



Moraga-Orinda Fire District

Board of Directors

REGULAR MEETING

June 15, 2022 – 6:00 PM

6:00 p.m. CLOSED SESSION

7:00 p.m. OPEN SESSION

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/85692432189>

Webinar ID: 856 9243 2189

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.

- 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
- 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.

1. OPENING CEREMONIES

- Call the Meeting to Order
- Roll Call

2. CONSENT AGENDA

2.1 **Adopt Resolution 22-18 Re-Ratifying Findings and Determining A Need to Continue Holding Remote Meetings By Teleconference**

Staff Recommendation: Adopt Resolution 22-18 Re-Ratifying Findings and Determining A Need to Continue Holding Remote Meetings By Teleconference

Attachment: [Resolution 22-18 RE-RATIFYING Subsequent_Resolution Remote Meetings](#)

3. PUBLIC COMMENT

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 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.

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. ANNOUNCEMENTS

8.1 **Brief information only reports related to meetings attended by a Director at District expense.**

(Government Code Section 53232.3(d))

8.2 **Questions and informational comments from Board members and Staff**

8.3 **Communications Received**

8.4 **Fire Chief Updates**

- a. **Finance Report**
- b. **Human Resources**
- c. **Fire Marshal**
- d. **Operations**

[Attachment: Monthly Fire Marshal Report](#)

9. CONSENT AGENDA

9.1 **Meeting Minutes – May 18, 2022 (Regular)**

Staff Recommendation: Approve and File

[Attachment: 05-18-22 Regular Minutes DRAFT](#)

9.2 **Monthly Incident Report – May 2022**

Staff Recommendation: Approve and File

[Attachment: Monthly Incident Report May 2022.pdf](#)

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

Staff Recommendation: Approve and File

[Attachment: Check Register May 2022.pdf](#)

9.4 **Monthly Financial Report – May 2022**

Staff Recommendation: Approve and File

[Attachment: Capital Projects Fund Actual to Budget - May 2022](#)

[Attachment: Debt Service Fund Actual to Budget - May 2022](#)

[Attachment: Tunnel East Bay Hills Actual to Budget-May 2022](#)

[Attachment: General Fund Actual to Budget May 2022](#)

9.5 **Reject Claim from State Farm Mutual Automobile in the Amount of \$2,149.73**

Staff Recommendation: Reject Claim from State Farm Mutual Automobile in the Amount of \$2,149.73

[Attachment: 05.31.22_Wheel_Chock_Claim_Redacted.pdf](#)

10. REGULAR AGENDA

10.1 [Working Group Report Single Role EMT and Paramedic Positions](#)

Staff Recommendation: 1) Information only.

10.2 [Resolution 22-15 Adopting a Modified Schedule of Cost Recovery Fees for Emergency Medical Services](#)

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Adopt Resolution 22-15 Establishing a

