetation & combustible material or public nuisance abated either by employees of this jurisdiction or by contract. If a contract is awarded, it shall be by public bid, awarded to the lowest responsible bidder. A contract may include work on more than one parcel. An administrative fee will be attached to the cost of the contracted work to the violator.

325.9.6 Abatement report of costs. The fire code official or his or her designee abating the nuisance shall keep an account of the cost of abatement located on each separate parcel of land and shall render an itemized report in writing to the Board of Directors showing the cost of removing the hazardous vegetation & combustible material, or public nuisance on each parcel. Before the report is submitted to the Board, a copy of it shall be posted for at least three days on or near the entrance door of the Fire Department Administration Headquarters with a notice of the time and when the report will be submitted to the Board for confirmation. Report and notice shall also be posted for the three days in two other public places in the District. At the time fixed for receiving and considering the report, the Board of Directors shall hear it and any objections of any of the property owners liable to be assessed for the work of abatement.

Thereupon, the Board of Directors may make such modifications in the report, as it deems necessary, after which by order of resolution, the report shall be confirmed. The amounts of the cost, including administrative costs, for abating the nuisance upon the various parcels mentioned in the report as confirmed shall constitute special assessment against the respective parcels, and are a lien on the property for the amount of the respective assessments.

325.9.7 Cost assessments. Upon confirmation of the report of cost by the Board of Directors of this jurisdiction and the recordation of the Resolution of Confirmation by the administrator, a copy of the report of cost shall be sent to the County. All laws applicable to the levy, collection, and enforcement of county taxes are applicable to these assessments.

325.9.8 Sale or transfer of property. Before any transfer or sale of real property located in the District can be finalized an exterior fire hazard inspection as defined in section 202 shall be completed. This inspection will be conducted by the fire code official or person authorized by the fire code official. If an inspection has been completed in the last 6 months and the Fire District records show that the property is in compliance with section 325, this may be used in place of a new inspection.

325.9.9 Fuel breaks. In lieu of ordering complete abatement the fire code official may order the preparation of fuel breaks around parcels where hazardous vegetation and combustible material are present. In determining the proper width for fuel breaks, the fire code official shall consider the height and type of the fuels, weather conditions, topography, and accessibility to the property of fire protection equipment.

325.9.10 Fire suppression costs. Any person who negligently, intentionally or in violation of law causes an emergency response by the District, may be liable for the costs of securing such emergency. Any costs incurred by the Fire District in fighting a fire and for the cost of providing rescue or emergency medical services shall be a charge against said person. The charge shall constitute a debt of that person and is collectable by the Fire District incurring those costs in the same manner as in the case of an obligation under a contract, express or implied. (See State of California Health & Safety Code §13009)

CHAPTER 4 EMERGENCY PLANNING AND PREPAREDNESS

The entire Chapter 4 is adopted.

Section 401.5 is amended to add:

401.5.1 False/nuisance alarm fee. A fee may be charged for false/negligent alarms according to the adopted fee schedule of the District.

CHAPTER 5 FIRE SERVICE FEATURES

Section 502.1 is amended to add the following definition. The following term is defined in Chapter 2:

ALL WEATHER DRIVING SURFACE.

Section 503 Fire Apparatus Access Roads is adopted.

Section 503.1.1 Buildings and facilities.

Section 503.1.1 exceptions 1.4 and 1.5 are deleted:

~~**Exception 1.4.** The decision to modify, and the extent of any such modification shall be in accordance with minimum standards established by the fire code official.~~

~~**Exception 1.5.** Buildings or portions of buildings exceeding 35 feet (10668 mm) in height above the lowest level of fire department access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.~~

503.1.2 Additional access.

Section 503.1.2 is amended to add Sections 503.1.2.1, and 503.1.2.2 as follows:

503.1.2.1 Required access roads for residential developments. The minimum number of access roads serving residential development(s) shall be based upon the number of dwelling units served as follows:

- 1-20 units, one public or private access road.
- 21-50 units, one public or private access road and one fire apparatus access road as approved by the fire code official.
- 51-100 units, a minimum of two or more public or private access roads and one fire apparatus access road as approved by the fire code official.
- 101+ units, a minimum of 3 public or private access roads and one fire apparatus access road as approved by the fire code official.

