



Moraga-Orinda Fire District

Board of Directors

REGULAR MEETING
August 16, 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/81744161145>

or By Phone: 1-669-900-6833
Webinar ID: 817 4416 1145
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: Members of the public may comment on any item on the agenda before or during the Board's consideration of the item. 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(d)(3) – two potential cases

First potential case: On January 18, 2023, a complaint of employment discrimination against the District was filed with the California Department of Fair Employment and Housing

[Second potential case: August 2, 2023 CEQA threat of litigation](#)

3.3 **Conference with Labor Negotiator - Local 1230, IAFF**

(Government Code Section 54957.6)

Employee Organization: Local 1230, International Association of Firefighters IAFF

Agency Designated Representative: Jonathan Holtzman

3.4 **Conference with Labor Negotiator - MOFCOA**

(Government Code Section 54957.6)

Employee Organization: Moraga-Orinda Fire Chief Officers' Association

Agency Designated Representative: Jonathan Holtzman

3.5 **Conference with Labor Negotiator - Unrepresented Employees**

(Government Code Section 54957.6)

Employee Organization: Unrepresented Employees

Agency Designated Representative: Jonathan Holtzman

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. **ANNOUNCEMENTS**

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

(Government Code Section 53232.3(d))

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

7.3 **Communications Received**

[01- Moraga Homeowner](#)

02- Sandra Fox Sohner

- 7.4 **Fire Chief Updates**
 - a. **Finance Report**
 - b. **Human Resources**
 - c. **Fire Marshal**
 - d. **Tunnel East Bay Hills Fuel Break Project**
 - e. **Operations**

[Attachment: Monthly Fire Marshal Report July](#)

8. **CONSENT AGENDA**

- 8.1 **Meeting Minutes – July 19, 2023 (regular)**
Staff Recommendation: Approve and File
[Attachment: 07-19-23 Regular Minutes DRAFT](#)
- 8.2 **Monthly Incident Report – July 2023**
Staff Recommendation: Approve and File
[Attachment: Monthly Incident Report July 2023.pdf](#)
- 8.3 **Monthly Check/Voucher Register – July 2023**
Staff Recommendation: Approve and File
[Attachment: Monthly Check Register July 2023.pdf](#)
- 8.4 **Monthly Financial Report – July 2023**
Staff Recommendation: Approve and File
[Attachment: July 2023 Financials 08.10.23.pdf](#)
- 8.5 **Quarterly Investment Report - June 30, 2023**
Staff Recommendation: Approve and File
[Attachment: Quarterly Investment Report 06.2023.pdf](#)
- 8.6 **Revised Fund Balance Policy Adopted by the Board on July 19, 2023**
Staff Recommendation: 1) Information only
[Attachment A: Fund Balance Policy 07.19.23.pdf](#)
- 8.7 **PARS Annual Statement - June 2023**
Staff Recommendation: Receive and File
[Attachment: PARS Annual Statement 6.30.2023.pdf](#)

9. **REGULAR AGENDA**

- 9.1 **Approve the Annual Comprehensive Financial Report as of the Fiscal Year Ended June 30, 2022, Communication With Those Charged With Governance June 30, 2022 and Independent Accountant's Report on Applying Agreed-Upon Procedures for Appropriations Limit Calculation For the Year Ended June 30, 2022 or Authorize an Increase in the Amount to Pay Eide Bailly, LLP for Audit Services for the Fiscal Year Ended June 30, 2022 in Order to Complete an Accounting Change to Eliminate an Immaterial Uncorrected Financial Statement Misstatement which resulted in the Overstatement in the Fair Value of the Local Agency Investment Fund in the Amount of \$203,135 and Related Investment Income and Related Net Position**
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Approve the Annual Comprehensive Financial Report for the Fiscal Year Ended June 30, 2022, Communication With Those Charged With Governance June 30, 2022 and Independent Accountant's Report on Applying Agreed-Upon Procedures for Appropriations Limit Calculation For the Year Ended June 30, 2022 or Authorize an Increase in the Amount to Pay Eide Bailly, LLP for Audit Services for the Fiscal Year Ended June 30, 2022 in Order to Complete an Accounting Change to Eliminate an Immaterial Uncorrected Financial Statement Misstatement which resulted in the Overstatement in the Fair Value of the Local Agency Investment Fund in the Amount of \$203,135 and Related Investment Income and Related Net Position
[Attachment A: Audit Associate Email 7.31.2023.pdf](#)
[Attachment B: Moraga-Orinda Fire District 2022 Final Financial Statements.pdf](#)
[Attachment C: Moraga-Orinda Fire District 2022 Final Management Letter.pdf](#)
[Attachment D: Moraga-Orinda Fire District 2022 Final GANN Statements.pdf](#)

- [Attachment E: LAIF Balance and Investment Report 6.30.2022.pdf](#)
- 9.2 [Direct the Investment Rate of Return and Discount Rate to be Used for the Other Post-Employment Benefits Actuarial Valuation Report as of June 30, 2023; Direct the Discount Rate to be Used for the Pension Rate Stabilization Trust Fund](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Direct the investment rate of return and discount rate to be used for the GASB 75 OPEB Actuarial Valuation Report as of June 30, 2023; 4) Direct the discount rate to be used for the Pension Rate Stabilization Trust funding and District pension information provided in the next Long Range Financial Forecast update scheduled for April 2024.
[Attachment A: Moraga Orinda Fire Protection District Expected Returns 7.2023](#)
- 9.3 [Draft of the Elements to be included in the Moraga-Orinda Fire District's Standards of Cover \(SOC\) Request For Proposal](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Provide direction to Staff
- 9.4 [Authorize the Purchase of Scott Self-contained Breathing Apparatus \(SCBA\) from AllStar Fire Equipment Inc. in the amount of \\$536,888.22](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Authorize the Purchase of Scott Self-contained Breathing Apparatus (SCBA) from AllStar Fire Equipment Inc. in the amount of \$536,888.22
[Attachment A: 2303 MOFD SCBA RFP.pdf](#)
[Attachment B: 0616 Q Moraga - Orinda SCBA - BID.pdf](#)
- 9.5 [Adopt Resolution 23-16 Identifying the Terms and Conditions for Fire Department Emergency Response Away From Their Official Duty Station and Assigned to an Emergency Incident](#)
 1) Discuss; 2) Deliberate; 3) Adopt Resolution 23-16 Identifying the Terms and Conditions for Fire Department Emergency Response Away From Their Official Duty Station and Assigned to an Emergency Incident
[Attachment A: Resolution 23-16 Mutual Aid Response](#)
- 9.6 [Waive the First Reading and Introduce Ordinance No. 23-05, an Ordinance of the Moraga-Orinda Fire Protection District of Contra Costa County, California, amending the Purchasing and Contracting Procedures and Authorities](#)
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Introduce and Waive the First Reading of Ordinance No. 23-05, an Ordinance of the Moraga-Orinda Fire Protection District of Contra Costa County, California, amending the Purchasing and Contracting Procedures and Authorities; 4) Review a draft resolution and procedures to contract for special services; and 5) Provide direction to Staff
[Attachment A: 23-05 Amending Purchasing Procedures Ordinance 16-01 \(Revised 7-17-23 - redline\).pdf](#)
[Attachment B: 23-05 Amending Purchasing Procedures Ordinance 16-01 \(Clean\).pdf](#)
[Attachment C: 23-15 Resolution Establishing Contracting Procedures \(REC 7-17-23\).pdf](#)

10. **COMMITTEE REPORTS**

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

11. **ANNOUNCEMENTS**

- 11.1 **Future Agenda Items**

12. **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 August 11, 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.



Marcia Holbrook
District Secretary/Clerk



JESSICA L. BLOME
2748 Adeline Street, Suite A
Berkeley, CA 94703
Phone: (510) 900-9502
Email: jblome@greenfirelaw.com
www.greenfirelaw.com

August 2, 2023

By email only

Fire Chief Dave Winnacker
Dwinnacker@mofd.org
President John Jex
mmjjex@gmail.com
Moraga-Orinda Fire District
1280 Moraga Way
Moraga, CA 94556

RE: Demand for Compliance with the California Environmental Quality Act
Fuel Break Ordinance No. 23-04

Dear President Jex and Fire Chief Winnacker:

I am writing on behalf of Orinda resident, Anita K. Pearson, who on June 7, 2023, was served with a “Pre-Citation Notification” demanding that she comply with Moraga-Orinda Fire District Ordinance No. 23-04 (“Fuel Break Ordinance” or “Ordinance”) by creating a 100-foot fuel break around the entire perimeter of her family’s 9.5 acre property located at 629 Miner Road in Orinda.

The Pre-Citation Notification listed the requirements of Fuel Break Ordinance, which directs that all owners, lessees, or persons controlling parcels greater than one acre must create and maintain a fuel break that complies with the following criteria:

- (A) Annual grasses cut to less than 3".
- (B) Removal of all Hazardous Vegetation.
- (C) Removal of non-irrigated brush.
- (D) Removal of all Combustible Material.
- (E) Removal of dead, diseased, or dying trees.
- (F) Maintain trees to remove Ladder Fuels so that foliage, twigs, or branches are greater than 6 feet above the ground.

(MOFD Notification, June 7, 2023.) The Notification then goes on to state that:

Fuel mitigation and defensible space work shall be conducted in a manner that the activities will not result in the taking of endangered, rare or threatened plant or

animal species or cause significant erosion and sedimentation of surface waters in accordance with California Environmental Quality Guidelines Section 15304.

(sic) (*Id.*) No further guidance or assistance is offered concerning how to prevent the taking of sensitive plants or animals, or even how residents will know how to identify whether such species or sensitive natural plant communities are present on one’s property. Nor is any guidance offered concerning best practices for preventing erosion control and sedimentation, such as guidelines for riparian buffer zones, or how to determine if clearing a site could induce erosion or landslides. The Notification does, however, threaten to impose significant fines if compliance is not documented within 30 days.

Ms. Pearson and other residents are extremely concerned by the Notification and by the Ordinance’s unreasonable demand that she and other residents undertake to destroy many acres of native plants and wildlife habitat adjoining their property lines.¹ The property in question includes multiple small parcels that Ms. Pearson has devoted many years to maintaining as a conservation area for native plants and wildlife. The directive to remove “all hazardous vegetation,” which is not explained in the Notification, is defined by the Ordinance as “including but not limited to seasonal and recurrent grasses, weeds, stubble, brush, dry leaves, dry needles, dead, dying, or diseased trees, ... bark, mulch, non-irrigated brush, ... or any other vegetation identified by the Fire Code Official [or their designee].” (Ord. 23-04, § 3.) As confirmed by the discussion during the February 15, 2023, Board hearing, this list includes virtually all native vegetation and ground cover, excepting mature healthy trees, which would effectively result in denuding large swaths of wildlife habitat in areas that are largely undeveloped and remote from buildings. As such, the Ordinance will not only significantly impair Ms. Pearson’s use and enjoyment of her property, but appears to have been enacted with no regard for the significant environmental impacts that will result from such draconian measures.²

Indeed, the Ordinance makes little effort to ensure habitat protection. While the Ordinance purports to restrict actions that would harm listed species or water quality, it delegates all compliance to individual landowners, with no training, who are subject to serious penalties if they fail to clear their land. The Ordinance does not identify exceptions or exemptions for environmentally sensitive species, or direct landowners to resources to assist compliance, instead dismissing any concerns about impacts to native habitat as a non-issue. The District appears to have made no effort to estimate the number of acres or quality of habitat that will be impacted, or to identify the sensitive species that are likely to occur in these areas. For example, no effort was made to minimize potentially significant adverse effects on California red-legged frogs, Alameda whipsnake, pallid manzanita, sensitive natural plant communities,³ or any other biological resources that are likely to be impacted by the Ordinance’s requirements. This complete disregard for native species is particularly alarming given that the Ordinance is likely to affect more than 500 parcels and impact over a thousand acres of lands—yet the District appears to

¹ The Ordinance also imposes a significant financial burden on Ms. Pearson and other residents, who report that cost estimates in the range of \$15,000 to \$20,000 per property—just for the first year—are not uncommon.

² Because adjoining properties are each required to maintain 100-foot perimeter clearings, the Ordinance actually requires 200-foot clearings to be constructed along each property boundary.

³ Sensitive natural communities are required to be inventoried and mitigated for as part of CEQA. *See* CDFW, Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (March 20, 2018), available at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>.

have failed to conduct any analysis of potentially significant environmental impacts of its vegetation clearance policy, in clear violation of the California Environmental Quality Act (CEQA).⁴ This neglect occurred in spite of UC Berkeley, East Bay Regional Parks District and East Bay Municipal Utilities District informing the District that even the reduced level of fuel break clearance required by the predecessor iteration of this policy, Ordinance No. 22-02, would result in unacceptable levels of environmental destruction in violation of the CEQA obligations of those entities.

To confirm that the District wholly ignored CEQA, on July 10, 2023, my office inquired with the District to determine whether it had at least claimed an exemption for the Ordinance. In response, the District’s outside counsel acknowledged that the District never adopted a notice of exemption but claimed that the holding in *Robinson v. City & County of San Francisco* (2012) 208 Cal. App. 4th 950, allowed the District to proceed with implementing the Ordinance. According to District counsel, the *Robinson* court absolves an agency from filing a *written* notice of exemption. Though the court declared a writing unnecessary, the court found that—in every instance—the lead agency in that case had issued a CEQA exemption certificate before on-the-ground activity commenced. (*Id.* at 960.) In so holding, the *Robinson* court upheld CEQA’s clear statutory requirement that public agencies at least “conduct a preliminary review to determine whether CEQA applies to a proposed project” as a “first tier” of project evaluation. (*Save Our Big Trees v. City of Santa Cruz* (2015) 241 Cal.App.4th 694, 704.) “[A categorical] exemption can be relied on only if a factual evaluation of the agency’s proposed activity reveals that it applies.” (*Muzzy Ranch Co. v. Solano County Airport Land Use Com.* (2007) 41 Cal.4th 372, 386.) “[T]he agency invoking the [categorical] exemption has the burden of demonstrating” that substantial evidence supports its factual finding that the project fell within the exemption. (*Id.*)

Indeed, every CEQA case analyzing this issue recognizes CEQA’s mandate that a preliminary environmental review is required before an exemption determination can be made. (*See Davidon Homes v. City of San Jose* (1997) 54 Cal. App. 4th 106, 117.) In *Davidon*, the Court of Appeals observed:

There is no indication that any preliminary environmental review was conducted before the exemption decision was made. The agency produced no evidence to support its decision and we find no mention of CEQA in the various staff reports. A determination which has the effect of dispensing with further environmental review at the earliest possible stage requires something more. We conclude the agency’s exemption determination must be supported by evidence in the record demonstrating that the agency considered possible environmental impacts in reaching its decision.

(*Id.*) Similarly, here, the staff reports, draft and final Ordinance and recordings of the discussion at both Board hearings have no mention of a CEQA exemption. It appears that the District failed to conduct any threshold analysis of whether the Ordinance qualified for a CEQA exemption and certainly never made any determination that a specific CEQA exemption applied before charging ahead with its harmful vegetation clearing policy. Paradoxically, District counsel’s letter asserts

⁴ There is also no evidence that the District identified alternatives or analyzed the cost of compliance that the Ordinance imposes upon individual property owners, lessees, or managers.

that the Class 7 and 8 exemptions apply to the Ordinance, though no mention of a CEQA is made in the Ordinance itself, while the Pre-Citation Notice claims exemption under Class 4.

Furthermore, even if the District had procedurally complied with CEQA and declared the Ordinance exempt, the only potentially applicable CEQA exemptions are the Class 4, 7, and 8 Categorical Exemptions—but none of these apply to this specific Ordinance. (*See* CEQA Guidelines, §§ 15304(i), 15307, and 15308.)

With respect to Class 4 Categorical Exemptions, the Ordinance requires the creation of a 100-foot perimeter, which dramatically *exceeds* the level of fuel management allowed by a Class 4 Exemption, which covers:

Fuel management activities within 30 feet of structures to reduce the volume of flammable vegetation, provided that the activities will not result in the taking of endangered, rare, or threatened plant or animal species or significant erosion and sedimentation of surface waters. This exemption shall apply to fuel management activities within 100 feet of a structure if the public agency having fire protection responsibility for the area has determined that 100-feet of fuel clearance is required due to extra hazardous fire conditions.

(CEQA Guidelines, § 15304(i).) In contrast, the Ordinance requires vegetation to be cleared within 100-feet of the entire property boundary—not around a structure—which significantly increases the area of habitat loss by pushing individual homeowners to clear a much larger area, all around the edges of their property, and to clear away virtually all vegetation—even where no structures are present.⁵

The Ordinance also provides no means of ensuring that such clearings “will not result in the taking of endangered, rare, or threatened plant or animal species or significant erosion and sedimentation of surface waters.” (Ord. 23-04, § 4(c).) The recitation of this desired outcome does not magically achieve this purpose. “Mitigation measures are not mere expressions of hope.” (*Lincoln Place Tenants Assn. v. City of Los Angeles* (2005) 130 Cal. App. 4th 149, 1508.) The District itself must “ensure that feasible mitigation measures will actually be implemented as a condition of development, and not merely adopted and then neglected or disregarded.” (*Id.* (citation omitted).) The District has not taken any steps to uphold its own obligation to enforce the environmental protections. Instead, the District treats listed species, erosion, and sedimentation as special exception from liability that owners have the burden to claim, rather than circumstances that the District must in every instance affirmatively ascertain and avoid.

Moreover, unlike clearings around structures where human activity is already present, creating clearings along property lines will disrupt many areas that were previously secluded from human activity and thus more likely to be favored by wildlife.

⁵ To put this in perspective, an acre is 43,560 sq. ft. Under the Ordinance, a 5-acre parcel (217,800 sq. ft.) measuring 600 ft. x 363 ft. would be required to clear an area of 152,600 sq. ft., which 3.5 acres—or 70% of the entire property. In contrast, the Class 4 Exemption describes a 100-ft clearing around a building or structure, which, estimated as a circle of 100 ft. radius, amounts to 31,400 sq. ft. (or 14.4% of the property). (This difference also has a major impact on costs, as local estimates for weed-eating alone range from \$0.20 to \$1.50 per sq. ft., depending on the slope.)

The large size of the clearings may cause habitat fragmentation, eliminate food sources and cover, and create barriers to movement that impair species' reproduction. The activities required by the Ordinance are thus significantly different and potentially more impactful than the much smaller defensible space clearings included under the Class 4 Categorical Exemption.

As to the Class 7 and 8 Categorical Exemptions, these apply only to actions that maintain, restore, enhance, or protect natural resources and the environment. (*See* CEQA Guidelines, §§ 15307, 15308.) In *Save Our Big Trees v. City of Santa Cruz*, the court wholly rejected application of Class 7 and 8 Categorical Exemptions for ordinance amendments meant to allegedly enhance “heritage” protections for some trees while eliminating protections for others because it “removes rather than secures . . . protections.” (241 Cal.App.4th at 712 (quoting *Mountain Lion Found. v Fish & Game Comm'n* (1997) 16 Cal. 4th 105, 125.) That is, an ordinance that enhances protections for some natural resources while eliminating protections for others does not necessarily protect the environment. Here, too, the Ordinance compels the incontrovertible destruction of many acres of natural habitat to allegedly protect other natural resources from wildfire. The Ordinance does not afford any “assurance” that each requirement of the Ordinance will result in the “maintenance, restoration, or enhancement of a natural resource” (CEQA Guidelines, § 15307), and relies on individual homeowners, through the threat of penalties and fines, to decide which resources to save and which to destroy. Worse than the realignment of protection priorities at issue in *Save Our Big Trees*, the Ordinance directly orders District homeowners to destroy their environment.

In addition, the state Fire Safe Regulations require that “Fuel Breaks shall be constructed using the most ecologically and site appropriate treatment option, such as, but not limited to, prescribed burning, manual treatment, mechanical treatment, prescribed herbivory, and targeted ground application of herbicides.” (14 Cal. Code Regs. § 1276.03(f).) Ordinance 23-04 includes no consideration of ecologically and site appropriate treatment options and contains no provision requiring landowners to use these. Instead, the Ordinance imposes a one-size-fits-all treatment for all properties within the District, regardless of parcel size and location, or any ecological or site specific features or characteristics. Moreover, the public record contains no justification for the District’s decision to expand the size of Fuels Breaks for parcels under 10 acres from 30 feet around the perimeter of each parcels, as required by the District’s previous fire break ordinance (Ord. 22-02 (repealed)), to 100 feet under the current Ordinance.⁶ (*See e.g.*, Agenda Packet and Regular Meeting Minutes, MOFD Bd. of Directors Meeting, Jan. 18, 2023.) There is also no evidence that the District considered ecological impacts or how many parcels or acres would be affected in making this decision.⁷ (*Id.*)

Please accept this letter as formal notice that Ms. Pearson and her daughter, Sandy Pearson, intend to file a lawsuit in Contra Costa County Superior Court to ensure compliance with CEQA. Ms. Pearson is confident she would prevail in litigation if the District refuses to

⁶ At the Hearing on Ord. 23-04, the Fire Chief stated only that this provision was being revised because the variation in requirements for inhabited versus uninhabited parcels and the “sliding scale” was too complicated and confusing for the public. (*See* Audio Recording, MOFD Bd. of Directors Meeting, Jan. 18, 2023.)

⁷ There is also no evidence that the District considered the increased financial burden this expansion would impose on the affected property owners, lessees, or managers.

immediately cease and desist further efforts to implement the Fire Break Ordinance, rescind the Fire Break Ordinance, and comply with CEQA before taking any action to approve a new Fire Break Ordinance. At a minimum, Ms. Pearson expects to the District to evaluate the potentially significant environmental impacts of clearing 100 feet of vegetation from the perimeter of every property subject to the Ordinance, which would first require that the District determine how many acres are likely to be impacted, and to identify the specific landscape features, sensitive natural plant communities and protected species that are likely to be present within these areas and in need of protection.

Thank you for your prompt attention to this issue. If you have any questions, you may contact me at the address listed herein.

Sincerely,

A handwritten signature in cursive script that reads "Jessica L. Blome".

Jessica L. Blome
Susann Bradford
Greenfire Law, PC

cc:

Director Greg Hasler, ghasler@mofd.org
Director Steven Danziger, stevedformofd@gmail.com
Director Mike Roemer, mroemer@mofd.org
Director Craig Jorgens, craig.jorgens@gmail.com

From: [Winnacker, David](#)
To: [Holbrook, Marcia](#)
Cc: "[Jonathan Holtzman](#)"; [Sasser, Gloriann](#); [Isaacs, Jeff](#)
Subject: FW: Email contact from Moraga-Orinda Fire District, CA
Date: Monday, July 24, 2023 5:06:35 PM

Marcia,
Please include in the board packet under correspondence received.

Thank you,

Dave Winnacker
Fire Chief
Moraga-Orinda Fire District



From: Moraga-Orinda Fire District <info@mofd.org>
Sent: Monday, July 24, 2023 3:42 PM
To: Isaacs, Jeff <jisaacs@mofd.org>
Subject: Email contact from Moraga-Orinda Fire District, CA

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

Site Visitor Name: Moraga Homeowner
Site Visitor Email: [REDACTED]

Your door to door fire compliance inspections are completely out of line. You should be ashamed of yourself. Coming into this community where people have lived for 40+ years and acting like the gestapo. You are not helping anything, you are the problem. I can't wait until they fire you. Shame on you.

From: [Winnacker, David](#)
To: [Holbrook, Marcia](#)
Cc: [Isaacs, Jeff](#)
Subject: FW: [REDACTED]
Date: Friday, August 11, 2023 9:25:56 AM
Attachments: [image002.png](#)

Marcia,
Please include under correspondence received.

Thank you,

Dave Winnacker
Fire Chief
Moraga-Orinda Fire District



From: Moraga-Orinda Fire District <info@mofd.org>
Sent: Friday, August 11, 2023 8:56 AM
To: Isaacs, Jeff <jisaacs@mofd.org>
Subject: [REDACTED]

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

Site Visitor Name: Sandra Fox-Sohner
Site Visitor Email: [REDACTED]

Hi Jeff:

I live in Moraga Place, and I am part of the Garden Club. We try to beautify the town of Moraga. I am upset to hear that our fire department will again use the Painted Rock area for a control burn training site. It blackens the hills, and the center of our town becomes a terrible eye sore! It looks devastating. There are plenty of other hills that can be used for training that don't destroy the ambiance of our downtown area. I should have written last year. and the year before but I kept thinking surely you wouldn't use the same place again for training. Please find another control burn site that does not completely dominate our downtown area with a charred black destruction site for months afterwards. Thank you! Sandy



Moraga-Orinda Fire District

Office of the Fire Marshal

Fire Prevention Report July 2023

Number/Types of Complaints: YTD

- Dead tree – **31**
- Exterior Hazard –**83**
- Property Transfer Inspections- **285**
 - Property Transfer Initial Pass- **74**
 - Property Transfer Initial Fail- **211** (mostly 2-foot non-combustible zone)

Exterior Hazard Inspections: YTD

- Number of Assessments 2023 – **2782**
- Initial Pass –**874** Initial Failed – **1908**
- Number of 30-day Notices – **0**
- Number of Cases Closed – **1885**
- Number of Open Cases – **897**
- Number of Notice to Abate – **0**
- Number of Pre-citations – **1677**
- Number of Citations – **186**
 - **184** Exterior Hazards Violations
 - **2** Other CFC Violations

Exterior Hazard Inspections: July 1 – July 31

- Number of Assessments / Re-inspections – **1384**
- Pass – **682** Failed – **702**
- Number of 30-day Notices – **0**
- Number of Cases Closed - **682**
- Number of Opened Cases – **702**
- Number of Notice to Abate – **0**
- Number of Pre-citations – **616**
- Number of Citations – **36**
 - **36** Exterior Hazards Violations
 - **0** Other CFC Violations

CHIPPING:

Total YTD – **22** Days, Tons **65**

- Total Number of Days–**22**
- Total Estimated Tons of Material Removed– **65**

PLAN REVIEW COMPLETED:

- **2020- 296**
- **2021- 359**
- **2022 – 409**
- **2023 - 191**

January– 18	April–30	July-33	October-
February– 22	May–27	August-	November-
March–39	June–22	September-	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= **2** (pass = **0**, Fail = **2**)
 - Citations Issued= **0**
- R-1 Occupancy–**0**
Boarding Houses, Motels, Hotels
- I Occupancy– **0**
Jails
- High Rise – **0**

CURRENT PROJECTS

- Inspections
- Property Transfer Inspections
- Re-Inspections
- Prescribed Fire Projects
- Fuel Break

CURRENT PROJECTS

- Grants
- County Fire Code
- Zone Zero Work Group



Moraga-Orinda Fire District

Office of the Fire Marshal

Code Enforcement Violation Counts For Date Period From 07/01/2023 Through 07/31/2023

Violation	Count
23.03 Zone Zero (non-combustible zone) Ground cover	418
23.03 Zone Zero (non-combustible zone) 1-foot vertical clearance	248
23.03 Zone One / Tree 6-foot clearance	202
23.03 Zone Zero / 6-foot roof clearance	173
23.03 15-foot clearance	137
23.03 Zone Two (2) / Tree 6-foot clearance	99
23.03 Zone Two (2) / Hazardous Vegetation	75
23.03 Zone One / Hazardous Vegetation	74
23.04 Requirements / 1 acre or less / developed	62
23.04 Requirements / 1 acre plus	43
23.03 Zone Two (2) / Annual Grasses	36
23.03 Zone One / Annual Grasses	29
23.03 Zone Two (2) / Brush	28
23.03 Zone Zero / Tree 6-foot clearance	28
23.03 Zone Zero / Roof and Gutters	27
23.03 Zone One / Brush	26
23.03 Zone Zero / Dead Material	25
23.03 Zone Zero / Annual Grasses	20
23.03 Zone Zero / Firewood, Lumber, Combustible Material	18
23.03 3-foot roadside clearance	8
23.03 Zone Zero / Chimney 10-foot clearance	5
23.03 Zone Zero / Hazardous Vegetation	4
CFC 505.1 Address Identification required	2
CFC 503.6 Security Gates	1
23.03 Zone One / Structure Crown spacing	1
23.04 Requirements / 1 acre or less / undeveloped	1
Total	1790



Administrative Citation Report/Repeated False Alarm Responses

Fine Amount \$500 of Above, Open Status

For Date Period From 01/01/2021 Through 07/31/2023

Citation/ Invoice	Cite/Inv Date	Location	GoGov Status	Data Ticket Status	# Delinquent Notices	Appealed ?	Responsible Party	FTB?	Original Amount	Charges/ Fees	Payments	Owing
220260005	6/2/2022	CALLE LA MESA	On Hold	Open	3	No	WILCOX RICHARD MORRIS TRE	Yes	\$500.00	\$61.06		\$561.06
222723005	10/5/2022	BARBARA RD	Closed	Open	3	No	SU VICTOR WEN	Yes	\$500.00	\$61.06		\$561.06
222581005	10/5/2022	OAK RD	On Hold	Open	3	No	BAKER DENNIS W	Yes	\$500.00	\$61.06		\$561.06
223957005	10/7/2022	BIRCHWOOD DR	Closed	Open	3	No	INZERILLO JOHN A & ANTONINA	Yes	\$500.00	\$61.06		\$561.06
222561005	10/12/2022	VALENCIA RD	Open	Open	3	No	LEVINSON RUTH E	Yes	\$500.00	\$61.06		\$561.06
223256005	11/17/2022	BARBARA RD	Open	Open	3	No	GORDON WILLIAM N & BETTY A	Yes	\$500.00	\$61.06		\$561.06
223631005	12/13/2022	BATES BLVD	Open	Open	3	No	SOUTHWOOD VALLEY ESTATES LLC	No	\$500.00	\$61.06		\$561.06
223806005	12/16/2022	CAMINO DON MIGUEL	Open	Open	2	No	CHICAGO TRUST COMPANY NA	No	\$500.00	\$61.06		\$561.06
223401005	1/05/2023	MINER RD	Open	Open	3	No	PERRY CYRLE H TRE	Yes	\$500.00	\$61.06		\$561.06
SMC-Aug2022	2/7/2023	ST MARYS RD					SAINT MARY'S COLLEGE OF CALIFORNIA		\$748.00			\$748.00
SMC-Sep2022	2/7/2023	ST MARYS RD					SAINT MARY'S COLLEGE OF CALIFORNIA		\$2431.00			\$2431.00
SMC-Oct2022	2/7/2023	ST MARYS RD					SAINT MARY'S COLLEGE OF CALIFORNIA		\$2057.00			\$2057.00
SMC-Nov2022	2/7/2023	ST MARYS RD					SAINT MARY'S COLLEGE OF CALIFORNIA		\$2618.00			\$2618.00
SMC-Dec2022	2/7/2023	ST MARYS RD					SAINT MARY'S COLLEGE OF CALIFORNIA		\$1309.00			\$1309.00
SMC-Jan2023	2/7/2023	ST MARYS RD					SAINT MARY'S COLLEGE OF CALIFORNIA		\$2431.00			\$2431.00
SMC-Feb2023	3/17/2023	ST MARYS RD					SAINT MARY'S COLLEGE OF CALIFORNIA		\$2057.00			\$2057.00
SMC-Mar2023	4/18/2023	ST MARYS RD					SAINT MARY'S COLLEGE OF CALIFORNIA		\$2618.00			\$2618.00
SMC-Apr2023	6/14/2023	ST MARYS RD					SAINT MARY'S COLLEGE OF CALIFORNIA		\$600.00			\$600.00
SMC-May2023	6/14/2023	ST MARYS RD					SAINT MARY'S COLLEGE OF CALIFORNIA		\$2200.00			\$2200.00
SMC-Jun2023	7/31/2023	ST MARYS RD					SAINT MARY'S COLLEGE OF CALIFORNIA		\$3400.00			\$3400.00
223401005	5/16/2023	MINER RD	Open	Open	2	No	PERRY CYRLE H TRE	No	\$500.00	\$55.50		\$555.50
224000005	5/16/2023	MINER RD	Open	Open	2	No	PERRY CYRLE H TRE	No	\$500.00	\$55.50		\$555.50
223901005	5/16/2023	DONALD DR	Open	Open	1	No	PACIFIC PREMIER TRUST	No	\$500.00	\$55.50		\$555.50
221629005	5/16/2023	DONALD DR	Open	Open	1	No	PACIFIC PREMIER TRUST	No	\$500.00	\$55.50		\$555.50
220240005	5/16/2023	LAVINA CT	Open	Open	2	No	UHL VALERY	No	\$500.00	\$55.50		\$555.50
223631005	5/16/2023	BATES BLVD	Open	Open	2	No	SOUTHWOOD VALLEY ESTATES LLC	No	\$500.00	\$55.50		\$555.50

	Cite/Inv Date	Location	GoGov Status	Data Ticket Status	# Delinquent Notices	Appealed ?	Responsible Party	FTB?	Original Amount	Charges/ Fees	Payments	Owing
222561005	5/16/2023	VALENCIA RD	Open	Open	2	No	LEVINSON RUTH E	No	\$500.00	\$55.50		\$555.50
223256005	5/16/2023	BARBARA RD	Open	Open	2	No	GORDON WILLIAM N & BETTY A	No	\$500.00	\$55.50		\$555.50
223806005	5/16/2023	CAMINO DON MIGUEL	Open	Open	2	No	CHICAGO TRUST COMPANY NA	No	\$500.00	\$55.50		\$555.50
220175005	6/20/2023	CORTE ROYAL	Open	Open	1	No	NEHREBECKI PETER R TRE	No	\$500.00	\$50.00		\$550.00
230275005	6/30/2023	BATES BLVD	Open	Open	1	No	SOUTHWOOD VALLEY ESTATES LLC	No	\$500.00	\$50.00		\$550.00



Moraga-Orinda Fire District
BOARD OF DIRECTORS
REGULAR BOARD MEETING MINUTES
July 19, 2023
(DRAFT – PENDING APPROVAL)

1. OPENING CEREMONIES

The Board of Directors convened Open Session at 6:00 p.m. on July 19, 2023, at the Sarge Littlehale Room, 22 Orinda Way, Orinda, California 94563. This meeting was conducted in a hybrid format with in-person and remote options for public participation. President Jex called the meeting to order, requested an attendance roll call, and led the Pledge of Allegiance.

Present were the following Directors and Staff (present in person unless noted):

President Jex	Dave Winnacker, Fire Chief (<i>late 6:01</i>)	Marcia Holbrook, District Clerk
Director Danziger	Gloriann Sasser, Admin Services Director	
Director Hasler	Jonathan Holtzman, District Counsel (<i>late 6:01</i>)	
Director Jorgens	Alicia Kennon, Special Counsel	
Director Roemer	Erica Summon, Special Counsel	

2. PUBLIC COMMENT – CLOSED SESSION ITEMS (audio)

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

At 6:01 p.m., the Board adjourned to Closed Session.

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 the 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

At 6:56 p.m., the Board adjourned the Closed Session.

4. RECONVENE THE MEETING (audio 00:00:16)

President Jex reconvened the Moraga-Orinda Fire District Board of Directors' regular meeting at 7:05 p.m. and requested an attendance roll call. Present were the following Directors and Staff (present in person unless noted):

President Jex	Dave Winnacker, Fire Chief	Jonathan Holtzman, District Counsel
Director Danziger	Gloriann Sasser, Admin Services Director	Marcia Holbrook, District Clerk
Director Hasler	Lucas Lambert, Battalion Chief	
Director Jorgens	Christine Russell, Human Resources Manager	
Director Roemer	Mary Smith, Finance Manager (via Zoom)	

5. REPORT OF CLOSED SESSION ACTION (audio 00:00:40)

President Jex stated that the Board took no reportable action on agenda items 3.1 and 3.2.

6. PUBLIC COMMENT - ITEMS NOT ON THE AGENDA (audio 00:00:55)

President Jex opened Public Comment.

Sandy Pearson, Orinda resident (attended in person), presented pictures of her backyard to show progress made on the pre-citation issued for her property. Ms. Pearson noted other safety concerns on her property which she has self-corrected without being required by the fire district.

James Duff, City of Orinda (attended by Zoom) stated that the virtual attendees could not see the photos.

Jonathan Goodwin, Canyon resident (attended by Zoom), expressed concerns about homeowners' insurance being canceled. Mr. Goodwin speculated that insurance companies might not want to insure homes in areas categorized as a "very high fire severity zone". Mr. Goodwin raised concerns with the Fire Code and Findings of Fact.

There were no additional requests to address the Board.

7. ANNOUNCEMENTS (audio 00:07:38)

7.1 Brief information only reports related to meetings attended by a Director at District expense (Government Code Section 53232.3(d)). Director Danziger reported attending the Rosenbauer electric fire engine presentation with Director Hasler on July 10 (note: no expenses were associated with this presentation). Director Danziger acknowledged July is the 26th anniversary of the District.

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

7.3 Communications Received. Fire Chief Winnacker reported that communications received were posted on the website as supplemental material, attached to these minutes, as item 7.3.

7.4 Fire Chief Updates

Battalion Chief Lucas Lambert introduced Firefighter-Paramedic Rick Cotter. Firefighter Cotter joins the District after completing a 22-week joint Academy with Livermore-Pleasanton and M0FD. Firefighter Cotter expressed gratitude for the opportunity and looks forward to serving the community.

a. Finance Report

Finance Manager Mary Smith presented the status of OES reimbursements, attached to these minutes, as item 7.4(a). Other items reported: FY2023 accounting close, and the interim audit is in process. A \$3M Treasury Bill matured on June 22, 2023. On June 23, 2023, the District purchased a \$3M Treasury Bill with a 90-day maturity and 5.29% yield. On June 27, 2023, the District purchased a \$1M Treasury Bill with a 90-day maturity and 5.279% yield. The District has \$9M invested in 90-day Treasury Bills, with \$5M maturing on July 25, 2023. Directed Danziger inquired if the proceeds from the Treasury Bills go into the General Fund. ASD Sasser answered yes.

b. Human Resources

Human Resources Manager Christine Russell provided a recruitment update and highlighted employment changes, attached to these minutes, as item 7.4(b). Eight candidates passed the oral board interviews for the Firefighter Paramedic Trainee position in May and were subsequently invited to the EMS evaluation on June 26, 2023. One candidate withdrew, leaving seven candidates participating in the evaluation, and five successfully passed and are undergoing the background process. Director Danziger inquired about the current number of vacancies. HR Manager Russell answered seven.

The application period for the Office Specialist position opened on July 2, 2023, and closed on July 17, 2023. A total of 41 applications were received. The Fuels Mitigation Specialist position was reposted to update visibility on all online platforms. The first review of applications is scheduled for August 1, 2023, with a final filing deadline on August 16, 2023.

Director Danziger asked if the Fuels Mitigation Specialist position is grant-funded. HR Manager Russell responded the District has three vacancies. Two are regular budgeted positions, and the third is a limited-term grant-funded position. Director Danziger asked if there was an existing list of candidates, and HR Manager Russell responded no. Fire Chief Winnacker explained that the positions are open until filled, and the District has already exhausted the pool of applicants. To encourage more applications, the District is advertising the position with the California Conservation Corps (CCC). HR Manager Russell confirmed she has already provided the posting to the CCC.

HR Manager Russell reviewed the District's employment changes. As of July 19, 2023, one new probationary firefighter-paramedic, Rick Cotter who was introduced to the board at the beginning of the meeting, joined the District, and one Fuels Mitigation Specialist, Natalie MacMillan, separated employment. Director Danziger asked for the total number of open vacancies for the Fuels Mitigation Specialist position. HR Manager Russell answered three. Fire Chief Winnacker commended Ms. MacMillan for her work and acknowledged Ms. MacMillan is appropriately moving on to the next stage of her career, which highlights the difficult balance between having highly skilled individuals and retaining talented employees. The trend indicates the high-quality employees the department can attract, even though it has led to an average tenure of around 12 months in this position.

c. Fire Marshal

Fire Chief Winnacker provided the monthly report highlighting the property transfer inspections. It was noted that the number of failures is attributed to landscapers accustomed to working in multiple jurisdictions and using mulch up to the edge of houses in preparation for open houses, which is a violation. The department continues to conduct inspections, educate, and issue citations in response to this issue. Numerous initial inspections have failed for exterior hazards. The inspections cover all sides of buildings, not just roadsides. Forty-nine citations have been issued to properties in Moraga, with 1/3 of those cases associated with vacant lots and out-of-district property owners. The department is actively working through these cases.

Fire Chief Winnacker reported that the Orinda Measure R chipper continues to be operational and expressed appreciation for the city's support and cooperation towards the shared goal of fire safety. The MOFD chipper, although not represented in the statistics report, has been actively involved in augmenting the Tunnel East Bay Fuel Break, resulting in substantial chipping and tonnage removal. The MOFD chipper for residences will resume in October. Director Jorgens asked about the personnel operating the chipper when used on the Fuel Break. Fire Chief Winnacker answered the contractor's hand crew operates the chipper.

Director Jorgens expressed concern about not having a chipper available during the summer and suggested the District hire an outside crew dedicated to chipping the material for residents. Fire Chief Winnacker responded that he would follow up with the City of Orinda to assess the status of the Measure R chipper requests and explore potential ways to augment and reduce the backlog. Director Jorgens suggested conducting brush and tree inspections year-round so personnel can be utilized for inspections when not involved in chipping activities.

Fire Chief Winnacker continued the report, stating that the E-occupancies (public & private schools) are scheduled for inspection in September. Two R-2 occupancies (dormitories) failed inspections. Director Jorgens acknowledged the correspondence regarding the Orinda Intermediate School's dead branches and poor exterior conditions. Fire Chief Winnacker clarified that the E-Occupancy is specifically for structures under the governance of the Office of State Fire Marshal. In the correspondence from a neighbor adjacent to the Orinda Intermediate School, numerous violations have been cited regarding the exterior hazard abatement at the school site.

Fire Chief Winnacker presented the summary of code violations. The primary violation is non-combustible ground cover within two feet of structures. Fire Chief Winnacker noted that the State Board of Forestry is finalizing Zone 0 as a Statewide regulation. This regulation would apply to all State Responsibility Area Hazard Severity Zones and Very High Fire Hazard Severity Zones in Local Responsibility Areas. The State regulation would likely prohibit any combustible ground cover within 5 feet of a structure. Implementation could impact certain areas within the District within the following year. Director Jorgens inquired about the areas that will be affected. Fire Chief Winnacker stated the Very High Fire Hazard Zones map will be updated next year. The 2007 map was developed using technology from 2004, which has since evolved significantly. The current ability to model and understand wildfire behavior has advanced beyond what was available at the time of the current map's creation.

Fire Chief Winnacker shared a list of all parcels with open \$500 citations as previously directed by the board. The publication illustrated the date and the location of these parcels by street. Director Danziger inquired about the process for delinquency notices and the actions taken after three notices. Fire Chief Winnacker explained the process outlined in the regulation. Director Danziger emphasized that the board's intent in having this type of report was to incentivize property owners to act and address the violations. He requested that the report not include individuals who have paid the fine. All Directors agreed.

Director Jorgens inquired if the District imposes a fine when individuals are hard to contact but eventually complete the work. Fire Chief Winnacker stated if a property owner completes the necessary work, the fine may be waived. President Jex inquired about the Saint Mary's College of California fines. Fire Chief Winnacker explained they are unpaid fines for nuisance alarms averaging 10 to 30 monthly occurrences. Battalion Chief Lambert commented that there have been four responses to Saint Mary's on the day of this meeting. Director Roemer inquired about the nature of the false alarms. Fire Chief Winnacker responded while there are the occasional false alarms (knowingly activating an alarm in the absence of an emergency), the majority of the alarms are nuisance alarms (a system malfunction or failure) associated with aging equipment. Director Roemer

added that the District incurs significant fuel costs and wear and tear on the apparatus every time a fire truck is dispatched for a nuisance alarm and suggested increasing the fines.

Director Danziger inquired about the FTB (Franchise Tax Board) column in the report. ASD Sasser explained that individuals who fail to pay after receiving three notices are enrolled in the Franchise Tax Board Intercept Program. This program redirects any state income tax refund or lottery winnings to the District, ensuring that the District receives payment.

d. Tunnel East Bay Hills Fuel Break Project

Fire Chief Winnacker presented the update. Work commenced after receiving approval from the Cal VTP PSA <https://bof.fire.ca.gov/projects-and-programs/calvtp/calvtp-programmatic-eir/> on July 18, 2023. With this approval, work can begin in areas not owned by East Bay Municipal Utility District (EBMUD) where an existing HCP allowed work to get underway. These areas belong to private and public landowners along the project footprint. Overall, the project is now in full swing, and the teams are actively working on both EBMUD land and other designated areas to establish the fuel break and enhance fire safety in the region.

Fire Chief Winnacker showcased the project's progress through a series of slides attached to these minutes, item 7.4(d). The presentation continued with before-and-after comparisons, demonstrating the successful vegetation thinning while preserving mature oaks' tree canopy. The cleared space is designed to mimic a park-like setting, more reflective of the natural state in a fire dependent landscape. By clearing out the space underneath the oak canopies, the fuel break effectively prevents ground fuels from carrying fire, thus reducing fire spread rates and intensity.

President Jex inquired about the billing and reimbursement procedures and if the equipment utilized was charged back to the project. Fire Chief Winnacker confirmed the equipment is charged back to the project. ASD Sasser explained Staff will submit invoices to the State for reimbursement once work progresses and bills are incurred. Director Jorgens asked about the duration between invoice submission and reimbursement receipt. ASD Sasser explained that it is unknown since this is a new project. Director Jorgens inquired about the budget for this year. Fire Chief Winnacker responded the project is in its early stages due to the time required to complete required environmental review.

e. Operations

Battalion Chief Lucas Lambert provided the report, attached to these minutes, as item 7.4(e). The presentation covered recent operation activities. The District celebrated a successful 4th of July. The District participated in the 4th of July parade in downtown Orinda. Perrin Klot and former MOFD Director Gene Gottfried represented the Rescue One Foundation, showcased the Remote Automated Weather Station, and educated the public about their equipment. Crews have engaged in helicopter training in preparation for rescues in remote locations. The training included air-to-ground communications, patient loading, equipment location, and resource capabilities. Additionally, Crews inspected the status of fire trails in preparation for fire season.

President Jex opened Public Comment for items 7.1-7.4.

Jonathan Goodwin, Canyon resident (attended by Zoom), asked about the fire trail report and how many will be available or disabled this fire season. Battalion Chief Lambert answered normally, the fire trail inspections would take place in May and June, but with the late seasonal rain, the inspections were delayed. The status of the trails is unknown at this time. When the Crew comes across a trail that is not passable, the owner is contacted to get that trail back in service. Mr. Goodwin asked if the wet year caused any issues with streams which would normally be dry by now. Fire Chief Winnacker responded the District is unaware of any locations impassable due to road moisture.

There were no additional requests to address the Board.

8. CONSENT AGENDA (audio 01:00:03)

- 8.1 Meeting Minutes –June 21, 2023 (Regular)**
- 8.2 Monthly Incident Report – June 2023**
- 8.3 Monthly Check/Voucher Register – June 2023**
- 8.4 Monthly Financial Report – June 2023**

President Jex opened Public Comment on the Motion. There were no requests to address the Board.

Motion by Director Jorgens and seconded by Director Danziger to approve Consent Agenda items 8.1, 8.2, 8.3, and 8.4. Said Motion carried a 5-0 roll call vote (Ayes: Danziger, Hasler, Jorgens, Roemer, and Jex; Noes: None; Absent: None; Abstain: None).

9. REGULAR AGENDA

9.1 Consider MOU to Coordinate Wildfire Prevention Activities in and Around the East Bay Hills (audio 01:01:55)

Fire Chief Winnacker provided the report. During the December 2022 board meeting, a director reported receiving an email from the Oakland Firesafe Council requesting \$3,500 to support forming an East Bay Hills Wildfire Prevention and Vegetation Management group. The topic was placed on the January 2023 regular agenda for discussion. On March 27, 2023, MOFD received a formal request for a contribution to cover legal and facilitation costs in establishing an East Bay Hills Wildfire Prevention Memorandum of Understanding (MOU). A director proposed an agenda item for the Board's consideration regarding the Request for Funding. The request was approved, and MOFD provided the \$3,500 contribution to the Oakland Firesafe Council. In June 2023, the Oakland Firesafe Council, represented by their consultant Placeworks, presented the proposed MOU to MOFD staff and other agency representatives. Fire Chief Winnacker recognized Jon Kaufman (attended by Zoom), a representative of the Oakland Firesafe Council, to provide more information about the proposed MOU and answer questions.

Mr. Kaufman highlighted the purpose of the East Bay Hills Wildfire Prevention MOU and the importance of collaboration among jurisdictions in the East Bay Hills for effective fire prevention and the purpose of the East Bay Hills Wildfire Prevention MOU. Mr. Kaufman did not have a formal presentation but explained the effort put into creating the MOU. The MOU has been reviewed by attorneys from multiple agencies, including MOFD, and there have been extensive discussions. The draft of the MOU has been submitted for review and consideration by various Boards of Directors, City Councils, and Boards of Supervisors.

Director Danziger acknowledged that MOFD was among the original group of seven agencies that provided funds to support the initial stages of the process for the MOU. He noticed that one of the attachments included a list of numerous other jurisdictions and asked if the intent was to expand the MOU to these agencies listed in the attachment.

Mr. Kaufman responded that the intent is to extend invitations to all the other agencies listed in the attachment to participate in the MOU. He confirmed that there were initially seven jurisdictions in the working group, which played a crucial role in developing the MOU. The funds contributed by MOFD and the other six agencies supported the engagement of the consultant and the attorney in drafting the MOU. The plan is to invite the original seven agencies and all the other agencies in the East Bay Hills region. The MOU will determine payments or contributions to provide staff support and pay other unidentified expenses associated with the MOU from the participating agencies during their initial meetings. Director Danziger inquired if other agencies, such as Richmond, San Leandro, Livermore, and Pleasanton, would be invited to consider joining the MOU. Mr. Kaufman confirmed.

Director Danziger inquired about the status of the agencies that have joined and approved the MOU. Mr. Kaufman stated that the approval process is still ongoing, and no agencies have approved. Mr. Kaufman noted that some agencies are unavailable for consideration due to the summer break and will resume in the fall. Director Danziger asked if the MOU was a draft. Mr. Kaufman stated the MOU was considered final and is now being circulated for approval. Fire Chief Winnacker noted many unanswered questions that the Drafters and the Consultant proposed to be answered by the Signatories once they gathered in a Brown Act conforming meeting. Mr. Kaufman answered that was correct.

Director Jorgens asked if there were existing agreements between MOFD and various fire agencies regarding coordinating with these agencies during fire suppression responses. Fire Chief Winnacker confirmed the existing mutual threat zone, auto aid, and mutual aid agreements are sophisticated, well-established, and far outside the scope of work of the MOU from this group.

Director Jorgens commented that the draft version was difficult to read and seemed as though it did not appropriately transmit and asked for a summary of the MOU. Mr. Kaufman responded there is no specific scope of work. The scope will be formed by the participants who sign the MOU at future meetings. The idea is to get together to work on fire prevention and coordinate efforts on a regional basis. Director Danziger has raised concerns regarding the duplication of work, as the District is already a member of the Diablo Firesafe Council. Mr. Kaufman explained that the MOU has a broader geographic scope, covering the entire East Bay Hills region. The agency's goal is to address the challenges posed by fire risks, and their activities can range from coordinating and sharing ideas to taking a more proactive approach.

Fire Chief Winnacker clarified the District is currently a member of the Diablo Firesafe Council and the Hills Emergency Forum (HEF). The Diablo Firesafe Council's area is all of Alameda and Contra Costa Counties, with a significantly larger scope than the proposed MOU. The HEF has a narrower scope

primarily defined by the agencies that were impacted by the 1991 Tunnel Fire. The proposed MOU would have a larger scope than the HEF but a smaller scope than the Diablo Firesafe Council.

Director Jorgens discussed competing resources and staffing and that the District is already coordinating from a fire suppression standpoint. Mr. Kaufman replied that the MOU is focused on wildfire prevention. The East Bay Hills Wildfire Prevention Group considered the HEF organization before forming a Joint Powers Authority (JPA) or new MOU; however, the HEF turned the group down. Fire Chief Winnacker clarified that the contact with HEF occurred well after the JPA-MOU project began. Fire Chief Winnacker stated he presented the idea to the HEF at the behest of the Joint Powers Authority (JPA) group during the April 2022 meeting. Mr. Kaufman disagreed as to timing.

Director Roemer referenced readability issues with the draft copy of the MOU. Director Roemer emphasized the need for more information before committing additional funds and resources to the group. The District had previously contributed \$3,500, but now with the establishment of the Firesafe Moraga-Orinda council, felt an obligation to prioritize resources and funding for an organization that directly focuses on the community. Director Roemer expressed opposition to signing the MOU or providing resources until they have a clearer understanding of the other agencies' plans.

Director Jorgens agreed and expressed the need to wait and see if the group can reach a more cohesive approach and preferred focusing on organizations within the District and more aligned with the District's objectives.

Mr. Kaufman understood and was unsure about the copy of the draft MOFD received. The final draft is available at the <https://eastbaywildfire.org/>. Fire Chief Winnacker stated it appeared to be an issue with the pdf conversion and would send a link of the final draft to the Directors.

Director Jorgens supported deferring the request. Director Hasler agreed, stating that the specifics of the request need more clarity. Director Roemer agreed. Director Danziger agreed, expressing concerns about the lack of a funding structure.

President Jex opened the public comment.

Jonathan Goodwin, Canyon resident (attended by Zoom), thanked the organization for their efforts and described the need for more actions to address the issues and a more comprehensive approach. The District Clerk announced that the speaker had reached the end of their allotted three minutes. Mr. Goodwin requested to continue with his statement. President Jex permitted the speaker to proceed.

Mr. Goodwin concluded if he were on the Governing Board, he would applaud the group for taking the initiative to study effective interventions so Board members could direct resources. Mr. Goodwin emphasized the importance of a well-organized and informed process to address the challenges effectively. Director Jorgens pointed out that the District has done significant work to understand the issues and the importance of enforcing the fire code and clearing fuel from open spaces to mitigate fire risks effectively.

There were no additional requests to address the Board.

Director Danziger asked if Berkeley and Oakland had paid their fees. Mr. Kaufman confirmed. All seven agencies have contributed. No agencies have acted on the MOU.

The Directors unanimously concluded to defer any action. Mr. Kaufman hoped the Board could revisit the issue once other jurisdictions act.

Fire Chief Winnacker reviewed the timeline of events. In October 2021, MOFD received initial information about the East Bay Wildfire JPA formation, and a widely attended proposed participants meeting was held on December 3, 2021. In April 2022, a presentation was made to HEF regarding the expansion. The majority of HEF was not in support. MOFD made the presentation and support HEF expansion. This action resulted in the JPA progression of the MOU. Mr. Kaufman responded that no work was done until after that decision by HEF.

