



Moraga-Orinda Fire District

Board of Directors

REGULAR MEETING

November 16, 2022 – 7:00 PM
7:00 PM OPEN SESSION
(No CLOSED 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/83722328029>

Webinar ID: 837 2232 8029

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

Pledge of Allegiance

2. CONSENT AGENDA

2.1 **Adopt Resolution 22-30 Re-Ratifying Findings and Determining A Need to Continue Holding Remote Meetings By Teleconference**

Staff Recommendation: Adopt Resolution 22-30 Re-Ratifying Findings and Determining A Need to Continue Holding Remote Meetings By Teleconference

Attachment: [Resolution 22-30 AB 361 RE-RATIFYING Remote Meetings](#)

3. 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.

4. ANNOUNCEMENTS

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

(Government Code Section 53232.3(d))

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

4.3 **Communications Received**

[Attachment: Tracy Scrimshaw.pdf](#)

4.4 **Fire Chief Updates**

- a. **Finance Report**
- b. **Human Resources**
- c. **Fire Marshal**
- d. **Administrative Citation Program**
- e. **Tunnel East Bay Hills Fuel Break Project**
- f. **Home Hardening Grant Program**
- g. **Operations**

[Attachment: Monthly Fire Marshal Report](#)

[Attachment: Administrative Citation Report](#)

[Attachment: Home Hardening Grant Status Report](#)

5. CONSENT AGENDA

5.1 **Meeting Minutes – October 19, 2022 (Regular)**

Staff Recommendation: Approve and File

[Attachment: 10-19-22 Regular Minutes DRAFT](#)

5.2 **Monthly Incident Report – October 2022**

Staff Recommendation: Approve and File

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

5.3 **Monthly Check/Voucher Register – October 2022**

Staff Recommendation: Approve and File

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

5.4 **Monthly Financial Report – October 2022**

Staff Recommendation: Approve and File

[Attachment: Board Financials October 2022.pdf](#)

5.5 **Quarterly Investment Report - September 30, 2022**

Staff Recommendation: Approve and File

[Attachment: Investment Report September 2022.pdf](#)

5.6 **Authorize Acceptance of the FY2022 United States Department of Homeland Security Urban Areas Security Initiative Grant in the Amount of \$28,800 to Purchase Eighteen Sets of Rescue Taskforce Personal Protective Equipment; Authorize Staff to Enter Into an Agreement with the City and County of San Francisco for the Distribution of FY2022 Urban Areas Security Initiative Grant Funds; Approve a General Fund Revenue Budget Adjustment Increase in the Amount of \$28,800 and Approve a General Fund Expenditure Budget Adjustment Increase in the Amount of \$28,800**

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Authorize Acceptance of the FY2022 United States Department of Homeland Security Urban Areas Security Initiative Grant in the Amount of \$28,800 to Purchase Eighteen Sets of Rescue Taskforce Personal Protective Equipment; Authorize Staff to Enter Into an Agreement with the City and County of San Francisco for the Distribution of FY2022 Urban Areas Security Initiative Grant Funds; Approve

a General Fund Revenue Budget Adjustment Increase in the Amount of \$28,800 and Approve a General Fund Expenditure Budget Adjustment Increase in the Amount of \$28,800
[Attachment A - UASI Grant FY22 Moraga Orinda Fire.pdf](#)

6. REGULAR AGENDA

6.1 [Long Range Financial Forecast November 2022](#)

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

[Scenario A.pdf](#)

[Scenario B.pdf](#)

[Scenario C.pdf](#)

[Capital and Apparatus.pdf](#)

6.2 [Authorize Staff to Engage in Negotiations with United Professional Fire Fighters of Contra Costa County, IAFF Local 1230 to Modify the Memorandum of Understanding July 1, 2021 to June 30, 2024.](#)

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Provide Direction Regarding Items to be Negotiated; 4) Authorize Staff to Engage in Negotiations with United Professional Fire Fighters of Contra Costa County, IAFF Local 1230 to Modify the Memorandum of Understanding July 1, 2021 to June 30, 2024.

6.3 [Establishment of Veteran's and Resident Hiring Preference](#)

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Provide direction regarding establishment of Veteran's and Resident hiring preference

7. COMMITTEE REPORTS

7.1 **Audit Committee (Directors Danziger and Jex)**

7.2 **Ad-Hoc Committee to investigate with the Contra Costa County Board of Supervisors if MOFD Members are eligible to receive COVID-19 relief one-time \$2,500 payment (Directors Danziger and Donner)**

7.3 **East Bay Hills Wildfire Prevention and Vegetation Management Joint Powers Agency Meetings (Directors Danziger and Jorgens)**

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

7.5 **Joint Fire Prevention Ad Hoc Committee w/City of Orinda (Directors Donner and Jorgens)**

8. ANNOUNCEMENTS

8.1 **Future Agenda Items**

9. ADJOURNMENT

The Moraga-Orinda Fire District's Governing Board will adjourn in memory of former MOFD Director Pete Wilson, one of the founders of the Moraga-Orinda Fire District, elected to the first Board of Directors, and served our community for over 12 years.

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, and available on our website at www.mofd.org/agendas.

I hereby certify that this agenda in its entirety was posted on November 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

Marcia Holbrook
District Secretary/Clerk

RESOLUTION NO. 22-30

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MORAGA-ORINDA FIRE PROTECTION DISTRICT OF CONTRA COSTA COUNTY RE-RATIFYING FINDINGS AND DETERMINING A NEED TO CONTINUE HOLDING REMOTE MEETINGS BY TELECONFERENCE

WHEREAS, the Board of Directors of the Moraga Orinda Fire District (“District”) is committed to preserving public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of the District’s Board are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code §§ 54950 – 54963), so that any member of the public may attend, participate, and watch the Board conduct its business; and

WHEREAS, Government Code section 54953(e) of the Brown Act, allows a legislative body to hold a teleconference meeting, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, the Board of Directors previously adopted a Resolution Number 21-17 on October 18, 2021, finding that the requisite conditions exist for the legislative bodies of the District to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, in order to meet by teleconference under Government Code section 54953(e), the Governor must have proclaimed a state of emergency under the California Emergency Services Act (Govt. Code § 8625 *et. seq.*); the legislative body must reconsider the circumstances of the state of emergency; and the legislative body must find that the state of emergency continues to directly impact the ability of the members to meet safely in person and/or state or local officials continue to impose or recommend measures to promote social distancing; and

WHEREAS, on March 4, 2020, Governor Newsom proclaimed a State of Emergency declared by Governor Newsom under the California Emergency Services Act due to COVID-19, which is still in existence; and

WHEREAS, on October 4, 2022, the Contra Costa County Health Officer issued Recommendations for Safely Holding Public Meetings. Online meetings (i.e. teleconferencing meetings) are encouraged, where practical, as these meetings present the lowest risk of transmission of SARS CoV-2, the virus that causes COVID 19. This is particularly important when community prevalence rates are high. Our current trends as of October 4, 2022 in Covid-19 case rate, test positivity, Covid-19 hospitalizations, and COVID-19 wastewater surveillance are decreasing, but community transmission, as noted in CDC community transmission map, remains high. In addition to this, the predominant variant of COVID-19 being identified continues to be the Omicron variant and it’s subvariants the impact of which on the spread of COVID-19 has shown to dramatically increase COVID-19 transmission; and

WHEREAS, many persons who regularly attend Board meetings are over the age of 65 and therefore considered particularly vulnerable to COVID-19; and

WHEREAS, the District provides in the public notices and agendas for all public meetings the online and telephone options for participation in public meetings, protecting the right of the public to

address their local officials and to participate in public meetings, and posts this information on the District's website, including instructions on how to access the public meeting remotely.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors has reconsidered the circumstances of the state of emergency; and be it

FURTHER RESOLVED, that the Board finds that State or local officials continue to impose or recommend measures to promote social distancing and that State of Emergency declared by Governor Newsom on March 4, 2020, continues to directly impact the ability of Board members, staff, and the public to meet safely in person; and be it

FURTHER RESOLVED, that the Board finds that because of the aforesaid declared State of Emergency, meeting in person would present an imminent risk to the health or safety of meeting attendees; and be it

FURTHER RESOLVED, that the Board authorizes and directs the Fire Chief to place on the Board's agenda, at least once monthly, reconsideration of the State of Emergency to determine whether circumstances warrant continuing to meet by teleconference under Government Code section 54953(e)(3); and be it

FURTHER RESOLVED, that the Board does hereby direct that its Committees make these same findings until directed otherwise by the Board; and be it

FURTHER RESOLVED, that the Board authorizes and directs the Fire Chief to take all actions necessary to carry out the intent and purpose of this Resolution including conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act; and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) December 15, 2022, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the District's Board may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED, APPROVED and ADOPTED this 16th day of November 2022 at a regular meeting of the District Board of Directors held virtually due to the COVID-19 pandemic on motion made by Director __ and seconded by Director __

AYES:

NOES:

ABSENT:

ABSTAIN:

Resolution 22-30

Dated: November 16, 2022

Michael Donner, President
Board of Directors

ATTEST:

Marcia Holbrook
District Secretary/District Clerk

From: [Winnacker, David](#)
Cc: [Isaacs, Jeff](#); [Sasser, Gloriann](#); [Holbrook, Marcia](#); [Jonathan Holtzman](#)
Subject: Fwd: Bad idea for aggressive approach
Date: Thursday, November 10, 2022 8:54:19 AM

Directors,
Please see below for correspondence received.

Respectfully,

Dave Winnacker
Fire Chief
Moraga-Orinda Fire District
925.258.4500



Begin forwarded message:

Message submitted from the <Moraga-Orinda Fire District, CA> website.

Site Visitor Name: Tracy Scrimshaw
Site Visitor Email: [REDACTED]

Because of your need from a non-understanding Orinda, you demanded a full wreck to my home's back hill and demanded a shaving of my back hill destroying huge wildlife habitats including great horned owls, turkeys, and possum as well as skunks, birds, squirrels, deer (6pointers) and more (like red foxes). Get to the Orinda counsel or more. You already took out all the California poppy's. I'm a very mad long term home owner-50 plus years. The new directs have made a horrible impact on the environment, including front yard. Survived a few fires in my life due to what was there and water from my hoses. WAKE-UP please. Fires are actually healthy ways to renew areas. I was a fire professional in Kirkwood that took 30 minutes to get help. [REDACTED].



Moraga-Orinda Fire District

Office of the Fire Marshal

Fire Prevention Report October 2022

Number/Types of Complaints: YTD

- Dead tree – **119**
- Exterior Hazard –**181**
- Property Transfer Inspections- **489**
 - Property Transfer Initial Pass- **160**
 - Property Transfer Initial Fail- **329** (mostly 2 foot non-combustible zone)

Exterior Hazard Inspections: YTD

- Number of Assessments 2022 – **3546**
- Initial Pass – **1610** Initial Failed – **1936**
- Number of 30-day Notices – **234**
- Number of Cases Closed – **1634**
- Number of Open Cases 2022– **302**
- Number of Open Cases 2021 - **6**
- Number of Notice to Abate – **1**
- Number of Pre-citations – **1578**
- Number of Citations – **445**
 - **444** Exterior Hazards Violations
 - **1** Other CFC Violations

Exterior Hazard Inspections: Oct 1 – Oct 31

- Number of Assessments and re-inspections – **304**
- Pass – **41** Failed – **263**
- Number of 30-day Notices – **0**
- Number of Cases Closed - **41**
- Number of Open Cases – **302**
- Number of Notice to Abate – **0**
- Number of Pre-citations – **52**
- Number of Citations – **25**
 - **25** Exterior Hazards Violations
 - **0** Other CFC Violations

CHIPPING:

Total YTD – **11** Days, Tons **23**

- Total Number of Days– **11**
- Total Estimated Tons of Material Removed– **23**

PLAN REVIEW COMPLETED:

- **2020- 296**
- **2021- 359**
- **2022 - 347**

January– 42	April–31	July-22	October-33
February–44	May–40	August- 24	November-
March– 39	June–30	September-42	December-

STATE MANDATED INSPECTIONS:

- E-Occupancy (*Public & Private K-12 Schools*)
 - 1st Inspection= **0** (pass = **0**, Fail = **0**)
 - 2nd Inspection= **0** (pass = **0**, Fail = **0**)
 - Citations Issued= **0**
- R-2 Occupancy (*Apartments, Dorms, fraternities, sororities*)
 - 1st Inspection= **0** (pass = **0**, Fail = **0**)
 - 2nd Inspection= **0** (pass = **0**, Fail = **0**)
 - Citations Issued= **0**
- R-1 Occupancy–**0**
Boarding Houses, Motels, Hotels
- I Occupancy– **0**
Jails
- High Rise – **0**

CURRENT PROJECTS

- Evacuation Route Re-inspection
- Monthly Fire Marshal Message
- Property Assessments
- Property Transfer Inspections

CURRENT PROJECTS

- WINTER FUEL REDUCTIONPROJECTS
- Exterior Hazard Abatement Ordinance
- County Fire Code
- Zone Zero Work Group



Moraga-Orinda Fire District

Office of the Fire Marshal

Fire Prevention

Code Enforcement Violation Counts
For Date Period From 10/01/2022 Through 10/31/2022

Violation	Count
20.01 Tree Dead Material	36
20.01 Clearance of Hazardous Vegetation Parcels < 1 acre	29
20.01 3' & 15' EVA	23
20.01 2' non combustible zone	11
20.01 Hazardous Vegetation / Combustible Material Removal	10
20.01 Tree 6 ft. from Roof	10
20.01 Tree 6 ft. Air Gap	7
22.02 4.1 100' Fuel Break Required on Developed Parcels / 1 Acre or greater	5
20.01 Annual Grasses	5
20.01 Fire Protection Plan	4
22.02 4.1 Fuel Break Required on Undeveloped Parcels / 10 Acres or greater	3
20.01 Sale or transfer of property	2
CFC 503.6 Security Gates	1
20.01 Maintain 100 ft.	1
20.01 Fuel Break Required	1
22.02 4.1. Fuel Break Required on Undeveloped Parcels / 1 to 10 Acres	1
20.01 Chimney Clearance	1
20.01 Roof and Gutters	1
Total	151



Moraga-Orinda Fire District

Fire Prevention

Administrative Citation Program

For Date Period From 07/01/2022 Through 10/31/2022

Ordinance 21-01 provides for Administrative Citations, which are in addition to all other legal remedies, criminal or civil, that the District may pursue to address a violation of the Code or other public nuisances. Cities, counties, and special districts commonly use administrative citations to ensure public health and safety by enforcing compliance with local ordinances.

Ordinance 21-01 established a clear process that District staff follows to ensure that education and outreach remain the preferred method for gaining fire code compliance. The process begins in April when each homeowner is sent a postcard reminding them of the annual June 1 deadline and provides information on those requirements. After June 1, Staff begins the inspection process. Once a violation is identified, Staff proceeds with the following steps:

1. A Pre-Citation notice is issued to the property owner "Owner". The Pre-Citation identifies violation(s) that are present on the property and the Owner is allowed 30-days to correct the violation(s), unless there is an immediate threat to health or safety. After 30-days, the property is re-inspected.
2. A Citation notice is issued if the violation(s) remain and the Owner has not communicated with Staff and requested an extension. The Owner is assessed a one hundred dollars (\$100) fine, and given an additional 14-days to correct the violation(s). After 14-days, the property is re-inspected.
3. A second Citation notice is issued if the violation(s) remain and the Owner has not communicated with Staff and requested an extension. The Owner is assessed a two hundred dollars (\$200) fine, and additional 7-days to correct the violation(s). After 7-days, the property is re-inspected.
4. A third Citation notice is issued if the violation(s) are not corrected and the Owner has not communicated with Staff and requested an extension. The Owner is assessed a five hundred dollars (\$500) fine.
5. Once a third Citation has been issued and 51 days have passed since the initial pre-citation notice, the property is inspected daily. Each day the violation(s) continue to remain on the property, the Owner is cited and additional five hundred dollars (\$500) fines are assessed.

*Note: While the bulk on inspections and citations occur on/after 1 June annual compliance deadline, citations may be issued throughout the year based on complaints or other conditions which are in violation of the fire code or MOFD Ordinances.

A fine that remains unpaid 30 days after the due date shall be subject to a late payment penalty of 10%, plus interest at the rate of 1% per month on the outstanding balance, which shall be added to the penalty amount from the date that payment is due.

The District contracted with Data Ticket, Inc. to assist with records management and the payment collection on outstanding. The cost from 7/1-10/31/22 is \$3,341.52 and fees are billed monthly based on the number of citations and notices processed in the month. A copy of the contract is attached.

From July 1, 2022 to October 31, 2022, the District processed 411 citations. Of the 411 citations issued, 76 had their fines removed due to immediate correction of the violation, and 16 were voided and reissued due to the wrong Owner being cited. The total amount of fines and penalties assessed is \$40,650.07, minus the waived fines and voided citations (\$9,600). The total amount of payments received is \$21,321.24, and an outstanding balance remains of \$19,328.83.



2603 Main Street, Suite 300
Irvine, CA 92614
949-428-7241
ClientServices@DataTicket.com

These services are provided by:

Data Ticket Inc.
a California Corporation
2603 Main Street, Suite 300
Irvine, California 92614
(Here-in-after sometimes referred to as "COMPANY")

FOR:

Moraga-Orinda Fire Protection District
1280 Moraga Way
Moraga, CA 94556
(Here-in-after sometimes referred to as "AGENCY")

Data Ticket, Inc. intends to provide for the processing of bails, fines and forfeiture thereof, in connection with the issuance of administrative citations pursuant to AGENCY municipal code and other civil debts as designated and owed to the AGENCY.

ARTICLE I - CITATION PROCESSING

1.1 Referral and Reconciliation: COMPANY shall receive and process citations/debts from AGENCY. COMPANY will provide a reconciliation of the number of citations/debts received from AGENCY.

1.2 Determination of Processable Citations/Debts: COMPANY shall screen each citation/debt referred to it by the AGENCY to determine if the citation/debt is processable. If the citation/debt is determined by COMPANY to be unprocessable (e.g., essential processing information is missing), COMPANY shall contact the AGENCY for clarification. COMPANY will be paid the contractual rate hereinafter provided, for citations/debts properly corrected by the AGENCY.

1.3 Collection and deposit of funds: A direct deposit system shall be employed for all funds received for payment of citations/debts. The AGENCY shall have the choice of jointly owning a bank account with the COMPANY or directing the COMPANY to deposit



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into an AGENCY account. Deposits shall be made directly into the account by the COMPANY for the collecting AGENCY, with the exception of credit card payments made using VISA, MasterCard, Discover and American Express cards belonging to the COMPANY. These payments will be directly deposited into an account held by the COMPANY. Credit card payments are reconciled and remitted on a monthly basis to the AGENCY, but tracked on the citation management software on a daily basis. Citations/debts paid by credit card are marked "paid" real-time immediately upon authorization, thus affording the citizen the opportunity to make payment at any time and have the payment recognized immediately.

1.4 PAYMENT: If the COMPANY deposits into an AGENCY account, the COMPANY will invoice the AGENCY for services rendered. Payment in full shall be due within thirty (30) days after which interest shall be accrued at the rate of 6% (or lower if statutes, rules or regulations prohibit this rate). If the COMPANY deposits into an account held jointly between the AGENCY and the COMPANY, the COMPANY shall reconcile the account the month following the banking activity, disperse all revenue due the AGENCY, the COMPANY, any tax liability and all refunds and send all supporting documentation to the AGENCY for its records.

1.5 Delinquency Notices for Administrative Citations/Debts: In accordance with AGENCY ordinance, delinquency notices will be sent to patrons who are not in compliance and have not paid the fines in full. These notices will indicate future actions to be taken in order to collect the fines owed the Agency.

1.6 Franchise Tax Board Interface: The Franchise Tax Board Interagency Intercept Program will be used as the next collection step in the process. A notice merging all debts owed the AGENCY will be sent to the patron showing the total amount due the AGENCY for Administrative Citations/Debts and demanding payment. If payment is not received in full, social security numbers will be attached to each debt and the debt will be placed with the Franchise Tax Board for collections.

1.7 Administrative Review and Hearing: The COMPANY or the AGENCY may schedule administrative hearings to respond to patrons wishing to contest their citations and offers the option to perform and administer those hearings. The COMPANY will provide a web site for appeal and toll-free numbers for appellants. The COMPANY or the AGENCY will correspond with appellants and notify them of decisions; maintain records of dispositions and appeal paperwork and refer all paperwork to Court if required. The COMPANY shall not be responsible for the AGENCY'S failure to provide correct or timely infraction



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information. The AGENCY shall be responsible to pay the \$25.00 court-filing fee if the administrative hearing decisions are overturned by the court.

1.8 Citations Disposed of by Hearing/Court: The COMPANY may be required, as a result of court action, to reduce or cancel, on an individual basis, citations which have been referred to it. COMPANY shall be paid the contractual rate hereinafter provided for processing the citation regardless of the outcome of court action. COMPANY will maintain records indicating any reduction or cancellation of administrative citations as a result of review/hearing/court action. Citations that are dismissed as a result of review/hearing/court decision will have the dismissal processed by the COMPANY promptly after receipt from the review/hearing/court.

1.9 Suspension of Processing: COMPANY will suspend processing on any citation/debt referred to it for processing upon written notice to do so by an authorized officer of the AGENCY. COMPANY will promptly return any citation/debt or facsimile properly requested by the AGENCY. COMPANY will maintain records indicating any suspension of citation/debt as a result of AGENCY'S request. COMPANY shall be paid the contractual rate hereinafter provided for processing the citations/debts suspended by the AGENCY.

1.10 Payments by U.S. Mail: It is the patron's responsibility to ensure that payments are received on or before the date due. The date received by the COMPANY will be the criteria to establish any delinquent fees due.

1.11 Citation System Master File Update: COMPANY will regularly update the citation/debt master file for new citations/debts, payments, reductions, cancellations, dismissals and any other pertinent data.

ARTICLE II - PAYMENT PROCESSING

2.1 Disposition Processing: COMPANY will maintain all citation/debt dispositions for a minimum of two (2) years. Closed citations/debts will remain on-line for a minimum of two (2) years for research and statistical purposes.