503.1.2.2 Access to open spaces. When access to open land/space or fire trail systems maintained for public or private use is obstructed by new development of any kind, the developer shall provide alternate acceptable access into the area that is sufficient to allow access for fire personnel and apparatus. The alternate means of access must be approved by the fire code official.

503.1.2.2.1 Existing fire trail systems shall be maintained. When conditions make maintenance of existing trail impractical alternate means of access shall be provided and approved by fire code official.

Section 503.2.1 is amended to add:

Section 503.2.1 **Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 28 feet (8534 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 15 feet (4572 mm).

Section 503.2.1.1 is added to read:

503.2.1.1 Road widths for fire department access roads serving 1 or 2 dwelling units. A fire department access road serving less than three dwelling units may be a minimum of 18 feet (5486 mm) in width if no parking is permitted on the roadway.

Section 503.2.1.2 Outsets is deleted:

~~**503.2.1.2 Outsets.** A fire department access road designed to be a minimum 20 feet (6096 mm) in width shall be provided with outsets adjacent to and in front of fire hydrants providing a 30 foot (8535 mm) wide roadway for at least 20 feet (6096 mm) in both directions measured from centerline of the fire hydrant.~~

Section 503.2.1.3 building height is added to read:

503.2.1.3 Building height. Fire apparatus access roads shall have a minimum unobstructed width of 36 feet (10,973 mm) in the immediate vicinity of any building or portion of building more than 35 feet (10,668 mm) in height as defined in Appendix D.

Section 503.2.1.4 Proximity to building is deleted:

~~**503.2.1.4 Proximity to building.** At least one of the required access routes meeting this condition shall be located within a minimum of 20 feet (6096 mm) and a maximum of 30 feet (9144 mm) from the building and shall be positioned parallel to one entire side of the building.~~

~~**Exception:** Access routes serving structures greater than 75 feet (22 860 mm) in height and designed to high rise standards as approved by the fire code official.~~

503.2 Specifications.

Section 502.3 is amended to read:

503.2.4 Minimum turning radius. A fire department access road shall have a minimum standard turning radius of 28 feet (8534 mm) inside and a 48 foot (14,630 mm) outside diameter.

Section 503.2.7 is amended to read:

503.2.7 Grade. The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus. A fire department access road having a grade between 15% and 20% shall be designed to have a finished surface of grooved concrete to hold 75,000 pounds (34,019 kg) (H-20 Cal-Trans Design Standard). Design for grooved concrete shall be ½ inch (12.7 mm) by ½ inch (12.7 mm) and 1-1/2 inch (38 mm) on center. Grades exceeding 20 percent and cross slopes of greater than 8 percent are not permitted unless approved by the fire code official.

Exception: Other approved all weather surfaces may be used if the skid resistance is equivalent to or greater than grooved concrete as certified by a registered engineer, in accordance with ASTM E274 and approved by the fire code official.

Section 503.2.8 is amended to read:

503.2.8 Angles of approach and departure. The angles of approach and departure for any means of access shall not exceed 10 percent at 10 feet of the grade break.

505 PREMISES IDENTIFICATION

Section 505 is amended by adding Section 505.1.2 is deleted:

~~**505.1.2 Street names and addressing.** Street names and addressing shall be submitted for review and approval to the District, approval not to be unreasonably withheld.~~

Section 507.2 is adopted without amendment:

507.2 Type of water supply. A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing fire flow.

Section 510.3 Permit required is adopted.

CHAPTER 6 BUILDING SERVICES AND SYSTEMS

603.6 Chimneys

Section 603.6 is amended by adding subsection 603.6.6 to read:

603.6.6 Sparks from chimneys. Chimneys used with fireplaces or heating appliances in which solid or liquid fuel is used shall be maintained with a spark arrester as required for incinerators by the Mechanical Code.