9.2 Discussion regarding the Fire Safe Moraga-Orinda Nonprofit Organization Objectives and Initial Funding Request (audio 01:28:34)

Fire Chief Winnacker provided the report. At the June 2023 meeting, information was provided during public comment regarding Fire Safe Moraga-Orinda, a new 501(c)3 nonprofit formed to further wildfire safety awareness and action in the community. Mr. Marc Evans attended (in-person) to provide the Board with more information regarding this group's goals and initial funding request.

Mr. Evans introduced himself as Marc Evans, the Greater Monte Vista (Orinda) Firewise Leader and Chairperson of the Orinda Firewise Council. He was joined by Steve Hoyt, the Campolindo (Moraga) Firewise Leader, and Rob Schroeder, the Sleepy Hollow (Orinda) Firewise Leader, also a Board Member of the Rescue One Foundation.

Mr. Evans stated they are a newly created fire-safe nonprofit corporation called Fire Safe Moraga-Orinda (FSMO). The organization has been approved as a 501(c)(3) nonprofit by the State of California and is focused on helping the Moraga-Orinda Fire District residents. The FSMO approach is straightforward and coordinates only with the Moraga-Orinda Fire District, unlike other Fire Safe Councils with broader geographic areas. They plan to seek grants from State and Local agencies and distribute funds to neighborhood groups for fuel reduction efforts. Their main focus will be neighborhoods rather than single homes, and they aim to prioritize the highest risk areas identified by the fire district. Mr. Evans emphasized that their approach allows them to concentrate efforts on specific priorities within the community.

Director Danziger expressed concern about the funds being directed only toward Firewise neighborhoods. Mr. Evans stated becoming a firewise neighborhood is a simple process, and FSMO is willing to assist anyone who wants to participate. The main reason for this preference is that working with organized Firewise neighborhoods allows for a more streamlined and efficient cost model and reduces the administrative burden on the nonprofit, allowing the organization to concentrate efforts on implementing effective fire prevention strategies and making a more significant impact on the community.

Director Jorgens commented that he understands the preference for working with organized neighborhoods as it provides a more structured and manageable approach. He mentioned an example of an organization like the HOA (Homeowners Association) in his area, which has received grants from the Diablo Firesafe Council. A formal organization with designated roles and responsibilities makes the process more organized and effective. However, Director Jorgens also expressed concern about excluding other groups. He believes that while having a formal organization is beneficial, FSMO should recognize other organized community groups.

Mr. Evans stated that the FSMO is setting up the nonprofit this way because it is cost-effective. Mr. Evans noted that the Orinda Fire Wise Council is transitioning from the Moraga Orinda Firewise network to partner with that organization. Once the FSMO gets going, there may be exceptions, but felt strongly if you are not a Firewise neighborhood, you are not working as neighbors.

Director Danziger pointed out that he lives on a cul-de-sac of 10 homes. They are not a Firewise neighborhood, but they all got together and hired a contractor to mitigate the areas between their homes and Moraga Way without being a Firewise neighborhood. Director Danziger opposed excluding groups and did not feel it appropriate to focus on Firewise neighborhoods. Based on feedback from residents in Canyon, they also take exception to this restriction. Director Danziger noted it would be challenging to create a Firewise group in Canyon which might preclude them from getting any funds when they are one of the most critical areas in the District.

Director Roemer asked what is the current number of households that are presently in a Firewise neighborhood. Mr. Evans responded there are approximately eight or twelve officially recognized Firewise areas in Moraga and Orinda. Director Roemer suggested removing the precondition of being a recognized Firewise neighborhood but requiring some organizational structure with a commitment to coordination. This approach would enable the organization to exercise discretion and prioritize projects based on the level of organization and commitment displayed by the participating groups.

Director Roemer expressed his inclination to support the organization but also emphasized the importance of addressing the concerns raised by Counsel and asked if FSMO has received its official certification from the State. Mr. Evans stated they have received their approved Articles of Incorporation.

District Counsel Holtzman noted there are still some pending tax matters to be resolved and the Organization is still in the process of being formed. Mr. Evans concurred they have an employer identification number, but they still need to go through the steps to be able to collect and distribute money.

Mr. Evans responded to Director Roemer's inquiry about the timeline for the funding request by expressing that their first request is to have a Fire District Director serve as a member of the FSMO Council. He emphasized the importance of having a MOFD representative on their board; if that is not possible, they would need to proceed accordingly.

Director Roemer highlighted concerns without waiving attorney-client privilege from District Counsel. Having a Board Member on a nonprofit's Board raises many legal issues. Additionally, involving staff members on the nonprofit Board raises conflicts of interest and issues related to command and control.

Considering the potential complexities and implications, District Counsel recommended against such arrangements.

District Counsel Holtzman agreed and clarified that the concerns are not illegal and recommended that a more appropriate structure would be for the Board to appoint a liaison or an advisor from the District to work with the nonprofit. District Counsel Holtzman expressed concern about the potential financial transactions between the two organizations.

Director Danziger opposed having a Board member participate in the organization. Directors Jorgens and Roemer agreed. Director Danziger stated that Staff is already handling a significant workload, and adding additional responsibilities could be burdensome and lead to conflicts of interest, and he did not foresee active participation from the District's Staff at this time.

Director Jorgens pointed out that Staff currently participates on the Diablo Firesafe Council. Fire Chief Winnacker concurred and added that Staff also participates in other groups, such as the Hills Emergency Forum, which consumes Staff time.

Fire Chief Winnacker appreciated the concern about staff's time, as there is a limited amount of it available. Director Roemer expressed concerns about having a staff member with voting rights on the FSMO Council, which would be distributing District funds.

Fire Chief Winnacker highlighted questions for the Board to consider, such as whether or not the fire district should be involved in distributing funds for fuel mitigation activities. He acknowledged the significant volunteer support and efforts from community members, including the fire-adapted community ambassadors, who have played a vital role in increasing the outreach of the district's message to homeowners. Fire Chief Winnacker referred to the example of the recent embezzlement conviction of the Moraga Community Foundation leader as an example of the required oversight, audits, and controls that would be necessary, leading to an increase in the administrative burden on the District.

Fire Chief Winnacker emphasized the need for a deeper analysis of the pros and cons of handling the distribution of funds for fuel mitigation grants as an in-house function versus through a nonprofit organization. Regardless of how the funds are routed, the District would be accountable for their expenditure, and the financial implications and efficiency must be thoroughly evaluated. If the Board's desire is to have the District involved in the distribution of public funds for fuel mitigation work on private parcels, it would be essential to conduct a comprehensive analysis to determine the most effective approach, considering factors like cost, oversight, and accountability for the expenditure of government funds.

Director Jorgens expressed a differing viewpoint and believed a nonprofit organization would be better equipped to handle the distribution of funds for mitigation activities, as it could offer a more cost-effective and efficient approach compared to a government agency. Director Jorgens supported utilizing the FSMO instead of handling it internally. Mr. Evans reassured the Board that his organization is fully committed to the cause and would maintain a high level of transparency in its communication and record-keeping practices.

Director Jorgens pointed out that the fire district has already set a precedent by providing financial support of \$3,500 to the Oakland Firesafe Council. The Board must decide whether they are comfortable supporting the formation of the organization. Director Roemer expressed his support.

District Counsel Holtzman responded that he could not provide an answer on the funding support question since the terms of the funding have not been defined. Discussions have encompassed considerations for supporting the establishment of the organization, its grant-making function, and potentially funding staffing of the Executive Director and Communications Director positions. The grant-making function requires a higher level of oversight, and that is less true if only helping to establish the organization.

District Counsel Holtzman noted that the item is only up for discussion, and no action. District Counsel Holtzman informed the Board that they needed to make three decisions. Specifically, Mr. Evans is asking for the Board's buy-in at a lower level. Mr. Evans agreed they are looking to collaborate with the District, the City of Orinda, and the Town of Moraga. The FSMO is also planning to submit grant request to State agencies.

Director Danziger commented that many organizations in the community, like the Rescue One Foundation, work with the District, and the District does not support them with funding. Director Danziger favored supporting the FSMO the same way the District supported other organizations in the community. Director Jorgens commented that the District does give money to CERT.

Director Roemer stated his hope and expectation is the \$150K request will serve as seed money to put FSMO on the road to pursue grant money, and believes it will yield a return on the investment that justifies the risks. Director Roemer expressed a desire to make sure the Fire Chief was comfortable with FSMO and ensure he has the necessary time to assess potential pitfalls and challenges and write a comprehensive Staff report before making any decisions.

Fire Chief Winnacker clarified the \$6,500 support for the CERT activities is made through purchases made by district employees and most of the organization's operating budget comes from money earned from CERT drum/barrel sales conducted by volunteer members of the group. Director Jorgens asked if the District audited CERT. Fire Chief Winnacker answered no as district funds are not transferred to the group.

District Counsel Holtzman noted that the Board appears unanimous that having a Fire District Director or Staff would not be suitable to serve on the FSMO Council, and was in support of that decision. District Counsel Holtzman expressed concern that clear guidelines must be established to avoid misunderstandings and potential issues regarding the funding request.

District Counsel Holtzman clarified that he had no specific policy view on the matter except to ensure the operations were well-organized, there was a clear proposal, and that it was an open transparent process before providing funding. A clear and open proposal was required before the District could provide any funding. Additionally, Counsel believed it was crucial for the Board to evaluate whether this funding pathway was the most suitable choice. If FSMO were to receive funding from other sources, it would create a different scenario.

Director Roemer reiterated a clear written statement outlining the criteria for awarding grants, specifying whether being a formal Firewise group was necessary and whether the grants will be needs-based is necessary. District Counsel Holtzman stated that if the District is going to give money for the creation of this organization, it should be in writing; in addition, well-established criteria need to be established for giving grants, rules, and official oversight.

Director Jorgens commented that the State's grants have specific criteria. Fire Chief Winnacker shared the rules are very demanding, and Staff spends a tremendous amount of time receiving and expensing State money. Director Jorgens replied that the District could add the criteria for giving the money. FSMO can choose to take the money or not, similar to how the District votes on receiving grants. The Board must first decide if it is a good idea and if the proposal FSMO has presented today makes sense.

Director Jorgens inquired what the Board considers necessary for the next board meeting to be allocate funds to FSMO that will in turn benefit the community. Director Jorgens requested to understand from the Chief and Counsel the requirements so the Board feels comfortable to vote next time.

District Counsel Holtzman stated the District would like to have something in writing from the nonprofit that gives the Fire Chief time to make assessments regarding cost-effectiveness, other concerns, and legal concerns and then come back to the board with a Staff and attorney analysis.

Fire Chief Winnacker agreed with Counsel and recommended looking at the request from FSMO in three phases. If there is board interest in providing funds that can be used to start-up the entity or if there is District money that could be used to sustain the Staff portion of the entity over time, those are two very different discussions. Having Board direction about whether this is one-time or ongoing support would be helpful. The third question, which is a policy question, is whether or not the board is interested in getting into the business of dispensing public funds through fuel mitigation grants, which has not been done to date. The District's grants have been limited to home-hardening retrofits because those are one-time money. The District has received approximately \$14M in external grants, but all district funded fuel mitigation efforts have been limited to encouraging/requiring property owners to carry out work through outreach, education, and enforcement. The District has not been in the business of dispensing fuel mitigation grants to residents, so that would be a significant departure if the FSMO grants to residents were going to be funded, in part or primarily, by the Fire District. If that is a policy direction or decision, we would need direction so Staff can ensure we were operating within the Board's intent when putting together the pros and cons.

Fire Chief Winnacker stated that he has previously shared concerns about giving fuel mitigation incentives because the need will significantly exceed what the District could endeavor to take on. There is a great deal of fuel mitigation work that needs to be done throughout our community.

Fire Chief Winnacker also worried about the moral hazard that if the District began to dispense fuel mitigation incentive money, that could create downward pressure on resident's willingness to take on

projects and potentially encourage delay to wait until incentives become available. In the current environment, when people request resources, the District refers them to the Diablo Firesafe Council or how to become Firewise. However, the onus for maintaining the property rests with the resident as part of the cost of owning property in California. Director Jorgens disagreed because the District physically and financially supports fuel mitigation by providing a free chipper program. Fire Chief Winnacker clarified his statement to mean direct cash disbursements.

Director Jorgens added that the District spends money to stop homes from burning down by giving away fire-resistant vents. Director Jorgens disagreed that the program would be a disincentive and cause people to wait. Some residents need the money and the incentives. Sixty-seven percent of the people in the City of Orinda voted for Measure R because they believed in spending City money to help make things disappear. Director Jorgens opined there is a lot of public support for taking public money and spending it on that same public for fuel mitigation.

Director Roemer stated that the Board heard a lot about the 5-foot zone. Now, in addition to getting the 1/16-inch vent screening and gutter guards, motivated by discussions about the 2-foot and 5-foot zone, he purchased gravel rock for the front of his house, which was inexpensive and a one-time cost. If FSMO found out whose houses would benefit from the permanent installation of gravel rock, would that remove the moral hazard concern stated by the Fire Chief?

Fire Chief Winnacker replied one-time retrofits would fall under the same criteria as vents or gutter guards. Director Jorgens added that trees only have to be cut down one time. Fire Chief Winnacker remarked that \$100K would only be able to cut down a few trees given the high cost per tree and trees do not represent the primary risk when viewed through the fire science of the fuel most likely to carry fire in this community. Director Jorgens replied it is something that the District is enforcing. Director Jorgens raised the policy question for the Board to consider whether the District wants to allocate some of the public funds to assist them in removing fuel.

Fire Chief Winnacker concurred Staff will analyze the pros and cons, efficiencies, etc. and a policy could be created. Fire Chief Winnacker stated Counsel has advised the funding is permissible, however the policy direction of the Board is requested.

Director Hasler requested information to see if there is precedent of other agencies that have provided grants to citizens for fuel mitigation. Director Hasler was hesitant about using public funds and did not want their agency to be the first to do so. He emphasized that the citizens of Orinda had voted in favor of Measure R and the use of those funds. Before proceeding with the analysis and Staff time, Director Hasler wanted to know if another agency has done this.

Director Jex stated he observed the Firewise groups over the years and believes it is an excellent way of achieving the District's objective of reducing fire risk. Director Jex favored pursuing FSMO because it supports the District's objectives and has the potential to enhance fuel mitigation efforts. Director Jex favored looking at ways the District can fund or participate in the organization but had some concerns with the conflict of interest impact on Staff time.

Mr. Evans expressed that FSMO wants to be collaborative and reiterated the Orinda Firewise Council is now the Moraga Orinda Firewise network and is growing its capability. Mr. Evans understood the funding issues and complexities and planned to revise the request.

President Jex opened the public comment. District Clerk Holbrook announced four (4) written public comments were received. Charles Porges opposed the Fire Safe Moraga-Orinda being dependent on joining Firewise. Mr. Porges requested the Clerk read the comments into the record. Susan Anacker, Paula Reinman, and Sue Wecht expressed support of the Fire Safe Moraga-Orinda organization. The comments were forwarded to the Board of Directors and made available for viewing on the District website, attached to the minutes.

Jonathan Goodwin, Canyon resident (attended by Zoom), shared that CON FIRE utilized Federal money that came in through the State Firesafe Council for residents and suggested this might be an avenue for the Board to consider. Mr. Goodwin opposed the Firesafe requirement and suggested requiring a minimum number of people to participate instead.

There were no additional requests to address the Board.

Director Jorgens asked if Staff had the direction needed to proceed. Fire Chief Winnacker stated that Staff will proceed with working with Counsel about researching if other agencies have similar programs and lessons learned. Fire Chief Winnacker requested clarification from the Board and asked if the Board

was interested in expanding the grant program beyond retrofits and the chipping service to cash transfers for fuel mitigation.

Director Roemer favored staying open to it and would like to know the legal policy, accounting, auditing, and moral hazard issues. It is also helpful to be guided by the experience of others if time allows and cautioned overburdening staff. Director Roemer requested a report at the August meeting. Director Jorgens agreed with Director Roemer and favored having District money to provide grants.

President Jex concurred and requested more analysis of where and how the program has worked in other districts. President Jex favored the concept of assisting and fostering more abatement activity. Director Danziger abstained from further commenting as he already expressed his opinion.

Director Hasler cautiously supported the consideration of the program. Still, he would like to understand if there are precedents and the benefit of going through a nonprofit versus doing it in house and determining the purpose of the \$500K.

Mr. Evans asked what if the FSMO dropped their request for fuel reduction. Mr. Evans addressed the Board from the audience chair and away from the microphone. The conversation was inaudible. District Clerk Holbrook requested the speaker approach the podium and speak into the microphone. Mr. Evans stated he appreciated the District's time and acknowledged the additional complexities of the request. In light of this, FSMO would modify the request. Director Hasler inquired about the specific details of the future request. District Counsel Holtzman suggested a separate conversation with Mr. Evans to discuss the request further and had some thoughts to share with Mr. Evans.

Fire Chief Winnacker summarized the amended request. The request included:

- Part-time Executive Director: \$30,000
- Part-Time Communications Specialist: \$15,000
- Website Support and Applications (Mail Chimp, Zoom, MS Office, Otter.AI, etc.) Miscellaneous costs such as tax preparation, application fees, postage, etc.: \$5,000

Mr. Evans confirmed that volunteers would take on the task of writing grants to address the funding needs. He also agreed that having a sideline discussion with District Counsel is necessary to understand better the parameters that can be presented at a future board meeting. Director Jorgens clarified that the Board could still consider the idea of providing seed money to support the community initiatives. District Counsel responded that he assumed that that is exactly what the Board would discuss at a future meeting.

At 9:38 p.m., the Board took a 5-minute break. At 9:46 p.m., the Board reconvened. All five Board members and Staff were present.

9.3 Discussion of Pension Funding Update with GovInvest Pension Software Representative (audio 02:41:18:)

Administrative Services Director Sasser provided the report. The District uses GovInvest software to provide actuarial analysis and information regarding the District's pension plan, liability, and costs. Mr. Ira Summer, a representative from GovInvest, attended in person to present an overview of the pension plan, including changes since previous valuations, cost projections, and the impact of the District's Pension Rate Stabilization Trust Fund. Prior to the GovInvest presentation, ASD Sasser reviewed the timing of the pension information, attached to these minutes, as item 9.3.

PENSION LIABILITY

- June 30, 2022 – most recent information provided by CCCERA (*GovInvest software reflects June 30, 2022 information*)
- June 30, 2023 – information will be provided by CCCERA in September/October 2023 (*GovInvest software annual update occurs after CCCERA provides the information*)

PENSION RATE STABILIZATION SECTION 115 TRUST

- GovInvest discussion based on June 30, 2022 market value of assets: \$6,845,315
- March 2023 - District contributed an additional \$2,108,577
- April 30, 2023 market value of assets \$9,553,920 (most recent information)
- June 30, 2023, statement to be received in August 2023

A copy of Mr. Summer's presentation was included in the board packet as attachment A to the staff report.

Investment Returns

The most significant factor influencing the cost of the Pension plan over time are the investment returns. Depending on the performance of the financial markets, approximately 60% to 90% of the funds coming into the plan are attributed to these returns.

The graph displayed the market value of returns on a yearly basis. CCCERA conducts the actuarial valuations following the calendar year. These valuations are based on the data as of December 31 and then used to determine the District's contribution rates for the fiscal year beginning on July 1. In the most recent actuarial valuation conducted on December 31, 2022, CCCERA determined the investment return for the year ending December 31, 2022, resulted in a loss of approximately -10.5%. This decline aligns with the trend seen in pension funds nationwide for 2022.

Mr. Summer described the bars on the graph are the market value of assets. The orange line shows the actuarial value of assets. To even out contribution rates, CCCERA takes any investment returns that exceed or fall short of the assumed rate of return (just under 7%) and distributes them evenly over five years. CCCERA knows that the market is volatile and manages the District's cost by smoothing out returns over five years, causing the actuarial value of returns to be consistent with the market value returns year-by-year. This approach acknowledges the inherent volatility in the global financial landscape and aims to mitigate the impact of such volatility on contribution costs.

Unfunded Accrued Liability

GovInvest utilized the unofficial Actuarial Valuation Report as of December 31, 2022, and performed future projections. The projections assumed that CCCERA would achieve its targets and meet the assumed rate of return each year.

Director Jorgens pointed out that CCCERA has yet to meet its investment targets on average over the past 20 years, which prompted the establishment of the Pension Liability Fund. Mr. Summer mentioned that based on his recollection of historical data from the 1980s and 1990s, CCCERA's returns generally surpassed their targets. However, beginning around 2000, the market became increasingly volatile with the bursting of the dot-com bubble. Looking ahead, GovInvest predicts that CCCERA will have a higher probability of hitting its targets as interest rates rise. GovInvest believes the Fed will raise interest rates again at their meeting. The fixed income portion of CCCERA's investments is likely to earn closer to 5%, which makes it easier to hit the targets.

President Jex questioned the information provided by a letter from CCCERA, stating that over the last four years, the return was reported as 4%, and pointed out that a 1% deviation from expected returns results in a \$30M increase in the unfunded pension liability. President Jex expressed concern that the deviation was not reflected in the forecasts or projections. Mr. Summer clarified that the conservative projections assume CCCERA achieves its target rate of return. The investment returns for the first six months of 2023 have been stronger and are ahead of targets.

Mr. Summers stated if CCCERA had not lost 10.5% in the 2022 year, MOFD would have achieved a 100% funded pension liability in 2027. Instead, because of the loss in 2022 and the effects of the smoothing, the District's unfunded liabilities have stayed steady at \$30M for the next five years. The District is now expected to be 100% in 2039.

President Jex stated the letter from CCCERA appears inconsistent with the historical returns and raises questions about the accuracy of the data provided by CCCERA. Director Jorgens shared his perspective, mentioning that the average return rate for CCCERA has been around 7% per year. However, from 2020 until now, their performance has earned less than the S&P 500. The District set up the Trust fund because CCCERA historically earned about 4% less than their target rate of return. Mr. Summer acknowledged the reasons behind the establishment of the 115 Trust and deferred the discussion until the completion of the presentation on the projections.

Director Hasler asked if the projections assume CCCERA meets their target returns. Mr. Summer answered yes. Director Hasler further inquired if the projections were actual returns for the 2023 year. Mr. Summer replied the projections are not based on actual returns.

Total Required Employer Contributions

Based on the 2021 valuation report MOFD's contribution was just under \$6M. Due to one year of bad returns, phased in over the next five years, the District's required contribution increased to \$9M. Director Jorgens inquired about the fluctuations in the values plotted on the graph.

Mr. Summer answered by saying CCCERA utilizes a five-year smoothing approach. When the actual plan experience of investment returns and demographic factors deviate from what was initially expected,

it creates a new layer of unfunded liability. To manage the impact of these new layers of unfunded liability, CCCERA employs an amortization process. The new layer of unfunded liability is spread out over 20 years.

Director Roemer asked Mr. Summer to explain the demographics. In response, Mr. Summer answered CCCERA's Actuary aims to ensure sufficient funds in the pension plan to cover all the promised benefits for plan participants throughout their careers and lives. To achieve this, CCCERA makes various demographic assumptions, such as retirement age, life expectancy, disability rates, turnover, and the number of firefighters who might get injured on duty and start collecting benefits early. These assumptions play a role in actuarial calculations and help ensure the long-term financial sustainability of the pension plan.

Director Roemer asked for an explanation of the lines on the graph. Mr. Summer explained that after the pension plan becomes fully funded, MOFD will continue to pay the normal cost (the actuarial term for each year of service earned) because of the Public Employee Pension Reform Act. When a pension plan has a positive unfunded liability (meaning it is not fully funded), additional contributions are required to catch up to the target funding level. Conversely, contribution rates could drop when a plan exceeds the 100% funding level.

In the late 1990s, many Public Pension plans in California were over 100% funded. However, during market downturns and increased benefit costs, pension plans faced financial challenges. Governor Brown implemented the Public Employee Pension Reform Act to address this issue. Under this reform, once a pension plan becomes 100% funded, the Normal Cost Contributions are still required yearly. The District will continue to pay the Normal Cost each year, protecting the pension plan for when the markets drop. That is why the blue line on the graph levels off when the District becomes 100% funded, and the blue and orange lines come together when the District hits 100% funded for both.

President Jex commented on the increase in contributions over the next five years. Mr. Summer explained the contribution is doubling over the next five years because of the unfunded liability. This is happening in a lot of agencies all across California and all across the country.

Director Jorgens observed a discrepancy between CCCERA's assumption of a 3.5% wage increase and the District's actual 5% wage increase. This inconsistency in the wage increase assumptions results in CCCERA underestimating the pension liability. Mr. Summer concurred.

Director Jorgens asked if the District has been paying bigger salary increases than what CCCERA has used in their models to determine the Normal Contribution rates. ASD Sasser answered yes. Mr. Summer stated that GovInvest expects to see losses in 2022 and 2023 in the valuation reports due to the projected salary increases.

Director Jorgens shared historical information from 2004, when the District borrowed money to fund the pension plan fully. However, since then, the pension fund has experienced a loss of \$30M. He also pointed out that CCCERA has underperformed over the last 20 years.

Mr. Summer provided further insights, explaining that approximately half of the \$30M loss is attributed to CCCERA's investments falling short of their target returns. The other half is primarily due to CCCERA lowering the assumed rate of return for future years and extended life expectancies. Consequently, CCCERA requires more money to achieve the target funding level, which increases MOFD's unfunded liability.

Director Roemer inquired about the "the world is changing" statement Mr. Summer made during the presentation and asked for clarification on its meaning. Mr. Summer explained the changes in demographic experience and market over the years. Approaches that were effective ten years ago are not effective today. The changing world and added challenges from the pandemic have significantly impacted hiring and recruitment processes, requiring different approaches and solutions to address these issues effectively.

Director Romer commented on the demographic bubble and challenges posed by an aging population on the pension system. Other factors that are also impacting investment portfolios are environmental changes that impact investment portfolios and should be considered by CCCERA when making decisions. Mr. Summer expressed confidence that CCCERA considers the impact of environmental factors, including climate change, in their investment decisions. The responsibility for making those investment decisions lies with the CCCERA Board. While suggestions can be offered to the board, they make the final decisions independently.

Impact of the 115 Trust

The 115 Trust represents irrevocable funds the District has permanently set aside for pension benefits. These funds can be applied to cover regular or extra contributions to CCCERA. The decision on when and how to use these funds lies with the District's Board. The 115 Trust does impact the District's current contribution rate, as it is solely related to the funding position of the pension plan.

Director Jorgens pointed out the challenges in pre-funding CCCERA given the current performance of their investments and that CCCERA charges a 1% overhead fee.

Trust Assets/Projected Balance of Assets in 115 Trust

As of June 30, 2023, the Market Value of Assets is \$10M (announced today). Based on assumptions that the investment portfolio would grow by 5% per year, the expected Market Value of Assets as of June 30, 2023, was projected to have a value of \$7M on June 30, 2023. Due to the District's additional investment and market growth, the asset's value increased to \$10M. GovInvest did not use any assumptions of future money going into the fund because that is a policy discussion and only used the 5% growth assumption for investments. The projected balance is expected to increase to \$20M by 2039, assuming a 5% growth and no additional contributions.

Funded Percentage

Mr. Summer presented a graph displaying the percentage of the funded liabilities. By incorporating the funds from the 115 Trust and allowing it to grow, the District could reduce the time it takes to become 100% funded by seven years. If the Directors wanted to get 100% funded right away, the Board would direct all the money to the 115 Trust and give it to CCCERA. However, he cautioned that there could be potential risks if the District were to transfer all the money from the 115 Trust to CCCERA. The concern is that CCCERA might not perform well, creating new unfunded liabilities.

Mr. Summer stated the projections indicate that the District will continue to have \$35M in unfunded liability for the next five years. The way the unfunded liability gets paid off is to increase the District's annual contribution to \$9M per year. The increase in the contribution rate is growing faster than the District's anticipated revenue growth. The question becomes what actions the Board would like to take in response and if the Board wants to pay the money to CCCERA now or later, considering that the contribution rates are spiking up to \$9M in a few years, should that money go to CCCERA or into the 115 Trust. The 115 Trust is currently invested conservatively to get an expected 5% yearly return.

Director Jorgens asked if GovInvest is assuming a 5% rate of return. Mr. Summer stated the 5% is based on where and how the funds are currently invested. Director Jorgens stated he thought the assumed rate was 6%. ASD Sasser confirmed the latest long-term rate is 6% because the District is invested in almost 100% equity per the investment policy. Director Jorgens thought the assumed rate of return was 6.25%.

Mr. Summer suggested the Board determine what is most important in terms of the financial objectives. Mr. Summer asked if the District wanted to reach 100% funding for the pension plan or level out the pension contributions over time. Instead of assuming the 6.75% rate of return that CCCERA is assuming, the District should rerun the numbers at a slightly lower rate, take that difference, and put it into the Trust, assuming that CCCERA is wrong and going to earn 6.25%. Director Jorgens pointed out that CCCERA also takes an additional 1% fee.

President Jex stated in the past, the District had made a prepayment of \$26M to CCCERA, intending to pay off the unfunded pension liability. Unfortunately, over time, the unfunded liability increased to \$60M. Director Jorgens added CCCERA systematically undercharges the normal cost. Mr. Summer stated the District should continue with the current strategy based on that perspective. Mr. Summer has worked with several cities with a similar approach.

Mr. Summer explained that the GovInvest software could plug in a lower assumed rate of return to determine the cost using CCCERA's methods and assumptions, take that extra money, and contribute the amount to the 115 Trust. The contribution to the 115 Trust would be put aside to protect the Pension. The District would be paying a little more now to pay a little less later. At some point, if the District continues to follow that model, the District should use that money while the required contribution is above what CCCERA is asking for and put the extra money in the 115 Trust. When it gets to a point that the amount is above what CCCERA is requesting, then the District should take some of the money from the 115 Trust and pay some of the required contributions to CCCERA.

Director Roemer remarked that the 115 Trust is functioning as a smoothing mechanism. Mr. Summer confirmed if the District wanted to use the Trust that way, although if the District never gives the money to CCCERA, it does not function as a rainy-day fund. Director Jorgens stated the problem is the

projections say that the District would not be giving CCCERA money or be fully funded for the next eight years. The question is, the State says we charge the normal cost all the time, and if you have a surplus, you still make your payments even though they don't need it necessarily. Director Jorgen's perspective on the matter is how the account was set up back in 2017; the Board decided to amortize the gap over 17 years and keep funding the Trust. Although at the time, the Board assumed that it was a one-time thing that now happens every year and is not a one-time situation. The good news is the earnings in the portfolio make up the gap instead of the District having to fund it from the budget. It was unclear to Director Jorgens why a new plan was necessary until the District is almost fully funded.

Mr. Summer commented that GovInvest has observed other agencies that are trying to protect themselves against market volatility and sets aside two years of contributions to use as a cushion for a rainy day. District Counsel Holtzman stated one of the arguments for putting the funds into the 115 Trust is announced borrowing when the markets are going down. Mr. Summer agreed and stated CCCERA is effectively loaning the District the \$35M in unfunded liability and charging 6.75% in interest.

Director Jorgens mentioned that in 2004 the Board extensively discussed the matter and decided to borrow the money at a 5% interest rate to pay CCCERA. CCCERA mismanaged the funds, leading the District to accumulate \$30M in unfunded liabilities again. Consequently, the solution was for the District to manage the investment of the money independently.

Mr. Summer commented that the Board seems happy with the current strategy and approach for funding the 115 Trust. Director Hasler agreed. Director Hasler expressed concern about the potential impact of the spike in the next two or three years. Director Jorgens stated in 2023 the market will undo some of that but it will not be known for another year. Mr. Summer also emphasized that the recent underperformance by CCCERA by 17%, needs about a 24% target to undue that underperformance. Mr. Summer stated if the District continues to assume 50 basis points less than CCCERA and put the excess into the 115 Trust will allow that fund to grow.

Mr. Summer stated the question for the Board is to consider under what circumstances the District would utilize the 115 Trust. Mr. Summer asked the Board whether they were interested in alterations to the 115 Trust and requested general direction moving forward with regard to a 115 Trust Policy, both in terms of contributions, and guidance on how and when the District might use it. Does it make sense to stay in stocks because it is a long term investment or move some of the funds as the interest rates get higher towards bonds because the District might use the funds in the next three to five years. With the shorter time horizon, market volatility becomes more of an issue.

Director Roemer stated it is a good idea to anticipate when interest rates will top out and slightly increase exposure to the bond market because as interest rates decrease, those bonds might outperform the equities for a short period. Director Jorgens explained that he currently did not see a reason to change the existing methodology.

Mr. Summer concluded the direction from the Board is that until something happens that causes the District to want to use the funds in the 115 Trust, the goal is to get to a position where the amount in the 115 Trust is the difference between the unfunded liability at CCCERA's rate and the unfunded liability in the District's rate. Director Jorgens confirmed. Mr. Summers assumed the District would then feel it has enough money in the Trust when it achieves that difference. Director Jorgens concurred.

Director Danziger inquired about additional modeling for the District if desired. Mr. Summer confirmed GovInvest could perform additional modeling. Jex inquired about CCCERA's comparability to other pension funds. Mr. Summer responded that CCCERA aligns with the other public pension systems throughout California and most of the country.

President Jex opened the public comment.

Jonathan Goodwin, Canyon resident (attended by Zoom), stated years ago, CCCERA de-pooled the District and asked if it was re-pooled. Mr. Summer answered that the investments are all being tracked separately, but the money for all of the agencies within CCCERA gets invested the same way. Mr. Goodwin recommended the Board memorialize the understandings of the 115 Trust that the entire Board can agree on and vote on and subsequently suggested a committee.

There were no additional requests to address the Board.

9.4 Development of a Pension Funding Policy (audio 03:46:27)

At the April 19, 2023, Board meeting, a Director requested a future agenda item to discuss the development of a Pension Funding Policy, which would involve the District's Pension Rate Stabilization Trust Fund Section 115 Trust account. The Pension Rate Stabilization Trust Fund was established by

the Board in 2017. The Government Finance Officers' Association (GFOA) has developed best practices to address these concerns and recommends adopting a funding policy that ensures the cost of benefits is funded equitably and sustainably. Ira Summer, a representative from GovInvest software, attended in person to aid in developing the pension funding policy.

Director Jorgens stated a policy was already developed when the Board initially approved the fund. ASD Sasser clarified the Board approved Resolution No: 17-05, which is not a Pension Funding Policy per se compared to the samples provided in the staff report. The Resolution does not address when the funds would be used or target goals. The Resolution states the District's desires to set aside funds.

Director Jorgens referred Staff to the 2017 minutes, which should contain the discussion about the Trust and the decision to amortize over 17 years to fund the amount that was the difference between the District's and CCCERAs calculations. The Board did not discuss when to use the Trust funds because that would be determined based on time and circumstance.

ASD Sasser deferred to the Board for direction. Director Jorgens stated there is already a policy to fund the Trust, and the only question would be how the Board wants to spend it. Mr. Summer stated there is also the question of at what point does the board feel that is enough money in the Trust that the District can stop putting money into the Trust. Based on previous discussions this evening, it is when the amount equals the difference between (inaudible). Director Jorgens agreed.

Mr. Summer asked when the Resolution was approved. Fire Chief Winnacker answered in January 2018. Mr. Summer stated that in 2017, the District chose to amortize for 17 years to 2034. Mr. Summer asked if the goal is to amortize the 17 years each time or until the year 2034 in order to have the right amount of money in the Trust. President Jex responded the intent was when the unfunded pension liability was fully funded. The Board can then determine whether to use the Trust to make pension contributions. Mr. Summer suggested now that the District has saved a certain amount of money, establishing a policy to decide when the District should use the Trust, or if it should keep contributing to the Trust, or if it should redirect the funds. Director Jorgens stated the Board already provides that direction yearly during the budget and Long-Range Financial Forecast discussions.

Mr. Summer reviewed why other agencies have developed a policy to help the Staff know what information to bring and what metrics to show the Board (on target, ahead of target, behind target) and also to provide procedures if the District gets to a place where it can stop putting in funds, with the understanding the top priority for the District is to cover the gap with the overstatement of the assumed rate of return.

Mr. Summers requested direction from the Board and affirmed that GovInvest representatives are available to assist in developing a policy if desired. Director Hasler supported developing a policy and asked if it was worth formalizing the amortization guidelines and targets for the Trust and documenting the intuitional knowledge and funding objectives.

Director Jorgens stated the difficulties in determining all the facts and circumstances about when to write a check. Mr. Summer responded a good policy would leave that discretion to the Board. The policy would be for general terms to guide discussions of when there is enough money in the Trust and how the money is being invested. President Jex stated everything should stay the same as the current practice and expectation of using the Trust funds.

District Counsel Holtzman restated Director Hasler's suggestion that the Board write down the 17-year amortization direction. Director Jorgens stated the investing aspect is also done every year regarding how or where to invest the funds. Director Hasler stated the policy should include that the Trust is reviewed during the budgeting and Long-Range Financial Forecast board discussions on an annual basis. Director Hasler suggested a simple one-page policy. All Directors agreed.

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

9.5 Adopt Resolution 23-14 Classifying the Various Components of Fund Balance as Defined in Governmental Accounting Standards Board Statement No. 54 and Adopt a Revised Fund Balance Policy (audio 03:56:55)

Administrative Services Director Sasser provided the report. The District has a Fund Balance Policy (Policy) that requires annual review by the Board. The 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 to achieve a 50% year-end General Fund balance in the long term. Staff completed a risk analysis, which is included in the staff report. Staff also included the most recent information regarding reserves published by the Government Finance Officers Association (GFOA). The

board has recently discussed changing the minimum fund balance policy minimum, may be done during this agenda item. Staff requested board Direction regarding the fund balance policy.

President Jex thought the policy would be discussed in August to change the minimum fund balance policy. ASD Sasser stated that this is the item before the Board for discussion. Director Jorgens asked if the fund balance includes other reserve funds besides the general fund. ASD Sasser answered the Fund Balance Policy is in the General Fund only and the unrestricted fund balance. Director Jorgens asked if separate funds were established for the Grants. ASD Sasser confirmed effective July 1, 2023, separate funds were established for the Fire Risk Reduction Grant Fund and the Tunnel East Bay Hills Fuel Break Fund. Fire Chief Winnacker referred to page 9 of the approved budget, which explains all the funds.

Director Jorgens asked on what date the minimum percentage of the fund balance will be measured. ASD Sasser answered at the end of the fiscal year, June 30 every year. Director Jorgens recalled that the Board had discussed utilizing a forecast to determine the lowest point throughout the year and not arbitrarily at the end of the fiscal year.

Director Roemer commented that the General Fund is most likely to fluctuate up and down throughout the year. Fire Chief Winnacker confirmed that the year's lowest point is typically the second week of December. Director Roemer stated it is impractical to say that the District will maintain a 50% minimum fund balance throughout the year and supported establishing a measurement date. Fire Chief Winnacker stated that nothing prevented the Board from using a different date than the fiscal year-end. The Board discussed establishing an appropriate date for measuring the minimum fund balance.

Director Hasler asked what happens if the District falls below the minimum fund balance policy. Fire Chief Winnacker answered Staff would report the issue to the Board. Staff provided projections and would address the issue as part of the annual and mid-year budget process. The revenue and expenditures are predictable and forecastable. President Jex explained the importance of having a 50% General Fund Reserve balance for the District to cover six months of revenue and felt that the minimum balance should be higher than 50% because of the risks associated with the District's fuel break projects. During our conversation, Fire Chief Winnacker shared about the previous time the District had to utilize the Teeter Plan in 2019. President Jex explained how the Teeter Plan operates.

Director Roemer asked what the argument would be for not establishing a 50% minimum reserve fund balance as of June 30. Fire Chief Winnacker clarified that the District has additional revenue inflows between June 30 and the middle of December. In the years the District has not been at 50% on June 30, the District has not needed to utilize the Teeter Plan and has been able to pay cash because of those other inflows. President Jex stated the biggest expenditure of the year is in July. Director Roemer has not heard any arguments for not increasing the minimum reserve fund balance.

Director Hasler asked if the policy is to raise the minimum fund balance to 50% or if it should be phased in over time. Director Jorgens stated that a board meeting would need to occur for Staff not to follow the policy. District Counsel Holtzman stated a policy is, by definition, not binding. Director Jorgens inquired why the Board is developing a policy. District Counsel Holtzman answered because it reflects the Board's intent. Director Jorgens suggested having the policy reflect if spending falls below the minimum balance, a board meeting would be required.

Fire Chief Winnacker confirmed that would be the decision of the Board if the board were to say that the policy of the Moraga-Orinda Fire District is to retain at least a 50% fund balance as of a given date. The Staff would analyze and present to the Board if the District can meet that minimum balance. There could then be Board direction about whether or not to defer the implementation until the next budgeting process or direct staff to revisit projects and programs to achieve the savings.

Director Jorgens asked what would be the trigger. District Counsel Holtzman responded that the policy would trigger staff to return to the Board. Director Jorgens said the policy should require Staff to return preemptively and not after the fact. President Jex inquired about the current balance as of June 30, 2023. ASD Sasser answered the most recent financial statements show the balance will exceed a 50% reserve. However, the budget document, of June 30, 2024, shows the District will drop below 50% to 43.5%. Director Hasler recommended phasing in the minimum balance requirement. Fire Chief Winnacker clarified the budget document that was adopted projects 43.5% reserve as of June 30, 2024. If the Board intends to adopt a policy of a fund balance that exceeds 43.5%, then Staff would take that as direction to bring back to the Board a list of budget cuts if the District fell below the stated policy. Based on the discussion, District Counsel Holtzman proposed changing the minimum fund balance from 17% to 40%

and leaving the goal at 50%. The Directors agreed to a minimum fund balance of 40% on June 30 of each year.

President Jex opened the public comment.

Jonathan Goodwin, Canyon resident (attended by Zoom), emphasized that unforeseen expenses may arise, suggesting not to overthink the decision.

There were no additional requests to address the Board.

Director Jorgens motioned to change the current minimum fund balance policy of 17% to 40% to be measured on June 30 each year with the goal of 50%.

President Jex opened the public comment on the Motion.

Dan Elbanna Local 1230 Union Representative (attended by Zoom), requested clarification on the date as to when the General Fund minimum balance will be measured.

Fire Chief Winnacker clarified the motion before the Board is to change the current minimum fund balance policy of 17% to 40% on June 30 each year. The balance will not be measured throughout the fiscal year. The minimum balance will be measured at the end of the fiscal year on June 30. Director Jorgens added a discussion would occur if projections projected a balance to fall below the minimum fund balance.

There were no additional requests to address the Board.

Motion by Director Jorgens and seconded by Director Roemer to adopt Resolution 23-14 Classifying the Various Components of Fund Balance as Defined in Governmental Accounting Standards Board Statement No. 54 and Adopt a Revised Fund Balance Policy changing the minimum reserve balance from 17% to 40% to be measured at the end of each Fiscal Year on June 30, with the aspirational goal of 50%. Said Motion carried a 4-1-0-0 roll call vote (Ayes: Hasler, Jorgens, Roemer, and Jex; Noes: Danziger; Absent: None; Abstain: None)

10. COMMITTEE REPORTS (audio 04:23:48)

10.1 Standing Audit Committee (Directors Jex & Hasler).

ASD Sasser reported that Maze and Associates is conducting the interim audit. The Auditor will contact the Audit Committee members to ask questions as part of the process. ASD Sasser provided the following options: email, talk individually to the auditors via phone or a Zoom meeting, or respond during an in-person, public Audit Committee meeting. The Audit Committee decided to be contacted by individual phone or Zoom meetings.

10.2 Ad Hoc Committee Develop Plans for Expanding the Fire Prevention Program (Directors Hasler & Jorgens). No Report.

10.3 Ad Hoc Facilities Station 41 (Directors Danziger & Jex). No Report.

10.4 Ad Hoc Committee Joint Fire Prevention w/City of Orinda (Directors Jorgens & Roemer). No Report.

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

11. ANNOUNCEMENTS (audio 04:26:15)

11.1 Future Agenda Items

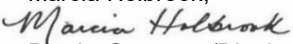
Director Jorgens requested the Fire Safe Moraga-Orinda Nonprofit Organization be discussed at the August meeting. Mr. Evans requested to have a discussion item placed on the agenda for the September meeting in order to allow more preparation. Director Jorgens responded that he would be absent from the September meeting. Director Roemer suggested the item remain on the agenda for the August meeting.

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

12. ADJOURNMENT

At 11:32 p.m., Director Jorgens motioned and seconded by Director Roemer to adjourn the meeting. Said Motion carried a 5-0 voice vote (Ayes: Danziger, Hasler, Jorgens, Roemer, and Jex; Noes: None; Absent: None; Abstain: None)

Marcia Holbrook,


District Secretary/District Clerk



From: [Charles Porges](#)
To: [Holbrook, Marcia](#)
Subject: Public comment item 9.2
Date: Saturday, July 15, 2023 3:18:23 AM

I request that this be read aloud:

I **STRONGLY** object to FSMO grants being dependent on joining FireWise. Any small group of neighbors should be allowed to apply.

My neighbors and I are NOT part of FireWise, are well organized, and fire code compliant. We nonetheless did obtain a DFSC Grant. We do not plan to join FireWise.

All residents should be given the same opportunities and disincentives must be minimized.

Charles Porges

From: [Paula Reinman](#)
To: [Info](#)
Subject: Public comment for Wednesday board meeting
Date: Tuesday, July 18, 2023 3:12:09 PM

Dear MOFD,

I would like to submit a comment on item 9.2 on the agenda for Wednesday's board meeting.

I strongly support the formation of Fire Safe Moraga-Orinda and hope that you will decide to provide the requested initial grant to start the organization. The strategy and plan for Fire Safe Moraga-Orinda has been carefully researched and vetted with a number of experts in the field.

Getting financial support into the hands of organized groups that can do significant wildfire mitigation work in their neighborhoods is a critical part of making our communities safer and more resilient in the event of wildfire. Fire Safe Councils throughout the state and the country have been providing matching grants for targeted projects that could not be done by a single homeowner alone.

Thanks in advance for your consideration and support

Paula Reinman
Orinda

From: [Susan Wecht](#)
To: [Info](#)
Subject: Support the newly formed corporation Fire Safe Moraga Orinda
Date: Wednesday, July 19, 2023 2:56:02 PM

Moraga Orinda Board of Directors,

I am writing to add my support to the newly formed non profit corporation, Fire Safe Moraga Orinda. Grant money from the corporation will be an incentive and help ease the financial burden many homeowners face when it comes to reducing the fuels on their property. I am hoping you, as the district's Board of Directors, will also be supportive.

Hats off to Marc Evans and Steve Hoyt for their leadership in the formation of Fire Safe Moraga Orinda.

**Sue Wecht
Orinda Firewise Leader**

From: [Susan Anacker](#)
To: [Info](#)
Subject: Letter of support for Fire Safe Moraga Orinda
Date: Wednesday, July 19, 2023 2:55:59 PM

Moraga Orinda Board of Directors,

I would like to add my support for the newly formed non profit corporation, Fire Safe Moraga Orinda. Importantly, grant money supplied will provide an incentive to many homeowners facing the costs of reducing the fuels on their property. Please vote to support Fire Safe Moraga Orinda.

We greatly appreciate the leadership of Marc Evans and Steve Hoyt in the forming of Fire Safe Moraga Orinda.

Susan Anacker
Firewise Leader Orindawoods



Moraga-Orinda Fire District

Supplemental Materials

Item 7.3 – Communications Received

Documents

#01 Berkeley FireSafe Council Paper on Catastrophic Fire Prevention in Berkeley

#02 Victor Ryerson FW_ Extreme fire hazard.pdf

From: [Winnacker, David](#)
Cc: [Sasser, Gloriann](#); [Holbrook, Marcia](#); [Isaacs, Jeff](#); [Rein, Dennis](#); ["Jonathan Holtzman"](#)
Subject: FW: Berkeley FireSafe Council Paper on Catastrophic Fire Prevention in Berkeley
Date: Friday, July 14, 2023 12:47:23 PM
Attachments: [Five Fundamentals 2023 06b.pdf](#)

Directors,
Please see below for correspondence received.

Respectfully,

Dave Winnacker
Fire Chief
Moraga-Orinda Fire District



From: Henry DeNero <htdenero@gmail.com>
Sent: Thursday, July 13, 2023 1:29 PM
To: Winnacker, David <dwinnacker@mofd.org>
Cc: Henry DeNero <htdenero@gmail.com>
Subject: Berkeley FireSafe Council Paper on Catastrophic Fire Prevention in Berkeley

Dear Chief Winnacker,

Significant steps have been taken in recent years by the City of Berkeley, the University of California Berkeley, the Lawrence Berkeley National Laboratory, and the East Bay Regional Park District. But much work remains if we are to significantly reduce the risk of a catastrophic fire destroying much of our city and the university.

We wrote the attached paper on behalf of the Berkeley FireSafe Council. The paper acknowledges recent steps by public land owners; then describes the major actions that are still needed. These actions fall into five categories which we call "The Five Fundamentals of Wild Fire Prevention." Within each category, we describe current programs, pending grant applications, and remaining actions that will be needed. We urge you to read the paper, as we believe it provides a comprehensive road map for the years ahead. We hope the document will become the basis for discussions about how we can accelerate achieving a fire safe Berkeley. Below is a PDF copy and a link to the paper on our website.

As you are aware, the Regional Park District has recently submitted a grant application to significantly widen the fuel break between Berkeley and Tilden Park. UC Berkeley has recently obtained an appellate court ruling allowing it to proceed with its plan to remove hazardous fuel from the Hill Campus. Berkeley Lab is preparing an Environmental Impact Report to revegetate its entire campus with non-hazardous trees. The Berkeley Fire Department is launching defensible space and home hardening programs. And the Berkeley FireSafe Council has removed over 75 tons of

hazardous fuel from the city with community donations and UC Berkeley student volunteers. Yet, the issue remains how these major projects can be completed faster. And we must ultimately face the issue of reforestation (the fifth fundamental). To make Berkeley truly fire safe, the city, university, and the regional park district will need to reclaim their forest areas by replacing hazardous, invasive species with non-hazardous trees as Berkeley Lab is in the process of doing. This needs to be done with urgency; before it is too late.

The Berkeley FireSafe Council can make a major contribution to this challenge if we receive the funding we have requested from the City of Berkeley and from the California Fire Safe Council. Our request for 20% of this year's UC Berkeley Settlement Fund allocation, together with the \$500,000 CA Fire Safe Council grant, would allow us to rapidly complete the first of the five fundamentals – that of cleaning up the understory of the eucalyptus groves inside the city and moving this major risk into the maintenance mode. We sincerely hope that we receive these funds.

We hope you find this paper informative and helpful. We look forward to discussing its major elements with you in the coming months.

Best regards,

Henry DeNero, President, Berkeley FireSafe Council

Nancy Gillette, Chair, Urban Forestry Committee, Berkeley FireSafe Council

<https://drive.google.com/file/d/1Fhxekf8P1VG4AbW6dfsFptNzKwOih8tZ/view>

Preventing the Next Catastrophic Fire in Berkeley

The Five Fundamentals

Henry DeNero and Nancy Gillette

We all know that there is an extreme risk of wildfire in the East Bay Hills. This paper focuses on Berkeley. Other cities in the East Bay have similar facts and circumstances.

Berkeley's public landowners have taken significant steps in recent years to reduce wildfire risk. These actions have included the creation of fuel breaks along Grizzly Peak Boulevard, up Centennial Boulevard, in Claremont Canyon, and along the fire road in UC Berkeley's Hill Campus. In addition to serving as fuel breaks, these measures support evacuation and firefighter access. Other steps have been taken, and we can thank city, university, park district and municipal utility leaders for these efforts.

But more is needed, much more. Despite recent measures, there is still an extreme danger of a catastrophic fire in Berkeley. This is because most of the fuel that will transform a "normal" fire into a real catastrophe remains on the ground and in the tree canopies. This danger can be dramatically reduced by a targeted approach focused on the most significant risks.

There is an urgent need to mitigate this risk, before it is too late. And it can be done.

The Catastrophic Fire We Must Prevent

There are many fire risks in and around Berkeley. Firefighters and others have long recommended measures to reduce the chance of fires starting, to reduce the risk of a fire spreading to adjacent buildings, and to prepare us for evacuation if needed. These measures include vegetation management around the home, fuel breaks at the Wildland-Urban Interface (the WUI), home hardening, evacuation planning, undergrounding of power lines, installing residential automatic gas valve shut-offs and other steps. They all make sense.

A fire that begins in a home or yard will almost always be suppressed by the fire fighters who protect us. Buildings can burn. And a fire can spread to adjacent buildings. There is always the danger of loss of life. These risks exist everywhere.

A catastrophic fire is very different. It almost always involves a fire in the forest or in a large grassland outside of a town or city (the WUI). And it almost always involves high winds. As these wildland fires develop speed, they can ignite homes and structures by wind-driven flames, embers, and firebrands. When the speed of a wildfire outpaces the ability of government to

Published by the Berkeley FireSafe Council
<https://www.berkeleyfiresafecouncil.org/>

amass enough resources, catastrophic outcomes are more possible. If enough homes and structures ignite, firefighting resources get overwhelmed. Then the structures become the fuel to carry the fire forward. The fire becomes unstoppable and continues to burn until the wind stops or the fire runs out of fuel. This has happened repeatedly, in the 1923 Berkeley Hills Fire, the 1991 Oakland Tunnel fire, the Camp Fire in Paradise, the Marshall Fire in Colorado, the Black Saturday Fires in Australia, and several fires in Southern California. In each catastrophic fire, hundreds and sometimes thousands of homes burn, property damage is in the billions, people are permanently displaced, particularly lower income groups, the environment is severely damaged, and lives are lost. The 1923 fire took 600 homes and burned to the downtown, the 1991 Tunnel Fire took over 3,000 homes and 25 lives. Nearly 800 homes burned in the fire's first hour of the fire! And that fire could have been much worse if the weather had not shifted. The environmental and social costs of major urban wildfires are more difficult to estimate. But they are also catastrophic.

Conditions in and around Berkeley create a particularly acute catastrophic fire risk. The city is adjacent to Tilden Park, which is "upwind" of Diablo winds and which contains thousands of eucalyptus, Monterey pine, and large areas of yet-uncleared brush. The Blue Gum eucalyptus is considered by foresters, firefighters, and scientists to be one of the most hazardous tree species from a fire risk perspective. Equally dangerous is that part of the "forest" is INSIDE the city, with many unmanaged eucalyptus groves containing several thousand more trees in the neighborhoods and on the campuses of UC Berkeley and Berkeley Lab. Much of the Berkeley hills area is essentially an urban forest. And much of that "forest" is hazardous. It is therefore possible for a catastrophic fire to begin inside the city.

Five Fundamental Actions to Prevent a Catastrophic Wildfire

Because of our particularly severe wildfire risk, we need to use all measures possible to give our firefighters a chance to suppress a fast-moving wildfire before it ignites enough Berkeley homes to become a catastrophic fire that could burn much of the city and the university. The most important measures can be categorized into five sets of actions aimed at reducing the most hazardous fuels, slowing structure to structure spread, and protecting homes, buildings, and lives. We call these actions the "Five Fundamentals" of catastrophic fire prevention:

- 1- Clean up the understory of hazardous groves inside the city.
- 2- Create a wide fuel break the entire length of the WUI.
- 3- Manage vegetation on all our properties.
- 4- Harden our homes.
- 5- Reclaim the forest by replacing hazardous species with fire-resistant trees.