2.2 Payments Processing: COMPANY shall process citation/debt payments on a regular basis. Payments shall be immediately posted in one (1) of three (3) following categories:

"Regular Payments" are citations/debts with the correct amount due, paid on or before



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the due date. This includes payments properly complying with the first Delinquent Notice.

"Partial Payments" are citations/debts where payment is less than the total amount of due.

"Appeal Requests" including payment are all requests for administrative/court hearings. These requests are sorted so that the payment submitted is immediately posted, an appeal hold is placed on the citation and if needed the original citations and backup documents are retrieved for the appeal to be heard.

2.3 Miscellaneous Letters Processing: COMPANY will receive and review all miscellaneous correspondence. These are generally letters requesting, refunds, voids, or otherwise setting forth complaints. These letters will be researched by COMPANY and may be forwarded to the AGENCY for proper follow-up.

2.4 Batching Procedures: COMPANY shall maintain effective procedures of internal control. Such procedures shall involve reconciliation of all payments received using generally accepted accounting principles. After proper reconciliation, deposit slips shall be prepared for and deposits made at the appropriate bank, including an itemized listing of all batch numbers included in the deposit. Citation payment documentation shall be scanned into the System and retained for a minimum of two (2) years.

2.5 Cash Payments: COMPANY shall maintain an effective method of handling cash payments. All cash received through the mail, shall be logged in a cash journal. Thereafter, effective internal control procedures shall be implemented to reconcile such payments using generally accepted accounting principles.

2.6 Deposits: All deposits shall be made daily, subject to regular banking hours. Deposits shall be itemized and detailed information will be captured regarding submitted funds. Deposit slips shall be prepared in duplicate, allowing one (1) copy for the bank and one (1) copy for the COMPANY. If the bank account is held jointly, COMPANY shall perform all reconciliation, refunds and cut all checks. This information shall be available for AGENCY review. Deposits shall be directly deposited into the AGENCY'S designated bank account, either jointly held with the COMPANY or individually held by the AGENCY. If the AGENCY holds the account individually, it will supply deposit slips and an endorsement stamp to COMPANY. In this case, COMPANY shall only have the capability to make deposits on behalf of the AGENCY.

2.7 Revenue Report: A monthly revenue report will list all revenues received during the



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preceding month.

ARTICLE III – WEB SITE

3.1 Citation Management Web Site: The COMPANY offers a web site for AGENCY review of its database, including all citations/debts and information relating to changes in status.

3.2 Citizen Web Site Access: When the AGENCY has web site access, citizens who receive citations/debts will be able to access the web site to review their individual citations/debts and pay on-line.

3.3 Web Site Interaction: The web site may be “view only” or “interactive”, for the AGENCY depending on requirements of the AGENCY.

3.4 Web Site Reports: Web site reports are available to the AGENCY on a daily, (24/7) schedule.

3.5 Web Site Use: User ID's and passwords will be assigned to the AGENCY.

ARTICLE IV - GENERAL

4.1 Public Inquiries: The COMPANY will respond to reasonable inquiry by telephone or letter of a non-judicial nature. Inquiries of a judicial nature will be referred to the AGENCY for determination.

4.2 COMPANY Limitations: COMPANY will not take legal action or threaten legal action in any specific case without AGENCY'S prior approval.

4.3 Use of Approved Forms: AGENCY shall have the right to reasonable approval of all forms, delinquency notices, and correspondence sent by the COMPANY. These must conform to State and local law.

4.4 Books and Records: COMPANY will maintain adequate books or records for administrative citations issued within the AGENCY'S jurisdiction and referred to COMPANY for processing. Such books or records, and related computer processing data, shall be available for reasonable inspection and audit by AGENCY at the COMPANY'S location at reasonable times upon adequate prior notice to COMPANY.



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4.5 Ownership: All reports, information, and data, including but not limited to discs, or files furnished or prepared by the COMPANY or its subcontractor (collectively the "Materials") are and shall remain exclusively the sole property of COMPANY, and the AGENCY shall acquire no right or title to said Materials. All computer software and systems, related automated and manual procedures, instructions, computer programs, and data storage media containing same, and written procedures performed hereunder (collectively the "System") are and shall remain exclusively the sole property of COMPANY, and the AGENCY shall acquire no right or title to said Systems.

4.6 Property of AGENCY: All documents, records, discs, files and tapes supplied by AGENCY to COMPANY in performance of this contract are agreed to be and shall remain the sole property of AGENCY. COMPANY agrees to return same promptly to AGENCY no later than sixty (60) days following notice to the COMPANY. The AGENCY shall make arrangements with COMPANY for the transmission of such data to the AGENCY upon payment to COMPANY of any open invoices and the cost of copy and delivery of such information from COMPANY'S computer facilities to AGENCY'S designated point of delivery.

4.7 Confidentiality: In order to enable COMPANY to carry out its work hereunder, to some extent it will have to impart to the AGENCY'S employees information contained in the Materials and Systems (collectively the "CONFIDENTIAL DATA"). The AGENCY agrees that information contained in the data that was marked in writing as "CONFIDENTIAL", "PROPRIETARY" or similarly, so as to give notice of its confidential nature, when submitted to the AGENCY by COMPANY shall be retained by AGENCY in the strictest confidence and shall not be used or disclosed in any form except in accordance with paragraph 4.8 herein below. The AGENCY recognizes that irreparable harm could be occasioned to COMPANY by disclosure of CONFIDENTIAL DATA, which is related to its business, and that COMPANY may accordingly seek to protect such CONFIDENTIAL DATA by enjoining disclosure.

4.8 Consent For Disclosure: No report, information, data, files, or tapes furnished or prepared by COMPANY or its subcontractors, successors, officers, employees, servants, or agents shall be made available to any individual or organization without the prior written approval of AGENCY other than individuals or organization who are reasonably necessary to properly effectuate the terms and conditions of this agreement. This Non-Disclosure obligation shall survive the Termination of this Agreement.



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4.9 COMPANY Files: COMPANY shall maintain master files on citations referred to it for processing under this Agreement. Such files will contain records of payments, dispositions, and any other pertinent information required to provide a reasonable audit trail.

4.10 Storage for AGENCY:

- A. COMPANY agrees to scan original citations/debts and have such information available on the citation management system for a minimum of two years, to permit AGENCY retrieval of such information. AGENCY relieves COMPANY of all liability costs associated with data released by AGENCY to any other person or entity using such data.
- B. Subsequent to the termination of the contract, COMPANY will return a file containing all data belonging to the AGENCY.

ARTICLE V – ADDITIONAL SERVICES

5.1 Other Collections: COMPANY shall, at the direction of the Agency refer designated debts to a Third Party Collection Agency.

5.2 Postal Rate Increase: The COMPANY will maintain auditable records to document the COMPANY'S actual postage costs associated with the mailing of delinquency notices for unpaid citations and for other mailings related to the processing of correspondence. If there is a postal increase, that increase will be invoiced effective on the date that the postal rate increase goes into effect.

ARTICLE VI - REPORTS

6.1 Periodic Reports: COMPANY will submit reports to AGENCY the month following the month in which activity has been reported. The reports will track activities relating to performance under this Agreement. Among the reports which COMPANY may/will generate are the following:

- A. Report of Revenue Collected for Period
- B. Report for Citations/Debts Issued for Period
- C. A balanced summary report for issuing AGENCY providing the status of all citations/debts at the beginning of the period, current period activity, and at the end of the period.
- D. A report for issuing AGENCY identifying individuals owing the AGENCY



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- selected amounts.
- E. A report for issuing AGENCY identifying the citations/debts issued, location, violation by each officer.

ARTICLE VII - TERM OF CONTRACT AND ADDITIONAL SERVICES

7.1 Term and Renewals: This Agreement shall be for an initial period of five (5) years, commencing as of the last date of signature. Unless notice of termination is made in writing by either party to the other no less than sixty (60) days prior to the end of the scheduled term, this Agreement shall automatically renew for subsequent one (1) year periods. In conjunction with this automatic extension of the terms of this Agreement, COMPANY may give notice of reasonable price adjustments for its processing services. The AGENCY has thirty days to respond in writing to the purposed increase. Unless AGENCY gives notice in writing of its rejection of these price adjustments, the term shall be extended with these price adjustments as stated. If the AGENCY gives notice of its rejection of these price adjustments, unless there is a further written Agreement between the parties, the term of the Agreement shall not be extended and the Agreement shall terminate.

7.2 Cancellation: Upon a material breach or upon ninety (90) days written notice to COMPANY, the AGENCY may cancel or terminate this Agreement. The COMPANY shall have thirty (30) days to cure any material breach or defect set forth in the written termination notice provided by AGENCY.

7.3 Exclusivity: AGENCY agrees to utilize only the services of COMPANY during the term of this Agreement for the processing of the citations referred to above. AGENCY agrees during the term of the Agreement to not directly or indirectly assist a competitor of COMPANY in the performance of the services provided by COMPANY under this Agreement.

7.4 Cost: Please see Cost Proposal, Exhibit B for all associated costs.

ARTICLE VIII - CLAIMS AND ACTIONS

8.1 AGENCY Cooperation: In the event any claim or action is brought against COMPANY relating to COMPANY'S performance or services rendered under this Agreement, COMPANY shall notify the AGENCY, in writing, within ten (10) days, of said claim or action.



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8.2 Hold Harmless: COMPANY AND AGENCY agree to the following hold harmless clauses.

A. COMPANY agrees to indemnify, defend, and hold harmless the AGENCY and its officers and employees against all claims, demands, damages, costs, and liabilities arising out of, or in connection with, the performance by COMPANY or AGENCY or any of their officers, employees, or agents under this AGREEMENT, excepting only loss, injury, or damage caused solely by the active negligence or intentional misconduct of AGENCY or any of its officers or employees.

ARTICLE IX - SUBCONTRACTORS AND ASSIGNMENTS

9.1 Subcontracting: COMPANY is authorized to engage subcontractors, as permitted by law at COMPANY'S own expense, subcontractors shall be deemed agents of COMPANY.

9.2 Assignments: This contract may not be assigned without the prior written consent of the AGENCY. It is understood and acknowledged by the parties that the COMPANY is uniquely qualified to perform the services in this agreement.

ARTICLE X - INDEPENDENT COMPANY

10.1 COMPANY'S Relationship: COMPANY'S relationship to AGENCY in the performance of this Agreement is that of an independent COMPANY. Personnel performing services under this Agreement shall at all times be under COMPANY'S exclusive direction and control and shall be employees of COMPANY and not employees of the AGENCY. COMPANY shall pay all wages and salaries and shall be responsible for all reports and obligations respecting them relating to social security, income tax withholding, unemployment compensation, worker's compensation, and similar matters. Neither COMPANY nor any officer, agent, or employee of COMPANY shall obtain any right to retirement benefits or other benefits which accrue to employees of AGENCY, and COMPANY hereby expressly waives any claim it might have to such rights.

ARTICLE XI - INSURANCE

11.1 Insurance Provisions: COMPANY shall provide and maintain at its own expense during the term of this Agreement, the following policy or policies of insurance covering its operations hereunder. Such insurance shall be provided by insurer(s) satisfactory to



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the AGENCY and certificates of such insurance shall be delivered to the AGENCY on or before the effective date of this Agreement. Such certificates shall specifically identify this Agreement and shall not be canceled, reduced in coverage or limits or non-renewed except after thirty (30) days written notice has been given to the AGENCY.

- A) Comprehensive general liability insurance covering bodily and personal injury and property damage. Limits shall be in an amount of not less than one million (\$2,000,000) dollars per occurrence. Such insurance policies shall name the AGENCY, its officers, agents and employees, individually and collectively, as additionally insured. Such coverage for additional insured shall apply as primary insurance and any other insurance or self-insured retention maintained by the AGENCY its officers, agents and employees shall be excess only and not contributing with insurance provided under said policy.
- B) Comprehensive automobile liability owned, non-owned and hired vehicles with not less than one million (\$1,000,000) dollars combined single limit, per occurrence for property damage and for bodily injury or death of persons. Such insurance shall include the same additional insured and cancellation notice provisions as specified above and may be combined with the comprehensive general liability coverage required above.
- C) Throughout the period of Agreement, COMPANY, at its sole cost, shall maintain in full force and affect a policy of workers' compensation insurance covering all of its employees as required by the labor code of the State of California.

ARTICLE XII – ENTIRE AGREEMENT

12.1 Security Provisions: AGENCY agrees to follow all defined security requirements including but not limited to:

- A) All AGENCY employees who are provided access to services provided by COMPANY must complete a background check and must complete annual security awareness trainings.
- B) AGENCY must inform COMPANY within 24 hours of an AGENCY



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employee with access to COMPANY services leaving their role.

- D) AGENCY must inform COMPANY of any breach of information within 24 hours, so the appropriate government agencies can be notified of the breach.
- E) AGENCY understands and agrees that security requirements may change and be updated to reflect the most current security requirements of the government agencies we work with to obtain vehicle registered information.
- F) AGENCY understands that evidence of the security requirements may be requested to comply with COMPANY audit requirements of the governmental agencies we work with.

ARTICLE XIII – ENTIRE AGREEMENT

13.1 Integrated Agreement: This contract is intended by the parties as a final expression of their Agreement and also as a complete and exclusive statement of the terms thereof, any prior oral or written Agreement regarding the same subject matter notwithstanding. This Agreement may not be modified or terminated orally and no modification or any claim or waiver of any of the provisions shall be effective unless in writing and signed by both parties.

13.2 Law Applicable: This Agreement shall be construed in accordance with the Laws of the State of California.

13.3 Notice to Parties: Any notice required under this Agreement to be given to either party may be given by depositing in the United States mail, postage prepaid, first-class, addressed to the following:



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AS TO THE AGENCY:

Moraga-Orinda Fire Protection District
1280 Moraga Way
Moraga, CA 94556

AS TO THE COMPANY:

Data Ticket Inc.
a California Corporation
2603 Main Street, Suite 300
Irvine, California 92614

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement as of the day and year last written below.

AGENCY: MORAGA-ORINDA FIRE PROTECTION DISTRICT COMPANY: DATA TICKET, INC

Signature: *G. Jasser*

Signature: *Chuck Wistoff*

Print Name: Gloria Jasser

Print Name: Chuck Wistoff

Title: Administrative Services Director

Title: Chief Operating Officer

Date: 6/22/2021

Date: 6-22-2021

On the following pages, we have provided the District 2 fee proposals to process the City's Administrative Citations.

Option 1 provides the District with a single flat fee for all Administrative Citation Processing up to Franchise Tax Board processing.

Option 2 provides the District with a less expensive upfront cost and individual costs for each subsequent transaction.

In addition, we have provided Optional Services the District may wish to utilize.

Fee Description	Administrative Citation Processing Fee Option 1	Administrative Citation Processing Fee Option 2
Citation Processing and Collections		
Manual Citation Processing	\$19.00	\$9.00
Electronic Citation Processing	\$15.00	\$7.00
1st Notice Sent	No charge	\$0.80
Delinquent Collections	No charge	28%* of paid amount
Franchise Tax Board Processing - SSN Look-up	\$3.00 per unique SSN	\$3.00 per unique SSN
FTB Collections	15% of paid amount	15% of paid amount
Advanced Collections Legal Action Not Required	30% of paid amount	30% of paid amount
Adjudication Services		
Adjudication Hold & Scanning of Documentation	No charge	\$0.50
Disposition Entry	No charge	\$1.00
Disposition Letters	No charge	\$1.25
Hearing Schedule Letters	No charge	\$1.25
Certified Letter Fee (Optional)	\$5.00 per letter	\$5.00 per letter
Hearing Performance	\$85.00 / hr	\$85.00 / hr

*Assessed at Citation Date + 60 Days

- A minimum fee of \$150.00 will be charged on a monthly basis if services do not reach this level

To further provide definition surrounding each line item, we have provided additional details below and on the following pages.

Manual and Electronic Administrative Citation Processing:

Services for the above-mentioned items include:

- Data entry of manually written citations performed within 48 hours of receipt
- Quality assurance verification of manually entered citations
- Scanning of all manually written citations onto our network for storage and ease of retrieval
- Bi-monthly shredding of manually written citations
- Electronic transfer of all electronically written citations, recordings, videos and photographs

1st Notice Cost:

Services for the above-mentioned item include:

- Semi-custom Notice that is printed on an 8 ½ x 11" piece of paper with a perforated tear-off payment stub provided in a window envelope sent to the registered owner of a vehicle
- All notices are attached to the citation online and are viewable via the web
- All notices sent via 1st Class Mail
- All notices include a return envelope in which the responsible party may submit payment
- This charge is only incurred if the individual does not pay within 90 days

Delinquent Collections:

- This fee will be assessed when a citation is sixty (60) days past the citation issue date, assuming a first notice has been sent to the registered owner and the citation is not on hold for any reason
- Three Delinquent Notices will be sent to the registered owner at no cost to the City
- All notices are sent via First Class mail and all notices are printed on an 8 ½ x 11" sheet of paper and folded into a window envelope; in addition, a window envelope is provided for the recipient to return payment
- All notices are attached to the citation online and are viewable via the web
- If Data Ticket does not collect on a citation that is delinquent, the Agency does not owe this fee
- Notices will be sent via 1st Class Mail, and Data Ticket will be responsible for the cost incurred and all customer service and payment entry

Franchise Tax Board Processing:

SSN Look-up

- This fee will be assessed to lookup a social security number associated with a particular responsible party and address
- **This charge is charged per unique SSN, not per citation**

FTB Collections

- This fee is charged if a citation is paid at the Franchise Tax Board
- **This charge is not combined with any other charge;** for example, if a citation is rolled to delinquent status and paid at FTB, only the 15% of revenue collected will be charged
- Data Ticket will send an FTB Notice to the Customer as required by the Interagency Intercept Program; this notice will be sent via 1st Class Mail at no additional cost to the City
- All notices are attached to the citation online and are viewable via the web
- **Data Ticket will pay for the Agency's cost to participate in the FTB program;** annually, FTB will send an invoice to the Agency for the number of debts placed at FTB; the Agency will simply provide this invoice to Data Ticket and Data Ticket will pay it in full
- **If Data Ticket does not collect on a citation that is at FTB, the Agency does not owe the collection fee**

Advanced Collections

- This fee is charged if a citation is paid at Advanced Collections
- **This charge is not combined with any other charge;** for example, if a citation is rolled to delinquent status and paid at Advanced Collections, only the 28% of revenue collected will be charged

2nd Level Hearing Hold, Scanning and Scheduling of Hearing

- Data Ticket will review all documentation received by the Appellant and determine whether the request received within the required timeframe
- If the request was received within the required timeframe, Data Ticket's Adjudication Department will place the citation on an Administrative Hearing Request Hold and scan all received documentation into the Solution where it is displayed on the web for the Agency's Staff and the Hearing Officer
- If the request is received outside the required timeframe, the Agency will have the option to proceed as though the request was received within the timeframe or it may elect to have Data Ticket send a "time expired letter" rejecting the appeal
- Data Ticket will work with the designated Hearing Officer to schedule the Hearing based on either a pre-determined schedule or an ad hoc basis, depending on the Agency's schedule

2nd Level Hearing Schedule & Disposition Letters

- Data Ticket will send a custom disposition letter to the Appellant via 1st Class Mail
- **All letters are attached to the citation online and are viewable via the web**
- Disposition letters will be sent Monday – Friday

2nd Level Hearing Disposition

- Data Ticket's independent, certified, insured hearing officers will be provided to the to perform in-person, phone and written hearings

- Each hearing request will be reviewed, heard or read and all required research will be performed
- The Hearing Officer will enter a judgment into the Citation Processing System for viewing by the Agency, Appellant and Data Ticket
- Hearings will be scheduled
- The Agency will incur costs associated with mileage as defined by Federal guidelines
- Data Ticket will work with the Agency to arrange for the use of a conference room at an Agency location or the Agency may elect to have citations heard at a centralized location within the County
- 4 Hour Minimum every 60-90 days (two hearings per hour)

Joint / Escrow Banking Services (Optional) \$100.00 per month
Services for the above-mentioned item include:

- Daily deposits of funds to the Agency's escrow account
- Online, real-time reconciliation reports that tie directly to the bank statement
- Processing of all credit card chargebacks and Insufficient Funds
- Month-end reconciliation of all funds collected
- Payment of Data Ticket's invoice
- Disbursement of the net remittance to the Agency
- Scanning of all payments directly to joint bank account daily using remote check deposit
- The Agency will be responsible for the purchase of banking supplies, including checks and endorsement stamps; these fees typically run \$200.00 per year
- Refunds verified and issued weekly

Online Access for the Agency's Customers: Included
The Agency's Customers will have the ability to perform the following functions online:

- View real-time citation(s) data
- Pay for a single or many citation(s)
- Request a Hearing online and attach up to 3 supporting documents
- Print a receipt
- View pictures of the citation taken by the issuing officer (if the Agency allows)

Online Access for the Agency's Staff: Included
Access to the Agency's data is based on unique usernames and passwords assigned to everyone who requires access to the system. **Data Ticket does not limit the number of individuals who have access to the system and the number and types of access can change at any point with a simple email request to Data Ticket.**

Our Solution is setup to maintain a complete audit trail for each transaction in the system so that the **username is displayed next to every transaction in the system, indicating who performed the transaction and when.**

Dependent on the access rights provided to each Agency Staff member, the following

capabilities are available:

- View real-time citation(s) data, including pictures taken by the Issuing Officer
- Accept payment via VISA, MasterCard, Discover and American Express credit/debit cards
- Accept payment via Cash, Check or Money Order
- Process NSF's, Charge-backs and Refunds
- Reduce or increase violation amounts, dismiss citations, void citations and place a citation on hold
- Change citation data, including violations, date, time, location, comments, and others
- Generate a time expired or letter of non-responsibility for a citation in the adjudication process
- View the complete reason for the Hearing Request and supporting documentation provided by the Appellant directly online
- Edit Appellant information
- Upload disposition documents sent to the Agency via US Mail
- Add a note to a citation and see all comments added to the citation
- View the reason for the 2nd Level Administrative Hearing Request online and view the supporting documentation provided by the Appellant, directly online
- Print a receipt with or without responsible party information

Reporting:

Included

- Data Ticket offers 24 reports online for our Clients to generate, print and re-print 24/7. We provide real-time reports that can be generated for any timeframe required and we provide pre-processed/month-end reports that reflect the month-end view of data.
- All reports are available online and **because we do not purge data unless specifically requested to do so by a Client, the data is available if the Agency is a Client.**
- All reports are generated in HTML so our Clients can copy and paste the data into Excel for data manipulation purposes.
- Report Generator capabilities that provide City Personnel with the ability to create, save, share and print custom reports at any time for any time frame.
- If the Agency were to request a report that was not already available, Data Ticket would work with the Agency to design the report and provide it to the Agency at no cost.

