



Moraga-Orinda Fire District
BOARD OF DIRECTORS
REGULAR BOARD MEETING MINUTES
February 17, 2021
(APPROVED, MARCH 17, 2021)

1. OPENING CEREMONIES

The Board of Directors convened a teleconference Open Session at **5:01 p.m.** on **February 17, 2021**, via the Zoom application <https://us02web.zoom.us/j/84118515342>, webinar id: 84118515342 and by phone 669-900-6833. Pursuant to Executive Order N-29-20, teleconferencing restrictions of the Brown Act have been suspended. MOFD is closely following the latest Public Health Order from the Contra Costa Health Services issued on March 17, 2020. At this time, all formal public meetings will continue remotely.

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

President Jorgens	Director Jex	Jonathan Holtzman, District Council
Director Danziger	Dave Winnacker, Fire Chief	Marcia Holbrook, District Clerk
Director Donner	Gloriann Sasser, Admin. Services Director	

2. PUBLIC COMMENT (audio 0:41)

President Jorgens opened Public Comment on the closed session items. There were no requests to address the Board. President Jorgens closed Public Comment.

At **5:02 p.m.**, the Board adjourned to Closed Session.

Director Baitx arrived in Closed Session at 5:13 p.m.

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 Rep: Jonathan Holtzman
Employee: David Winnacker, Fire Chief

3.3 Conference with Labor Negotiator

(Government Code Section 54957.6)
Agency Designated Rep: Donna Williamson
Employee Organization: Employee Organization:
Local 1230, International Association of Firefighters IAFF

3.4 Conference with Labor Negotiator

(Government Code Section 54957.6)
Agency Designated Rep: Jonathan Holtzman
Employee Organization: Unrepresented Employees

3.5 Conference with Labor Negotiator

(Government Code Section 54957.6)
Agency Designated Rep: Donna Williamson
Employee Organization: Moraga-Orinda Fire Chief
Officers' Association

4. RECONVENE THE MEETING (audio 1:57)

4.1 Call the Meeting to Order

4.2 Roll Call

President Jorgens reconvened the Moraga-Orinda Fire District Board of Directors' regular business meeting at **7:00 p.m.** and requested an attendance roll call. Present were the following Directors and Staff:

President Jorgens	Director Jex	Jonathan Holtzman, District Council
Director Baitx	Dave Winnacker, Fire Chief	Marcia Holbrook, District Clerk
Director Danziger	Gloriann Sasser, Admin. Services Director	
Director Donner	Jeff Isaacs, Fire Marshal	

5. REPORT OF CLOSED SESSION ACTION (audio 2:40)

President Jorgens stated that the Board took no reportable action on agenda items 3.1-3.5.

6. PUBLIC COMMENT - ITEMS NOT ON THE AGENDA (audio 2:50)

President Jorgens opened Public Comment.

Jonathan Goodwin, Canyon resident, shared his concern about evacuation plans in the District and helping people who live up on top of ridges and hillsides where the roads are narrow, and fire apparatus cannot get in when people are trying to get out. Mr. Goodwin expressed if there is a delay in evacuating, the fire apparatus

cannot get to the fire, and it will continue to spread. Mr. Goodwin questioned the plan and the responsibility and training of the police to perform this function.

Nasser Jandali, Orinda resident, requested a continuance on the public hearing to put a lien on his property APN 270-460-005, 46 Cedar Ter, Orinda, to the next scheduled meeting. District Council Holtzman asked Mr. Jandali the grounds for the continuance. Mr. Jandali answered that he needed time to prepare documents to provide to the board members. President Jorgens responded that the Board would hear his property on agenda item 7.1.

Written public comment statements were read into the record by Staff. Written public comments are attached to these minutes. 1) Cheryl Ku. Attachment A

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

7. PUBLIC HEARING (audio 12:45)

7.1 Opportunity for public comments contesting weed abatement notification given by the Fire District for the following properties and Adopt Resolution 21-04, Confirming and Adopting the Reported Costs Incurred by the Moraga-Orinda Fire District in Abating Public Nuisances on Certain Property within the District Pursuant to Health and Safety Code section 14912

Fire Marshal Isaacs provided the report. In accordance with the California Health and Safety Code, the Board of Directors must hold a public hearing to confirm the costs of abatement incurred by the Fire District in abating separate parcels of land. The purpose of the hearing is to review any objections from property owners legally responsible for being assessed. Confirmation of the costs includes the passing, approval, and adoption of Resolution 21-04, which includes the necessary documents to be submitted to the Contra Costa County Auditor-Controller Tax Division for enrollment on the property tax roll.

Fire Marshal Isaacs reviewed the inspection processes. On April 24, 2020, the District mailed to all property owners within the District an Exterior Hazard control postcard. This postcard provided information regarding the requirements of MOFD Ordinance 20-01 and advised all property owners are required to comply with the requirements in Ordinance 20-01 no later than June 15, 2020. Non-compliant property owners received Notices to Abate vegetation hazards and given a minimum of 15 days to remove the vegetation. When such removal was not completed by the requested removal date, property owners received a Pre-lien Notice. The Pre-lien Notice advised the property owner if the vegetation hazards were not abated within 15 days, the property would be subject to a Public Hearing in which the MOFD Board of Directors would determine if the property was to be declared a Seasonal and Recurrent Nuisance and order the Fire Chief to abate. A contracted company, in accordance with the instructions from the MOFD, would conduct the removal. The Board approved these properties, and a District-approved contactor conducted abatement. After the work was executed, the property owners were billed for the work and given the opportunity to pay prior to the District processing a lien on the property.

Fire Marshal Isaacs concluded after hearing public comment and approving the attached documents; the Fire District will be permitted to enroll (on the property tax roll) the costs incurred for abatement during the 2020 Exterior Hazard Abatement Season. Staff recommended conducting the Public Hearings, Confirm the Report for Costs of Abatement incurred by the Fire District in abating public nuisances on separate parcels of land within the Moraga-Orinda Fire District boundaries, and Adopt Resolution 21-04, Confirming and Adopting the Reported Costs Incurred by the Moraga-Orinda Fire District in Abating Public Nuisances on Certain Property within the District Pursuant to Health and Safety Code section 14912.

District Council Holtzman stated each property would be heard separately in the order below. Selene Gu requested a Chinese Mandarin translator. Zhen Hu (Willis), California Translation International, attended and provided the translation.

<u>Case #</u>	<u>Assessor Parcel #</u>	<u>Owner</u>	<u>Address</u>	<u>Amount of Lien</u>
20-1119	273-083-039	GU SELENE	103 BARBARA RD	\$6,000.00
20-0858	268-063-010	CANTAGALLO DAVID & BEVERLY	7 AUSTIN CT	\$3,750.00
20-0536	270-460-005	JANDALI NASSER	46 CEDAR TER	\$14,610.00
20-1108	273-083-033	ROACH MICHAEL & CHRISTINE	OAK RD	\$2,400.00
20-1111	273-083-032	ROACH MICHAEL & CHRISTINE	OAK RD	\$3,000.00
20-1115	273-083-031	ROACH MICHAEL & CHRISTINE	OAK RD	\$3,600.00

Property APN 273-083-039, Address 103 Barbara Rd, Owner, GU SELENE.

President Jorgens opened the Public Hearing for comment on parcel APN 273-083-039. Ms. Gu spoke in Mandarin to the Board. Zhen Hu (Willis) provided the translation for Ms. Gu and stated that Ms. Gu privately messaged Mr. Hu regarding the information that she would like to proceed with the hearing. Ms.