Published by the Berkeley FireSafe Council
<https://www.berkeleyfiresafecouncil.org/>

Some experts will debate which of these measures are most important. There is a debate about how deep the fuel break at the WUI needs to be, or the need to replace the hazardous trees. Because of the extreme risk posed by thousands of hazardous trees at the WUI and inside the city, combined with high winds with low humidity, some level of action on all five fundamentals is needed to minimize the risk of a catastrophic fire. No sub-set of these measures will be enough, particularly when it comes to a catastrophic fire. All five of these steps need to be implemented with urgency, before it is too late. And most of these actions really can be taken, surprisingly quickly and inexpensively. Here is how.

Clean Up the Understory Inside Berkeley

There are just over 1,100 eucalyptus trees in northeast Berkeley, not counting those on the UC Berkeley and Berkeley Lab campuses. How do we know this? We counted them. Fewer than 100 of these trees are on City of Berkeley property, primarily in the parks. The remaining 1,000+ are on 117 private properties, the vast majority of which are in 11 groves spanning multiple properties. As one moves south within Berkeley, we know that there are another 1,500 eucalyptus trees on the Berkeley Lab campus by their estimate and several hundred on UC Berkeley property (not counting the Hill Campus to the east, which contains a wildland located within the City of Oakland). There are also several hundred trees in Oakland near the Clark Kerr Campus that threaten the southern parts of Berkeley.

Over the past three years, the Berkeley FireSafe Council, a non-profit organization, has cleaned up the understory of four of the 11 eucalyptus groves on private property in northeast Berkeley with the help of student volunteers. The Council has removed an estimated 75 tons of hazardous fuel from the neighborhoods, amounting to as much as one third of the hazardous fuel in the groves. The total cost of this effort has been less than \$50,000, all raised by homeowner donations. If this can be done by ordinary citizens, think what could be done by public entities and professionals. Berkeley Lab and UC Berkeley have also cleaned up the understory of several groves on the north side of their campuses.

The Berkeley Fire Department has just launched a new vegetation management program that will use Measure FF funds for fuel reduction on private property for the first time. This program will reduce hazardous fuels throughout the WUI but will focus initially on targeted pockets of homes on the perimeter of the City where a fast-moving fire from the wildland area will first contact homes. To augment and accelerate the Fire Department's efforts, the Berkeley FireSafe Council has recently asked for just under \$300,000 from the City to clean up the remaining groves on private property using tree and landscape contractors. The FireSafe Council has also applied for a \$400,000 California FireSafe Council, funded by CAL FIRE, that would focus on protecting low-income, elderly, and disabled residents. If funded, the Berkeley FireSafe Council will hire landscape contractors to remove the remaining heavy deposits of hazardous fuel in the groves and do residential defensible space work in many residences. UC Berkeley is also continuing to clean up the understory of hazardous tree groves on its property.

Published by the Berkeley FireSafe Council
<https://www.berkeleyfiresafecouncil.org/>

Regardless of the source of funds or who does the work, the hazardous understory of the eucalyptus groves and other hazardous fuel loads inside Berkeley need to be cleaned up as soon as possible and then strictly maintained.

Create a Wide Fuel Break along the WUI

The hazardous fuel inside Berkeley is a large risk. But an even larger risk is in Tilden Park and in the UC Berkeley Hill Campus, with dozens of unmanaged Eucalyptus groves and thousands of trees immediately east of the city and campus. The Berkeley FireSafe Council has asked the East Bay Regional Parks District to clean up the groves immediately east of Berkeley and it has begun to do this with a recently expanded fuels management program. The Parks District, EBMUD, UC Berkeley and The City of Berkeley are seeking additional funds from CAL FIRE to broaden and accelerate the expansion of the fuel break between the city and Tilden Park. Called The Grizzly Peak Strategic Fuel Break Collaborative, this grant application is an important and laudable development.

The Berkeley FireSafe Council estimates that all of the hazardous understory in Tilden Park and the Hill Campus east of the Berkeley could be cleaned up within a mile of the WUI for a cost of \$5 to \$10 million. Finding the money does not appear to be the limiting factor. The Park District's fire chief, Aileen Theile, has expanded her fuels management staff by 240% in the last one to two years and is removing ground fuels as fast as resources allow and within the requirements that govern the Park District's fuel management approach. We do not believe there is a current plan to clear the understory inside the Hill Campus.

Again, regardless of the funding and property ownership, the forest areas east of Berkeley must be cleaned up as quickly as possible and then maintained.

Manage Vegetation on Our Properties

As mentioned earlier, Berkeley's new Fire Chief, David Sprague, has just launched a new vegetation management program, which will begin using Measure FF funds to help some homeowners remove fuel from their properties. This vegetation management program will not be easy to implement. Following anticipated State of California standards, we may need to remove virtually all flammable material (plants, wood chips, etc.) within five feet of our homes. This area is called "Zone Zero." Science and experience have shown that, in an ember storm, these flammable materials can quickly ignite the home. Some of our favorite shrubs will have to go. In some cases, rows of Juniper, Pine, or Bamboo planted up against houses will need to be removed entirely. Many of us won't like this, but it must be done. Insurers like State Farm are already abandoning California's homeowner insurance market. Eventually, insurance companies may rate {wild}fire risk by neighborhood or property-by-property. We may all need to comply with the new standards to lower our insurance premiums or to maintain insurance coverage at all.

Published by the Berkeley FireSafe Council
<https://www.berkeleyfiresafecouncil.org/>

And if you have eucalyptus on your property, keep the trees stripped of loose bark at least 10 feet above ground, remove sprouts, saplings, and low branches, and remove fallen bark and leaves from the ground (a “Healthy Forest Operation”). The Berkeley FireSafe Council is working to clean up the groves spanning multiple properties after years of neglect. When this is completed, homeowners must maintain their properties annually or the hazard will return within three to five years, as more debris falls and new vegetation grows. If you are one of the 17 residences with only a few isolated eucalyptus trees, clean them up now.

Vegetation standards will also include requirements from five to 30 feet from the home, and out to 100 feet from the home (or your neighbor’s home). The 100-foot standard will encompass virtually every square yard of Berkeley. So, get ready. You *will* be inspected. Please understand that your Berkeley Fire Department inspector is coming to keep you safe – we are all on the same team.

Harden Our Houses and Buildings

In parallel with the vegetation management program, the Fire Department is also launching a home hardening program, also using Measure FF to help some property owners to harden their homes and buildings against ignition in an ember storm. Gutters and vents will need to be screened with 1/8th or 1/16th inch screening. Eaves will need to be of a certain design. Roofing material will need to be “Class A” (fire resistant). And you may need to replace old single-pane windows with heat-resistant double pane glass.

The Fire Department will do a two-part inspection, one for vegetation and one for home hardening. Implementing the vegetation portion is mandatory under state law. The home hardening actions will initially be voluntary but may become mandatory to maintain home insurance soon. Even if you are not required to do so, we urge you to take the time to harden your home. No amount of fuel reduction in the WUI will prevent embers from landing against or traveling inside your house in a wind-driven fire. Home hardening is your last, best defense.

Reclaim the Forest

The last of the five fundamentals will be to replace the hazardous trees themselves with fire-resistant species using proven urban forestry practices. We call this “reclaiming the forest” because it will not only greatly diminish the catastrophic fire risk, but it will also return our wooded areas to a healthy, natural state.

The blue gum eucalyptus tree is not only one of the most hazardous trees from a fire risk perspective, it is also invasive. With time, eucalyptus trees often take over a forest. Their canopy sits high above other trees, limiting their light and starving them of nutrients. They produce toxic allelochemicals that prevent the growth of other, natural vegetation. Smaller trees and shrubs are squeezed out. The forest floor becomes covered with highly flammable bark, killing other plants, preventing grass from growing, and destroying habitat for many animal species. A

Published by the Berkeley FireSafe Council
<https://www.berkeleyfiresafecouncil.org/>

dense, unmaintained eucalyptus grove is largely a dead forest, except for the eucalyptus. Finally, because eucalyptus groves are extremely tall and reach very high stand “basal areas,” the volume of flammable material they present is far greater than that of historical WUI vegetation patterns. Their burn time and energy of combustion are therefore unprecedented for the East Bay Hills area. There are other hazardous tree species in Berkeley, but the eucalyptus is the most hazardous and outnumbers the others by a wide margin.

The Berkeley FireSafe Council has seen first-hand what happens when a eucalyptus understory is cleaned up. Sunlight can reach into the groves, and grass comes back almost immediately. Tilden Park has a poster showing the before-and-after benefits of a Healthy Forest Operation. The eucalyptus trees are stripped of loose bark, low limbs and saplings are removed, ground fuels are cleaned up, and some small or damaged trees are removed. With sunlight entering and ground fuels removed, the natural, healthy forest quickly comes back, even without removing the eucalyptus trees.

A more dramatic example of reclaiming the forest is a demonstration project called Skyline Gardens right here in the Berkeley/Oakland hills. The project is managed by the East Bay Municipal Utilities District (EBMUD) along a watershed area between the Tilden Park Steam Trains and Four Corners. Most of the eucalyptus trees were removed and regrowth prevented by repeatedly stripping sprouts from the stumps, without the use of chemicals. With most of the eucalyptus removed, the landscape has been totally transformed. Wildflowers are blooming, small- and medium-sized shrubs have re-established, and rare wildlife and butterflies have returned. The Sierra Club and the Claremont Canyon Conservancy have also produced a video that shows the dramatic transformation that occurs when eucalyptus is removed from a forest. This isn’t just about fire safety. It is about restoring the landscape and the environment to a healthy state.

Reclaiming the forest will be a big job. But it is not insurmountable. Berkeley Lab is planning to complete the transformation of its campus with a CAL FIRE grant of only \$2.9 million. In 2019 UC Berkeley developed a plan to remove hazardous trees and ground fuels from the Hill Campus with a \$3.4 million CAL FIRE grant and has just won a California Appeals Court ruling allowing it to proceed with this project. On private land, Zaytuna College will replace the remaining eucalyptus trees on its Marin Avenue campus for \$250,000, re-landscaping with fruit trees and terraced gardens. We estimate that the 1,000+ eucalyptus trees on private (residential) properties inside Berkeley could be replaced with safer trees for about \$5 million. Most homeowners would like this to be done but don’t have the funds to do it themselves. Since the entire city faces a catastrophic risk from these trees, underwriting this effort would be an appropriate use of public funds, if approved.

Reclaiming the forest in Tilden Park will be a larger task. There is not a total consensus as to its necessity, but most firefighting professionals agree that reclaiming the forest would greatly reduce the risk of a catastrophic fire, simply because it would greatly reduce the volume of highly flammable vegetative fuels. If done in stages, this too could be accomplished within 10

Published by the Berkeley FireSafe Council
<https://www.berkeleyfiresafecouncil.org/>

to 20 years. And within about 20 years it would cost less to restore fire-resistant vegetation than to conduct repeated maintenance of the existing hazardous species in the forest. As is the case with all large projects, this will never be done unless we start now.

Henry DeNero is President of the Berkeley FireSafe Council. He is a former senior partner of the management consulting firm McKinsey & Company, and has served in executive roles or on the boards of directors of 10 publicly-owned companies and five not-for-profit organizations. He has chaired the audit committees of several of these organizations and is an expert in Enterprise Risk Management, the practice of identifying and mitigating an organization's most significant risks.

Nancy Gillette is a member of Berkeley FireSafe Council's leadership group and chairs its Urban Forestry Committee. She holds a Ph.D. in Forest Entomology from UC Berkeley and is retired from a 40-year career in US Forest Service Research. She also served as liaison between USFS Forest Health Protection and the US EPA's Biopesticide Division.

Holbrook, Marcia

Subject: FW: Extreme fire hazard

From: Victor Ryerson [REDACTED]
Date: July 17, 2023 at 12:18:27 PM PDT
To: "Isaacs, Jeff" <jisaacs@mofd.org>
Subject: Fwd: Extreme fire hazard

Corrected address on email

Sent from my iPhone

Begin forwarded message:

From: Victor Ryerson [REDACTED]
Date: July 17, 2023 at 10:14:10 AM PDT
To: jisascs@mofd.org
Subject: Extreme fire hazard

Mr. Isaacs:

I took these photos yesterday evening while I was walking my dog through the Orinda Intermediate School parking lot. Please note the expended firework on the ground. I also saw a cigarette butt a short distance away.

When is MOFD going to get serious about enforcing requirements to clean up flammable brush and dead leaves and branches on the OUSD side of the creek? Some of this material is several years old, and nothing has been done in response to complaints by us neighbors since a herd of goats was brought in to start the clearance. They just added to the problem by killing scrub oak bushes by eating the bark.

As you can see, a eucalyptus tree fell during a winter storm this year. The trunk was cut and removed, but all the slash and leaf litter was left. It has now dried out, adding to the tinder box.

This situation has become critical. There are workers operating heavy equipment nearby, and parents parking in the the lot on weekday evenings to wait for their children engaged in soccer programs. This is a disaster waiting to happen.

Do something—please!

Victor Ryerson
[REDACTED]





Sent from my iPhone



Moraga-Orinda Fire District
Board of Directors

Finance Report
July 19, 2023

Strike Team Reimbursement - OES

• Strike Team Receivable Update:

	Estimated <u>2022-2023</u>
OES Strike Team Receivable	\$1,106,257
OES Payments Received	<u>\$1,006,319</u>
Net Receivable Outstanding	\$ 99,938

- Invoices have been received for all but two S/T Assignments.
- No Change since last Board meeting

Other Items

- FY2023 accounting close is in-process
- Interim audit in-process week of July 17th
- \$3 million Treasury Bill matured on 6/22/23. The District purchased the following:
 - 6/23/23 \$3 million Treasury Bill – 90 day maturity – 5.29% yield
 - 6/27/23 \$1 million Treasury Bill – 90 day maturity – 5.279% yield
- District has total of \$9 million invested in 90 day Treasury Bills with \$5 million maturing on 7/25/23.
- CCCERA FY2024 prepayment of \$6.4M due 7/31/2023



Moraga-Orinda Fire District Board of Directors

Human Resources Update – July 19, 2023

RECRUITMENT UPDATE

- Firefighter Paramedic Trainee
- Office Specialist, Fire Prevention
- Fuels Mitigation Specialist

EMPLOYMENT CHANGES

- Fire Academy Graduate – Richard Cotter, 6/29/2023
- Employee Separation – Fuels Mitigation Specialist, Nat MacMillan, last day 7/21/2023

7.4(d) Tunnel East Bay Hills Fuel Break Project Presentation






MOFD Board Update July 19, 2023



Event Action Plan																																																																																																																																																																																																											
 <h2 style="color: red; text-decoration: underline;">INDEPENDENCE DAY</h2> <p style="text-align: center;">July 4, 2023 to July 5 0800 hrs. - 0800 hrs.</p>	<p>ISSUED: 07/19/23 By: Fire Chief, San Francisco Fire Department Title: Fire Chief, San Francisco Fire Department Date: 07/19/23 Version: 1.0 Purpose: To provide a checklist of tasks for the Fire Department to follow during the Independence Day event on July 4, 2023.</p> <p>SCOPE: This plan applies to all Fire Department units and personnel participating in the Independence Day event on July 4, 2023.</p> <p>OBJECTIVES: The primary objective of this plan is to ensure the safe and successful execution of the Independence Day event. Secondary objectives include providing a checklist of tasks for all participating units and personnel, and ensuring that all units and personnel are aware of their roles and responsibilities during the event.</p> <p>ASSIGNMENTS: This plan assigns specific tasks to various units and personnel. The tasks are listed in the following table:</p> <table border="1" style="width: 100%; border-collapse: collapse; font-size: 6px;"> <thead> <tr> <th>Unit/Personnel</th> <th>Task</th> </tr> </thead> <tbody> <tr> <td>Engine 1</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 2</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 3</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 4</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 5</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 6</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 7</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 8</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 9</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 10</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 11</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 12</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 13</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 14</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 15</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 16</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 17</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 18</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 19</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 20</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 21</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 22</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 23</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 24</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 25</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 26</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 27</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 28</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 29</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 30</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 31</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 32</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 33</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 34</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 35</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 36</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 37</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 38</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 39</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 40</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 41</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 42</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 43</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 44</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 45</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 46</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 47</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 48</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 49</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 50</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 51</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 52</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 53</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 54</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 55</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 56</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 57</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 58</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 59</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 60</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 61</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 62</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 63</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 64</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 65</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 66</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 67</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 68</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 69</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 70</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 71</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 72</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 73</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 74</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 75</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 76</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 77</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 78</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 79</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 80</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 81</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 82</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 83</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 84</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 85</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 86</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 87</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 88</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 89</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 90</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 91</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 92</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 93</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 94</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 95</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 96</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 97</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 98</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 99</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> <tr> <td>Engine 100</td> <td>Arrive at the event location at 07:00 hours.</td> </tr> </tbody> </table>	Unit/Personnel	Task	Engine 1	Arrive at the event location at 07:00 hours.	Engine 2	Arrive at the event location at 07:00 hours.	Engine 3	Arrive at the event location at 07:00 hours.	Engine 4	Arrive at the event location at 07:00 hours.	Engine 5	Arrive at the event location at 07:00 hours.	Engine 6	Arrive at the event location at 07:00 hours.	Engine 7	Arrive at the event location at 07:00 hours.	Engine 8	Arrive at the event location at 07:00 hours.	Engine 9	Arrive at the event location at 07:00 hours.	Engine 10	Arrive at the event location at 07:00 hours.	Engine 11	Arrive at the event location at 07:00 hours.	Engine 12	Arrive at the event location at 07:00 hours.	Engine 13	Arrive at the event location at 07:00 hours.	Engine 14	Arrive at the event location at 07:00 hours.	Engine 15	Arrive at the event location at 07:00 hours.	Engine 16	Arrive at the event location at 07:00 hours.	Engine 17	Arrive at the event location at 07:00 hours.	Engine 18	Arrive at the event location at 07:00 hours.	Engine 19	Arrive at the event location at 07:00 hours.	Engine 20	Arrive at the event location at 07:00 hours.	Engine 21	Arrive at the event location at 07:00 hours.	Engine 22	Arrive at the event location at 07:00 hours.	Engine 23	Arrive at the event location at 07:00 hours.	Engine 24	Arrive at the event location at 07:00 hours.	Engine 25	Arrive at the event location at 07:00 hours.	Engine 26	Arrive at the event location at 07:00 hours.	Engine 27	Arrive at the event location at 07:00 hours.	Engine 28	Arrive at the event location at 07:00 hours.	Engine 29	Arrive at the event location at 07:00 hours.	Engine 30	Arrive at the event location at 07:00 hours.	Engine 31	Arrive at the event location at 07:00 hours.	Engine 32	Arrive at the event location at 07:00 hours.	Engine 33	Arrive at the event location at 07:00 hours.	Engine 34	Arrive at the event location at 07:00 hours.	Engine 35	Arrive at the event location at 07:00 hours.	Engine 36	Arrive at the event location at 07:00 hours.	Engine 37	Arrive at the event location at 07:00 hours.	Engine 38	Arrive at the event location at 07:00 hours.	Engine 39	Arrive at the event location at 07:00 hours.	Engine 40	Arrive at the event location at 07:00 hours.	Engine 41	Arrive at the event location at 07:00 hours.	Engine 42	Arrive at the event location at 07:00 hours.	Engine 43	Arrive at the event location at 07:00 hours.	Engine 44	Arrive at the event location at 07:00 hours.	Engine 45	Arrive at the event location at 07:00 hours.	Engine 46	Arrive at the event location at 07:00 hours.	Engine 47	Arrive at the event location at 07:00 hours.	Engine 48	Arrive at the event location at 07:00 hours.	Engine 49	Arrive at the event location at 07:00 hours.	Engine 50	Arrive at the event location at 07:00 hours.	Engine 51	Arrive at the event location at 07:00 hours.	Engine 52	Arrive at the event location at 07:00 hours.	Engine 53	Arrive at the event location at 07:00 hours.	Engine 54	Arrive at the event location at 07:00 hours.	Engine 55	Arrive at the event location at 07:00 hours.	Engine 56	Arrive at the event location at 07:00 hours.	Engine 57	Arrive at the event location at 07:00 hours.	Engine 58	Arrive at the event location at 07:00 hours.	Engine 59	Arrive at the event location at 07:00 hours.	Engine 60	Arrive at the event location at 07:00 hours.	Engine 61	Arrive at the event location at 07:00 hours.	Engine 62	Arrive at the event location at 07:00 hours.	Engine 63	Arrive at the event location at 07:00 hours.	Engine 64	Arrive at the event location at 07:00 hours.	Engine 65	Arrive at the event location at 07:00 hours.	Engine 66	Arrive at the event location at 07:00 hours.	Engine 67	Arrive at the event location at 07:00 hours.	Engine 68	Arrive at the event location at 07:00 hours.	Engine 69	Arrive at the event location at 07:00 hours.	Engine 70	Arrive at the event location at 07:00 hours.	Engine 71	Arrive at the event location at 07:00 hours.	Engine 72	Arrive at the event location at 07:00 hours.	Engine 73	Arrive at the event location at 07:00 hours.	Engine 74	Arrive at the event location at 07:00 hours.	Engine 75	Arrive at the event location at 07:00 hours.	Engine 76	Arrive at the event location at 07:00 hours.	Engine 77	Arrive at the event location at 07:00 hours.	Engine 78	Arrive at the event location at 07:00 hours.	Engine 79	Arrive at the event location at 07:00 hours.	Engine 80	Arrive at the event location at 07:00 hours.	Engine 81	Arrive at the event location at 07:00 hours.	Engine 82	Arrive at the event location at 07:00 hours.	Engine 83	Arrive at the event location at 07:00 hours.	Engine 84	Arrive at the event location at 07:00 hours.	Engine 85	Arrive at the event location at 07:00 hours.	Engine 86	Arrive at the event location at 07:00 hours.	Engine 87	Arrive at the event location at 07:00 hours.	Engine 88	Arrive at the event location at 07:00 hours.	Engine 89	Arrive at the event location at 07:00 hours.	Engine 90	Arrive at the event location at 07:00 hours.	Engine 91	Arrive at the event location at 07:00 hours.	Engine 92	Arrive at the event location at 07:00 hours.	Engine 93	Arrive at the event location at 07:00 hours.	Engine 94	Arrive at the event location at 07:00 hours.	Engine 95	Arrive at the event location at 07:00 hours.	Engine 96	Arrive at the event location at 07:00 hours.	Engine 97	Arrive at the event location at 07:00 hours.	Engine 98	Arrive at the event location at 07:00 hours.	Engine 99	Arrive at the event location at 07:00 hours.	Engine 100	Arrive at the event location at 07:00 hours.
Unit/Personnel	Task																																																																																																																																																																																																										
Engine 1	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 2	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 3	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 4	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 5	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 6	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 7	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 8	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 9	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 10	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 11	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 12	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 13	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 14	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 15	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 16	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 17	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 18	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 19	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 20	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 21	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 22	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 23	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 24	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 25	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 26	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 27	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 28	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 29	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 30	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 31	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 32	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 33	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 34	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 35	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 36	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 37	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 38	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 39	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 40	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 41	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 42	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 43	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 44	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 45	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 46	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 47	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 48	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 49	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 50	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 51	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 52	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 53	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 54	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 55	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 56	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 57	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 58	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 59	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 60	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 61	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 62	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 63	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 64	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 65	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 66	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 67	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 68	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 69	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 70	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 71	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 72	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 73	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 74	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 75	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 76	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 77	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 78	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 79	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 80	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 81	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 82	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 83	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 84	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 85	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 86	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 87	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 88	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 89	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 90	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 91	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 92	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 93	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 94	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 95	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 96	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 97	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 98	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 99	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										
Engine 100	Arrive at the event location at 07:00 hours.																																																																																																																																																																																																										



7.4(e) Operations Presentation

Moraga-Orinda Fire District

4th of July Fireworks-GOING CHECKLIST

Incident Name: _____ Date: _____

1. Yes No Weather: Time _____ Temp _____ @ _____ Wind Direction _____
2. Yes No Wind Speed _____ Location _____
Spot forecast reviewed and reviewed. No adverse weather conditions or changes expected.
3. Yes No Applicable permit/notifications have been issued and permit complies with all qualifications of the permit approval?
4. Yes No Personnel and equipment required in the IAP are in position
5. Yes No All personnel have been notified on the IAP
6. Yes No Notifications have been made
7. Yes No Wind speed less than 20 MPH
8. Yes No Temperature less than 90° F
9. Yes No Relative humidity is greater than 10%
10. Yes No Has RFD issued a Fire Weather Watch or Red Flag Warning
11. Yes No Fuel has been checked? If no, do not run unless approved to modify the plan has been received
12. Yes No
 - a. # ICS/State approved fire operations
 - b. Fuel in tank
13. Yes No Can the plan be modified or actions taken to modify the situation?
 - a. # ICS/State permit call of fireworks display
 - b. # YES Describe plan change or action.

Fire Marshal or Designee Signature: _____ Date: _____ Time: _____







Moraga-Orinda Fire District Timing of Pension Information

PENSION LIABILITY

- June 30, 2022 – most recent information provided by CCCERA
 - GovInvest software reflects June 30, 2022 information
- June 30, 2023 – information will be provided by CCCERA in September/October 2023
 - GovInvest software annual update occurs after information is provided by CCCERA

PENSION RATE STABILIZATION SECTION 115 TRUST

- GovInvest discussion based on June 30, 2022 market value of assets: \$6,845,315
- March 2023 - District contributed additional \$2,108,577
- April 30, 2023 market value of assets \$9,553,920 (most recent information)
- June 30, 2023 statement to be received in August 2023

Incident Types

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

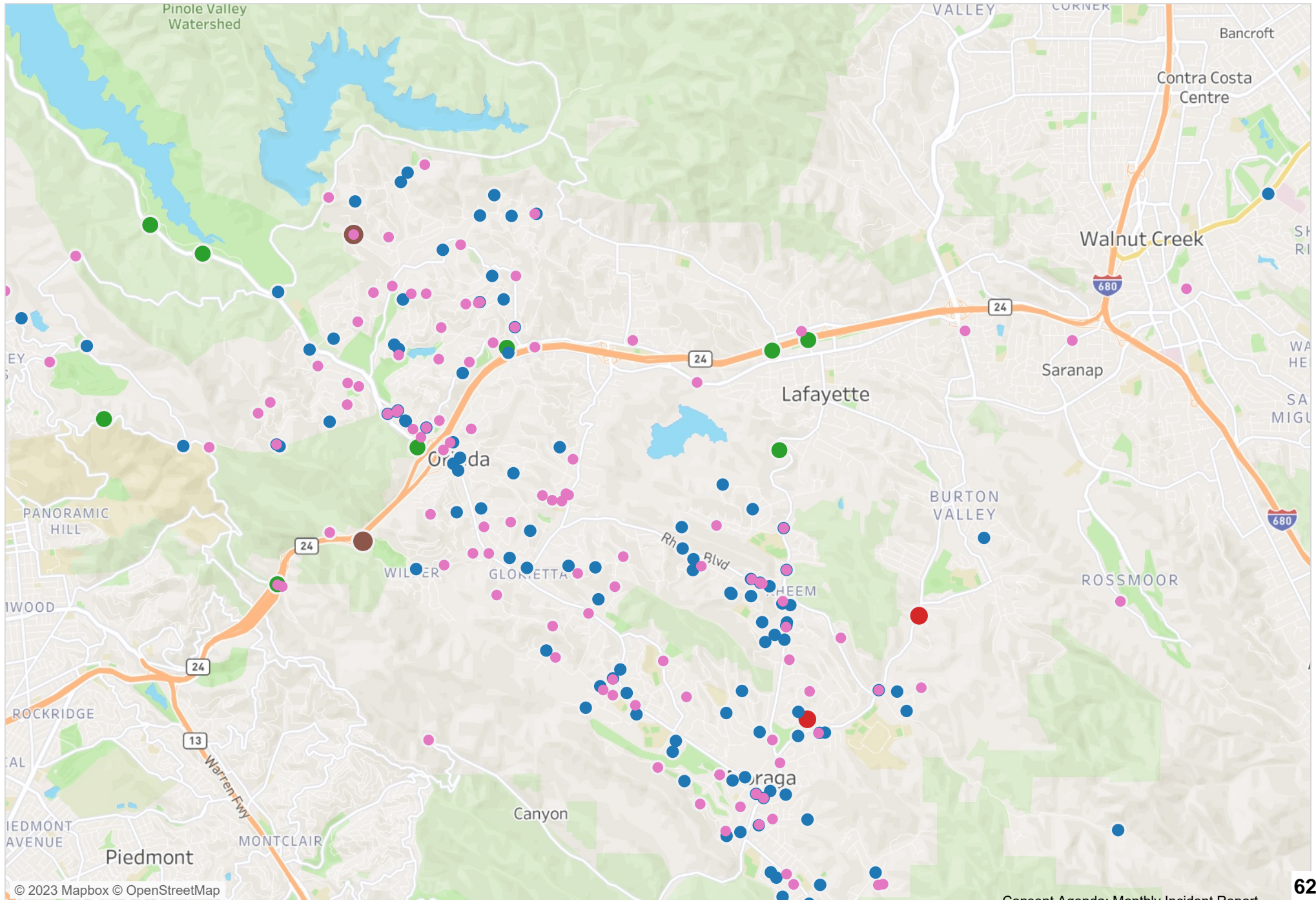
Veg Fires

Vehicle Accidents

Structure Fires

Technical ..

Incident Location Map for MOFD July 2023



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.

	July, 2023									Totals
	All Others (Alarms / Pub Service / ..)		EMS / Rescue		Structure Fires		Veg Fires	Vehicle Accidents		
	In District	Out of Dist.	In District	Out of Dist.	In District	Out of Dist.	Out of Dist.	In District	Out of Dist.	
Incident Totals	92	1	147	7	1	1	1	5	5	260
Median Turnout	1.17	2.25	1.21	0.45	0.68	1.47	2.78	1.05	1.15	1.18
Median Resp Time	6.07	111.80	5.23	8.82	7.47	6.23	13.02	6.55	11.57	5.64
Resp Time (90th%)	9.42	111.80	10.14	18.28	7.47	6.23	13.02	10.63	14.00	10.51

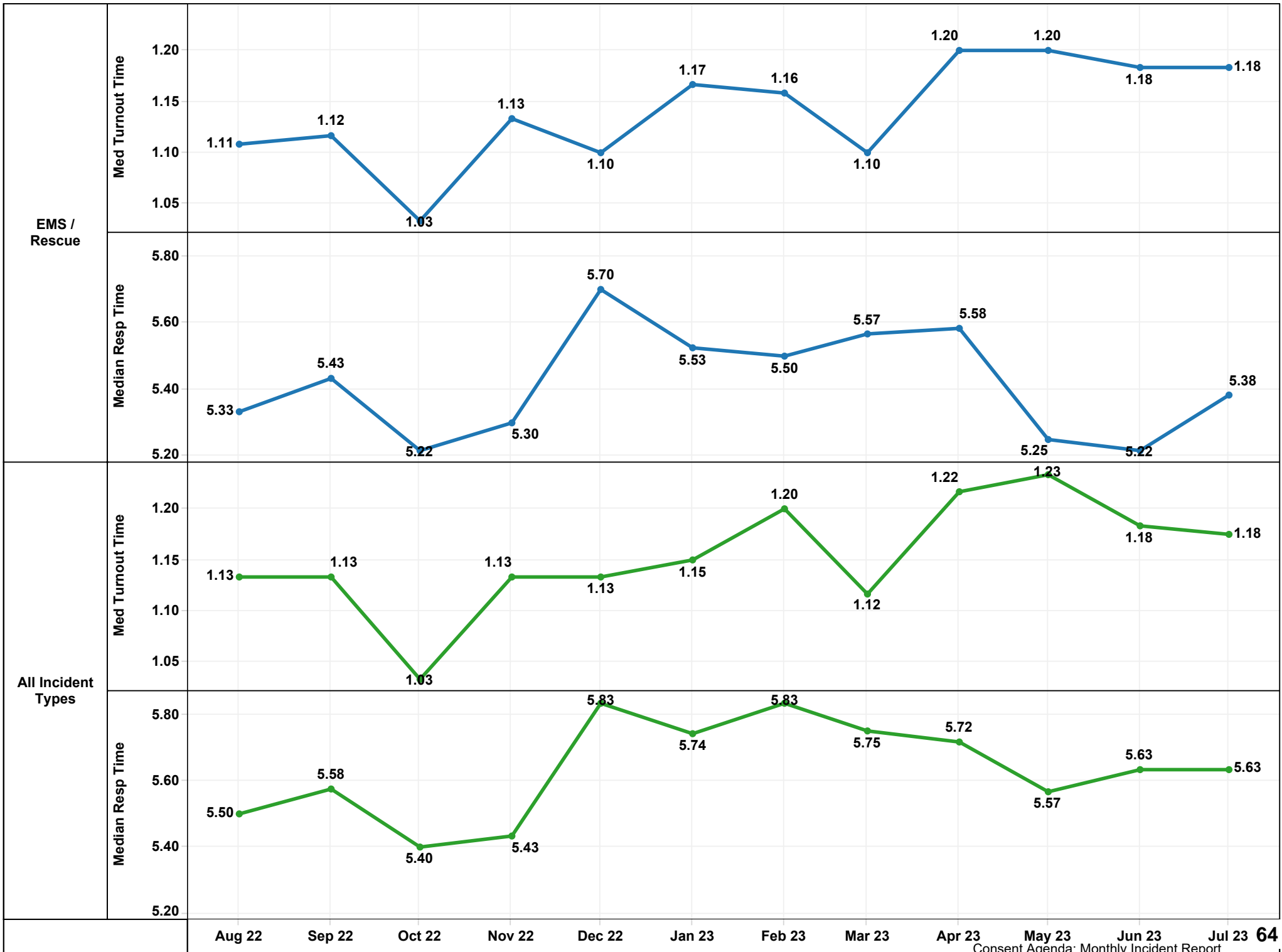
Code 3 Response Time Summary by City and Incident Type. Times shown are based on the First Responding Units Arrival at Scene of Emergency.

		July, 2023			
		Incident Totals	Median Turnout	Median Resp Time	Resp Time (90th%)
Orinda	EMS / Rescue	51	1.10	6.05	10.38
	All Other Types	16	1.28	6.34	8.31
	Totals for City	67	1.22	6.08	10.37
Moraga	EMS / Rescue	66	1.23	4.73	7.60
	Structure Fires	1	0.68	7.47	7.47
	All Other Types	15	1.00	5.83	7.33
	Totals for City	82	1.20	5.13	7.52
Lafayette	EMS / Rescue	3	1.05	8.82	10.30
	Structure Fires	1	1.47	6.23	6.23
	Totals for City	4	1.08	7.53	10.30
Overall Total		153	1.18	5.42	9.22

Response Totals By Incident Type

	Aug 22	Sep 22	Oct 22	Nov 22	Dec 22	Jan 23	Feb 23	Mar 23	Apr 23	May 23	Jun 23	Jul 23	Total
All Others (Alarms / Pub Service / Etc.)	116	100	91	111	113	140	90	151	88	104	108	137	1,349
EMS / Rescue	165	182	164	166	212	196	144	179	179	141	185	154	2,067
Structure Fires	3	2	2	2	4		6	3		2	2	2	28
Veg Fires	2	4	2						1	1	1	1	12
Vehicle Accidents	12	29	17	23	31	24	23	32	19	28	22	10	270
Grand Total	298	317	276	302	360	360	263	365	287	276	318	304	3,726

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 7/1/2023 Through 7/31/2023

Check Number	Check Date	Name	Check Amount	Transaction Description
<u>50 - General Fund</u>				
WireCCERA07.28.23a	7/28/2023	CCCERA	6,600,000.00	Correct date - CCCERA Prepayment 2023.2024
ACHCalpers07.10.23	7/10/2023	Calif. Public Employees'	213,864.73	CalPers 7/10/23
ACHCCERA07.10.23	7/7/2023	CCCERA	171,777.43	CCCERA Payroll 7/10/23
ACHFAIRA07.19.23-04	7/20/2023	FAIRA	169,975.00	Prop & Liab Ins FY24
ACHHRS07.02.23 001409	7/7/2023	MissionSquare Retirement	27,396.81	HRSA Payment 7/10 Payroll
BPGoGov07.06.23	7/20/2023	Definitive Networks, Inc.	18,471.00	IT Service and Internet June 2023
ACHCalCard07.12.23	7/6/2023	GOGovApps	17,448.00	Go Gov Renewal FY23.24
ACHDDental07.10.23 001405	7/12/2023	U.S. Bank	16,359.01	ACH Cal Card Statement 6/22/23
ACHHDDental07.10.23 001405	7/10/2023	Delta Dental Plan of Calif.	16,321.00	Delta Dental July 2023
ACHRenne06.30.23	7/20/2023	CC County Auditor-Controller	14,529.76	LAFCO Cost Appn for FY23-24
ACHGranicus07.19.23- 001388	7/6/2023	Renne Public Law Group, LLP	13,976.97	Legal Services
ACHGovInvest07.06.23	7/20/2023	Granicus	13,825.35	Renewal FY24
ACHIAFFDues07.07.23	7/13/2023	Alameda County Fire Department	11,451.08	Repair/Service Units 441 459 463 442 409
ACHHuntSons06.30.23	7/6/2023	GovInvest Inc.	11,407.50	OPEB/Pension Module
ACHEastBayTire07.19.	7/7/2023	IAFF Local 1230 Dues	7,273.81	IAFF Dues 7/10 Payroll
ACHBoundtree07.12.23	7/6/2023	Hunt & Sons, Inc.	7,130.52	Fuel 06.22.23
ACHWCC06.30.23	7/20/2023	East Bay Tire Company	5,540.53	Replacement Tires Unit 405 and 460
BPALCO06.30.23	7/13/2023	Bound Tree Medical, LLC	4,845.94	Medical Supplies June Invoices
001389	7/6/2023	West Coast Code Consultants	4,582.50	Plan review - June
001414	7/6/2023	Alameda County Fire Department	4,575.55	Apparatus service /repair
ACHVector07.06.23	7/13/2023	American Fidelity Assurance	4,164.67	FSA/Dep Care July 2023
ACHKronos07.06.23	7/20/2023	Greg Kennedy	4,080.00	Paramedic Training - May/June/July
BPCHealth07.06.23	7/6/2023	TargetSolutions Learning, LLC	4,075.50	Telestaff 23.24
ACHLNCurtis06.30.23	7/6/2023	Kronos Incorporated	3,547.33	Telestaff 23.24
ACHMMan07.12.13-03	7/6/2023	Contra Costa Health Services	3,152.00	CUPA Permits
WireFDAC07.12.23-01 001412	7/6/2023	L.N. Curtis & Sons	2,605.80	PPE
001406	7/13/2023	Minuteman Press	2,511.33	Citation Letters
OnlineEBMUD07.12.13- 001416	7/13/2023	Keenan & Associates	2,505.22	Life/Suppl Life/VSP - July 2023
ACHMOPFA07.07.23 001411	7/20/2023	Interstate Steel Structures, Inc.	2,330.49	Carpport
001417	7/20/2023	Contra Costa Door	2,239.00	Stn 44 Apparatus Door Repair
ACHSunValley07.19.23	7/13/2023	EBMUD	2,126.48	Water Service
OnlineVerizon07.06.2	7/20/2023	Setcom Corporation	1,958.10	Radio Transmit and Intercom Only Headsets
ACHIAFFIns07.07.23 001393	7/7/2023	Moraga-Orinda Professional Firefigh	1,958.00	MOPFA 7/10 Payroll
ACHNorcal07.07.23	7/20/2023	GOGovApps	1,920.00	Integration to Data Ticket FY24
OnlineRepSvc07.12.13 BPADP06.30.23	7/20/2023	Walnut Creek Ford	1,874.73	Unit 460 Air Conditioner Repair
BPStaples06.30.23	7/20/2023	Sun Valley Heating & Air Conditionir	1,850.00	HVAC Service All Stations - June 2023
OnlinePGE07.19.23-01	7/31/2023	Verizon Wireless	1,793.85	Wireless - online pymt 7/6/23
BPCalFireChiefs07.06 001390	7/7/2023	IAFF Local 1230 Insurance	1,786.00	IAFF Insurance 7/10 payroll
001396	7/13/2023	Bay Area News Group	1,776.76	Legal Ads June 2023
001413	7/7/2023	1st NorCal Federal Credit Union	1,702.20	Norcal 7/7/23
ACHDataTicket07.12.2 001395	7/13/2023	Republic Services	1,600.43	Trash Service - July
BPBayAlarm07.06.23	7/6/2023	ADP, Inc.	1,501.15	Payroll Processing Service
	7/6/2023	Staples Business Credit	1,471.69	Household supplies
	7/20/2023	Pacific Gas & Electric	1,209.12	Gas & Electric Service Stn 41 and Admin
	7/6/2023	California Fire Chiefs Association	1,200.10	Cal Fire Chiefs Membership 23.24
	7/13/2023	American Fidelity	1,032.42	Suppl Insurance July 2023
	7/13/2023	Hunt & Sons, Inc.	1,013.35	Fuel Stn 41 07.05.23
	7/20/2023	The Permanente Medical Group	969.00	Firefighter Physicals Guarantor #320901350786
	7/13/2023	Data Ticket Inc.	875.13	Citation Processing Service June 2023
	7/13/2023	Got Watts Electric, Inc.	860.00	Stn 44 Electrical Repair
	7/6/2023	Bay Alarm Company	841.65	Monitoring Service

Moraga-Orinda Fire District
 Check/Voucher Register - Check Register
 From 7/1/2023 Through 7/31/2023

Check Number	Check Date	Name	Check Amount	Transaction Description
BPOtis07.06.23	7/6/2023	Otis Elevator	711.66	Elevator Maintenance
ACHALSCO06.30.23	7/6/2023	ALSCO - American Linen Divison	647.85	Monthly linen service June 2023
001402	7/20/2023	The Appliance Doctor	600.33	Stn 41 and Stn 43 Dishwasher Repair
001392	7/13/2023	Bay Area Air Quality Management D	490.00	BAAQMD Permit Fee
ACHMissionSq07.20.23	7/20/2023	MissionSquare Retirement	443.75	RHSA Account fee 4/1-6/30/23
ACHBRCK07.06.23	7/6/2023	BRCK Inc.	442.74	VOIP July
BPGuarPlumb07.06.23	7/6/2023	Guaranteed Plumbing	425.00	Plumbing Service
001408	7/20/2023	C.R. Fireline, Inc.	379.25	Extinguisher and bracket
001397	7/13/2023	Andrew Leach	350.00	Helmet Reimbursement
BPSmartClean07.06.23	7/6/2023	Smart Clean Building Maintenance I	300.00	Cleaning Service Admin
001400	7/13/2023	Revel Environmental Manufacturing	294.00	Stn 41 Sewer Filter Service
	7/13/2023	Revel Environmental Manufacturing	294.00	Stn 42 Sewer Filter Service
001403	7/20/2023	A T and T	286.45	CalNet 6/12-7/11/23 BAN 9391035207
BPADT07.06.23	7/6/2023	ADT Security Services	256.13	Security Service
001399	7/13/2023	Jacob Reberg	250.00	Paramedic License renewal
001415	7/20/2023	Pacific Office Automation	243.65	Copier Lease
BPThomsonReuters06.3	7/6/2023	Thomson Reuters	231.13	Fire Code update service
ACHChase07.06.23	7/6/2023		207.40	Bank Fees - July 2023
ACHIRS07.19.23	7/31/2023		204.00	IRS
001391	7/13/2023	A T and T	201.38	Calnet June 2023 BAN 9391053307
BPFarnung06.30.23	7/6/2023	Derek Stephen Farnung	200.00	Refund Citation
OnlinePGE07.12.13-02	7/13/2023	Pacific Gas & Electric	192.30	Gas Service
BPPitneyBowes07.06.2	7/6/2023	Pitney Bowes Global	181.55	Postage Meter Lease
001398	7/13/2023	Orinda Hardware & Rental	181.06	Supplie
BPPacificOff06.30.23	7/6/2023	Pacific Office Automation	167.54	Copier Lease
ACHUnitedSiteSvc06.3	7/6/2023	United Site Services	160.87	Port a Potty Service June
BPBioWaste06.30.23	7/6/2023	Biomedical Waste Disposal	158.00	Medical Waste Disposal
001394	7/13/2023	Clark Pest Control of Stockton Inc.	145.00	Pest Control Stn 45
ACHClark07.07.23	7/7/2023	Clark Pest Control of Stockton Inc.	136.00	Clark Pest Control 7/7
BPCClark06.30.23	7/6/2023	Clark Pest Control of Stockton Inc.	136.00	Pest Control
001401	7/20/2023	Airgas USA, LLC	132.10	Helium/Nitrogen
001407	7/20/2023	Comcast	93.85	Modem Stn 44 Jul 14-Aug 13 Acct 8155 40 06 0191002
BPComcast07.06.23	7/6/2023	Comcast	93.85	Modem
BPShredit06.30.23	7/6/2023	Shred-it	86.51	Shredding Service
ACHMinuteman06.30.23	7/6/2023	Minuteman Press	70.69	Business Cards - Chou
ACHAirgas06.30.23	7/6/2023	Airgas USA, LLC	56.10	Argon
001404	7/20/2023	AT&T	53.50	Internet Jul 10-Aug 9 Acct 293834673
001418	7/20/2023	Greta Yin	50.00	Ambulance Refund Incident 23026808 03.06.23
001410	7/20/2023	Department of Justice	<u>32.00</u>	Fingerprints
Total 50 - General Fund			7,422,869.63	

Moraga-Orinda Fire District
 Check/Voucher Register - Check Register
 From 7/1/2023 Through 7/31/2023

Check Number	Check Date	Name	Check Amount	Transaction Description
<u>62 - Fire Risk Reduction Grant</u>				
ACHRSA07.02.23	7/7/2023	MissionSquare Retirement	200.00	HRSA Payment 7/10 Payroll - FMS Grant
ACHDental07.10.23	7/10/2023	Delta Dental Plan of Calif.	55.96	Delta Dental July 2023
001389	7/13/2023	American Fidelity Assurance	<u>20.00</u>	FSA/Dep Care July 2023
		Total 62 - Fire Risk Reduction Grant	275.96	
Report Total			<u>7,423,145.59</u>	

**Moraga Orinda Fire District
General Fund
Actual to Budget Summary 7/1/23-7/31/23**

	Current Period Actual	Budget \$	Actual vs Budget	Prior Year Current Period Actual	Prior Year Change	Prior Year % Change	Comments
Revenue							
Total Taxes	29,399,999.54	32,201,888.00	(2,801,888.46)	27,366,049.70	2,033,949.84	7.43%	Property tax revenue trending appropriately
Investment Earnings	65,500.00	350,000.00	(284,500.00)	0.00	65,500.00		\$65k in interest from purchase of T Bill at 5.034%
Total Intergovernmental Revenue	-	233,148.00	(233,148.00)	-	-		
Total Charges for Service	16,320.21	200,350.00	(184,029.79)	11,153.80	5,166.41	46.32%	Increase in Plan review and Citation fees
Total Charges for Service - Ambulance	294.36	1,008,750.00	(1,008,455.64)	161,101.72	(160,807.36)	-99.82%	Ambulance billing for July 2023 not yet reported
Other Revenue-Strike Team Recovery	-	830,000.00	(830,000.00)	0.00	0.00		Strike team revenue fluctuates from year to year
Other Revenue	161.70	5,000.00	(4,838.30)	1,749.67	(1,587.97)	-90.76%	
Total Revenue	29,482,275.81	34,829,136.00	(5,346,860.19)	27,540,054.89	1,942,220.92	7.05%	
Expenses							
Salaries	916,145.90	12,136,945.00	11,220,799.10	933,801.53	(17,655.63)	-1.89%	Salaries are trending appropriately
Overtime	260,959.08	1,816,000.00	1,555,040.92	241,221.80	19,737.28	8.18%	Overtime fluctuates from year to year
Overtime - Strike Team	-	630,000.00	630,000.00	136,772.29	(136,772.29)	-100.00%	Strike Team overtime fluctuates from year to year
Retirement Contributions	558,846.00	7,314,911.00	6,756,065.00	486,864.21	71,981.79	14.78%	
Other Benefits	173,732.62	6,236,686.00	6,062,953.38	458,325.26	(284,592.64)	-62.09%	1st Quarter FASIS payment not yet paid - due 8/31/23 \$284k
	1,909,683.60	28,134,542.00	26,224,858.40	2,256,985.09	(347,301.49)	-15.39%	
Operating and Other Expense	259,752.51	7,327,232.00	7,067,479.49	231,680.87	28,071.64	181.82	Increase in Prop and Liability Insurance Cost
Total Expenditures	2,169,436.11	35,461,774.00	33,292,337.89	2,488,665.96	(319,229.85)	-12.83%	
Excess of Revenues Over/ (Under) Expenditures	27,312,839.70	(632,638.00)	27,945,477.70	25,051,388.93	2,261,450.77	9.03%	

Moraga-Orinda Fire District
Statement of Revenues and Expenditures - General Fund Actual to Budget 2023.2024
From 7/1/2023 Through 7/31/23

	Current Period Actual	Budget \$	Budget \$ Variance	Percent Budget Remaining	Prior Year Current Period Actual	Prior Year Change	Prior Year % Change
Total Revenue	29,482,275.81	34,829,136.00	(5,346,860.19)	(15.35)	27,540,054.89	1,942,220.92	7.05
Total Expenditures	<u>2,169,436.11</u>	<u>35,461,774.00</u>	<u>33,292,337.89</u>	<u>93.88</u>	<u>2,488,665.96</u>	<u>(319,229.85)</u>	<u>(12.83)</u>
Excess of Revenues Over/ (Under) Expenditures	27,312,839.70	(632,638.00)	27,945,477.70	(4,417.29)	25,051,388.93	2,261,450.77	9.03
Other Revenue-Strike Team Recovery	0.00	830,000.00	(830,000.00)	(100.00)%	0.00	0.00	0.00
Overtime - Strike Team	<u>0.00</u>	<u>630,000.00</u>	<u>(630,000.00)</u>	(100.00)%	<u>136,772.29</u>	<u>(136,772.29)</u>	0.00
	0.00	200,000.00	(200,000.00)		(136,772.29)	136,772.29	

Revenue

Taxes

Property Tax-Current Secured	4010	29,399,994.69	30,982,918.00	(1,582,923.31)	94.89%	27,176,650.02	2,223,344.67	1.08
Property Tax-Supplemental	4011	0.00	300,000.00	(300,000.00)	(100.00)%	189,399.68	(189,399.68)	(100.00)
Property Tax-Unitary	4013	0.00	250,000.00	(250,000.00)	(100.00)%	0.00	0.00	0.00
Property Tax-Curr Unsecured	4020	0.00	853,970.00	(853,970.00)	3,342.74%	0.00	0.00	0.00
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	(75,000.00)	75,000.00	(100.00)%	0.00	0.00	0.00
Prop Tax Prior Unsecured	4035	<u>4.85</u>	<u>(10,000.00)</u>	10,004.85	(100.05)%	<u>0.00</u>	<u>4.85</u>	<u>100.00</u>
Total Taxes		29,399,999.54	32,201,888.00	(2,801,888.46)	(8.70)%	27,366,049.70	2,033,949.84	1.08

Use of Money & Property

Investment Earnings	4181	<u>65,500.00</u>	<u>350,000.00</u>	<u>(284,500.00)</u>	-81.29	<u>0.00</u>	<u>65,500.00</u>	<u>100.00</u>
Total Use of Money & Property		65,500.00	350,000.00	(284,500.00)	(81.29)	0.00	65,500.00	100.00

Intergovernmental Revenue

Homeowners Relief Tax	4385	0.00	147,000.00	(147,000.00)	(100.00)%	0.00	0.00	0.00
Other/In Lieu of Taxes	4580	0.00	900.00	(900.00)	(100.00)%	0.00	0.00	0.00
Measure H-Emerg Med Ser Subsid	4896	<u>0.00</u>	<u>85,248.00</u>	<u>(85,248.00)</u>	(100.00)%	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Total Intergovernmental Revenue		0.00	233,148.00	(233,148.00)	(100.00)%	0.00	0.00	0.00

Charges for Service

Permits	4740	182.00	5,000.00	(4,818.00)	(96.36)%	368.00	(186.00)	(50.54)
Plan Review	4741	12,680.00	140,000.00	(127,320.00)	(90.94)%	8,848.00	3,832.00	43.31
Inspection Fees	4742	0.00	15,000.00	(15,000.00)	(100.00)%	274.00	(274.00)	(100.00)
Reports/ Photocopies	4746	66.00	350.00	(284.00)	(81.14)%	33.00	33.00	100.00
Other Charges for Service	4747	0.00	5,000.00	(5,000.00)	(100.00)%	0.00	0.00	0.00
Administrative Citation Fee	4748	<u>3,392.21</u>	<u>35,000.00</u>	<u>(31,607.79)</u>	(90.31)%	<u>1,630.80</u>	<u>1,761.41</u>	<u>108.01</u>
Total Charges for Service		16,320.21	200,350.00	(184,029.79)	(91.85)%	11,153.80	5,166.41	46.32

Charges for Service - Ambulance

Moraga-Orinda Fire District
Statement of Revenues and Expenditures - General Fund Actual to Budget 2023.2024
From 7/1/2023 Through 7/31/23