Manual Payment Processing:

Included

- Manually received payments (checks, cash, money orders and credit card payments sent via US Mail) are received at our PO Box in Newport Beach where a bonded and insured courier picks up the mail daily and delivers it to our Newport Beach office
- On-site Mail Department opens, sorts and batches the payments before providing them to our on-site Data Entry Department
- After double-blind entry of each payment, the citations are updated by our Quality Assurance team

- Payments are then provided to our Accounting Department where daily deposit slips are completed and provided to a bonded, insured courier who takes them to the bank

Chargebacks and NSF's **Included**

- Data Ticket will process credit card charge-backs and NSFs when notified of each occurrence if Agency is not an escrow account holder
- Once processed, Data Ticket will send a custom letter to the individual detailing the returned item and the amount due on the citation

Refunds **Included**

- Data Ticket will process refunds when notified of each by the Agency
- In the event the Agency utilizes Joint Banking, Data Ticket will verify, generate and send each refund due
- Refunds will be issued weekly
- Refunds will be sent via 1st Class Mail

Customer Service: **Included**

- Data Ticket provides a live, bi-lingual, on-site Customer Service Department that is fully trained to answer questions related to citation issuance, payment, adjudication, FTB, advanced credit reporting collections and more
- **All calls are recorded to quality assurance and recordings can be sent to the Agency at any time for review**
- Data Ticket's IVR is bi-lingual and accessible via several toll-free numbers; the IVR provides real-time information to the caller regarding current status, including the amount due
- The IVR accepts VISA, MasterCard, Discover, and American Express

Web Presence: **Included**

- Data Ticket's Solution is 100% web-based and Section 508 Compliant and is provided at: www.CitationProcessingCenter.com; this is a generic website in the sense that it is not Agency branded. This website allows for the Agency and the Agency's Customers to access citations online
- **If the Agency prefers an Agency branded website, one in which the look and feel mimics that of the Agency's website, Data Ticket can and will provide this feature to the Agency**

Cost Increases:

Postal Rate Increase Offset – If postal rates increase during the term of the agreement, fees to DTI shall be raised immediately to offset the effect of the actual postal rate increase.

CPI Increases – *There will be NO CPI increases for the duration of the agreement.*



Moraga-Orinda Fire District

Fire Prevention

HOME HARDENING GRANT PROGRAM Status Report

For Date Period From 07/01/2022 Through 10/31/2022

As part of the Fiscal Year 2023 budget process, the MOFD Board of Directors approved the implementation of a \$500,000 home hardening grant program. This program is open to all residents within MOFD’s jurisdiction for the 2022-23 fiscal year ending on June 30, 2023, with grants available to reimburse the purchase of ember-resistant vents not to exceed \$1,000 per parcel. Reimbursement is limited to the purchase of materials. Installation or other labor costs are excluded. Eligible projects are limited to the retrofit of existing residential vents, not otherwise required by code, using materials and construction methods approved for ember-resistant construction in accordance with the standard identified in Section 7A of the California Building Code and/or R337 of the California Residential Code.

Staff has negotiated a 10% discount for any residents purchasing approved vents direct from Brandguard. Orders can be placed via <https://www.brandguardvents.com/> and the discount will be applied for orders shipped to addresses within the fire district.

Staff continues to research approved gutter guards and has engaged the Office of the State Fire Marshal in an effort to have gutter guards added to the WUI Building Material List. In parallel, staff is researching available stainless-steel models for testing within the fire district.

STATUS REPORT

Budget	\$500,000
Mesh Purchased	\$51,001
Reimbursement Processed	\$125
Budget Remaining	<u>\$448,874</u>
# of Reimbursement Applications Processed	1
\$ Amount Reimbursements	\$125
# of Reimbursement Application in Process	
\$ Amount Pending	
# of In-kind Applications Processed*	40
Mesh Distributed	2500(ft)

*Note: Several in-kind (mesh) requests have been for multiple rolls to service neighborhood level requests including multiple houses per request



Moraga-Orinda Fire District
BOARD OF DIRECTORS
REGULAR BOARD MEETING MINUTES
October 19, 2022
(DRAFT – PENDING APPROVAL)

1. OPENING CEREMONIES

The Board of Directors convened a teleconference Open Session at 7:00 p.m. on October 19, 2022, via the Zoom application <https://us02web.zoom.us/j/84931541055>, webinar id: 84931541055 and by phone at 669-900-6833. This meeting was conducted by webinar and teleconference in accordance with AB 361. The meeting was not available for in-person attendance.

President Donner called the meeting to order and requested an attendance roll call. Director Danziger led the pledge of allegiance.

President Donner	Dave Winnacker, Fire Chief (arrived late)	Christine Russell, HR Manager
Director Baitx	Gloriann Sasser, Admin. Services Director	Mary Smith, Finance Manager
Director Danziger	Jeff Isaacs, Fire Marshal	District Counsel Jonathan Holtzman
Director Jex	Lucas Lambert, Battalion Chief	Marcia Holbrook, District Clerk
Director Jorgens		

2. CONSENT AGENDA (audio 00:01:33)

2.1 Adopt Resolution 22-29 Re-Ratifying Findings and Determining A Need to Continue Holding Remote Meetings By Teleconference

Director Danziger commented Governor Gavin Newsom declared he was lifting the State of emergency at the end of February 2023.

President Donner opened the public comment. There were no requests to address the Board. President Donner closed public comment.

Director Baitx moved that the meetings return to in-person. The motion died for lack of a second. President Donner stated the Directors would wait for the official lift from the Governor.

Motion by Director Danziger and seconded by Director Jorgens to adopt Resolution 22-29 Re-Ratifying Findings and Determining A Need to Continue Holding Remote Meetings By Teleconference. Said motion carried a 4-1-0-0 roll call vote (Ayes: Danziger, Jex, Jorgens, and Donner; Noes: Baitx; Absent: None; Abstain: None).

3. PUBLIC COMMENT - ITEMS NOT ON THE AGENDA (audio 00:03:17)

President Donner opened the public comment.

District Clerk Holbrook announced one written public comment was received after 3 p.m. from Kelly Morris-Nichols regarding a work-related incident that occurred on December 2, 2012, and the status of the payout of the work comp. District Clerk Holbrook stated the written comment exceeded the three-minute maximum time limit. President Donner allowed the extra time. District Clerk Holbrook read the letter into the record, attached to these minutes. District Clerk Holbrook noted that the MOFD Attorney referenced in the letter is the Workers Comp Attorney, not an MOFD Attorney.

District Counsel Holtzman added the attorney referenced is the third-party Worker's Comp carrier who presented information at the September 2022 meeting. The underlying issue Ms. Morris-Nichols discussed is not in the District's control. Mr. Holtzman offered to contact the carrier again and try to understand more about what was going on but emphasized that this was not an MOFD claim. President Donner clarified this is not the District going after any part of this worker's compensation settlement and that it is the third-party insurer. Mr. Holtzman stated that was correct.

Administrative Service Director Sasser explained that the District is a member of the Fire Agencies Self-Insurance System (FASIS). FASIS is a joint powers authority that provides worker's compensation insurance to Fire Protection Districts and comprises many different fire districts. The FASIS has control over this item. The District has communicated with the FASIS attorney, and the claim is working through their system. President Donner voiced the Board collectively feels that Ms. Morris-Nichols is one of our members who was in a horrible accident and is permanently disabled. The District should do whatever we can to help Ms. Morris-Nichols settle. Directors Danziger and Jorgens agreed.

There were no additional requests to address the Board. President Donner closed public comment.

4. ANNOUNCEMENTS (audio 00:12:55)

4.1 Brief information only reports related to meetings attended by a Director at District expense (Government Code Section 53232.3(d)). No Report.

4.2 Questions and informational comments from Board members and Staff. No Report.

4.3 Communications Received. No notable communications were received.

4.4 Fire Chief Updates

a. Finance Report

Finance Manager Smith provided the report and presented the status of OES reimbursements, attached to these minutes, item 4.4(a). Other items reviewed: The audit is scheduled for the week of December 12, 2022, with the final audit report expected in February 2023. Director Jex asked about the estimated amounts for 2022-2023. Finance Manager Smith explained the F42 process and that the amounts include invoices received and outstanding F42s. Director Jorgens asked if the estimated 2021-2022 amounts included invoices waiting for State approval. Finance Manager Smith answered no; the column should say "actual" versus "estimated" and will update the report.

b. Human Resources

Human Resources Manager Russell provided the report, attached to these minutes, item 4.4(b). The Firefighter Paramedic training recruitment is in the background process, and Staff will schedule the orientation and five-call evaluation in a couple of weeks. The Fire Inspector-Plans Examiner position has been reposted and is scheduled to close on October 31, 2022. One Fuels Mitigation Specialist resigned to accept a position with another agency, and Staff will be posting the position. The Battalion Chief internal only recruitment is scheduled to close on November 16, 2022, with the exam in December.

Director Jex inquired about the Fuels Mitigation Specialist turnover. HR Manager Russell answered the position had several turnovers because the position is a stepping stone. President Donner added a lot of the employees that are Fuels Mitigation Specialists have the desire to be firefighters. The position is a segue into a career industrywide. Director Jorgens asked if the District tried to groom these employees and find opportunities within the District. Fire Marshal Isaacs answered yes. Most of the Fuels Mitigation Specialists are not qualified paramedics and are entry-level. In other agencies, fire suppression does not require a person to be a qualified paramedic.

Director Danziger asked if the District had the academy lined up for the new Firefighter Paramedics. HR Manager Russell answered the District is working with the Livermore-Pleasanton academy to schedule something in December 2022 or January 2023. Director Danziger asked how the open Fuels Mitigation Specialist would impact the work in the District. Fire Marshal Isaacs stated the season is winding down with inspections and complaints. Staff will be able to keep moving forward without a noticeable slowdown.

Director Danziger asked if a preference is given (for hiring non-sworn positions) to local residents and veterans. HR Manager Russell answered that the District does not have a policy at this time.

c. Fire Marshal

Fire Marshal Isaacs provided the report and reviewed the statistics in the Monthly Fire Prevention report included in the Board packet, item 4.4(c). Current projects are evacuation route re-inspections, property transfer inspections, complaints, the County Fire Code, and Zone Zero Work Group. Director Jex inquired about the 2021 outstanding inspections. Fire Marshal Isaacs explained that most of those parcels had been cited for additional complaints, which keeps the case open. Director Jex asked if the 2022 numbers reflect the current activity. Fire Marshal Isaacs confirmed.

Director Jorgens asked if the District has compliance with the large landowners. Fire Marshal Isaacs answered yes. Some were compliant by the due date of June 1, and some required a citation to be issued to get them to comply. Director Danziger inquired about the status of the school inspections. Fire Marshal Isaacs answered Staff intended to use the inspections as a training opportunity for the new Fire Inspector/Plans Examiner. With the delay in hiring the new Inspector, Staff will work with West Coast Code Consultants to complete the inspections.

d. Home Hardening Grant Program

Fire Marshal Isaacs provided the report. Staff has ordered 1800 feet of bushfire mesh material and has 800 feet remaining. The District has received 30+ in-kind requests and four requests for reimbursement. President Donner asked how much of the \$500K grant has been utilized. Fire Marshal Isaacs did not have that information. President Donner requested information on how the grant is doing and the status with the funding. Fire Marshal Isaacs will work with the Finance Manager and send that information to the Board. Director Jorgens estimated the amount spent to be \$25K.

Director Danziger inquired how the District is advertising the home hardening grant program. Fire Marshal Isaacs answered it is being publicized through the Firewise Communities and Fire Adapted Community Ambassadors. Staff waited to receive the initial feedback to ensure the homeowners liked the product. Based on the feedback, Staff will proceed with promoting the program.

Director Jorgens asked about the status of providing all metal gutter protectors. Fire Marshal Isaacs informed that Staff reviewed a product and is researching to ensure it is listed on the Office of the State Fire Marshals approved material list. Director Danziger requested information on the cost of the mesh and the number of applications received for the rebates.

e. Tunnel East Bay Hills Fuel Break Project

Fire Marshal Isaacs provided the report and shared a map of the five work areas of the project. Work has been performed in work area 2 and portions of work area 1 because the land is owned by East Bay Municipal District (EBMUD). EBMUD has the required CEQA documents to allow the work. Sequoia, the District's environmental consultant firm, is doing the CEQA work for the other work areas three, four, and portions of five. Work areas six and a small portion of five are also on the EBMUD lands, and work will soon be conducted in those areas.

Fire Marshal Isaacs shared that UC Berkeley recently had grant work stopped by the Courts because they did not complete their environmental documents correctly. MOFD is working with Sequoia Consultants to ensure that the District is doing due diligence on the project. The environmental work should be done in spring 2023. Due to the experience from the North Orinda Shaded Fuel Break (NOSFB), Staff will be able to complete the project within the three-year time limit.

Director Jex inquired about the two work areas labeled number 4. Fire Marshal Isaacs explained the area was split into two because it is private property and operationally made sense. In addition, a portion of the upper work area in area 4 will tie into a grant from Cal Fire that Contra Costa County Fire Protection District received.

President Donner asked if the District follows the same criteria as the NOSFB in all the work areas. Fire Marshal Isaacs confirmed. Work area six (on the top of Flicker Ridge) has some sensitive environmental areas. Staff is working with the EBMUD biologist and the Sequoia environmental consultants. Those areas will not move beyond a 100' fuel break.

Director Danziger asked if the District had a Project Manager for the project. Fire Marshal Isaacs said the project is budgeted for two positions (Project Coordinator and Assistant Project Coordinator). Staff will hire those positions when the project is ready to begin after the environmental documents are ready. Director Danziger asked if the District would follow the normal hiring process to hire people. HR Manager Russell answered Staff would need to check the requirements in the contract. Fire Marshal Isaacs recommended using the same Project Coordinator used for the NOSFB. President Donner asked if the plan was to hire the same person. Fire Marshal Isaacs answered if allowed by the contract and HR requirements.

Director Jex inquired how the piles would be mitigated. Fire Marshal Isaacs answered the District would burn the piles. In some areas where burning is not the best treatment method, Staff will chip. Director Danziger noted a correction to the agenda. Item 4.4e reads "Tunnel Easy Bay Fuel Fuel Break Project" and should read "Tunnel Easy East Bay Fuel Fuel Break Project".

f. Operations

Battalion Chief Lucas Lambert provided the report, attached as item 4.4(f). On October 1, 2022, the public was invited to join MOFD staff for the Fall Open House Event. Firefighters served a pancake breakfast, demonstrated vehicle extrication, and showed off some of the District's specialized equipment. Battalion Chief Lambert expressed gratitude for the support the local community organizations and agencies provided. Proceeds from the event were donated to the Alisa Ann Rush Burn Foundation. On October 7, 2022, Crews responded to a vehicle 100' down an embankment with the driver trapped in the vehicle. Crews established a low-angle rope system to access the patient. The patient was extricated from the vehicle and hoisted to the roadway with a technical rescue system. On October 11, 2022, a dump truck driver lost control of the vehicle, flipping it on its side. The patient was extricated, and the hazardous materials leaking from the vehicle were mitigated. On October 17, 2022, Crews responded to a motor vehicle accident on eastbound Hwy 24. Upon arrival, the accident scene was blocking all lanes of traffic. Two patients were trapped inside the vehicle, quickly extricated, and transported to the hospital in critical condition.

President Donner asked about the protocol when responding to freeway incidents. Battalion Chief Lambert explained protocol is two apparatuses (one is an engine and one truck), an ambulance, and

one Battalion Chief. The District works collaboratively with all agencies within the county and the CHP to slow traffic flow countywide.

MOFD has experienced a significant increase in public education events. Crews have enjoyed re-engaging with the community and are thankful for these opportunities to educate the public and interact with the community. Battalion Chief Lambert shared pictures from a Moraga Royale Grandparents day with participation from one of the local sports teams.

Battalion Chief Lambert described a Probationary Firefighter training exercise. Probationary Firefighters are tested on several different evolutions that simulate emergency incidents. Battalion Chief Lambert showed pictures of the training scenarios on vertical ventilation. Battalion Chief Lambert reported that Crews are still committed to the Mosquito Fire. Efforts have shifted to repair and rehabilitation of the forest.

President Donner opened Public Comment for items 4.1-4.4.

Jonathan Goodwin, Canyon resident, inquired about the abandoned cars off the road on Pinehurst and Wildcat Canyon and if the District was trying to find a way to note those vehicles in the dispatch system to reduce wasted resources in responding to these calls. Battalion Chief Lambert answered the District has collaborated with the Dispatch Center and CHP. The vehicles have been noted and are a burden to the District. The District does investigate every incident for the possibility of somebody being in the vehicle. Every time the District responds, the vehicle is marked with an identifier.

Mr. Goodwin commented about the brush pile removed in Moraga but left on the ground in the unincorporated areas and the appearance of being discriminatory. Mr. Goodwin asked if the Fire Marshal has been able to attend the Diablo Fire Safe Council and Hills Emergency Forum (HEF) meetings and the status of Cheryl Miller's potential retirement. Fire Marshal Isaacs answered that he has been attending the meetings and is the Diablo Fire Safe Council Vice President, and he deferred to Ms. Miller about her retirement plans. Fire Marshal Isaacs assured no discrimination, ill will, or intent regarding the piles left on the ground in the unincorporated area. Those remaining piles were evaluated, and it was determined that the best method to remove them was to wait for the change in weather when they could be safely burned.

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

5. CONSENT AGENDA (audio 1:01:07)

- 5.1 Meeting Minutes – September 20, 2022 (Regular): Approve and file
- 5.2 Monthly Incident Report – September 2022/Staff Recommendation: Approve and file
- 5.3 Monthly Check/Voucher Register – September 2022/Staff Recommendation: Approve and file
- 5.4 Monthly Financial Report – September 2022/Staff Recommendation: Approve and file
- 5.5 Approval of GASB 75 OPEB Valuation Report Measured as of June 30, 2022: Approve
- 5.6 Reject Claim from Jon Bensley in the amount of \$3,821.38: Reject
- 5.7 Authorize the purchase of one Type VI wildland fire apparatus from Ward Apparatus in the amount of \$250,685.15 and approve a Capital Projects Fund expenditure budget adjustment increase in the amount of \$686.
- 5.8 Declare one 2005 Ford Ranger and one 2008 Chevy Suburban surplus

President Donner opened Public Comment for Consent agenda items. There were no requests to address the Board. President Donner closed Public Comment.

Motion by Director Danziger and seconded by Director Jex to approve Consent Agenda items 5.1-5.8. Said motion carried a 5-0 roll call vote (Ayes: Baitx, Danziger, Jex, Jorgens, and Donner; Noes: None; Absent: None; Abstain: None).

6. REGULAR AGENDA

6.1 Quarter One Financial Update and Budget Review FY2023 (audio 1:02:05)

Administrative Services Director Sasser provided the report, attached to these minutes, Item 6.1. A financial update was prepared through the end of the first quarter, July 1, 2022, through September 30, 2022. The budget was adopted in June 2022 and projected a General Fund surplus of \$292K. The updated projected surplus based on financial information through the first quarter is \$380K. ASD Sasser reviewed the status of each of the revenue and expense categories.

Revenue – Less than budget \$385K

- Property tax meet budget
- Ambulance services less than the budget by \$154K
- Strike team revenue less than budget by \$230K
- Fire prevention/plan review less than budget by \$29K due to a slowdown in plans submitted to the District

Expenditures – Less than budget \$461K

- Salaries less than budget by \$589K and Retirement contributions less than budget by \$242K due to six vacant or unpaid Firefighter Paramedic positions and one vacant Fire Inspector/Plans Examiner position
- Overtime exceed budget by \$444K due to the six vacant firefighter paramedic positions
- OPEB contribution exceed budget by \$16K. The budget includes \$351K for the annual OPEB trust pre-funding contribution for retiree health benefits. The latest updated actuarial report on the Consent Calendar calculated the updated contribution at \$367K. The projected actuals in this financial update include the \$16K higher contribution amount.

The District started the fiscal year with \$18.7M in unrestricted cash and investments and \$15.1M in General Fund unrestricted fund balance. The projected surplus would increase the unrestricted fund balance to \$15.5M, exceeding the Fund Balance Policy minimum of 17% and less than the Policy goal of 50%. Director Jorgens asked about the monthly revenue graph and revenue payments. ASD Sasser explained the revenue comes in July and again in December.

The Capital Projects Fund has a projected surplus of \$1.8M due to a budgeted transfer from the General Fund of \$3.1M. The purpose of the planned transfer is to accumulate funds in the Capital Projects Fund to pay for the future Station 41/Administration rebuild project. The transfer is subject to Board approval during the Mid-Year Budget Review process in February 2023.

The Debt Service Fund has a planned use of reserves of \$1.7M due to the final pension obligation bond payment. The pension obligation bonds were paid-in-full on July 1, 2022. The Tunnel East Bay Hills Fuel Break Fund has a projected surplus of \$360K. Director Jex asked if the projection amount for the Tunnel East Bay Hills Fuel Break Fund is a total amount or just for the current year. ASD Sasser answered the current year. Director Danziger suggested taking a closer look at the budget projections for Strike teams when setting the budget for 2023-2024. Director Jorgens expressed concerns about the portfolio decline due to the economic forecast and housing markets. Director Jorgens requested Staff bring back an update on the long-range financial plan and variables that might impact the portfolio.