Gu asked Mr. Hu to translate the message to the Board or if the Board wanted Ms. Gu to speak out. District Council Holtzman answered that it was acceptable to translate the message as long as Ms. Gu authorized Mr. Hu. Mr. Hu translated that Ms. Gu owns property 103 Barber Road, Orinda, for four years. Every year her contractor, Bill Ford, is hired to maintain the land. This year, Bill helped to clean this land and was paid \$2,800. In July of last year, Ms. Gu left the United States and returned to the States on January 23, 2021. Ms. Gu was contacted by the Fire District Manager, Mr. Graham, on January 28, 2021. Ms. Gu had moved and changed addresses and is now living in an apartment in Lafayette. Ms. Gu expressed that she knows the importance of the fire hazard and prevention for the potential dangers and complies to clean her land every year. Ms. Gu stated that she has the receipt for \$2,800 for the contractor and flight ticket to prove not being in the United States and contacted the Fire District when she returned. Ms. Gu explained that the current hurdle is difficult this year, and the amount of \$6,000 is quite large. Ms. Gu became unemployed in March of 2020 and left the United States in July. Ms. Gu requested that the Fire District lower the lien and cost of the maintenance.

President Jorgens asked Fire Marshal Isaacs to review the pre-lien process and communications for the property. Fire Marshal Isaacs stated that Staff initially inspected the property on June 26, 2020, and issued a 30-day assessment. A re-inspection was performed on July 27, 2020, and no work had been completed. The property was given a 15-day Notice to Abate. Another re-inspection was conducted on August 10, 2020; no work was completed. The pre-lien notification was issued on August 10, 2020. On August 19, 2020, the Board of Directors declared the property a nuisance and ordered the Fire Chief to abate the property. On August 14, 2020, Fuels Mitigation Manager Graham met with Bill on the property to explain the fire code requirements. Mr. Hu provided a translation to Ms. Gu of the above statement.

President Jorgens asked who Bill is in regards to the property. Ms. Gu answered (in English) that Bill is her contractor.

Ms. Gu emphasized, and Mr. Hu translated that her address changed and she left the United States in July 2020; there might be missing letters. Bill has been responsible and has maintained this property every year.

President Jorgens asked if Staff communicated with Bill, who was aware of the required work. Fire Marshal Isaacs confirmed that communications occurred on August 14, 2020. On September 3, 2020, a re-inspection was performed, and no work had been accomplished. On September 23, 2020, during rounds of inspection, Fuels Mitigation Manager Graham noticed Bill performing work on the wrong parcel. Fuels Mitigation Manager Graham spoke with Bill and asked if he was supposed to be working on 103 Barbara Rd or the other parcel. Bill told Fuels Mitigation Manager Graham that he was working on 103 Barbara Rd. Fuels Mitigation Manager Graham explained Bill was working on the wrong parcel and showed him the parcel map. MOFD then received a citizen complaint about the parcel, which resulted in MOFD sending out a contractor to abate the property. Mr. Hu provided a translation to Ms. Gu of the above statement.

Ms. Gu responded, and Mr. Hu translated that the property originally purchased was the 103 and 105 Barbara Road. President Jorgens asked if Ms. Gu owned both properties. Ms. Gu explained, and Mr. Hu translated that the property had two numbers, 103 and 105 Barbara Rd, but the government combined it to one number, 103 Barbara Rd. The size of the land is the same.

Director Danziger asked Fire Marshal Isaacs if the lot having one or two numbers would change the inspections. Fire Marshal Isaacs answered the software used identifies the parcels by the assessor parcel number. Staff inspected and cited the assessor parcel number that is attached to the address of 103 Barbara Road. Mr. Hu provided the translation to Ms. Gu of the above statement. Ms. Gu responded in Mandarin, understood.

President Jorgens commented that before MOFD performed any work or issued a pre-lien notice, Staff met with Ms. Gu's contractor. The Notices did get through to someone who is the representative of the owner. The Notices were received since Ms. Gu got in touch with her contractor, and Staff met with the contractor to review the fire hazards. Fire Marshal Isaacs confirmed and stated that Fuels Mitigation Manager Graham met with Bill, who had the Notices in hand. Mr. Hu provided the translation to Ms. Gu of the above statement.

President Jorgens asked District Council Holtzman if that counts as receiving notice. District Council Holtzman affirmed but interpreted Ms. Gu's concern as contesting the amount of the lien more than whether or not the work needed to be done. District Council Holtzman added that if the notices were mailed to the appropriate place, MOFD completed the notification requirements. Mr. Hu provided the translation to Ms. Gu of the above statement.

Director Danziger asked for an explanation of the lien process. Fire Marshal Isaacs answered that once approved by the Board; the District Clerk would submit paperwork to the County for the lien to go on the next tax roll. President Jorgens added that it would not show up on the property tax bill until October and not be due for at least nine months and maybe as much as a year. Mr. Hu provided the translation to Ms. Gu of the above statement. Ms. Gu asked and Mr. Hu translated if the lien would go onto the property tax for the next year. President Jorgens confirmed.

Ms. Gu responded, and Mr. Hu translated, requesting an explanation of the \$2,000 admin fee. Fire Chief Winnacker answered that the administrative fee is defined in the Fire Code and is prescribed 50% of the mitigation costs. Mr. Hu provided the translation to Ms. Gu of the above statement.

Ms. Gu stated, and Mr. Hu translated if the lien cannot be lowered or waived, she completed her statement. The pandemic has ruined her family's daily lives, and the \$6,000 is putting the pressure on our family quite heavily.

There were no further requests to address the Board.

Motion by Director Danziger and seconded by Director Baitx to Close the Public Hearing on APN 273-083-039. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Donner, Jex, and Jorgens; Noes: None; Absent: None; Abstain: None).

Director Donner asked if the property has been an issue in prior years. Fire Chief Winnacker responded that the property did not have any previous citations and cautioned the Board that the property's previous condition is unknown. With the expansion of outreach, education, and enforcement over the last several years, Fuel Mitigation Specialists and Inspectors are operating in areas not previously inspected in the absence of a complaint.

President Jorgens added that the Board reviewed pictures for the property during the pre-lien hearing. Much work needed to be abated on the property.

Director Danziger asked if there was a structure on the property. Fire Marshal Isaacs answered no structure, and the size of the parcel is .78 acres requires complete abatement per the fire code. The invoice issued by the contractor for the abatement work states that it took two eight-hour days to complete the work with a three-person crew. Mr. Hu provided the translation to Ms. Gu of the above statement.

Director Jex asked if any of the abatement work Ms. Gu's contractor completed was not on the 103 Barbara Rd parcel. Fire Marshal Isaacs answered that the contractor had completed a portion of the abatement work on the 103 parcel, but most of the work was on neighboring parcels. Mr. Hu provided the translation to Ms. Gu of the above statement.

No further discussion by the Board.

Motion by Director Baitx and seconded by Director Danziger to include property APN 273-083-039 in Resolution 21-04, Confirming and Adopting the Reported Costs Incurred by the Moraga-Orinda Fire District in Abating Public Nuisances on Certain Property within the District Pursuant to Health and Safety Code section 14912. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Donner, Jex, and Jorgens; Noes: None; Absent: None; Abstain: None). Mr. Hu provided the translation to Ms. Gu of the above statement.

Property APN 268-063-010, 7 AUSTIN CT Owner, CANTAGALLO DAVID & BEVERLY.

President Jorgens opened the Public Hearing for comment on parcel APN 268-063-010. There were no requests to address the Board. Motion by Director Jex and seconded by Director Donner to Close the Public Hearing on APN 268-063-010. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Donner, Jex, and Jorgens; Noes: None; Absent: None; Abstain: None).

No further discussion by the Board.

