



Moraga-Orinda Fire District

Board of Directors

REGULAR MEETING
June 21, 2023 – 6:00 PM
6:00 p.m. CLOSED SESSION
7:00 p.m. OPEN SESSION

MEETING LOCATION:
Sarge Littlehale Room
22 Orinda Way
Orinda, CA 94563

To access the meeting remotely:
please click the link below to join the webinar by Zoom:
<https://us02web.zoom.us/j/83806673203>
or By Phone: 1-669-900-6833
Webinar ID: 838 0667 3203
note: *disclaimer below*

Public Participation

This meeting will be conducted in a hybrid format with in-person and remote options for public participation. *Please be advised that those participating in the meeting remotely via Zoom do so at their own risk. The meeting will not be cancelled if any technical problems occur during the meeting. If you are participating via the Zoom meeting link (i.e. web platform), and experience personal technological difficulties, please re-join the meeting by phone via phone number provided above.

For In-person Attendees, face coverings are strongly encouraged and attendees are encouraged to be up-to-date on the COVID-19 vaccine. Social distance should be maintained when practical. If you are feeling sick, please do not attend the meeting in person.

SPEAKER CARDS: If you would like to speak during the public forum or on an item listed on the agenda, you are invited to submit a speaker card to the District Clerk. You will be permitted to speak even if you elect not to submit a speaker card or decline to provide information requested on the card. After the Board of Directors has heard from everyone who submitted speaker cards, anyone electing not to submit a speaker card may form a line at the lectern. Public comment is limited to 3 minutes per speaker per agenda item.

For Remote Attendees, by joining via the ZOOM link or the dial-in information above. You can access the meeting 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 3:00 p.m. 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 5:00 p.m. 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. Emails received during the meeting will be made a part of the public record and available to view by 5:00 p.m. the following day of the meeting by following this link mofd.org/agendas

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. **PUBLIC COMMENT - CLOSED SESSION ITEMS**

3. **CLOSED SESSION**

3.1 **Conference with Real Property Negotiators**

(Government Code Section 54956.8)

Agency Negotiator: David Winnacker

Negotiating parties: Moraga School District

Under Negotiations: Consideration of and authorization to proceed with real estate negotiations by the Fire Chief regarding potential acquisition of the real properties concerning price and terms of payment. Real Property: 257-210-013-5

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

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

4. **RECONVENE THE MEETING**

- Call the Meeting to Order
- Roll Call

5. **REPORT OF CLOSED SESSION ACTION**

6. **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.

7. **PUBLIC HEARING**

7.1 [Second Reading and Adoption of Ordinance 23-06, a Moraga-Orinda Fire District of Contra Costa County, California, Declaring Certain Hazardous Vegetation and Combustible Material a Public Nuisance and Providing for the Abatement and/or Removal Thereof; and finding that adoption of the Ordinance is exempt from the California Environmental Quality Act.](#)

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Waive the second reading of Ordinance 23-06, a Moraga-Orinda Fire District of Contra Costa County, California, Declaring Certain Hazardous Vegetation and Combustible Material a Public Nuisance and Providing for the Abatement and/or Removal Thereof; 4) Open the public hearing and accept comments from the public; 5) Close the public hearing; 6) Adopt Ordinance 23-06, a Moraga-Orinda Fire District of Contra Costa County, California, Declaring Certain Hazardous Vegetation and Combustible Material a Public Nuisance and Providing for the Abatement and/or Removal Thereof

[Attachment: 23-06 MOFD Nuisance Ordinance Final 2023-05-10.docx](#)

7.2 [Second Reading and Adoption of 23-07, an Ordinance of the Moraga-Orinda Fire District of Contra Costa County, California, repealing Ordinance No. 21-01, an Ordinance Adopting an Administrative Citation Program, and Adopting an Amended Administrative Citation Program; and finding that adoption of the Ordinance is exempt from the California Environmental Quality Act.](#)

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Waive the Second Reading of Ordinance 23-07, an Ordinance of the Moraga-Orinda Fire District of Contra Costa County, California, repealing Ordinance No. 21-01, an Ordinance Adopting an Administrative Citation Program, and Adopting an Amended Administrative Citation Program; 4) Open the public hearing and accept comments from the public; 5) Close the public hearing; 6) Adopt Ordinance 23-07, an

Ordinance of the Moraga-Orinda Fire District of Contra Costa County, California, repealing Ordinance No. 21-01, an Ordinance Adopting an Administrative Citation Program, and Adopting an Amended Administrative Citation Program
[Attachment: 23-07 Amendment to Administrative Citation Ordinance Final 2023-05-010.docx](#)

8. ANNOUNCEMENTS

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

(Government Code Section 53232.3(d))

8.2 Questions and informational comments from Board members and Staff

8.3 Communications Received

8.4 Fire Chief Updates

a. **Finance Report**

b. **Human Resources**

c. **Fire Marshal**

d. **Home Hardening Grant Program**

e. **Tunnel East Bay Hills Fuel Break Project**

f. **Operations**

g. **Community Warning System (sign-ups) Update**

[Attachment: Fire Marshal Report - May](#)