		Current Period Actual	Budget \$	Budget \$ Variance	Percent Budget Remaining	Prior Year Current Period Actual	Prior Year Change	Prior Year % Change
Ambulance Service Fees	4898	0.00	1,570,750.00	(1,570,750.00)	(100.00)%	161,080.72	(161,080.72)	(100.00)
Ambulance Service Fee Reimbursements	4899	0.00	(515,000.00)	515,000.00	(100.00)%	0.00	0.00	0.00
Ambulance Collection Recovery Payments	4900	294.36	3,000.00	(2,705.64)	(90.19)%	21.00	273.36	1,301.71
Ground Emergency Medical Transportation	4901	0.00	(50,000.00)	50,000.00	(100.00)%	0.00	0.00	0.00
Total Charges for Service - Ambulance		294.36	1,008,750.00	(1,008,455.64)	(99.97)%	161,101.72	(160,807.36)	(99.82)
Other Revenue								
Other Revenue-Strike Team Recovery	4971	0.00	830,000.00	(830,000.00)	(100.00)%	0.00	0.00	0.00
Other Revenue-Misc.	4974	0.00	1,000.00	(1,000.00)	(100.00)%	0.00	0.00	0.00
Misc Rebates & Refunds	4975	161.70	3,500.00	(3,338.30)	(95.38)%	0.00	161.70	100.00
Sale of Surplus Property	4980	0.00	500.00	(500.00)	(100.00)%	0.00	0.00	0.00
Transfers In	4999	0.00	0.00	0.00	0.00%	1,749.67	(1,749.67)	(100.00)
Total Other Revenue		161.70	835,000.00	(834,838.30)	(99.98)%	1,749.67	(1,587.97)	(90.76)
Total Revenue		29,482,275.81	34,829,136.00	(5,346,860.19)	-15.35	27,540,054.89	1,942,220.92	7.05
Expenditures								
Salaries & Benefits								
Permanent Salaries	5011	912,818.22	12,039,308.00	11,126,489.78	92.42%	927,260.00	(14,441.78)	(1.56)
Temporary Salaries	5013	3,327.68	97,637.00	94,309.32	96.59%	6,541.53	(3,213.85)	(49.13)
Overtime	5014	260,959.08	1,816,000.00	1,555,040.92	85.67%	241,221.80	19,737.28	7.86
Deferred Compensation/RHSA	5015	9,046.00	121,904.00	112,858.00	92.58%	15,092.00	(6,046.00)	(40.06)
Overtime - Strike Team	5016	0.00	630,000.00	630,000.00	100.00%	136,772.29	(136,772.29)	(100.00)
Contract Services	5018	0.00	75,000.00	75,000.00	100.00%	0.00	0.00	0.00
Worker's Compensation Recovery	5019	(34,523.17)	(100,000.00)	(65,476.83)	65.48%	(41,496.02)	6,972.85	(16.80)
Payroll Taxes -FICA,SUI	5042	16,666.86	222,493.00	205,826.14	92.51%	18,108.45	(1,441.59)	(7.96)
Payroll Processing Fees	5043	0.00	27,000.00	27,000.00	100.00%	0.00	0.00	0.00
Retirement Contributions	5044	558,846.00	7,314,911.00	6,756,065.00	92.36%	486,864.21	71,981.79	14.78
Life/Health Insurance-Permanent Employees	5060	132,133.24	1,854,036.00	1,721,902.76	92.87%	128,352.78	3,780.46	2.95
Employee's-Health Insurance Contribution	5061	(19,039.44)	(276,618.00)	(257,578.56)	93.12%	(12,891.24)	(6,148.20)	47.69
Retiree Health Insurance	5062	98,761.37	1,220,550.00	1,121,788.63	91.91%	95,643.08	3,118.29	3.26
Retiree-Health Insurance Contribution	5063	(30,740.26)	(332,000.00)	(301,259.74)	90.74%	(27,618.58)	(3,121.68)	11.30
Unemployment Insurance	5064	0.00	5,000.00	5,000.00	100.00%	0.00	0.00	0.00
Retiree-Health OPEB Contribution	5065	0.00	543,000.00	543,000.00	100.00%	0.00	0.00	0.00
Vision Insurance	5066	1,428.02	20,504.00	19,075.98	93.04%	1,445.79	(17.77)	(1.23)
Pension Rate Stabilization	5067	0.00	1,569,279.00	1,569,279.00	100.00%	0.00	0.00	0.00
Workers' Compensation Insurance	5070	0.00	1,286,538.00	1,286,538.00	100.00%	281,689.00	(281,689.00)	(100.00)
Total Salaries & Benefits		1,909,683.60	28,134,542.00	26,224,858.40	93.21%	2,256,985.09	(347,301.49)	(15.39)
Operating Expense								
Office Supplies	6100	0.00	8,500.00	8,500.00	100.00%	124.28	(124.28)	(100.00)

Moraga-Orinda Fire District
Statement of Revenues and Expenditures - General Fund Actual to Budget 2023.2024
From 7/1/2023 Through 7/31/23

		Current Period Actual	Budget \$	Budget \$ Variance	Percent Budget Remaining	Prior Year Current Period Actual	Prior Year Change	Prior Year % Change
Postage	6101	181.55	3,000.00	2,818.45	93.95%	181.55	0.00	0.00
Books & Periodicals	6102	0.00	2,460.00	2,460.00	100.00%	0.00	0.00	0.00
Printer Ink Cartridges	6103	0.00	3,000.00	3,000.00	100.00%	0.00	0.00	0.00
Telephone - Landlines	6109	0.00	26,000.00	26,000.00	100.00%	0.00	0.00	0.00
Telephone/Communication	6110	416.24	65,500.00	65,083.76	99.36%	397.64	18.60	4.68
Dispatch/Comm Center Services w/ AVL MDT	6111	0.00	230,000.00	230,000.00	100.00%	0.00	0.00	0.00
Utilities- Sewer	6120	0.00	5,000.00	5,000.00	100.00%	0.00	0.00	0.00
Utilities-Garbage	6121	1,600.43	20,100.00	18,499.57	92.04%	1,516.46	83.97	5.54
Utilities-PG&E	6122	0.00	84,500.00	84,500.00	100.00%	0.00	0.00	0.00
Utilities-Water	6123	0.00	32,000.00	32,000.00	100.00%	611.74	(611.74)	(100.00)
Utilities-Medical Waste	6124	0.00	2,700.00	2,700.00	100.00%	0.00	0.00	0.00
Small Tools & Instruments	6130	0.00	9,000.00	9,000.00	100.00%	0.00	0.00	0.00
Minor Equipment/Furniture	6131	0.00	2,500.00	2,500.00	100.00%	0.00	0.00	0.00
Computer Equipment & Supplies	6132	0.00	20,000.00	20,000.00	100.00%	0.00	0.00	0.00
Gas Power Chain Saw/Other Equipmen	6133	0.00	5,000.00	5,000.00	100.00%	0.00	0.00	0.00
Fire Trail Grading	6135	0.00	25,000.00	25,000.00	100.00%	0.00	0.00	0.00
Technical, Rope Rescue & Extrication Equipment	6137	0.00	18,000.00	18,000.00	100.00%	0.00	0.00	0.00
Fire Fighting Equipment-Hoses & Nozzles	6138	0.00	10,000.00	10,000.00	100.00%	0.00	0.00	0.00
Fire Fighting Equipment-Class A Foam	6139	0.00	8,000.00	8,000.00	100.00%	0.00	0.00	0.00
Medical & Lab Supplies	6140	0.00	130,000.00	130,000.00	100.00%	104.26	(104.26)	(100.00)
Food Supplies	6150	0.00	5,500.00	5,500.00	100.00%	0.00	0.00	0.00
Safety Clothing & Personal Supplies	6160	0.00	126,000.00	126,000.00	100.00%	588.63	(588.63)	(100.00)
Household Expense	6170	0.00	22,200.00	22,200.00	100.00%	0.00	0.00	0.00
Household Expense-Linen	6171	0.00	8,700.00	8,700.00	100.00%	0.00	0.00	0.00
Public & Legal Notices	6190	0.00	22,000.00	22,000.00	100.00%	0.00	0.00	0.00
Dues, Memberships & Professional Fees	6200	1,200.10	23,020.00	21,819.90	94.79%	3,705.00	(2,504.90)	(67.61)
EMT/Paramedic Licensure Fees	6201	0.00	4,000.00	4,000.00	100.00%	790.00	(790.00)	(100.00)
Rent & Leases (Equipment)	6250	17,879.35	19,000.00	1,120.65	5.90%	1,874.15	16,005.20	854.00
Computer Software & Maintenance	6251	25,143.58	93,750.00	68,606.42	73.18%	48,812.33	(23,668.75)	(48.49)
Website Development & Maintenance	6252	5,556.60	5,292.00	(264.60)	(5.00)%	0.00	5,556.60	100.00
EPA ID# Verification Fee	6264	0.00	150.00	150.00	100.00%	0.00	0.00	0.00
CCC HazMat Plan (CUPA)	6265	0.00	3,650.00	3,650.00	100.00%	3,327.00	(3,327.00)	(100.00)
BAAQMD & Environmental Health Fees	6266	3,152.00	900.00	(2,252.00)	(250.22)%	0.00	3,152.00	100.00
Air Monitor Maintenance & Replacement	6269	0.00	800.00	800.00	100.00%	0.00	0.00	0.00
Maintenance -- Equipment	6270	2,337.35	130,800.00	128,462.65	98.21%	0.00	2,337.35	100.00
Central Garage Repairs	6271	0.00	300,000.00	300,000.00	100.00%	814.25	(814.25)	(100.00)
Central Garage Gasoline & Oil	6272	1,013.35	110,000.00	108,986.65	99.08%	1,179.64	(166.29)	(14.10)
Central Garage Tires	6273	5,540.53	15,000.00	9,459.47	63.06%	0.00	5,540.53	100.00

Moraga-Orinda Fire District
Statement of Revenues and Expenditures - General Fund Actual to Budget 2023.2024
From 7/1/2023 Through 7/31/23

		Current Period Actual	Budget \$	Budget \$ Variance	Percent Budget Remaining	Prior Year Current Period Actual	Prior Year Change	Prior Year % Change
Service/Repair Fuel System Dispensers	6274	0.00	2,500.00	2,500.00	100.00%	0.00	0.00	0.00
Aerial Ladder & Pump Testing	6275	0.00	1,500.00	1,500.00	100.00%	0.00	0.00	0.00
Smog Inspections	6276	0.00	500.00	500.00	100.00%	0.00	0.00	0.00
Air Compressor Quarterly Service	6278	0.00	9,000.00	9,000.00	100.00%	0.00	0.00	0.00
Hydro Test SCBA & Oxy Cylinder	6279	0.00	35,000.00	35,000.00	100.00%	0.00	0.00	0.00
Tank Testing	6280	0.00	1,120.00	1,120.00	100.00%	0.00	0.00	0.00
Maintenance -- Building	6281	6,069.77	118,000.00	111,930.23	94.86%	2,849.90	3,219.87	112.98
Maintenance -- Grounds	6282	588.00	18,900.00	18,312.00	96.89%	434.00	154.00	35.48
Meetings & Travel Expenses	6303	0.00	1,500.00	1,500.00	100.00%	0.00	0.00	0.00
Employee Assistance Program	6309	0.00	15,000.00	15,000.00	100.00%	0.00	0.00	0.00
Medical - Pre-Emp Processing and Annual Exams	6311	0.00	30,000.00	30,000.00	100.00%	0.00	0.00	0.00
Ambulance Billing Administration Fees	6312	0.00	85,000.00	85,000.00	100.00%	0.00	0.00	0.00
Outside Attorney Fees	6313	0.00	275,000.00	275,000.00	100.00%	0.00	0.00	0.00
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	0.00	56,500.00	56,500.00	100.00%	0.00	0.00	0.00
Professional Services - Labor Negotiator	6318	0.00	75,000.00	75,000.00	100.00%	0.00	0.00	0.00
Professional Services - Technology	6319	0.00	246,640.00	246,640.00	100.00%	2,960.72	(2,960.72)	(100.00)
Professional Services - Pre-Employment	6320	0.00	30,000.00	30,000.00	100.00%	0.00	0.00	0.00
Professional Services - Promotional Exams &	6321	0.00	2,000.00	2,000.00	100.00%	0.00	0.00	0.00
Professional Services-OPEB Actuarial Valuation	6322	0.00	8,000.00	8,000.00	100.00%	0.00	0.00	0.00
Exterior Hazard Removal	6323	0.00	35,000.00	35,000.00	100.00%	0.00	0.00	0.00
Professional Services-Prop Tax Audit &	6326	0.00	7,600.00	7,600.00	100.00%	0.00	0.00	0.00
Professional Services	6327	0.00	77,000.00	77,000.00	100.00%	0.00	0.00	0.00
Residential Fuels Mitigation and Home Hardening	6353	0.00	500,000.00	500,000.00	100.00%	0.00	0.00	0.00
Testing Materials & Training Props	6354	3,275.50	50,000.00	46,724.50	93.45%	0.00	3,275.50	100.00
Career Development Classes	6357	0.00	25,000.00	25,000.00	100.00%	877.50	(877.50)	(100.00)
District Sponsored Training-Mandated	6361	0.00	15,000.00	15,000.00	100.00%	0.00	0.00	0.00
Recruiting Costs	6470	0.00	140,000.00	140,000.00	100.00%	0.00	0.00	0.00
Strike Team Supplies	6474	0.00	65,000.00	65,000.00	100.00%	566.16	(566.16)	(100.00)
Community Emergency Response Team	6475	0.00	8,000.00	8,000.00	100.00%	0.00	0.00	0.00
Health & Wellness	6476	0.00	16,500.00	16,500.00	100.00%	0.00	0.00	0.00
Recognition Supplies	6478	0.00	4,500.00	4,500.00	100.00%	0.00	0.00	0.00
Other Special Departmental Exp	6479	300.00	140,650.00	140,350.00	99.79%	2,400.00	(2,100.00)	(87.50)
Public Education Supplies	6480	0.00	8,000.00	8,000.00	100.00%	0.00	0.00	0.00
LAFCO	6482	14,529.76	16,000.00	1,470.24	9.19%	13,010.66	1,519.10	11.68
Emergency Preparedness Expense	6484	0.00	21,000.00	21,000.00	100.00%	0.00	0.00	0.00
Misc. Services & Supplies	6490	0.00	95,500.00	95,500.00	100.00%	0.00	0.00	0.00
Fire Chief Contingency	6491	0.00	100,000.00	100,000.00	100.00%	0.00	0.00	0.00

Moraga-Orinda Fire District
Statement of Revenues and Expenditures - General Fund Actual to Budget 2023.2024
From 7/1/2023 Through 7/31/23

		Current Period Actual	Budget \$	Budget \$ Variance	Percent Budget Remaining	Prior Year Current Period Actual	Prior Year Change	Prior Year % Change
Property & Liability Insurance	6540	<u>169,975.00</u>	<u>170,000.00</u>	<u>25.00</u>	<u>0.01%</u>	<u>144,187.00</u>	<u>25,788.00</u>	<u>17.89</u>
Total Operating Expense		258,759.11	4,321,932.00	4,063,172.89	94.01%	231,312.87	27,446.24	11.87
Other Expense								
Bank Fees	7510	993.40	5,000.00	4,006.60	80.13%	368.00	625.40	169.95
County Tax Collection Fees	7530	0.00	300.00	300.00	100.00%	0.00	0.00	0.00
Transfer to Other Funds		<u>0.00</u>	<u>3,000,000.00</u>	<u>3,000,000.00</u>	100.00%	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Total Other Expense		993.40	3,005,300.00	3,004,306.60	99.97	368.00	625.40	169.95
Total Expenditures		<u>2,169,436.11</u>	<u>35,461,774.00</u>	<u>33,292,337.89</u>	<u>93.88</u>	<u>2,488,665.96</u>	<u>(319,229.85)</u>	<u>(12.83)</u>
Excess of Revenues Over/ (Under) Expenditures		<u>27,312,839.70</u>	<u>(632,638.00)</u>	<u>27,945,477.70</u>	<u>-4417.29</u>	<u>25,051,388.93</u>	<u>2,261,450.77</u>	<u>9.03</u>

Moraga-Orinda Fire District
Statement of Revenues and Expenditures - Capital Projects Fund Actual to Budget - 23.24
From 7/1/2023 Through 7/31/2023

		Current Period Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original
Revenue					
Taxes					
Fire Flow Tax	4066	0.00	1,105,000.00	(1,105,000.00)	(100.00)%
Total Taxes		0.00	1,105,000.00	(1,105,000.00)	(100.00)%
Use of Money & Property					
Investment Earnings	4181	0.00	10,000.00	(10,000.00)	(100.00)%
Total Use of Money & Property		0.00	10,000.00	(10,000.00)	(100.00)%
Intergovernmental Revenue					
Intergovernmental Revenue-Fed...	4437	0.00	447,780.00	(447,780.00)	(100.00)%
Total Intergovernmental Revenue		0.00	447,780.00	(447,780.00)	(100.00)%
Charges for Service					
Impact Mitigation Fees	4743	0.00	2,000.00	(2,000.00)	(100.00)%
Total Charges for Service		0.00	2,000.00	(2,000.00)	(100.00)%
Other Revenue					
Other Revenue-Strike Team Rec...	4971	0.00	100,000.00	(100,000.00)	(100.00)%
Transfers In	4999	0.00	3,000,000.00	(3,000,000.00)	(100.00)%
Total Other Revenue		0.00	3,100,000.00	(3,100,000.00)	(100.00)%
Total Revenue		0.00	4,664,780.00	(4,664,780.00)	(100.00)%
Expenditures					
Other Expense					
Bank Fees	7510	65.00	200.00	135.00	67.50%
Fire Flow Tax Collection Fees	7531	0.00	14,000.00	14,000.00	100.00%
Fire Fighting Equip-Fixed Asset ...	7701	0.00	925,780.00	925,780.00	100.00%
Apparatus/Vehicles-Fixed Asset ...	7703	0.00	2,200,000.00	2,200,000.00	100.00%
Buildings-Stations-Fixed Asset E...	7708	0.00	10,000.00	10,000.00	100.00%
Misc. Equipment Expense	7709	0.00	500,000.00	500,000.00	100.00%
Station 41 - Construction in Prog...	7712	0.00	5,800,000.00	5,800,000.00	100.00%
Operating Transfers Out	7999	0.00	320,835.00	320,835.00	100.00%
Total Other Expense		65.00	9,770,815.00	9,770,750.00	100.00%
Total Expenditures		65.00	9,770,815.00	9,770,750.00	100.00%
Excess of Revenues Over/ (Under) Ex...		(65.00)	(5,106,035.00)	5,105,970.00	(100.00)%

Moraga-Orinda Fire District
Statement of Revenues and Expenditures - Debt Service Fund Actual to budget - 23.24
From 7/1/2023 Through 7/31/2023

		Current Period Actual	Total Budget \$ - Original	Total Budget \$ Variance - Original	Percent Total Budget Remaining - Original
Revenue					
Other Revenue					
Transfers In	4999	0.00	320,835.00	(320,835.00)	(100.00)%
Total Other Revenue		0.00	320,835.00	(320,835.00)	(100.00)%
Total Revenue		0.00	320,835.00	(320,835.00)	(100.00)%
Expenditures					
Other Expense					
Lease Agreement Station 43 Principal	7906	0.00	272,000.00	272,000.00	100.00%
Lease Agreement Station 43 Interest	7907	0.00	48,835.00	48,835.00	100.00%
Total Other Expense		0.00	320,835.00	320,835.00	100.00%
Total Expenditures		0.00	320,835.00	320,835.00	100.00%
Excess of Revenues Over/ (Under) Expenditures		0.00	0.00	0.00	0.00%

Moraga-Orinda Fire District
Statement of Revenues and Expenditures - Tunnel East Bay Hills Actual to Budget - 23.24
From 7/1/2023 Through 7/31/2023

		Current Period Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original
Revenue					
Intergovernmental Revenue					
Misc State Aid/ Grants	4435	0.00	5,743,998.00	(5,743,998.00)	(100.00)%
Total Intergovernmental Revenue		0.00	5,743,998.00	(5,743,998.00)	(100.00)%
Total Revenue		0.00	5,743,998.00	(5,743,998.00)	(100.00)%
Expenditures					
Salaries & Benefits					
Temporary Salaries	5013	0.00	155,000.00	155,000.00	100.00%
Payroll Taxes -FICA,SUI	5042	0.00	10,000.00	10,000.00	100.00%
Total Salaries & Benefits		0.00	165,000.00	165,000.00	100.00%
Operating Expense					
Professional Services	6317	0.00	366,220.00	366,220.00	100.00%
Exterior Hazard Removal	6323	0.00	3,967,350.00	3,967,350.00	100.00%
Exterior Hazard Removal - Mech...	6324	0.00	630,000.00	630,000.00	100.00%
Total Operating Expense		0.00	4,963,570.00	4,963,570.00	100.00%
Total Expenditures		0.00	5,128,570.00	5,128,570.00	100.00%
Excess of Revenues Over/ (Under) Ex...		0.00	615,428.00	(615,428.00)	(100.00)%

Moraga-Orinda Fire District
Statement of Revenues and Expenditures - FMS Grant 23.24
From 7/1/2023 Through 7/31/2023

		Current Period Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original
Revenue					
Intergovernmental Revenue					
Misc State Aid/ Grants	4435	10,681.24	194,191.00	(183,509.76)	(94.50)%
Total Intergovernmental Revenue		10,681.24	194,191.00	(183,509.76)	(94.50)%
Total Revenue		10,681.24	194,191.00	(183,509.76)	(94.50)%
Expenditures					
Salaries & Benefits					
Permanent Salaries	5011	7,819.14	109,928.00	102,108.86	92.89%
Overtime	5014	0.00	2,000.00	2,000.00	100.00%
Deferred Compensation/RHSA	5015	171.43	2,400.00	2,228.57	92.86%
Payroll Taxes -FICA,SUI	5042	62.81	1,629.00	1,566.19	96.14%
Retirement Contributions	5044	0.00	26,792.00	26,792.00	100.00%
Life/Health Insurance-Permanen...	5060	55.96	12,396.00	12,340.04	99.55%
Employee's-Health Insurance C...	5061	(120.50)	(1,452.00)	(1,331.50)	91.70%
Vision Insurance	5066	0.00	192.00	192.00	100.00%
Total Salaries & Benefits		7,988.84	153,885.00	145,896.16	94.81%
Operating Expense					
Office Supplies	6100	0.00	1,000.00	1,000.00	100.00%
Telephone/Communication	6110	0.00	2,500.00	2,500.00	100.00%
Other Special Departmental Exp	6479	0.00	10,000.00	10,000.00	100.00%
Public Education Supplies	6480	0.00	1,000.00	1,000.00	100.00%
Misc. Services & Supplies	6490	0.00	5,000.00	5,000.00	100.00%
Total Operating Expense		0.00	19,500.00	19,500.00	100.00%
Total Expenditures		7,988.84	173,385.00	165,396.16	95.39%
Excess of Revenues Over/ (Under) Ex...		2,692.40	20,806.00	(18,113.60)	(87.06)%



Moraga-Orinda Fire District

QUARTERLY INVESTMENT REPORT								
June 30, 2023								
Type of Investment	Percent Distribution by Type of Investment	Financial Institution	Date of Maturity	Original Investment Amount	Par Value	Market Value	Rate of Interest	Fiscal Year-to-Date Income
Cash		Contra Costa County	N/A	\$ 843,010	\$ 843,010	\$ 843,010	0.000%	\$ -
Cash	9.39%	JPMorgan Chase Bank, N.A.	N/A	1,631,218	1,631,218	1,631,218	0.000%	\$ -
Local Agency Investment Fund	56.89%	Local Agency Investment Fund	N/A	14,995,220	14,995,220	14,995,220	3.360%	\$ 305,844
Money Market	0.00%	Allspring Government Money Market Fund Admin Class	N/A	0	0	0	0.660%	\$ 1,073
US Treasury Bill - 3 months		Contra Costa County	6/22/2023					\$ 33,422
US Treasury Bill - 3 months		Contra Costa County	7/25/2023	4,938,196	5,000,000	4,984,757	4.890%	\$ 61,804
US Treasury Bill - 3 months		Contra Costa County	9/21/2023	2,961,480	3,000,000	2,965,561	5.136%	\$ 38,520
US Treasury Bill - 3 months	33.72%	Contra Costa County	9/26/2023	987,045	1,000,000	987,865	5.125%	12,955
Total	100.00%			\$ 26,356,169	\$ 26,469,448	\$ 26,407,631		\$ 453,618
Average Weighted Yield	3.60%							
Market values obtained from monthly statements issued by JP Morgan Chase Bank, N.A. and Contra Costa County								
California Legislature enacted an alternative 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 June 2023 investments are in accordance with the District adopted investment policy.								
Gloriann Sasser Administrative Services Director								



Moraga-Orinda Fire District

TO: Board of Directors

FROM: Gloriann Sasser, Administrative Services Director

DATE: August 16, 2023

SUBJECT: **Item 8.6 Revised Fund Balance Policy Adopted by the Board on July 19, 2023**

BACKGROUND

At the July 19, 2023 Board meeting, the Board adopted a revised Fund Balance Policy (Policy.) The Board increased the minimum fund balance to 40%. The updated Policy (Attachment A) is included on the Consent Agenda as information only for transparency because changes were made verbally during the July 2023 Board meeting. The updated Policy states:

The District will maintain a Minimum Fund Balance of unrestricted fund balance in the General Fund of at least 40% 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.

RECOMMENDATION

Staff Recommendation: 1) Information only

ATTACHMENT

[Attachment A: Fund Balance Policy 07.19.23.pdf](#)

MORAGA-ORINDA FIRE DISTRICT DISTRICT POLICY 12

FUND BALANCE POLICY

Purpose:

The Fund Balance Policy establishes a policy for reporting fund balance classifications, establishes prudent reserve requirements and establishes a hierarchy of fund balance expenditures in conformance with Governmental Accounting Standards Board guidelines.

Policy:

The District will report fund balance in accordance with Governmental Accounting Standards Board Statement No. 54. The following five components will be used:

1. Nonspendable Fund Balance
2. Restricted Fund Balance
3. Committed Fund Balance
4. Assigned Fund Balance
5. Unassigned Fund Balance

The District will maintain a Minimum Fund Balance of unrestricted fund balance in the General Fund of at least 40% 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.

The District will report the following amounts as Committed Fund Balance at fiscal year-end:

- Capital Projects – Fund balance derived from the Fire Flow Tax is committed to pay for District capital improvement projects as approved by the Board of Directors. The amount is equal to the fund balance in the Capital Projects Fund.

The Fire Chief or Administrative Services Director is designated to determine and define the amounts of those components of fund balance that are classified as “Assigned Fund Balance”. The District will report the following amounts as Assigned Fund Balance:

- Budgetary Deficit – Fund balance committed to pay for the subsequent year’s budget deficit. The amount is equal to the projected excess of budgeted expenditures over budgeted revenues by fund.
- Other Assigned Fund Balance categories as determined by the Fire Chief or Administrative Services Director.

The District considers restricted amounts to have been spent prior to unrestricted amounts when an expenditure is incurred for purposes for which both are available. Committed, assigned and unassigned amounts, in this order, are considered to be spent when an expenditure is incurred for purposes for which either is available.

The Board will review this policy on an annual basis.

MORAGA-ORINDA FIRE PROTECTION DISTRICT
PARS Post-Employment Benefits Trust

Account Report for the Period
7/1/2022 to 6/30/2023

Gloriann Sasser
Administrative Services Director
Moraga-Orinda Fire Protection District
1280 Moraga Way
Moraga, CA 94556

Account Summary

Source	Balance as of 7/1/2022	Contributions	Earnings	Expenses	Distributions	Transfers	Balance as of 6/30/2023
OPEB	\$2,798,054.12	\$366,640.00	\$399,398.01	\$15,947.10	\$0.00	\$0.00	\$3,548,145.03
PENSION	\$6,845,314.94	\$2,108,577.00	\$1,089,960.68	\$40,608.74	\$0.00	\$0.00	\$10,003,243.88
Totals	\$9,643,369.06	\$2,475,217.00	\$1,489,358.69	\$56,555.84	\$0.00	\$0.00	\$13,551,388.91

Investment Selection

Source	
OPEB	Moraga-Orinda FPD - OPEB
PENSION	Moraga-Orinda FPD - Pension

Investment Objective

Source	
OPEB	Individual Custom Account
PENSION	Individual Custom Account

Investment Return

Source	1-Month	3-Months	1-Year	Annualized Return			Plan's Inception Date
				3-Years	5-Years	10-Years	
OPEB	5.68%	5.84%	13.31%	8.45%	7.34%	-	5/19/2015
PENSION	5.68%	5.84%	13.52%	8.30%	7.17%	-	3/9/2017

Information as provided by US Bank, Trustee for PARS; Not FDIC Insured; No Bank Guarantee; May Lose Value

Past performance does not guarantee future results. Performance returns may not reflect the deduction of applicable fees, which could reduce returns. Information is deemed reliable but may be subject to change.
Investment Return: Annualized rate of return is the return on an investment over a period other than one year multiplied or divided to give a comparable one-year return.
Account balances are inclusive of Trust Administration, Trustee and Investment Management fees



Moraga-Orinda Fire District

TO: Board of Directors

FROM: Gloriann Sasser, Administrative Services Director

DATE: August 16, 2023

SUBJECT: **Item 9.1 Approve the Annual Comprehensive Financial Report as of the Fiscal Year Ended June 30, 2022, Communication With Those Charged With Governance June 30, 2022 and Independent Accountant's Report on Applying Agreed-Upon Procedures for Appropriations Limit Calculation For the Year Ended June 30, 2022 or Authorize an Increase in the Amount to Pay Eide Bailly, LLP for Audit Services for the Fiscal Year Ended June 30, 2022 in Order to Complete an Accounting Change to Eliminate an Immaterial Uncorrected Financial Statement Misstatement which resulted in the Overstatement in the Fair Value of the Local Agency Investment Fund in the Amount of \$203,135 and Related Investment Income and Related Net Position**

BACKGROUND

Each year the District engages a certified public accountant to audit the financial statements of the District. The District's Administrative Services Division prepared the financial statements for the fiscal year ending June 30, 2022. The financial statements have been audited by Eide Bailly, LLP. In addition to the financial statement audit, Eide Bailly was engaged to prepare a required report on the District's Gann appropriations spending limit calculation and a letter to the Board required by professional accounting standards discussing their audit engagement and the procedures they performed.

Based upon the audit procedures performed, Eide Bailly has rendered their opinion that the District's financial statements present fairly, in all material respects, the District's financial position as of June 30, 2022, and the results of the governmental activities and the budgetary comparison information for the year then ended, in accordance with generally accepted accounting principles. This is generally referred to as a "clean" or "unqualified" audit opinion.

In addition to the audited financial statements, the District prepared an Annual Comprehensive Financial Report (ACFR) that is designed to meet the requirements of the Government Finance Officers Association (GFOA). The GFOA established the Certificate of Achievement for Excellence in Financial Reporting Program (ACFR Program) in 1945 to encourage and assist state and local governments to go beyond the minimum requirements of generally accepted accounting principles to prepare Annual Comprehensive financial reports that evidence the spirit of transparency and full disclosure. The GFOA then recognizes individual governments that succeed in achieving this goal.

In May 2023, a draft ACFR was distributed to the board members via email. Individual board members directed changes to the ACFR, which have been incorporated. A revised draft ACFR which included all changes directed by the Board was presented and discussed at the May 17, 2023 Board meeting. In addition, Tarek Badwan, audit manager at Eide Bailly was present at the May 2023 board meeting and discussed the audit and answered questions from the Board. No additional changes to the ACFR were directed by the Board at the May 2023 Board meeting and the Board voted to accept the audit as

presented at the May 2023 Board meeting.

DEVELOPMENTS SUBSEQUENT TO THE MAY 17, 2023 BOARD MEETING

The following occurred since the May 17, 2023 Board meeting:

- May 17, 2023 - Board voted to accept the draft audit reports as presented including the draft management letter prepared by Eide Bailly.
- May 18, 2023 - Staff sent an email to Eide Bailly to issue all reports final
- July 31, 2023 - Staff received an email from an Eide Bailly Audit Associate which stated that an uncorrected misstatement was noted during review of the workpapers relating to the market value of the Local Agency Investment Fund (Attachment A.) The email said "GASB Statement 31 requires that investments in governmental pools to be adjusted to fair value. LAIF publishes that information at year end and the factor used for the entire state based on these publication is 0.987125414 and therefore, the amount should have been adjusted down for \$203,135. This adjustment is immaterial and will not impact the Financial Statements but is included in the representation letter as item 11."
- August 1, 2023 - Staff received the final audit reports. The management letter (Attachment C - page 3) was changed by Eide Bailly. The final management letter was different than the draft report previously provided by Eide Bailly and accepted by the Board. The final management letter states on page 3 that there is an immaterial uncorrected financial statement misstatement which resulted in the overstatement in the fair value of the Local Agency Investment Fund (LAIF) for \$203,135 and related income and related net position.
- August 1, 2023 - Staff sent an email to Eide Bailly requesting Eide Bailly correct the LAIF balance and reissue the final reports with no misstatement. Staff questioned:
 1. Why did Eide Bailly not inform the District during the last five audits that LAIF should be recorded at market value at June 30?
 2. Why did Eide Bailly wait until July 31, 2023 to inform the District of the immaterial uncorrected financial statement misstatement?
- August 2, 2023 - Staff received an email from Eide Bailly that they are receiving a lot of feedback from clients relating to governmental pool market value adjustments/comments. Eide Bailly stated LAIF experienced a decline in market value due to changes in market interest rates and that it was an exceptional change due to the exceptional changes in interest rates. Eide Bailly stated in prior years the LAIF market value change was trivial. Eide Bailly also stated in order to reissue the final reports to correct the LAIF balance to fair market value the District will have to pay additional fees to Eide Bailly.

Eide Bailly audit partner Ahmad Gharaibeh will attend the August 16, 2023 Board meeting to answer questions including the additional cost to reissue the final reports to correct the LAIF balance to market value if the Board chooses this option.

LOCAL AGENCY INVESTMENT FUND DETAILS JUNE 30, 2022 - ATTACHMENT E

The Local Agency Investment Fund (LAIF) is recorded in the audited financial statements at par value of \$15,778,028. The LAIF statement showing this amount is included in Attachment E. The June 30, 2022 Quarterly Investment Report which was approved by the Board at the August 17, 2022 Board meeting reported both the par value and the market value of the District's LAIF investment at June 30, 2022.

DISCUSSION

Annual Comprehensive Financial Report (ACFR) (Attachment B)

The ACFR begins with the Letter of Transmittal and Management's Discussion and Analysis, which provide an executive summary of the document. The two sections provide a narrative introduction, overview and analysis of the basic financial statements.

The financial statements present information on the financial health of the District. Highlights for the year ended June 30, 2022 are as follows:

- The District's total assets and deferred outflows of resources exceeded total liabilities and deferred inflows of resources by \$8,486,834 as of June 30, 2022. A portion of the net position reflects its net investment in capital assets (land, buildings, improvements, equipment and vehicles). An additional portion of the District's net position of \$1,649,246 represents resources that are subject to external restrictions on how they may be used. The remaining balance of net position of (\$2,662,406) is a deficit comprised of liabilities to meet future OPEB and pension obligations (page 16.)
- Cash and investments increased \$3,036,382 from the prior year. This was primarily due to a surplus in the General Fund (page 16.)
- Other restricted assets increased \$1,262,832 due to contributions made to the Pension Rate Stabilization Fund. The balance in the Pension Rate Stabilization Fund was \$6,845,315 (page 16.)
- The net pension liability decreased \$11,587,963 to \$10,772,836 (page 16.)
- The net OPEB liability increased \$160,718 to \$11,698,513 (page 16.)
- The governmental funds reported combined fund balances of \$28,620,432 (page 18.) This is an increase of \$1,822,692 compared to the prior year (page 20.) The fund balance consisted of the following (page 18):

CCCERA pre-payment non-spendable	\$467,645
Restricted for debt service	1,688,612
Restricted for state project	17,572
Restricted for pension benefits	6,845,315
Committed for capital projects/encumbrances	4,495,401
Unassigned	15,105,887
Total	28,620,432

- The General Fund had a total fund balance of \$22,418,847 (page 18.) Part of the fund balance is restricted for pension benefits \$6,845,315, non-spendable CCCERA pre-payment of \$467,645 and unassigned \$15,105,887.
- General Fund unassigned fund balance of \$15,105,887 was 49.7% of budgeted General Fund revenue as of June 30, 2022 (page x).
- General Fund revenue and other financing sources exceeded expenditures, which resulted in a surplus of \$3,028,766 (page 22.) This was primarily the result of revenue exceeding budget \$1,186,996 and expenditures less than budget \$1,361,722.

Significant Post Balance Sheet Event

In March 2023, CCCERA informed the District of the following information which will have a significant impact on future years calculation of the District's pension liability and future pension costs. CCCERA's estimated net market value investment return was approximately minus 10.5%, significantly underperforming the target performance of 6.75% resulting in a net underperformance of approximately 17.25%. This constitutes a significant post report event. As a result of these losses, pension payments for PEPRA and non-PEPRA safety members are calculated to increase 6.65% in FY25, 3.58% in FY26, 3.81% in FY27. A 1% increase in CCCERA payments is roughly \$115,000. Future pension investment performance may change these numbers. The calculated net pension liability of \$10,772,836 at June 30, 2022 predates CCCERA's recent performance and this liability may change significantly in the future. The District was informed that the pension contribution for the fiscal year ending June 30, 2024 will increase 29% (\$1,964,997) to \$7,314,911.

The District added disclosure regarding the significant post balance sheet event on the following pages of the ACFR:

- Page x - Pension Rate Stabilization Fund discussion
- Page 5 - Annual Report Overview
- Page 15 - Economic Outlook
- Page 53 - Note 11 D - Pension Liabilities, Pension Expenses...
- Page 57 - Note 11 H - Significant Post Balance Sheet Information

Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements (Attachment B Page 92)

In planning and performing the audit of the financial statements, Eide Bailly considered the District's internal controls over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing an opinion on the financial statements. To help understand this section, the following definitions are provided:

- A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis.
- A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the District's financial statements will not be prevented or detected and corrected on a timely basis.

The audit did not identify any deficiencies in internal control that are considered material weaknesses.

Communication With Those Charged With Governance June 30, 2022 (Attachment C)

Professional auditing standards require Eide Bailly to advise the Board on a variety of matters relating to the audit including responsibilities, scope, ethics, qualitative aspects of significant accounting practices, significant difficulties, misstatements and other significant matters. On page 3, Eide Bailly states there was an immaterial uncorrected financial statement misstatement. The fair value of the Local Agency Investment Fund was overstated \$203,135 and related investment income and related net position.

Independent Accountant's Report on Applying Agreed-Upon Procedures for Appropriations Limit Calculation For the Year Ended June 30, 2022 (Attachment D)

The independent auditor has opined that the District's calculation of the FY2021-22 appropriation limit meets the requirements of Article XIII B of the State Constitution.

RECOMMENDATION

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Approve the Annual Comprehensive Financial Report for the Fiscal Year Ended June 30, 2022, Communication With Those Charged With Governance June 30, 2022 and Independent Accountant's Report on Applying Agreed-Upon Procedures for Appropriations Limit Calculation For the Year Ended June 30, 2022 or Authorize an Increase in the Amount to Pay Eide Bailly, LLP for Audit Services for the Fiscal Year Ended June 30, 2022 in Order to Complete an Accounting Change to Eliminate an Immaterial Uncorrected Financial Statement Misstatement which resulted in the Overstatement in the Fair Value of the Local Agency Investment Fund in the Amount of \$203,135 and Related Investment Income and Related Net Position

ATTACHMENT

[Attachment A: Audit Associate Email 7.31.2023.pdf](#)

[Attachment B: Moraga-Orinda Fire District 2022 Final Financial Statements.pdf](#)

[Attachment C: Moraga-Orinda Fire District 2022 Final Management Letter.pdf](#)

[Attachment D: Moraga-Orinda Fire District 2022 Final GANN Statements.pdf](#)

[Attachment E: LAIF Balance and Investment Report 6.30.2022.pdf](#)

From: [Jonathan Ramirez](#)
To: [Sasser, Gloriann](#)
Cc: [Ahmad Gharaibeh](#)
Subject: MOFD Management Representation Letters
Date: Monday, July 31, 2023 9:43:13 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[MOFD Mgmt Rep Letter.docx](#)
[MOFD GANN Mgmt Rep Letter.docx](#)

Good morning Gloriann,

We are getting ready to issue the opinion on the FS and release the report today, upon receiving the management representation letters. I wanted to bring to your attention that an uncorrected misstatement was noted during the review of the workpapers relating to the market value of the LAIF pool. GASB Statement 31 requires that investments in governmental pools to be adjusted to fair value. LAIF publishes that information at year end and the factor used for the entire state based on these publication is 0.987125414 and therefore, the amount should have been adjusted down for \$203,135. This adjustment is immaterial and will not impact the FS but is included in the representation letter as item 11. Please print them on the District's letterhead, sign them, scan them and send them back to me.

Thank you for your help during this audit and let me know if you have any questions.

Cheers,

Jonathan Ramirez

Audit Associate
Eide Bailly LLP
4040 Campbell Ave., Ste. 200
Menlo Park, CA 94025-1053

T 650.223.6134
F 650.645.7393

Connect with me on [LinkedIn](#)
Access your files and connect with us on [My Eide Bailly](#)

What inspires you, inspires us.
[eidebailly.com](#)



Independent member of HLB – the global advisory and accounting network.

Confidentiality Note: This email message, including any attachment(s), is for the sole use of the intended recipient(s) and may contain information that is confidential, privileged, or otherwise protected by law. Any unauthorized use, disclosure, or distribution of this communication is strictly prohibited. If you have received this communication in error, please contact the sender immediately by reply email and destroy the original and all copies of the email, including any attachment(s).



ANNUAL COMPREHENSIVE FINANCIAL REPORT

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

Moraga-Orinda Fire Protection District
Moraga, California



This page left blank intentionally.

ANNUAL COMPREHENSIVE FINANCIAL REPORT

FOR THE FISCAL YEAR ENDED
JUNE 30, 2022

Moraga-Orinda Fire Protection District

Prepared by:
Administrative Services Division
1280 Moraga Way
Moraga, CA 94556





This page left blank intentionally.



**Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
For the year ended June 30, 2022**

Table of Contents

	<u>Page</u>
INTRODUCTORY SECTION	
Directory of Officials.....	iii
Organizational Chart.....	iv
District Map.....	v
GFOA Certificate of Achievement.....	vi
Letter of Transmittal.....	vii
FINANCIAL SECTION	
Independent Auditor's Report.....	1
Management's Discussion and Analysis (Required Supplementary Information).....	5
Basic Financial Statements:	
Government-wide Financial Statements:	
Statement of Net Position.....	16
Statement of Activities.....	17
Fund Financial Statements:	
Governmental Funds:	
Balance Sheet.....	18
Reconciliation of Governmental Funds Balance Sheet to the Statement of Net Position.....	19
Statement of Revenues, Expenditures, and Changes in Fund Balances – Governmental Funds.....	20
Reconciliation of the Statement of Revenues, Expenditures, and Changes in Fund Balances of Governmental Funds to the Statement of Activities.....	21
Statement of Revenues, Expenditures, and Changes in Fund Balances - Budget to Actual – General Fund.....	22
Statement of Revenues, Expenditures, and Changes in Fund Balances - Budget to Actual – Tunnel East Bay Hills Fuel Break Fund.....	23



**Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
For the year ended June 30, 2022**

Table of Contents

	<u>Page</u>
Basic Financial Statements, Continued:	
Notes to Basic Financial Statements.....	24
Required Supplementary Information:	
Pension Schedule of Contributions.....	61
Schedule of the District’s Proportionate Share of the Net Pension Liability.....	63
OPEB Schedule of Contributions.....	65
Schedule of the District’s Changes in Net OPEB Liability.....	67
Supplementary Information:	
Schedule of Revenues, Expenditures, and Changes in Fund Balances – Budget to Actual - Debt Service Fund.....	68
Schedule of Revenues, Expenditures, and Changes in Fund Balances – Budget to Actual - Capital Projects Fund.....	69
STATISTICAL SECTION (unaudited)	
Net Position by Component.....	71
Changes in Net Position.....	73
Fund Balances, Governmental Funds.....	75
Changes in Fund Balances, Governmental Funds.....	77
Assessed Value and Actual Value of Taxable Property.....	79
Direct and Overlapping Property Tax Rates.....	80
Principal Property Taxpayers.....	82
Property Tax Levies and Collections.....	84
Ratio of Outstanding Debt by Type.....	85
Direct and Overlapping Debt.....	86
Legal Bonded Debt Margin.....	87
Demographic and Economic Statistics.....	89
Emergency Response Detail Analysis.....	90
Total Emergency Responses.....	91
COMPLIANCE SECTION	
Report on Internal Control Over Financial Reporting and on Compliance with Other Matters Based on an Audit of Financial Statements Performed in Accordance with <i>Government Auditing Standards</i>	92



MORAGA-ORINDA FIRE PROTECTION DISTRICT ANNUAL COMPREHENSIVE FINANCIAL REPORT

DIRECTORY OF OFFICIALS

Board of Directors

John Jex
President

Mike Roemer
Vice President

Greg Hasler
Secretary

Craig Jorgens
Treasurer

Steven Danziger
Director

Principal Staff

David Winnacker
Fire Chief

Steve Gehling
Battalion Chief

Gloriann Sasser
Administrative Services Director

Jerry Lee
Battalion Chief

Jeff Isaacs
Fire Marshal

Lucas Lambert
Battalion Chief

Christine Russell
Human Resources Manager

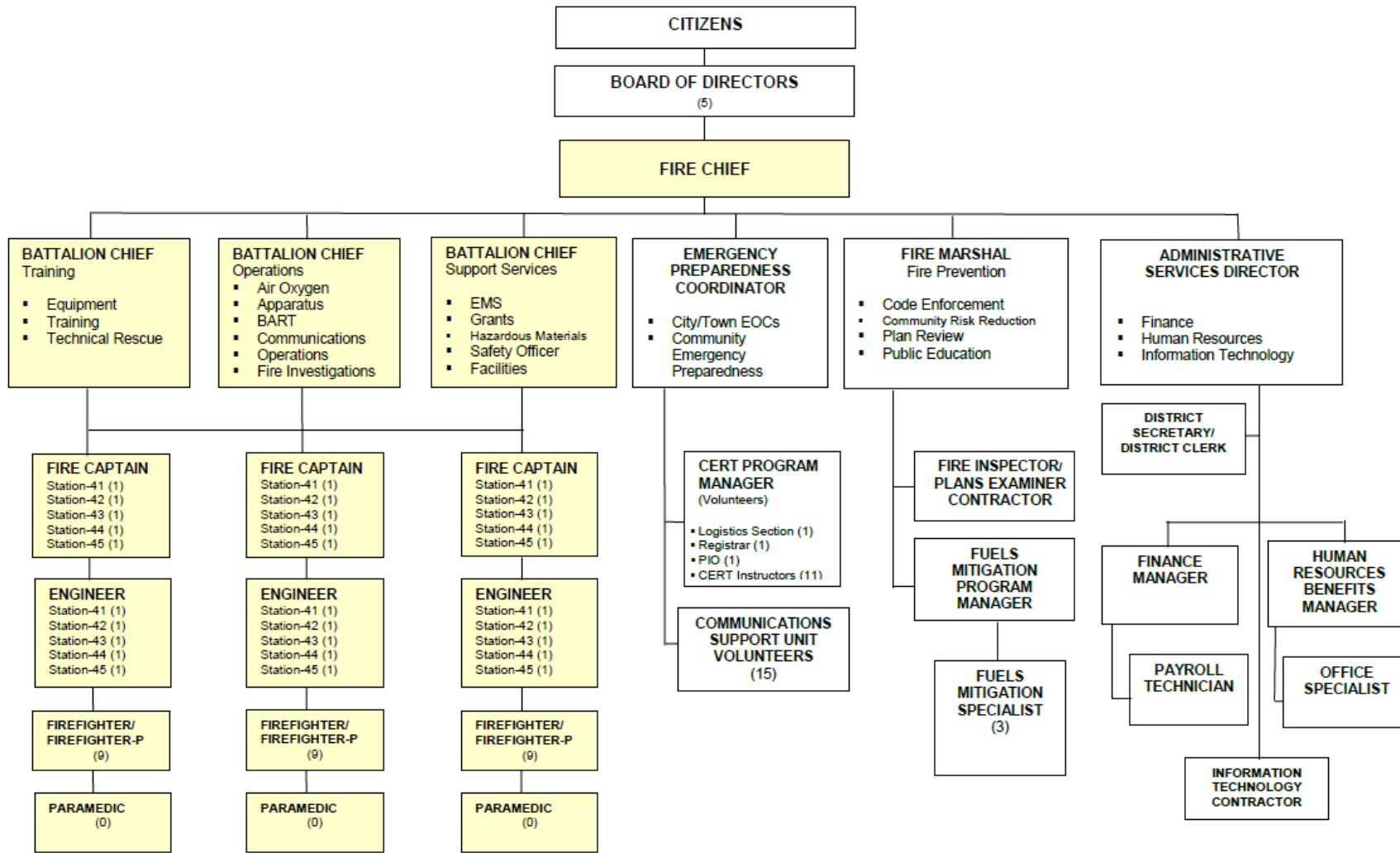
Gorden Graham
Fuels Mitigation Manager

Mary Smith
Finance Manager



Moraga-Orinda Fire District ORGANIZATIONAL STRUCTURE

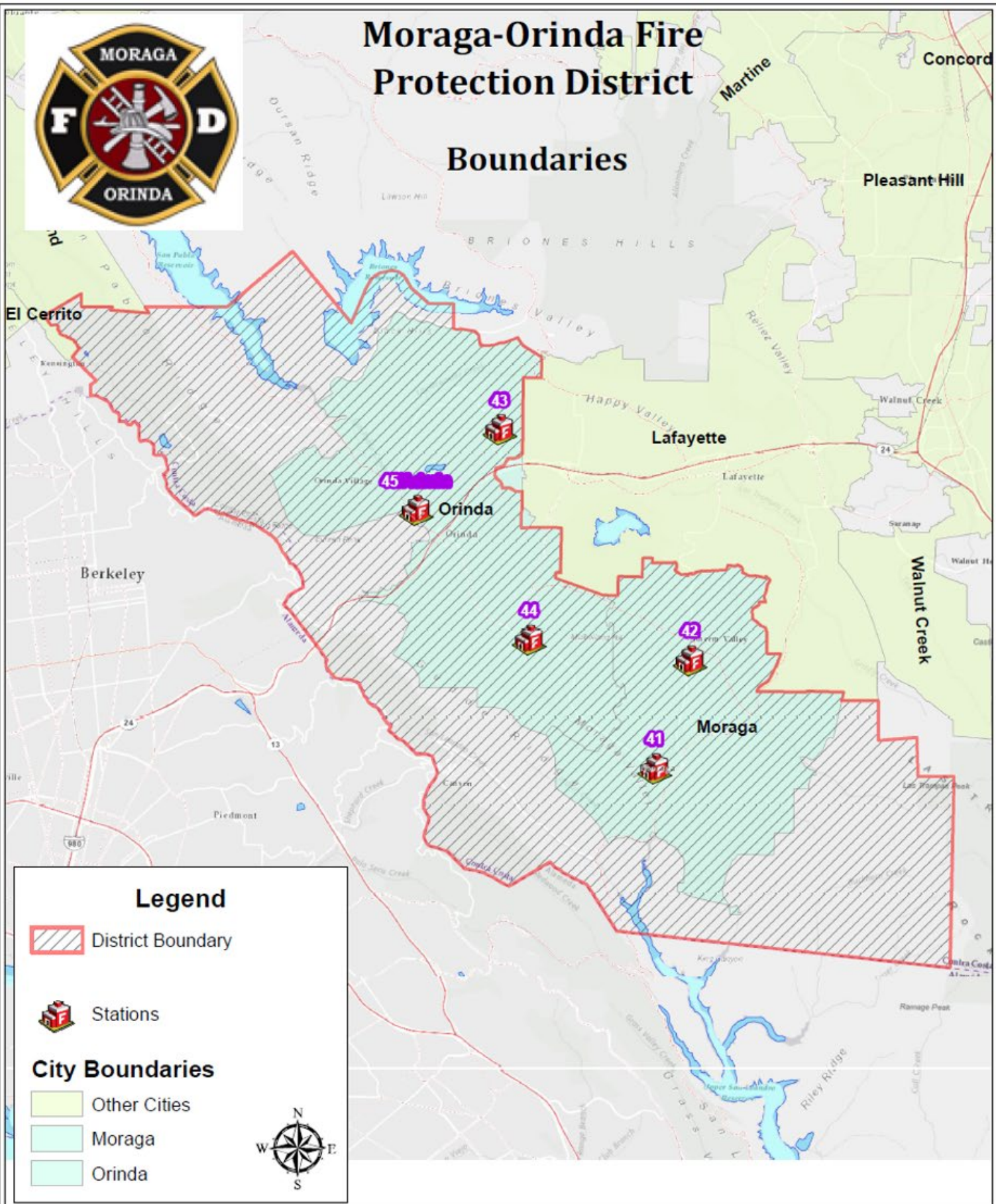
July 2021





Moraga-Orinda Fire Protection District

Boundaries





Legend

 District Boundary

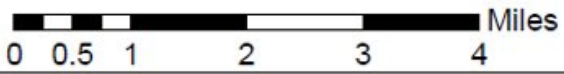
 Stations

City Boundaries

 Other Cities

 Moraga

 Orinda





Government Finance Officers Association

Certificate of
Achievement
for Excellence
in Financial
Reporting

Presented to

**Moraga-Orinda Fire Protection District
California**

For its Annual Comprehensive
Financial Report
For the Fiscal Year Ended

June 30, 2021

Christopher P. Morill

Executive Director/CEO



Moraga-Orinda Fire District

July 31, 2023

Board of Directors
Moraga-Orinda Fire Protection District
1280 Moraga Way
Moraga, CA 94556

Members of the Board:

We are pleased to present the Moraga-Orinda Fire Protection District Annual Comprehensive Financial Report (ACFR) for the fiscal year ended June 30, 2022. This is the eighth ACFR prepared by the District.

This report has been prepared by the Administrative Services Division following the guidelines recommended by the Government Finance Officers Association of the United States and Canada (GFOA) and is in conformance with generally accepted accounting principles for state and local governmental entities established by the Governmental Accounting Standards Board (GASB). Responsibility for the accuracy, completeness and fairness of the presented data and the clarity of presentation, including all disclosures, rests with the management of the District.

Management's discussion and analysis (MD&A) immediately follows the independent auditor's report providing a narrative introduction, overview, and analysis of the basic financial statements. MD&A complements this letter of transmittal and should be read in conjunction with it.

The District

The District is an autonomous Special District as defined under the Fire Protection District Law of 1987, Health and Safety Code, Section 13800, of the State of California. The District was formed in 1997, when over 80% of the voters affirmatively voted to form the District. The District is responsible for providing the highest level of emergency and non-emergency services to the community in an effort to protect life, the environment and property.

A five-member Board of Directors, elected by their constituents and each serving a four-year term, governs the District. The Directors meet once a month to determine overall policy for the District.

The Fire Chief is the administrative and operational Chief Executive Officer of the District under the direction and control of the District Board. The Fire Chief is supported by the executive staff, consisting of three Battalion Chiefs, the Fire Marshal, the Fuels Mitigation Manager, the Emergency Preparedness Coordinator, the Administrative Services Director, Finance Manager and Human Resources Manager.

The District has six divisions: Operations, Fire Prevention and Fuels Mitigation, Support Services, Training, Emergency Preparedness and Administrative Services. These divisions provide a full-range of services, including emergency and non-emergency services, fire prevention, emergency preparedness and public education. The District employs 70 personnel, in addition to approximately 30 volunteers.

The District maintains five Fire Stations and one Administration Office Building, all strategically located within the District. All five fire stations house paid firefighters. The District staffs seven companies, which includes five fire engines, one truck, one dedicated ambulance, one water tender, four Type III wildland engines and a Type VI wildland engine are cross-staffed as needed.

The District covers a broad geographic and population base consisting primarily of urban/suburban/semi-rural and rural service areas. Within the District, there are a wide variety of target hazards including portions of the Berkeley-Oakland Hills, several East Bay Regional Parks, three reservoirs, BART, Highway 24, the Caldecott Tunnel, Saint Mary's College, the City of Orinda, Town of Moraga and unincorporated areas of Contra Costa County.