Motion by Director Danziger and seconded by Director Donner to include property APN 268-063-010 in Resolution 21-04, Confirming and Adopting the Reported Costs Incurred by the Moraga-Orinda Fire District in Abating Public Nuisances on Certain Property within the District Pursuant to Health and Safety Code section 14912. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Donner, Jex, and Jorgens; Noes: None; Absent: None; Abstain: None).

Property APN 270-460-005, 46 CEDAR TER, Owner JANDALI NASSER.

President Jorgens opened the Public Hearing for comment on parcel APN 270-460-005.

Mr. Nasser, Owner APN 270-460-005, requested a continuance based on that more time is needed to prepare documentation. The notice was received last week, and a few emails were sent with no answers. Mr. Nasser stated that he would like to provide the Board with clear documentation regarding the abatement issues related to this property.

President Jorgens asked Mr. Nasser to share some of the issues with the Board. Mr. Nasser answered the substantial amount of the abatement cost is related to the neighbor's property and not his property. Mr. Nasser stated that the abatement was not his responsibility, and a good portion of this property does not belong to Mr. Nasser. Mr. Nasser continued to explain that he spent a lot of time and almost \$18,000 in abatement work before Arbor Works showed up on site. The day before Arbor Works showed up on-site, Mr. Nasser's crew was working on the property trying to finish the abatement work. Mr. Nasser expressed that all the time, he showed every intention to do the abatement work.

District Council Holtzman recommended the Board move Mr. Nasser's Hearing to the next month to ensure that Mr. Nasser has time to put together his papers.

Motion by Director Donner and seconded by Director Danziger to Close the Public Hearing on APN 270-460-005. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Donner, Jex, and Jorgens; Noes: None; Absent: None; Abstain: None).

Motion by Director Donner and seconded by Director Baitx to Continue the Public Hearing on APN 270-460-005 to the Regular March Board Meeting. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Donner, Jex, and Jorgens; Noes: None; Absent: None; Abstain: None).

No further discussion by the Board.

Properties APN 273-083-033, APN 273-083-032, APN 273-083-031, Oak Rd, Owner ROACH MICHAEL & CHRISTINE

President Jorgens opened the Public Hearing for comment on parcels APN 273-083-033, APN 273-083-032, APN 273-083-031. There were no requests to address the Board. Motion by Director Jex and seconded by Director Baitx to Close the Public Hearing on APN 273-083-033, APN 273-083-032, APN 273-083-031. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Donner, Jex, and Jorgens; Noes: None; Absent: None; Abstain: None).

No further discussion by the Board.

Motion by Director Danziger and seconded by Director Donner to include properties APN 273-083-033, APN 273-083-032, APN 273-083-031 in Resolution 21-04, Confirming and Adopting the Reported Costs Incurred by the Moraga-Orinda Fire District in Abating Public Nuisances on Certain Property within the District Pursuant to Health and Safety Code section 14912. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Donner, Jex, and Jorgens; Noes: None; Absent: None; Abstain: None).

Motion by Director Danziger and seconded by Director Donner to Adopt Resolution 21-04, with amended Exhibit A to remove APN 270-460-005, Confirming and Adopting the Reported Costs Incurred by the Moraga-Orinda Fire District in Abating Public Nuisances on Certain Property within the District Pursuant to Health and Safety Code section 14912. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Donner, Jex, and Jorgens; Noes: None; Absent: None; Abstain: None).

7.2 Public Hearing to consider the proposed revision to the Schedule of Fees for District Services (audio 54:47)

Fire Marshal Isaacs provided the report. In 2013, the District established a new fee structure based on an independent fee study analysis and in-house comparable agency survey. The fee schedule resolution includes a provision for an annual modification to fees based on the Consumer Price Index. The Consumer Price Index (CPI) for All Urban Consumers, San Francisco-Oakland-Hayward, California region, increased 1.1% effective October 2020 (most recent). In addition, new services are provided for Singular Permitted Activities, Fire Alarm and Communication Systems, and Hourly Services. The cost of providing those new services has been added to the staff report's fee schedule. Staff has also adjusted the cost of the following fees to ensure that we are reflecting and recovering our cost. Due to COVID-19, the request for tent permits has increased. With the numerous requests, Staff evaluated the amount of time and cost of inspections and plan reviews of tent permits.

The California Fire Code (CFC) and California Code of Regulations Title 19 regulates the use of tents and establishes permitting requirements. Tents with a canopy and wall greater than 400 sq. ft. or tent canopy that is 700 sq. ft. or greater are regulated by the CFC and Title 19 and require a plan review, inspection,

and issuance of an Operational permit prior to use. During the January 20, 2021 board meeting, the Board requested additional information regarding Tent permits and inspections and directed Staff to research and report their findings. Singular Permitted Activities Permits & Inspections (Tents, Booths, Special Events) reported 2019, 5 tents, 2020, 15 tents, and 2021 3 tents. Singular Permitted Activities (Tents, Booths, Special Events) Annual Revenue for 2019 - \$941, 2020 - \$390, and 2021 - \$191. Tents are regulated by size, not occupancy class. The majority of permits are for E, A Occupancies, with one permit for a residential backyard wedding. In the case of St Mary's and Saklan School, a single permit fee was charged due to the tents similarity and proximity. In the case of St Mary's College, the inspection was simplified because a single contractor erected and outfitted the tents resulting in identical conditions in each tent. Staff recommended adoption of Resolution 21-01 Adopting the new fee schedule for 2021 based on the 1.1% CPI increase and proposed new fees effective February 18, 2021.

President Jorgens opened the Public Hearing. There were no requests to address the Board.

Motion by Director Jex and seconded by Director Danziger to close the Public Hearing. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Donner, Jex, and Jorgens; Noes: None; Absent: None; Abstain: None).

Director Danziger asked who has the authority to issue citations if tents are put up without permits. Fire Chief Winnacker answered MOFD currently does not have the authority to issue citations. The Fire Marshal is working on a proposal to bring to the Board to give MOFD the ability to issue citations. The approach has been outreach and education. The community is very responsive and understands the importance of fire safety and doing what is right for both their business and customers.

No further discussion by the Board.

Director Baitx left open session at 8:05 p.m.

Motion by Director Danziger and seconded by Director Donner to Adopt Resolution 21-01 Revising a Schedule of Fees for District Services. Said motion carried 4-0-1-0 roll call vote (Ayes: Danziger, Donner, Jex, and Jorgens; Noes: None; Absent: Baitx; Abstain: None).

8. CONSENT AGENDA (audio 64:55)

8.1 Meeting Minutes – January 20, 2021 (Regular), January 20, 2021 (Special), January 22, 2021 (Special)

Staff Recommendation: Approve and File

8.2 Monthly Incident Report – January 2021

Staff Recommendation: Approve and File

8.3 Monthly Check/Voucher Register – January 2021

Staff Recommendation: Approve and File

8.4 Monthly Financial Report – January 2021

Staff Recommendation: Approve and File

8.5 Quarterly Treasurer's Investment Report – October 2020-December 2020

Staff Recommendation: Approve and File

8.6 Quarterly Ambulance Report – October 2020-December 2020

Staff Recommendation: Approve and File

Fire Chief Winnacker noted on item 8.3, Monthly Check Register has been listed by cost instead of chronological order to show larger payments that are of more interest than the smaller payments. Staff believes this presentation will make the information more accessible while still providing all of the financials. On item 8.4, Monthly Financial Report, an error was in the original packet. Under budget variance net Strike Team amount of \$724,319 was credited as revenue should have been an expense. A corrected statement was provided and posted on the MOFD website prior to the board meeting.

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

Motion by Director Danziger and seconded by Director Donner to close the Public Comment. Said motion carried 4-0-1-0 roll call vote (Ayes: Danziger, Donner, Jex, and Jorgens; Noes: None; Absent: Baitx; Abstain: None).