CHAPTER 9 FIRE PROTECTION AND LIFE SAFETY SYSTEMS

Section 902.1 is amended to add the following definition as defined in Chapter 2:

SUBSTANTIAL ADDITION, EXPANSION, REMODEL OR RENOVATION.

Section 903.1 is amended to read:

903.1. General. Automatic sprinkler systems shall comply with this section. For the purposes of this section, firewalls and fire barriers shall not be considered as creating separate fire areas.

Section 903.2 is amended to read:

903.2 Where required. Approved automatic sprinkler systems shall be installed in new non-residential buildings with a fire area that exceeds 2000 square feet and in the locations set forth in section 903.2.

Exceptions:

1. Systems which are required to mitigate deficiencies shall be installed in accordance with requirements as deemed necessary by the fire code official.

Section 903.2.8 Group R is amended to add exception 5.

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exceptions:

1. See California Fire Code.
2. See California Fire Code.
3. See California Fire Code.
4. See California Fire Code.
5. Detached Group U private garages less than 2000 square feet accessory to a Group R-3 occupancy.

Section 903.3.1.1 is amended to add:

Unless otherwise permitted or required by Sections 903.3.1.1.1, 903.3.3.1.1.2 and 903.3.1.1.3.

Section 903.3.1.1.3 is added to read:

903.3.1.1.3 Undeclared use and tenant space. In buildings of undeclared use or with tenant space areas; the fire sprinkler system may be required to conform to the design density of the most hazardous occupancy use allowed within the building.

Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the owner/and or tenant occupant to upgrade the system.

Section 903.3.1.2 is amended to add:

903.3.1.2.1 Eave protection. Sprinkler protection shall be provided under roof eaves.

Section 903.3.1.3 is amended to add:

903.3.1.3.1 Eave protection. Sprinkler protection shall be provided under roof eaves.

903.3.5 Water supplies.

Section 903.3.5 is amended to add subsection 903.3.5.3 to read:

903.3.5.3 Non-permissible water supply storage. Swimming pools, ponds, and underground cisterns shall not be considered water storage for the purposes of Section 903.3.5.

~~**Exception:** Secondary water supplies for fire pumps in commercial buildings where the primary water supply is provided by a municipal water purveyor.~~

Section 903.3.10 is added to read:

903.3.3.19 System risers. The location of system risers shall be approved by the fire code official. System risers shall be located in a common area of the protected premises with regards to firefighter access. System risers located inside buildings shall either be located in stairways or in riser closets accessible from common areas.

903.6 Where required in existing buildings and structures.

Section 903.6.1 has been added to read:

903.6.1 All occupancies except Group R-3. An automatic sprinkler system shall be provided throughout existing buildings except buildings with a group R-3 occupancy that have a substantial addition, expansion, remodel or renovation.

Section 903.6.2 is added to read:

903.6.2 Group R-3. An automatic sprinkler system shall be provided throughout all existing buildings containing a group R-3 occupancy as follows:

1. Buildings that have a substantial addition, expansion, remodel or renovation and the new fire area exceeds 3600 square feet.
2. Building additions where the new fire area exceeds 100 percent of the existing fire area.

Section 903.6.3 is added to read:

903.6.3 Change in occupancy classification. Existing non-residential buildings which undergo a change in occupancy classification to higher hazard occupancy shall require the entire building be protected by an automatic sprinkler system installed in accordance with Section 903.3. The requirements of Section 903.2 shall not be required when a change of occupancy classification is made to an equal or lesser hazard category as determined by the fire code official.

CHAPTER 10 MEANS OF EGRESS

Section 1028.5 is amended to add:

1028.5.1 Exit discharge surface. Exterior exit pathway surfaces shall be suitable for pedestrian use in inclement weather and terminate at a public way as defined in the *California Building Code*.