Internal Control In developing and evaluating the District's accounting system, priority is given to the accuracy of internal accounting control. Internal accounting controls are designed to provide reasonable assurance regarding the safeguarding of assets against loss from unauthorized use or disposition, the accuracy and reliability of accounting data and the adherence to prescribed managerial policy. The concept of reasonable assurance recognizes that the cost of control should not exceed the benefits likely to be derived, and the cost-benefit analysis requires estimates and judgments by management.

Accounting System and Budgeting Controls The District's accounting and budgeting records for the basic financial statements in this report conform to generally accepted accounting principles (GAAP) according to standards established by the GASB.

The District maintains extensive budgetary controls. The District's Annual Budget, adopted prior to July 1, provides overall control of revenue and expenditures, including appropriations (budgeted expenditures) on a line item basis and the means of financing them (budgeted revenue). The District's accounting system produces monthly reports on expenditure activity that assist Division Managers to monitor activities and programs. These reports are also reviewed by the Finance Manager, Administrative Services Director and Fire Chief to assure budgetary compliance.

As a recipient of federal, state and county financial assistance, the District is responsible for ensuring that an adequate control structure is in place to comply with applicable laws and regulations related to those programs. This internal control structure is subject to periodic evaluation by District Finance staff.

Financial Policies In 2013 the District adopted the provisions of GASB 54 and established a Fund Balance Policy. As of June 30, 2022, unrestricted fund balance in the General Fund was 49.7% of budgeted General Fund revenue. If the District cash balance with Contra Costa County drops to zero in the late fall we can employ the Teeter Plan for borrowing from Contra Costa County in anticipation of the cash payments for the current year's tax revenue.

Audit of Financial Statements The District contracts for an independent audit each year to provide reasonable assurance that its financial statements are free of material misstatements. This annual audit involves examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing the accounting principles used and significant estimates made by management and evaluating the overall financial statement presentation. The District engaged the accounting firm of Eide Bailly, LLP to perform the audit of its financial statements. The auditor has issued an unmodified opinion on the District's financial statements indicating they are fairly presented in conformity with GAAP.

Major Initiatives and Long-Term Financial Planning There were several major initiatives during the fiscal year:

- COVID-19 – The global pandemic continued this fiscal year. The District continued to use modified procedures in order to provide emergency medical services to the community during a pandemic while maintaining employee safety.
- Fuels Mitigation – Due to the significant wildfires in California and high citizen demand, the District continued an aggressive fuels mitigation program. The goal of the program is to reduce combustible fuels throughout the District. The District focused on pile burning, seasonal community chipping, property inspections, and outreach/education activities. These efforts were guided by relevant portions of the District's Wildfire Prevention Strategic Plan and the newly adopted Community Wildfire Prevention Plan. The program includes free wood chipping services for District residents, expanded fire risk assessment services, and adoption of a progressive fire code.
- Tunnel East Bay Hills Fuel Break – In December 2021 the District entered into a grant agreement in the amount of \$6,380,563 with the State of California to complete the Tunnel East Bay Hills Fuel Break. The project will significantly reduce the threat of uncontrolled wildfire and associated greenhouse gas emissions by reducing high fuel concentrations and disrupting fuel beds. The desired result is to restore fuel loading to more natural levels that can be maintained by the periodic introduction of prescribed fire. The project will protect over 20,000 residents and 1,702 acres of wildland-urban intermix area of the East Bay Hills. The grant agreement includes a 12% administrative fee.
- Fiscal Sustainability – A primary goal in FY2022 was to continue to increase General Fund reserves while also continuing to provide high level services. The District continued to review existing practices and identify and implement cost-saving opportunities. As directed by the Board, the District General Fund unassigned reserves increased \$3,141,237 or 26% resulting in total unassigned reserves of \$15,105,887 or 49.7% of budgeted General Fund revenue as of the end of the fiscal year.
- OPEB Trust Account – In 2015 the District established an Other Post-Employment Benefits (OPEB) trust account. The purpose of an OPEB trust is to accumulate funds for payment of the District's future retiree health insurance obligations. The District continued to make an annual contribution to the trust account in the amount of \$303,906. The establishment and continued funding of the account will significantly reduce the District's net reported OPEB liability and strengthens the District's financial position. The contribution to the trust account does not directly reduce the liability itself but it allows the District to report a smaller liability because of governmental accounting reporting requirements. The trust is the District's vehicle to set-aside funds specially allocated to exclusively pay for retiree health insurance costs.

- Pension Rate Stabilization Fund – In 2017 the District established a Pension Rate Stabilization Fund. The purpose of the fund is to prefund pension costs. During FY2022 the District contributed \$2,362,470 to the fund. The establishment and continued funding of the account sets aside money to help the District properly manage volatile pension costs and to fill the gap created between payments required by CCCERA when they use a 6.75% rate of return assumption on their portfolio and 6.75% discount rate on their future pension obligations and the District board's 6.25% rate of return and discount rate assumption. Of note, the lower number is more in line with the California State economic advisors rate forecasts. The District has significant future risk that contribution rates will increase resulting in higher CCCERA rates. CCCERA's returns have been relatively volatile in the past creating increased uncertainty in the future and in a significant post report event, CCCERA has reported underperforming investment return targets by approximately 17.25% in CY22. This will significantly increase the District's pension liability and associated CCCERA payments in future years. In order to address this volatility, the District's Long Range Financial Forecast anticipates future contributions to the Pension Rate Stabilization Fund.
- Minimum Fund Balance – The District's unrestricted fund balance at its peak in the General Fund increased from 43% to 49.7% of budgeted General Fund revenue. In March 2018 the Board set a goal to maintain unrestricted fund balance in the General Fund of 50% of budgeted General Fund revenue. This level of unrestricted reserve would allow the District to have adequate cash balances to fund operations without having to borrow from the County prior to the receipt of tax revenues in December of each year.

For long-term financial planning purposes, the District maintains a ten-year Long Range Financial Forecast which is updated on an annual basis. The Long Range Financial Forecast includes planning for the District's capital needs including fire station, an administration building, vehicles and equipment. This process allows the District to plan for its capital needs and allocate short-and long-term resources appropriately. As part of this process, the District models different ways to fund major capital needs including the use of property tax revenue, fire flow tax revenue and/or the possibility of issuing debt. Because of fiscal constraints and the uncertainty of the pandemic, the District has not funded the Station 41 and Administration building replacement, the Station 45 remodel, or fire apparatus replacement. These projects will be addressed as the pandemic ends and funding becomes available.

Awards

The GFOA awarded a Certificate of Achievement for Excellence in Financial Reporting to the Moraga-Orinda Fire Protection District for its annual comprehensive financial report for the fiscal year ended June 30, 2021. This was the seventh year that the District achieved this prestigious award. In order to be awarded a Certificate of Achievement, a government must publish an easily readable and efficiently organized annual comprehensive financial report.

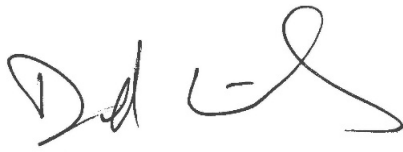
Acknowledgements

The preparation of this report reflects the combined and dedicated effort of District staff, particularly in the Administrative Services Division. Staff in each division has our appreciation for their contributions in the preparation of this report.

Staff would also like to take this opportunity to recognize the Board of Directors for their continued support to maintain the highest standards of professionalism in the management of the District's finances.

The District remains committed to providing the highest level of emergency and public service in response to the needs of our community.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Winnacker', with a stylized flourish at the end.

David Winnacker
Fire Chief

A handwritten signature in black ink, appearing to read 'Gloriann Sasser', with a stylized flourish at the end.

Gloriann Sasser, CPA
Administrative Services Director



This page left blank intentionally.



Independent Auditor's Report

To the District Board
of the Moraga-Orinda Fire Protection District
Moraga, California

Report on the Audit of the Financial Statements

Opinions

We have audited the financial statements of the governmental activities and each major fund of the Moraga-Orinda Fire Protection District (District) as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the District as of June 30, 2022 and the respective changes in financial position thereof and the respective budgetary comparison for the General Fund and Tunnel East Bay Hills Fuel Break Fund for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States (*Government Auditing Standards*). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the District and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America; and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Menlo Park Fire Protection District's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, the schedule of the District's proportionate share of net pension liability, the schedule of the District's pension contributions, the schedule of changes in net other postemployment benefits liability and related ratios, and the schedule of other postemployment benefit contributions be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the District's basic financial statements. The capital improvement fund and debt service fund budgetary comparison schedules are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the capital improvement fund and debt service fund budgetary comparison schedules are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Information

Management is responsible for the other information included in the annual report. The other information comprises the introductory and statistical sections but does not include the basic financial statements and our auditor's report thereon. Our opinions on the basic financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon.

In connection with our audit of the basic financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated July 31, 2023 on our consideration of the District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the District's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the District's internal control over financial reporting and compliance.

Eide Bailly LLP

Menlo Park, California
July 31, 2023



This page left blank intentionally.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
For the year ended June 30, 2022

Management's Discussion and Analysis

This section of the Moraga-Orinda Fire Protection District's (District) basic financial statements presents an overview and analysis of the financial activities and an explanation of the organization of funds of the organization for the fiscal year ended June 30, 2022. The Management's Discussion and Analysis (MD&A) describes the significant changes from the prior year that occurred in general operations and discusses the activities during the year for capital assets and long-term debt as well as a description of currently known facts, decisions and conditions that are expected to impact the financial position of the District's operations. We encourage the reader to consider the information presented here in conjunction with the additional information furnished in our letter of transmittal. The District has a separate financing vehicle called the Moraga-Orinda Fire Protection District Public Facilities Financing Corporation (Corporation). The Corporation was established to provide for financing of public capital improvements for the District, the Corporation and other local agencies.

Annual Report Overview

The District continued to benefit from a strong economy and an increasing tax base while making prudent investments in restricted and unrestricted reserve funds. In light of these factors, the District continued to expand the fire prevention program and initiated a major wildfire threat reduction program. Significant portions of this work were funded through external sources in the form of grants and the District will continue to seek out available external funding to continue these efforts. The District's overall financial position improved during fiscal year 2021/22. However, there is continued uncertainty surrounding the economy, the District's property tax base and the effect of investment performance on the District's retirement costs. The District has significant future risk that retirement contribution rates will increase resulting in higher Contra Costa County Employees' Retirement Association (CCCERA) rates. CCCERA's returns have been relatively volatile in the past creating increased uncertainty in the future and in a significant post report event, CCCERA has reported underperforming investment return targets by approximately 17.25% in CY22. This will significantly increase the District's pension liability and associated CCCERA payments in future years. See Note 11.

Looking ahead, the District will continue to face the challenge of competing demands for expansion of services and programs that exceed available resources. Currently, the major enhancements competing for resources are: Increased suppression staffing, continued Pension Rate Stabilization Fund and OPEB Trust Fund contributions at the full actuarial recommended rate, Wildfire risk reduction efforts, Station 41 replacement, the Station 45 remodel, and fire apparatus replacement. Additionally, the current labor contracts expire in 2024 which may lead to increased resources dedicated to non-discretionary pay and benefits. Barring unanticipated changes in how the District generates revenue, fully funding all of these initiatives will not be possible and priorities will have to be established to guide the allocation of available resources. This prioritization is difficult as all of the initiatives benefit the community and strong cases can and have been made that each one provides the greatest benefit. It is also worth noting that the District enjoys exceptional community support and benefits from the engagement of a talented and long serving work force who regularly exceed expectations while responding to calls for emergency and fuels mitigation services. Regardless of the prioritization of new or expanded programs, it is critical that the District retain and develop this work force to ensure core tasks of emergency medical service, rescue, and fire suppression continue to be carried out in a noteworthy manner.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
For the year ended June 30, 2022

Management's Discussion and Analysis, Continued

The District has also established itself as a hub of innovation around Fire Prevention and wildfire risk reduction and continues to benefit from a permissive environment and proximity to technology centers. These efforts will continue throughout the coming year as the District seeks to maximize return on the investment of staff time by repurposing existing technologies and collaborating with industry and academic partners to develop new and emerging concepts.

Annual Report Organization

This annual report consists of a series of financial statements. The District's basic financial statements are comprised of three components: Government-wide financial statements, Fund financial statements and Notes to the basic financial statements. This report also contains supplementary information and statistical data in addition to the basic financial statements.

Government-wide Financial Statements

The *government-wide financial statements* provide the reader with a longer-term view of the District's activities as a whole and comprise the Statement of Net Position and Statement of Activities. The manner of presentation is similar to a private-sector business.

The *Statement of Net Position* presents information about the financial position of the District as a whole, including all its capital assets and long-term liabilities on the full accrual basis. Over time, increases or decreases in net position is one indicator in monitoring the financial health of the District.

The *Statement of Activities* provides information about all the District's revenue and expenses on the full accrual basis, with the emphasis on measuring net revenues or expenses of each specific program. This statement explains in detail the change in Net Position for the year.

All of the District's activities in the government-wide financial statements are principally supported by general District revenues such as taxes or user-fee related charges such as ambulance services and inspection fees. The governmental activities reported in government-wide financial statements include general government activity, the fire protection and interest on long-term debt.

The government-wide financial statements use the full accrual basis of accounting method which records revenues when earned and expenses at the time the liability is incurred, regardless of when the related cash flows take place.

The government-wide financial statements can be found on pages 16 and 17 of this report.

Fund Financial Statements

The *fund financial statements* report the District's operations in more detail than the government-wide financial statements and focus primarily on the short-term activities of the District. The fund financial statements measure only current revenues and expenditures and fund balances; excluding capital assets, long-term debt and other long-term obligations.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
For the year ended June 30, 2022

Management's Discussion and Analysis, Continued

The fund financial statements are prepared on the modified accrual basis, which means they measure only current financial resources and uses. Capital assets and other long-lived assets, along with long term liabilities, are not presented in the fund financial statements. These financial statements help determine whether there are more or fewer financial resources that can be spent in the near future to finance the District's programs. We describe the relationship or differences between the government-wide and fund financial statements in a reconciliation following the fund financial statements.

The fund financial statements provide detailed information about each of the District's most significant funds, called Major Funds. The District's Major Funds are the General Fund, the Tunnel East Bay Hills Fuel Break Fund, the Capital Projects Fund and the Debt Service Fund. The District currently has no non-major funds.

Comparisons of Budget and Actual financial information are presented for the General Fund and the Tunnel East Bay Hills Fuel Break Fund.

Notes to the Basic Financial Statements

The *notes* provide additional information that is essential to the reader for a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements can be found beginning on page 24 of this report.

Other Information

In addition to the basic financial statements and accompanying notes, this report also presents required supplementary information concerning the District's liabilities related to pension and OPEB.

The budgetary comparison schedules are presented immediately following the required supplementary information.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
For the year ended June 30, 2022

Management's Discussion and Analysis, Continued

Government-wide Overall Financial Analysis

This analysis focuses on the net position and change in net position of the District's Governmental Activities. Over time, net position may serve as a useful indicator of a government's financial position. The District's net position is reported as follows:

	Governmental Activities	
	2022	2021
Cash and investments	\$ 18,732,841	\$ 15,696,459
Restricted cash and investments	1,688,612	3,747,327
Other assets	2,619,872	2,829,146
Other restricted assets	6,845,315	5,582,483
Capital assets, net	12,116,994	12,475,879
Total assets	<u>42,003,634</u>	<u>40,331,294</u>
Deferred outflows of resources – pension plans	2,706,237	14,273,411
Deferred outflows of resources – OPEB	275,574	22,361
Total deferred outflows of resources	<u>2,981,811</u>	<u>14,295,772</u>
Current liabilities	3,436,286	6,323,858
Noncurrent liabilities	25,564,046	38,285,944
Total liabilities	<u>29,000,332</u>	<u>44,609,802</u>
Deferred inflows of resources – pension	6,253,451	21,578,747
Deferred inflows of resources – OPEB	1,244,828	2,038,874
Total deferred inflows of resources	<u>7,498,279</u>	<u>23,617,621</u>
Net Position:		
Net investment in capital assets	9,499,994	9,005,088
Restricted	1,649,246	3,593,836
Unrestricted (deficit)	(2,662,406)	(26,199,281)
Total net position	<u>\$ 8,486,834</u>	<u>\$ (13,600,357)</u>

The District's total assets and deferred outflows of resources exceeded total liabilities and deferred inflows of resources by \$8,486,834 as of June 30, 2022. A portion of the net position reflects the District's net investment in capital assets (land, buildings, improvements, equipment and vehicles). An additional portion of the District's net position of \$1,649,246 represents resources that are subject to external restrictions on how they may be used. The deferrals resulted from changes in assumptions, difference between expected and actual earnings on the plan and differences from experience for both the OPEB and pension plans. These deferrals will be recognized to pension and OPEB expense over a period up to five years.

The remaining balance of net position of (\$2,662,406) is a deficit and will reduce the District's ability to meet its ongoing obligations to its citizens and creditors. The District has a significant deficit unrestricted net position as of both June 30, 2022 and 2021.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
For the year ended June 30, 2022

Management's Discussion and Analysis, Continued

The following points explain the major changes impacting net position as shown above:

- Cash and investments increased \$3,036,382 from the prior year. This was primarily due to a surplus in the General Fund.
- Restricted cash and investments decreased \$2,058,715 due to the final payment of the pension obligation bonds.
- Other restricted assets increased by \$1,262,832 due to contributions made to the Pension Rate Stabilization Fund and investment earnings on the Fund.
- Capital assets decreased \$358,885 primarily due to depreciation.
- Deferred outflows of resources related to the pension and OPEB decreased \$11,313,961 due to changes in actuarial assumptions.
- Noncurrent liabilities decreased \$12,721,898 primarily due to a decrease in the net pension liability due to CCCERA and the principal payments made towards the pension obligation bonds.
- Deferred inflows of resources related to the pension and OPEB plans decreased \$16,119,342 due to a decrease in rates.
- Investment in capital assets increased \$494,906 primarily due to the addition of solar to five fire stations.
- Restricted net position includes property tax revenue held in a bond fund account for the payment of Taxable Pension Obligation Bonds, Series 2005 in the amount of \$1,688,612 less interest payable on the bonds in the amount of \$56,938. Funds for the Taxable Pension Obligation Bonds are held with the Trustee at Wells Fargo Bank.
- The District has \$2,662,406 of unrestricted net deficit as of June 30, 2022.

The Statement of Activities presents program revenues and expenses and general revenues in detail. All of these are elements in the Changes in Governmental Net Position. The narrative that follows describes the individual program expenses, program revenues and general revenues in more detail.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
For the year ended June 30, 2022

Management’s Discussion and Analysis, Continued

	Governmental Activities	
	2022	2021
Expenses		
Fire protection - operations	\$ 11,441,788	\$ 24,739,637
Interest	152,170	357,144
Total expenses	11,593,958	25,096,781
Revenues		
Program revenues:		
Charges for services	2,109,256	1,691,513
Operating grants and contributions	698,836	990,192
Total program revenues	2,808,092	2,681,705
General revenues:		
Property taxes	28,930,857	27,314,589
Fire flow taxes	1,096,800	1,093,247
Investment earnings	(1,056,101)	1,033,285
State and federal grants	149,898	149,337
Other revenues	1,751,603	3,462,830
Total general revenues	30,873,057	33,053,288
Change in net position	22,087,191	10,638,212
Net position - beginning	(13,600,357)	(24,238,569)
Net position - ending	\$ 8,486,834	\$ (13,600,357)

Expenses

Fire protection – operations expenses totaled \$11,441,788 for fiscal year 2021-2022. This was a decrease from the prior year of \$13,297,849 primarily due to the pension credit recognized in the current year in the amount of \$15,346,085 resulted from the pension net investment exceeding projections in fiscal year 2021.

Program Revenues

Program revenues classified as “Charges for Services” in the amount of \$2,109,256 include revenue for ambulance service fees, plan review fees, inspection fees, and public education class fees. Program revenues classified as “Operating Grants and Contributions” in the amount of \$698,836 include revenue from the State of California and Contra Costa County.

General Revenues

The primary source of revenue for the operations of the District is generated through the collection of secured, unsecured and supplemental property taxes. During the fiscal year, property tax revenue totaled \$28,930,857 and increased \$1,616,268 or 5.9%. In addition, the District collects a fire flow tax, which amounted to \$1,096,800 in 2021-2022. The other revenue category increased due to an increase in strike team activity. The amounts collected this year were strike team revenue of \$1,699,926 along with other revenue of \$51,677 totaling \$1,751,603.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
For the year ended June 30, 2022

Management's Discussion and Analysis, Continued

Government Activities – Governmental Funds

At June 30, 2022, the District's governmental funds reported combined fund balances of \$28,620,432. This is an increase of \$1,862,692 compared to the prior year. Unassigned fund balance of \$15,105,887 is available for spending at the District's discretion. The rest of the District's fund balance is either non-spendable, restricted or committed to indicate that it is 1) non-spendable for prepaid items \$467,645; 2) legally required to be maintained intact \$8,551,499; or 3) committed for particular purposes \$4,495,401.

Analysis – General Fund

The General Fund is the chief operating fund of the District. During the current fiscal year, fund balance increased \$4,291,597. Unassigned fund balance at June 30, 2022, which is available for spending at the District's discretion, was \$15,105,887.

General Fund revenues increased \$534,330 or 1.8% over the prior fiscal year. Property tax revenue increased \$3,769,710 or 16.1% in the General Fund. Ambulance services revenue increased \$563,297 or 44% due to more ambulance transportation calls in the current year. General Fund expenditures increased \$1,020,690 or 4.1% from the prior fiscal year. Salaries increased \$607,255 or 6.1% primarily due to the annual salary increase, an increase in the number of positions and a reduction in the number of vacant positions during the fiscal year. Overtime increased \$33,569 or 1% due to the increase in the strike team activity. Benefits and retirement contribution costs increased \$208,739 or 2.3% due to the salary increase (retirement costs are based on payroll.) Also, services and supplies expenditures increased \$171,127 or 6.4% primarily due to increased equipment and vehicle maintenance costs and training classes.

Tunnel East Bay Hills Fuel Break Fund

The Tunnel East Bay Hills Fuel Break Special Revenue Fund is used to account for the activities to significantly reduce the threat of uncontrolled wildfire and associated greenhouse gas emissions by reducing high fuel concentrations and disrupting the horizontal and vertical continuity of fuel beds. The desired result is to restore fuel loading to more natural levels that can be maintained by the periodic introduction of prescribed fire. The Tunnel East Bay Hills Fuel Break Project will collectively protect over 20,000 residents and 1,702 acres of wildland-urban intermix area of the East Bay Hills. Resources are provided by the State of California via a grant agreement.

Debt Service Fund

The Debt Service Fund, a major governmental fund, had a decrease in fund balance during the current year of \$2,058,715 to bring the year end fund balance to \$1,688,612. The decrease is due to the principal payment made to the District's Taxable Pension Obligation Bonds (bonds). The trust agreement for the bonds requires Contra Costa County to transfer property tax to the District's trustee in an amount sufficient to pay the District's bond obligations in the next calendar year.

The Debt Service Fund ending fund balance of \$1,688,612 is legally restricted and may only be used to meet the District's bond obligations.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
For the year ended June 30, 2022

Management's Discussion and Analysis, Continued

Capital Projects Fund

The Capital Projects Fund accounts for capital asset purchases as well as the fire flow tax, developer mitigation fees and miscellaneous tax collection fees.

The Capital Projects Fund had a decrease in fund balance during the current fiscal year in the amount of \$427,762. This was primarily due to expenditures that exceeded revenue due to the purchase of new equipment. The fund reports committed fund balance of \$4,495,401 at fiscal year-end, which is available for capital projects.

General Fund Budgetary Highlights

During the year, General Fund appropriations between the original and final amended budget increased due to revised projections during the mid-year budget review process. There were no significant variances between actual revenue or expenditures and the amended budget.

Debt Administration

In 2005, the District issued Taxable Pension Obligation Bonds in the original principal amount of \$28,435,000. The bonds were issued to finance payment of the unfunded actuarial accrued pension liability. At the end of the fiscal year, total bonds outstanding were \$1,645,000. The District's bonds payable decreased \$3,610,000 during the fiscal year. The bonds are scheduled to be paid off on July 1, 2023. The average coupon rate is 5.22% and the terms of the agreement do not allow it to be prepaid. The District's financed purchase debt decreased by \$853,791. The debt is discussed in Note 7.

Capital Assets

As of June 30, 2022, the District's capital assets net of accumulated depreciation totaled \$12,116,994 which is a decrease of \$358,885 over the capital assets net of accumulated depreciation at June 30, 2021. Capital assets include the District's entire major infrastructure incorporating land, fire stations and buildings, apparatus, vehicles, firefighting equipment and furniture. All capital assets are valued at historical cost or estimated historical cost if actual historical cost is not available. Contributed capital assets are valued at the estimated acquisition costs on the date contributed. Capital assets with a value of \$5,000 or more are recorded as capital assets. All capital assets are depreciated over estimated useful lives, using the straight-line method. Additional information regarding the District's capital assets can be found in Note 5. Significant capital asset activity during the current fiscal year included the addition of solar in fire stations and the donation of a tiller training truck.

Economic Outlook

During fiscal year 2022 the District continued to improve its financial condition. Unassigned fund balance in the General Fund increased to \$15,105,887 at June 30, 2022, or 49.7% of budgeted General Fund revenue. Looking ahead, the District adopted a balanced General Fund budget for fiscal year 2022/23 with a surplus of \$251,610 in the new fiscal year. Unassigned fund balance in the General Fund is projected to decrease in the new fiscal year.

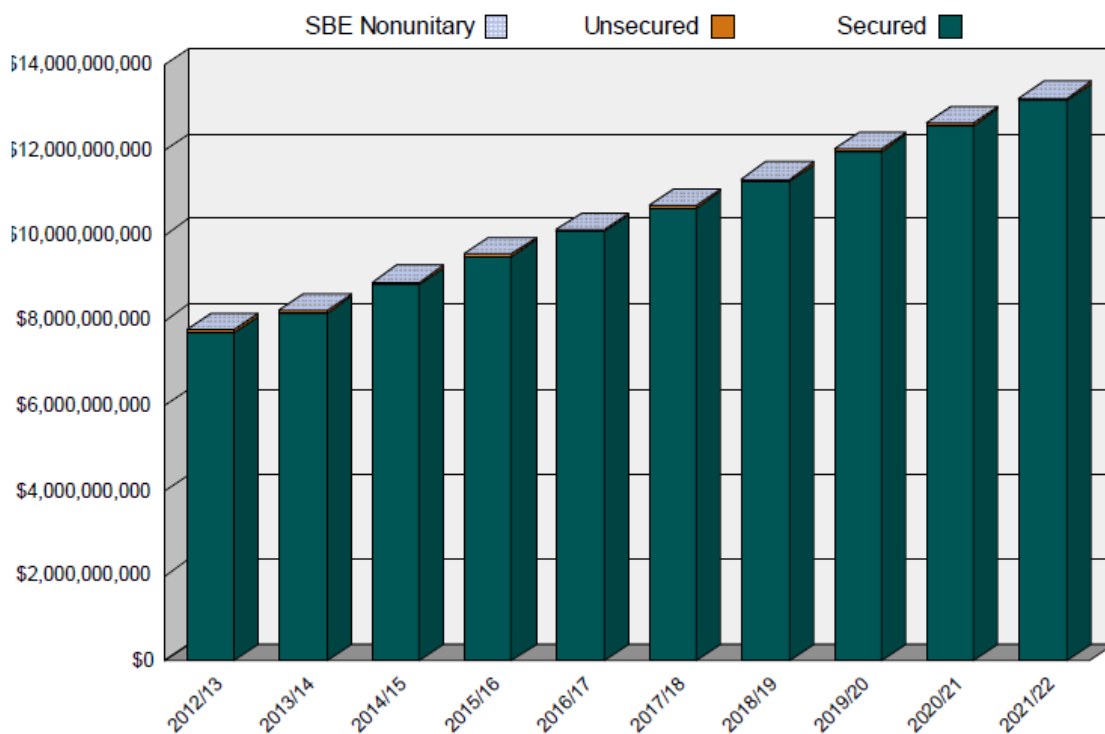


Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
For the year ended June 30, 2022

Management’s Discussion and Analysis, Continued

The primary drivers of District finances are property tax revenue and personnel costs. It is important to understand the factors that influence changes in these key financial sources and uses. Other important factors that influence the District’s long-term fiscal sustainability include proper management of long-term liabilities for retirement benefits and ensuring an adequate level of reserve funds. Due to recent market performance, retirement benefit costs will rise significantly as discussed in more detail below.

Property tax revenue is based on the assessed valuation of residential properties. Property tax revenue is projected to increase 4.9%. Assessed valuation increased 4.6% in 2021/22 as detailed here.





Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
For the year ended June 30, 2022

Management's Discussion and Analysis, Continued

The local housing market has been strong, with the median sale price of a single-family home in the District increasing 6.63% in 2022 as detailed here:



Salaries and benefits costs are projected to increase 12.9% in FY2023. The increase is due to negotiated salary increases, an increase in the number of filled positions, and an increase in retirement costs.

The FY2023 budget projects a General Fund surplus of \$251,610. The District will continue to closely monitor future revenue and expenditure effects of the COVID-19 pandemic.

The District continued to address its unfunded liability for retiree health insurance. The District maintains an Other Post-Employment Benefits (OPEB) trust account. The purpose of an OPEB trust is to accumulate funds for payment of the District's future retiree health insurance costs. During fiscal year 2021/22 the District made the annual contribution to the trust account in the amount of \$303,906. The establishment of the account reduces the District's net OPEB liability and strengthens the District's financial position. The contribution to the trust account does not actually reduce the liability itself but it allows the District to report a smaller liability because of governmental accounting reporting guidelines.

The trust allows the District to set aside funds specially allocated to pay this obligation. In addition, in order to control the OPEB unfunded liability, employee and retiree health insurance is capped at a fixed dollar amount with no future increases in existing labor agreements. For all new hires, retiree medical insurance is reduced to a required minimum amount. Expanding OPEB benefits would require increased annual contributions.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
For the year ended June 30, 2022

Management's Discussion and Analysis, Continued

The volatility of pension costs is a significant financial challenge facing the District. The CCCERA pension payments are driven by increases and decreases in portfolio assets. When the fund underperforms CCCERA must increase the premium paid to cover the losses. The taxpayers currently guarantee the pension payments regardless of the performance of the investments. While outside the audit report period, in calendar year 2022, CCCERA's estimated net market value investment return was approximately minus 10.5%, significantly underperforming the target performance of 6.75% resulting in a net underperformance of approximately 17.25%. This constitutes a significant post report event. As a result of these losses, pension payments for PEPRA and non-PEPRA safety members are calculated to increase 6.65% in FY25, 3.58% in FY26, 3.81% in FY27. A 1% increase in CCCERA payments is roughly \$115,000. Future pension investment performance may change these numbers. More detail is included starting on page 53 of the report. Please note, the calculated net pension liability of \$10,772,836 included in the report predates CCCERA's recent performance and this liability may change significantly in the future.

In order to mitigate this financial risk, in January 2017 the District established a Pension Rate Stabilization Fund. The purpose of the fund is to set aside additional money to prefund pension costs above and beyond what is required by the retirement association. During fiscal year 2021/22 the District contributed \$2,362,470 to the fund. The balance in the account as of June 30, 2022 was \$6,845,315.

The District maintains a Long Range Financial Forecast to project anticipated revenues and expenditures for a 10-year period. The Forecast helps the District identify and anticipate future financial challenges.

The United States experienced a recession in February – April 2020. Prudent levels of fund balance reserves are necessary to help the District adjust when the next economic downturn occurs. The District adopted a requirement to maintain a 17% reserve in 2017 and the board has set a goal of increasing the reserve to 50% of revenue as a prudent hedge against future uncertainty.

Currently, the District's general fund reserve level stands at approximately 49.7%. The District recognizes the volatility of future revenue and has developed a long-range financial forecast using conservative estimates of revenue growth.

In summary, the District remains committed to providing the highest level of emergency and public service in response to the needs of our community within its financial constraints.

Financial Contact

This Annual Comprehensive Financial Report is intended to provide citizens, taxpayers, investors, and creditors with a general overview of the District's finances. Questions about this Report should be directed to the Administrative Services Division, at 1280 Moraga Way, Moraga, CA 94556.



Moraga-Orinda Fire Protection District
Statement of Net Position
June 30, 2022

	<u>Governmental</u> <u>Activities</u>
ASSETS AND DEFERRED OUTFLOWS OF RESOURCES	
Current assets:	
Cash and investments	\$ 18,732,841
Receivables, net	2,151,858
Prepaid items	467,645
Other assets	369
Total current assets	<u>21,352,713</u>
Noncurrent assets:	
Restricted cash and investments	1,688,612
Restricted pension trust assets	6,845,315
Capital assets, net	12,116,994
Total noncurrent assets	<u>20,650,921</u>
Total assets	<u>42,003,634</u>
Deferred outflows of resources	
Deferred outflows of resources - pension plans	2,706,237
Deferred outflows of resources - OPEB	275,574
Total deferred outflows	<u>2,981,811</u>
Total assets and deferred outflows of resources	<u>\$ 44,985,445</u>
LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND NET POSITION	
Current liabilities:	
Accounts payable and accrued liabilities	\$ 338,369
Salaries and benefits payable	927,839
Interest payable	56,938
Compensated absences - current portion	201,140
Current portion of long-term liabilities	1,912,000
Total current liabilities	<u>3,436,286</u>
Noncurrent liabilities:	
Compensated absences	742,697
Due after one year	2,350,000
Net OPEB liability	11,698,513
Net pension liability	10,772,836
Total noncurrent liabilities	<u>25,564,046</u>
Total liabilities	<u>29,000,332</u>
Deferred inflows of resources	
Deferred inflows of resources - pension plans	6,253,451
Deferred inflows of resources - OPEB	1,244,828
Total deferred inflows of resources	<u>7,498,279</u>
Total liabilities and deferred inflows of resources	<u>36,498,611</u>
Net position	
Net investment in capital assets	9,499,994
Restricted for:	
Debt service	1,631,674
State projects	17,572
Unrestricted (deficit)	(2,662,406)
Total net position	<u>8,486,834</u>
Total liabilities, deferred inflows of resources, and net position	<u>\$ 44,985,445</u>

The accompanying notes are an integral part of these basic financial statements.



Moraga-Orinda Fire Protection District
Statement of Activities
For the year ended June 30, 2022

Functions/Programs	Expenses	Program Revenues		Net (Expense) Revenue and Changes in Net Position
		Charges for Services	Operating Grants and Contributions	
Governmental activities:				
Fire protection - operations	\$ 11,441,788	\$ 2,109,256	\$ 698,836	\$ (8,633,696)
Interest on long-term debt	152,170	-	-	(152,170)
Total governmental activities	\$ 11,593,958	\$ 2,109,256	\$ 698,836	(8,785,866)
General revenues:				
Taxes:				
Property taxes				28,930,857
Fire flow taxes				1,096,800
Investment earnings				(1,056,101)
State and federal grants				149,898
Other revenues				1,751,603
Total general revenues				<u>30,873,057</u>
Change in net position				22,087,191
Net position:				
Net position - beginning				(13,600,357)
Net position - ending				<u>\$ 8,486,834</u>

The accompanying notes are an integral part of these basic financial statements.



Moraga-Orinda Fire Protection District
Balance Sheet
Governmental Funds
June 30, 2022

	Major Funds				Total Governmental Funds
	General Fund	Tunnel East Bay Hills Fuel Break	Debt Service	Capital Projects	
ASSETS					
Cash and investments	\$ 14,238,497	\$ -	\$ -	\$ 4,494,344	\$ 18,732,841
Restricted cash and investments	-	-	1,688,612	-	1,688,612
Receivables:					
Taxes	352,810	-	-	-	352,810
Interest	26,172	-	-	1,057	27,229
Intergovernmental	-	164,002	-	-	164,002
Ambulance billing, net	1,279,236	-	-	-	1,279,236
Other receivable	328,581	-	-	-	328,581
Prepaid items	467,645	-	-	-	467,645
Other assets	369	-	-	-	369
Restricted pension trust assets	6,845,315	-	-	-	6,845,315
Total assets	\$ 23,538,625	\$ 164,002	\$ 1,688,612	\$ 4,495,401	\$ 29,886,640
LIABILITIES AND FUND BALANCES					
Liabilities:					
Accounts payable and accrued liabilities	\$ 191,939	\$ 146,430	\$ -	\$ -	\$ 338,369
Salaries and benefits payable	927,839	-	-	-	927,839
Total liabilities	1,119,778	146,430	-	-	1,266,208
Fund balances:					
Nonspendable for prepaid items	467,645	-	-	-	467,645
Restricted for debt service	-	-	1,688,612	-	1,688,612
Restricted for state project	-	17,572	-	-	17,572
Restricted for pension benefits	6,845,315	-	-	-	6,845,315
Committed for encumbrances/ capital projects	-	-	-	4,495,401	4,495,401
Unassigned	15,105,887	-	-	-	15,105,887
Total fund balances	22,418,847	17,572	1,688,612	4,495,401	28,620,432
Total liabilities and fund balances	\$ 23,538,625	\$ 164,002	\$ 1,688,612	\$ 4,495,401	\$ 29,886,640

The accompanying notes are an integral part of these basic financial statements.



Moraga-Orinda Fire Protection District
Reconciliation of the Governmental Funds Balance Sheet
to the Statement of Net Position
June 30, 2022

Total fund balances reported on the governmental funds balance sheet \$ 28,620,432

Amounts reported for governmental activities in the Statement of Net Position are different from those reported in the Governmental Funds due to the following:

Capital assets amount reported in governmental activities are not current assets or financial resources and therefore are not reported in the Governmental Funds balance sheet.

12,116,994

OPEB liabilities result in deferred outflows and inflows and pension liabilities result in deferred outflows and inflows of resources associated with the change in estimate of the OPEB and pension, assets, and liabilities.

Deferred outflows	2,981,811	
Deferred inflows	<u>(7,498,279)</u>	(4,516,468)

Long-term liabilities are not due and payable in the current period and therefore are not reported in the Governmental Funds balance sheet.

Interest payable	(56,938)	
Net pension liabilities	(10,772,836)	
Compensated absences	(943,837)	
Net OPEB liabilities	(11,698,513)	
Long term debt	<u>(4,262,000)</u>	<u>(27,734,124)</u>

Net position of governmental activities \$ 8,486,834

The accompanying notes are an integral part of these basic financial statements.



Moraga-Orinda Fire Protection District
Statement of Revenues, Expenditures, and Changes in Fund
Balances, Governmental Funds
For the year ended June 30, 2022

	Major Funds				Total Governmental Funds
	General Fund	Tunnel East Bay Hills Fuel Break	Debt Service	Capital Projects	
REVENUES:					
Property taxes	\$ 27,199,988	\$ -	\$ 1,730,869	\$ -	\$ 28,930,857
Fire flow taxes	-	-	-	1,096,800	1,096,800
Use of money and property	(1,060,079)	-	708	3,270	(1,056,101)
Intergovernmental	496,532	164,002	-	188,200	848,734
Charges for services	259,517	-	-	6,000	265,517
Charges for services - ambulance	1,843,739	-	-	-	1,843,739
Other revenues	1,751,603	-	-	-	1,751,603
Total revenues	30,491,300	164,002	1,731,577	1,294,270	33,681,149
EXPENDITURES:					
Fire protection:					
Salaries	10,571,914	-	-	-	10,571,914
Overtime	3,486,207	-	-	-	3,486,207
Benefits	8,147,236	-	-	-	8,147,236
OPEB contribution	303,906	-	-	-	303,906
Retiree health insurance	826,784	-	-	-	826,784
Service and supplies	2,864,455	146,430	-	183,516	3,194,401
Capital outlay	-	-	-	616,092	616,092
Debt service:					
Principal	-	-	4,463,791	-	4,463,791
Interest and fiscal charges	-	-	248,723	-	248,723
Total expenditures	26,200,502	146,430	4,712,514	799,608	31,859,054
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	4,290,798	17,572	(2,980,937)	494,662	1,822,095
OTHER FINANCING SOURCES AND USES:					
Proceeds from sales of capital assets	597	-	-	-	597
Transfers in	202	-	922,424	-	922,626
Transfers out	-	-	(202)	(922,424)	(922,626)
Total other financing sources	799	-	922,222	(922,424)	597
Net change in fund balances	4,291,597	17,572	(2,058,715)	(427,762)	1,822,692
FUND BALANCES:					
Beginning of year	18,127,250	-	3,747,327	4,923,163	26,797,740
End of year	\$ 22,418,847	\$ 17,572	\$ 1,688,612	\$ 4,495,401	\$ 28,620,432

The accompanying notes are an integral part of these basic financial statements.



Moraga-Orinda Fire Protection District
Reconciliation of the Statement of Revenues, Expenditures, and
Changes in Fund Balances of Governmental Funds to the Statement of Activities
For the year ended June 30, 2022

Net change in fund balances - total governmental funds \$ 1,822,692

Amounts reported for governmental activities in the Statement of Activities are different because of the following:

Governmental Funds report capital outlays as expenditures. However, in the Statement of Activities the cost of those assets is capitalized and allocated over their estimated useful lives and reported as depreciation expense:

Capital asset purchases capitalized	616,092	
Depreciation expense	(946,350)	
Loss on disposal of capital assets	<u>(28,627)</u>	(358,885)

Repayment of debt principal is an expenditure in the governmental funds, but in the Statement of Net Position the repayment reduces long term liabilities:

Repayment of Pension liabilities bond principal	3,610,000	
Repayment of financed purchase	<u>853,791</u>	4,463,791

Some expenses reported in the Statement of Activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds:

Change in net pension liability and deferrals	15,346,085	
Change in long-term compensated absences	(169,586)	
Change in interest payable	96,553	
Change in Net OPEB liabilities and deferrals	<u>886,541</u>	<u>16,159,593</u>

Change in net position of governmental activities \$ 22,087,191

The accompanying notes are an integral part of these basic financial statements.



Moraga-Orinda Fire Protection District
Statement of Revenues, Expenditures, and Changes in Fund Balances – Budget
to Actual – General Fund
For the year ended June 30, 2022

	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Actual</u>	<u>Variance With Amended Positive (Negative)</u>
REVENUES:				
Property taxes	\$ 26,492,158	\$ 26,516,637	\$ 27,199,988	\$ 683,351
Use of money and property	35,000	8,000	39,560	31,560
Intergovernmental	233,148	433,148	496,532	63,384
Charges for services	217,350	232,972	259,517	26,545
Charges for services - ambulance	985,000	1,690,186	1,843,739	153,553
Other revenues	720,500	1,523,000	1,751,603	228,603
Total revenues	<u>28,683,156</u>	<u>30,403,943</u>	<u>31,590,939</u>	<u>1,186,996</u>
EXPENDITURES:				
Current:				
Fire protection:				
Salaries	10,654,136	11,043,000	10,571,914	471,086
Overtime	2,480,000	3,700,000	3,486,207	213,793
Benefits	8,308,618	8,390,292	8,147,236	243,056
OPEB contribution	434,528	434,528	303,906	130,622
Pension rate stabilization fund	2,362,470	2,362,470	2,362,470	-
Retiree health insurance	876,000	845,000	826,784	18,216
Service and supplies	2,823,210	3,149,404	2,864,455	284,949
Total expenditures	<u>27,938,962</u>	<u>29,924,694</u>	<u>28,562,972</u>	<u>1,361,722</u>
REVENUES OVER EXPENDITURES	<u>744,194</u>	<u>479,249</u>	<u>3,027,967</u>	<u>2,548,718</u>
OTHER FINANCING SOURCES:				
Transfers in	-	-	202	202
Proceeds from sales of capital assets	-	500	597	97
Total other financing sources	<u>-</u>	<u>500</u>	<u>799</u>	<u>299</u>
Net change in fund balances	<u>744,194</u>	<u>479,749</u>	<u>3,028,766</u>	<u>2,549,017</u>
FUND BALANCES:				
Beginning of year	<u>18,127,250</u>	<u>18,127,250</u>	<u>18,127,250</u>	<u>-</u>
End of year	<u>\$ 18,871,444</u>	<u>\$ 18,606,999</u>	21,156,016	<u>\$ 2,549,017</u>
Expenses recognized on non-GAAP budgetary basis:				
Pension stabilization			2,362,470	
Unrealized losses on investments			(1,099,639)	
			<u>\$ 22,418,847</u>	

The accompanying notes are an integral part of these basic financial statements.



Moraga-Orinda Fire Protection District
Statement of Revenues, Expenditures, and Changes in Fund Balances – Budget
to Actual – Tunnel East Bay Hills Fuel Break Fund
For the year ended June 30, 2022

	Original Budget	Amended Budget	Actual	Variance With Amended Positive (Negative)
REVENUES:				
Intergovernmental	\$ 6,380,563	\$ 6,380,563	\$ 164,002	\$ (6,216,561)
Total revenues	6,380,563	6,380,563	164,002	(6,216,561)
EXPENDITURES:				
Current:				
Fire protection:				
Salaries	171,850	171,850	-	171,850
Benefits	13,150	13,150	-	13,150
Service and supplies	5,511,931	5,511,931	146,430	5,365,501
Total expenditures	5,696,931	5,696,931	146,430	5,550,501
EXCESS (DEFICIENCY) OF				
REVENUES OVER EXPENDITURES	683,632	683,632	17,572	(666,060)
Net change in fund balances	683,632	683,632	17,572	(666,060)
FUND BALANCES:				
Beginning of year	-	-	-	-
End of year	<u>\$ 683,632</u>	<u>\$ 683,632</u>	<u>\$ 17,572</u>	<u>\$ (666,060)</u>

The accompanying notes are an integral part of these basic financial statements.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the District have been prepared in accordance with accounting principles generally accepted in the United States of America (GAAP) as applied to governmental units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for governmental accounting and financial reporting principles.

A. Description of the Reporting Entity

The Moraga-Orinda Fire Protection District (District) was incorporated on July 1, 1997 as an independent special district, under the laws and regulations of the State of California (State). The District was formed through the consolidation of the Moraga Fire Protection District and the Orinda Fire Protection District, to provide more efficient fire protection and emergency medical services. The principal act that governs the District is the Fire Protection District Law of 1987.

The District provides fire protection, rescue, and emergency medical services to an area approximately 63 square miles, including the City of Orinda, the Town of Moraga, some unincorporated county areas adjacent to the municipalities, and the community of Canyon. The District also provides automatic aid into Lafayette and State Responsibility Areas that lie within the District's boundaries. A five-member board of directors, elected by voters, governs the District.

As required by GAAP, these financial statements present the primary government and its component unit, an entity for which the government is considered to be financially accountable. This component unit is reported on a blended basis. A blended component unit, although a legally separate entity, is, in substance, part of the government's operations and so data from this unit is combined with data of the primary government. Separate financial statements are not issued for this component unit.

The District's reporting entity includes the following blended component unit:

The Moraga-Orinda Fire Protection District Public Facilities Financing Corporation (Corporation) was established to provide for financing of public capital improvements for the District, the Corporation and other local agencies. The Board of Directors serve as the Governing Board of the Corporation and all accounting and administrative functions are performed by the District, which records all activity of the Corporation as a blended component unit.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, Continued

B. Basis of Presentation

Government-Wide Financial Statements

The statement of net position and statement of activities display information about the reporting government as a whole. They include all funds of the reporting entity. The statements distinguish between governmental and business-type activities. Governmental activities generally are financed through taxes, intergovernmental revenues, and other nonexchange revenues. The District had no business-type activities reported.

Amounts reported as *program revenues* include 1) charges to residents for fire protection services, or privileges provided by a given function or segment 2) grants and contributions for fire protection services. All taxes and internally dedicated resources are reported as *general revenues* rather than program revenues.

Fund Financial Statements

Fund financial statements of the reporting entity are organized into funds, each of which is considered to be a separate accounting entity. Each fund is accounted for by providing a separate set of self-balancing accounts, which constitute its assets, liabilities, deferred inflows, fund balances, revenues, and expenditures.

The District reports the following major governmental funds:

- General Fund
- Tunnel East Bay Hills Fuel Break
- Debt Service Fund
- Capital Projects Fund

These funds are described below.

Governmental Funds

General Fund

The General Fund is the general operating fund of the District. It is used to account for the District's resources which are not required legally or by sound financial management to be accounted for in another fund. The major revenue sources for this fund are property taxes and ambulance service fees. Expenditures are made for the District's general operating expenditures, the fixed charges, and the capital costs that are not paid through other funds.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, Continued

Tunnel East Bay Hills Fuel Break Fund

The Tunnel East Bay Hills Fuel Break Special Revenue Fund is used to account for the California Department of Forestry and Fire Protection grant activities of \$6,380,563 to significantly reduce the threat of uncontrolled wildfire and associated greenhouse gas emissions by reducing high fuel concentrations and disrupting the horizontal and vertical continuity of fuel beds. The grant includes an administration fee and two limited term support positions.

Debt Service Fund

The Debt Service Fund is used to account for the accumulation of resources for, and the payment of, long-term debt principal and interest. Resources are provided by property tax revenue.

Capital Projects Fund

The Capital Projects Fund is used to account for financial resources used for the replacement of fire-fighting equipment, software and equipment, apparatus, building upgrades, acquisition and construction of major capital projects. Resources are provided by the fire flow tax and proceeds from debt issuance.

C. Measurement Focus and Basis of Accounting

The accounting and financial reporting treatment is determined by the applicable measurement focus and basis of accounting. Measurement focus indicates the type of resources being measured such as current financial resources or economic resources. The basis of accounting indicates the timing of transactions or events for recognition in the financial statements.

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, Continued

The governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences, and claims and judgments, are recorded only when payment is due. General capital asset acquisitions are reported as expenditures in governmental funds. Issuance of long-term debt and acquisitions under financed purchase are reported as other financing sources.

Property taxes, or other taxes, licenses, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. Entitlements are recorded as revenues when all eligibility requirements are met, including any time requirements, and the amount is received during the period or within the availability period for this revenue source (within 60 days of year-end). Expenditure-driven grants are recognized as revenue when the qualifying expenditures have been incurred and all other eligibility requirements have been met, and the amount is received during the period or within the availability period for this revenue source (within 180 days of year-end).

D. Cash Deposits and Investments

The District's cash and cash equivalents are comprised of cash on hand, demand deposits, and short-term investments with original maturities of three months or less from the date of acquisition.

The District pools cash and investments from all funds for the purpose of increasing income through investment activities. Investments are stated at fair value in accordance with GASB Statement No. 31, *Accounting and Financial Reporting for Certain Investments and for External Investment Pools*.



**Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, Continued

E. Interfund Receivables and Payables

During the course of operations, numerous transactions occur between individual funds that may result in amounts owed between funds. Those related to goods and services type transactions are classified as “due to and from other funds.” Long-term interfund loans (noncurrent portion) are reported as “advances from and to other funds.” Interfund receivables and payables between funds within governmental activities are eliminated in the Statement of Net Position. The District currently reports no interfund balances, including receivables and payables at year-end.

F. Receivables

In the government-wide statements, receivables consist of all revenues earned at year-end and not yet received. Major receivable balances for the governmental activities include property taxes, fire flow taxes, intergovernmental subventions, interest earnings, and expense reimbursements.

In the fund financial statements, receivables in governmental funds include revenue accruals such as property tax, fire flow tax, and intergovernmental subventions since they are usually both measurable and available.

The District estimates and records an allowance for doubtful accounts based on prior experience. The District’s allowance for ambulance receivables was \$44,186 as of June 30, 2022.

G. Prepaid Items

Prepaid items represent amounts paid in advance of receiving goods or services. The District has the option of reporting an item in governmental funds for prepaid items either when purchased or during the benefiting period. The District has chosen to report the expenditures when incurred.

H. Capital Assets

The District's capital assets are valued at historical cost or estimated historical cost, if actual is unavailable, except for donated capital assets which are recorded at their acquisition value at the date of donation. Policy has set the capitalization threshold for reporting at \$5,000 and with a useful life greater than one year.

Depreciation of all exhaustible capital assets is recorded as an allocated expense in the Statement of Activities, with accumulated depreciation reflected in the Statement of Net Position. Depreciation is provided over assets estimated useful life using the straight-line method of depreciation.



**Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, Continued

The range of estimated useful lives by type of asset is as follows:

Buildings	30 years
Vehicles	10-25 years
Equipment	5-15 years

I. Deferred Outflows/Inflows of Resources

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net assets that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. The District reports deferred outflows of resources for its pension and OPEB plans.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net assets that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The District reports deferred inflows of resources for its pension and OPEB plans.

J. Compensated Absences

Employees accrue vacation, sick, holiday, administrative leave and compensatory time off benefits. District employees have vested interests in the amount of accrued time off, with the exception of sick leave, and are paid on termination. All vacation pay is accrued when incurred in the government-wide financial statements. A liability for these amounts is reported in the governmental funds only if they have matured, for example, as a result of employee resignations or retirements and is currently payable. The District had no employee resignations or retirements for which compensated absences should be accrued in governmental funds at year-end. The general fund is used to liquidate compensated absences.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, Continued

K. Other Postemployment Benefits Other Than Pensions (OPEB)

For purposes of measuring the net OPEB liability, deferred outflows of resources and deferred inflows of resources related to OPEB, and OPEB expense, information about the fiduciary net position of the District's plan (OPEB Plan) and additions to/deductions from the OPEB Plan's fiduciary net position have been determined on the same basis as they are reported by the trustee for the Plan. For this purpose, benefit payments are recognized when currently due and payable in accordance with the benefit terms. Investments are reported at fair value. Gains and losses related to changes in total OPEB liability and fiduciary net position are recognized in OPEB expense systematically over time. Amounts are first recognized in OPEB expense for the year the gain or loss occurs. The remaining amounts are categorized as deferred outflow and deferred inflows of resources related to OPEB and are to be recognized in future OPEB expense.

L. Pensions

The District recognizes a net pension liability, which represents the District's proportionate share of the excess of the total pension liability over the fiduciary net position of the Plan reflected in an actuarial report provided by the Contra Costa County Employees' Retirement Association (CCCERA). The net pension liability is measured as of the District's prior Plan year-end. Changes in the net pension liability are recorded, in the period incurred, as pension expense or as deferred inflows of resources or deferred outflows of resources depending on the nature of the change in the liability. The changes in net pension liability that are recorded as deferred inflows of resources or deferred outflows of resources (that arise from changes in actuarial assumptions or other inputs and differences between expected or actual experience) are amortized over the weighted average remaining service life of all participants in the respective pension plan and are recorded as a component of pension expense beginning with the period in which they are incurred. For the purposes of measuring the net pension liability, deferred outflows, deferred inflows of resources related to pensions and pension expense information about the fiduciary net position of the District's defined benefit pension plan, and additions to/ deductions from fiduciary net position have been determined on the same basis as they are reported by CCCERA. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms.



**Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, Continued

M. Net Position/Fund Balance

Government-wide Statements

Equity is classified as net position and is displayed in three components:

- a. *Net investment in capital assets* – consists of capital assets, including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.
- b. *Restricted net position* – consists of net position with constraints placed on the use by external groups such as creditors, grantors, contributors, or by laws or regulations of other governments or law through constitutional provisions or enabling legislation.
- c. *Unrestricted net position* – all other net position that do not meet the definition of “restricted” or “net investment in capital assets.”