No further discussion by the Board.

Motion by Director Jex and seconded by Director Donner to approve Consent Agenda items 8.1 through 8.6. Said motion carried 4-0-1-0 roll call vote (Ayes: Danziger, Donner, Jex, and Jorgens; Noes: None; Absent: Baitx; Abstain: None).

9. REGULAR AGENDA

9.1 Mid-Year Budget Review FY2021 and Approval of General Fund Revenue Budget Adjustment Increase in the amount of \$3,069,285 and General Fund Expenditure Budget Adjustment Increase in the amount of \$2,022,202 (audio 69:14)

Administrative Services Director Sasser provided the report and shared a PowerPoint presentation (attached to these minutes). The development of the 2021 Annual Operating Budget occurred at the beginning of the COVID-19 pandemic. When the current fiscal year budget was prepared, it was unknown how the pandemic would affect the District's finances. As a result, in order to maintain budget flexibility, the District followed the recommendation of the GFOA and adopted a conservative budget that budgeted revenue conservatively low and expenditures conservatively high. The budget adopted in June 2020 budgeted a General Fund deficit of \$1.5M. The deficit includes contributions to both the OPEB and pension trusts that total \$2,038,000. Revenue and Expenditures are summarized:

Revenue – Exceed budget \$3.1M	Expenditures – Exceed budget \$2M
<ul style="list-style-type: none"> • Property tax revenue is projected to slightly exceed budget by \$77K. • Strike team revenue is projected to exceed budget by \$2.4M due to significant strike team activity. From July through October, we had employees deployed throughout the state at wildfires. In November and December 2020, we had employees on strike teams assisting with COVID response. • Ambulance revenue is one of the revenue categories that has been significantly affected by COVID. I have another slide prepared to highlight the ambulance changes in more detail later in the presentation. Through the mid-year, ambulance revenue is projected to exceed budget by \$439K. • Plan review revenue is projected to exceed budget by \$136K due to continued development in Wilder. 	<ul style="list-style-type: none"> • Salaries are projected less than budget by \$223K due to four vacant firefighter paramedic positions. • Strike team overtime costs, which correlate with increased revenue on the left, are projected to exceed budget by \$1.5M due to the increased activity. • Staffing overtime is projected to exceed budget \$819K due to increased leave usage. • Retirement contributions are projected less than budget by \$204K due to the four vacant firefighter paramedic positions. • Services and supplies expenditures are projected to exceed budget by \$167K due to increased fleet repair and maintenance costs, increased usage of outside attorneys related to fire prevention updates, and increased strike team supplies expenditures.

Based on the updated projections through the mid-year, the projected deficit has decreased from \$1.5M to \$441K. The General Fund revenue by month graph reflects budgeted revenue, actual revenue (trending higher than budget and higher than the prior year), illustrated on the graph.

The General Fund expenditures by month graph represent the current year and show expenses are trending above the budget and the prior year.

The Ambulance activity graph indicates the number of transports by month for the current fiscal year and the prior fiscal year. The graph shows how ambulance transports decreased in April through June 2020 due to COVID. Transports through the mid-year are still less than the prior year transports as reflected on the graph.

The Strike Team activity graph reflects strike team activity for the last five years. The graph illustrates the strike team revenue, strike team overtime expense, and surplus from strike team activity. The surplus from strike team activity has gone into the General Fund over the last five years. Fiscal Year 2021 is the highest amount and is projected to be \$1M. Strike team surplus has fluctuated significantly each year.

The Unrestricted Cash and Investments graph details current year's cash flow compared to the prior year. The District received its latest major cash inflow in December 2020. The District had significant cash outflow for strike team overtime and did not begin to receive reimbursement for the strike team overtime until January 2021.

The District utilized the Teeter plan in early December for \$400,000. The District started the fiscal year with \$9.6M in General Fund unrestricted fund balance. The District budgeted \$150K for COVID-related expenditures for FY2021. Through the mid-year, \$20,185 has been spent.

There is nothing significant to report regarding the District's other three funds. Actual results in these three funds are trending appropriately. No budget adjustments are necessary.

Staff has provided two financial updates this fiscal year. Financial updates will be presented again after quarters three and four. Staff recommended two mid-year General Fund budget adjustments. The first is to increase revenue in the amount of \$3,069,285, and the second is to increase expenditures in the amount

of \$2,022,202. If the budget adjustments are approved, the revised General Fund budget deficit would be \$440,576.

President Jorgens opened Public Comment. There were no requests to address the Board. Motion by Director Danziger and seconded by Director Jex to close Public Comment. Said motion carried 4-0-1-0 roll call vote (Ayes: Danziger, Donner, Jex, and Jorgens; Noes: None; Absent: Baitx; Abstain: None).

Director Jex asked how long MOFD borrowed the \$400,000 in December. ASD Sasser answered for a two-week period. Fire Chief Winnacker added that payment is still pending from the State for the Strike team expenses, which caused the loan from the Teeter plan. Director Jex asked how much is outstanding after the Fall invoices are processed. Fire Chief Winnacker answered \$673K. Director Jex asked how much is outstanding from the State. Fire Chief Winnacker answered \$1.8M. Director Jex asked if the numbers that we are looking at when looking at the adjustments are reflected amounts as revenue. ASD Sasser confirmed. Director Jex restated when looking at the status it reflects those receivables that have not yet been paid. ASD Sasser confirmed.

President Jorgens commented on ambulance revenues did not realize that MOFD writes off more than half of the ambulance revenue. President Jorgens suggested on the statements presented; it would be interesting to have both the gross revenue and the write-off in the net. President Jorgens added that it raises a question about adjusting how much we charge auto insurance companies or other entities rather than Medicare and Medi-Cal and residents, a possible future agenda item.

Director Danziger asked if the North Orinda Shared Fuel Break's administrative funds are included in the budget. Fire Chief Winnacker confirmed that it is carried in the unrestricted reserve and stated pending Board Direction on agenda item 9.3. Director Danziger asked for more information on the increase in leave usage. Fire Chief Winnacker explained the sick leave usage is due to COVID and our policy, which states that given the congregate setting that members live in for 48 to 72 hours at a time if you do not feel quite right, do not come to work. If you think you have had exposure to COVID, do not come to work. COVID exposure only converts to workers' compensation following a positive test, which returns to the rational supporting the additional sick leave that the Board previously approved. Other leaves have factors that include sending someone to a class required by the District, and vacation leave also has various factors.

Director Jex asked what the expectation is for the next year's strike team activity. Fire Chief Winnacker answered that it is unknown and unknowable in advance.

No further discussion by the Board.

Motion by Director Danziger and seconded by Director Donner to Approval of General Fund Revenue Budget Adjustment Increase in the amount of \$3,069,285 and General Fund Expenditure Budget Adjustment Increase in the amount of \$2,022,202. Said motion carried 4-0-1-0 roll call vote (Ayes: Danziger, Donner, Jex, and Jorgens; Noes: None; Absent: Baitx; Abstain: None).

9.2 Determine the Amount of the OPEB Trust Contribution and the Amount of the Pension Rate Stabilization Program Trust Contribution for Fiscal Year 2021 and Authorize the Transfer of District Funds to Complete the Trust Contributions (audio 92:52)

Administrative Services Director Sasser provided the report. The District participates in the Public Agency Retirement Services (PARS) Post-Employment Benefits Trust. The District's PARS trust account includes money set-aside for other post-employment benefits (OPEB), retiree medical benefits, and money set-aside for the pension rate stabilization program to pre-fund pension costs. The District makes annual contributions to both accounts. The Board has the authority to decide the amount and timing of any contributions. The fiscal year 2021 Budget includes \$475,482 for the OPEB contribution. June 30, 2020, OPEB actuarial valuation report (most recent) calculated a trust contribution of \$331,633. Past contributions are listed in the staff report and range from a low of \$84K to a high of \$559K. The fiscal year 2021 Budget includes \$1,562,792 for the Pension Rate Stabilization Trust contribution. Past contributions are listed in the staff report and range from a low of \$300K to a high of \$1.1M. Staff requests Board direction regarding the amount of the Pension Rate Stabilization Trust contribution and the amount of the OPEB trust contribution.