CHAPTER 12 ENERGY SYSTEMS

Revise section 1204.2.1 exception 1 to read:

1. Solar photovoltaic systems that in the opinion of the fire code official may create a hazard to firefighters are not allowed.

CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION

Section 3301.3 is added to read:

3301.3 Construction documents. Construction documents and a schedule for demolition must be submitted to the fire code official when required by the building code official. Where such information is required, no work shall be done until such construction documents or schedule, or both, are approved by the fire code official.

Section 3301.3 is amended to add:

Section 3301.3 Demolition of structures. Construction documents and schedule for demolition must be submitted to the fire code official when required by the building code official. Where such information is required, no work shall be done until such construction documents or schedule, or both, are approved by the fire code official.

Section 3301.4 Permits is added to read:

3301.4 Permits

Section 3301.4.1 is added to read:

3301.4.1 Temporary fire department access road for construction. A permit is required to utilize a temporary fire department access road for construction regulated by Section 3301.2, see Section 105.7.

Section 3301.4.2 is added to read:

3301.4.2 Temporary water supply. A permit is required to utilize a temporary water supply for construction of residential projects or subdivisions regulated by Section 3312.1, see Section 105.7.

Section 3310.2.1 is added to read:

3310.2.1 Construction site locks. Site security gates shall be provided with a District padlock. Application for a District padlock is made through the Fire Prevention Office.

Section 3310.3 is added to read:

3310.3 Permit. A permit is required for a temporary fire department access road, see Section 105.7.27.

Section 3310.4 is added to read:

3310.4 Temporary fire department access road for construction. The use of a temporary roadway in lieu of permanent roadways is limited to April 15th through October 15th. Timelines may be modified by the fire code official depending on inclement weather conditions.

Section 3310.5 is added to read:

3310.5 Obstructions to access roads. Staging of building materials, placement of equipment or parking of worker vehicles shall not take place within the required width of a fire department access road.

3312 WATER SUPPLY FOR FIRE PROTECTION

Section 3312 is amended to add:

3312.1.1 Permit. A permit is required for temporary water supplies, see Section 105.7.30.

3312.1.2 Temporary water supply for subdivisions. For construction of residential projects or subdivisions an approved temporary water supplies are permitted only for construction of model units.

CHAPTER 49 REQUIREMENTS FOR WILDLAND-URBAN INTERFACE FIRE AREAS

Section 4905.2 is amended to read:

4905.2 Construction methods and requirements within established limits.

Within the district boundaries, construction methods intended to mitigate wildfire exposure shall comply with the wildfire protection building construction requirements contained in the California Building Standards Code, including the following:

1. California Building Code, Chapter 7A,
2. California Residential Code, Section R337,
3. California Referenced Standards Code, Chapter 12-7A.

4905.2.1 New buildings regulated by the California Building Code and built in a very high hazard fire severity zone or a State Responsibility Area shall comply with the California Building Code Chapter 7A. The plants listed on the Moraga Orinda Fire District prohibited plan list shall not be planted.

4905.2.2 New buildings regulated by the California Residential Code shall comply with the California Residential Code, Section R337 regardless of the fire hazard rating for the location of the building. Sections R337.10.3.2 and R337.10.3.3 shall apply to fencing within 3 feet of a building. The plants listed on the Moraga Orinda Fire District prohibited plan list shall not be planted.

4905.2.3 Existing buildings with a Group R3 occupancy that that have a substantial addition, expansion, remodel or renovation regardless of the fire hazard rating for the location of the building shall have roofs that comply with CRC 337.5 and ventilation openings that comply with CRC R337.6. The plants listed on the Moraga Orinda Fire District prohibited plan list shall not be planted.

Section 4905.3 is amended to read:

4905.3 Establishment of limits.

The establishment of limits for the Wildland-Urban Interface Fire Area shall be designated pursuant to the California Public Resource Code and government code section 51175-51189 for State Responsibility Area (SRA), and by declaration that all Local Responsibility Area (LRA) within the fire district are considered Wildland Urban Interface (WUI).

