



# Moraga-Orinda Fire District

## Board of Directors

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### **PUBLIC WORKSHOP AND REGULAR MEETING**

**April 20, 2022 – 6:00 PM**

6:00 p.m. CLOSED SESSION

7:00 p.m. OPEN SESSION

This meeting will be conducted by webinar and teleconference only in accordance with AB 361. To protect our residents, officials, and staff, and in accordance with AB 361, all public meetings are being conducted electronically to prevent imminent risks to the health or safety of attendees. The meeting is not available for in-person attendance. Members of the public may attend the meeting by video or phone linked in this agenda.

#### PLEASE NOTE TELECONFERENCE MEETING INFORMATION:

To join the Meeting:

By Phone: 1-669-900-6833

Please click the link below to join the webinar by Zoom:

<https://us02web.zoom.us/j/83954684077>

Webinar ID: 839 5468 4077

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**Public Participation** is encouraged by joining via the ZOOM link or the dial-in information above. You can access it either via a smartphone or computer App (Zoom) or via phone.

**Live Public Comment** can be provided via the Zoom app (during public comment) by the raise hand feature. If participating by phone, dial \*9 to *raise your hand*. Staff will call on participants by the name provided or last 4 digits of phone number for dial-in attendees. When your name or number is called, a notification is sent requesting that you unmute your microphone. Participants will be called in the order of hands raised to comment.

**Written Public Comment** can be provided via email at [info@mofd.org](mailto:info@mofd.org).

- Emails received by **3pm** on the day of the meeting will be forwarded to the Board of Directors. Emails will be made a part of the public record and available to view by 5pm on the day of the meeting by following this link [mofd.org/agendas](http://mofd.org/agendas)
- Comments may also be submitted by e-mail during the meeting up until the closure of the public comment period on the relevant agenda item. These will be read into the record by staff at their normal cadence and will be limited to a maximum of 3 minutes.

If you are participating via meeting link (i.e. web platform), and experience technological difficulties, please re-join the meeting by phone via phone number provided above. In the event the meeting broadcast is disrupted, or if a technical issue on the agency's end disrupts public comment, the board will pause the meeting and will not take any further action on items on the agenda until access is restored. The meeting will be live streamed via the [MOFD YouTube Channel](#). A link is accessible via the District's website.

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#### 1. OPENING CEREMONIES

- Call the Meeting to Order
- Roll Call

#### 2. CONSENT AGENDA

##### 2.1 **Adopt Resolution 22-10 Re-Ratifying Findings and Determining A Need to Continue Holding Remote Meetings By Teleconference**

**Staff Recommendation:** Adopt Resolution 22-10 Re-Ratifying Findings and Determining A Need to Continue Holding Remote Meetings By Teleconference

[Resolution 22-10, A Resolution Re-Ratifying Findings and Determining A Need to Continue Holding Remote Meetings By Teleconference.pdf](#)

3. PUBLIC COMMENT - CLOSED SESSION ITEMS

General public comment on any closed session item that will be heard. Comments may be limited to no more than three minutes pursuant to board policy.

4. CLOSED SESSION

4.1 **Conference with Labor Negotiator - Fire Chief**

(Government Code Section 54957.6)

Employee Organization: Fire Chief

Agency Designated Representative: Jonathan Holtzman

4.2 **Conference with Legal Counsel – Anticipated Litigation**

Significant Exposure to Litigation under Government Code Sections 54956.9(d)(2) and 54956.9(e)(3) – one potential case

4.3 **Conference with Legal Counsel - Existing Litigation**

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

Name of case: *Nowicki v. Contra Costa County Employees' Retirement Association et al.*, U.S.

District Court, California Northern District Case No. 3:17-cv-00629-EDL

5. RECONVENE THE MEETING

- Call the Meeting to Order
- Roll Call
- Pledge of Allegiance

6. REPORT OF CLOSED SESSION ACTION

7. PUBLIC COMMENT – ITEMS NOT ON THE AGENDA

At the beginning of each regular District Board meeting, any member of the public may address the District Board concerning any item not on the Board's agenda but within the subject matter jurisdiction of the Board. Speakers will be limited to three (3) minutes unless otherwise specified by the Presiding Officer. The public will be given an opportunity to speak on each agenda item at the time it is called. The Board may discuss and/or take action regarding any or all of the items listed below. Once the public comment portion of any item on this agenda has been closed by the Board, no further comment from the public will be permitted unless authorized by the Board and if so authorized, said additional public comment shall be limited to the provision of information not previously provided to the Board or as otherwise limited by order of the Presiding Officer or the Board.