Fire Chief Winnacker continued that once the Board has determined the amount of the OPEB and Pension Rate Stabilization Trust contributions, Staff requests the Board authorize the transfer of District funds to complete the trust contributions. The balance and investment return history was provided in the staff report. Fire Chief Winnacker pointed out that the rise in the Pension Rate Stabilization Trust fund to the full actuarially recommended contribution has been included in the Long-Range Financial Forecast for a number of years. The staff recommendation is based on previous discussion on the review and adoption

of the Long-Range Financial Forecast. Staff recommended the Board determine the amount of the OPEB trust contribution and the amount of the Pension Rate Stabilization Trust contribution for fiscal year 2021 and authorize the transfer of District funds to complete the trust contributions.

President Jorgens opened Public Comment. There were no requests to address the Board. Motion by Director Donner and seconded by Director Danziger to close Public Comment. Said motion carried 4-0-1-0 roll call vote (Ayes: Danziger, Donner, Jex, and Jorgens; Noes: None; Absent: Baitx; Abstain: None).

Director Danziger asked if there was a deadline requirement to authorize the transfer of funds or if it was possible to authorize the transfer of funds next month. Fire Chief Winnacker responded that there is no obligation to proceed by a specific date.

Director Jex asked the amount to fund the full actuarial amount to the Pension Rate Stabilization Trust contribution. ASD Sasser stated that this was the first year the payments were up to the full actuarial amount at the 6.25% assumed rate of return. President Jorgens asked if the \$1,562,792 is the actuarial contribution. Fire Chief Winnacker confirmed.

Director Danziger asked for clarification on the difference between the calculated trust contribution of \$331,633 and the budgeted amount of \$475,482. ASD Sasser explained that when the Actuary compiles the report, the Actuary takes updated census information, information on health insurance plans that retirees and employees are enrolled in, and investment earnings on the OPEB account. This information is why the numbers fluctuate. Based on the most recent information, \$331,633 is the recommended contribution.

President Jorgens proposed contributing the calculated trust contribution amount. Director Danziger agreed and stated the ramifications would reduce the bottom line deficit by the difference in the calculated trust contribution amount and what was budgeted.

No further discussion by the Board.

Motion by Director Donner and seconded by Director Danziger to Approve \$331,633 contribution for the OPEB Trust Contribution and \$1,562,792 for the Pension Rate Stabilization Program Trust Contribution for Fiscal Year 2021 and Authorize the Transfer of District Funds to Complete the Trust Contributions. Said motion carried 4-0-1-0 roll call vote (Ayes: Danziger, Donner, Jex, and Jorgens; Noes: None; Absent: Baitx; Abstain: None).

9.3 Determine Transfer of the Fund Balance in the North Orinda Emergency Fuel Break Fund Generated from the Administrative Fee for the State of California Fuel Break Contract in the amount of \$446,887 and close the North Orinda Emergency Fuel Break Special Revenue Fund Effective June 30, 2021 (audio 104:24)

Fire Chief Winnacker provided the report. In 2019, the District entered into a contract with the State of California, Natural Resources Agency, Department of Forestry, and Fire Protection to create the North Orinda Emergency Fuel Break. The project is complete, and the District has received payment-in-full from the State of California in the amount of \$4,250,000. The contract provisions included an administrative fee of 12% paid to the District. The administrative fee has been received and resulted in a fund balance in the North Orinda Emergency Fuel Break Fund in the amount of \$446,887. Now that the project is complete, generally accepted accounting principles require the District to transfer the fund balance out of the North Orinda Emergency Fuel Break Fund and close the fund by June 30, 2021. The fund balance is considered non-recurring, one-time money because it was from a one-time contract. Fire Chief Winnacker reviewed the options for Board consideration which included transfer the money to the Capital Projects Fund committed for future capital needs; transfer the money to the General Fund to increase unrestricted fund balance to move the District closer to the board directed goal of 50% of budgeted revenue, or create a special multi-year fund for fuel mitigation efforts. Staff recommended the Board determine the transfer of the fund balance in the North Orinda Emergency Fuel Break Fund in the amount of \$446,887 and close the North Orinda Emergency Fuel Break Special Revenue Fund effective June 30, 2021.

President Jorgens opened Public Comment.

Jonathan Goodwin, Canyon resident, asked about the status of capital projects that need to happen. Fire Chief Winnacker answered a pending rebuild of Station 41, associated rebuild of Administration, major remodel of Station 45, and future apparatus acquisition replacement. Mr. Goodwin asked if there is funding for the projects. Fire Chief answered there are not sufficient funds. Mr. Goodwin asked if the money would make an impact. Fire Chief answered it would not.

There were no further requests to address the Board.

Motion by Director Danziger and seconded by Director Donner to close Public Comment. Said motion carried 4-0-1-0 roll call vote (Ayes: Danziger, Donner, Jex, and Jorgens; Noes: None; Absent: Baitx; Abstain: None).

Director Danziger asked for confirmation that the \$446,887 is presently in the budget as revenue and is already in the General Fund. Fire Chief Winnacker stated that the funds are currently in the North Orinda Shaded Fuel Break fund.

President Jorgens asked Fire Chief Winnacker for a recommendation. Fire Chief recommended the available funds be put towards fuels mitigation/reduction given the source of the revenue and the community's need. Recent grant money has shown that targeted programs, like the chipper program can unlock a community's ability to make major fuel reductions in their neighborhoods. Programs like this can improve the ability to build a sense of neighborhood and an understanding of the fuel requirements. The district does not have the capacity to spend it in a single year and a thoughtful program would spread these funds over a three to four-year period. Director Donner asked what the District is planning on getting out of the Measure R money regarding fuel mitigation. Fire Chief Winnacker stated that Measure R is a City of Orinda initiative and deferred to the City of Orinda oversight committee regarding how they plan to spend that money.

Director Danziger opposed creating a special fund for fuels mitigation and supported transferring the money to the General unrestricted Fund. Director Donner agreed.

President Jorgens supported the idea of a special fund for fuel mitigation since the revenue came from a grant for the Orinda Shaded Fuel Break, and no overhead expenses were incurred. The economy is turning around, and many of the revenue items are getting better. There is a lot of community support for doing more, being more proactive, and leading our community's efforts, to regulate the fire code and help people live up to the fire code's requirements. MOFD could be a leader with incentives for people to carry out those actions and a good place for our fire district to gain extra recognition from the public for being good leaders and leading our community where it needs to go.

Director Jex stated that it is compelling to take advantage of the funds, facilitate additional grants and keep our Staff engaged in that activity. Particularly, since the proposal would facilitate work into Moraga and up to the West part of the District. Director Jex suggested that the funds go into the General Fund and then designate it for future expenditures over a year for fuel mitigation purposes.

Director Danziger opposed putting the funds into a special fund dedicated to fuels mitigation until more details on how the money would be used are presented.

Director Baitx returned to open session at 8:56 p.m.

President Jorgens asked Fire Chief Winnacker if Staff would like to move the agenda item to March in order to prepare a plan to use the funds. Fire Chief Winnacker stated that the CWPP process would become the overarching plan to go into a specific proposal. Moving the funds into the General Fund means it remains unrestricted and is still available. Fire Chief Winnacker requested deferment until the CWPP is complete and can be used as the roadmap.