Fund Financial Statements

Governmental fund equity is classified as fund balance. Fund balance is classified as nonspendable, restricted, committed, assigned, or unassigned. The classifications for governmental funds are defined as follows by the District’s Fund Balance Policy:

Nonspendable Fund Balance

- Assets that will never convert to cash (prepaid items, inventory).
- Assets that will not convert to cash soon enough to affect the current period (long-term notes or loans receivable).
- Resources that must be maintained intact pursuant to legal or contractual requirements (the principal of an endowment).

Restricted Fund Balance

- Resources that are subject to externally enforceable legal restrictions imposed by parties altogether outside the government (creditors, grantors, contributors and other governments).
- Resources that are subject to limitations imposed by law through constitutional provisions or enabling legislation.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, Continued

Committed Fund Balance

- Self-imposed limitations set in place prior to the end of the period (encumbrances, economic contingencies and uncertainties).
- Limitation at the highest level of decision-making (Board) that requires formal action at the same level to remove.
- Board Resolution is required to be taken to establish, modify, or rescind a fund balance commitment.
- Fund balance derived from the Fire Flow Tax is committed to pay for District capital improvement projects as approved by the Board of Directors. The amount is equal to the fund balance of the Capital Projects fund.

Assigned Fund Balance

- Amounts in excess of non-spendable, restricted and committed fund balance in funds other than the general fund automatically are reported as assigned fund balance.
- Assigned amounts for a specific purpose are as authorized by the District's Fire Chief or Administrative Services Director through its fund balance policy.

Unassigned Fund Balance

- Residual net resources.
- Total fund balance in the general fund in excess of non-spendable, restricted, committed and assigned fund balance (surplus).
- Excess of non-spendable, restricted and committed fund balance over total fund balance (deficit).



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, Continued

Fund Balance Policy

The District believes that sound financial management principles require that sufficient funds be retained by the District to provide a stable financial base at all times. To retain this stable financial base, the District needs to maintain unrestricted fund balance in its District funds sufficient to fund cash flows of the District and to provide financial reserves for unanticipated expenditures and/or revenue shortfalls of an emergency nature. Committed and unassigned fund balances are considered unrestricted.

The purpose of the District's fund balance policy is to maintain a prudent level of financial resources to protect against reducing service levels or raising taxes and fees because of temporary revenue shortfalls or unpredicted one-time expenditures.

The District had an unassigned fund balance of 50% of budgeted revenue and has achieved the fund balance it needs to support sound financial position which is a target of 50% reserves to achieve that goal.

N. Program Revenues

Amounts reported as *program revenues* include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment and 2) grants and contributions (including special assessments) that are restricted to meeting the operational or capital requirements of a particular function or segment. All taxes, including those dedicated for specific purposes, and other internally dedicated resources are reported as general revenues rather than as program revenues.

O. Property Tax

The County of Contra Costa is responsible for assessing, collecting and apportioning property taxes for the District. Under California law, property taxes are assessed and collected by the County up to 1% of the full cash value of taxable property, plus other increases approved by the voters and distributed in accordance with statutory formulas. The District recognizes property taxes when the individual installments are due, provided they are collected within 60 days after year-end.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, Continued

Secured property taxes are levied on or before the first day of September of each year. They become a lien on real property on March 1 preceding the fiscal year for which taxes are levied. These taxes are paid in two equal installments; the first is due November 1 and delinquent with penalties after December 10; the second is due February 1 and delinquent with penalties after April 10. Secured property taxes, which are delinquent and unpaid as of June 30, are declared to be tax defaulted and are subject to redemption penalties, cost, and interest when paid. If the delinquent taxes are not paid at the end of five years, the property is sold at public auction and the proceeds are used to pay the delinquent amounts due. Any excess is remitted, if claimed, to the taxpayer. Additional tax liens are created when there is a change in ownership of property or upon completion of new construction. Tax bills for these new tax liens are issued throughout the fiscal year and contain various payments and delinquent dates, but are generally due within one year. If the new tax liens are lower, the taxpayer receives a tax refund rather than a tax bill. Unsecured personal property taxes are not a lien against real property. These taxes are due on March 1, and become delinquent, if unpaid on August 31.

The District participates in an alternative method of distribution of property tax levies and assessments known as the "Teeter Plan." The State Revenue and Taxation Code allow counties to distribute secured real property, assessment, and supplemental property taxes on an accrual basis resulting in full payment to taxing agencies each fiscal year. Any subsequent delinquent payments and penalties and interest during a fiscal year will revert to the County. The Teeter Plan payment, which includes 95% of the outstanding accumulated delinquency, is included in property tax revenue retained by the County under the revenue neutrality agreement. Under the Teeter Plan Code, 5% of the delinquency must remain with the County as a reserve for Teeter plan funding. The Teeter Plan does not allow the District to earn interest in a meaningful way on its reserves and the District has an objective to develop reserves to allow it to earn interest and go off the teeter plan.

P. Fire Flow Taxes

Fire flow taxes represent a special tax on property on the secured tax roll, collected by the District since its inception in 1997. The fire flow taxes are collected in each of the District's two service zones for the purpose of obtaining, furnishing, operating, and maintaining fire protection, prevention and suppression and emergency medical equipment, apparatus or facilities, including water distribution facilities for fire suppression purposes, for paying the salaries and benefits of firefighting and emergency medical personnel, and for such other fire protection, prevention and suppression and emergency medical expenses as are deemed necessary by the District. For fiscal year 2021-22, the fire flow tax rate was established at six cents (\$0.06) in Moraga, and six cents (\$0.06) in Orinda.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, Continued

Q. Budgetary Accounting

The District Board of Directors establishes budgets for the General Fund, Debt Service Fund and Capital Projects Fund. Budgetary control is legally maintained at the fund level for these funds. The budget includes appropriations (budgeted expenditures) on a line-item basis and the means of financing them (budgeted revenues.) The coordinators of the Budget are the Fire Chief, Administrative Services Director or designee(s), with direct support from each division in the District.

Budget development begins with a mid-year Budget review in January or during a month selected by the Fire Chief. The mid-year review is a detailed analysis of District revenue and expenditure line items for the current fiscal year. The District fiscal year is from July 1 through June 30 of the next calendar year. The mid-year review is published and distributed to the Board, staff and general public for consideration during the month of January or during a month selected by the Fire Chief. The mid-year financial analysis provides the starting point for next fiscal year's Budget.

Administrators receive a written Budget Packet and a written Budget Timeline in February that provides detailed instructions and deadlines for the Budget process. Administrators meet with the Fire Chief or designated representative and submit the following for the next fiscal year: 1) goals and objectives, 2) preliminary Budget requests, 3) personnel requests and 4) capital equipment requests. During this time, revenue sources are projected by Administrative Services Division staff.

A draft Budget is compiled for review by the Fire Chief, Administrative Services Director or designated representative(s). Individual meetings with each division are held with the Fire Chief or designated representative as deemed necessary by the Fire Chief. Programs, projects and staffing are reviewed in these sessions and approval is dependent on available funding and Fire Chief's recommendation.

After deliberation and final changes, the Budget is adopted by the Board of Directors. Preferably the Budget is adopted in June, prior to the beginning of the next fiscal year. In the event of unusual circumstances, the Budget may be adopted after the beginning of the fiscal year. Regardless, in accordance with Health and Safety Code Section 13895, the final Budget is adopted by October 1 of each fiscal year.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, Continued

Formal budgetary integration is employed as a management control device during the year for all funds. Budgeted and actual revenues and expenditures are reviewed monthly by the Board and budget amendments and transfers are made as needed. The Accountant monitors appropriations on a division basis and conveys this information to the Fire Chief who can approve appropriation transfers so long as appropriations in total by fund do not change. This approach allows the Fire Chief to hold division heads accountable. The District reports expenditures and appropriations on a line-item basis to the Board which is the budgetary level of control.

Only the Board may approve amendments to appropriations in total by fund. This approach allows the Board to hold the Fire Chief accountable for the overall District operations.

Budgets are adopted on a basis consistent with generally accepted accounting principles for all funds. Budgeted amounts presented in the financial statements are as originally adopted and as amended by the Board. Supplemental amendments to the budget were adopted by the Board and have been included in the budget to actual statements.

R. Use of Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts in the financial statements. Actual results could differ from those estimates.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

2. CASH AND INVESTMENTS

At June 30, 2022, the District’s pooled cash and investments, classified by maturity, consisted of the following stated at fair value:

	Balance
	June 30, 2022
Cash in bank	\$ 1,971,394
Cash with Contra Costa County	983,219
Petty cash	200
State of California Local Agency Investment Fund (LAIF)	15,778,028
Total unrestricted cash equivalents and investments	<u>18,732,841</u>
Restricted pension stabilization fund	6,845,315
Restricted investments for debt service	<u>1,688,612</u>
Total cash and investments	<u><u>\$ 27,266,768</u></u>

California statutes authorize governments to invest idle or surplus funds in a variety of credit instruments as provided for in the California Government Code, Section 53600, Chapter 4 – Financial Affairs. The table below identifies the investment types that are authorized for the District by the California Government Code (or the District’s investment policy, where more restrictive) that address interest rate risk, credit risk, and concentration of credit risk. For the year ended June 30, 2022, the District’s permissible investments included the following instruments:

Authorized Investment Type	Maximum Maturity
U.S. Treasury Obligations	5 Years
U.S. Agency Securities	5 Years
Insured or Collateralized Certificates of Deposit	5 Years
State of California Local Agency Investment Fund	N/A
Local Government Investment Pools	N/A
Money Market Funds	N/A
Passbook Savings and Money Market Accounts	N/A

Interest Rate Risk – In accordance with its investment policy, the District manages its exposures to declines in fair values by limiting the weighted average maturity of its investment portfolio to less than 5 years.

Credit Risk – The State of California Local Agency Investment Fund is not rated. As of June 30, 2022 the District’s restricted investments were comprised of \$1,688,612 in money market funds.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

2. CASH AND INVESTMENTS, Continued

Concentration of Credit Risk – The investments made by the District are limited to those allowable under State statutes as incorporated into the District’s Investment Policy, which is accepted annually by the District Board. There were no concentrations in any one issuer for the year.

The District participates in an investment pool managed by Contra Costa County. The County’s investments are subject to credit risk with the full faith and credit of Contra Costa County collateralizing these investments. In addition, these Structured Notes and Asset-Backed Securities are subject to market risk as to changes in interest rates.

The District participates in an investment pool managed by the State of California titled Local Agency Investment Fund (LAIF). LAIF’s investments are subject to credit risk with the full faith and credit of the State of California collateralizing these investments. In addition, these Structured Notes and Asset-Backed Securities are subject to market risk as to changes in interest rates.

Custodial Credit Risk – deposits. For deposits, this is the risk that in the event of a bank failure, the District’s deposits may not be returned to it. The District’s Investment Policy addresses custodial credit risk, which follows the Government Code. Any uninsured bank balance is collateralized by the pledging financial institutions at 110% of the deposits, in accordance with the State of California Government Code.

At June 30, 2022, the carrying amount of the District’s deposits was \$1,971,394 and the balances in financial institutions were \$1,971,394. Of the balance in financial institutions, \$250,000 was covered by federal depository insurance and \$1,721,394 was collateralized as required by State law (Government Code Section 53630), by the pledging financial institution with assets held in a common pool for the District and other governmental agencies, but not in the name of the District.

Custodial Credit Risk – investments. For investments, this is the risk that, in the event of the failure of the counterparty, the District will not be able to recover the value of its investments or collateral securities that are in the possession of an outside counterparty. None of the District’s investments were subject to investment custodial credit risks.

Investment in LAIF: LAIF is stated at amortized cost, which approximates fair value. The LAIF, although not registered with the SEC, is a special fund of the California State Treasury through which local governments may pool investments and is regulated by the California Government Code under the oversight of the Treasurer of the State of California. The District had a balance of \$15,778,028 which approximated fair value and was managed by the State Treasurer. The Board consists of five members as designated by State Statute.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

2. CASH AND INVESTMENTS, Continued

The fair value of the District's investment in this pool is reported in the accompanying financial statements at amounts based upon the District's pro-rata share of the fair value provided by LAIF for the entire LAIF portfolio (in relation to the amortized cost of that portfolio). The balance available for withdrawal is based on the accounting records maintained by LAIF, which are recorded on an amortized cost basis.

3. ACCOUNTS RECEIVABLE

Accounts receivable consisted of the following at June 30, 2022:

	Balance
	June 30, 2022
Taxes	\$ 352,810
Interest	27,229
Intergovernmental	164,002
Ambulance billing	1,279,236
Other receivable	328,581
Total accounts receivable	<u>\$ 2,151,858</u>



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

4. CAPITAL ASSETS

Capital asset activity for the year ended June 30, 2022, was as follows:

	Balance June 30, 2021	Additions	Deletions	Balance June 30, 2022
Governmental activities:				
Nondepreciable assets:				
Land	\$ 502,000	\$ -	\$ -	\$ 502,000
Total nondepreciable assets	502,000	-	-	502,000
Depreciable assets:				
Buildings	11,387,495	-	-	11,387,495
Improvements	865,759	298,000	-	1,163,759
Equipment	1,879,645	178,794	-	2,058,439
Vehicles	7,309,447	139,299	(63,615)	7,385,131
Total depreciable assets	21,442,346	616,093	(63,615)	21,994,824
Total	\$ 21,944,346	\$ 616,093	\$ (63,615)	\$ 22,496,824
Accumulated depreciation:				
Buildings	\$ 4,441,281	\$ 333,074	\$ -	\$ 4,774,355
Improvements	553,975	60,805	-	614,780
Equipment	1,147,976	162,915	-	1,310,891
Vehicles	3,325,235	389,557	(34,988)	3,679,804
Total accumulated depreciation	9,468,467	946,351	(34,988)	10,379,830
Total net capital assets	\$ 12,475,879	\$ (330,258)	\$ (28,627)	\$ 12,116,994

Depreciation expense for capital assets was charged to functions as follows:

	Balance June 30, 2022
Fire protection - operations	\$ 946,351



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

5. ACCOUNTS PAYABLE AND ACCRUED LIABILITIES

Accounts payable and accrued liabilities consisted of the following at June 30, 2022:

	Balance
	June 30, 2022
Accounts payable and accrued liabilities	\$ 338,369
Salaries and benefits payable	927,839
Total	<u>\$ 1,266,208</u>

6. LONG-TERM LIABILITIES

The District's long-term liabilities consist of taxable pension obligation bonds, financed purchase obligations and compensated absences. The following is a summary of changes in long-term liabilities for governmental activities for the year ended June 30, 2022:

	Balance			Balance	Due Within
	July 1, 2021	Additions	Retirements	June 30, 2022	One Year
Pension obligation bonds	\$ 5,255,000	\$ -	\$ (3,610,000)	\$ 1,645,000	\$ 1,645,000
Financed purchase	3,470,791	-	(853,791)	2,617,000	267,000
Total debt	8,725,791	-	(4,463,791)	4,262,000	1,912,000
Compensated absences	774,251	334,586	(165,000)	943,837	201,140
Total long-term liabilities	<u>\$ 9,500,042</u>	<u>\$ 334,586</u>	<u>\$ (4,628,791)</u>	<u>\$ 5,205,837</u>	<u>\$ 2,113,140</u>

Pension Obligation Bonds

On October 6, 2005, the District issued taxable Pension Obligation Bonds in the amount of \$28,435,000. The bonds bear a fixed annual interest rate of 5.22%. Principal amounts are paid in annual installments on July 1 and interest payments are due semi-annually on July 1 and January 1. The bonds will mature on July 1, 2022.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

6. LONG-TERM LIABILITIES, Continued

2016 and 2017 Purchase Agreement – Direct Borrowing

On May 1, 2016 the District entered into a purchase agreement in the amount of \$4,069,000 for the construction, renovation and equipping of Station 43 in Orinda, California. The agreement bears a fixed annual interest rate of 2.14%. Principal and interest amounts are paid in semi-annual installments on October 1 and April 1. The agreement matures on April 1, 2031.

On May 30, 2017 the District entered into a purchase agreement in the amount of \$2,855,000 for the construction and purchase of one fire truck, two fire engines, and two ambulances. The agreement bears a fixed annual interest rate of 1.899%. Principal and interest amounts are paid in semi-annual installments on November 30 and May 30. The agreement matures on May 30, 2032.

The following is the debt service obligations of the District:

Year Ending June 30	Pension Obligation Bond		2016 Purchase Agreement	
	Principal	Interest	Principal	Interest
2023	\$ 1,645,000	\$ 42,935	\$ 267,000	\$ 54,570
2024	-	-	272,000	48,835
2025	-	-	278,000	42,982
2026	-	-	284,000	37,001
2027	-	-	290,000	30,891
2028-2032	-	-	1,226,000	59,717
Total	\$ 1,645,000	\$ 42,935	\$ 2,617,000	\$ 273,996
Due within one year	\$ 1,645,000	\$ 42,935	\$ 267,000	\$ 54,570
Due after one year	-	-	2,350,000	219,426
Total	\$ 1,645,000	\$ 42,935	\$ 2,617,000	\$ 273,996



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

6. LONG-TERM LIABILITIES, Continued

Year Ending June 30	Total	
	Principal	Interest
2023	\$ 1,912,000	\$ 97,505
2024	272,000	48,835
2025	278,000	42,982
2026	284,000	37,001
2027	290,000	30,891
2028-2032	1,226,000	59,717
Total	<u>\$ 4,262,000</u>	<u>\$ 316,931</u>
Due within one year	\$ 1,912,000	\$ 97,505
Due after one year	2,350,000	219,426
Total	<u>\$ 4,262,000</u>	<u>\$ 316,931</u>

Compensated Absences

The District records employee absences, such as vacations, illness, deferred overtime, and holidays, for which it is expected that employees will be paid compensated absences. As of June 30, 2022, the District had a compensated absences balance of \$943,837.

7. NET POSITION/FUND BALANCES

Net Position

As of June 30, 2022, net position is as follows:

Net Position	June 30, 2022
Net investment in capital assets	\$ 9,499,994
Restricted for debt service	1,631,674
Capital Projects	17,572
Unrestricted (deficit)	<u>(2,662,406)</u>
Total	<u>\$ 8,486,834</u>

Restricted balances are for the same purposes as fund balance restrictions because external restriction requirements are the same. See descriptions of the restrictions on the following page.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

7. NET POSITION/FUND BALANCES, Continued

Fund Balance

As of June 30, 2022, the District’s Restricted and Committed fund balances are as follows:

<u>Fund Balances</u>	<u>June 30, 2022</u>
Nonspendable prepaid retirement	\$ 467,645
Restricted for debt service	1,688,612
Restricted for state projects	17,572
Restricted for pension benefits	6,845,315
Committed for capital projects	4,495,401
Unassigned	15,105,887
Total	<u>\$ 28,620,432</u>

The following describes the purpose of each restriction and commitment account used by the District:

Nonspendable

- **General Fund** – represents a non-spendable prepaid portion of employer contributions to Contra Costa County Employees Retirement Association (CCCERA).

Restricted

- **Debt Service** – represents amounts restricted for repayment of principal and payment of interest in the next calendar year of the District’s Taxable Pension Obligation Bonds.
- **State Project** – represents amounts restricted for Tunnel East Bay Hills Fuel Break.
- **Pension Benefits** – represents amounts restricted for payment of pension liabilities.

Committed

- **Capital Projects** – used to represent that portion of fund balance committed for capital construction and purchases. All balances reported in the Capital Projects Fund are committed for this purpose. This amount can only be changed by Board Resolution.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

7. NET POSITION/FUND BALANCES, Continued

The District considers restricted amounts to have been spent prior to unrestricted amounts when an expenditure is incurred for purposes for which both restricted and unrestricted fund balance is available. Committed, assigned, and unassigned amounts, in this order, are considered to have been spent when an expenditure is incurred for which amounts in any of those unrestricted fund balance classifications could be used.

8. RISK MANAGEMENT

The District is a member of the Fire Agencies Insurance Risk Authority (FAIRA), a public agency Joint Powers Authority (JPA) providing insurance risk management services tailored to meet only specific needs of fire and emergency service agencies in the states of California and Nevada.

The FAIRA Joint Powers Authority is owned entirely by participating fire protection districts and agencies, and functions solely for their benefit. The District participates in the following FAIRA coverage:

Property

Property coverage is for direct physical loss or damage to real and personal properties. In addition, the carrier will pay for actual loss of income and necessary expenses incurred during the period of restoration for up to one year if the insured operation is interrupted as a result of direct physical loss or damage to real or personal properties. The District has a deductible of up to \$5,000 per occurrence and a coverage limit of the guaranteed replacement cost of the Real or Personal Property. More detailed information regarding sub-limits is given in the District's FAIRA policy.

Crime

Coverage is provided for dishonest acts committed by an employee, forgery or alteration of checks, drafts, losses arising out of the failure of an individual to perform duties, loss or damage resulting from computer fraud. The District is covered for up to \$1,000,000 for any criminal loss, with a deductible of \$5,000.

General Liability

General liability covers bodily injury and property damage, personal injury and advertising injury, professional healthcare liability or medical expense. The District has no deductible and a coverage limit of up to \$1,000,000 for each occurrence, \$10,000 for medical expense, and annual aggregate limit of \$10,000,000.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

8. RISK MANAGEMENT, Continued

Management Liability

Management liability covers monetary damages as a result of wrongful act arising out of employment related practices, administration of employee benefit plans and other wrongful acts. Coverage includes wrongful termination, sexual harassment, public officials' errors and omissions. For each wrongful act, the District pays the first \$5,000 and the insurance covers the remaining up to \$1,000,000 for each wrongful act and \$10,000,000 annual aggregate limit.

Automobile Coverage

Covers bodily injury, property damage and automobile physical damage resulting from an accident involving vehicles such as fire engines, pumpers, ambulances, paramedic vans, rescue vans, private passenger and other vehicles. The insurance covers up to \$1,000,000 for bodily injury, property damage, and uninsured/underinsured motorists.

The insurance covers direct physical loss or damage to automobiles in the event of fire, lightning, explosion, theft, windstorm, hail, earthquake, flood, mischief, vandalism, or the sinking, burning, collision or derailment of any conveyance transporting the covered automobile and collision, resulting from collision with another object, or overturn. The insurance covers the agreed value of Emergency Response/Antique vehicles and the actual cash value of Private Passenger, Service Vehicles, Trailers, and Other Non-Emergency Vehicles. The deductible is up to \$3,000 depending on the vehicle. Amounts of settlements have not exceeded insurance coverage in the past three years.

A summary of the District's insurance coverage under FAIRA is as follows:

Coverage	Insurance Company/ Pool	Limit of Liability	Deductible/Self Insured Retention
Property	FAIRA	Guaranteed Replacement Cost Up to 12 months loss of income/additional expense \$5,000,000 earthquake sprinkler leakage	Up to \$5000
Crime	FAIRA	\$1,000,000 for all crime	\$1,000
Portable Equipment	FAIRA	Guaranteed Replacement Cost	\$1,000
General Liability	FAIRA	\$1,000,000 each occurrence \$10,000 medical expenses each accident	None
Management	FAIRA	\$1,000,000 each wrongful act	\$7,500
Automobile	FAIRA	\$1,000,000 bodily injury Agreed value/FMV auto damage	\$10,000 medical Up to \$5000



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

9. OTHER POST-EMPLOYMENT BENEFITS (“OPEB”)

At June 30, 2022, net OPEB liability and related deferred outflows of resources are as follows:

	Governmental Activities
Deferred inflows of resources	<u>\$ 1,244,828</u>
Deferred outflows of resources	<u>\$ 275,574</u>
Net OPEB liabilities	<u>\$ 11,698,513</u>

A. Plan Description

In addition to the retirement plan described in Note 11, the Moraga-Orinda Fire District Retiree Health Insurance Program ("OPEB Plan") provides access to lifetime healthcare benefits to eligible retirees and their dependents. The District administers a single-employer defined-benefit post-employment healthcare plan. Benefits vary by hire date, employment status and employment classification. Benefits continue to the surviving spouses. Eligibility for retiree health benefits requires direct retirement from the District under CCCERA.

Eligible employees who were hired prior to April 15, 2014 (July 2, 2014 for Battalion Chiefs and July 1, 2014 for unrepresented), receive 100% of medical and dental premiums, subject to the District Cap. The Medical Cap is as follows:

	<u>Unrepresented</u>	<u>All Others</u>
Single	\$ 575.55	\$ 458.42
Single +1	1,151.10	916.82
Family	1,496.11	1,191.87

Eligible employees hired after the dates listed above will receive the PEMHCA minimum benefit.

B. Eligibility

Employees are eligible to participate in the District’s Plan if they retire directly from the District under CCCERA with ten years of CCCERA service (there is a five-year service requirement if retirement is due to a service-connected disability.) Since PEMHCA is a community rated plan for most employers, an implied subsidy is reflected. The District does not provide vision, life, or Medicare Part B reimbursement to retirees.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

10. OTHER POST-EMPLOYMENT BENEFITS (“OPEB”), Continued

Membership of the District as of the valuation date consisted of the following:

Active plan members	66
Inactive employees or beneficiaries currently receiving benefit payments	149
Total	<u>215</u>

C. Contribution

The obligation of the District to contribute to the plan is based on an actuarially determined rate. For the fiscal year ended June 30, 2022, the District’s expected contribution rate was 11.76 percent of covered-employee payroll.

D. Net OPEB Liability

The District’s net OPEB liability was measured as of June 30, 2022, and the total OPEB liability used to calculate the net OPEB liability was determined by an actuarial valuation as of June 30, 2021.

E. Actuarial Assumptions

The total OPEB liability in the June 30, 2021 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement, unless otherwise specified:

Discount Rate	6.25%
Inflation	9.25%
Aggregate salary increases (Individual salary increases based on CalPERS)	3.00%
Investment rate of return	6.39%
Mortality rates	Based on CalPERS tables
Mortality improvement scale	
Healthcare cost trend rate	6.0% in the first year, trending down to 4.04% over 55 years



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

10. OTHER POST-EMPLOYMENT BENEFITS (“OPEB”), Continued

F. Discount Rate

The discount rate used to measure the total OPEB Liability was 6.25%. The projection of cash flows used to determine the discount rate assumed that the District contribution will be made at rates equal to the actuarially determined contribution rates. Based on those assumptions, the OPEB plan's fiduciary net position was projected to cover all future OPEB payments. Therefore, the discount rate was set equal to the long-term expected rate of return.

The long-term expected rate of return on OPEB plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of OPEB plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target allocation and best estimates of arithmetic real rates of return for each major asset class are summarized in the following table:

Asset Class	Target Allocation	Long-Term Expected Real Rate of Return
Equity - Large Cap Core	55.00%	6.80%
Equity - Mid Cap Core	10.00%	6.80%
Equity - Small Cap Core	15.00%	7.00%
Equity - Real Estate	7.00%	6.30%
Equity - International	8.00%	7.20%
Equity - Emerging Markets	0.00%	7.20%
Fixed Income - Short-Term Bonds	0.00%	3.50%
Fixed Income - Intermediate-Term Bonds	4.00%	4.20%
Fixed Income - High Yield	0.00%	6.30%
Cash	1.00%	2.70%
Total	100.00%	



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

10. OTHER POST-EMPLOYMENT BENEFITS (“OPEB”), Continued

G. Change in the Net OPEB Liability

	Increase (Decrease)		
	Total OPEB Liability (a)	Plan Fiduciary Net Position (b)	Net OPEB Liability (c) = (a) - (b)
Balance at June 30, 2021	\$ 14,486,398	\$ 2,948,603	\$ 11,537,795
Changes recognized for year:			
Service cost	341,584	-	341,584
Interest	876,380	-	876,380
Difference between expected and actual experience	53,343	-	53,343
Changes of assumptions	(151,758)	-	(151,758)
Contributions:			
Employer - District's Contribution	-	1,129,691	(1,129,691)
Employer - Implicit Subsidy	-	283,595	(283,595)
Net investment income	-	(446,961)	446,961
Benefit payments, including refunds of employee contributions	(825,785)	(825,785)	-
Implicit rate subsidy fulfilled	(283,595)	(283,595)	-
Administrative expenses	-	(7,494)	7,494
Net changes	10,169	(150,549)	160,718
Balance at June 30, 2022	<u>\$ 14,496,567</u>	<u>\$ 2,798,054</u>	<u>\$ 11,698,513</u>

H. Sensitivity of the Net OPEB Liability to Changes in the Discount Rate

The following presents the net OPEB Liability of the District, as well as what the District's net OPEB Liability would be if it were calculated using a discount rate that is one percentage point lower (5.25%) or one percentage point higher (7.25%) than the current rate:

Plan's Net OPEB Liability		
Discount Rate -1% (5.25%)	Current Discount Rate (6.25%)	Discount Rate +1% (7.25%)
\$ 13,182,749	\$ 11,698,513	\$ 10,432,156



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

10. OTHER POST-EMPLOYMENT BENEFITS (“OPEB”), Continued

I. Sensitivity of the Net OPEB Liability to Changes in the Healthcare Cost Trend Rates

The following presents the net OPEB Liability of the District, as well as what the District's net OPEB Liability would be if it were calculated using healthcare cost trend rates that are one percentage point lower or one percentage point higher than current healthcare cost trend rates:

Plan's Net OPEB Liability		
Trend Rate -1%	Healthcare Cost Trend Rates	Trend Rate +1%
(5.50% decreasing to 3.04%)	(6.50% decreasing to 4.04%)	(7.50% decreasing to 5.04%)
\$ 11,141,020	\$ 11,698,513	\$ 12,398,957

J. OPEB Expense and Deferred Outflows of Resources Related to OPEB

For the fiscal year ended June 30, 2022, the District recognized OPEB credit of \$886,541. At June 30, 2022, the District reported deferred outflows of resources related to OPEB from the following sources:

	Deferred outflows of resources	Deferred (inflows) of resources
Difference Between Expected and Actual Experience in the Total OPEB Liability	\$ 45,490	\$ (767,681)
Changes of Assumptions	-	(477,147)
Net Difference Between Projected and Actual Earnings on OPEB Plan Investments	230,084	-
Total	\$ 275,574	\$ (1,244,828)



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

10. OTHER POST-EMPLOYMENT BENEFITS (“OPEB”), Continued

The difference between projected OPEB plan investment earnings and actual earnings is amortized over a five-year period. The difference between projected and actual experience will be amortized over the expected average service lifetime of 10.0 years.

Amount reported as deferred outflows of resources related to OPEB will be recognized as future OPEB expense as follows:

Fiscal Year Ending June 30,	Deferred Outflows/(Inflows) of Resources
2023	\$ (479,110)
2024	(439,200)
2025	(167,605)
2026	116,661
	\$ (969,254)

11. PENSION PLAN

A. General Information about the Pension Plan

Plan Descriptions - Substantially, all qualified permanent and probationary District employees are eligible to participate in pension plans, either Safety (law enforcement, fire suppression, and certain others) or General (all other), offered by Contra Costa County Employees’ Retirement Association (CCCERA), a cost sharing multiple employer defined benefit pension plan which acts as a common investment and administrative agent for its participating member employers. Benefit provisions under the Plan are established by State statute and County resolution. CCCERA provides retirement and disability benefits, annual cost of living adjustments and death benefits to plan members, who must be public employees and beneficiaries.

B. Benefits Provided - CCCERA provides service retirement and disability benefits, annual cost of living adjustments and death benefits to eligible employees. Benefits are based on years of credited service, equal to one year of full-time employment. Funding contributions for the Plan are determined annually on an actuarial basis by CCCERA; the District must contribute these amounts.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

11. PENSION PLAN, Continued

The Plan's provisions and benefits in effect at June 30, 2022, are summarized as follows:

	<u>Safety</u>	<u>Non-Safety</u>
Benefit vesting schedule	5 years	5 years
Benefit payments	Monthly for life	Monthly for life
Retirement age	50 or 57	55 or 67
Required employee contribution rates	15.79% - 22.27%	8.02% - 15.84%
Required employer contribution rates	72.97%, 62.44% new hires	24.21%, 19.23% new hires
Monthly benefits as percentage of annual salary	3%, 2.7% new hires	2%, 2.5% new hires

C. Contributions - The District is required to contribute at an actuarially determined rate which is established and may be amended by the CCCERA Board. The amount is actuarially determined as an amount that, when combined with employee contributions, is expected to finance the costs of benefits earned by employees during the year, with an additional amount to finance any unfunded accrued liability. The District's contributions for the year ended June 30, 2022 was \$5,412,473, which was equal to the required contributions for current fiscal year.

D. Pension Liabilities, Pension Expenses and Deferred Outflows/Inflows of Resources Related to Pensions - At June 30, 2022, the District reported a liability of \$10,772,836 for its proportionate share of the net pension liability. The net pension liability was measured as of December 31, 2021, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of December 31, 2021. The District's proportion of the net pension liability was based on a projection of the District's long-term share of contributions to the pension plan relative to the projected contributions of all participating employers, actuarially determined. At December 31, 2021, the District's proportion was -4.434%, which was decreased from its proportion measured as of December 31, 2020 of 4.846%.

The CCCERA investment return for year end 12/31/2022 post balance sheet is -10.6%. However, the net pension liability is not known. This decrease will result in a significant balance sheet event within the audit period.

For the year ended June 30, 2022, the District recognized pension credit of \$15,346,085.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

11. PENSION PLAN, Continued

At June 30, 2022, the District reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	<u>Deferred Outflows of Resources</u>	<u>Deferred (Inflows) of Resources</u>
Pension contributions paid to CCCERA subsequent to measurement date	\$ 2,706,237	\$ -
Difference between expected and actual experience in the Total Pension Liability	-	(2,031,295)
Change in assumptions	-	(6,680,328)
Changes in proportion and differences between employer's contributions	-	(32,040,495)
Net excess of projected over actual earnings on pension plan investments	-	34,498,667
Total	<u>\$ 2,706,237</u>	<u>\$ (6,253,451)</u>

\$2,706,237 reported as deferred outflows of resources related to contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended June 30, 2023. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized as pension expense as follows:

<u>Year Ended June 30</u>	
2023	\$ (5,379,139)
2024	2,482,823
2025	(3,467,758)
2026	110,623
	<u>\$ (6,253,451)</u>



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

11. PENSION PLAN, Continued

E. Actuarial Assumptions - The Total Pension Liabilities as of December 31, 2021 were determined by actuarial valuation as of December 31, 2021. The actuarial assumptions used were based on the results of an experience study for the period from January 1, 2018 through December 31, 2020. In particular, the following actuarial assumptions were applied to all periods included in the measurement of the December 31, 2021 actuarial valuation:

Inflation	2.50%
Salary increases	Non-safety: 3.50% to 14.00% and Safety: 4.00% to 15.00%
Investment rate of return	6.75%
Valuation date	December 31, 2020
Measurement date	December 31, 2021
Actuarial cost method	Entry-Age Actuarial Cost Method

A complete copy of the Actuarial Valuation Summary is available in separately issued financial statements of the plan which can be obtained from CCCERA located at 1200 Concord Avenue, Suite 300, Concord, CA 94520.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which expected future real rates of return (expected returns, net of inflation) are developed for each major asset class. This return is combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage, adding expected inflation and subtracting expected investment expenses and a risk margin. The target allocation (approved by the Board) and projected arithmetic real rates of return for each major asset class, after deducting inflation, but before deducting investment expenses, used in the derivation of the long-term expected investment rate of return assumption are summarized in the following table:

Asset Class	Target Allocation	Long-Term Expected Arithmetic Real Rate of Return
Large Cap. U.S. Equity	10.00%	5.40%
Small Cap Equity	3.00%	6.17%
Developed International Equity	10.00%	6.13%
Emerging Markets Equity	9.00%	8.17%
Core Fixed	4.00%	39.00%
Short-Term Credit	14.00%	0.14%
Cash and Equivalents	3.00%	-0.73%
Private Equity	15.00%	10.83%
Private Credit	13.00%	5.93%
Infrastructure	3.00%	6.30%
Value Add Real Estate	5.00%	7.20%
Opportunistic Real Estate	5.00%	8.50%
Risk Parity	3.00%	3.80%
Hedge Funds	3.00%	2.40%
Total	100.00%	



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
Notes to Basic Financial Statements
For the year ended June 30, 2022

11. PENSION PLAN, Continued

F. Discount Rate - The discount rate used to measure the total pension liability was 6.75% as of December 31, 2021 and 7.00% as of December 31, 2020. The projection of cash flows used to determine the discount rate assumed plan member contributions will be made at the current contribution rate and that employer contributions will be made at rates equal to the actuarially determined contribution rates. For this purpose, only employee and employer contributions that are intended to fund benefits for current plan members and their beneficiaries are included. Projected employer contributions that are intended to fund the service costs for future plan members and their beneficiaries, as well as projected contributions from future plan members, are not included. Based on those assumptions, the Pension Plan's Fiduciary Net Position was projected to be available to make all projected future benefit payments for current plan members. Therefore, the long-term expected rate of return on pension plan investments of 6.75% was applied to all periods of projected benefit payments to determine the Total Pension Liability as of December 31, 2021.

G. Sensitivity of the Proportionate Share of the Net Pension Liability to Changes in the Discount Rate - The following presents the net pension liability as of December 31, 2021, calculated using the discount rate of 6.75%, as well as what the net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (5.75%) or 1-percentage-point higher (7.75%) than the current rate:

	1% Decrease (5.75%)	Current Discount Rate (6.75%)	1% Increase (7.75%)
Net pension liability as of December 31, 2021	\$ 41,282,926	\$ 10,772,836	\$ (14,216,915)

Pension Plan Fiduciary Net Position - Detailed information about each pension plan's fiduciary net position is available in the separately issued CCCERA financial reports.

Payable to the Pension Plan - At June 30, 2022, there were no significant payables due to the pension plan.

The District's proportionate share of total pension liability and fiduciary net position of the plan is as follows:

	District's Proportionate Share
Total Pension Liability	\$ 226,796,547
Fiduciary Net Position	216,023,711
Net Pension Liability	<u>\$ 10,772,836</u>



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
For the year ended June 30, 2022
Notes to Basic Financial Statements

11. PENSION PLAN, Continued

H. Significant Post Balance Sheet Information - In March 2023, CCCERA informed the District of the following information which will have a significant impact on future years calculation of the District's pension liability and future pension costs. CCCERA's estimated net market value investment return was approximately minus 10.5%, significantly underperforming the target performance of 6.75% resulting in a net underperformance of approximately 17.25%. This constitutes a significant post report event. As a result of these losses, pension payments for PEPRA and non-PEPRA safety members are calculated to increase 6.65% in FY25, 3.58% in FY26, 3.81% in FY27. A 1% increase in CCCERA payments is roughly \$115,000. Future pension investment performance may change these numbers. The calculated net pension liability of \$10,772,836 at June 30, 2022 predates CCCERA's recent performance and this liability may change significantly in the future. The District was informed that the pension contribution for the fiscal year ending June 30, 2024 will increase 29% to \$7,314,911.

12. COMMITMENTS AND CONTINGENCIES

The District is a party to claims and lawsuits arising in the ordinary course of business. The District's management and legal counsel are of the opinion that the ultimate liability, if any, arising from these claims will not have material adverse impact on the financial position of the District. The District participates in a number of federal and state assisted grant programs. These programs are subject to program compliance audits by the grantors. The amount, if any, of expenditures which may be disallowed by the granting agencies cannot be determined at this time although the District expects such amounts, if any, to be immaterial.

13. NEW ACCOUNTING PRONOUNCEMENTS

GASB Statement No. 87 – In June 2017, GASB issued Statement No. 87, *Leases*. The objective of this Statement is to better meet the information needs of financial statement users by improving accounting and financial reporting for leases by governments. This Statement increases the usefulness of governments' financial statements by requiring recognition of certain lease assets and liabilities for leases that previously were classified as operating leases and recognized as inflows of resources or outflows of resources based on the payment provisions of the contract. It establishes a single model for lease accounting based on the foundational principle that leases are financings of the right to use an underlying asset. Under this Statement, a lessee is required to recognize a lease liability and an intangible right-to-use lease asset, and a lessor is required to recognize a lease receivable and a deferred inflow of resources, thereby enhancing the relevance and consistency of information about governments' leasing activities. The provisions of this statements have been implemented as of June 30, 2022 but did not have an impact on the District's financial statements.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
For the year ended June 30, 2022
Notes to Basic Financial Statements

13. NEW ACCOUNTING PRONOUNCEMENTS, Continued

GASB Statement No. 89 – In June 2018, GASB issued Statement No. 89, *Accounting for Interest Cost Incurred Before the End of a Construction Period*. The objectives of this Statement is to enhance the relevance and comparability of information about capital assets and the cost of borrowing for a reporting period and (b) to simplify accounting for certain interest costs. This Statement requires that interest cost incurred before the end of a construction period be recognized as an expense in the period in which the cost is incurred for financial statements prepared using the economic resources measurement focus. As a result, interest cost incurred before the end of a construction period will not be included in the historical cost of a capital asset reported in the financial statements. The provisions of this statements have been implemented as of June 30, 2022.

GASB Statement No. 92 – In January 2020, GASB issued Statement No. 92, *Omnibus 2020*. The objectives of this Statement is to establish accounting and financial reporting requirements for specific issues related to leases, intra-entity transfers of assets, postemployment benefits, government acquisitions, risk financing and insurance-related activities of public entity risk pools, fair value measurements, and derivative instruments. The provisions of this statements have been implemented as of June 30, 2022.

GASB Statement No. 97 – In June 2020, GASB issued Statement No. 97, *Certain Component Unit Criteria, and Accounting and Financial Reporting for Internal Revenue Code Section 457 Deferred Compensation Plans—an amendment of GASB Statements No. 14 and No. 84, and a supersession of GASB Statement No. 32*. The objective of this Statement is to increase consistency and comparability related to the reporting of fiduciary component units in circumstances in which a potential component unit does not have a governing board and the primary government performs the duties that a governing board typically would perform; (2) mitigate costs associated with the reporting of certain defined contribution pension plans, defined contribution other postemployment benefit (OPEB) plans, and employee benefit plans other than pension plans or OPEB plans (other employee benefit plans) as fiduciary component units in fiduciary fund financial statements; and (3) enhance the relevance, consistency, and comparability of the accounting and financial reporting for Internal Revenue Code (IRC) Section 457 deferred compensation plans (Section 457 plans) that meet the definition of a pension plan and for benefits provided through those plans. The provisions of this statements have been implemented as of June 30, 2022.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
For the year ended June 30, 2022
Notes to Basic Financial Statements

13. NEW ACCOUNTING PRONOUNCEMENTS, Continued

New Accounting Pronouncements – Effective in Future Fiscal Years

GASB Statement No. 91 – In May 2019, GASB issued Statement No. 91, *Conduit Debt Obligations*. The objectives of this Statement is to provide a single method of reporting conduit debt obligations by issuers and eliminate diversity in practice associated with commitments extended by issuers, arrangements associated with conduit debt obligations, and related note disclosures by clarifying the existing definition of a conduit debt obligation; establishing that a conduit debt obligation is not a liability of the issuer; establishing standards for accounting and financial reporting of additional commitments and voluntary commitments extended by issuers and arrangements associated with conduit debt obligations; and improving required note disclosures. The requirements of this Statement are effective for reporting periods beginning after December 15, 2021 or FY 2022/2023. The District is evaluating the impact of this Statement on the financial statements.

GASB Statement No. 93 – In May 2020, GASB issued Statement No. 93, *Replacement of Interbank Offered Rates*. The objectives of this Statement is to address those and other accounting and reporting implications resulting from the replacement of an IBOR by providing exceptions for certain hedging derivative instruments to the hedge accounting termination provisions when an IBOR is replaced and providing clarification to the hedge accounting termination provisions, removing LIBOR as a benchmark interest rate for the qualitative evaluation of the effectiveness of an interest rate swap, identifying a Secured Overnight Financing Rate and the Effective Federal Funds Rate as appropriate benchmark interest rates for the qualitative evaluation of the effectiveness of an interest rate swap and providing an exception to the lease modifications guidance in Statement 87, as amended, for certain lease contracts that are amended solely to replace an IBOR as the rate upon which variable payments depend. The requirements of this Statement are effective for reporting periods beginning after June 15, 2021 or FY 2021/2022, except the removal of LIBOR as a benchmark interest rate which is effective for periods beginning after December 31, 2022 or FY 2023/2024. The District is evaluating the impact of this Statement on the financial statements.

GASB Statement No. 94 – In March 2020, GASB issued Statement No. 94, *Public-Private and Public-Public Partnerships and Availability Payment Arrangements*. The objectives of this Statement improve financial reporting by addressing issues related to public-private and public-public partnership arrangements (PPPs). The requirements of this Statement are effective for reporting periods beginning after June 15, 2022 or FY 2022/2023. The District is evaluating the impact of this Statement on the financial statements.



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
For the year ended June 30, 2022
Notes to Basic Financial Statements

13. NEW ACCOUNTING PRONOUNCEMENTS, Continued

GASB Statement No. 96 – In May 2020, GASB issued Statement No. 96, *Subscription-Based Information Technology Arrangements*. The objectives of this Statement is to provide guidance on the accounting and financial reporting for subscription-based information technology arrangements (SBITAs) for government end users (governments). This Statement (1) defines a SBITA; (2) establishes that a SBITA results in a right-to-use subscription asset—an intangible asset—and a corresponding subscription liability; (3) provides the capitalization criteria for outlays other than subscription payments, including implementation costs of a SBITA; and (4) requires note disclosures regarding a SBITA. The requirements of this Statement are effective for reporting periods beginning after June 15, 2022 or FY 2022/2023. The District is evaluating the impact of this Statement on the financial statements.

GASB Statement No. 99 – In April 2022, GASB Issued Statement No. 99, *Omnibus 2022*. The objectives of this Statement are to enhance comparability in accounting and financial reporting and to improve the consistency of authoritative literature by addressing (1) practice issues that have been identified during implementation and application of certain GASB Statements and (2) accounting and financial reporting for financial guarantees. Certain requirements of this statement have been implemented as of June 30, 2022. The requirements related to leases, PPPs, and SBITAs are effective for fiscal years beginning after June 15, 2022, and all reporting periods thereafter. The requirements related to financial guarantees and the classification and reporting of derivative instruments within the scope of Statement 53 are effective for fiscal years beginning after June 15, 2023, and all reporting periods thereafter. The District is evaluating the impact of this Statement on the financial statements.

GASB Statement No. 100 – In June 2022, GASB Issued Statement No. 100, *Accounting Changes and Error Corrections – an amendment of GASB Statement No. 62*. The objective of this Statement is to enhance accounting and financial reporting requirements for accounting changes and error corrections to provide more understandable, reliable, relevant, consistent and comparable information for making decisions or assessing accountability. The requirements of this Statement are effective for accounting changes and error corrections made in fiscal years beginning after June 15, 2023 and all reporting periods thereafter. The District is evaluating the impact of this Statement on the financial statements.

GASB Statement No. 101 – In June 2022, GASB Issued Statement No. 101, *Compensated Absences*. The objective of this Statement is to better meet the information needs of the financial statement users by updating the recognition and measurement guidance for compensated absences. That objective is achieved by aligning the recognition and measurement guidance under a unified model and by amending certain previously required disclosures. The requirements of this Statement are effective for fiscal years beginning after December 15, 2023, and all reporting periods thereafter. The District is evaluating the impact of this Statement on the financial statements.



Moraga-Orinda Fire Protection District
Required Supplementary Information – Pension Schedule of
Contributions ¹⁾
Contra Costa County Employees’ Retirement Association (CCCERA)
Last Ten Fiscal Years*

	<u>2022</u>	<u>2021</u>	<u>2020</u>	<u>2019</u>
Contractually required contribution (actuarially determined)	\$ 5,412,473	\$ 5,278,641	\$ 5,034,354	\$ 4,623,330
Contributions in relation to the actuarially determined contributions	5,412,473	5,278,641	5,034,354	4,623,330
Contribution deficiency (excess)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Covered payroll	\$10,233,658	\$ 9,726,290	\$ 9,212,842	\$ 8,632,117
Contributions as a percentage of covered payroll	52.9%	54.3%	54.6%	53.6%

Notes to Schedule

1) Covered payroll represents compensation earnable and pensionable compensation.

* Information prior to the implementation of the pension standards is not available.

2018	2017	2016	2015	2014*
\$ 4,677,312	\$ 4,395,376	\$ 4,063,149	\$ 4,517,403	\$ 3,107,945
<u>4,677,312</u>	<u>4,395,376</u>	<u>4,063,149</u>	<u>4,517,403</u>	<u>3,107,945</u>
<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
\$ 8,395,829	\$ 7,347,757	\$ 6,858,003	\$ 6,966,539	\$ 7,871,587
55.7%	59.8%	59.2%	64.8%	39.5%



Moraga-Orinda Fire Protection District
Required Supplementary Information – Schedule of the District’s
Proportionate Share of the Net Pension Liability
Contra Costa County Employees’ Retirement Association (CCCERA)
Last Ten Fiscal Years*

	<u>2022</u>	<u>2021</u>	<u>2020</u>
Proportion of the net pension liability	-4.434%	4.846%	3.094%
Proportionate share of the net pension liability	\$10,772,836	\$ 22,360,799	\$ 26,734,009
Covered payroll	\$ 9,339,635	\$ 9,177,332	\$ 8,317,080
Net pension liability as percentage of covered payroll	115.35%	243.65%	321.44%
Plan fiduciary net position as a percentage of the total pension liability	95.25%	89.64%	87.02%
Measurement Date	12/31/2021	12/31/2020	12/31/2019

Notes to Schedule:

1) Covered payroll represents compensation earnable and pensionable compensation.

* Information prior to the implementation of the pension standards is not available.

2019	2018	2017	2016	2015	2014*
2.410%	2.896%	2.326%	2.608%	2.393%	2.393%
\$ 34,418,805	\$ 23,498,575	\$ 32,569,913	\$ 39,299,357	\$ 28,612,847	\$ 35,211,427
\$ 8,139,433	\$ 7,960,215	\$ 7,347,757	\$ 6,858,003	\$ 7,350,163	\$ 7,353,174
422.86%	295.20%	443.26%	573.04%	389.28%	478.86%
82.47%	87.85%	82.41%	78.77%	83.79%	80.06%
12/31/2018	12/31/2017	12/31/2016	12/31/2015	12/31/2014	12/31/2013



Moraga-Orinda Fire Protection District
Required Supplementary Information - Schedule of the District's
OPEB Contributions
Last Ten Fiscal Years

	<u>2021-22</u>	<u>2020-21</u>	<u>2019-20</u>	<u>2018-19</u>
Actuarially determined contribution	\$ 1,413,286	\$ 1,579,380	\$ 1,586,650	\$ 1,613,502
Contributions in relation to the actuarially determined contribution	(1,413,286)	(1,508,638)	(1,586,650)	(1,613,502)
Contribution deficiency (excess)	<u>\$ -</u>	<u>\$ 70,742</u>	<u>\$ -</u>	<u>\$ -</u>
Covered payroll	\$ 13,196,450	\$ 10,381,499	\$ 9,212,842	\$ 8,632,117
Contributions as a percentage of covered-employee payroll	10.71%	14.53%	17.22%	18.69%

2017-18	2016-17	2015-16	2014-15	2013-14	2012-13
\$ 1,530,343	\$ 1,485,776	\$ 1,292,000	\$ 1,238,000	\$ 1,187,000	\$ 2,447,000
(1,502,797)	(1,371,290)	(953,224)	(969,770)	(896,659)	(937,777)
\$ 27,546	\$ 114,486	\$ 338,776	\$ 268,230	\$ 290,341	\$ 1,509,223
\$ 6,987,356	\$ 7,872,287	\$ 7,288,000	\$ 7,208,000	\$ 6,981,000	\$ 7,171,000
21.51%	17.42%	13.08%	13.45%	12.84%	13.08%



Moraga-Orinda Fire Protection District
Required Supplementary Information – Schedule of the District’s
Changes in Net OPEB Liability
Last Ten Years*

	Fiscal Year Ending June 30, 2022	Fiscal Year Ending June 30, 2021	Fiscal Year Ending June 30, 2020	Fiscal Year Ending June 30, 2019	Fiscal Year Ending June 30, 2018	Ending June 30, 2017*
Total OPEB Liability						
Service cost	\$ 341,584	\$ 374,830	\$ 372,506	\$ 423,862	\$ 459,818	\$ 446,425
Interest	876,380	1,001,281	999,685	1,076,764	946,716	929,839
Differences between expected and actual experience	53,343	(1,388,072)	14,954	(274,383)	238,065	-
Change of assumptions	(151,758)	(558,808)	(188,887)	(23,351)	-	-
Benefit payments	(825,785)	(854,258)	(874,316)	(871,208)	(821,298)	(827,604)
Implicit rate subsidy fulfilled	(283,595)	(322,747)	(298,745)	(334,561)	(307,499)	(287,686)
Net change in total OPEB liability	10,169	(1,747,774)	25,197	(2,877)	515,802	260,974
Total OPEB liability - beginning of year	14,486,398	16,234,172	16,208,975	16,211,852	15,696,050	15,435,076
Total OPEB liability - end of year (a)	\$14,496,567	\$14,486,398	\$16,234,172	\$16,208,975	\$16,211,852	\$15,696,050
Plan Fiduciary Net Position						
Net investment income	\$ (446,961)	\$ 630,935	\$ 91,213	\$ 73,072	\$ 36,771	\$ 41,863
Contributions						
Employer - explicit subsidy	1,129,691	1,185,891	1,433,424	1,278,941	1,195,298	1,083,604
Employer - implicit subsidy	283,595	322,747	298,745	334,561	307,499	287,686
Benefit payments	(825,785)	(854,258)	(874,316)	(871,208)	(821,298)	(827,604)
Implicit rate subsidy fulfilled	(283,595)	(322,747)	(298,745)	(334,561)	(307,499)	(287,686)
Administrative expense	(7,494)	(13,638)	(8,986)	(4,595)	(1,576)	(1,367)
Net change in plan fiduciary net position	(150,549)	948,930	641,335	476,210	409,195	296,496
Plan fiduciary net position - beginning of year	2,948,603	1,999,673	1,358,338	882,128	472,933	176,437
Plan fiduciary net position - end of year (b)	2,798,054	2,948,603	1,999,673	1,358,338	882,128	472,933
District's net OPEB liability - end of year = (a) - (b)	\$11,698,513	\$11,537,795	\$14,234,499	\$14,850,637	\$15,329,724	\$15,223,117
Plan fiduciary net position as a percentage of the total OPEB liability	19.30%	20.35%	12.32%	8.38%	5.44%	3.01%
covered-employee payroll	\$13,196,450	\$10,381,499	\$ 9,212,842	\$ 8,632,117	\$ 6,987,356	\$ 7,872,287
Measurement Date	6/30/2022	6/30/2021	6/30/2020	6/30/2019	6/30/2018	6/30/2017

Notes to schedule:

* Information prior to the implementation of the OPEB standards is not available.