8. PROCLAMATION

8.1 **Proclamation Thanking Kaitlyn Roach for her Volunteer Service to the Moraga-Orinda Fire District**

The MOFD Board will present a proclamation honoring Kaitlyn for volunteering her time, actions, and talents to the education and outreach of fire prevention measures to increase the community's awareness of fire safety and fuel mitigation.

[Kaitlyn Roach Proclamation](#)

8.2 **Proclamation Honoring the Contra Costa Regional Fire Communications Center during the National Public Safety Telecommunications Week**

[Proclamation Honoring the Contra Costa Regional Fire Communications Center during the National Public Safety Telecommunications Week](#)

9. CONSENT AGENDA

9.1 **Meeting Minutes – March 16, 2022 (Regular), March 16, 2022 (Special)**

Staff Recommendation: Approve and File

[03-16-22 Regular Minutes DRAFT](#)

[03-16-22 SPECIAL Joint Meeting City of Orinda Minutes DRAFT.pdf](#)

9.2 **Monthly Incident Report – March 2022**

Staff Recommendation: Approve and File

[Monthly Incident Reports March 2022.pdf](#)

9.3 **Monthly Check/Voucher Register – March 2022**

Staff Recommendation: Approve and File

[Check Register March 2022.pdf](#)

9.4 **Monthly Financial Report – March 2022**

Staff Recommendation: Approve and File

[Statement of Revenue & Expenditures - Capital Projects Fund - 03.31.22.pdf](#)

[Statement of Revenue & Expenditures -Debt Service Fund 3.31.22.pdf](#)

[Statement of Revenue Expenditures - General Fund - 03.31.22.pdf](#)

[Statement of Revenue Expenditure - Tunnel East Bay Hills - 03.31.22.pdf](#)

9.5 [Approval of Payment to Contra Costa County Fire Protection District for Dispatching and Communications Services](#)

Staff Recommendation: Approve payment to Contra Costa County Fire Protection District for dispatching and communications services in the amount of \$203,987.95

[Dispatch\\_Invoice.pdf](#)

9.6 [Contra Costa County Employees' Retirement Association Investment Performance Review - Period Ending: December 31, 2021](#)

Staff Recommendation: Receive and File

[CCCERA Investment Report 12-31-2021](#)

9.7 [Reject Claim from Frederick and Dora Siu in the Amount of \\$168,609](#)

Staff Recommendation: Reject Claim from Frederick and Dora Siu in the Amount of \$168,609.

[03-15-22 Claim Received 106 Tappan Lane\\_Redacted.pdf](#)

10. REGULAR AGENDA

10.1 [Long Range Financial Forecast April 2022](#)

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

[LRFF April 2022 Attachment A.pdf](#)

[LRFF April 2022 Attachment B.pdf](#)

[LRFF April 2022 Attachment C.pdf](#)

10.2 [Quarter Three Financial Update and Budget Review FY2022](#)

Staff Recommendation: 1) No action required; Informational purposes only

[Quarter 3 2022 Financial Update Attachment A.pdf](#)

10.3 [Public Budget Workshop - Development of Annual Operating Budget FY2023 and Board Direction Regarding the Draft Budget, General Fund Discretionary Expenditure Budget, Fuels Mitigation Program Continuation Beyond January 2023, Staffing, and Capital Projects Fund Expenditure Budget](#)

The Draft Budget shall be submitted to the Board 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.

Staff Recommendation: Hold a public workshop and provide direction to Staff regarding the draft Budget, General Fund discretionary expenditure budget, Fuels Mitigation Program continuation beyond January 2023, staffing and the Capital Projects Fund expenditure budget.