Director Baitx clarified the discussion for item 9.3 to determine where to allocate the 12% administrative fee. Fire Chief Winnacker confirmed. Director Baitx opposed earmarking the funds for one specific project or one area and supported the idea of placing the funds in the General Fund.

President Jorgens reiterated that the item could be moved forward for future discussion with a more detailed plan or vote on the proposed recommendation.

No further discussion by the Board.

Motion by Director Baitx and seconded by Director Danziger to Transfer the Fund Balance in the North Orinda Emergency Fuel Break Fund Generated from the Administrative Fee for the State of California Fuel Break Contract in the amount of \$446,887 to the General Fund and close the North Orinda Emergency Fuel Break Special Revenue Fund Effective June 30, 2021. Said motion carried 3-2-0-0 roll call vote (Ayes: Baitx, Danziger, Donner; Noes: Jex and Jorgens; Absent: None; Abstain: None)

9.4 Draft Community Wildfire Protection Plan (CWPP) Update (audio 120:14)

Fire Chief Winnacker provided the report. In December 2020, Staff presented the MOFD Board with a draft CWPP document for review. In January and February, 2021 staff provided three community presentations for Orinda, Moraga, and Canyon/Bollinger. These presentations were held to explain the draft CWPP to inform public input and participation. A link for public comment has been included on the District website, and Staff answered questions in real-time during the presentations. As discussed in December, a CWPP helps communities develop a shared understanding of wildfire and wildfire management. They include knowledge built on local ecological issues, including the role of fire in the area's ecology, and identify specific, local wildfire preparedness challenges. For this reason, public input is a critical element of CWPP development. The current version of the CWPP, public input form, and the three community presentations are available on the District website. Following the presentation, the District will continue to collect input and has scheduled a stakeholder meeting on February 23, 2021. At this meeting, relevant agencies will meet to discuss their current fire prevention and fuel mitigation efforts to inform the CWPP. Stakeholders who have been invited to this meeting include EBRPD, EBMUD, John Muir Landtrust, CalTrans, County Roads, BART, Moraga School District, Orinda Union School District, Canyon Elementary School District, Acalanes Union High School District, St Mary's College, Orinda Country Club, Moraga Country Club, City of Orinda, and Town of Moraga.

Following these meetings, Staff proposes holding a public workshop either in conjunction with the MOFD regular board meeting on March 17 or at a special meeting on a date to be determined by the Board. Following this workshop, Staff will seek the Board's direction regarding the need for additional meetings before bringing the final document to the Board for approval.

President Jorgens opened Public Comment.

Jonathan Goodwin, Canyon resident, expressed his disappointment with the community aspect of the CWPP because it did not feel communal, not knowing who else is on the call. Mr. Goodwin stated that he asked questions that were not answered. Mr. Goodwin commented that the Stakeholders listed are not the municipalities and suggested that the subcommittee include the CWPP on their agenda for comments.

There were no further requests to address the Board.

Motion by Director Jex and seconded by Director Donner to close Public Comment. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Donner, Jex, and Jorgens; Noes: None; Absent: None; Abstain: None).

Director Danziger commented that he attended one of the CWPP presentations and felt it was comprehensive. In reviewing some of the questions, some of the questions were off topic. The CWPP has also been discussed at the Fire Prevention subcommittee. The Town of Moraga and the City of Orinda are aware of CWPP and will be commenting on it from their perspective. President Jorgens added that some of the Town Council Members are representative to various municipalities and have attended the various presentations. Director Danziger concluded that there is ample opportunity to comment and provide input. If we were not in a pandemic, we would have more public forums. Right now, everyone is under the same restrictions for conducting meetings.

Director Donner announced that he would be out of the country for the March 17, 2021 regular board meeting and requested the CWPP public workshop be held on a different day.

Fire Chief Winnacker added that the community meetings held so far had been designed to be an introduction and explanation of the CWPP as written. It was the opportunity for the CWPP to be explained as it is a complex and dense document. Staff hopes that the community will engage in the participation process, and the public workshop or workshops could be a very lengthy process. All Directors supported having the CWPP public workshop on a different day than the March Regular Board Meeting.

Fire Chief Winnacker suggested waiting until after the first stakeholder meeting scheduled on February 23, 2021. Once the stakeholder input is received, Staff will have a better sense if additional Stakeholder meetings are needed in order to conclude the stakeholder process. Once that process has concluded, it would make sense to hold the public workshop. Fire Chief Winnacker proposed holding the first stakeholder meeting on February 23, 2021. On February 24, 2021, Staff will provide an update to the Directors directly (in accordance with the Brown Act) about the assessment and progression of scheduling a public workshop.

President Jorgens concluded that the date for the CWPP is to be determined and to be scheduled on a different night of a regular board meeting.

Director Danziger asked why PG&E was not on the stakeholder list for the CWPP. Fire Chief Winnacker answered they own two parcels in the District which are very compliant and not subject to our regulations. The CPUC regulates PG&E.

No further discussion by the Board

10. COMMITTEE REPORTS (audio 138:50)

10.1 Audit Committee (Directors Danziger and Jex)

No report.

10.2 Finance Committee (Directors Danziger and Jorgens)

No report.

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

No report.

10.4 Joint Fire Prevention Ad Hoc Committee (Directors Danziger and Jorgens)

President Jorgens updated that the subcommittee has a new Chair. The next committee meeting will talk about emergency communication systems. District Supervisor Candace Anderson attended. Director Danziger added that the new chairperson is councilmember Faye from the City of Orinda. Director Donner asked if the committee talked about Measure R money. President Jorgens answered that Special Advisory committee has been formed to advise the Orinda City Council on spending those funds which include fuel mitigation, roads and storm drains.

President Jorgens opened Public Comment.

Jonathan Goodwin, Canyon resident, commented that the business of the police and the municipalities in Orinda coordinating with the residents should be high on the priority list for fuel mitigation. Fires on this side of the hill do not spread the same as they do on the other side of the hill in Alameda County. The Chief talks about how the Tunnel fire spread and does not say that there were two concurrent fires in Orinda that did not spread in the same fashion. When the Chief talks about how fires spread in this area, he points how they spread in Oakland and not how they spread in Orinda on the same day. The potential loss of life may not be due to fast-spreading fires, but instead in areas that people will get choked due to traffic and parking patterns. The police are not prepared to deal with this in the area. The residents in the areas where they are most likely to die are not prepared for this. Mr. Goodwin suggested that the subcommittee should take this topic up and should be recognized as a priority.

President Jorgens commented that this topic was discussed at the Fire Prevention subcommittee which led to an agenda item at the City Council meeting in Orinda. The City Council of Orinda voted to change the street parking and road closure rules. A number of topics come out of the Joint Fire Prevention subcommittee and is an ongoing discussion at the City Council in Orinda.

Jonathan Goodwin, Canyon resident, responded that there needs to be a focused discussion and suggested the Chief rewrite the CERT curriculum. Mr. Goodwin suggested CERT prepare people in neighborhoods to know their neighbors and perform drills in neighborhoods.

President Jorgens suggested that Mr. Goodwin attend the Firewise meetings, where these issues are discussed. In these meetings, they encourage people to know their neighbors and have Firewise Block Captains. Many of these actions are happening in the Firewise communities, which has been strongly encouraged by the Fire Chief.

There were no further requests to address the Board.

Motion by Director Danziger and seconded by Director Donner to close Public Comment. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Donner, Jex, and Jorgens; Noes: None; Absent: None; Abstain: None).

11. ANNOUNCEMENTS (audio 145:59)

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

(Government Code Section 53232.3(d))

No report.