Moraga-Orinda Fire Protection District
Schedule of Revenues, Expenditures, and Changes in Fund Balances -
Budget to Actual – Debt Service Fund
For the year ended June 30, 2022

	Original Budget	Amended Budget	Actual	Variance With Amended Positive (Negative)
REVENUES:				
Property taxes	\$ 1,730,869	\$ 1,730,869	\$ 1,730,869	\$ -
Use of money and property	500	500	708	208
Total revenues	1,731,369	1,731,369	1,731,577	208
EXPENDITURES:				
Debt service:				
Principal	4,463,791	4,463,791	4,463,791	-
Interest	248,747	248,747	248,723	24
Total expenditures	4,712,538	4,712,538	4,712,514	24
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	(2,981,169)	(2,981,169)	(2,980,937)	232
OTHER FINANCING SOURCES:				
Transfers in	922,448	922,448	922,424	(24)
Transfers out	-	-	(202)	(202)
Total other financing sources	922,448	922,448	922,222	(226)
Net change in fund balances	(2,058,721)	(2,058,721)	(2,058,715)	6
FUND BALANCES:				
Beginning of year	3,747,327	3,747,327	3,747,327	-
End of year	\$ 1,688,606	\$ 1,688,606	\$ 1,688,612	\$ 6



Moraga-Orinda Fire Protection District
Schedule of Revenues, Expenditures, and Changes in Fund Balances
Budget to Actual – Capital Projects Fund
For the year ended June 30, 2022

	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Actual</u>	<u>Variance With Amended Positive (Negative)</u>
REVENUES:				
Fire flow taxes	\$ 1,095,000	\$ 1,096,800	\$ 1,096,800	\$ -
Use of money and property	10,000	2,000	3,270	1,270
Intergovernmental	-	188,200	188,200	-
Charges for services	20,000	20,000	6,000	(14,000)
Total revenues	<u>1,125,000</u>	<u>1,307,000</u>	<u>1,294,270</u>	<u>(12,730)</u>
EXPENDITURES:				
Service and supplies	14,200	203,150	183,516	19,634
Capital outlay	458,000	808,243	616,092	192,151
Total expenditures	<u>472,200</u>	<u>1,011,393</u>	<u>799,608</u>	<u>211,785</u>
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	<u>652,800</u>	<u>295,607</u>	<u>494,662</u>	<u>199,055</u>
OTHER FINANCING SOURCES:				
Transfers out	(922,448)	(922,448)	(922,424)	24
Proceeds from sale of assets	-	-	-	-
Total other financing sources	<u>(922,448)</u>	<u>(922,448)</u>	<u>(922,424)</u>	<u>24</u>
Net change in fund balances	<u>(269,648)</u>	<u>(626,841)</u>	<u>(427,762)</u>	<u>199,079</u>
FUND BALANCES:				
Beginning of year	4,563,000	4,563,000	4,923,163	(360,163)
End of year	<u>\$ 4,293,352</u>	<u>\$ 3,936,159</u>	<u>\$ 4,495,401</u>	<u>\$ (161,084)</u>



Moraga-Orinda Fire Protection District
Annual Comprehensive Financial Report
For the year ended June 30, 2022

This part of the District's annual comprehensive financial report presents detailed information as a context for understanding what the information in the financial statements and footnotes says about the District's overall financial health.

Financial Trends

These schedules contain trend information to help the reader understand how the District's financial performance and well-being have changed over time.

Revenue Capacity

These schedules contain information to help the reader assess the District's most significant revenue source, the property tax.

Debt Capacity

These schedules contain information to help the reader assess the affordability of the District's current levels of outstanding debt and the District's ability to issue additional debt in the future.

Demographic and Economic Information

These schedules offer demographic and economic indicators to help the reader understand the environment within which the District's financial activities take place.

Operating Information

These schedules contain service data to help the reader understand how the information in the District's financial report relates to the services the District provides and the activities it performs.

Sources

Unless otherwise noted, the information in these schedules is derived from the annual comprehensive financial reports for the relevant year.



Moraga-Orinda Fire Protection District
Net Position by Component
Last Ten Fiscal Years
For the year ended June 30, 2022

	<u>2013</u>	<u>2014</u>	<u>2015*</u>	<u>2016</u>
Governmental activities:				
Net investment in				
capital assets	\$ 9,314,274	\$ 9,930,092	\$ 9,466,042	\$ 8,327,292
Restricted	2,037,710	2,206,339	2,812,780	12,655,893
Unrestricted (deficit)	<u>(2,697,070)</u>	<u>(2,337,332)</u>	<u>(56,768,462)</u>	<u>(60,767,871)</u>
Total governmental activities				
net position	<u>\$ 8,654,914</u>	<u>\$ 9,799,099</u>	<u>\$ (44,489,640)</u>	<u>\$ (39,784,686)</u>

* Implemented GASB 68

2017	2018	2019	2020	2021	2022
\$ 7,318,954	\$ 7,683,689	\$ 8,501,486	\$ 9,117,374	\$ 9,005,088	\$ 9,499,994
2,955,444	3,317,901	2,924,711	3,246,610	3,593,836	1,649,246
<u>(52,888,825)</u>	<u>(47,724,303)</u>	<u>(42,911,719)</u>	<u>(36,602,553)</u>	<u>(26,199,281)</u>	<u>(2,662,406)</u>
<u>\$ (42,614,427)</u>	<u>\$ (36,722,713)</u>	<u>\$ (31,485,522)</u>	<u>\$ (24,238,569)</u>	<u>\$ (13,600,357)</u>	<u>\$ 8,486,834</u>



Moraga-Orinda Fire Protection District
Changes in Net Position
Last Ten Fiscal Years
For the year ended June 30, 2022
(Accrual basis of accounting)

	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
Expenses:				
Governmental activities:				
Fire protection - operations	\$ 18,285,971	\$ 19,149,488	\$ 18,372,152	\$ 18,610,768
OPEB	1,356,223	273,867	-	-
Interest and fiscal charges	1,225,394	1,151,010	1,041,717	1,079,259
Total governmental activities expenses	<u>20,867,588</u>	<u>20,574,365</u>	<u>19,413,869</u>	<u>19,690,027</u>
Total primary government expenses	<u>\$ 20,867,588</u>	<u>\$ 20,574,365</u>	<u>\$ 19,413,869</u>	<u>\$ 19,690,027</u>
Program revenues:				
Governmental activities:				
Charges for services:				
Fire protection - operations	\$ 1,455,540	\$ 1,037,735	\$ 1,180,935	\$ 1,303,760
Operating grants and contributions	-	1,773,086	1,814,670	436,499
Total governmental activities program revenues	<u>1,455,540</u>	<u>2,810,821</u>	<u>2,995,605</u>	<u>1,740,259</u>
Total primary government program revenues	<u>\$ 1,455,540</u>	<u>\$ 2,810,821</u>	<u>\$ 2,995,605</u>	<u>\$ 1,740,259</u>
Net (Expense)/Revenue				
Governmental activities	<u>\$ (19,412,048)</u>	<u>\$ (17,763,544)</u>	<u>\$ (16,418,264)</u>	<u>\$ (17,949,768)</u>
Total primary government net expense	<u>\$ (19,412,048)</u>	<u>\$ (17,763,544)</u>	<u>\$ (16,418,264)</u>	<u>\$ (17,949,768)</u>
General Revenues and Other Changes in Net Position:				
Governmental activities:				
Taxes:				
Property taxes	\$ 16,471,345	\$ 17,670,263	\$ 19,235,847	\$ 20,693,314
Fire flow taxes	1,069,288	1,071,747	1,068,288	1,070,214
Investment earnings	784	209	1,996	10,948
State and federal grants	1,239	165,510	160,407	158,460
Other general revenues	112,191	-	-	406,279
Gain (loss) on sale of assets	-	-	-	315,507
Total governmental activities	<u>17,654,847</u>	<u>18,907,729</u>	<u>20,466,538</u>	<u>22,654,722</u>
Total primary government	<u>\$ 17,654,847</u>	<u>\$ 18,907,729</u>	<u>\$ 20,466,538</u>	<u>\$ 22,654,722</u>
Changes in Net Position				
Governmental activities	<u>\$ (1,757,201)</u>	<u>\$ 1,144,185</u>	<u>\$ 4,048,274</u>	<u>\$ 4,704,954</u>
Total primary government	<u>\$ (1,757,201)</u>	<u>\$ 1,144,185</u>	<u>\$ 4,048,274</u>	<u>\$ 4,704,954</u>

2017	2018	2019	2020	2021	2022
\$ 19,005,152	\$ 21,012,014	\$ 22,256,196	\$ 28,155,478	\$ 24,739,637	\$ 11,441,788
-	-	-	-	-	-
996,870	825,941	716,469	545,240	357,144	152,170
20,002,022	21,837,955	22,972,665	28,700,718	25,096,781	11,593,958
<u>\$ 20,002,022</u>	<u>\$ 21,837,955</u>	<u>\$ 22,972,665</u>	<u>\$ 28,700,718</u>	<u>\$ 25,096,781</u>	<u>\$ 11,593,958</u>
\$ 1,531,589	\$ 1,469,376	\$ 2,135,887	\$ 1,614,881	\$ 1,691,513	\$ 2,109,256
106,929	459,284	803,789	4,472,546	990,192	698,836
1,638,518	1,928,660	2,939,676	6,087,427	2,681,705	2,808,092
<u>\$ 1,638,518</u>	<u>\$ 1,928,660</u>	<u>\$ 2,939,676</u>	<u>\$ 6,087,427</u>	<u>\$ 2,681,705</u>	<u>\$ 2,808,092</u>
\$ (18,363,504)	\$ (19,909,295)	\$ (20,032,989)	\$ (22,613,291)	\$ (22,415,076)	\$ (8,785,866)
<u>\$ (18,363,504)</u>	<u>\$ (19,909,295)</u>	<u>\$ (20,032,989)</u>	<u>\$ (22,613,291)</u>	<u>\$ (22,415,076)</u>	<u>\$ (8,785,866)</u>
\$ 22,121,300	\$ 23,220,123	\$ 24,686,257	\$ 26,074,303	\$ 27,314,589	\$ 28,930,857
1,076,738	1,080,597	1,084,245	1,087,937	1,093,247	1,096,800
22,103	116,664	261,644	212,424	1,033,285	(1,056,101)
156,429	154,528	151,166	148,796	149,337	149,898
599,199	1,229,097	966,677	456,975	3,462,830	1,751,603
-	-	-	-	-	-
23,975,769	25,801,009	27,149,989	27,980,435	33,053,288	30,873,057
<u>\$ 23,975,769</u>	<u>\$ 25,801,009</u>	<u>\$ 27,149,989</u>	<u>\$ 27,980,435</u>	<u>\$ 33,053,288</u>	<u>\$ 30,873,057</u>
\$ 5,612,265	\$ 5,891,714	\$ 7,117,000	\$ 5,367,144	\$ 10,638,212	\$ 22,087,191
<u>\$ 5,612,265</u>	<u>\$ 5,891,714</u>	<u>\$ 7,117,000</u>	<u>\$ 5,367,144</u>	<u>\$ 10,638,212</u>	<u>\$ 22,087,191</u>



Moraga-Orinda Fire Protection District
Fund Balances, Governmental Funds
Last Ten Fiscal Years
For the year ended June 30, 2022

	2013	2014	2015	2016
General Fund				
Nonspendable	\$ 179,419	\$ 314,360	\$ 150,767	\$ -
Restricted	-	700	-	-
Committed	-	-	-	-
Assigned	-	-	-	-
Unassigned (deficit)	(103,719)	250,906	1,809,814	3,689,075
Total General Fund	<u>75,700</u>	<u>565,966</u>	<u>1,960,581</u>	<u>3,689,075</u>
All Other Governmental Funds				
Nonspendable	\$ -	\$ -	\$ -	\$ -
Restricted	2,037,710	2,205,639	2,812,780	6,591,527
Committed	3,607,437	3,445,991	3,890,011	6,064,366
Assigned	-	-	-	-
Total Other Governmental Funds	<u>5,645,147</u>	<u>5,651,630</u>	<u>6,702,791</u>	<u>12,655,893</u>
Total All Governmental Funds	<u>\$ 5,720,847</u>	<u>\$ 6,217,596</u>	<u>\$ 8,663,372</u>	<u>\$ 16,344,968</u>

2017	2018	2019	2020	2021	2022
\$ 81,945	\$ 16,443	\$ 493,113	\$ 258,759	\$ 580,118	\$ 467,645
300,000	700,449	1,879,809	3,022,693	5,582,483	6,845,315
-	76,594	-	-	-	-
-	-	-	-	-	-
<u>4,905,518</u>	<u>6,297,533</u>	<u>7,828,854</u>	<u>9,618,061</u>	<u>11,964,650</u>	<u>15,105,887</u>
<u>5,287,463</u>	<u>7,091,019</u>	<u>10,201,776</u>	<u>12,899,513</u>	<u>18,127,251</u>	<u>22,418,847</u>
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
6,070,031	5,335,311	3,244,815	3,487,608	3,747,327	1,706,184
6,580,029	6,021,716	5,017,632	4,559,236	4,923,162	4,495,401
-	-	16,864	213,714	-	-
<u>12,650,060</u>	<u>11,357,027</u>	<u>8,279,311</u>	<u>8,260,558</u>	<u>8,670,489</u>	<u>6,201,585</u>
<u>\$ 17,937,523</u>	<u>\$ 18,448,046</u>	<u>\$ 18,481,087</u>	<u>\$ 21,160,071</u>	<u>\$ 26,797,740</u>	<u>\$ 28,620,432</u>



Moraga-Orinda Fire Protection District
Changes in Fund Balances, Governmental Funds
Last Ten Fiscal Years
For the year ended June 30, 2022
(Modified accrual basis of accounting)

	2013	2014	2015	2016
Revenues:				
Property taxes	\$ 16,471,345	\$ 17,670,263	\$ 19,235,847	\$ 20,693,314
Fire flow taxes	1,069,288	1,071,747	1,068,288	1,070,214
Use of money and property	784	209	1,996	10,948
State and federal grants	1,239	853,927	950,669	594,959
Charges for services	1,455,540	226,745	273,205	228,372
Charges for services - ambulance	-	810,990	907,730	997,388
Other revenues	112,191	1,026,669	798,753	406,279
Impact mitigation fees	-	58,000	225,655	78,000
Total revenues	19,110,387	21,718,550	23,462,143	24,079,474
Expenditures:				
Fire protection - operations:				
Salaries	7,725,838	8,181,676	7,250,708	7,517,701
Overtime	2,421,630	1,541,123	2,048,524	1,832,377
Benefits	4,001,208	4,649,384	6,442,501	5,924,823
Retiree health insurance	937,777	896,659	885,770	859,224
Services and supplies	1,824,534	2,059,857	1,810,195	2,091,521
Capital outlay	493,832	1,279,899	266,114	792,794
Debt service:				
Principal	1,230,000	1,425,000	1,630,000	1,936,862
Interest and fiscal charges	1,257,498	1,188,203	1,108,467	1,091,276
Total expenditures	19,892,317	21,221,801	21,442,279	22,046,578
Reconciliation of Governmental Revenues				
Less Expenditures to Fund Equity:				
Revenue over (under) expenditures	(781,930)	496,749	2,019,864	2,032,896
Other financing sources:				
Proceeds of debt issued	-	-	424,554	4,069,000
Proceeds from sales of assets	-	-	1,358	1,579,700
Total other financing sources	-	-	425,912	5,648,700
Net change in fund balances	\$ (781,930)	\$ 496,749	\$ 2,445,776	\$ 7,681,596
 Debt service as a percentage of noncapital expenditures	 <u>12.82%</u>	 <u>13.10%</u>	 <u>12.93%</u>	 <u>14.25%</u>

2017	2018	2019	2020	2021	2022
\$ 22,121,300	\$ 23,220,123	\$ 24,686,257	\$ 26,074,303	\$ 27,314,589	\$ 28,930,857
1,076,738	1,080,597	1,084,245	1,087,937	1,093,247	1,096,800
22,103	116,664	261,644	212,424	1,033,285	(1,056,101)
263,358	613,812	954,955	4,621,342	1,139,529	848,734
319,436	348,691	321,059	241,409	343,071	259,517
1,116,153	1,082,685	1,751,628	1,353,072	1,280,442	1,843,739
599,199	1,229,097	966,677	456,975	3,462,830	1,751,603
96,000	38,000	63,200	20,400	68,000	6,000
<u>25,614,287</u>	<u>27,729,669</u>	<u>30,089,665</u>	<u>34,067,862</u>	<u>35,734,993</u>	<u>33,681,149</u>
8,065,559	8,551,976	8,898,105	9,567,398	9,969,662	10,571,914
2,196,582	2,741,777	2,829,927	1,643,345	3,452,638	3,486,207
6,369,452	6,864,030	6,937,618	7,945,046	8,215,104	8,451,142
827,605	821,299	871,105	874,316	854,258	826,784
2,165,943	2,561,629	3,044,933	6,207,382	3,060,478	3,194,401
3,882,152	1,575,234	3,216,942	678,836	8,095	616,092
2,383,359	3,234,500	3,531,541	3,853,811	4,102,690	4,463,791
992,998	935,347	787,569	624,346	444,651	248,723
<u>26,883,650</u>	<u>27,285,792</u>	<u>30,117,740</u>	<u>31,394,480</u>	<u>30,107,576</u>	<u>31,859,054</u>
<u>(1,269,363)</u>	<u>443,877</u>	<u>(28,075)</u>	<u>2,673,382</u>	<u>5,627,417</u>	<u>1,822,095</u>
2,855,000	-	-	-	-	-
6,918	66,646	61,116	5,602	10,252	597
<u>2,861,918</u>	<u>66,646</u>	<u>61,116</u>	<u>5,602</u>	<u>10,252</u>	<u>597</u>
<u>\$ 1,592,555</u>	<u>\$ 510,523</u>	<u>\$ 33,041</u>	<u>\$ 2,678,984</u>	<u>\$ 5,637,669</u>	<u>\$ 1,822,692</u>
<u>14.68%</u>	<u>16.22%</u>	<u>16.06%</u>	<u>14.58%</u>	<u>15.11%</u>	<u>15.08%</u>



Moraga-Orinda Fire Protection District
Assessed Value and Actual Value of Taxable Properties
For the year ended June 30, 2022

	<u>Secured</u>	<u>Public Utility</u>	<u>Unsecured</u>	<u>Total</u>
2013	\$7,717,894,690	\$ 116,479	\$70,187,146	\$7,788,198,315
2014	8,185,959,045	116,479	61,878,545	8,247,954,069
2015	8,856,613,012	-	54,622,692	8,911,235,704
2016	9,513,818,540	-	51,023,341	9,564,841,881
2017	10,092,398,210	-	56,765,474	10,149,163,684
2018	10,647,964,837	-	53,105,276	10,701,070,113
2019	11,280,017,996	-	54,374,980	11,334,392,976
2020	11,977,281,909	-	53,230,826	12,030,512,735
2021	12,586,968,660	-	54,136,370	12,641,105,030
2022	13,165,450,749	-	60,295,577	13,225,746,326



This page left blank intentionally.



Moraga-Orinda Fire Protection District
Direct and Overlapping Property Tax Rates
Last Ten Fiscal Years

	Basic Direct Rate	Overlapping Rates				
		Acalanes Union High School District	BART Bond	Contra Costa Comm College District	EBMUD District 1 Bond	East Bay Regional Park District Bond
2013	1.00000	0.03330	0.00430	0.00870	0.00680	0.00510
2014	1.00000	0.03610	0.00750	0.01330	0.00660	0.00780
2015	1.00000	0.03500	0.00450	0.02520	0.00470	0.00850
2016	1.00000	0.03320	0.00260	0.02200	0.00340	0.00670
2017	1.00000	0.03230	0.00800	0.01200	0.00280	0.00320
2018	1.00000	0.03250	0.00840	0.01140	0.00110	0.00210
2019	1.00000	0.03230	0.00700	0.01100	0.00000	0.00210
2020	1.00000	0.03260	0.01200	0.01880	0.00000	0.00940
2021	1.00000	0.03270	0.01390	0.01610	0.00000	0.00140
2022	1.00000	0.03360	0.00600	0.01760	0.00000	0.00200

Source: HdL, Coren and Cone.

Notes:

Rate per \$100 of assessed value.

In 1978, California voters passed Proposition 13 which set the property tax rate at a 1.00% fixed amount. This 1.00% is shared by all taxing agencies for which the subject property resides within. In addition to the 1.00% fixed amount, property owners are charged taxes as a percentage of assessed property values for the payment of any voter approved bonds.

Overlapping rates are those of local and county governments that apply to property owners within the District. Not all overlapping rates apply to all District property owners.

Lafayette School District Bond 1995	Moraga School District Bond 1995	Orinda Union School District Bond	Orinda Roads Bond	West Contra Costa Unified School District	Total Tax Rate
0.02840	0.02790	0.02730	0.00000	0.21570	1.35750
0.02670	0.02640	0.02550	0.00000	0.28180	1.43170
0.02410	0.02430	0.02320	0.01300	0.28030	1.44280
0.02090	0.02290	0.01900	0.01850	0.27810	1.42730
0.04370	0.02240	0.01650	0.01690	0.26040	1.41820
0.04190	0.04830	0.01440	0.02500	0.23970	1.42480
0.04120	0.04480	0.01460	0.03350	0.23900	1.42550
0.04010	0.04520	0.07240	0.03250	0.23790	1.50090
0.03810	0.02810	0.06030	0.03220	0.24320	1.46600
0.02290	0.03870	0.06170	0.03300	0.29390	1.50940



Moraga-Orinda Fire Protection District
Principal Property Taxpayers
Current Year and Ten Years Ago

Property Owner	Primary Land Use	2021-22		
		Assessed Valuation	Rank	% of Net AV
RHEEM VALLEY PROPERTY OWNER LP	Commercial Moraga	\$ 37,818,446	1	0.29%
OPG PARTNERS LLC	Commercial Orinda	35,200,382	2	0.27%
ORINDA DUNHILL LLC	Commercial Orinda	34,894,303	3	0.26%
RUSSELL J BRUZZONE INC	Commercial Moraga	26,474,534	4	0.20%
COMCAST	Unsecured Orinda	15,402,617	5	0.12%
ASC MORAGA LLC	Commercial Moraga	13,651,795	6	0.10%
YSMA LLC	Residential Orinda	12,876,936	7	0.10%
VANGUARD APARTMENTS LLC	Residential Moraga	12,344,339	8	0.09%
MORAGA ROYALE LLC	Commercial Moraga	11,336,239	9	0.09%
ORINDA COUNTRY CLUB	Recreational Orinda	11,099,191	10	0.08%
OG PROPERTY OWNER LLC	Vacant Orinda			
PK I RHEEM VALLEY LP	Commercial Moraga			
GLL BVK PROPERTIES	Commercial Orinda			
PINE GROVE LLC	Commercial Orinda			
RICHARD S WILEY	Residential Orinda			
BOW LEASING COMPANY INC	Unsecured Orinda			
GEORGE GAGE TRUST	Residential Moraga			
		<u>\$ 211,098,782</u>		<u>1.60%</u>

Source: HdL, Coren and Cone.

2012-13		
Assessed Valuation	Rank	% of Total
20,901,775	4	0.27%
10,295,758	9	0.13%
10,448,692	7	0.13%
131,619,481	1	1.69%
33,679,942	2	0.43%
25,000,000	3	0.32%
19,038,387	5	0.24%
10,764,089	6	0.14%
10,411,564	8	0.13%
8,272,717	10	0.11%
<u>\$ 280,432,405</u>		<u>3.59%</u>



Moraga-Orinda Fire Protection District
Property Tax Levies and Collections
Last Ten Fiscal Years

Fiscal Year	Total Tax Levy	Collected within the Fiscal Year of the Levy	
		Amount	Percentage of Levy
2013	\$ 16,471,345	\$ 16,471,345	100%
2014	17,670,263	17,670,263	100%
2015	19,235,848	19,235,848	100%
2016	20,693,314	20,693,314	100%
2017	22,121,300	22,121,300	100%
2018	23,220,123	23,220,123	100%
2019	24,686,257	24,686,257	100%
2020	26,074,303	26,074,303	100%
2021	27,314,589	27,314,589	100%
2022	28,930,857	28,930,857	100%

Source: Administrative Services Division.

Note: Taxes reported and collected under the Teeter Plan are distributed to the District in the year of the levy. Contra Costa County retains any interest or penalties on uncollected balances.



Moraga-Orinda Fire Protection District
Ratio of Outstanding Debt by Type
Last Test Fiscal Years

Fiscal Year	Pension Obligation Bonds	Equipment Financing Agreement	Total Primary Government	Percentage of Personal Income	Per Capita
2013	\$ 23,475,000	\$ -	\$ 23,475,000	0.92%	\$ 687
2014	22,050,000	-	22,050,000	0.85%	640
2015	20,420,000	424,554	20,844,554	0.78%	594
2016	18,565,000	4,411,692	22,976,692	0.81%	652
2017	16,465,000	6,983,333	23,448,333	0.78%	658
2018	14,105,000	6,108,833	20,213,833	0.65%	559
2019	11,465,000	5,217,292	16,682,292	0.49%	458
2020	8,520,000	4,308,481	12,828,481	0.36%	357
2021	5,255,000	3,470,791	8,725,791	0.22%	243
2022	1,645,000	2,617,000	4,262,000	0.10%	117

Source: Administrative Services Division, State of California, Department of Finance, Employment Development Department.



Moraga-Orinda Fire Protection District
Direct and Overlapping Debt
June 30, 2022

2021-22 Assessed Valuation	\$13,225,746,326		
	Gross Bonded Debt Balance	Percent Applicable ⁽¹⁾	Net Bonded Debt
Direct Debt			
307400 PENSION OBLIGATION BONDS	\$ 1,645,000	100.000%	\$ 1,645,000
307400 2016 EQUIPMENT FINANCING AGREEMENT	2,617,000	100.000%	2,617,000
Total Direct Debt			4,262,000
Overlapping Tax and Assessment Debt			
100300 CCC PENSION OBLIGATION BOND	44,925,000	5.648	2,537,281
100300 CCC PFA 1998A LRB	6,435,000	5.648	363,437
100300 CCC PFA 1999A LRB	6,310,000	5.648	356,377
100300 CCC PFA 2002A LRB	4,065,000	5.648	229,584
100300 CCC PFA 2003A LRB	3,445,000	5.648	194,567
100300 CCC PFA 2007A LRB	61,030,000	5.648	3,446,861
100300 CCC PFA 2009A LRB	6,407,008	5.648	361,856
100300 CCC PFA 2010A-2 LRB	11,995,000	5.648	677,455
100300 CCC PFA 2010A-3 LRB	20,700,000	5.648	1,169,098
100300 CCC PFA 2010B LRB	6,055,000	5.648	341,975
100300 CCC PFA 2012 LRB	6,212,865	5.648	350,891
100300 CCC PFA 2015 A&B LRB	37,900,000	5.648	2,140,522
100300 CCC PFA 2017 A LRB	42,320,000	5.648	2,390,155
100300 CCC PFA 2017B LRB	76,930,000	5.648	4,344,864
400800 BART BOND	660,703,057	5.648	37,315,285
402700 EAST BAY REGIONAL PARK BOND	77,146,356	5.648	4,357,083
509100 ACALANES UNION 1997 BOND	42,430,000	31.822	13,502,072
509500 ACALANES U521800N 2008 BOND	112,927,772	31.822	35,935,467
509600 ACANALES UNION 2002 BOND	85,410,000	31.822	27,179,165
529000 LAFAYETTE ELEMENTARY BOND 1995	4,875,000	0.177	8,614
529100 LAFAYETTE ELEMENTARY BOND 2016	67,275,000	0.177	118,869
539200 MORAGA ELEMENTARY BOND 2016	29,500,000	0.177	29,500,000
549000 ORINDA ELEMENTARY BOND	2,470,265	99.839	2,466,296
549108 ORINDA ELEMENTARY BOND 2018E	7,860,000	99.839	7,847,371
549208 ORINDA ELEMENTARY BOND 2018I	7,860,000	99.839	7,847,371
792100 CONTRA COSTA COMMUNITY COLLEGE 2002 BOND	311,230,151	5.667	17,635,992
792200 CONTRA COSTA COMMUNITY COLLEGE 2006 BOND	354,509,849	5.667	20,088,455
792300 CONTRA COSTA COMMUNITY COLLEGE 2014 BOND	271,130	5.667	15,363,699
Total Overlapping Tax and Assessment Debt			238,070,662
Total Direct and Overlapping Debt			\$ 242,332,662 ⁽²⁾
Debt To Assessed Valuation Ratios:			
Combined Direct Debt		0.03%	
Total Overlapping Tax and Assessment Debt		1.80%	
Combined Total Debt		1.83%	

⁽¹⁾ Percentage of overlapping agency's assessed valuation located within the boundaries of the District.

⁽²⁾ Excludes mortgage revenue, tax allocation bonds, interim financing obligations, non-bonded financing agreements, and certificates of participation, unless provided by the city.

Source: HdL Coren and Cone, Contra Costa County Assessor and Auditor.



This page left blank intentionally.



Moraga-Orinda Fire Protection District
Legal Bonded Debt Margin
Last Ten Fiscal Years
(Thousands)

	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
Debt limit	\$ 289,421,051	\$ 306,973,464	\$ 332,122,988	\$ 356,768,195	\$ 378,464,933
Total debt applicable to limit	-	-	-	-	-
Legal debt margin	<u>\$ 289,421,051</u>	<u>\$ 306,973,464</u>	<u>\$ 332,122,988</u>	<u>\$ 356,768,195</u>	<u>\$ 378,464,933</u>
Total net debt applicable to the limit as a percentage of debt limit	0%	0%	0%	0%	0%

Legal Debt Margin Calculation for Fiscal Year 2022

Assessed value - secured	\$13,165,450,749
Debt limit (3.75% of assessed value) (a)	493,704,403
Debt applicable to limit: None	-
Legal debt margin	<u>\$ 493,704,403</u>

(a) California Health and Safety Code, Section 13937 sets the debt limit at 10%. The Code section was enacted prior to the change in basing assessed value to full market value when it was previously 25% of market value. Thus, the limit shown as 3.75% is one-fourth the limit to account for the adjustment of showing assessed valuation at full cash value.

Source: HdL, Coren and Cone.

2018	2019	2020	2021	2022
\$ 399,298,681	\$ 423,000,675	\$ 449,148,072	\$ -	\$ 493,704,403
-	-	-	-	-
<u>\$ 399,298,681</u>	<u>\$ 423,000,675</u>	<u>\$ 449,148,072</u>	<u>\$ -</u>	<u>\$ 493,704,403</u>
0%	0%	0%	0%	0%



Moraga-Orinda Fire Protection District
Demographic and Economic Statistics
Last Ten Calendar Years

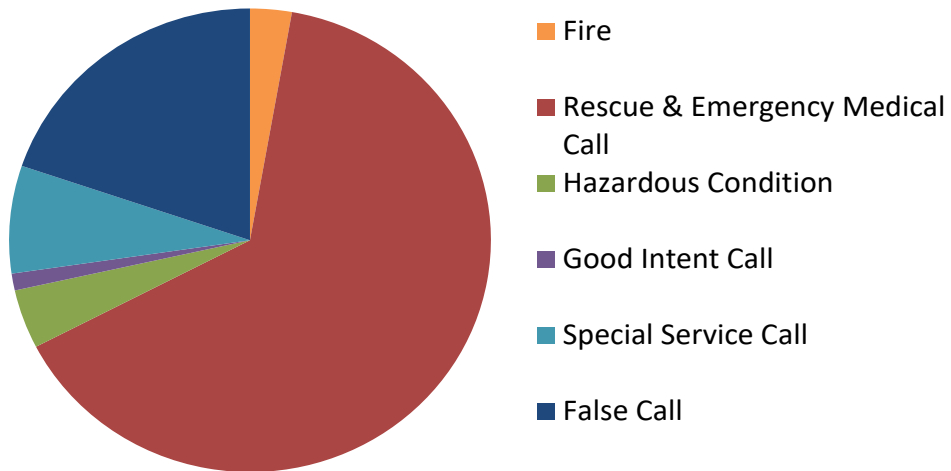
Calendar Year	Town of Moraga Population	City of Orinda Population	Total Population	Per Capita Personal Income	Personal Income (Thousands)	Unemployment Rate
2013	16,238	17,925	34,163	\$ 76,023	\$2,565,216	2.5%
2014	16,348	18,089	34,437	77,509	2,597,174	2.4%
2015	16,466	18,612	35,078	81,141	2,669,177	2.5%
2016	16,513	18,749	35,262	84,985	2,846,264	2.9%
2017	16,676	18,935	35,611	87,033	2,996,741	2.3%
2018	16,991	19,199	36,190	94,377	3,099,332	1.9%
2019	16,939	19,475	36,414	99,090	3,414,056	1.9%
2020	16,946	19,009	35,955	108,050	3,608,263	5.6%
2021	16,820	19,078	35,898	113,007	4,056,725	4.8%
2022	17,105	19,478	36,583	118,723	4,343,243	3.5%

Source: State of California Department of Finance, Employment Development Department.
 Table above is the most recent available



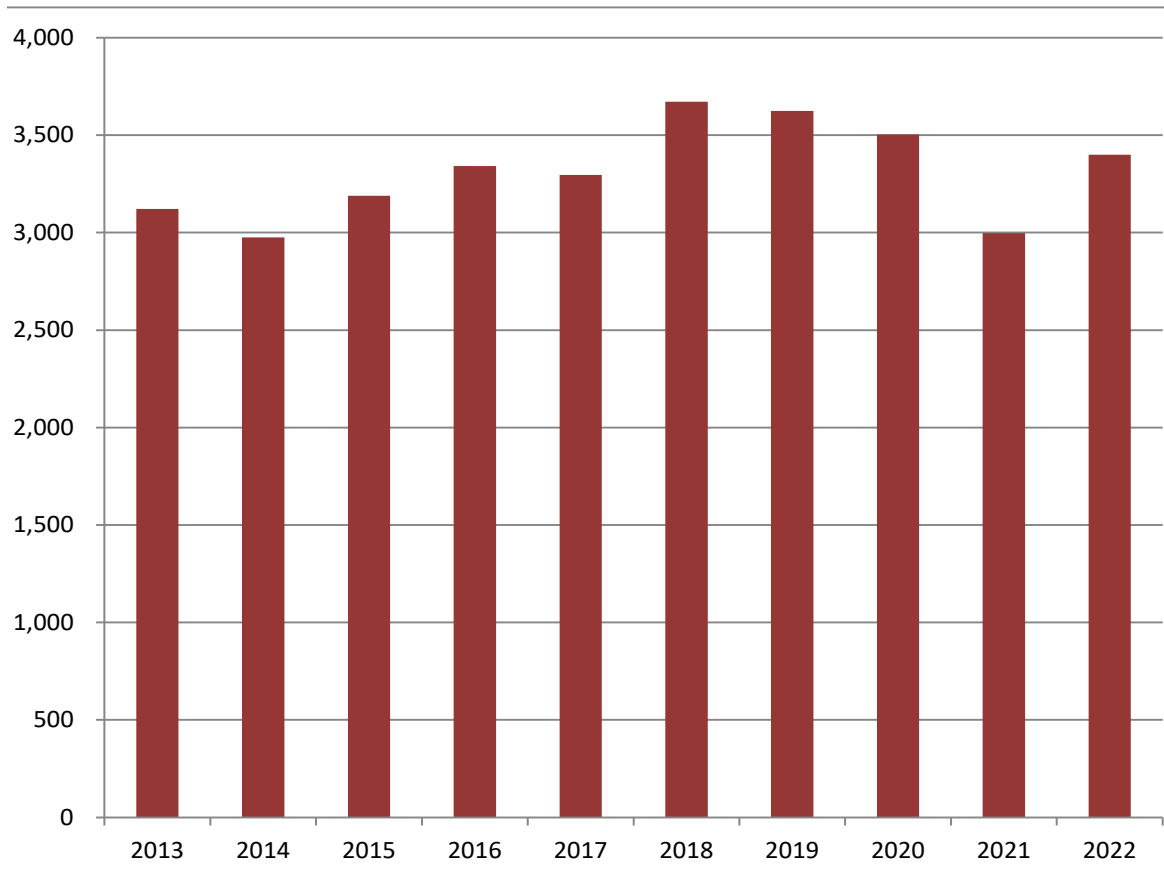
Moraga-Orinda Fire Protection District
Emergency Response Detail Analysis
Fiscal Year 2020 - 2021

<u>Category</u>	<u>Number of Incidents</u>	<u>Percent of Total Responses</u>
Fire	95	2.8%
Rescue & Emergency Medical Call	2,196	64.6%
Hazardous Condition	140	4.1%
Good Intent Call	40	1.2%
Special Service Call	255	7.5%
False Call	673	19.8%
Total	3,399	100.0%





Moraga-Orinda Fire Protection District
Total Emergency Responses
Last Ten Fiscal Years



<u>Fiscal Year</u>	<u>Number of Emergency Responses</u>
2013	3,121
2014	2,976
2015	3,189
2016	3,341
2017	3,296
2018	3,672
2019	3,624
2020	3,504
2021	2,998
2022	3,399



Independent Auditor’s Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*

Board of Directors
Moraga-Orinda Fire Protection District
Moraga, California

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of the governmental activities and each major fund of the Moraga-Orinda Fire Protection District, as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the District’s basic financial statements and have issued our report thereon dated.

Report on Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the District's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the District’s internal control. Accordingly, we do not express an opinion on the effectiveness of the District’s internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. *A material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity’s financial statements will not be prevented, or detected and corrected on a timely basis. *A significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that have not been identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the District's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in black ink that reads "Eide Bailly LLP". The signature is written in a cursive, flowing style.

Menlo Park, California
July 31, 2023



June 28, 2023

To the Governing Board
Moraga-Orinda Fire Protection District
Moraga, California

We have audited the financial statements of Moraga-Orinda Fire Protection District (District) as of and for the year ended June 30, 2022, and have issued our report thereon dated July 31, 2023. Professional standards require that we advise you of the following matters relating to our audit.

Our Responsibility in Relation to the Financial Statement Audit

As communicated in our letter dated May 9, 2022, our responsibility, as described by professional standards, is to form and express an opinion about whether the financial statements that have been prepared by management with your oversight are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America. Our audit of the financial statements does not relieve you or management of your respective responsibilities.

Our responsibility, as prescribed by professional standards, is to plan and perform our audit to obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement. An audit of financial statements includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control over financial reporting. Accordingly, as part of our audit, we considered the internal control of the District solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

We are also responsible for communicating significant matters related to the audit that are, in our professional judgment, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures for the purpose of identifying other matters to communicate to you.

Planned Scope and Timing of the Audit

We conducted our audit consistent with the planned scope and timing we previously communicated to you.

Compliance with All Ethics Requirements Regarding Independence

The engagement team, others in our firm, as appropriate, our firm, and other firms utilized in the engagement, if applicable, have complied with all relevant ethical requirements regarding independence.

Significant Risks Identified

As stated in our auditor’s report, professional standards require us to design our audit to provide reasonable assurance that the financial statements are free of material misstatement whether caused by fraud or error. In designing our audit procedures, professional standards require us to evaluate the financial statements and assess the risk that a material misstatement could occur. Areas that are potentially more susceptible to misstatements, and thereby require special audit considerations, are designated as “significant risks”. We have identified the following as significant risks:

We are required to perform specific audit procedures relating to management override and more specifically, we performed audit procedures relating to improper revenue recognition.

Qualitative Aspects of the Entity’s Significant Accounting Practices

Significant Accounting Policies

Management has the responsibility to select and use appropriate accounting policies. A summary of the significant accounting policies adopted by the District is included in Note 1 to the financial statements. There have been no initial selection of accounting policies and no changes in significant accounting policies or their application during the year. No matters have come to our attention that would require us, under professional standards, to inform you about (1) the methods used to account for significant unusual transactions and (2) the effect of significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus.

Significant Accounting Estimates

Accounting estimates are an integral part of the financial statements prepared by management and are based on management’s current judgments. Those judgments are normally based on knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ markedly from management’s current judgments. The most significant estimates were related to the net pension and net OPEB liabilities. We evaluated the key factors and assumptions used to develop the estimates for these liabilities and determined that it is reasonable in relation to the basic financial statements taken as a whole.

Financial Statement Disclosures

Certain financial statement disclosures involve significant judgment and are particularly sensitive because of their significance to financial statement users. The most significant disclosure relates to the discount rates used to estimate the net pension and net OPEB liabilities.

Significant Difficulties Encountered during the Audit

We encountered no significant difficulties in dealing with management relating to the performance of the audit.

Uncorrected and Corrected Misstatements

For purposes of this communication, professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that we believe are trivial, and communicate them to the appropriate level of management. Further, professional standards require us to also communicate the effect of uncorrected misstatements related to prior periods on the relevant classes of transactions, account balances or disclosures, and the financial statements as a whole. Uncorrected misstatements or matters underlying those uncorrected misstatements could potentially cause future-period financial statements to be materially misstated, even though the uncorrected misstatements are immaterial to the financial statements currently under audit.

The following summarizes uncorrected financial statement misstatements whose effects in the current and prior periods, as determined by management, are immaterial, both individually and in the aggregate, to the financial statements taken as a whole and each applicable opinion unit.

Overstatement in the fair value of the Local Agency Investment Fund with the State for \$203,135 and related investment income and related net position.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, reporting, or auditing matter, which could be significant to District's financial statements or the auditor's report. No such disagreements arose during the course of the audit.

Circumstances that Affect the Form and Content of the Auditor's Report

For purposes of this letter, professional standards require that we communicate any circumstances that affect the form and content of our auditor's report. We did not identify any circumstances that affect the form and content of the auditor's report.

Representations Requested from Management

We have requested certain written representations from management which are included in the management representation letter dated July 31, 2023.

Management's Consultations with Other Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters. Management informed us that, and to our knowledge, there were no consultations with other accountants regarding auditing and accounting matters.

Other Significant Matters, Findings, or Issues

In the normal course of our professional association with the District, we generally discuss a variety of matters, including the application of accounting principles and auditing standards, significant events or transactions that occurred during the year, operating and regulatory conditions affecting the entity, and operational plans and strategies that may affect the risks of material misstatement. None of the matters discussed resulted in a condition to our retention as the District's auditors.

Other Information Included in Annual Reports

Pursuant to professional standards, our responsibility as auditors for other information, whether financial or nonfinancial, included in the District's annual reports, does not extend beyond the financial information identified in the audit report, and we are not required to perform any procedures to corroborate such other information. However, in accordance with such standards, we have read the information which includes the Annual Comprehensive Financial Report's Introductory and Statistical sections and considered whether such information, or the manner of its presentation, was materially inconsistent with its presentation in the financial statements.

Our responsibility also includes communicating to you any information which we believe is a material misstatement of fact. Nothing came to our attention that caused us to believe that such information, or its manner of presentation, is materially inconsistent with the information, or manner of its presentation, appearing in the financial statements.

This report is intended solely for the information and use of the governing board, and management of the District and is not intended to be, and should not be, used by anyone other than these specified parties.

A handwritten signature in cursive script that reads "Eide Sully LLP".

Menlo Park, California
July 31, 2023



Independent Accountant's Report on Applying
Agreed-Upon Procedures for
Appropriations Limit Calculation
for the Year Ended June 30, 2022
Moraga-Orinda Fire Protection District



INDEPENDENT ACCOUNTANT’S REPORT ON APPLYING AGREED-UPON PROCEDURES RELATED TO THE ARTICLE XIII-B APPROPRIATIONS LIMIT CALCULATION

Governing Board
Moraga-Orinda Fire Protection District
Moraga, California

We have performed the procedures enumerated below, on the Appropriations Limit Calculation of the Moraga-Orinda Fire District (District) prepared in accordance with Article XIII-B of the California Constitution for the fiscal year ended June 30, 2022. The District’s management is responsible for the Appropriations Limit Calculation. The District has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of assisting the District in evaluating its Appropriations Limit Calculation was performed as required by Article XIII-B of the California Constitution and we will report on findings based on the procedures performed. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes.

The procedures performed and our findings are as follows:

1. We obtained completed worksheets and compared the 2021-2022 limit and annual adjustment factors included in those worksheets to the limit and annual adjustment factors that were adopted by Resolution of the Board of Directors. We also compared the population and inflation options included in the aforementioned worksheets to those that were selected by a recorded vote of Board of Directors.

Findings: No exceptions were noted as a result of our procedures.

2. We added last year’s limit to the total adjustments and compared the resulting amount to this year’s limit. See the accompanying Gann Appropriations Limit Schedule.

Findings: No exceptions were noted as a result of our procedures.

3. We compared the current year information presented in the accompanying Gann Appropriations Limit Schedule to the worksheet described in No. 1 above.

Findings: No exceptions were noted as result of our procedures.

MORAGA-ORINDA FIRE PROTECTION DISTRICT

Gann Appropriations Limit Schedule

For the year ended June 30, 2022

4. We compared the prior year appropriations limit, presented in the accompanying Gann Appropriations Limit Schedule, to the prior year appropriations limit adopted by the District for the prior year.

Finding: No exceptions were noted as a result of our procedures.

We were engaged by the District to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the District's Appropriation Limit Calculation. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the District and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

No procedures have been performed with respect to the determination of the appropriation limit for the base year, as defined by Article XIII-B of the California Constitution.

This report is intended solely for the information and use of the Board of Directors, and management of the District and is not intended to be and should not be used by anyone other than those specified parties.



San Mateo, California

July 31, 2023

MORAGA-ORINDA FIRE PROTECTION DISTRICT

Gann Appropriations Limit Schedule

For the year ended June 30, 2022

	<u>Amount</u>	<u>Source</u>
A. Appropriations limit for the year ended June 30, 2021	\$ 31,860,615	Prior year schedule
B. Calculation Factors:		
1. Population change %	1.0035	State Department of Finance
2. Per capita personal income change %	<u>1.0573</u>	State Department of Finance
3. Total adjustment factor	1.0610	B1*B2
C. Annual adjustment increase	1,943,515	(B3-1.0)*A1
D. Other adjustments	NA	
E. Total adjustments	<u>1,943,515</u>	(C+D)
F. Appropriations limit for the year ended June 30, 2022	<u>\$ 33,804,130</u>	(A+E)

California State Treasurer
Fiona Ma, CPA



Local Agency Investment Fund
 P.O. Box 942809
 Sacramento, CA 94209-0001
 (916) 653-3001

July 01, 2022

[LAIF Home](#)
[PMIA Average](#)
[Monthly Yields](#)

MORAGA-ORINDA FIRE DISTRICT

TREASURER-TAX COLLECTOR
 625 COURT STREET
 FINANCE BUILDING, ROOM 102
 MARTINEZ, CA 94553-1281

[Tran Type](#)
[Definitions](#)

Account Number: [REDACTED]

June 2022 Statement

Effective Date	Transaction Date	Tran Type	Confirm Number	Web Confirm Number	Authorized Caller	Amount
6/1/2022	5/31/2022	RW	1705380	1665678	MARCUS NORTHCUTT	-1,300,000.00
6/28/2022	6/27/2022	RW	1706750	1667053	BELINDA ZHU	-300,000.00

Account Summary

Total Deposit:	0.00	Beginning Balance:	17,378,028.00
Total Withdrawal:	-1,600,000.00	Ending Balance:	15,778,028.00



Moraga-Orinda Fire District

Administrative Services

QUARTERLY INVESTMENT REPORT

June 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	\$ 983,219	\$ 983,219	0.00%	\$ -
Cash	Citibank	N/A	0	0	0.00%	\$ -
Cash	JPMorgan Chase Bank, N.A.	N/A	1,971,394	1,971,394	0.00%	\$ -
Local Agency Investment Fund	Local Agency Investment Fund	N/A	15,778,028	15,574,892	0.75%	\$ 42,830
Money Market	Allspring Government Money Market Fund Admin Class	N/A	1,688,612	1,688,612	0.11%	\$ 708
Total			\$ 20,421,253	\$ 20,218,117		\$ 43,538
Average Weighted Yield	0.59%					
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 alteratvie 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 June 2022 investments are in accordance with the District adopted investment policy.						
Gloriann Sasser Administrative Services Director						



State of California
Pooled Money Investment Account
Market Valuation
6/30/2022

Description	Carrying Cost Plus		Fair Value	Accrued Interest
	Accrued Interest Purch.	Amortized Cost		
United States Treasury:				
Bills	\$ 54,848,665,577.86	\$ 54,942,932,200.87	\$ 54,781,856,500.00	NA
Notes	\$ 104,643,095,916.36	\$ 104,593,661,357.83	\$ 102,160,461,000.00	\$ 245,265,780.00
Federal Agency:				
SBA	\$ 307,350,707.85	\$ 307,350,707.85	\$ 308,985,118.38	\$ 193,926.96
MBS-REMICs	\$ 4,692,696.64	\$ 4,692,696.64	\$ 4,761,517.29	\$ 21,218.19
Debentures	\$ 9,362,179,022.09	\$ 9,361,738,008.20	\$ 9,198,083,200.00	\$ 10,102,007.55
Debentures FR	\$ -	\$ -	\$ -	\$ -
Debentures CL	\$ 2,350,000,000.00	\$ 2,350,000,000.00	\$ 2,333,288,000.00	\$ 4,963,026.00
Discount Notes	\$ 30,059,675,770.69	\$ 30,110,253,965.21	\$ 30,001,238,500.00	NA
Supranational Debentures				
Supranational Debentures FR	\$ -	\$ -	\$ -	\$ -
CDs and YCDs FR				
Bank Notes	\$ 100,000,000.00	\$ 100,000,000.00	\$ 100,127,240.39	\$ 8,333.33
CDs and YCDs	\$ 13,285,000,000.00	\$ 13,285,000,000.00	\$ 13,259,760,785.79	\$ 28,932,798.53
Commercial Paper	\$ 11,523,629,687.36	\$ 11,549,363,979.09	\$ 11,525,497,727.72	NA
Corporate:				
Bonds FR	\$ -	\$ -	\$ -	\$ -
Bonds	\$ 492,674,729.32	\$ 492,342,145.99	\$ 473,145,680.00	\$ 3,245,257.95
Repurchase Agreements				
Reverse Repurchase	\$ -	\$ -	\$ -	\$ -
Time Deposits				
PMIA & GF Loans	\$ 828,153,000.00	\$ 828,153,000.00	\$ 828,153,000.00	NA
TOTAL	\$ 234,469,950,028.44	\$ 234,590,320,981.95	\$ 231,570,067,769.57	\$ 297,806,682.01

Fair Value Including Accrued Interest

\$ 231,867,874,451.58

Repurchase Agreements, Time Deposits, PMIA & General Fund loans, and Reverse Repurchase agreements are carried at portfolio book value (carrying cost).

The value of each participating dollar equals the fair value divided by the amortized cost (0.987125414). As an example: if an agency has an account balance of \$20,000,000.00, then the agency would report its participation in the LAIF valued at \$19,742,508.28 or \$20,000,000.00 x 0.987125414.



Moraga-Orinda Fire District

TO: Board of Directors

FROM: Gloriann Sasser, Administrative Services Director

DATE: August 16, 2023

SUBJECT: **Item 9.2 Direct the Investment Rate of Return and Discount Rate to be Used for the Other Post-Employment Benefits Actuarial Valuation Report as of June 30, 2023; Direct the Discount Rate to be Used for the Pension Rate Stabilization Trust Fund**

BACKGROUND

The District contracted with Precision Actuarial, Inc. to complete the required GASB 75 Other Post-Employment Benefits (OPEB) Actuarial Valuation Report as of June 30, 2023. Preparation of the report is in progress. It is necessary for the Board to direct the investment rate of return assumption and discount rate of the liability assumption to be used for the calculations in the updated report.

As part of the process for the new report, Precision Actuarial requested from HighMark Capital Management the most recent long-term, capital market return estimates for asset classes as it pertains to the District's OPEB Plan.

The updated projected long-term expected rate of return for the District's OPEB portfolio is 7.81% gross of fees and 7.31% net of fees (Attachment A.) The prior long term-expected rate of return was 6.39% net of fees (July 2022).

The assumptions used in the OPEB actuarial valuation reports are as follows:

	June 30, 2022	June 30, 2023
Long-term expected rate of return net of fees	6.39%	7.31%
Investment rate of return	6.39%	Board direction requested
Discount rate liabilities	6.25%	Board direction requested

The draft actuarial valuation report will be presented to the Board at the September board meeting and the final actuarial valuation report is scheduled for approval at the October board meeting.

The updated projected long-term expected rate of return for the District's Pension Rate Stabilization Trust Fund portfolio is also 7.31% net of fees (Attachment A.) At Board direction, the Pension Rate Stabilization Trust Fund currently assumes a 6.25% rate of return. Staff requests Board direction regarding the following:

- Investment rate of return for OPEB actuarial valuation June 30, 2023
- Discount rate of liabilities for OPEB actuarial valuation June 30, 2023
- Discount rate to be used for the Pension Rate Stabilization Trust funding and District pension information provided in the next Long Range Financial Forecast update scheduled for April 2024.

RECOMMENDATION

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Direct the investment rate of return and discount rate to used for the GASB 75 OPEB Actuarial Valuation Report as of June 30, 2023; 4) Direct the discount rate to be used for the Pension Rate Stabilization Trust funding and District pension information provided in the next Long Range Financial Forecast update scheduled for April 2024.

ATTACHMENT

[Attachment A: Moraga Orinda Fire Protection District Expected Returns 7.2023](#)

Moraga-Orinda Fire Protection District

Andrew Brown, CFA

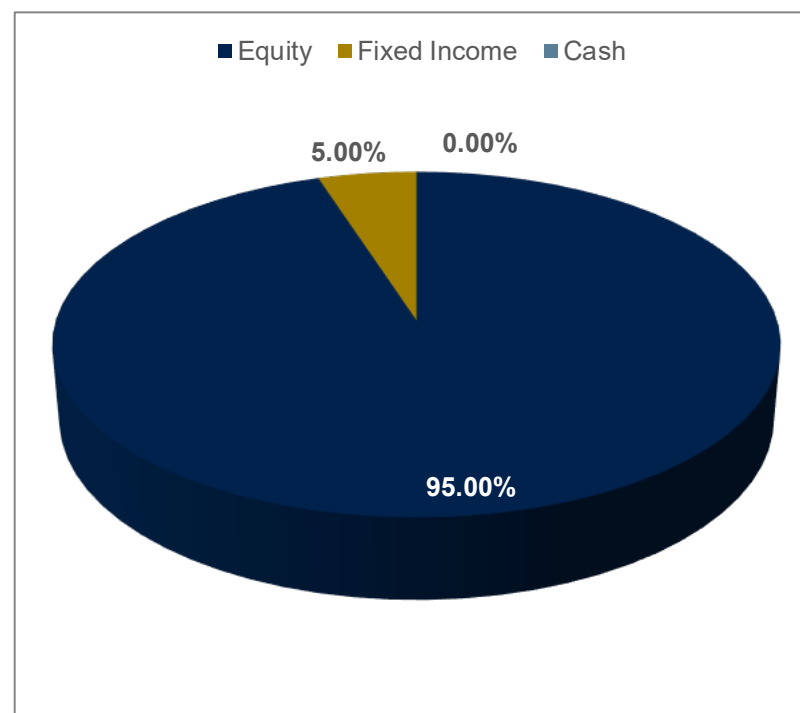
Director & Senior Portfolio Manager



Moraga-Orinda Fire Protection District - Sample Portfolio Asset Allocation

Custom Strategy

Asset Class	Weight	Asset Class Expected Return**
Equity	95.00%	
Large Cap Core	55.00%	7.70%
Mid Cap Core	10.00%	8.00%
Small Cap Core	15.00%	8.50%
Real Estate	7.00%	6.60%
International	8.00%	7.50%
Emerging Markets	0.00%	7.50%
Fixed Income	5.00%	
Short Term Bond	0.00%	3.30%
Intermediate Term Bond	4.00%	4.00%
High Yield	1.00%	5.70%
Cash	0.00%	2.60%
Expected Return*	7.81%	
Expected Standard Deviation	15.03%	



This Sample Portfolio has been prepared for the sole use of the **Moraga-Orinda Fire Protection District**. While the information contained herein has been obtained from sources believed to be accurate and reliable, any other reproduction or use of this information may necessitate further disclosures in order to ensure that the presentation is accurate, balanced, and conforms to all applicable regulatory requirements. The above information is for illustrative purposes only and is not intended to provide investment recommendations as to which securities to buy or sell, or when to buy or sell securities. Each Sample Portfolio is a hypothetical portfolio only and does not reflect actual investment decisions or recommendations and does not represent actual trading or actual portfolio performance. An actual client's portfolio construction and performance may vary depending on the client's investment needs, objectives, restrictions, and market conditions. Asset allocation ranges and performance for each investment objective may also vary depending on the prevailing market conditions. Past performance is no indication of future results. For institutional investor use only. Data as of June 2023.