Director Jex asked if there was a way to get an update on the OPEB and Pension Fund as of December 31, 2021. ASD Sasser answered that the CCCERA investment return report is available quarterly. Director Jorgens commented that the CCCERA quarterly reports do not reflect the current market. President Donner recommended the discussion continue as a future agenda item. Director Jorgens suggested the District could have the representative from GovInvest provide scenarios. President Donner responded that the District cannot predict what the market will do but can look at the figures. Director Danziger and Jorgens agreed. Director Jorgens commented that given our strong (inaudible) not to invest in international markets, CCCERA is heavily invested in international markets, which has declined 40%.

President Donner opened the public comment. There were no requests to address the Board. President Donner closed public comment. No further discussion by the Board.

6.2 Format of the Monthly Financial Report (audio 1:14:51)

Administrative Services Director Sasser provided the report. At the September 2022 board meeting, Staff was directed to present options for the monthly financial statements to add context to the monthly report. Staff proposed a Monthly Summary as an addition to the monthly General Fund financial statements. The monthly summary will compare revenue and expenditure categories to the current year's budget and to the prior year's actual. The summary will also include comments and explanations of variances or other significant items to note if district revenue and expenditures are on or off course.

Director Jorgens asked if the summary would include an explanation if the District had anticipated being at X-point and is at Y-point and explain why it is different. ADS Sasser confirmed that Staff would include that information. Director Jex stated the quarterly reports show a fund balance for the three major funds. Director Jex requested a summary balance sheet every quarter. ASD Sasser answered all of the funds are reported on a monthly basis in the financial statements on the Consent calendar. Director Jex replied the statements do not include a fund balance. ASD Sasser confirmed. Director Jex explained that the report needs to show the changes in the fund balance. Director Jex requested to see the fund balances more frequently than quarterly and the full balance sheet every quarter. ASD Sasser concurred. Director Danziger supported the recommendation to have a summary of the monthly statements. Director Jorgens agreed.

President Donner opened the public comment. There were no requests to address the Board. President Donner closed public comment. No further discussion by the Board.

6.3 Emergency Paid Sick Leave - COVID-19 Pandemic (audio 1:22:28)

Human Resources Manager Russell provided the report. In April 2020, the MOFD board approved additional sick leave of 144 hours to all employees to minimize the impact of the COVID-19 pandemic. On March 19, 2021, Governor Newsom signed SB95. SB95 required employers to provide an additional 80 hours of COVID-19 supplemental paid sick leave to full-time employees and a prorated to part-time employees. In April 2021, the Board approved a sick leave policy to comply with SB95 mandates. On February 9, 2022, Governor Newsom signed SB114. The law reauthorized COVID-19 supplemental paid sick leave effective February 19, 2022, through September 30, 2022, with retroactivity to January 1, 2022. On September 30, 2022, Governor Newsom signed AB152 into law. AB152 extends the deadline for employees who have not exhausted their supplemental paid sick leave allotments to use such leave until December 31, 2022. The amendment extends the period when employees who have not used their supplemental paid sick leave can use the sick leave if necessary. The District complies with AB152, and the Board required no action.

President Donner opened the public comment. There were no requests to address the Board. President Donner closed public comment. No further discussion by the Board

At approximately 8:25 p.m., Fire Chief Winnacker arrived.

6.4 Single Role EMT and Paramedic Positions. (audio 1:26:43)

Fire Chief Winnacker provided the report. At the May 2022 regular board meeting, Staff was directed to form a working group to develop a proposal to implement single role paramedics to increase ambulance staffing. At the June 2022 regular board meeting, Staff was directed to gather further information regarding area departments that have implemented single role ambulance models. At the September 2022 regular board meeting, Staff was directed to place the item on the October 2022 agenda. Fire Chief Winnacker read the staff report into the record.

Staff held meetings with the San Ramon Valley Fire District, Berkeley Fire Department, and the South San Francisco Fire Department regarding their programs. South San Francisco is in the process of implementing a program by July 1, 2023. While still being developed, this program will engage local residents by sponsoring EMT training opportunities and providing a hiring preference for residents to create career pathways. South San Francisco intends to support EMT employees participating in paramedic school with City-sponsored tuition and internship opportunities. The proposed program also includes a closed-loop hiring process for single role paramedics from the pool of EMTs. San Ramon Valley Fire Protection District implemented a single role paramedic program in the spring of 2022. The program has served as a hiring pool for Firefighter/Paramedic (FF/PM) vacancies, with qualified members being offered the opportunity to apply for positions with SRVFPD. With the SRVFPD deployment model, single role ambulances are being added to the system as an additional response resource. Berkeley Fire Department recently implemented single role EMT and paramedic positions. In the Berkeley deployment model, implementation of single role ambulance staffing is combined with increased Firefighting (FF) staffing on selected apparatus and changes in the supervisory structure.

In all cases, it was confirmed that the firefighter FLSA exemption does not apply, and all hours worked in excess of 40 hours a week are considered FLSA overtime. The fully burdened annual cost per MOFD position is estimated (includes salary, benefits, and employer payroll taxes) for the FF/PM \$260,000 (this position is included in the current Memorandum of Understanding (MOU) with Local 1230). The Single Role Paramedic is \$154,000 (this position is included in the current MOU), and the Single Role EMT is \$143,000 (this position is not recognized/included in the current MOU with Local 1230 and is included in this staff report for discussion only).

There are several ways the District could implement single role paramedics and EMTs. Implementation is subject to Meet and Confer with Local 1230 per the current MOU. One possible way to implement this would be to place one paramedic and one EMT on M45. This would require the District to employ three single role paramedics and three single role EMTs at an annual cost of \$891,000 per ambulance. In addition, it could be necessary to add a supervisory employee resulting in additional costs with a represented Capt/PM or BC being a reasonable surrogate to estimate the cost of new supervisory position. This would be subject to Meet and Confer.

A second implementation option would be to staff two single role ambulances (M45 and M41). Board direction would be required regarding the assignment of the six FF/PMs currently assigned to M41. The current budget includes funding for 57 Safety positions. Section 24 of the MOU with Local 1230 dictates minimum staffing. Per the MOU, the present minimum staffing level of Safety personnel is 17. The MOU

states the District may reduce the number of safety personnel to 53 and hire six single role paramedics to staff District ambulances with on-duty minimum staffing of two single paramedics per shift. Should the Board decide to staff two ambulances with single role paramedics and/or EMTs instead of FF/PM, per the MOU, the District would also have the option to reduce the number of Safety positions.

President Donner asked if San Ramon implemented one of their five ambulances with this single role. Fire Chief Winnacker confirmed.

Director Danziger asked a series of questions about the single role model (would stations 41 and 45 be included, would there be 12-hour shifts, or one 24-hour shift and one 12-hour shift, and what would the District do with the two additional firefighters). Director Danziger stated he was conflicted about the single role model and was inclined to support the restoration staffing in the current model because a supervisory position would not be needed, and the District would gain two firefighters. President Donner expressed concern about bringing in new medics and EMTs in a complicated District and response times. President Donner opposed going from 17 to 15 on a daily basis.

Director Jex commented the cost for Berkeley implementation was \$400K and requested to see the net cost for a total package before proceeding. Director Danziger agreed that that information was a piece, but the Board must also look at the best model for the District and community. If the District could hire six more FF/PMs, that would be the safest model for the community. It would not require a new supervisor or any other negotiations. Director Jex asked what the motivation and rationale were for the three other Districts that implemented the single-role model. Director Jorgens stated that was one of the questions he submitted to Fire Chief Winnacker (what was the logic, the math, the process the other Districts went through, the pros and cons) to leverage the logic and the rationale on the data that other Districts used. Director Jorgens said this information would make a material difference in the District's long-range finances.

President Donner opened the public comment.

Daniel Elbanna, Local 1230 Union Representative, opposed removing two firefighters from the District, considering that the District has just under 50% non-restricted reserves, with two additional reserve accounts (OPEB and Pension Stabilization Fund) and supported the hiring of FF/PM. In looking at the total cost of the single role model, plus adding the supervisor role, the difficulty in recruiting an EMT and Paramedic would add cost. The EMT and paramedic turnover is high, and training, hiring, and recruiting expense would add a lot to the cost. Mr. Elbanna calculated a \$300K difference between hiring FF/PM versus paramedic/EMT. For \$300K, the District can hire FF/PM on medic 45, increasing operational ability and service levels. District Clerk Holbrook announced the 3-minute time limit expired for public comment. President Donner allowed the speaker to conclude his comments. Mr. Elbanna concluded he opposed any consideration of the single role model and encouraged the Board to vote to increase staffing to 19 FF per shift at the November board meeting.

Jonathan Goodwin, Canyon resident, posted a chat message stating the specific scenario is unknown in terms of the District's needs and Standards of Coverage.

Jonathan Goodwin, Canyon resident, commented that the staff report provided no basis for deciding. Mr. Goodwin recommended the Board base the decision on need and go back to the original basic standards of coverage document made by Fire Chief Johnson. Mr. Goodwin suggested the District hire a consultant to put forward a process to assist the Board in the decision-making process. District Clerk Holbrook announced the 3-minute time limit expired for public comment. President Donner allowed the speaker to conclude his comments. Mr. Goodwin concluded that the Board should consider the need of the District and community.

President Donner shared he has received over 200 emails in support of hiring FF/PM. Director Danziger supported hiring a consultant and holding a workshop with somebody to guide the Board. Director Danziger has also received 300 emails supporting the restoration of staffing.

There were no further requests to address the Board. President Donner closed public comment.

Director Danziger suggested a special meeting in November to discuss how to go forward and find somebody to help the Board work through the process. President Donner asked if the Board is allowed to hold a special meeting regarding the issue. District Counsel Holtzman answered a special meeting is allowed to discuss the issue.

Director Jorgens commented on potential scheduling conflicts for council members and other people and the reason for the Regular meetings. It would be better to cover the topic at a Regular meeting. Director Jex added it takes time for Staff to be able to gather the information requested, prepare the information for the staff report, and hire a consultant.

Director Baitx stated the topic had been discussed multiple times, and the Board has received numerous reports. Director Baitx favored the Board moving forward with making a decision. Director Baitx opposed hiring a consultant. Director Jorgens asked what the long-range financial impact of the decision would be for the District and if Director Baitx felt he had the data to make the decision. Director Baitx answered yes.

President Donner supported holding a Special meeting to discuss this issue. In the Special meeting, the directors could discuss the long-range financial plan and the various scenarios. Director Jorgens added the Board could talk about the rationale used by the other agencies and the pros and cons. President Donner agreed that a Special meeting should be held to discuss and deliberate on the issue.

Director Jorgens suggested holding the Special meeting/workshop before or after the Regular meeting. Director Danziger agreed. President Donner requested the Board provide staff direction. Director Danziger suggested the Board submit in writing specific items or questions for the Fire Chief to cover in a staff report. Directors Jorgens and Jex agreed.

Fire Chief Winnacker restated that the direction is to schedule a Special meeting before the next regularly scheduled meeting to continue the discussion of this topic. The Directors will submit questions in advance of the meeting. Fire Chief Winnacker requested the questions be submitted as soon as possible. Some of the items mentioned will require a significant amount of staff work to research. Fire Chief Winnacker stated it would be constructive if the questions included specific scenarios and the time horizon within which the model information is being sought. Fire Chief Winnacker cautioned that some questions might be too complex to answer within the time allotted. Staff will endeavor to answer all of them in a comprehensive manner. Director Jorgens stated Staff could provide that feedback if Staff cannot answer the questions, and the timeframe can be discussed.

President Donner asked if the Directors were clear on how to ask their questions. The Directors did not have any questions on how to submit the inquiries. Director Danziger asked if the Board could vote on items at the Special meeting. District Counsel Holtzman answered there are some limitations on certain types of businesses that can be voted on at Special meetings. Mr. Holtzman to look into the legal code regarding limitations. Director Jex stated the Special meeting would precede the Regular meeting. Mr. Holtzman replied if it is preceding the Regular meeting, then it does not matter. If the Board is going to act on something, that item has to be agendaized. The Board cannot act on an item that is not on the agenda.

Director Danziger asked if the Directors decided to go to 19 in staffing, would that require a Meet and Confer? Fire Chief Winnacker confirmed. The current minimum staffing referenced in the L1230 MOU specifies 17 as the minimum staffing. Increasing the minimum staffing would require opening the MOU and negotiations.

Director Danziger acknowledged if this Board decided on any of the possibilities or scenarios, the Board would not be able to vote on the item next month because any of the options would have to go to negotiations. The topic can be discussed, but the Board cannot approve it since it would have to go through that process. District Counsel Holtzman confirmed.

Fire Chief Winnacker clarified that the only scenario envisioned in the MOU, not subject to bargaining, would be the implementation of single role paramedics based on a reduction in safety staffing. The single role model is subject to a Meet and Confer but not bargaining since it is already envisioned in the MOU. Every other option would be subject to bargaining.

Fire Chief Winnacker restated the Board's direction to schedule a Special meeting before the next regularly scheduled meeting. The topic will be the same agenda item presented tonight. The substance of the staff report will be responses to the questions received from the Directors. Fire Chief Winnacker reiterated the request for specificity on the questions to be submitted and the potential that there may be questions too complex to be answered within the available time. All directors agreed. No further discussion by the Board.

6.5 Establish an Ad-Hoc Committee to investigate with the Contra Costa County Board of Supervisors if MOFD Members are eligible to receive the federal COVID-19 relief one-time \$2,500 payment. (audio 2:05:38)

Fire Chief Winnacker provided the report. At the September 21, 2022, board meeting, a director expressed interest in establishing an Ad-Hoc Committee to determine with the Contra Costa County Board of Supervisors if MOFD First Responders are eligible to receive the federal COVID-19 relief one-time \$2,500 payment. Fire Chief Winnacker read the staff report into the record. President Donner volunteered for the committee. Director Jorgens nominated Director Baitx. Director Baitx recused himself due to his employment with Con Fire. Director Danziger volunteered.

President Donner opened the public comment. There were no requests to address the Board. President Donner closed public comment.

Motion by Director Jex and seconded by Director Jorgens to establish an Ad-Hoc Committee to investigate with the Contra Costa County Board of Supervisors if MOFD Members are eligible to receive the federal COVID-19 relief one-time \$2,500 payment and appoint Directors Donner and Danziger to the Ad-Hoc Committee for Federal COVID-19 relief bonuses. Said motion carried a 5-0-0 roll call vote (Ayes: Baitx, Danziger, Donner, Jex and Jorgens; Noes: None; Absent: None; Abstain: None).

7 COMMITTEE REPORTS (audio 2:07:00)

7.1 Audit Committee (Directors Danziger and Jex). No Report

7.2 East Bay Hills Wildfire Prevention and Vegetation Management Joint Powers Agency Meetings (Directors Danziger and Jorgens). No Report

7.3 Facilities Station 41 Ad Hoc Committee (Directors Baitx and Donner). No Report.

7.4 Joint Fire Prevention Ad Hoc Committee w/City of Orinda (Directors Donner and Jorgens). Director Jorgens reported a meeting was held on Monday, October 17, 2022. The City of Orinda is hiring a full-time person to work on prevention and communications. The City has started its Grant program for the City of Orinda, focusing on the emergency routes. Director Danziger asked for an update on a recent grant that MOFD received. Fire Chief Winnacker shared it is not a grant but a State budget line item to enhance wildfire mitigation programs to include an \$800K appropriation for a three-year pilot expansion of MOFD's fuels mitigation program (adding two additional Fuel Mitigation Specialist positions for 3-years). Staff is working through the administrative process with the State. As that information is received, Staff to bring the item back to the Board for approval.

President Donner opened the public comment.

Jonathan Goodwin, Canyon resident, asked for an update on Station 41/administration building project. Fire Chief Winnacker answered Staff is in preliminary discussion with various property owners.

There were no requests to address the Board. President Donner closed public comment.

8. ANNOUNCEMENTS (audio 2:15:00)

8.1 Future Agenda Items.

President Donner asked since the Fire Inspector/Plans Examiner position reopened, if the District should hire an Assistant Fire Marshal instead. Fire Chief Winnacker answered that an Assistant Fire Marshal (DFM) has higher qualifications, certifications, capabilities, and pay and is considered a promotional opportunity for an Inspector. Fire Chief Winnacker could bring analysis to the Board for consideration. A DFM would result in a more qualified member who would be autonomous and requires less supervision. President Donner explained his thought process is that both the Fire Chief and Fire Marshal are at capacity, and the District could hire somebody that could help the fire prevention program and support the Fire Chief and Fire Marshal.

Director Jorgens responded that it was an interesting idea; however, the risk when hiring somebody with a lot of qualifications and performing the job of a Plans Examiner could be frustrating for that person. The District would need to ensure there is enough for them to do so the job is enriching. Fire Chief Winnacker answered that because of the District's size and limited Staff, everybody needs to be able to move across the spectrum from very mundane to very complex duties.

Director Danziger requested a report on the District giving preference to hiring local residents and veterans (it does not need to be on the November agenda). Director Danziger requested statistics on the citation program to include financial information about Data Ticket, their contract, how much is paid to Data Ticket for processing, how much the District has billed, and how much the District has received on the citations. The report could be included as part of the Fire Marshal's monthly report.

President Donner requested a review of the District's pension. Director Jorgens requested a review of the long-range financial plan and scenarios of what the District thinks is going or could happen with the current and future economy. Director Jorgens to send in some data on scenarios. GovInvest may need to be involved.

Director Danziger requested a timeline summary report on the Tunnel East Bay Hills Fuel Break. Fire Chief Winnacker responded that the fuel break project is event-driven based on the environmental review. Staff to present a timeline of expected actions, but a significant portion of the timeline is outside Staff's control and is unknowable because the project timeline depends on the environmental report and the additional actions that report generates. Director Danziger suggested leaving the topic under the Fire Chief Update to provide the Board with a regular update. Fire Chief Winnacker concurred and reiterated the project does not have a CEQA exemption. The environmental review is a lengthy and time-consuming process. Once that review is complete, Staff will be able to then move quickly on the project. If the environmental review runs long, there is a possibility that the project will move into the next fire season.

Director Baitx requested an action item for the Regular meeting on the Special meeting staffing discussion item and asked about the description needed for the agenda. District Counsel Holtzman answered the description of the action to be taken needs to include the essence of the action the Board is planning to take. The actions could list multiple actions; for example, it could say the Board will choose between A and B. The action does require specificity because of the Brown Act. The idea of the Brown Act is the Board is putting the public on notice of what might happen in that meeting. This requires some decisions to be made ahead of time regarding the presented options.

Director Baitx asked if one of the options could be restoring Medic FF roles to medic 45. District Counsel Holtzman explained the Board would not be able to act on that because that is a Meet and Confer item. The Board could take preliminary action to tell the Fire Chief to go forward. The second issue is the Fire Chief is the one who establishes the staffing.

Fire Chief Winnacker clarified the minimum staffing and MOU would be subject to Board direction. The Board's direction would be to go Meet and Confer and negotiate. Meet and Confer and negotiation are staff functions. Staff needs the Board to provide direction regarding what Staff is meeting and conferring to establish or negotiate. Anything that involves bargaining and the modification of the MOU would then come back to the Board for approval. The action item for next month would be to provide direction. From that direction, Staff under the Fire Chief's direction would move forward with either the bargaining or the Meet and Confer.

Director Baitx reviewed that the action for the agenda would be for the Board to give direction. Fire Chief Winnacker confirmed, as Counsel mentioned, that direction needs to be provided regarding the action items to ensure that Staff is capturing the Board's intent. Director Baitx stated one of the options would be to restore fire medics to medic 45. Director Danziger asked if that option meant the daily staffing would go from 17 to 19. Director Baitx answered yes. President Donner asked if any other Directors wanted to put an action item on this agenda regarding the staffing, single role, and medic issue. Director Jorgens felt there needed to be more data to know what the other alternative would be or the objective, which is the purpose of the workshop.

President Donner opened the public comment.

Jonathan Goodwin, Canyon resident, recommended the Board consider the future economy if hiring an Assistant Fire Marshal. Based on history, this is the first position to be terminated to help make the budget. Mr. Goodwin reiterated comments that future staffing should be based on the needs of the District.

There were no requests to address the Board. President Donner closed public comment.

President Donner dedicated the meeting in memory of John Baitx.

9. ADJOURNMENT

At 9:34 p.m., President Jorgens motioned and seconded by Director Jex to adjourn the meeting. Said motion carried a 5-0 roll call vote (Ayes: Baitx, Danziger, Jex, Jorgens, and Donner; 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 at www.mofd.org/agendas.

From: [Kelly Nichols](#)
To: [Info](#)
Subject: Fwd: Good evening, I reached out to the Board last month for any help possible...
Date: Wednesday, October 19, 2022 5:20:21 PM

Sent from my iPhone

Begin forwarded message:

From: Kelly Nichols <[REDACTED]>
Date: October 19, 2022 at 4:54:55 PM PDT
To: Kelly Nichols <[REDACTED]>
Subject: Good evening, I reached out to the Board last month for any help possible...