11.2 Questions and informational comments from Board members and Staff

Director Donner requested that March 17, 2021, Regular Board meeting be moved to March 24, 2021, since he will be out of the country. Directors Baitx and Jorgens were not available on March 24, 2021. March 17, 2021, Regular Board meeting stayed as scheduled.

11.3 Fire Chief Updates

11.3.1 COVID-19

Fire Chief Winnacker provided the report. Members have returned who were deployed out of the area, supporting hospitals with firefighters/paramedics. MOFD continues to support the community vaccination sites in East County, West County, and San Ramon both at the staff level and in the field. There is no anticipated end date for supporting the vaccination sites. As the Governor mentioned, the limiting factor is vaccine supply. The sites have been pushing about 500 shots a day at those fire service-run sites but capable of servicing 1,000 if additional resources were available. The Governor's direction has been to keep those sites open, so they are in place as the vaccine supply bottlenecks are cleared out. Staff continues to maintain the disease transmission protocols and follow the CDC guidance. Post-vaccination, there still is uncertainty concerning the degree to which you can spread the virus. Internal COVID procedures have not changed, and the district anticipates keeping those in place for the foreseeable future.

11.3.2 Human Resources

Fire Chief Winnacker announced that Human Resources Benefits Manager Russell took a position with another agency. Administrative Services Director Sasser provided the report. Human Resources Manager Russell's last day is February 23, 2021. Recruitment has been released with a final deadline to apply on March 3, 2021.

Sophia Gougoumis is our new Fuels Mitigation Specialist. Ms. Gougoumis has recently completed her AA degree in fire technology and comes to us from Contra Costa County Fire District, where she worked as a district aide. Currently, one Fuels Mitigation Specialist position remains open. The filing deadline is Thursday, February 18, 2021. Nineteen applications have been received, and Zoom interviews will occur on Monday, February 23, 2021.

A captain's promotional examination will take place in June 2021 per the District's recruitment schedule. The policy indicates a 90-day application period be released. The application period will be from March 1 through June 1, 2021.

11.3.3 Fire Marshal

Fire Marshal Isaacs provided the report. The Diablo Fire Safe Council reached out to MOFD and asked for help to spend funds from a Cal Fire grant. The grant is to remove hazardous fuels along evacuation routes in State Responsibility Area or Local Responsibility Area, very high fire hazard severity zones, or Wildland Urban interface fire area. Staff has been working with the Firewise communities to identify these areas and have crews out chipping. Fire Marshal Isaacs thanked the Firewise neighborhoods for all the help by talking to their neighbors, helping speed the process, and spend \$75,000 by the March 15 deadline. Fire Marshal Isaacs shared a Fire Prevention Report for January 2021, attached to these minutes.

Director Danziger asked if there is a need for additional projects for the Diablo Fire Safe Council funds. Fire Marshal Isaacs stated that additional projects are needed and can send the link to sign up.

Fire Chief Winnacker stated that staff continues to work on the budget process for next year, working with the Program Managers to identify needs and prioritize those needs within the budget constraints. Staff is making progress towards the completion of the training facility behind Station 41. It is anticipated that the project will progress forward shortly, closing the gap in our ability to conduct realistic training. Staff is beginning preparations for the upcoming Fire Season.

11.4 Communications Received

No Report.

11.5 Future Agenda Items

Director Danziger suggested adding an informational report on wood-burning fireplaces and Fire Code regulations. President Jorgens commented that fireplace regulations fall under other organizations, and the fire district regulates fire dangers and not pollution dangers. Fire Chief Winnacker added that the fire code regulates the installation of wood-burning appliances in new constructions. Future Fire Code adoptions could be written to ban fireplaces. A change in the Fire Code would require adoption by the City of Orinda and the Town of Moraga, the County Board of Supervisors, and the MOFD board.

Fire Marshal Isaacs reviewed the current regulations regarding wood-burning appliances. The building department regulates the wood-burning fireplace or stove through the building code. The Fire code would review the screening outside the chimney of the fireplace or the woodstove. The Fire Code regulations are on the outdoor burning in fire pits. The building code governs a single-family residence or R-

occupancy with a fireplace, and the Bay Area Air Quality Management District also controls when you can burn and when you cannot burn based on their standards. Director Danziger thanked both the Fire Chief and Fire Marshal for clarifying and answering the questions. The informational report is not necessary for future meetings.

President Jorgens opened Public Comment.

Jonathan Goodwin, Canyon resident, suggested adding to a future agenda item identifying locations of where people in the District are most likely to die from a wildfire and the specific areas.

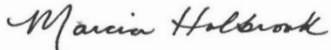
President Jorgens stated that the discussions are happening at the City Council of Orinda and other various meetings.

There were no further requests to address the Board.

Motion by Director Baitx and seconded by Director Danziger to close Public Comment. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Donner, Jex, and Jorgens; Noes: None; Absent: None; Abstain: None). No further discussion by the Board.

12. ADJOURNMENT (audio 164:21)

At 9:45 p.m., Director Jex motion and seconded by Director Baitx to adjourn the meeting. Said motion carried 5-0 roll call vote (Ayes: Baitx, Danziger, Donner, Jex, and Jorgens; Noes: None; Absent: None; Abstain: None).



Marcia Holbrook,
District Secretary/District 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>.

From: [Lionsgate8](#)
To: [Holbrook, Marcia](#)
Subject: Eliminating Wood Burning Fireplaces, due to hot embers, fire hazard,in cold dry weather
Date: Wednesday, February 17, 2021 1:22:44 PM

Hello, MOFD Staff and Marcia,

I hope all are doing well at this time.....

If possible, for the discussion if it is preventable to do to help prevent fires in our area please consider the following: This issue may be brought up at the next MOFD meeting in March if needed, and approved that it is a viable issue for fire prevention, and proactive to maintain ones Home Insurance premiums intact.

Elimination of all Wood Burning Fire Places (replace with Gas Fireplace as alternative): Gas Fire Alternative has a different chimney cap that allows for air exchange, but embers can not fly, and small rodents, can not crawl back into the air flow area...

Reason: To prevent embers from possibly escaping during wood burning in the cold dry weather and starting potential fires(gutters and roof may have leaves,twigs in them from wind events).

People may light the Wood Burning Fire Places, during Power Outages when there is a High Wind warning, Red-Flag warning, during cold. This could cause potential for a fire when the chimney has wind gusts and has air up-drafts due to the weather.

Also more Healthier to not burn wood for the home residents, respiratory health, and the health of others in near by homes who are sensitive to smoke.

The other health issue with wood burning fireplaces, is often there are areas within the chimney due to the old design, that allow small rodents;squirrels, roof rats, and mice to lodge into a area where it could cause Carbon Monoxide poisoning, as well as living in roof areas....Rodent occupation can also be a source of frayed home wires and cause a house fire as well...

Please let me know is thought of this.

Thank You.

Cheryl M. Ku, Moraga Resident.