[Attachment: Home Hardening Grant Report 07.01.22 - 06.16.23.pdf](#)

[Attachment: Community Warning System Update \(sign ups\) May.pdf](#)

9. CONSENT AGENDA

9.1 Meeting Minutes – May 17, 2023 (regular), June 7, 2023 (special)

Staff Recommendation: Approve and File

[Attachment: 05-17-23 Regular Minutes DRAFT.pdf](#)

[Attachment: 06-07-23 Special Minutes DRAFT.pdf](#)

9.2 Monthly Incident Report – May 2023

Staff Recommendation: Approve and File

[Attachment: Monthly Incident Report May 2023.pdf](#)

9.3 Monthly Check/Voucher Register – May 2023

Staff Recommendation: Approve and File

[Attachment: Check Register May 2023.pdf](#)

9.4 Monthly Financial Report – May 2023

Staff Recommendation: Approve and File

[Attachment: May 2023 Financials.pdf](#)

10. REGULAR AGENDA

10.1 Authorize Agreement for Audit Services with Maze & Associates for the Fiscal Years Ending June 30, 2023 Through June 30, 2025 in the Amount Not to Exceed \$113,700

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Authorize an agreement for audit

services with Maze & Associates for the fiscal years ending June 30, 2023 through June 30, 2025 in the amount not to exceed \$113,700.

[Attachment A: Maze Proposal May 2023.pdf](#)

[Attachment B: Badawi & Associates Proposal May 2023.pdf](#)

[Attachment C: Harshwal & Company Proposal May 2023.pdf](#)

[Attachment D: Audit RFP Cost Proposal Results May 2023.pdf](#)

10.2 Adoption of Annual Operating Budget Fiscal Year 2024

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Adopt Annual Operating Budget Fiscal Year 2024

[Attachment A - Annual Operating Budget 2024 Adopted June 2023 Board Meeting.pdf](#)

10.3 Adopt Resolution 23-13 Establishing the District's Annual Appropriations Limit for Fiscal Year 2023/24

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Adopt Resolution 23-13 Establishing the District's Annual Appropriations Limit for Fiscal Year 2023/24

- [Attachment A: Resolution 23-13 Establishing the District's Annual Appropriations Limit.pdf](#)
- 10.4 [Adopt Resolution 23-12 Establishing the Fiscal Year 2023/24 Fire Flow Tax Rates for the Orinda and Moraga Service Zones](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Adopt Resolution 23-12 Establishing the Fiscal Year 2023/24 Fire Flow Tax Rates for the Orinda and Moraga Service Zones
[Attachment A: Resolution 23-12 Adopting Fire Flow Tax Rates.pdf](#)
- 10.5 [Adopt Resolution 23-10 Adopting a Modified Schedule of Cost Recovery Fees for Emergency Medical Services](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Adopt Resolution 23-10 Establishing a Modified Schedule of Cost Recovery Fees for Emergency Medical Services
[Attachment A: Resolution 23-10 Ambulance Fees.pdf](#)
- 10.6 [Develop a needs-based financing program for landowners who are part of a Firewise community and need significant expensive abatement](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Provide direction to Staff
[06-21-21 Demand Payoff Request from Fidelity National Title Company](#)
[06-21-21 Demand Issued to Fidelity National Title Company](#)
[08-06-21 Demand Paid](#)
[08-31-21 Lien Released with County](#)
- 10.7 [Discuss Development of a Policy to Publicly Disclose on a Monthly Basis a List of a Property Owner's Name and Address for All Properties that Have Been Issued an Administrative Citation in the Amount of \\$500 and Above.](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Provide direction to Staff regarding development of a policy to publicly disclose on a monthly basis a list of a property owner's name and address for all properties that have been issued an administrative citation in the amount of \$500 and above.
- 10.8 [Authorize the purchase of two Pierce Manufacturing Enforcer Pumpers Type I fire engines from Golden State Fire Apparatus in the amount of \\$2,196,920.10](#)
Staff Recommendation: Authorize the purchase of two Pierce Manufacturing Enforcer Pumpers Type I fire engines from Golden State Fire Apparatus in the amount of \$2,196,920.10
[Attachment A - Moraga Orinda Proposal Package.pdf](#)

11. COMMITTEE REPORTS

- 11.1 **Standing Audit Committee (Directors Hasler and Jex)**
- 11.2 **Ad Hoc Committee Develop Plans for Expanding the Fire Prevention Program (Directors Hasler and Jorgens)**
- 11.3 **Ad Hoc Committee Facilities Station 41 (Directors Danziger and Jex)**
- 11.4 **Ad Hoc Committee Joint Fire Prevention w/City of Orinda (Directors Jorgens and Roemer)**

12. ANNOUNCEMENTS

- 12.1 **Future Agenda Items**

13. ADJOURNMENT

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

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

I hereby certify that this agenda in its entirety was posted on June 16, 2023, 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.

A handwritten signature in black ink that reads "Marcia Holbrook". The signature is written in a cursive, flowing style.

Marcia Holbrook
District Secretary/Clerk