Good evening, I reached out to the Board last month for any help possible to resolve my work comp ‘lien’ issues and be able to recover my settlement from an accident on duty that retired me in December of 2012. As I had previously mentioned, I settled in March prior to going to trial. Before settling we contacted MOFD’s counsel, asking for a number that they had in mind. We got no response. I should also mention, that over a year ago, before [REDACTED], [REDACTED], MOFD, and myself were

headed to trial, a settlement offer was made. We could not, again, get any sort of number from MOFD's counsel, which forced us to all go to trial. In trial, MOFD, was suing along side of myself, [REDACTED], and [REDACTED], in hopes of recouping some of their work comp costs. MOFD lost!! The green sheets and after accident reports from the incident on HWY 24, December 2nd, 2012 showed negligence on MOFD's behalf, and Freeway responses were changed, as well as OAG's, and Policies and Procedures. MOFD. Still has the opportunity to appeal that outcome. I am extremely frustrated, as this has been long enough. I had my knee replaced in July and used my own insurance, not Work comp, even though it had been approved through Athens. That right there is a credit of around \$50k. Shortly after my last email to the Board of Directors, MOFD's counsel

reached out to my attorneys, in hopes of resolution. They were scheduled to meet twice and finally had an exchange. I received a call and an email from my attorney, regarding their proposal. It was that I keep all the settlements awarded to me, and walk away from future medical care (work comp). I agreed. I do have more surgeries and a lifetime of care needed, but I was ok with using my own insurance from there on out. I was told that my attorney would touch base with my work comp attorney and they would all get everything in writing. This was on a Friday. Next thing I hear on Monday from my attorney, is that now they have changed their mind. Still would not give us what number they had in mind. Well, guess what? They have a number now and it's \$300K!! This is the most frustrating thing I've ever dealt with! Perhaps if I had known

any amount they were looking for, and it was that much, I would have never settled! If you all would like to know, we settled for \$890k, of which 40% plus attorney fees went to my attorneys. So, MOFD believes that they should receive \$300k and I would get about \$100k out of this and everything I have gone through! That's unbelievable! This case has been going on for 10 years. During that time MOFD's original counsel, Hourihan, has retired, as well as one of my attorneys. The attorney I'm still dealing with told me a couple weeks after all this, that he is now working for free, and has never had to deal with anything like this in all his years. He told me he could not keep helping me, and I should contact my work comp attorney. I did so, and he told me, 'this is a third party lawsuit' and has nothing to do with him or work comp. He reached out to my attorney

and said it is unfair that he got paid and is now done with helping me out. That has since passed, but I'm certain you can all understand my frustration. The last time I sent an email to the Board I caught a lot of grief, and was threatened by MOFD's counsel. I'm feeling that I am being retaliated against and harassed. I sent out an email to all MOFD retirees. I asked if any of the 'men' who had been disability retired and awarded any money had ever had to payback work comp fees. I've had several responses, and not one has had to go through any of this. I'm happy to send copies of email responses. I'm a Moraga native. My family has been very active in the fire department for over 50 years. I loved my job so much and was very devoted to this community. I find it hard to believe that the citizens I grew up with and would sacrifice for, would be okay

with all this! I don't want to have to explore other legal routes, but I'm finding myself backed into a corner at this point. Thanks for listening.

Kelly Morris (Nichols)

•

Sent from my iPhone



Moraga-Orinda Fire District

Finance Report

October 19, 2022

STRIKE TEAM REIMBURSEMENT – OES

- Strike Team Receivable Update:

	<u>Estimated 2021-2022</u>	<u>Estimated 2022-2023</u>
OES Strike Team Receivable	\$1,661,062	\$576,363
OES Payments Received	<u>\$1,541,011</u>	<u>\$39,867</u>
Net Receivable Outstanding	\$120,051	\$536,495

- 2021-2022 – Payment received 9/23- 2 Calf Canyon invoices outstanding
- 2022-2023 – Payment received 10/4

- Other Items – Audit scheduled for the week of December 12th with the final audit report expected in February, 2023



Moraga-Orinda Fire District

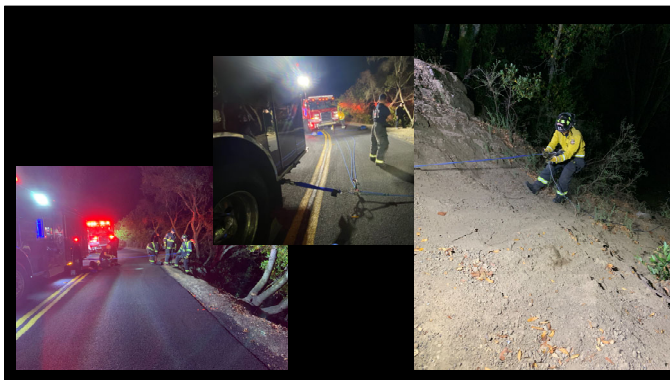
Human Resources Update

October 19, 2022

Recruitment Update

- Firefighter Paramedic Trainee
- Fire Inspector / Plans Examiner
- Fuels Mitigation Specialist
- Battalion Chief

MOFD Board Update October 19, 2022







Financial Update Quarter One

July 1, 2022 – September 30, 2022

Quarter One General Fund Surplus Projections

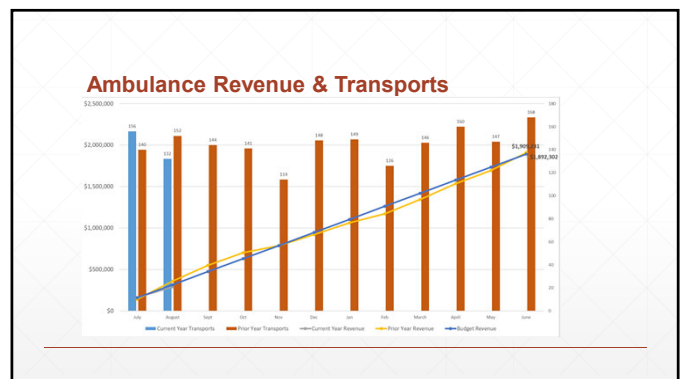
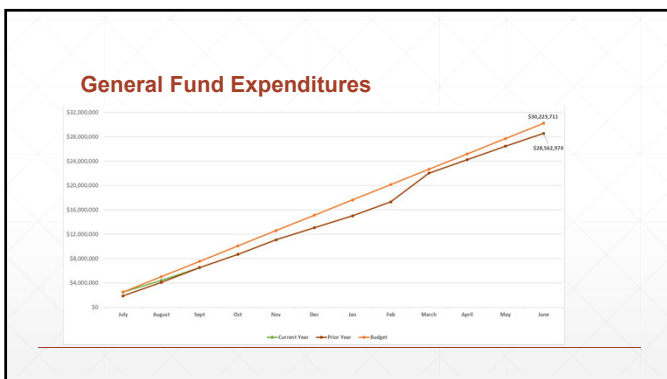
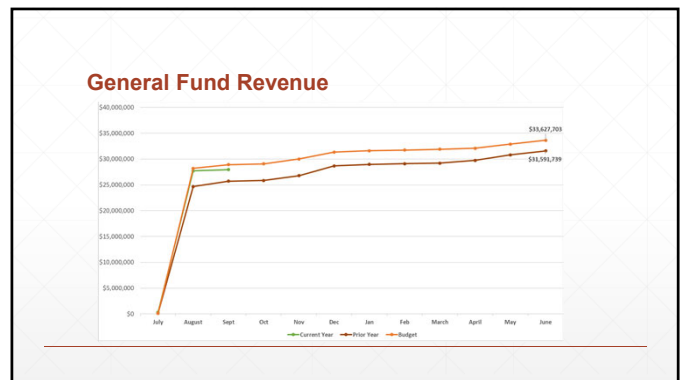
- Budget surplus \$292K
- Projected surplus \$380K

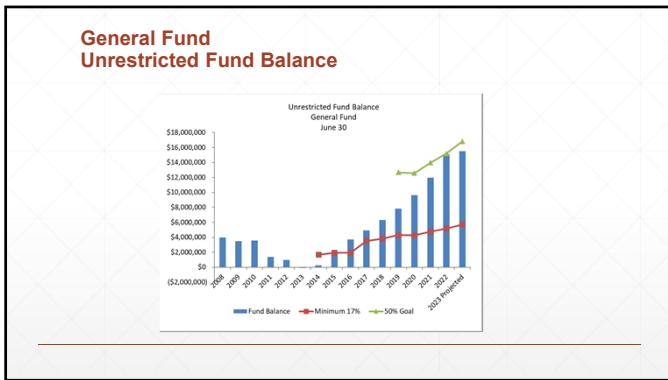
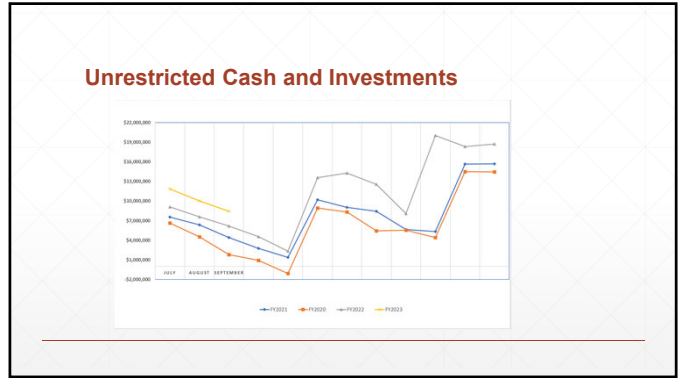
	Budget June 2022	Projected After Quarter One
Revenue	\$33.5M	\$33.2M
Expenditures	\$30.1M	\$29.8M
Transfer out to Capital Projects Fund	\$3.1M	3.1M
Surplus	\$292K	\$380K

Quarter One Financial Update

Revenue – Less than budget \$385K Expenditures – Less than budget \$461K

- Property tax meet budget
- Ambulance services (\$154K)
- Strike team revenue (\$230K)
- Fire prevention/plan review (\$29K)
- Salaries less than budget \$589K
- Overtime exceed budget \$444K
- Retirement contributions less than budget \$242K
- OPEB contribution exceed budget \$16K





- ### Other Funds
- Capital Projects Fund – Projected surplus \$1.8M
 - Debt Service Fund – Projected deficit \$1.7M
 - Tunnel East Bay Hills Fuel Break Fund – Projected surplus \$360K



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.

	October, 2022								Totals
	All Others (Alarms / Pub Service / Etc.)		EMS / Rescue		Structure Fires		Veg Fires	Vehicle Accidents	
	In District	Out of Dist.	In District	Out of Dist.	In District	Out of Dist.	In District	In District	
Incident Totals	83	6	127	1	1	1	2	15	236
Median Turnout	1.13	0.78	0.97	1.98	1.95	1.53	1.05	0.88	1.02
Median Resp Time	5.77	11.40	5.22	19.05	10.17	11.25	3.57	5.83	5.45
Resp Time (90th%)	12.15	32.62	9.03	19.05	10.17	11.25	4.27	8.38	11.22

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

		October, 2022			
		Incident Totals	Median Turnout	Median Resp Time	Resp Time (90th%)
Orinda	EMS / Rescue	49	1.05	5.33	8.07
	Structure Fires	1	1.95	10.17	10.17
	All Other Types	17	1.02	6.07	13.82
	Totals for City	67	1.05	5.67	8.93
Moraga	EMS / Rescue	47	0.88	4.52	6.42
	All Other Types	8	0.94	5.88	7.18
	Totals for City	55	0.90	4.55	6.60
Lafayette	Structure Fires	1	1.53	11.25	11.25
	Totals for City	1	1.53	11.25	11.25
Canyon	EMS / Rescue	6	1.35	11.22	14.58
	Totals for City	6	1.35	11.22	14.58
Overall Total		129	0.98	5.33	8.77

Response Totals by Incident Type

	Nov 21	Dec 21	Jan 22	Feb 22	Mar 22	Apr 22	May 22	Jun 22	Jul 22	Aug 22	Sep 22	Oct 22	Total
All Others (Alarms / Pub Service / Etc.)	109	104	91	78	105	86	73	111	105	127	115	129	1,233
EMS / Rescue	138	170	179	125	157	171	174	194	177	154	171	128	1,938
Structure Fires	1		1	2	2	1	1	2		3	2	2	17
Veg Fires			1			1	1	4	1	2	2	2	14
Vehicle Accidents	13	36	6	17	17	20	18	21	10	12	27	15	212
Grand Total	261	310	278	222	281	279	267	332	293	298	317	276	3,414

Incident Types

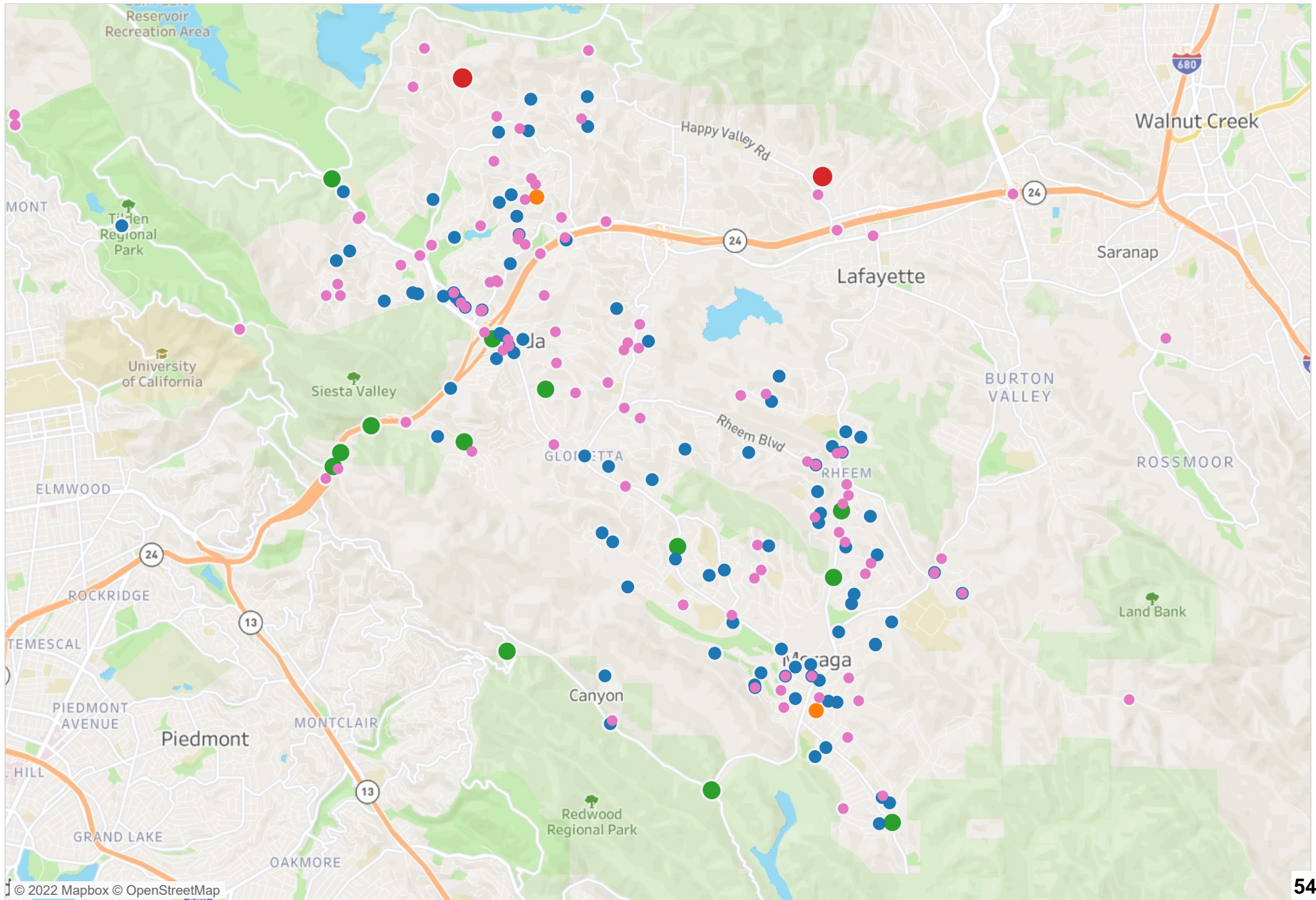
■ All Others (Alarms / Pub Service .. ■ EMS / Rescue

■ Veg Fires

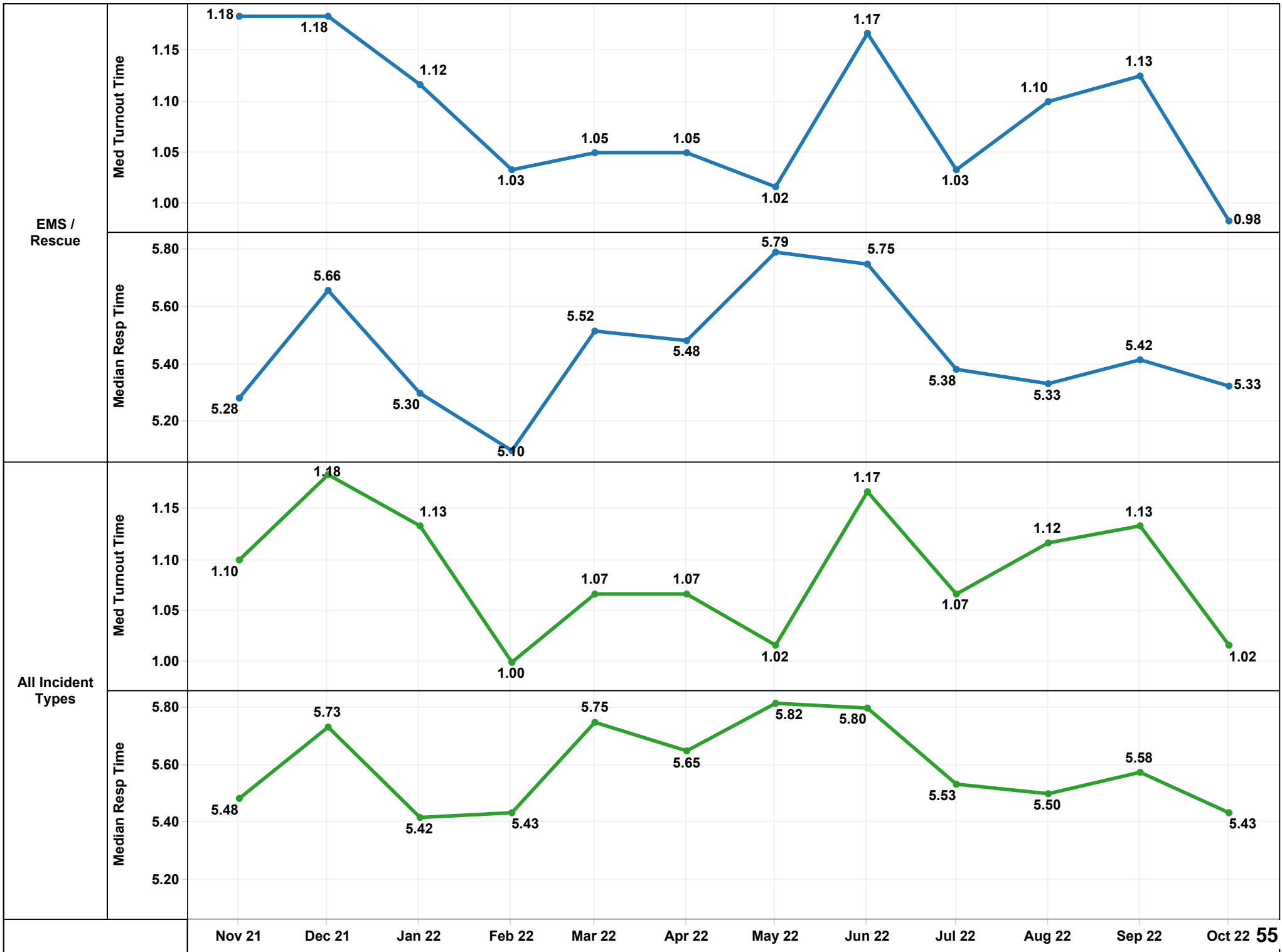
■ Vehicle Accidents

■ Structure Fires

Incident Location Map for MOFD October 2022



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 10/1/2022 Through 10/31/2022

Check Number	Check Date	Name	Check Amount	Transaction Description
<u>27 - Capital Projects Fund</u>				
000694	10/27/2022	Cross Connections Emergency Service	291.52	Equip for BC Vehicle Unit 470 - Remote Mount
ACHCalCard10.14.22	10/14/2022	U.S. Bank	<u>275.77</u>	Accessories for BC Vehicle
Total 27 - Capital Projects Fund			567.29	

Moraga-Orinda Fire District
 Check/Voucher Register - Check Register
 From 10/1/2022 Through 10/31/2022