Mid-Year Budget Review

July 1, 2020 – December 31, 2020

FY2021 Budget Adoption COVID-19

- Significant economic uncertainty due to COVID-19 pandemic
- Government Finance Officers' Association recommended local governments maintain budget flexibility:
 - Budget revenue conservatively low
 - Budget expenditures conservatively high
- District adopted conservative budget

Adopted General Fund Budget June 2020

- Budgeted deficit of \$1.5M
- Expenditures included
 - Pension trust contribution \$1.6M
 - OPEB trust contribution \$475K

	General Fund Budget
Revenue	\$24.8M
Expenditures	\$26.3M
Deficit	(\$1.5M)

Quarter Two Financial Update

Revenue – Exceed budget \$3.1M Expenditures – Exceed budget \$2M

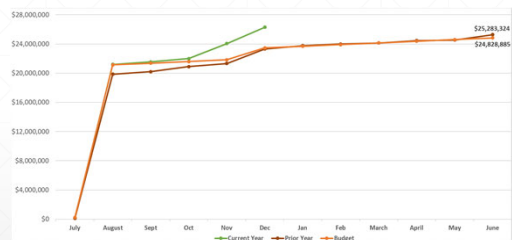
- Property tax – exceed budget \$77K
- Strike team revenue +\$2.4M
- Ambulance services +\$439K
- Fire prevention/plan review +\$136K
- Salaries (\$223K)
- Strike team overtime +\$1.5M
- Overtime +\$819K
- Retirement contributions (\$204K)
- Services & supplies +\$167K

Quarter Two Projected General Fund

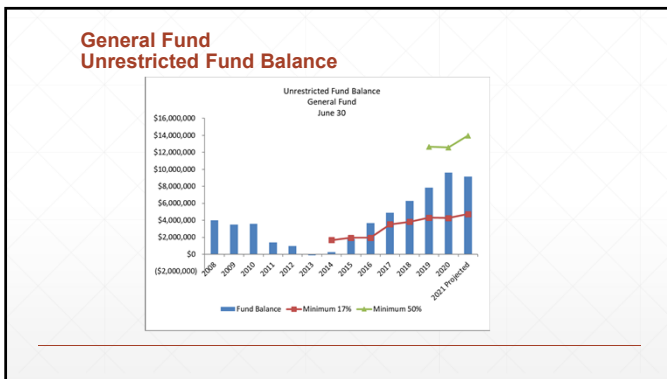
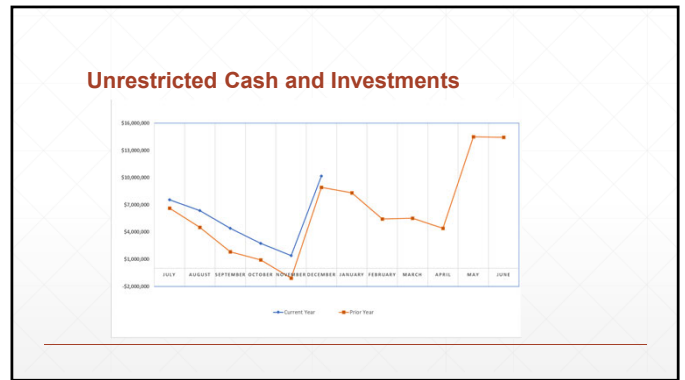
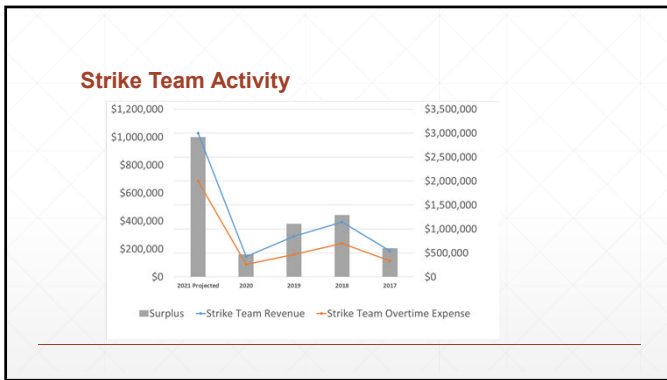
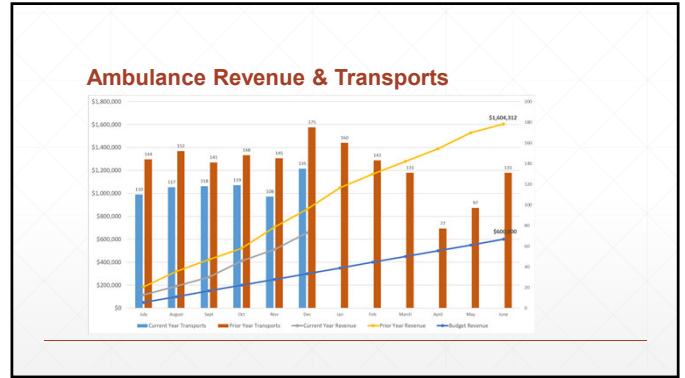
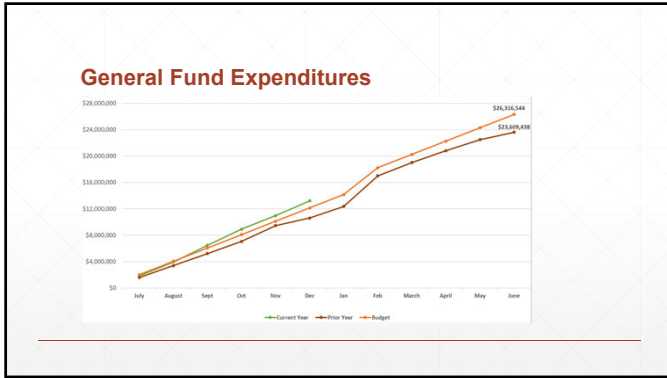
- Adopted Budget deficit of \$1.5M
- Updated deficit \$441K
 - Pension trust contribution \$1.6M
 - OPEB trust contribution \$475K

	Updated General Fund Projections
Revenue	\$27.9M
Expenditures	\$28.3M
Deficit	(\$441K)

General Fund Revenue



9.1 Attachment A



COVID-19 Expenditures FY2021

Expenditures July 1 through December 31, 2020	
Respirators	\$5,956
Technology equipment – work from home	3,165
EMS backpacks/medic bags	2,416
Personal protective equipment and supplies	2,447
Cleaning of Station 45	1,840
Testing and quarantine expenses	625
Rescue One donation	(1,800)
Total	\$20,185

Recommended Budget Adjustments General Fund

Revenue – Increase \$3,069,285 Expenditures – Increase \$2,022,202

Revised deficit \$440,576

Other Funds

- Capital Projects Fund – Projected surplus \$210K
- Debt Service Fund – Projected surplus \$260K
- North Orinda Emergency Fuel Break – Ending fund balance \$446,887

Financial Update Plan FY2021 and COVID



Operating Expenses Recommended Budget Adjustments

Central Garage Repairs	\$100,000
Outside Attorney Fees	50,000
Maintenance – Equipment SCBA	20,000
Strike Team Supplies	43,100
Recruiting Costs	(15,000)
Misc. Services - GIS	(25,000)
Other	(6,439)
Total Budget Increase	\$166,661



Moraga-Orinda Fire District

Office of the Fire Marshal

Fire Prevention Report January 2021

Number of Complaints: 80

Types of Complaints:

- Dead tree- 25
- Exterior Hazard-10

Exterior Hazard Inspections 2021:

- Number of Assessments- 0
- Number Pass- 0
- Number Failed- 0
- Number of first inspections Passed- 0
- Number of first inspections Failed- 0
- Number of failed properties moving to pre-lien hearing- 0
- Number of Liens Issued-0,
- Amount of Liens Issued-\$0-
- Property Transfer Inspections - 45

Plan Review:

- 2020- 296
- 2021

January-55

April-

July-

October-

February-13

May-

August-

November-

March-

June-

September-

December-

State Mandated Inspections:

- E (Educational) Occupancy-14
- R2 (Apartments, Dorms) Occupancy-0
- B (Business) Occupancy-0

Chipping:

- Number of days-15
- Total estimated material removed-43 tons

Current Projects:

Grant Funded Fuels Mitigation, New hire Orientation, Interviews for Fuels Mitigation Staff

Plan for This Quarter:

Training for new hire fuels mitigation staff, return to chipper program, prepare for exterior hazard inspections