- Modified Schedule of Cost Recovery Fees for Emergency Medical Services
[Attachment A: Resolution 22-15 Cost Recovery Fees Emergency Medical Services.docx](#)
- 10.3 [Resolution 22-16 Establishing the District's Annual Appropriations Limit for Fiscal Year 2022/23](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Adopt Resolution 22-16 Establishing the District's Annual Appropriations Limit for Fiscal Year 2022/23
[Attachment A: Resolution 22-16 Establishing the District's Annual Appropriations Limit.docx](#)
- 10.4 [Adopt Resolution 22-17 Establishing the Fiscal Year 2022/23 Fire Flow Tax Rates for the Orinda and Moraga Service Zones](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Adopt Resolution 22-17 Establishing the Fiscal Year 2022/23 Fire Flow Tax Rates for the Orinda and Moraga Service Zones
[Attachment A: Resolution 22-17 Adopting Fire Flow Tax Rates.docx](#)
- 10.5 [Authorize Acceptance of the FY2021 State Homeland Security Grant Program Grant in the Amount of \\$250,000 to Purchase one Water Tender and Authorize Staff to Enter Into a Memorandum of Understanding with the County of Contra Costa Office of the Sheriff](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Authorize Acceptance of the FY2021 State Homeland Security Grant Program Grant in the Amount of \$250,000 to Purchase one Water Tender and Authorize Staff to Enter Into a Memorandum of Understanding with the County of Contra Costa Office of the Sheriff
[Attachment A: State Homeland Security Grant Water Tender Award Letter.doc](#)
- 10.6 [Adoption of Annual Operating Budget Fiscal Year 2023](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Adopt Annual Operating Budget Fiscal Year 2023
[Attachment A: Adopted Budget 2022-23 Board Meeting June 2022.pdf](#)
- 10.7 [Adopt Resolution 22-19 Ordering Even - Year Board of Directors Election; Consolidation of Elections; and Specifications of the Election Order](#)
Staff Recommendation: 1) Review; 2) Discuss; 3) Adopt Resolution 22-19, Ordering Even - Year Board of Directors Election; Consolidation of Elections; and Specifications of the Election Order
[Attachment: Resolution 22-19 Calling Election.pdf](#)
- 10.8 [Update on District Funded Work and Special Assessments](#)
Staff Recommendation: 1) No Action Required. Informational Purposes Only
[Attachment A: 10.18.21 Letter Received from CCC Auditor-Controller.pdf](#)
[Attachment B: 05.09.22 Letter Received CCC Tax Collector 273083031_032_033 Property Auction.pdf](#)
- 10.9 [MOFD Authority in SRA and Fire Road 42-13 Update](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Provide direction regarding enforcement of Ordinance 22-02 in SRA.
[Attachment A: To MOFD Board_From EBRPD GM_Comment on Undeveloped Parcel Fuel Break Ordinance_03.11.2022.pdf](#)
[Attachment B: MOFD Letter to CalFire Director Tyler with Attachments - 04.04.22.pdf](#)
[Attachment C: 2022-05-20 J.Hess and G.Huang LTR to R.Sater and J.Holtzman Re Response to Letters.pdf](#)
- 10.10 [Authorize Payment of Reinstated and Retroactive Pension Payments to Peter Nowicki in the Amount of \\$514,790.61](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Authorize Payment of Reinstated and Retroactive Pension Payments to Peter Nowicki in the Amount of \$514,790.61
[Attachment A 2022-04-01 CCCERA Letter re Nowicki info for MOFD.pdf](#)
[Attachment B Nowicki calculation worksheet.pdf](#)
[Attachment C Letter to CCCERA from MOFD - Nowicki Payment April 2022.pdf](#)
[Attachment D 2022-04-26 MOFD Response for information.pdf](#)
[Attachment E 2022-04-26 MOFD Response to 415 related questions.pdf](#)
[Attachment F 2022-04-26 CCCERA Letter re Nowicki info for MOFD corrected.pdf](#)
[Attachment G MOFD Letter to CCCERA 05-26-2022.pdf](#)

11. COMMITTEE REPORTS
 - 11.1 **Audit Committee (Directors Danziger and Jex)**
 - 11.2 **East Bay Hills Wildfire Prevention and Vegetation Management Joint Powers Agency Meetings (Directors Danziger and Jorgens)**
 - 11.3 **Facilities Station 41 Ad Hoc Committee (Directors Baitx and Donner)**
 - 11.4 **Joint Fire Prevention Ad Hoc Committee w/City of Orinda (Directors Donner and Jorgens)**
 - 11.5 **MOFD 25th Anniversary Celebration Ad Hoc Committee (Directors Danziger and Jex)**
12. ANNOUNCEMENTS
 - 12.1 **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 June 10, 2022, at the Moraga and Orinda Fire Administration offices, Stations 41, 42, 43, 44, and 45 and electronically at www.mofd.org/agendas. Agenda provided to the Moraga Town Office (Hacienda) and Orinda City Hall.



Marcia Holbrook
District Secretary/Clerk