Check Number	Check Date	Name	Check Amount	Transaction Description
50 - General Fund				
ACHCalpers10.10.22	10/11/2022	Calif. Public Employees'	208,006.20	Calpers Health Oct 2022
ACHCCERA10.10.22	10/10/2022	CCCERA	196,406.69	CCCERA payment 10.10.22
ACHDDental10.10.22	10/7/2022	Delta Dental Plan of Calif.	16,794.34	Dental Oct 2022
000627	10/6/2022	Alameda County Fire Department	16,589.51	Unit 441 Annual Service and repair
000638	10/6/2022	GOGovApps	16,320.00	Subscription renewal 7/1-6/30/23
8585	10/21/2022	Definitive Networks, Inc.	16,092.00	DNI Feb 2022
8699	10/28/2022	Definitive Networks, Inc.	14,300.00	DNI Sept 2022 IT Services
ACHCalCard10.14.22	10/14/2022	U.S. Bank	14,175.70	Cal Card Statement 09.22.22
000704	10/27/2022	Peterson Trucks, Inc.	9,176.35	Repair DPF Unit and Assembly - unit 458
000708	10/27/2022	West Coast Code Consultants	7,897.50	In House Plan review - McMillan - Sept 2022
000670	10/20/2022	Bound Tree Medical, LLC	7,876.36	Medical supplies
000686	10/20/2022	Wittman Enterprises, LLC	7,595.70	Ambulance billing service - Sept 2022
000677	10/20/2022	Forcible Door Equipment	7,435.75	Catalyst Force Entry Door - Direct Mount
ACHIAFFDues10.10.22	10/10/2022	IAFF Local 1230 Dues	7,205.91	IAFF Dues 10.10.22
	10/6/2022	L.N. Curtis & Sons	6,361.11	Structure coats and pants
	10/20/2022	Forcible Door Equipment	6,266.81	Security Screen Dorr Training Prop/VES Window w/bar
000644	10/6/2022	R.S. Hughes	5,797.90	AV 3000 Masks
000701	10/27/2022	Motorola	5,759.92	Portable APX 8500 Repairs
	10/27/2022	Sun Valley Heating & Air Conditioning	5,400.00	Stn 45 AC Compressor Repair
000681	10/20/2022	L and J Maintenance	4,800.00	Stn 42 Fire Code Compliance Landscape Work
000640	10/6/2022	Julie Murphy	4,323.38	ADPP October 2022
000649	10/6/2022	Teleflex LLC	4,225.38	IO Flex Needles
8672	10/28/2022	Definitive Networks, Inc.	3,518.20	DNI - Fiber Sept 2022
000680	10/20/2022	Greg Kennedy	3,300.00	Aug-Sept 2022 EMS Training
000660	10/12/2022	Pacific Gas & Electric	2,819.51	Electric service Stn 45 9/2-10/3/22 Acct 0546316270-0
	10/20/2022	Hunt & Sons, Inc.	2,772.11	Fuel Stn 45 10/5/22
000628	10/6/2022	American Fidelity Assurance	2,664.13	FSA October
000641	10/6/2022	Keenan & Associates	2,534.51	Life Insurance/Suppl Life/VSP - October
	10/27/2022	West Coast Code Consultants	2,523.13	Senior Fire Inspector - McMillan - Sept 2022
000700	10/27/2022	Hunt & Sons, Inc.	2,253.43	Fuel Stn 41 10/12/22
ACHMOPFA10.10.22	10/10/2022	Moraga-Orinda Professional Firefighter:	2,036.00	MOPFA 10.10.22
	10/20/2022	Hunt & Sons, Inc.	2,033.93	Fuel Stn 44 10/5/22
ACHIAFFIns10.10.22	10/10/2022	IAFF Local 1230 Insurance	1,848.66	IAFF Insurance 10.10.22
	10/6/2022	Stryker Sales Corporation	1,816.00	Gurney Service Medic 45
ACHNorcal10.10.22	10/10/2022	1st NorCal Federal Credit Union	1,702.20	Norcal 10.10.22
000647	10/6/2022	Staples Business Credit	1,669.41	Household Supplies 8/30-9/24/22
	10/20/2022	Hunt & Sons, Inc.	1,606.77	Fuel Stn 42 10.05.22
000637	10/6/2022	EAN Services, LLC	1,528.97	UTL Truck Rental 8/23-9/22
000664	10/20/2022	ADP, Inc.	1,481.10	Payroll Processing
000655	10/12/2022	East Bay Tire Company	1,393.40	Replacement Tire Unit 463
	10/20/2022	Hunt & Sons, Inc.	1,391.55	Fuel Stn 41 9/29/22
	10/27/2022	West Coast Code Consultants	1,312.50	In House Plan Review - Neale - Sept 2022
000648	10/6/2022	Stryker Sales Corporation	1,279.00	Gurney Mattress & Restraints
000667	10/20/2022	A T and T Mobility	1,257.18	Wireless Sept 3-Oct 2 Acct 2872915112913
000629	10/6/2022	American Fidelity	1,145.48	Supplemental Life Insurance October
000679	10/20/2022	Hunt & Sons, Inc.	1,125.98	Fuel Snt 43 10/5/22
	10/12/2022	Pacific Gas & Electric	1,050.75	Gas & Electric service Acct 9338447691-2
000636	10/6/2022	EBMUD	1,023.38	Water Service Stn 43 7/28-9/27/22 Account 66412747356
000706	10/27/2022	Sun Valley Heating & Air Conditioning	965.29	Admin building HVAC Service/Repair
000632	10/6/2022	CD Power	950.00	Generator Service Stn 42

Moraga-Orinda Fire District
 Check/Voucher Register - Check Register
 From 10/1/2022 Through 10/31/2022

Check Number	Check Date	Name	Check Amount	Transaction Description
	10/27/2022	CD Power	950.00	Stn 43 Generator Service
	10/6/2022	Stryker Sales Corporation	940.10	LP1 5 Service
	10/6/2022	Alameda County Fire Department	911.83	Unit 463 Turbo Outlet Horn repair
	10/27/2022	CD Power	900.00	Stn 44 Generator Service
000683	10/20/2022	Pacific Gas & Electric	874.21	Electric Service Stn 42 9/6-10/4/22 Acct 4546708321-3
	10/6/2022	CD Power	825.00	Station 45 Generator Service
	10/20/2022	Pacific Gas & Electric	818.95	Gas & Electric Stn 41 9/6-10/4 Acct 9338447691-2
000654	10/12/2022	Data Ticket Inc.	779.45	Code Enforcement Processing August 2022
	10/6/2022	Alameda County Fire Department	746.89	Unit 441 Hydraulic leak repair
000674	10/20/2022	Data Ticket Inc.	725.47	Code Enforcement Processing - Sept 2022
000692	10/27/2022	CD Power	725.00	Stn 41 Generator Service
000653	10/12/2022	Berry Bros. Towing and Transport, Inc.	660.00	Tow for Unit 441 to ALCO
	10/12/2022	Republic Services	658.77	Trash Service Stn 45 - October 2022
000695	10/27/2022	Dell Financial Services	623.78	Computer leases
	10/12/2022	EBMUD	611.74	Water Service Stn 44 8/2-9/28/22 Acct 56154800001
	10/12/2022	Republic Services	605.19	Trash Service -Stn 41 and 42 - October
000685	10/20/2022	United Site Services	605.19	Restroom/Sinks for Open House at Stn 41
000639	10/6/2022	Jeff Isaacs	600.00	Reimbursement - Bachelors course
000671	10/20/2022	CD Power	560.07	Stn 42 Generator Service
000663	10/12/2022	Verizon Wireless	494.13	Wireless Aug 24-Sep 23 Acct 623714059-0006
INV002773	10/11/2022	BRCK Inc.	440.35	VOIP Oct 2022
000691	10/27/2022	Contra Costa Door	405.00	Stn 44 App Door Service
000630	10/6/2022	CCCERA	404.00	Actuarial Valuation Services - GASB68
	10/6/2022	Stryker Sales Corporation	404.00	Gurney Service - Medic 45
000657	10/12/2022	Occupational Health Centers of CA.	392.00	Medical exam - McCain
000676	10/20/2022	EBMUD	352.34	Water Service Stn 41 Acct 31807600001
000656	10/12/2022	EBMUD	312.96	Water Service Stn 43 7/28-9/27/22 Acct 33313122624
000662	10/12/2022	Smart Clean Building Maintenance Inc	300.00	Monthly cleaning service Admin
000698	10/27/2022	NEOGOV	297.57	Candidate Text Messaging
000678	10/20/2022	Herff Jones	290.99	Training supplies
000673	10/20/2022	Concord Garden Equipment	285.25	Replacement parts for 2 chainsaws
000696	10/27/2022	East Bay Tire Company	272.46	Unit 469 Flat tire repair
000666	10/20/2022	A T and T	268.06	Calnet 9/12-10/11/22 BAN 9391035207
000682	10/20/2022	Office Depot	260.99	Toner/Office supplies
000646	10/6/2022	Christopher Sillers	250.00	Paramedic recertification
000658	10/12/2022	Brian Oliver	250.00	Paramedic recertification
000675	10/20/2022	Dell Financial Services	227.75	Computer lease
	10/12/2022	ALSCO - American Linen Divison	226.10	Linen Service Stn 45 September
000684	10/20/2022	TIAA Commercial Finance, Inc.	224.28	Copier Lease
000693	10/27/2022	Stephen Cooke	205.00	ITLS Recertification
000631	10/6/2022	Contra Costa County Fire Chief's Assoc	200.00	CCCFCA Membership Dues 2022-23
000699	10/27/2022	Joseph Grillo	200.00	Citation 221628002 Refund
	10/20/2022	Pacific Gas & Electric	196.81	Gas & Electric Admin 9/7-10/5 Acct 9213137928-8
000688	10/27/2022	AM/PM Appliance Service	196.00	Stn 41 Dishwasher Repair
000652	10/12/2022	A T and T	185.54	CalNet 9/1-9/30/22 BAN 9391053307
000643	10/6/2022	Pitney Bowes Global	181.55	Postage Machine lease Oct 30-Jan 29
ACHChaseOct	10/5/2022	Chase	180.00	Bank Fees - October
	10/12/2022	EBMUD	179.04	Water Service stn 44 8/2-9/28/22 Acct 31941900001
000651	10/12/2022	ALSCO - American Linen Divison	161.58	Linen Service Stn 41 September
	10/12/2022	ALSCO - American Linen Divison	156.42	Linen Service Stn 44 September
000635	10/6/2022	Travis Dulli	140.00	PALS Recertification
000703	10/27/2022	Office Depot	138.16	Toner

Moraga-Orinda Fire District
 Check/Voucher Register - Check Register
 From 10/1/2022 Through 10/31/2022

Check Number	Check Date	Name	Check Amount	Transaction Description
000661	10/12/2022	Republic Services	126.25	Trash service - Oct 2022 Stn 43
	10/12/2022	Republic Services	126.25	Trash Service Stn 44 - October 2022
000690	10/27/2022	Marty Brincherhoff	125.00	Home Hardening Grant Reimbursement
000697	10/27/2022	ECMS, Inc.	124.28	PPE Repairs
	10/20/2022	Airgas USA, LLC	121.40	Helium/Nitrogen
	10/20/2022	Pacific Gas & Electric	119.08	Gas Service Stn 42 9/7-10/5/22 Acct 4588374985-0
000634	10/6/2022	Jared Costanza	111.00	Strike Team Reimburse - Mosquito Fire 9/9-9/17/22 Per
000702	10/27/2022	Occu-Med, Ltd.	109.60	Pre Employment Physical - McCain
000687	10/27/2022	ADT Security Services	108.66	Security Nov 4-Dec 3 Admin
000659	10/12/2022	Orinda Hardware & Rental	95.00	Misc Supplies
000633	10/6/2022	Comcast	93.85	Modem Stn 41 Sep 29-Oct 28 Acct 8155 40 005 0208428
000672	10/20/2022	Comcast	93.85	Modem Stn 44 Acct 8155 40 006 0191002
000668	10/20/2022	Biomedical Waste Disposal	79.00	Medical Waste Disposal Stn 41 Sept 2022
	10/20/2022	Biomedical Waste Disposal	79.00	Medical Waste Disposal Stn 45 Sept 2022
000705	10/27/2022	Pacific Gas & Electric	70.54	Gas Charges STn 45 9/15-/10/14/22 Acct 0504649606-2
000707	10/27/2022	Verizon Wireless	56.16	Wireless Sep 11- Oct 10 Acct 772232052-00001
000689	10/27/2022	AT&T	53.50	Acct 293834673 Internet Oct 10-Nov 9
000650	10/6/2022	Verizon Wireless	52.75	Wireless Aug 23-Sep 24 Acct 623714059-00007
	10/12/2022	ALSCO - American Linen Divison	52.14	Linen Service Stn 43 September
000665	10/20/2022	Airgas USA, LLC	51.00	Argon
	10/6/2022	Verizon Wireless	47.92	Wireless Aug 24-Sep 23 Acct 623714059-0001
	10/27/2022	ADT Security Services	47.84	Security Stn 41 Nov 4-Dec 3
000642	10/6/2022	L.N. Curtis & Sons	41.62	NiMH Battery Stick
000645	10/6/2022	Thomas Schwedhelm	<u>35.12</u>	Tablecloths for pancake breakfast
Total 50 - General Fund			<u>664,629.86</u>	
Report Total			<u>665,197.15</u>	

Moraga Orinda Fire District
 General Fund
 Actual to Budget Summary 7/1/22-10/31/22

	Current Period	Budget \$	Budget \$	Prior Year Current	Prior Year	Prior Year	Comments
	Actual		Variance	Period Actual	Change	% Change	
Revenue							
Total Taxes	28,115,685.84	30,358,891.00	(2,243,205.16)	24,993,168.80	3,122,517.04	12.49%	Tax revenue is trending appropriately
Total Intergovernmental Revenue	986.00	348,720.00	(347,734.00)	0.00	986.00	0.00%	
Total Charges for Service	73,069.80	240,350.00	(167,280.20)	50,478.50	22,591.30	44.75%	The increase from last year is primarily due to Citation Fees which are new in FY23 (\$20k)
Total Charges for Service - Ambulance	237,773.05	1,742,242.00	(1,504,468.95)	691,580.09	(443,807.04)	-65.11%	One month lag in Wiltman reporting for Current Period Actual. Wiltman wrote off \$205K in bad debt in Sept
Other Revenue-Strike Team Recovery	375,156.07	930,000.00	(554,843.93)	119,177.86	255,978.21	214.79%	Strike team revenue fluctuates from year to year
Other Revenue	3,740.90	7,500.00	(3,759.10)	3,129.30	611.60	19.54%	Permits and Plan Review fees up slightly
Total Revenue	28,806,411.66	33,627,703.00	(4,821,291.34)	25,847,534.55	2,958,877.11	11.45%	
Expenses							
Salaries	3,526,696.02	11,477,956.00	7,951,259.98	3,303,477.87	223,218.15	6.76%	The current period increase is primarily due to negotiated salary increases for FY23
Overtime	767,515.75	1,850,000.00	1,082,484.25	930,068.62	(162,552.87)	-17.48%	Overtime fluctuates from year to year
Overtime - Strike Team	569,577.05	630,000.00	61,422.95	761,192.80	(192,615.75)	-25.30%	Strike Team overtime fluctuates from year to year
Retirement Contributions	1,862,252.82	5,968,564.00	4,106,311.18	1,767,583.42	94,669.40	5.36%	Retirement Contributions are based on salaries and increase when salaries increase
Other Benefits	1,092,949.49	6,379,529.00	5,286,579.51	1,092,463.89	485.60	0.04%	Other Benefits are trending appropriately
	7,817,991.13	26,306,049.00	18,488,057.87	7,854,786.60	(36,795.47)	-0.47%	
Operating and Other Expense	725,844.47	7,017,662.00	6,291,817.53	847,077.90	(121,233.43)	-14.31%	Operating Expenses lower than same time last year
Total Expenditures	8,543,835.60	33,323,711.00	24,779,875.40	8,701,864.50	(158,028.90)	-1.82%	
Excess of Revenues Over/(Under) Expenditure	20,262,576.06	303,992.00	19,958,584.06	17,145,670.05	3,116,906.01	18.18%	

Moraga-Orinda Fire District
Statement of Revenues and Expenditures - General Fund Actual to Budget 202223
From 7/1/2022 Through 10/31/2022

	Current		Budget	Percent Budget Remaining	Prior Year Current	Prior Year Change	Prior Year % Change	
	Period Actual	Budget \$	\$ Variance		Period Actual			
Total Revenue	28,806,411.66	33,627,703.00	(4,821,291.34)	(14.34)%	25,847,534.55	2,958,877.11	11.45	
Total Expenditures	8,543,835.60	33,323,711.00	24,779,875.40	74.36%	8,701,864.50	(158,028.90)	(1.82)	
Excess of Revenues Over/ (Under) Expenditures	<u>20,262,576.06</u>	<u>303,992.00</u>	<u>19,958,584.06</u>	<u>6.55,50%</u>	<u>17,145,670.05</u>	<u>3,116,906.01</u>	<u>18.18</u>	
Other Revenue-Strike Team Recovery	4971	375,156.07	(554,843.93)	(59.66)%	119,177.86	255,978.21	214.79	
Overtime - Strike Team	5016	568,577.05	61,422.95	9.75%	761,192.80	(192,615.75)	(25.30)	
Net Strike Team		<u>(193,420.98)</u>	<u>(493,420.98)</u>		<u>(642,014.94)</u>	<u>448,593.96</u>		
Revenue								
Taxes								
Property Tax-Current Secured	4010	27,176,650.02	29,213,462.00	(2,036,811.98)	(6.97)%	24,238,114.81	2,938,535.21	12.12
Property Tax-Supplemental	4011	205,362.35	300,000.00	(94,637.65)	(31.55)%	154,882.05	50,480.30	32.59
Property Tax-Unitary	4013	0.00	200,000.00	(200,000.00)	(100.00)%	0.00	0.00	0.00
Property Tax-Curr Unsecured	4020	728,212.60	805,429.00	(77,216.40)	(9.59)%	588,185.16	140,027.44	23.81
Prop Tax- Prior Secured	4030	0.00	(100,000.00)	100,000.00	(100.00)%	0.00	0.00	0.00
Prop Tax-Prior Supplement	4031	0.00	(50,000.00)	50,000.00	(100.00)%	0.00	0.00	0.00
Prop Tax Prior Unsecured	4035	5,460.87	(10,000.00)	15,460.87	(154.61)%	11,986.78	(6,525.91)	(54.44)
Total Taxes		<u>28,115,685.84</u>	<u>30,358,891.00</u>	<u>(2,243,205.16)</u>	<u>(7.39)%</u>	<u>24,993,168.80</u>	<u>3,122,517.04</u>	<u>12.49</u>
Use of Money & Property								
Investment Earnings	4181	0.00	5,000.00	(5,000.00)	(100.00)%	201.91	(201.91)	(100.00)
Total Use of Money & Property		<u>0.00</u>	<u>5,000.00</u>	<u>(5,000.00)</u>	<u>(100.00)%</u>	<u>201.91</u>	<u>(201.91)</u>	<u>(100.00)</u>
Intergovernmental Revenue								
Homeowners Relief Tax	4385	0.00	147,000.00	(147,000.00)	(100.00)%	0.00	0.00	0.00
Misc State Aid/ Grants	4435	0.00	115,572.00	(115,572.00)	(100.00)%	0.00	0.00	0.00
Other/In Lieu of Taxes	4580	986.00	900.00	86.00	9.56%	0.00	986.00	100.00
Measure H-Emerg Med Ser Subsid	4896	0.00	85,248.00	(85,248.00)	(100.00)%	0.00	0.00	0.00
Total Intergovernmental Revenue		<u>986.00</u>	<u>348,720.00</u>	<u>(347,734.00)</u>	<u>(99.72)%</u>	<u>0.00</u>	<u>986.00</u>	<u>100.00</u>
Charges for Service								
Permits	4740	3,196.00	4,000.00	(804.00)	(20.10)%	355.00	2,841.00	800.28
Plan Review	4741	43,720.50	140,000.00	(96,279.50)	(68.77)%	38,654.50	5,066.00	13.11
Inspection Fees	4742	3,145.00	20,000.00	(16,855.00)	(84.28)%	10,864.00	(7,719.00)	(71.05)
Weed Abatement Charges	4744	0.00	35,000.00	(35,000.00)	(100.00)%	(1,870.00)	1,870.00	(100.00)
Reports/ Photocopies	4746	102.00	350.00	(248.00)	(70.86)%	153.00	(51.00)	(33.33)
Other Charges for Service	4747	2,525.00	1,000.00	1,525.00	152.50%	2,322.00	203.00	8.74
Administrative Citation Fee	4748	20,381.30	40,000.00	(19,618.70)	(49.05)%	0.00	20,381.30	100.00
Total Charges for Service		<u>73,069.80</u>	<u>240,350.00</u>	<u>(167,280.20)</u>	<u>(69.60)%</u>	<u>50,478.50</u>	<u>22,591.30</u>	<u>44.75</u>
Charges for Service - Ambulance								
Ambulance Service Fees	4898	443,664.47	1,892,302.00	(1,448,637.53)	(76.55)%	701,628.91	(257,964.44)	(36.77)

Moraga-Orinda Fire District

Statement of Revenues and Expenditures - General Fund Actual to Budget 2022/23
From 7/1/2022 Through 10/31/2022

	Current		Budget		Percent Budget Remaining	Prior Year Current	Prior Year Change	Prior Year % Change
	Period Actual	Budget \$	\$ Variance					
Ambulance Service Fee Reimbursements	4899	(205,975.42)	(105,060.00)	(100,915.42)	96.06%	0.00	(205,975.42)	(100.00)%
Ambulance Collection Recovery Payments	4800	84.00	5,000.00	(4,916.00)	(98.32)%	2,342.58	(2,258.58)	(96.41)
Ground Emergency Medical Transportation	4801	0.00	(50,000.00)	50,000.00	(100.00)%	(22,391.40)	22,391.40	(100.00)%
Total Charges for Service - Ambulance		237,773.05	1,742,242.00	(1,504,468.95)	(86.35)%	681,580.09	(443,807.04)	(65.11)
Other Revenue								
Other Revenue-Strike Team Recovery	4971	375,156.07	930,000.00	(554,843.93)	(59.66)%	119,177.86	255,978.21	214.79
Other Revenue-Misc.	4974	587.40	1,000.00	(412.60)	(41.26)%	(6,112.05)	6,699.45	(109.61)
Misc Rebates & Refunds	4975	843.83	1,000.00	(156.17)	(15.62)%	9,039.44	(8,195.61)	(90.67)
Sale of Surplus Property	4980	560.00	500.00	60.00	12.00%	0.00	560.00	100.00
Transfers In	4999	1,749.67	0.00	1,749.67	0.00%	0.00	1,749.67	100.00
Total Other Revenue		378,896.97	932,500.00	(553,603.03)	(59.37)%	122,105.25	256,791.72	210.30
Total Revenue		28,806,411.66	33,627,703.00	(4,821,291.34)	(14.34)%	25,847,534.55	2,958,877.11	11.45
Expenditures								
Salaries & Benefits								
Permanent Salaries	5011	3,501,477.14	11,380,319.00	7,878,841.86	69.23%	3,262,735.28	238,741.86	7.32
Temporary Salaries	5013	25,218.88	97,637.00	72,418.12	74.17%	40,742.59	(15,523.71)	(38.10)
Overtime	5014	767,515.75	1,850,000.00	1,082,484.25	58.51%	930,068.62	(162,552.87)	(17.48)
Deferred Compensation/RHSA	5015	57,915.62	117,504.00	59,588.38	50.71%	7,368.00	50,547.62	686.04
Overtime - Strike Team	5016	568,577.05	630,000.00	61,422.95	9.75%	761,192.80	(192,615.75)	(25.30)
Contract Services	5018	31,648.13	0.00	(31,648.13)	0.00%	78,611.72	(46,963.59)	(59.74)
Worker's Compensation Recovery	5019	(88,785.92)	(100,000.00)	(11,214.08)	11.21%	(90,704.10)	1,918.18	(2.11)
Payroll Taxes -FICA,SUI	5042	68,967.12	212,455.00	143,487.88	67.54%	76,155.29	(7,188.17)	(9.44)
Payroll Processing Fees	5043	4,453.35	25,000.00	20,546.65	82.19%	4,021.80	431.55	10.73
Retirement Contributions	5044	1,862,252.82	5,968,564.00	4,106,311.18	68.80%	1,767,583.42	94,669.40	5.36
Life/Health Insurance-Permanent Employees	5060	521,902.90	1,765,860.00	1,243,957.10	70.44%	473,215.91	48,666.99	10.29
Employee's-Health Insurance Contribution	5061	(58,629.37)	(200,380.00)	(141,750.63)	70.74%	(17,405.05)	(41,224.32)	236.85
Retiree Health Insurance	5062	377,041.09	1,231,000.00	853,958.91	69.37%	391,862.82	(14,821.73)	(3.78)
Retiree-Health Insurance Contribution	5063	(109,893.63)	(360,000.00)	(250,106.37)	69.47%	(115,959.81)	6,066.18	(5.23)
Unemployment Insurance	5064	833.98	5,000.00	4,166.02	83.32%	0.00	833.98	100.00
Retiree-Health OPEB Contribution	5065	0.00	350,923.00	350,923.00	100.00%	0.00	0.00	0.00
Vision Insurance	5066	5,807.22	19,248.00	13,440.78	69.83%	5,616.31	190.91	3.40
Pension Rate Stabilization	5067	0.00	2,108,577.00	2,108,577.00	100.00%	0.00	0.00	0.00
Workers' Compensation Insurance	5070	281,689.00	1,204,342.00	922,653.00	76.61%	279,681.00	2,008.00	0.72
Total Salaries & Benefits		7,817,991.13	26,306,049.00	18,488,057.87	70.28%	7,854,786.60	(36,795.47)	(0.47)
Operating Expense								
Office Supplies	6100	1,439.73	8,500.00	7,060.27	83.06%	3,144.12	(1,704.39)	(54.21)
Postage	6101	432.18	3,000.00	2,567.82	85.59%	1,603.36	(1,171.18)	(73.05)
Books & Periodicals	6102	129.00	2,460.00	2,331.00	94.76%	16.28	112.72	692.38