CHAPTER 50 HAZARDOUS MATERIALS-General Provisions

Section 5001.5.3 is added to read:

5001.5.3 Emergency response support information. Floor plan, material safety data sheets, hazardous material inventory statements (HMIS), hazardous material management plans (HMMP) and other information may be stored in cabinets outside of facilities or buildings. Information may be required in a specific electronic media format to facilitate computer aided dispatching.

CHAPTER 56 EXPLOSIVES AND FIREWORKS

Section 5601.3 is amended to read:

5601.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited. The possession, manufacture, storage, sale, handling and use of fireworks or pyrotechnic materials within the jurisdiction of the District are prohibited. The definition of fireworks for this section includes snap caps.

Exceptions:

1. Firework storage within the jurisdiction of the District is limited to aerial fireworks in conjunction with an approved and permitted aerial display, in accordance with California Code of Regulations, Title 19, Chapter 6.

APPENDIX D FIRE APPARATUS ACCESS ROADS

Appendix D is adopted with the following amendments:

SECTION D105 AERIAL FIRE APPARATUS ROADS

SECTION D105.2 has been amended to read:

D105.2 Width. Aerial fire apparatus roads shall have a minimum width of 36 feet (10973 mm) exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

Section D106 MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS

Section D106.1 has been amended to read:

D106.1 Multiple-family residential developments. Multiple-family residential developments shall have the number of access roads required by Section 503.1.2.1.

Section D106.1 Exception is deleted.

Section D106.2 is deleted.

D106.3 REMOTENESS

The following exception is added to Section D106.3:

Exception: The fire code official may approve an alternative, circular route of travel with the entrance and exit points closer than required by this section. A fire protection plan shall be submitted addressing Wildfire risk when the fire apparatus access roadways do not meet the remoteness requirement.

D107 ONE- OR TWO- FAMILY RESIDENTIAL DEVELOPMENTS

Section D107.1 is amended to read:

D107.1 **One- or two- family dwelling residential developments.** One- or two-family dwelling residential developments shall have the number of access roads required by Section 503.1.2.1.

D107.1 Exceptions 1 and 2 are deleted:

Section D107.2 REMOTENESS

The following exception is added to Section D107.2:

Exception: The fire code official may approve an alternative, circular route of travel with the entrance and exit points closer that required by this section. A fire protection plan shall be submitted addressing wildfire risk when the fire apparatus access roadways do not meet the remoteness requirement.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

13.1 Repeal. The following Ordinance previously adopted by the Board of Directors is hereby repealed: Ordinance #16-02 Moraga-Orinda Fire District with amendments from the California Fire Code (2016 Edition).

SECTION 5. VALIDITY.

14.1 Validity. The Board of Directors of the District hereby declares that should any section, paragraph, sentence or work of this Ordinance 20-XX or of the California Fire Code, 2019 Edition and the International Fire Code, 2018 Edition as adopted and amended herein be declared for any reason to be invalid, it is the intent of the Board of Directors of the District that it would have passed all other portions or provisions of this Ordinance independent of the elimination here from any such portion or provision as may be declared invalid.

SECTION 6. MORE RESTRICTIVE REQUIREMENTS.

15.1 More restrictive requirements. In the event the City of Orinda, Town of Moraga, or Contra Costa County, adopt more restrictive requirements, or amend those provisions contained herein, those more restrictive or amended requirements shall only apply within the jurisdiction adopting such requirements.

SECTION 7. DATE OF EFFECT.

16.1 Date of effect. This Ordinance shall become effective on X-X-2020 and within fifteen (15) days of passage, shall be published once with the names of the Directors voting for and against it, in the East Bay Times, a newspaper of general circulation in this District. Passed and Adopted on XXXXXX, by the following Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Secretary/Clerk Board of Directors

Steven Danziger, President
Board of Directors