[Draft Budget FY2023 Public Board Budget Workshop.pdf](#)

10.4 [NIST Wildfire Technical Instruction 2205](#)

No action required; Informational purposes only

10.5 [Approve Establishment of a Joint Fire Prevention Ad Hoc Committee with the City of Orinda and Appoint Two Directors to the Ad Hoc Committee](#)

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Approve Establishment of a Joint Fire Prevention Ad Hoc Committee with the City of Orinda and Appoint Two Directors to the Ad Hoc Committee

10.6 [Update Fire Risk Reduction Community Application Board of Forestry and Fire Protection](#)

Staff Recommendation: 1) No Action Required. Informational Only

[Moraga Orinda application Fire Risk Reduction Community](#)

10.7 [Adopt Resolution 22-11, A Resolution of the Board of Directors of the Moraga-Orinda Fire Protection District of Contra Costa County Recognizing the J & J Ranch as a Shelter-In-Place Community](#)

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Adopt Resolution 22-11, A Resolution of the Board of Directors of the Moraga-Orinda Fire Protection District of Contra Costa County Recognizing the J & J Ranch as a Shelter-In-Place Community

[Resolution 22-11 Recognizing the J & J Ranch as a Shelter-In-Place Community](#)

[Safer\\_From\\_Wildfires\\_Framework\\_Info\\_Sheet.pdf](#)

- 10.8 [Update on the East Bay Hills Wildfire Prevention and Vegetation Management Joint Powers Agency](#)  
[Staff Recommendation: For Information Only](#)  
[HEF2006Letterofintent.pdf](#)
- 10.9 [Adopt Resolution No. 22-12 Adopting Amendment-5 to Employment Agreement Between Moraga-Orinda Fire District and David Winnacker](#)  
1) Discuss; 2) Deliberate; 3) Adopt Resolution No. 22-12 Adopting Amendment-5 to Employment Agreement Between Moraga-Orinda Fire District and David Winnacker  
[Attachment A Resolution 22-12 Fire Chief Employment Agreement Amendment No. 5.pdf](#)  
[Attachment B - Winnacker Contract Amendment 5.pdf](#)  
[Attachment C - Winnacker Employment Agreement and Amendments 1-4.pdf](#)

11. COMMITTEE REPORTS

- 11.1 **Audit Committee (Directors Danziger and Jex)**  
11.2 **Facilities Station 41 Ad Hoc Committee (Directors Baitx and Donner)**  
11.3 **MOFD 25th Anniversary Celebration Ad Hoc Committee (Directors Danziger and Jex)**  
11.4 **East Bay Hills Wildfire Prevention and Vegetation Management Joint Powers Agency Meetings (Directors Danziger and Jorgens)**

12. ANNOUNCEMENTS

- 12.1 **Brief information only reports related to meetings attended by a Director at District expense.** (Government Code Section 53232.3(d))
- 12.2 **Questions and informational comments from Board members and Staff**
- 12.3 **Fire Chief Updates**
- a. **CICCS Update**
  - b. **Finance Report**
  - c. **Human Resources**
  - d. **Contra Costa County Implementation of Adopted Maps**
  - e. **Fire Marshal**
  - f. **Emergency Preparedness Coordinator**
  - g. **Operations**
- [Fire Marshal Report - March 2022.pdf](#)  
[CICCS Update.pdf](#)
- 12.4 **Communications Received**
- 12.5 **Future Agenda Items**

13. ADJOURNMENT

*The Moraga-Orinda Fire Protection District ("District"), in complying with the Americans with Disabilities Act ("ADA"), requests individuals who require special accommodations to access, attend and/or participate in District Board meetings due to a disability, to please contact the District Chief's office, (925) 258-4501, at least one business day prior to the scheduled District Board meeting to ensure that we may assist you.*

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

I hereby certify that this agenda in its entirety was posted on April 15, 2022, at the Moraga and Orinda Fire Administration offices, Stations 41, 42, 43, 44, and 45 and electronically at [www.mofd.org/agendas](http://www.mofd.org/agendas). Agenda provided to the Moraga Town Office (Hacienda) and Orinda City Hall.



Marcia Holbrook  
District Secretary/Clerk