Moraga-Orinda Fire District
 Statement of Revenues and Expenditures - General Fund Actual to Budget 202223
 From 7/1/2022 Through 10/31/2022

	Current		Budget \$	\$ Variance	Percent Budget Remaining	Prior Year Current Period Actual	Prior Year Change	Prior Year % Change
	Period Actual	Budget \$						
Printer Ink Cartridges	6103	959.55	3,000.00	2,040.45	68.02%	1,180.80	(221.25)	(18.74)
Telephone - Landlines	6109	0.00	16,000.00	16,000.00	100.00%	0.00	0.00	0.00
Telephone/Communication	6110	15,116.08	39,000.00	23,883.92	61.24%	17,736.85	(2,620.77)	(14.78)
Dispatch/Comm Center Services w/ AVL MDT	6111	0.00	210,000.00	210,000.00	100.00%	0.00	0.00	0.00
Utilities- Sewer	6120	0.00	4,300.00	4,300.00	100.00%	0.00	0.00	0.00
Utilities-Garbage	6121	6,294.04	18,300.00	12,005.96	65.61%	6,236.03	58.01	0.93
Utilities-PG&E	6122	16,268.83	66,000.00	49,731.17	75.35%	20,525.65	(4,256.82)	(20.74)
Utilities-Water	6123	6,259.95	26,650.00	20,390.05	76.51%	6,405.58	(145.63)	(2.27)
Utilities-Medical Waste	6124	715.79	2,200.00	1,484.21	67.46%	518.85	196.94	37.96
Small Tools & Instruments	6130	884.88	9,000.00	8,115.12	90.17%	1,347.56	(462.68)	(34.33)
Minor Equipment/Furniture	6131	0.00	2,500.00	2,500.00	100.00%	1,143.23	(1,143.23)	(100.00)
Computer Equipment & Supplies	6132	1,636.73	20,000.00	18,363.27	91.82%	0.00	1,636.73	100.00
Gas Power Chain Saw/Other Equipmen	6133	1,531.02	5,000.00	3,468.98	69.38%	1,632.00	(100.98)	(6.19)
Fire Trail Grading	6135	1,172.06	25,000.00	23,827.94	95.31%	8,970.33	(7,798.27)	(86.93)
Fire Fighting Equipment & Supplies	6137	1,518.58	15,200.00	13,681.42	90.01%	488.27	1,030.31	211.01
Fire Fighting Equipment-Hoses & Nozzles	6138	759.59	10,000.00	9,240.41	92.40%	1,251.70	(492.11)	(39.32)
Fire Fighting Equipment-Class A Foam	6139	0.00	8,000.00	8,000.00	100.00%	6,953.76	(6,953.76)	(100.00)
Medical & Lab Supplies	6140	29,223.28	130,000.00	100,776.72	77.52%	37,765.73	(8,542.45)	(22.62)
Food Supplies	6150	474.64	5,500.00	5,025.36	91.37%	0.00	474.64	100.00
Safety Clothing & Personal Supplies	6160	15,135.20	77,000.00	61,864.80	80.34%	12,422.75	2,712.45	21.83
Household Expense	6170	3,980.13	22,200.00	18,219.87	82.07%	3,666.15	313.98	8.56
Household Expense-Linen	6171	2,368.74	8,700.00	6,331.26	72.77%	2,129.90	238.84	11.21
Public & Legal Notices	6190	137.60	22,000.00	21,862.40	99.37%	0.00	137.60	100.00
Dues, Memberships & Professional Fees	6200	8,498.33	23,020.00	14,521.67	63.08%	2,584.45	5,913.88	228.83
EMT/Paramedic Licensure Fees	6201	2,313.88	4,000.00	1,686.12	42.15%	729.10	1,584.78	217.36
Rent & Leases (Equipment)	6250	6,199.55	30,500.00	24,300.45	79.67%	8,221.05	(2,021.50)	(24.59)
Computer Software & Maintenance	6251	71,860.75	92,300.00	20,439.25	22.14%	47,594.67	24,266.08	50.98
Website Development & Maintenance	6252	0.00	5,292.00	5,292.00	100.00%	5,040.00	(5,040.00)	(100.00)
EPA ID# Verification Fee	6264	0.00	150.00	150.00	100.00%	150.00	(150.00)	(100.00)
CCC Hazmat Plan (CUPA)	6265	3,327.00	3,650.00	323.00	8.85%	2,977.00	350.00	11.76
BAAQMD & Environmental Health Fees	6266	0.00	900.00	900.00	100.00%	382.00	(382.00)	(100.00)
Air Monitor Maintenance & Replacement	6269	0.00	800.00	800.00	100.00%	0.00	0.00	0.00
Maintenance -- Equipment	6270	39,632.98	114,800.00	75,167.02	65.49%	3,436.04	36,196.94	1,053.45
Central Garage Repairs	6271	50,583.26	270,000.00	219,416.74	81.27%	49,337.98	1,245.28	2.52
Central Garage Gasoline & Oil	6272	31,354.68	90,000.00	58,645.32	65.16%	25,828.39	5,526.29	21.40
Central Garage Tires	6273	1,393.40	15,000.00	13,606.60	90.71%	13,529.59	(12,136.19)	(89.70)
Service/Repair Fuel System Dispensers	6274	0.00	2,500.00	2,500.00	100.00%	297.80	(297.80)	(100.00)
Aerial Ladder & Pump Testing	6275	0.00	1,500.00	1,500.00	100.00%	0.00	0.00	0.00
Smog Inspections	6276	200.00	500.00	300.00	60.00%	0.00	200.00	100.00

Moraga-Orinda Fire District
Statement of Revenues and Expenditures - General Fund Actual to Budget 202223

From 7/1/2022 Through 10/31/2022

	Current		Budget		Percent Budget Remaining	Prior Year Current	Prior Year	Prior Year % Change
	Period Actual	Budget \$	\$ Variance					
Air Compressor Quarterly Service	6278	8,152.16	6,000.00	(2,152.16)	(35.87)%	0.00	8,152.16	100.00
Hydro Test SCBA & Oxy Cylinder	6279	10,930.27	30,000.00	19,069.73	63.57%	2,055.74	8,874.53	431.70
Tank Testing	6280	0.00	1,120.00	1,120.00	100.00%	0.00	0.00	0.00
Maintenance -- Building	6281	26,466.72	97,000.00	70,533.28	72.71%	11,540.83	14,925.89	129.33
Maintenance -- Grounds	6282	3,655.72	12,400.00	8,744.28	70.52%	3,251.90	403.82	12.42
Meetings & Travel Expenses	6303	167.03	1,500.00	1,332.97	88.86%	0.00	167.03	100.00
Employee Assistance Program	6309	0.00	13,230.00	13,230.00	100.00%	0.00	0.00	0.00
Medical - Pre-Emp Processing and Annual Exams	6311	501.60	30,000.00	29,498.40	98.33%	0.00	501.60	100.00
Ambulance Billing Administration Fees	6312	21,989.89	80,000.00	58,010.11	72.51%	17,258.18	4,731.71	27.42
Outside Attorney Fees	6313	26,203.77	275,000.00	248,796.23	90.47%	17,801.24	8,402.53	47.20
CCC County Tax Administration Fee	6316	0.00	215,000.00	215,000.00	100.00%	0.00	0.00	0.00
Professional Services	6317	7,124.00	56,500.00	49,376.00	87.39%	1,196.00	5,928.00	495.65
Professional Services - Labor Negotiator	6318	0.00	10,000.00	10,000.00	100.00%	4,712.00	(4,712.00)	(100.00)
Professional Services - Technology	6319	68,989.12	245,000.00	176,010.88	71.84%	80,683.99	(11,694.87)	(14.49)
Professional Services - Pre-Employment Investigations	6320	6,461.91	10,000.00	3,538.09	35.38%	450.00	6,011.91	1,335.98
Professional Services - Promotional Exams & Recruitment	6321	280.00	2,000.00	1,720.00	86.00%	0.00	280.00	100.00
Professional Services- OPEB Actuarial Valuation	6322	0.00	8,000.00	8,000.00	100.00%	6,750.00	(6,750.00)	(100.00)
Exterior Hazard Removal	6323	178.50	35,000.00	34,821.50	99.49%	40,632.50	(40,454.00)	(99.56)
Professional Services-Prop Tax Audit & Forecasting	6326	0.00	7,350.00	7,350.00	100.00%	0.00	0.00	0.00
Professional Services	6327	440.32	14,000.00	13,559.68	96.85%	0.00	440.32	100.00
Residential Fuels Mitigation and Home Hardening Grant Prc 6353	6353	5,141.55	500,000.00	494,858.45	98.97%	0.00	5,141.55	100.00
Testing Materials & Training Props	6354	19,248.49	40,000.00	20,751.51	51.88%	8,423.80	10,824.69	128.50
Career Development Classes	6357	2,700.00	25,000.00	22,300.00	89.20%	1,110.00	1,590.00	143.24
District Sponsored Training-Mandated	6361	0.00	15,000.00	15,000.00	100.00%	0.00	0.00	0.00
Election Expense	6465	0.00	32,000.00	32,000.00	100.00%	0.00	0.00	0.00
Recruiting Costs	6470	0.00	60,000.00	60,000.00	100.00%	0.00	0.00	0.00
Strike Team Supplies	6474	12,828.27	60,000.00	47,171.73	78.62%	37,785.52	(24,957.25)	(66.05)
Community Emergency Response Team	6475	397.29	8,000.00	7,602.71	95.03%	169.24	228.05	134.75
Exercise Supplies/Maint.	6476	1,679.86	12,000.00	10,320.14	86.00%	4,450.78	(2,770.92)	(62.26)
Recognition Supplies	6478	(34.68)	4,500.00	4,534.68	100.77%	0.00	(34.68)	(100.00)
Other Special Departmental Exp	6479	9,420.48	243,840.00	234,419.52	96.14%	165,455.72	(156,035.24)	(94.31)
Public Education Supplies	6480	1,679.44	6,000.00	4,320.56	72.01%	656.90	1,022.54	155.66
LAFCO	6482	13,010.66	16,000.00	2,989.34	18.68%	12,637.38	373.28	2.95
Emergency Preparedness Expense	6484	4,083.14	11,000.00	6,916.86	62.88%	7,265.73	(3,182.59)	(43.80)
Misc. Services & Supplies	6490	581.28	85,500.00	84,918.72	99.32%	1,273.00	(691.72)	(54.34)
Fire Chief Contingency	6491	6,671.25	100,000.00	93,328.75	93.33%	1,238.91	5,432.34	438.48
Property & Liability Insurance	6540	144,187.00	130,000.00	(14,187.00)	(10.91)%	122,767.00	21,420.00	17.45
Total Operating Expense		724,936.47	3,912,362.00	3,187,425.53	81.47%	844,813.33	(119,876.86)	(14.19)
Other Expense								

DATE

Moraga-Orinda Fire District
 Statement of Revenues and Expenditures - General Fund Actual to Budget 202223
 From 7/1/2022 Through 10/31/2022

	Current		Budget		Percent Budget Remaining	Prior Year Current	Prior Year Change	Prior Year % Change
	Period Actual	Budget \$	\$ Variance	Budget				
Bank Fees	7510	908.00	5,000.00	4,092.00	81.84%	2,264.57	(1,356.57)	(59.90)
County Tax Collection Fees	7530	0.00	300.00	300.00	100.00%	0.00	0.00	0.00
Transfers to Other Funds	7997	0.00	3,100,000.00	3,100,000.00	100.00%	0.00	0.00	0.00
Total Other Expense		908.00	3,105,300.00	3,104,392.00	99.97%	2,264.57	(1,356.57)	(59.90)
Total Expenditures		<u>8,543,835.60</u>	<u>33,323,711.00</u>	<u>24,779,875.40</u>	<u>74.36%</u>	<u>8,701,864.50</u>	<u>(158,028.90)</u>	<u>(1.82)</u>
Excess of Revenues Over/ (Under) Expenditures		<u>20,262,576.06</u>	<u>303,992.00</u>	<u>19,958,584.06</u>	<u>6,565.50%</u>	<u>17,145,670.05</u>	<u>3,116,906.01</u>	<u>18.18</u>

DATE

Moraga-Orinda Fire District
 Statement of Revenues and Expenditures - Capital Projects Fund Actual to Budget - 22.23
 From 7/1/2022 Through 10/31/2022

	Current Period Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original
Revenue				
Taxes				
Fire Flow Tax	4066	1,103,451.46	5,451.46	0.50%
Total Taxes	1,103,451.46	1,098,000.00	5,451.46	0.50%
Use of Money & Property				
Investment Earnings	4181	2,000.00	(2,000.00)	(100.00)%
Total Use of Money & Property	0.00	2,000.00	(2,000.00)	(100.00)%
Intergovernmental Revenue				
Misc State Aid/ Grants	4435	250,000.00	(250,000.00)	(100.00)%
Total Intergovernmental Revenue	0.00	250,000.00	(250,000.00)	(100.00)%
Charges for Service				
Impact Mitigation Fees	4743	10,000.00	(2,000.00)	(20.00)%
Total Charges for Service	8,000.00	10,000.00	(2,000.00)	(20.00)%
Other Revenue				
Other Revenue & Financing Sour...	4972	164,250.00	(164,250.00)	(100.00)%
Transfers In	4999	3,100,000.00	(3,100,000.00)	(100.00)%
Total Other Revenue	0.00	3,264,250.00	(3,264,250.00)	(100.00)%
Total Revenue	1,111,451.46	4,624,250.00	(3,512,798.54)	(75.96)%
Expenditures				
Other Expense				
Bank Fees	7510	24.00	176.00	88.00%
Fire Flow Tax Collection Fees	7531	0.00	14,000.00	100.00%
Apparatus/Vehicles-Fixed Asse...	7703	8,241.92	1,258,809.00	99.35%
Computer Equip & Software-Fixe...	7704	164,250.00	164,250.00	0.00%
Buildings-Station #41-Fixed Ass...	7705	0.00	35,000.00	100.00%
Buildings-Stations-Fixed Asset ...	7708	1,500.00	33,500.00	95.71%
Station 41 - Construction in Pro...	7712	0.00	1,000,000.00	100.00%
Operating Transfers Out	7999	162,001.90	159,568.10	49.62%
Total Other Expense	336,017.82	2,828,829.00	2,492,811.18	88.12%
Total Expenditures	336,017.82	2,828,829.00	2,492,811.18	88.12%
Excess of Revenues Over/ (Under) E...	775,433.64	1,795,421.00	(1,019,987.36)	(56.81)%

Moraga-Orinda Fire District
 Statement of Revenues and Expenditures - Debt Service Fund Actual to Budget - 22.23
 From 7/1/2022 Through 10/31/2022

Revenue	Current Period	Total Budget \$ -	Total Budget \$	Percent Total
	Actual	Original	Variance - Original	Budget Remaining - Original
Use of Money & Property				
Investment Earnings	4181	0.00	1,072.59	0.00%
Total Use of Money & Property		0.00	1,072.59	0.00%
Other Revenue				
Transfers In	4999	321,570.00	(159,568.10)	(49.62)%
Total Other Revenue		321,570.00	(159,568.10)	(49.62)%
Total Revenue		321,570.00	(158,495.51)	(49.29)%
Expenditures				
Other Expense				
Pension Obligation Bond Principal Payment	7900	1,645,000.00	0.00	0.00%
Pension Obligation Bond Interest Payment	7901	42,934.50	0.50	0.00%
Lease Agreement Station 43 Principal	7906	134,000.00	133,000.00	49.81%
Lease Agreement Station 43 Interest	7907	28,001.90	26,588.10	48.69%
Transfers to Other Funds	7997	1,749.67	(1,749.67)	0.00%
Total Other Expense		2,009,505.00	157,818.93	7.85%
Total Expenditures		2,009,505.00	157,818.93	7.85%
Excess of Revenues Over/ (Under) Expenditures		(1,687,935.00)	(676,581)	0.04%

Moraga-Orinda Fire District
 Statement of Revenues and Expenditures - Tunnel East Bay Hills Actual to Budget - 22.23
 From 7/1/2022 Through 10/31/2022

	Current Period Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original
Revenue				
Intergovernmental Revenue				
Misc State Aid/ Grants	0.00	3,360,000.00	(3,360,000.00)	(100.00)%
Total Intergovernmental Revenue	0.00	3,360,000.00	(3,360,000.00)	(100.00)%
Total Revenue	0.00	3,360,000.00	(3,360,000.00)	(100.00)%
Expenditures				
Salaries & Benefits				
Temporary Salaries	0.00	100,000.00	100,000.00	100.00%
Payroll Taxes - FICA/SUI	0.00	6,250.00	6,250.00	100.00%
Total Salaries & Benefits	0.00	106,250.00	106,250.00	100.00%
Operating Expense				
Professional Services	0.00	500,000.00	500,000.00	100.00%
Exterior Hazard Removal	0.00	2,000,000.00	2,000,000.00	100.00%
Exterior Hazard Removal - Mec...	0.00	391,819.00	391,819.00	100.00%
Public Education Supplies	0.00	1,931.00	1,931.00	100.00%
Total Operating Expense	0.00	2,893,750.00	2,893,750.00	100.00%
Total Expenditures	0.00	3,000,000.00	3,000,000.00	100.00%
Excess of Revenues Over/ (Under) E...	0.00	360,000.00	(360,000.00)	(100.00)%



Moraga-Orinda Fire District

Administrative Services

QUARTERLY INVESTMENT REPORT

September 30, 2022

Type of Investment	Financial Institution	Date of Maturity	Par Value/ Original	Market Value	Rate of Interest	Fiscal Year-to-Date Income
Cash	Contra Costa County	N/A	\$ 183,007	\$ 183,007	0.00%	\$ -
Cash	JPMorgan Chase Bank, N.A.	N/A	2,242,962	2,242,962	0.00%	\$ -
Local Agency Investment Fund	Local Agency Investment Fund	N/A	6,005,257	5,889,722	1.35%	\$ 35,531
Money Market	Allspring Government Money Market Fund Admin Class	N/A	0	0	0.66%	\$ 1,073
Total			\$ 8,431,226	\$ 8,315,691		\$ 36,604
Average Weighted Yield	0.96%					
Market values obtained from monthly statements issued by JP Morgan Chase Bank, N.A. and Wells Fargo Bank						
Sufficient funds exist to meet the District's financial obligations for the next six months using the County of Contra Costa's "Teeter Plan". In 1949, the California Legislature enacted an alterative method for the distribution of secured property taxes to local agencies known as the "Teeter Plan". The Teeter Plan is a tax distribution procedure by which secured tax rolls are distributed to the District on the basis of the tax levy, rather than on the basis of actual tax collections. While the County bears the risk of loss on delinquent taxes that go unpaid, it benefits from the penalties associated with these delinquent taxes when they are paid. In turn, the Teeter Plan provides the District with stable cash flow and the elimination of credit risk.						
The September 2022 investments are in accordance with the District adopted investment policy.						
Gloriann Sasser Administrative Services Director						



Moraga-Orinda Fire District

TO: Board of Directors

FROM: Dave Winnacker, Fire Chief

DATE: November 16, 2022

SUBJECT: **Item 5.6 Authorize Acceptance of the FY2022 United States Department of Homeland Security Urban Areas Security Initiative Grant in the Amount of \$28,800 to Purchase Eighteen Sets of Rescue Taskforce Personal Protective Equipment; Authorize Staff to Enter Into an Agreement with the City and County of San Francisco for the Distribution of FY2022 Urban Areas Security Initiative Grant Funds; Approve a General Fund Revenue Budget Adjustment Increase in the Amount of \$28,800 and Approve a General Fund Expenditure Budget Adjustment Increase in the Amount of \$28,800**

BACKGROUND

The District has been awarded a grant as a subrecipient of an FY 2022 Homeland Security Grant awarded to the City and County of San Francisco in the amount of \$28,800 (Attachment A.) The purpose of the grant is to purchase rescue taskforce personal protective equipment that can be used in the event of an active shooter or violent incident. The grant funds will be used to purchase 18 sets of personal protective equipment which will include a helmet, body armor, protective pads and gear storage bag. The purchase and request for reimbursement must be completed on or before December 31, 2023. There are no matching requirements and the grant funding is adequate to purchase all required items.

FISCAL YEAR 2023 GENERAL FUND BUDGET ADJUSTMENT

A General Fund budget adjustment is required to increase revenue \$28,000 and increase expenditures \$28,000.

RECOMMENDATION

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Authorize Acceptance of the FY2022 United States Department of Homeland Security Urban Areas Security Initiative Grant in the Amount of \$28,800 to Purchase Eighteen Sets of Rescue Taskforce Personal Protective Equipment; Authorize Staff to Enter Into an Agreement with the City and County of San Francisco for the Distribution of FY2022 Urban Areas Security Initiative Grant Funds; Approve a General Fund Revenue Budget Adjustment Increase in the Amount of \$28,800 and Approve a General Fund Expenditure Budget Adjustment Increase in the Amount of \$28,800

ATTACHMENT

[Attachment A - UASI Grant FY22 Moraga Orinda Fire.pdf](#)

Appendix A — Authorized Expenditures and Timelines

ENTITY: **MORAGA ORINDA FIRE DISTRICT**

Total allocation to be spent on the following solution areas:

<u>Webgrants ID</u>	<u>Program Description</u>	<u>Due Dates</u>	<u>Solution Areas</u>	<u>Amount</u>
<i>Project Title: Moraga Orinda Fire District Rescue Taskforce PPE</i>				
13134	This equipment will properly outfit 18 firefighters (100% of MOFD daily staffing) with the PPE needed to ensure their safety during an active shooter or violent incident	Project Completion date: 12/31/2023	Equipment AEL# 01LE-01-HLMT 01LE-01-ARMR 01LE-02-PRPD 01ZP-00-GBAG	PROJECT NOT TO EXCEED \$28,800
		TOTAL MORAGA ORINDA ALLOCATION		MORAGA ORINDA TOTAL NOT TO EXCEED: <u>\$28,800</u>



Moraga-Orinda Fire District

TO: Board of Directors

FROM: Gloriann Sasser, Administrative Services Director

DATE: November 16, 2022

SUBJECT: **Item 6.1 Long Range Financial Forecast November 2022**

BACKGROUND

At the October 2022 Board meeting, the Board directed staff to update the Long Range Financial Forecast (Forecast) based on what could happen with the economy. The last update to the Forecast was in April 2022. Due to 2022 economic conditions including inflation, rising interest rates and stock market declines, three scenarios have been prepared (see attachments):

- o A - Same assumptions as April 2022 forecast
- o B - One year decline
 - o CCCERA investment return -22% in 2022
 - o PARS District portfolio investment return -20% in FY22/23
 - o Property tax revenue growth +2% in FY23/24
 - o Operating expenses increase 5% throughout
 - o Construction cost estimates increase 20%
- o C - Two year decline
 - o CCCERA investment return -22% in 2022 and 2023
 - o PARS District portfolio investment return -20% in FY22/23 and FY23/24
 - o Property tax revenue growth +2% in FY23/24 and FY24/25
 - o Operating expenses increase 5% throughout
 - o Construction cost estimates increase 20%

The Forecast covers a forward-looking 10-year period. The Forecast uses several significant assumptions, which are explained below.

Property Tax Revenue

Property tax revenue for FY22/23 is based on actual results and the quarter one financial update. Property tax revenue for FY22/23 is projected to increase 4.94% or \$1.4M. The Property Tax Revenue California Consumer Price Index granted for all taxing entities in the State per Proposition 13 for 22/23 is 2.0%. This is an increase from the prior year index of 1.036%. The history of the Property Tax Revenue California Consumer Price Index is as follows:

Fiscal Year	Property Tax Revenue California Consumer Price Index
22/23	2.0%
21/22	1.036%
20/21	2.0%
19/20	2.0%
18/19	2.0%
17/18	2.0%

16/17	1.525%
-------	--------

Median sale prices of single-family homes in the District (both cities) increased 9.64% in 2020 over the previous calendar year, and those median prices increased an additional 13.03% in 2021. In the cities that make up the District there was an increase in the number of homes sold in 2021 by 162 transactions. This means that there was a 25.8% increase in the number of homes that sold in calendar year 2021 and these sales will impact 22/23 revenue. The properties that sold in 2021 added an increase of 80.0% to the market value when compared to the value of the property on the tax roll before the sale transaction. This increase in the tax roll values will result in increased property tax revenue to the District.

HdL property tax revenue projections for the District are as follows:

23/24	5.22%
24/25	5.10%
25/26	5.13%
26/27	5.12%

The Forecast uses the following property tax revenue projections:

- A and B: 2% in FY23/24, then 3.5% throughout the remaining years
- C: 2% in FY23/24 and 24/25, then 3.5% throughout

Other General Fund Revenues - Same assumptions in all scenarios

Ambulance fees – Projected to increase 1.5%

Strike team revenue (net of overtime costs) – FY23/24 is projected at \$300,000, then increase 3% throughout

Other revenue (fuel break administrative fee) – The administrative fee for the Tunnel East Bay Hills Fuel Break is projected to be received in the General Fund in FY24/25 (\$683,632.)

General Fund Expenditures

Regular salaries – +5% effective July 1, 2023 per the MOUs, then +3% throughout in all scenarios

Overtime – +5% effective July 1, 2023 per the MOUs, then +3% throughout in all scenarios

Benefits – +3% throughout in all scenarios

Retiree health insurance – Capped per the MOUs, no increases in all scenarios

Operating expenses – Budget for FY22/23, then increase +5% throughout in all scenarios

Pension Costs

There are several significant items to note related to administration of the District's pension benefits at the Contra Costa County Employees' Retirement Association (CCCERA):

- The CCCERA Board decreased the discount rate/assumed rate of return from 7.00% to 6.75% effective with the December 31, 2021 valuation. This resulted in an increase to the District's pension rates beginning in FY23/24.
- The most recent CCCERA actuarial valuation as of 12/31/2021 was calculated using a 6.75% investment earnings assumption in all future years including 2022.
- Actual year-to-date CCCERA investment returns for the period January 1, 2022 through June 30, 2022 is -10.8%.
- Based on the 12/31/2021 actuarial valuation, Segal projected the District's Safety cost group will reach full funding as of the 12/31/2026 actuarial valuation (FY28/29 rates.) However, Segal noted that this projection was based on plan assets as of 12/31/2021 and that market conditions have changed significantly since 12/31/2021.
- The 12/31/2021 actuarial valuation included the impact of a recent change in benefit amount for one District retiree due to resolved litigation between the retiree and CCCERA.
- CCCERA set the District's pension rates for FY23/24 based on the 12/31/2021 actuarial valuation. The District's Safety pension rates increased 10% primarily due to the discount rate decrease from 7.00% to 6.75%. The actual rates set by CCCERA for FY23/24 have been used in all scenarios.

- For Scenario A: Five-year projections were provided by Segal, CCCERA's actuary, in October 2022 based on CCCERA investment returns through December 31, 2021 (+13.9%) as follows:

FY2023	Actual rates set by the CCCERA board of directors (70.35% for Safety Classic and 59.63% for Safety PEPRA)
FY2024	Actual rates set by the CCCERA board of directors (80.80% for Safety Classic and 69.94% for Safety PEPRA)
FY2025	+1.19%
FY2026	-4.18%
FY2027	-3.74%
FY2028	-4.08%
FY2029	-40.27%
FY2029 forward	No projections are provided by CCCERA. The remaining years use calculations provided by GovInvest software.

- Scenario B: Projections provided using GovInvest software with -22% assumed investment return in 2022
- Scenario C: Projections provided using GovInvest software with -22% assumed investment return in 2022 and 2023

OPEB Funding

Actual quarter-to-date investment return for the District's OPEB trust fund with PARS for the period July 1, 2022 through September 30, 2022 is -4.95%.

- Scenario A: OPEB contributions are based on actuarial calculations used in the GASB 75 OPEB Valuation Report as of June 30, 2022 which was calculated using a discount rate of 6.25% and 15-year closed amortization period.
- Scenario B: OPEB contributions calculated using GovInvest software with a forecast of -20% PARS investment return in FY2023.
- Scenario C: OPEB contributions calculated using GovInvest software with a forecast of -20% PARS investment return in FY2023 and 2024.

Pension Rate Stabilization Trust Fund Contributions

The most recent investment returns released by CCCERA are -10.8% net of fees for the six month period January 1, 2022 through June 30, 2022.

- Scenario A: Pension trust contributions are based on GovInvest software calculations using a discount rate of 6.25%, salary increases of 4% effective July 1, 2022 and 5% effective July 1, 2023, 2021 investment earnings of +13.9% and investment earnings of 6.25% throughout the remaining years.
- Scenario B: Pension trust contributions are based on GovInvest software calculations using a discount rate of 6.25%, salary increases of 4% effective July 1, 2022 and 5% effective July 1, 2023, 2021 investment earnings of +13.9%, 2022 CCCERA investment loss -22%, and 6.25% throughout the remaining years.
- Scenario C: Pension trust contributions are based on GovInvest software calculations using a discount rate of 6.25%, salary increases of 4% effective July 1, 2022 and 5% effective July 1, 2023, 2021 investment earnings of 13.9%, 2022 and 2023 CCCERA investment loss of -22%, and 6.25% throughout the remaining years.

Capital Projects Fund

The Long Range Financial Forecast - Capital Expenditures (Attachments B and C), have been updated to reflect a projected construction cost increase of 20%. Major expenses include:

Rebuild Fire Station 41/Administration as follows:

FY2023 \$1,000,000 included
in Budget
FY2024 \$4,800,000 (+20%)
FY2025 \$4,800,000 (+20%)

Remodel of Fire Station 45 as follows:

FY2026 \$618,000 (+20%)
FY2027 \$2,472,000 (+20%)

The pension obligation bonds were paid-in-full effective July 1, 2022. The District has one outstanding debt issue that paid for the construction of Fire Station 43 with an annual debt service payment of \$322K. The Forecast includes a transfer of money that was previously used to pay for the pension obligation bonds from the General Fund to the Capital Projects Fund to pay for the construction of Fire Station 41/Administration and to pay for the remodel of Fire Station 45. This would allow the District to pay cash for the two projects.

Transfers from the General Fund to the Capital Projects Fund in all scenarios are as follow:

FY2023 \$3,100,000
FY2024 and 2025 \$3,000,000
FY2026 and 2027 \$2,000,000
FY2028 ongoing \$1,100,000

Fund Balance Policy and Fund Balance Goal

The District’s Fund Balance Policy states the District will maintain a minimum unrestricted fund balance in the General Fund of at least 17% of budgeted General Fund revenue at fiscal year-end with a goal of achieving a 50% year-end General Fund balance in the long term. Results are as follows:

Scenario A: 46% to 131%
Scenario B: 32% to 50%
Scenario C: -17% (less than minimum) to 47%

Growth of Reserves

	Unrestricted Reserves	General Fund Unrestricted Reserves as a Percentage of Budgeted Revenue	OPEB Trust Fund	Pension Stabilization Trust Fund
2016	\$9,753,441	19%	\$176,437	\$0
2017	\$11,485,547	23%	\$472,933	\$304,836
2018	\$12,319,249	28%	\$882,129	\$700,449
2019	\$12,846,486	31%	\$1,358,338	\$1,879,809
2020	\$13,960,991	38%	\$1,999,673	\$3,022,693
2021	\$16,887,812	43%	\$2,948,603	\$5,582,483
2022	\$19,618,860	49.68%	\$2,798,054	\$6,845,315

Long Range Financial Forecast Results

Scenario A: The Forecast shows a deficit in the General Fund in FY2024, then a surplus in the General Fund with revenue exceeding expenditures (including OPEB and pension trust contributions) in all years. The Forecast shows a Capital Projects Fund deficit in four years with sufficient fund balance to fund the Capital Projects Fund deficits.

Scenario B: The Forecast shows a deficit in the General Fund in six of the years and a surplus in four of the years. The Forecast shows a Capital Projects Fund deficit in four years with sufficient fund balance to fund the Capital Projects Fund deficits.

Scenario C: The Forecast shows a deficit in the General Fund in every year, with insufficient reserves to maintain the expenditures in the last four years. Spending reductions would be required.

Summary of Unfunded Liabilities

The section titled Summary of Unfunded Liabilities includes projections of the District's unfunded pension liabilities calculated using the GovInvest software presenting both CCCERA's actuarial assumptions and the District's actuarial assumptions. It also includes projections of the District's OPEB unfunded liabilities based on the District's OPEB actuarial assumptions and planned trust contributions.

Conclusion

Significant uncertainty exists within the United States and global economies. District costs will be effected by stock market performance and inflation. Rising mortgage interest rates could negatively effect the sale prices of residential real estate and property taxes within the District. Staff will continue to carefully monitor the District's finances. Staff requests Board direction regarding the Long Range Financial Forecast.

RECOMMENDATION

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

ATTACHMENT

[Scenario A.pdf](#)

[Scenario B.pdf](#)

[Scenario C.pdf](#)

[Capital and Apparatus.pdf](#)

Moraga-Orinda Fire Protection District

Long Range Financial Forecast

B - Investment return CCCERA - 22% in 2022, Investment Return PARS - 20% in FY2023, Property tax revenue 2% in FY2024, Operating Expenses +5% throughout

November 2022

Table with columns: Line Item, 2021 Actual, 2022 Actual, 2023 Actual, 2024 Actual, 2025 Actual, 2026 Actual, 2027 Actual, 2028 Actual, 2029 Actual, 2030 Actual, 2031 Actual, 2032 Actual, and various Assumptions (ASSM). Rows include Total Revenue, Total Expenditures, CASH AND LAIF BALANCE DECEMBER 15, GENERAL FUND REVENUES, and GENERAL FUND EXPENDITURES.

* Significant portions of District fleet due for replacement
** As calculated using Govinvest software discount rate 6.75%, salary increases 4%, 4%, 5%, 3.25% and investment return 2021 13.9% and 2022 -22%
***As calculated using Govinvest software discount rate 6.25%, salary increases 4%, 4%, 5%, 3.25% and investment return 2021 13.9% and 2022 -22%
**** Actual returns may vary from forecast
***** Amount based on Govinvest calculation
***** CCCERA provides 5 year projections but does not break out normal cost and UALAL 38%/62% is used based on CCCERA actuarial valuations. Rates from Govinvest.
***** Projected 22/23 expenditures are based on Quarter One Financial Update presented to the Board on October 19, 2022.
*****As calculated using Govinvest software discount rate 6.25%, investment return 2022 -13.86% and 2023 -20%

Moraga-Orinda Fire Protection District
 Long Range Financial Forecast - Capital Expenditures
 Draft Update
 November 2022

	DESCRIPTION	AGE	REPLACEMENT DATE	BOOK VALUE	2018 REPLACEMENT COST	PROJ 22/23	PROJ 23/24	PROJ 24/25	PROJ 25/26	PROJ 26/27	PROJ 27/28	PROJ 28/29	PROJ 29/30	PROJ 30/31	PROJ 31/32
	BUILDINGS & GROUNDS														
	STATION-41/TRAINING	62	2022	579,367	8,500,000	1,000,000	4,800,000	3,600,000							
	ADMINISTRATION	50	2022	340,435	1,500,000			1,200,000							
	STATION-42	17	2041	1,992,000	2,721,437	35,000									
	STATION-43	2	2058		4,093,000										
	STATION-44	12	2046	2,648,802	2,478,819	35,000									
	STATION-45	48	2022	475,488	2,500,000				618,000	2,472,000					
	CAPITAL IMPROVEMENTS - OTHER						72,000	74,160	76,385	78,676	81,037	83,468	85,972	88,551	91,207
	TOTAL FACILITIES EXPENDITURES					1,070,000	4,872,000	4,874,160	694,385	2,550,676	81,037	83,468	85,972	88,551	91,207
	TOTAL APPARATUS EXPENDITURES/VEHICLE					1,258,123	727,577	600,000	38,312	210,000	0	1,894,952	315,000	0	0
	FIREFIGHTING CAPITAL EQUIPMENT						50,000	51,500	1,153,045	54,636	56,275	57,964	59,703	61,494	63,339
	IT CAPITAL EXPENDITURES					164,250	20,000	20,600	21,218	21,855	22,510	23,185	23,881	24,597	25,335
	OTHER CAPITAL EXPENDITURES					14,200	20,000	20,600	21,218	21,855	22,510	23,185	23,881	24,597	25,335
	TOTAL CAPITAL					\$ 2,506,573	\$ 5,689,577	\$ 5,566,860	\$ 1,928,178	\$ 2,859,022	\$ 182,332	\$ 2,082,754	\$ 508,436	\$ 110,689	\$ 205,217

Apparatus Costs

November 2022				PROJ 22/23	PROJ 23/24	PROJ 24/25	PROJ 25/26	PROJ 26/27	PROJ 27/28	PROJ 28/29	PROJ 29/30	PROJ 30/31	PROJ 31/32
DESCRIPTION	AGE	REPLACE DATE	2017 COST										
ENGINES - STRUCTURE PROTECTION													
1998 ENGINE TYPE 1 SPARTAN, HI-TEC (RESERVE APPARATUS)	24	2023	585,163		727,577								
2008 ENGINE TYPE 1 PIERCE	14	2028	585,163							727,577			
2012 ENGINE TYPE 1 PIERCE	10	2032	585,163										
2017 ENGINE TYPE 1 PIERCE	5	2037	602,834										
2017 ENGINE TYPE 1 PIERCE	5	2037	602,834										
ENGINES - WILDLAND													
2002 ENGINE TYPE 3 WESTATES	20	N/A	386,428										
2002 ENGINE TYPE 3 WESTATES	20	2024	386,428			600,000							
2008 ENGINE TYPE 3 PIERCE	14	2028	386,428							480,475			
2010 ENGINE TYPE 3 PIERCE	12	2028	386,428							480,475			
ENGINES -													
2018 ENGINE TYPE 6	4	2038	151,250										
2023 ENGINE TYPE 6				250,000									
AERIAL LADDER TRUCKS													
2017 TILLER TRUCK - 100' PIERCE	5	2033	1,286,924										
SPECIALIZED APPARATUS													
2009 WATER TENDER PIERCE-KENWORTH	13	2034	300,000	365,000									
AMBULANCES													
2015 AMBULANCE NAVISTAR TERRASTAR LEADER	7	2028	212,277										
2015 AMBULANCE NAVISTAR TERRASTAR LEADER	7	2028	212,277										
2017 AMBULANCE	5	2027	180,645					210,000					
2017 AMBULANCE	5	2029	180,645								215,000		
2023 AMBULANCE F-450		2033		187,174									
2023 AMBULANCE F-450		2033		187,174									
COMMAND VEHICLES													
2008 COMMAND CHEVY SUBURBAN - SELL IN 2022	14	N/A	60,000	64,190									
2008 COMMAND-CHEVY SUBURBAN - SELL IN 2022	14	N/A	60,000										
2017 COMMAND CHEVY TAHOE	5	2028	52,048							64,715			
2019 COMMAND-DODGE 2500	3	2029	70,000							100,000			
2023 COMMAND-DODGE 1500		2033									100,000		
SUPPORT VEHICLES													
2011 CHEVY TAHOE	11	N/A	34,700										
2012 FORD EXPLORER	10	2025	34,700				38,312						
2017 FORD EXPLORER	5	2028	33,546							41,710			
2019 DODGE 5500 AIR LIGHT UNIT	3	N/A	250,000										
UTILITY VEHICLES													
2000 UTILITY FORD F250	22	N/A	60,000										
2005 FORD RANGER	17	N/A	18,769										
2005 FORD RANGER	17	2023	18,769	38,793									
2005 FORD RANGER	17	2023	18,769	38,793									
2019 DODGE 2500	3	2034	40,000										
2022 DODGE 1500	0	2034	64,000	63,500									
2022 DODGE 1500	0	2034	64,000	63,500									
TOTAL APPARATUS EXPENDITURES/VEHICLE				1,258,123	727,577	600,000	38,312	210,000	0	1,894,952	315,000	0	0
FIREFIGHTING/RESCUE APPARATUS													
AMBULANCES													
COMMAND/SUPPORT/STAFF VEHICLES				1,258,123									



Moraga-Orinda Fire District

TO: Board of Directors

FROM: Dave Winnacker, Fire Chief

DATE: November 16, 2022

SUBJECT: **Item 6.2 Authorize Staff to Engage in Negotiations with United Professional Fire Fighters of Contra Costa County, IAFF Local 1230 to Modify the Memorandum of Understanding July 1, 2021 to June 30, 2024.**

BACKGROUND

At the October 2022 Board meeting, a Board member directed staff to place an action item on the agenda to authorize staff to engage in negotiations with United Professional Fire Fighters of Contra Costa County, IAFF Local 1230 to modify the Memorandum of Understanding July 1, 2021 to June 30, 2024.

RECOMMENDATION

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Provide Direction Regarding Items to be Negotiated; 4) Authorize Staff to Engage in Negotiations with United Professional Fire Fighters of Contra Costa County, IAFF Local 1230 to Modify the Memorandum of Understanding July 1, 2021 to June 30, 2024.



Moraga-Orinda Fire District

TO: Board of Directors

FROM: Christine Russell, Human Resources Manager

DATE: November 16, 2022

SUBJECT: **Item 6.3**
Establishment of Veteran's and Resident Hiring Preference

BACKGROUND

At the October 2022 board meeting, a director requested a future agenda item regarding a residency and veteran's hiring preference.

In accordance with Title 5, United States Code, Section 2108, a veteran's preference is based on dates of active duty service and discharge conditions. The applicant would be required to demonstrate eligibility for veteran's preference by:

1. having (1) served in the United States Army, Navy, Marine Corps, Air Force, Space Force or Coast Guard in time of war, in any expedition of the Armed Forces of the United States, or having been on continuous active duty for more than 180 days, or being a disabled veteran and (2) having received a discharge or release from active duty under honorable conditions; and
2. have competed in an open recruitment/examination process;
3. have submitted acceptable documentary evidence demonstrating eligibility prior to the final filing date of the recruitment period; and
4. have achieved a minimum passing final examination score and being qualified for placement on the eligibility list.

Residency preference for applicants is at the discretion of the organization. A typical way for an applicant to qualify for residency preference would be to demonstrate eligibility by:

1. Reside in the specified geographical location for a full year (12 months) before the date of examination;
2. At the time of application, provide a copy of a valid Driver's License or Identification Card to verify proof of residency.

If either of the above referenced hiring preference components are to be implemented into the hiring process, a five (5) point credit would be added to the qualifying candidate's final examination score.

RECOMMENDATION

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Provide direction regarding establishment of Veteran's and Resident hiring preference