*Expected Returns are based on 30-year returns for various asset classes. Please see disclosure page for additional details on Expected Return and Expected Standard Deviation.

**Expected Asset Class returns may be derived from different indexes than requested to be used in the sample portfolio. The rate provided is a geometric rate of return for that specific asset class only.

Source: Factset

Disclosures

Each strategy represented as a Sample Portfolio is a hypothetical portfolio only and does not reflect actual investment decisions or recommendations. It is solely for illustrative purposes and is subject to change at any time. It is not intended to represent a specific investment. It does not reflect the liquidity constraints of actual investing or the impact that material economic and market factors may have on an investment adviser's decision-making. Investors cannot invest in the Sample Portfolio and actual investment results may differ materially. An account could incur losses as well as gains. The Sample Portfolio does not reflect the deduction of advisory fees, brokerage, commissions, or any other actual client expenses, which would reduce investor returns. The sample portfolio does not always reflect the potential impact of active management, excluding those investments that are only available from an active manager. Advisory fees are described in Form ADV, Part 2A and are available upon request.

A Sample Portfolio's expected return (comprised of capital appreciation and income/dividends) is calculated the following way:

1. The expected return of each asset class in a given Sample Portfolio is determined through a combination of historical rates of returns, valuation projections, and economic expectations. Expected rates of return are provided by HighMark proprietary research which incorporates PFM Asset Management assumptions. Expected rates of return are developed and annually reviewed by HighMark's Asset Allocation Committee.
2. HighMark derives all taxable fixed income asset classes from multiple sources including third-party sources. Inputs for 30-year expected returns may include an outlook on U.S. Treasuries returns, credit or term premiums, and default and recovery rates.
3. HighMark derives all global equity asset classes from multiple sources including third-party sources. Inputs for 30-year expected returns may include an outlook on economic growth, inflation, interest rates, corporate profits, exchange rates, and trading discounts and premiums.
4. Returns reflect the reinvestment of dividends, interests, and other distributions.
5. An expected return for the Sample Portfolio is then calculated by weighting the returns for each asset class according to the exposure as determined by HighMark's current strategic allocation.

Expected returns generated are before taxes and any fees. The standard deviation for an asset class represents its possible divergence of the actual return for an asset class from its expected return. It is a statistical measure of the potential magnitude of volatility of an asset class from its expected return. The range of returns may be higher or lower than those predicted by expected standard deviation.

HighMark Capital Management, Inc. (HighMark) is an investment adviser registered with the U.S. Securities and Exchange Commission and a subsidiary of U.S. Bank National Association ("U.S. Bank"). U.S. Bank is a separate entity and subsidiary of U.S. Bancorp. U.S. Bank is not responsible for and does not guarantee the products, services or performance of HighMark. HighMark manages institutional separate account portfolios for a wide variety of for-profit and nonprofit organizations, public agencies, and public and private retirement plans. Individual account management and construction will vary depending on each client's investment needs and objectives. U.S. Bank provides certain services to HighMark and is compensated for these services. **Investments employing HighMark strategies are NOT insured by the FDIC or by any other Federal Government Agency, are NOT Bank deposits, are NOT guaranteed by the Bank or any Bank affiliate, and MAY lose value, including possible loss of principal.**

NOT FDIC INSURED : NO BANK GUARANTEE : MAY LOSE VALUE

© HighMark Capital Management, Inc. 2023. All rights reserved



Moraga-Orinda Fire District

TO: Board of Directors

FROM: Dave Winnacker, Fire Chief

DATE: August 16, 2023

SUBJECT: **Item 9.3 Draft of the Elements to be included in the Moraga-Orinda Fire District's Standards of Cover (SOC) Request For Proposal**

BACKGROUND

During the 2023-2024 budget process the Board included funding for a Standards of Cover (SOC) report to evaluate the District's service delivery model. Prior to issuing an RFP, staff is seeking board direction regarding items to be included in the report. The following items are drawn from recent area SOC RFPs and board input received in advance of this meeting. These items are presented below in draft form for board review and discussion.

I. SCOPE OF SERVICES

- a. The Standards of Coverage analysis and report should include but is not limited to the following categories of work:
 - i. Performance goals
 - ii. Community risk assessment
 - iii. Service level objectives
 - iv. Distribution and concentrations of resources
 - v. Response reliability
 - vi. Surge capacity for everyday resiliency and large-scale emergencies
 - vii. Past performance indicators
 - viii. Future needs
 - ix. Novel or emerging service delivery models
 - x. Opportunities for collaboration with external partners
 - xi. Conclusions and Recommendations

II. SPECIFIC QUESTIONS AND ELEMENTS REQUESTED FOR INCLUSION IN THE ANALYSIS AND REPORT:

- a. A comprehensive summary of existing structures by category, with special attention toward the impacts presented by new and projected accessory dwelling units, lot splits, and planned high density residential development *but not limited to* those mentioned below. The summary should include details related to square footage, total occupancy, intended use, and key project timelines if still in the permitting or construction phase.
 - i. Moraga Town Center Specific Plan development
 - ii. Orinda Downtown Precise Plan development
 - iii. Ongoing Wilder development
 - iv. Transit-oriented developments located at or near the Orinda BART stations

- b. Examine District processes for assessing the additional risk of proposed development projects during the City/Town review and approval processes. Provide best practice recommendations the District can put forward that will help measure additional risk and ensure the community has adequate fire and emergency medical service capacity.
- c. Analyze the District's current ability to respond to fires within mid-rise and high-rise buildings and project the potential future modifications with the projected vertical growth.
- d. Does the current span of control structure provide battalion chiefs with the appropriate resources and support needed to meet their needs based on call volume, type of incidents, day-to-day Battalion management and related duties?
- e. Provide a quantitative assessment of the Division of Fire Prevention, to include staffing, resources, training and technology.
- f. Based on existing station locations provide a threat, hazard identification for wildfire, EMS, and structure fire situations.
- g. Review existing, and propose modifications, to District response time standards and other metrics used to measure performance.
- h. Provide an assessment pertaining to the availability, state of District apparatus and overall fleet reliability as well as an assessment on the age and best practices for replacement. Evaluate current inter-departmental maintenance agreements for level of service compared to cost, evaluate maintenance records and apparatus "downtime", provide recommendations regarding the threats posed, associated limitations, and potential issues posed by our existing maintenance system.
- i. Analyze and report what impact the implementation of traffic calming strategies, bicycle lanes, building setback and other modifications to the built environment has on emergency response, deployment strategies and access to structures. Provide any best practice fire code language or processes to mitigate associated risk.
- j. The final report should provide detailed statistics for the Moraga-Orinda Fire District as a whole, by electoral district, by station district, and by any other geographic subdivision or statistical breakdown of the fire district that may be requested by the project coordinator.

Note: All resource recommendations should include an estimated cost of implementation.

III. ALTERNATIVE SERVICE DELIVERY MODEL ANALYSIS:

- a. Potential decrease in response times to outlying areas through dynamic staging of resources based on statistical analysis based on call volume by time of day, month and year.
- b. Decrease in response times through the use of rapid response paramedic vehicles. This item should include a review alternate staffing models to increase responsiveness and unit reliability.
- c. Review of jurisdictions which have implemented this model in Southern California, the Pacific Northwest and other areas. Review of emerging trends in fire, rescue, and EMS staffing and response models.
- d. Review of alternative response models designed to increase efficiency through the deployment of the proper resources to a situation for the proper level of service while still leaving critical resources in place and ready for alternative assignments.
- e. Increase in service responsiveness through deploying cross staffed ambulances at all fire stations

as first due to EMS calls in the respective district. This item should include a review of the difference in operating costs for ambulance responses vs Type I engine responses.

- f. Review the relative advantages and dis-advantages of staffing dedicated ambulances with firefighter paramedics vs single role EMTs and paramedics. This item should include analysis addressing recruiting, retention, career progression, and cross staffing.

[Link to the March 15, 2023 Staff Report, Procedures for Updating the 2016 Standards of Cover Report](#)

[Link to the 2016 Standards of Cover Report](#)

[Link to the 2006 Standards of Cover Report](#)

RECOMMENDATION

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



Moraga-Orinda Fire District

TO: Board of Directors

FROM: Dave Winnacker, Fire Chief

DATE: August 16, 2023

SUBJECT: **Item 9.4 Authorize the Purchase of Scott Self-contained Breathing Apparatus (SCBA) from AllStar Fire Equipment Inc. in the amount of \$536,888.22**

BACKGROUND

The District issued an RFP for Self-contained Breathing Apparatus on June 15, 2023 (attachment A). One bid was received through the RFP process from AllStar Fire Equipment Inc (attachment B).

The FY2024 Capital Projects Fund Budget includes \$620,780 for the purchase of Self-contained Breathing Apparatus (SCBA). The cost to purchase the apparatus is \$536,888.22. The District's Purchasing Ordinance requires Board approval for the purchase of apparatus in excess of \$100,000. The SCBA equipment will be purchased using the AllStar Fire Equipment Inc purchasing contract.

On February 6, 2023 the District was awarded grant funding through the Department of Homeland Security, in the amount of \$441,780.00 toward the purchase of new SCBA's (Self Contained Breathing Apparatus). The remaining \$83,891.78 allocated in the Capital budget will be used toward the purchase of additional SCBA bottles and Rapid Intervention Crew (RIC) fittings and associated equipment.

RECOMMENDATION

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Authorize the Purchase of Scott Self-contained Breathing Apparatus (SCBA) from AllStar Fire Equipment Inc. in the amount of \$536,888.22

ATTACHMENT

[Attachment A: 2303 MOFD SCBA RFP.pdf](#)

[Attachment B: 0616 Q Moraga - Orinda SCBA - BID.pdf](#)

MORAGA-ORINDA FIRE PROTECTION DISTRICT



REQUEST FOR PROPOSALS SELF-CONTAINED BREATHING APPARATUS

ISSUE DATE: JUNE 15, 2023

PROPOSAL DUE DATE: JULY 20, 2023

REQUEST FOR PROPOSALS

Section 1- INTRODUCTION:

The Moraga Orinda Fire District (MOFD) requests proposals/bids for the purchase of **sixty six (66) new SCOTT X3 PRO (PN X8814N25305303) SELF-CONTAINED BREATHING APPARATUS SYSTEMS (SCBAs) or equivalent product**. Funding for this purchase comes from the 2021 FEMA Assistance to Firefighter Grant (AFG).

Section 2 - EQUIPMENT:

MOFD seeks to purchase sixty six (66) new **SCOTT X3 PRO (PN X8814N25305303) SCBA SYSTEMS** or equivalent product with the following specifications:

Self-Contained Breathing Apparatus (SCBA) System Requirements

- Each SCBA System shall consist of the following major sub-assemblies: **(1)** full facepiece assembly; **(2)** a removable, positive pressure, mask-mounted regulator with air-saver switch; **(3)** an automatic dual path redundant pressure reducer; **(4)** end-of-service time indicators; **(5)** a harness and backframe assembly for supporting the equipment on the body of the wearer; **(6)** a shoulder strap mounted, remote gauge indicating cylinder pressure; **(7)** a rapid intervention crew/universal air connection (RIC/UAC); **(8)** a personal alert safety system (PASS); and **(9)** two (2) cylinders with valve assembly for storing breathing air under pressure.

Regulatory Approvals

- The SCBA shall be approved to NIOSH 42 CFR, Part 84 as an open circuit, pressure-demand self-contained breathing apparatus.
- The SCBA shall be certified to NFPA 1981, Standard on Open-Circuit Self-Contained Breathing Apparatus for Emergency Services, 2018 Edition.
- The SCBA shall be certified to NFPA 1982, Standard on Personal Alert Safety Systems, 2018 Edition, when configured with a PASS device.
- The SCBA shall be compatible with an optional firefighter escape belt that would be compliant to NFPA 1983, Standard on Life Safety Rope and Equipment for Emergency Services, 2017 Edition.
- All components shall be approved for Intrinsic Safety under UL 913 Class I, Groups C and D, Class II, Groups E, F and G, Hazardous locations.
- The SCBA shall maintain all NIOSH standards with any of the types of cylinders listed as provided by the SCBA manufacturer.

Required Components:

Facepiece Assembly (AV-3000 HT)

- The facepiece shall have a large diameter inlet that enables both unrestricted breathing and voice communications, while also allowing for rehydration (oral) without having to remove the facepiece.
- The facepiece shall enable connection of the mask-mounted regulator by way of a quarter (1/4) turn rotation.
- The facepiece shall interface with the mask-mounted regulator, without the use of tools, with an audible click to assure the user that the regulator is properly seated.
- The facepiece assembly shall be available in three sizes, marked "S" for small, "M" for medium and "L" for

large.

- The facepiece sizes shall be color-coded for ease of identification.
- The facepiece nose cup assembly shall be available in three sizes, marked “S” for small, “M” for medium and “L” for large.
- The facepiece assembly, including head harness, shall not be made with natural rubber latex.
- The facepiece shall include a face seal that is secured to the lens by a U-shaped bezel using no more than two fasteners.
- The face seal shall be a single-reflex design for enhanced comfort and easier donning.
- The facepiece shall contain inhalation valves that are contrasting in color and readily visible to enable quick visual inspection.
- Multi-directional voicemitters shall be recessed on both sides of the facepiece and ducted directly to an integral silicone nose cup to enhance voice transmission around the user.
- The facepiece shall meet the requirements of the NFPA 1981, 2018 Edition standard for nonelectronic communications.
- The face seal shall provide a landing area with ridges to help improve the interface with protective hoods.
- The facepiece shall incorporate attachment points for an optional accessory neck strap.
- The facepiece assembly shall be modular in design to enable ease of upgrading and serviceability.
- The facepiece shall incorporate an RFID tag for asset and maintenance tracking.
- The facepiece shall be capable of submersion for cleaning and disinfecting.
- The facepiece assembly shall be configurable to allow for the integration of wireless radio direct interface (RDI) communications.
- The facepiece assembly with optional radio direct interface shall be compatible with select Bluetooth® wireless technology enabled field radios.
- The facepiece assembly with optional radio direct interface shall provide in-mask communications to enhance voice intelligibility during two-way communications.
- The facepiece assembly with optional radio direct interface shall be available with optional bone conduction headphone (BCH) to enhance operator hearing and understanding of incoming radio communications.
- The facepiece assembly with optional radio direct interface and bone conduction headphone shall incorporate automated voice prompts to provide the operator with verbal notification of changing system conditions.
- The facepiece assembly with optional radio direct interface shall have an integrated volume switch to allow the operator to adjust volume level based on hearing acuity and environmental conditions.

Head Harness

- The head harness is a component of the facepiece assembly and shall have five points of suspension connection, four of which shall be adjustable, made in the fashion of a net hood to minimize interference between securing of the facepiece and the wearing of head protection.
- The head harness shall be available in an optional, adjustable five-strap configuration.
- The head harness shall be constructed of a para-aramid material for fire, first responder and CBRN applications.
- The head harness shall include either a positioning strap or an integrated handle to assist with donning of the facepiece.
- Two elastomeric straps, attached to the face seal in four locations, shall provide adjustment for proper seal to the face.

Regulator (Model: E-Z Flo+)

- The mask-mounted regulator shall maintain positive pressure during flows of up to 500 standard liters per minute.
- The mask-mounted regulator shall be available in a continuous hose configuration, with an

- optional inline quick disconnect coupling.
- The quick disconnect coupling shall be easily connected and disconnected by trained individuals with a gloved hand and in limited visibility conditions.
- The optional quick disconnect coupling shall be guarded against inadvertent disconnection during use of the equipment.
- The low-pressure hose shall be equipped with a swivel attachment at the mask-mounted regulator.
- The mask-mounted regulator shall connect to the facepiece by way of a quarter (1/4) turn rotation.
- A latch mechanism shall lock the mask-mounted regulator in place to prevent inadvertent rotation.
- An audible click shall provide notification that the mask-mounted regulator is securely attached to the facepiece.
- The mask-mounted regulator shall be equipped with a gasket to provide a seal against the mating surface of the facepiece.
- The mask-mounted regulator shall contain an air-saver switch to prevent airflow when disconnected from the facepiece.
- The mask-mounted regulator shall reactivate and supply air only in the positive pressure mode when the wearer affects a face seal and inhales.
- The mask-mounted regulator shall have a demand valve to deliver air to the user, activated by a diaphragm responsive to respiration.
- The diaphragm shall include an integrated exhalation valve.
- The mask-mounted regulator shall include a purge valve for use as an emergency bypass.
- The mask-mounted regulator shall be designed to direct the incoming air through a spray bar and over the inner surface of the facepiece lens for defogging purposes.

Head Harness

- The head harness is a component of the facepiece assembly and shall have five points of suspension connection, four of which shall be adjustable, made in the fashion of a net hood to minimize interference between securing of the facepiece and the wearing of head protection.
- The head harness shall be available in an optional, adjustable five-strap configuration.
- The head harness shall be constructed of a para-aramid material for fire, first responder and CBRN applications.
- The head harness shall include either a positioning strap or an integrated handle to assist with donning of the facepiece.
- Two elastomeric straps, attached to the face seal in four locations, shall provide adjustment for proper seal to the face.

Pressure Reducer with CGA Cylinder Connection

- The pressure reducer shall be mounted at the waist on the backframe and be coupled to the cylinder valve through a short length of internally-armored, high-pressure hose with a hand coupling for engagement and sealing within the cylinder valve outlet.
- In lieu of a manual by-pass, the pressure reducer shall include a back-up pressure reducer connected in parallel with the primary pressure reducer and an automatic transfer valve for redundant control.
- The back-up pressure reducer shall also be the means of activating the low-pressure alarm devices in the mask-mounted regulator.
- The low-pressure alarm warning shall denote a switch from the primary pressure reducer to the back-up pressure reducer whether from a malfunction of the primary pressure reducer or from low cylinder supply pressure.
- A press-to-test valve shall be included to allow functional testing of the back-up pressure reducer.
- The pressure reducer shall have incorporated a resettable over-pressurization relief valve which shall prevent the attached low-pressure hose and mask-mounted regulator from being subjected to high pressure.

End-of-Service Time Indicator (EOSTI)

- The SCBA shall have two end-of-service time indicators (EOSTI). One shall be both a tactile and audible alarm, and one shall be a Heads-Up Display (HUD).
- The primary EOSTI shall be the integral low-pressure alarm device that shall combine an audible alarm with simultaneous vibration of the facepiece.
- The primary EOSTI shall be located in the positive pressure mask-mounted regulator.
- This alarm device shall indicate either low cylinder pressure (35% +/- 2%) or a malfunction of the primary pressure reducer.
- The HUD shall serve as the secondary EOSTI.
- The HUD shall be powered by the SCBA's single power supply.
- The HUD shall be mounted in the user's field of vision on the positive pressure mask-mounted regulator.
- The HUD shall display cylinder pressure in increments of 100%, 75%, 50% and 35% (+/- 2%).
- The display shall not have a numerical representation of cylinder pressure.
- At greater than three quarters cylinder pressure, two green Light Emitting Diodes (LED) shall be illuminated.
- Between three quarters and one-half cylinder pressure, one green LED shall be illuminated.
- Between one-half and 35% (+/- 2%) cylinder pressure, one "yellow" LED shall be illuminated and flash at a rate not less than one (1x) time per second.
- At 35% (+/- 2%) or less cylinder pressure, one "red" LED shall be illuminated and flash at a rate to exceed ten times (10x) per second.
- The HUD shall have a low battery indication that is distinct and distinguishable from the cylinder pressure indications.

Backframe and Harness Assembly

- A lightweight, lumbar support style backframe and harness assembly shall be used to carry the cylinder and valve assembly and the pressure-reducing regulator assembly.
- The backframe shall be a solid, one-piece black powder-coated aluminum alloy frame that is contoured to follow the shape of the user's back.
- The backframe shall include a shroud to streamline hose and wire management by minimizing exposure of the low-pressure hose and electronics molded cable.
- The backframe shall include an over-the-center, adjustable tri-slide fixture, a para-aramid strap and a double-locking latch assembly to secure 30, 45 or 60-minute cylinders.
- The harness assembly shall include a waist pad and shoulder pads constructed of an outer shell material and incorporating a closed-cell foam design to help minimize water and contaminant absorption.
- The harness assembly shall incorporate parachute-type, quick-release buckles with an integrated bail to help secure the webbing.
- The harness assembly shall consist of a one-size, black, para-aramid strap with two red stripes along the outer edges and a reflective stripe in the center for enhanced visibility.
- The harness assembly shall include a seat-belt type waist belt attachment.
- The harness assembly shall include box-stitched construction with no screws or bolts.
- The harness assembly shall be removable from the backframe without the use of tools.
- The harness assembly shall be machine washable to help with contaminant exposure reduction.
- The harness assembly shall accommodate a waist belt extension.
- The waist pad shall be attached to the backframe such that movement by the wearer provides natural articulation. Articulation shall be accomplished without the use of mechanical devices.
- The waist pad and belt shall freely wrap around and conform to the user's hips.
- The shoulder harness shall be fitted with a Drag Rescue Loop (DRL) capable of being deployed in an emergency to drag a downed wearer to safety.
- The DRL shall be sewn into the shoulder harness assembly and shall provide a horizontal pull strength of

1000 lbs.

- The DRL shall be stored in a manner to prevent accidental snag but maintain accessibility with gloved hands.
- The shoulder harness shall be attached to the backframe such that the harness presents itself for ease of donning.
- The shoulder harness shall include reflective material to enhance the visibility of the user in low-light conditions.
- The shoulder harness shall accommodate two distinct positions for a chest strap attachment.

Rapid Intervention Crew / Universal Air Connection (RIC/UAC)

- The SCBA shall incorporate a RIC/UAC fitting to be compliant with the NFPA 1981, 2018 Edition standard.
- The RIC/UAC shall be an integral part of the pressure reducer and protected by the backframe.
- The RIC/UAC inlet connection shall be within 4" (4-inches) of the cylinder valve.
- The self-resetting relief valve shall be color-coded to identify pressure rating of the SCBA.
- The RIC/UAC shall have a check valve to prevent the loss of air when the high-pressure air source has been disconnected.

Cylinder and Valve Assembly

- The cylinder valve shall be constructed of forged aluminum.
- There shall be no mandatory maintenance required on the cylinder valve.
- If the SCBA is equipped with a Compressed Gas Association (CGA) threaded cylinder connection, the cylinder valve outlet shall be a modification of the CGA standard threaded connection number 346 for breathing air for 2216 psig and CGA 347 for 4500 and 5500 psig systems.
- If the SCBA is equipped with a Snap-Change cylinder connection, the cylinder valve shall be designed with a patented stainless steel quick connect snout that delivers air directly to the first stage pressure-reducing regulator. The quick connect snout shall be an integral part of the cylinder valve, rather than an adapter that threads onto the CGA fitting.
- If the SCBA is equipped with a Snap-Change cylinder connection, the cylinder valve shall be equipped with a CGA 346 or CGA 347 (depending on pressure) fitting for the purposes of filling the cylinder only.
- If the SCBA is equipped with a Snap-Change cylinder connection, the fill fitting shall have a check valve to prevent flow from the cylinder and allow the cylinder to be filled without opening the cylinder valve.
- If the SCBA is equipped with a Snap-Change cylinder connection, the fill fitting shall be provided with a dust cover, retained to the cylinder valve, to protect threads from damage and prevent interior surfaces from being contaminated when not in use.
- Each cylinder valve shall consist of the following: 1) a hand activated valve mechanism with a spring-loaded, positive action, ratchet type safety lock and lock-out release for selecting "lock open service"; 2) an upstream connected frangible disc safety relief device; 3) a dual reading pressure gauge indicating cylinder pressure at all times; 4) an elastomeric bumper; 5) an angled outlet.
- The cylinder valve shall have an RFID tag molded into the elastomeric bumper with a universal RFID marking embossment.
- The RFID tag shall be capable of storing product specific information, including serial number, manufacture date, hydrostatic test date, pressure rating and life expectancy.
- The SCBA shall maintain all NIOSH and NFPA standards with any of the types of cylinders listed as provided by the SCBA manufacturer.

Cylinder Type – Carbon-Wrapped

- The cylinder shall be manufactured in accordance with US Department of Transportation (DOT) specifications and meet the Transport Canada requirements with working pressures of 2216,

- 4500, or 5500 psig.
- The cylinder shall be lightweight, composite type cylinder consisting of an aluminum alloy inner shell, with a total overwrap of carbon fiber, fiberglass and an epoxy resin.
- The cylinder shall have a 2D barcode located under the protective gel coat programmed with the following information, at a minimum: serial number, manufacture date, and hydrostatic test date.
- The cylinder shall be available in a 30-minute, 45-minute, 60-minute or 75-minute duration based on the NIOSH breathing rate of 40 liters per minute (lpm).
- The cylinder shall be available in a 30-year life design as defined by the DOT Special Permit 14232.

Personal Alert Safety System (PASS) with Firefighter locator

- The PASS Device shall be certified to NFPA 1982, Standard on Personal Alert Safety Systems, 2018 Edition.
- Operation of this distress alarm shall be initiated with the opening of the valve of a charged SCBA cylinder.
- The system shall feature a “hands-free” reset capability that may be activated by means of a slight movement of the SCBA when the system is in a pre-alarm mode.
- The system shall operate from a single power source containing six “AA” batteries.
- The system shall have a battery check function that provides an LED indication of battery status while the SCBA is not pressurized.
- When the PASS is manually activated, the locator system shall immediately emit a 2.4 GHz signal able to be received by a separate hand-held receiver.
- When the PASS is activated due to lack of motion, the locator system shall have a ten second delay prior to emitting a 2.4 GHz signal able to be received by a separate hand-held receiver.
- The locating system shall be programmable with eight alpha-numeric characters to provide identification information.
- The PASS device shall contain two components: a Console and a Sensor Module.
- When the PASS device goes into pre-alarm, the user shall be notified through a distinct light pattern in the HUD display located on the mask-mounted regulator.

Console

- The console shall be located on the user’s right shoulder harness.
- The control console shall come with a mechanical (analog) pressure gauge that is angled at 30°.
- The console shall contain an integral, edge-lit, mechanical pressure gauge that is automatically turned on by opening the cylinder valve.
- The console shall display to the user the following:
 - Pre-Alarm: alternating red flashing LEDs;
 - Full Alarm: dual flashing red LEDs and a flashing PASS icon;
 - Low Battery: red flashing LEDs;
 - Normal System Operation: flashing green LED.
- The console shall contain a photo sensing diode that automatically adjust the brightness of the HUD as the ambient lighting conditions change.
- The console shall contain an integrated RFID tag.
- The console shall contain push buttons for user interface.
- The push buttons shall be designed to minimize accidental activation.
- A yellow color-coded push button shall permit system reset.
- A red color-coded push button shall permit manual activation of the full alarm mode.
- The console shall be equipped with an LED “External HUD” allowing others to determine the user’s cylinder pressure through the same color-code scheme as the HUD display on the mask-mounted regulator.
- A green LED shall be illuminated across the gauge face to indicate a cylinder with greater than half cylinder pressure.

- A yellow LED shall be illuminated across the gauge face to indicate a cylinder with less than half cylinder pressure.
- A red LED shall be illuminated across the gauge face to indicate a cylinder with less than 35% (+/- 2%) of the rated cylinder pressure.

Sensor Module

- The system shall include a sensor module mounted to the SCBA backframe and located in an area between the cylinder and backframe in a manner designed to protect the assembly from damage.
- The sensor module shall contain a motion sensor that is sensitive to user hip movement to reduce false activations.
- The sensor module shall contain redundant, dual sound emitters for the audible alarm and dual visual “buddy” indicator lights.
- The sensor module sound emitters shall be oriented in multi-directions for optimal sound projection.
- The sensor module sound emitters shall broadcast a unique alarm tone for the following conditions:
 - Pre-alarm PASS
 - Full-alarm PASS
 - Low battery
- The visual indicators on the backframe-mounted sensor module shall flash green during normal operation.
- The visual indicators shall flash red when the device is in pre-alarm and full-alarm.
- The visual indicators shall flash orange when the SCBA has reached one-half cylinder pressure.
- The visual indicators shall flash a combination of red, green, and white when the SCBA has reached 35% (+/- 2%) of the rated cylinder pressure.
- The sensor module shall have a Bluetooth® chipset integral to the unit to provide wireless connectivity to external devices.

Warranty

- The SCBA shall be covered by a warranty providing protection against defects in materials and workmanship.
- The warranty period shall be for as long as the SCBA is owned by the original purchaser.
- This warranty shall not require a registration in order to activate.
- This warranty shall not be contingent upon completing mandatory overhaul or recommended preventative maintenance.

Universal Emergency Breathing Safety System (UEBSS)

- The Universal Emergency Breathing Safety System (UEBSS) shall be certified to the NFPA 1981, 2018 Edition standard.
- The UEBSS shall have one of each of the following requirements; (1) a manifold with one each of a Rectus socket and Rectus plug, both of which have check valves, (2) 40” minimum low-pressure hose, (3) a pouch for storing the hose, and (4) a dust cap for the socket and plug.
- The UEBSS shall be positioned on the wearer’s right side and shall be capable of allowing for six feet of hose between like systems.
- The manifold shall be made of aluminum and anodized.
- The socket and plug shall have spacing, no less than 15° off-center.
- The socket shall have a double action to disengage, noted as a “push-in/pull-back”.
- The plug and socket shall be equipped with a check valve.
- The hose shall be made of high temperature rubber capable of sustaining a maximum 250 psig of pressure.
- The containment system shall include a pouch and shall be made of para-aramid materials and shall be capable of storing 36” of hose.
- The pouch shall be attached to the SCBA by snap fasteners.

- The pouch shall have a pull-strap to assist with opening of the flap and gaining access to the hose and manifold assembly.
- The pouch shall be marked “UEBSS” and be constructed of reflective material.
- The pouch shall be removable from the backframe without the use of tools.
- The UEBSS shall have provision for connection of a supplied airline for extended duration use while reserving the cylinder supply for egress.
- The UEBSS shall connect to a supplied airline using an extended duration airline adapter.
- The extended duration airline adapter shall have a plug on one end to connect to the UEBSS and a socket on the other end to connect to a supplied airline.
- The extended duration airline adapter shall be able to accommodate Industrial Interchange (e.g. Hansen, Foster, parker, etc.), HK or twist lock fittings.
- The extended duration airline adapter shall have a check valve to prevent the accidental loss of air when the adapter is disconnected from the supplied airline.

Firefighter Escape Belt

- The Firefighter Escape Belt shall be certified to the NFPA 1983, 2017 edition standard and as an accessory to the SCBA under the NFPA 1981, 2018 edition standard.
- The escape belt shall be available in one size, and adjustable to fit waist sizes 28” to 50”.
- The escape belt shall be constructed of Kevlar® aramid fibers.
- The escape belt shall have dual adjustment points to allow the belt to remain centered while donning.
- The escape belt shall utilize side thumb-release buckles for ease of doffing.
- The escape belt shall incorporate an optional quick release feature to jettison the SCBA.
- The escape belt shall utilize the patented COBRA buckle system.
- The escape belt shall include a load-bearing attachment point, as well as a positioning point.
- The escape belt shall allow for attachment of an accessory pouch.
- The accessory pouch shall accommodate storage of individual escape components, including escape rope, a descent control device, and anchor device.
- When attached to the SCBA, the accessory pouch shall maintain the NFPA 1981 certification of the SCBA.

Electronic Voice Communications

- The respirator, when configured with the AV-3000 HT facepiece, shall have an optional facepiece-mounted voice amplification device to electronically project the user’s voice.
Refer to EPIC 3 Voice Amplifier Bid Specifications, H/S 7093
- The respirator, when configured with the AV-3000 HT facepiece, shall have an optional facepiece-mounted radio interface communication system that provides voice amplification and wireless communication with two-way radios.
Refer to EPIC 3 RI Voice Communication System Bid Specifications, H/S 7489
- The respirator, when configured with the AV-3000 HT facepiece, shall have an optional facepiece-mounted radio direct interface communication system that provides voice amplification and wireless communication with two-way radios. *Refer to EPIC 3 RDI Voice Communication System Bid Specifications, H/S 7570*

Section 3 – ADDITIONAL TERMS AND CONDITIONS

- A. Successful bidder must be a factory-authorized distributor and service center to sell the equipment specified within.
- B. In-service training:

Successful bidder shall provide in-service training on equipment (in-person format) and initial fit testing to all MOFD suppression personnel (approximately 60)

- C. Pricing:
The proposal shall denote unit price for each item. Any additional costs shall be listed separately. Proposal price shall include shipping costs and sales tax at 9.75%. Bid prices shall be guaranteed for 90 days from the bid opening date.
- D. Successful bidder must be a current registered member with the System for Award Management (SAM.gov) at time of bid.

Section 4 – CERTIFICATION AND ASSURANCES

Funding for this purchase comes from the 2021 FEMA AFG. Bidders must comply with the following requirements. **Submission of a bid will represent your company's attestation that it meets, agrees and adheres to the provisions of this section.**

- A. Civil Rights Act of 1964 - Title VI. Bidders must comply with the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.
- B. Debarment and Suspension. Per Executive Order 12549, Debarment and Suspension, and implemented at 44 CFR Part 67, the bidder certifies that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency.
- C. Lobbying. As required by section 1352, Title 31 of the U.S. Code, and implemented at 44 CFR Part 18, the bidder certifies that:
- a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the bidder, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement.
 - b. If any other funds than Federal appropriated funds have been paid or will be paid to any other person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or an employee of Congress, or employee of a member of Congress in connection with this Federal Grant or cooperative agreement, the bidder shall complete and submit Stand Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.
 - c. The bidder shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

Section 5 – PROPOSAL REQUIREMENTS

All costs incurred in the preparation and presentations of this proposal are the vendor's responsibility.

All Proposals shall contain the following:

- Bid with price proposal for purchase of the equipment listed in Section 2, estimated time of delivery, and any and all other costs associated with meeting the terms of the RFP.
- Proof of current membership registration with the System for Award Management (SAM.gov)
- Exceptions to specifications: Any exceptions to the specifications above must be outlined in writing on a separate sheet, clearly marked "Exceptions", and included with the bid proposal. Failure to do so will automatically disqualify the bidder.

Section 6 – PROPOSAL SUBMISSIONS

Bids must be submitted via email to llambert@mofd.org. Bids must be received no later than **July 20, 2023 at 5:00 PM**. Bidders are strongly encouraged to submit bids in advance of the due date to avoid possibility of missing the deadline due to unforeseen circumstances. Additional time will not be granted to any vendor. Additional time may be granted to all vendors when MOFD determines that circumstances require it.

MOFD reserves the right to accept or reject any and all bids and to accept minor deviations from the minimum standards specified.

All questions about this RFP must be submitted via email to:

Battalion Chief Lucas Lambert
LLambert@mofd.org

Section 7 – METHOD OF AWARD

Selection of the successful bidder will be based on the lowest bidder meeting all specifications defined in Section 2 and all terms and conditions of this RFP.



12328 Lower Azusa Road
Arcadia, CA 91006
(626) 652-0900

2552 Barrington Court
Hayward, CA 94545
(510) 887-6295

BID QUOTE

MOFD0616

Requested by
Mark Preisendorf

Bill To: Moraga - Orinda Fire Dept
Battalion Chief Lucas Lambert
illlambert@mofd.org

Ship To:

Phone:

Email:

Date		Date Required	Cust. Order #	Tax Exempt #	Terms	F.O.B.	Salesperson	Ship Via
6/19/2023			QUOTE		Net 30	Destination	Ziggy	Drop Ship
Quantity	U/M		Description				Price	Amount
			Core SCBA per State Cal Fire Contract 2022					
66	EA		X8814N25305303 SCBA SYSTEM. 4500psi, CGA, Fixed Rescue Belt, UEBSS, PASS w/Pak-Tracker Ensemble Includes: SCBA, MMR, (1) Cylinder, Facepiece, Epic Voice Amp. Mask Size: TBD Custom Cylinder Banding or Decals TBD				6,373.00	420,618.00
			Additional Core Items					
66	EA		804722-01 Carbon Cylinder, 45 Minute, 4500psi, With CGA Valve.				1,039.00	68,574.00
			Once the order is received, This purchase includes unpacking all SCBA's, install batteries and function check each unit, We will also provide Train the Trainer instruction at your convenience.					
						Subtotal		\$489,192.00
						Sales Tax	9.750%	\$47,696.22
						Freight		\$0.00
						Total		\$536,888.22



Moraga-Orinda Fire District

TO: Board of Directors

FROM: Dave Winnacker, Fire Chief

DATE: August 16, 2023

SUBJECT: **Item 9.5 Adopt Resolution 23-16 Identifying the Terms and Conditions for Fire Department Emergency Response Away From Their Official Duty Station and Assigned to an Emergency Incident**

BACKGROUND

Each year, personnel from the District are deployed on mutual aid assignments as participating members of the California Fire Service and Rescue Emergency Mutual Aid System. The California Fire Assistance Agreement (CFAA) is the negotiated reimbursement mechanism for local government fire agency responses under the Mutual Aid System. Reimbursement from the State of California is based on established pay scales and MOU language called "Pass-through Pay".

In an effort to ensure agencies are fully reimbursed in a timely manner, the State has asked each agency to provide a resolution that covers any and all response employees whom are eligible for pass-through pay with or without MOU language.

Authorizing portal to portal pay for employees ensures that the District will continue to be eligible for full reimbursement through the CFAA.

Update

The attached Resolution 23-16 updates Resolution 21-16, adopted in September 2021, to add the District's new Fire Inspector/Plans Examiner position. Members of the fire prevention staff are eligible to deploy to non-fire line support positions on major incidents in positions such as Base Camp Radio Operator, Damage Inspection Specialist, Damage Inspection Manager, and other CICCIS positions. The district benefits from limited fire prevention staff deployments in the following ways:

1. Increased understanding of fire behavior resulting in better inspection and fire safety information sharing.
2. Increased retention through career-developing deployment opportunities.
3. Development of large incident-specific support skills and experience which can be leveraged in the event of a major fire in our area.

Staff will continue to carefully balance core in-district job requirements with deployment opportunities to ensure fire prevention goals are achieved. There is no cost to the district as OES reimburses all salary and benefits expenses in addition to an administrative fee.

RECOMMENDATION

1) Discuss; 2) Deliberate; 3) Adopt Resolution 23-16 Identifying the Terms and Conditions for Fire Department Emergency Response Away From Their Official Duty Station and Assigned to an Emergency Incident

ATTACHMENT

[Attachment A: Resolution 23-16 Mutual Aid Response](#)

RESOLUTION 23-16

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MORAGA-ORINDA FIRE PROTECTION DISTRICT IDENTIFYING THE TERMS AND CONDITIONS FOR FIRE DEPARTMENT RESPONSE AWAY FROM THEIR OFFICIAL DUTY STATION AND ASSIGNED TO AN EMERGENCY INCIDENT.

WHEREAS, the Moraga-Orinda Fire Protection District is a public agency located in the County of Contra Costa, State of California; and

WHEREAS, it is the Moraga-Orinda Fire Protection District's payment to all its employees for time worked; and

WHEREAS, the Moraga-Orinda Fire Protection District has in its employ, Fire Safety response personnel including: Fire Chief, Assistant Chief, Battalion Chief, Fire Captain, Fire Captain-Paramedic I, Fire Captain-Paramedic II, Engineer, Engineer-Paramedic I, Engineer-Paramedic II, Firefighter-Paramedic, Firefighter, Fire Marshal, Fuels Mitigation Program Manager, Fire Inspector/Plans Examiner, and Fuels Mitigation Specialist; and

WHEREAS, the Moraga-Orinda Fire Protection District will compensate its employees portal to portal while in the course of their employment and away from their official duty station and assigned to an emergency incident, in support of an emergency incident, or pre-positioned for emergency response; and

WHEREAS, the Moraga-Orinda Fire Protection District will compensate its employees overtime in accordance with their current Memorandum of Understanding while in the course of their employment and away from their official duty station and assigned to an emergency incident, in support of an emergency incident, or pre-positioned for emergency response.

Now, Therefore, Be It Hereby resolved by the Board of Directors that:

1. Personnel shall be compensated according to Memorandum of Understanding (MOU), Personnel Rules and Regulations, and/or other directive that identifies personnel compensation in the workplace.
2. In the event a personal classification does not have an assigned compensation rate, a "Base Rate" as set forth in an organizational policy, administrative directive or similar document will to compensate such personnel.
3. The Moraga-Orinda Fire Protection District will maintain a current salary survey or acknowledgement of acceptance of the "base rate" on file with the California Governor's Office of Emergency Services, Fire Rescue Division.

4. Personnel will be compensated (portal-to-portal) beginning at the time of dispatch to the return to jurisdiction when equipment and personnel are in service and available for agency response.
5. Fire department response personnel include: Fire Chief, Assistant Chief, Battalion Chief, Fire Captain, Fire Captain-Paramedic I, Fire Captain-Paramedic II, Engineer, Engineer-Paramedic I, Engineer-Paramedic II, Firefighter-Paramedic, Firefighter, Fire Marshal, Fuels Mitigation Program Manager, Fire Inspector/Plans Examiner, and Fuels Mitigation Specialist.
6. Resolution 23-16 supersedes Resolution 21-16

PASSED, APPROVED and ADOPTED this 16th day of August 2023 at the regular meeting of the District Board of Directors held at 22 Orinda Way, Orinda, California 94563 on a motion made by Director _____ and seconded by Director _____ and duly carried with the following roll call vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

Resolution 23-16

Dated: August 16, 2023

John Jex, President
Board of Directors

I certify that this is a full, true and correct copy of the original document which is on file in my office, and that was passed and adopted by the Moraga-Orinda Fire Protection District on the date shown.

ATTEST:

Marcia Holbrook
District Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Jon Holtzman, District Counsel

Dave Winnacker, Fire Chief



Moraga-Orinda Fire District

TO: Board of Directors

FROM: Jonathan Holtzman, District Counsel

DATE: August 16, 2023

SUBJECT: **Item 9.6 Waive the First Reading and Introduce Ordinance No. 23-05, an Ordinance of the Moraga- Orinda Fire Protection District of Contra Costa County, California, amending the Purchasing and Contracting Procedures and Authorities**

BACKGROUND

During the April 6, 2023, Audit Committee meeting, it was determined that an update to the existing Purchasing Ordinance 16-01 was required to include more permissive components of State law to allow for more discretion for selecting professional services. During the Audit Committee report on April 19, 2023, the full Board was informed about the necessity of updating the current Purchasing Ordinance by District Counsel.

The District adopted Ordinance Number 16-01 on March 2, 2016, establishing a purchasing system for the purchase of supplies, equipment, public projects, and services. The District wishes to restate and amend the purchasing system for the purpose of setting forth efficient procedures for the purchase of supplies, equipment, public projects, and services in compliance with the Fire Protection District Law (the "Act"), Government Code section 4526, and Public Contract Code section 20812(a) and (b).

The District is authorized to contract for special services using the procedures which apply to Contra Costa County. The special services shall be limited to the fields of accounting, administration, ambulance, architecture, custodial, economics, engineering, finance, insurance, labor relations, law, maintenance, mechanics, medicine, planning, science, technology, and other services which are incidental to the operation of the District.

The redline Purchasing Ordinance No. 16-01 is included as Attachment A, and the clean version of the proposed amended Purchasing Ordinance No. 23-05 is included as Attachment B.

A revised Purchasing Ordinance No. 23-05 updating the District's procedures to contract for special services, which, among other things, provides that the District will adopt by resolution such procedures. The draft resolution and procedures to contract for special services is also included for review as Attachment C. These proposed procedures follow the contracting policies and procedures that apply to Contra Costa County, which were recently adopted by the County's Board of Supervisors on June 27, 2023.

RECOMMENDATION

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Introduce and Waive the First Reading of Ordinance No. 23-05, an Ordinance of the Moraga-Orinda Fire Protection District of Contra Costa

County, California, amending the Purchasing and Contracting Procedures and Authorities; 4) Review a draft resolution and procedures to contract for special services; and 5) Provide direction to Staff

ATTACHMENT

[Attachment A: 23-05 Amending Purchasing Prodecures Ordinance 16-01 \(Revised 7-17-23 - redline\).pdf](#)

[Attachment B: 23-05 Amending Purchasing Procedures Ordinance 16-01 \(Clean\).pdf](#)

[Attachment C: 23-15 Resolution Establishing Contracting Procedures \(REC 7-17-23\).pdf](#)

**ORDINANCE NO. 16-
01**

**AN ORDINANCE OF THE MORAGA-ORINDA FIRE
PROTECTION DISTRICT ~~SETTING FORTH~~ AMENDING
THE PURCHASING AND CONTRACTING
PROCEDURES AND AUTHORITIES**

The Board of Directors (the Board) of the Moraga-Orinda Fire Protection District (the "District") ordains as follows:

WHEREAS, the District adopted Ordinance Number 16-01 establishing a purchasing system for the purchase of supplies, equipment, public projects, and services.

WHEREAS, the District wishes to restate and establish ~~amend~~ the ~~following~~ purchasing system for the purpose of setting forth efficient procedures for the purchase of supplies, equipment, public projects and services; to secure for the District those supplies, materials, equipment and services at the lowest possible cost or in the best interests of the District in an efficient manner without unnecessary delays; to exercise positive financial control over purchases; to clearly define the delegated authority for the purchasing and contracting functions; in compliance with the Fire Protection District Law (the "Act"), Government Code section 4526 and Public Contract Code section 20812(a) and ~~(eb)~~; and to ensure the quality of the purchases and contracts for services accomplished by the District.

NOW THEREFORE BE IT RESOLVED, that the District restates and amends ~~establishes the following~~ the purchasing system for the purpose of setting forth efficient procedures for the purchase of supplies, materials, equipment and services; to secure for the District those supplies, materials, equipment and services at the lowest possible cost or in the best interests of the District in an efficient manner without unnecessary delays; to exercise positive financial control over purchases; to clearly define the delegated authority for the purchasing and contracting functions; in compliance with the Act, Government Code section 4526 and Public Contract Code section 20812(a) and ~~(eb)~~; and to ensure the quality of the purchases and contracts for services accomplished by the District.

1. DEFINITIONS

1.1 Purchasing and Contracting Authority

Purchasing and Contracting Authority is the representative or representatives of the District, whether members of its staff, or its Board of Directors acting together, who, depending on the size and type of transaction at issue, are authorized to approve a particular purchasing transaction or award a contract after completion of the applicable selection process.

1.2 Lowest Responsible Bidder

The Lowest Responsible Bidder is a bidder that is deemed responsible by the District and has demanded the least compensation from the District. When determining

whether a bidder is responsible, the District shall consider one or more of the following factors as appropriate:

- 1.2.1 The ability, capacity, and skill of the bidder;
- 1.2.2 Whether the bidder has the facilities to perform the contract promptly, or within the time specified, without delay or interference;
- 1.2.3 The character, integrity, reputation, judgment, experience and efficiency of the bidder;
- 1.2.4 The bidder's record of performance of previous contracts;
- 1.2.5 Previous and existing compliance by the bidder with laws and policies relating to the contract;
- 1.2.6 The sufficiency of the financial resources and ability of the bidder to perform the contract;
- 1.2.7 The available insurance held by the bidder;
- 1.2.8 The quality and availability of the supplies, equipment, or services purchased, and the adaptability of the above to the particular use required;
- 1.2.9 The ability of the bidder to provide future maintenance and service for the supplies, equipment, or services purchased;
- 1.2.10 The number and scope of conditions attached to the bid;
- 1.2.11 Any referrals or comments regarding the bidder made by knowledgeable persons familiar with the bidder and/or the bidder's business, industry or finances.

~~1.2.12 For contracts for Professional Services, consistent with the Act, Government Code section 4526 and Public Contract Code section 20812(a) and (c), whether the business is~~
~~(i) a "small business" within the definition of Government Code section 14837(d), which is "an independently owned and operated business which is not dominant in its field of operation, the principal office of which is located in California, the offices of which are domiciled in California, and which, together with affiliates, has 100 or fewer employees, and average annual gross receipts often million dollars (\$10,000,000) or less over the previous three years," or (ii) a manufacturer within the meaning of Government Code section 14837(c) and has 100 or fewer employees.~~

1.3 Open Market Purchase Procedure

The Open Market Purchase Procedure does not involve any formal or informal solicitation and evaluation of competitive bids. The Purchasing and Contracting Authority shall use his or her judgment and experience in making the decision, and

shall also consider the same criteria used to determine the Lowest Responsible Bidder.

1.4 Informal Bidding Procedure

The Informal Bidding Procedure is a cost-effective competitive process for canvassing the marketplace to identify vendors most likely to provide appropriate supplies or services at a reasonable price and in an efficient manner.

The Informal Bidding Procedure requires the Purchasing and Contracting Authority to solicit written, faxed, e-mailed or verbal price quotations from a minimum of three (3) vendors. The solicitation may be either written or verbal, as dictated by the circumstances and judgment of the Purchasing and Contracting Authority. The bid shall be awarded to the Lowest Responsible Bidder as defined above.

1.5 Formal Bidding Procedure

1.5.1 Preparation of Plans and Specifications. For Public Projects, the District shall prepare plans and specifications providing adequate direction to enable any competent contractor or other builder to carry them out.

1.5.2 Notice. Notice requesting sealed bids shall set a date for the opening of sealed bids. The first publication or posting of the notice shall be at least 10 days before the date of opening the sealed bids. Notice shall be published at least twice, not less than five days apart, in a newspaper of general circulation in the District, or if there is none, it shall be posted in at least three public places in the District.

1.5.3 Posting Bonds. The District Board may require in the public notice for bids that the bidder provide bidder's security, insurance, and/or the posting of those bonds it deems desirable as a condition to the filing of a bid or the letting of a contract. A surety bond insures the faithfulness of the bid and insures the performance of a contract. The intent is to protect the District from losses, damages, claims and liabilities in the event the vendor fails to execute a contract. For all Public Projects in excess of \$25,000, posting of a bond shall be required.

1.5.4 Time Stamping Bids. Bids received shall be time-stamped by the District Clerk and deposited unopened in the bid file. Any bid received subsequent to the time of closing as stated on the request for bid shall be time-stamped and returned to the bidder.

1.5.5 Tendering Bids. Bidders shall be entitled to the return of bid security, except that a successful bidder shall forfeit its bid security upon refusal or failure to execute the contract within ten (10) days after the notice of award has been mailed, or a time agreed upon in writing by both the successful bidder and the District, unless the District is responsible for the delay. The Purchasing and Contracting Authority may,

on refusal or failure of the successful bidder to execute the contract, award the contract to the next Lowest Responsible Bidder. The amount of the lowest bidder's forfeited security shall be applied by the District to the difference between the low bid and the second lowest bid, and the surplus, if any, shall be returned to the lowest bidder. The successful bidder's check or bond will be held until submission of the performance bond.

1.5.6 Bid Opening. In the case of construction contracts, and pursuant to the Public Contract Code, bidders shall submit sealed bids to the District and shall identify the bid as a sealed bid on the envelope. Sealed bids must be opened only at the time and place stated in the public notice. The Purchasing and Contracting Authority shall prepare a summation of all sealed bids received and shall make the summation available for public inspection during regular business hours for a period of not less than thirty (30) days after the bid opening. The District shall not accept any bid unless it is in writing.

1.5.7 Award of Bid. If any bid is awarded, it shall be awarded to the Lowest Responsible Bidder using the criteria defined within this Ordinance.

1.5.71.5.8 Tie Bids. Pursuant to the Public Contract Code, if two or more bids are the same and the lowest, the Purchasing and Contracting Authority may accept the bid of any of the lowest responsible bidders.

~~**1.5.8**~~ **1.5.9. Rejection of Bids.** In its discretion, the District Board may reject the bids presented and readvertise.

~~**1.6**~~ ~~Formal Request for Proposal Procedure~~

~~**1.6.1**~~ ~~The Request for Proposal shall include a general description of the services to be procured, the criteria by which the District shall evaluate proposals, a proposed agreement, including insurance requirements, and the time and place for submission of proposals.~~

~~**1.6.2**~~ ~~A notice inviting proposals shall be distributed to at least three (3) consultant or service firms at least ten (10) days prior to the deadline for submission of proposals.~~

~~**1.6.3**~~ ~~Proposals must be signed acknowledging acceptance of the terms and conditions of the agreement and insurance requirements, and proposers shall submit sealed proposals.~~

~~All responsive proposals shall be reviewed and evaluated by the Purchasing and Contracting Authority to determine which proposer best meets the District's needs by demonstrating the competence and qualifications necessary for the satisfactory performance of the required services. The dollar amount of the~~

~~proposal shall be considered but the award need not be made to the lowest dollar proposal.~~

1.71.6 Public Projects

Contracts for the construction or completion of any building, structure, or improvement

2 PURCHASES OF SUPPLIES AND EQUIPMENT

This section governs purchases of goods, materials, supplies, vehicles, machinery, furnishings and other tangible property.

- 2.1** For purchases of supplies and equipment under \$5,000, the Purchasing and Contracting Authority shall use the Open Market Purchase Procedure.
- 2.2** For purchases of supplies and equipment of between \$5,000 and \$100,000, the Purchasing and Contracting Authority shall use the Informal Bidding Procedure.
- 2.3** For purchases of supplies and equipment over \$100,000, the Purchasing and Contracting Authority shall use the Formal Bidding Procedure.
- 2.4** For purchases of gasoline or other automotive fuel, the Purchasing and Contracting Authority shall use the Informal Bidding Procedure. Informal bidding shall occur at least triennially.
- 2.42.5** Notwithstanding the above, purchases of any equipment for fire protection purposes shall conform to the standardization provisions of Health & Safety Code section 13025 and following (dealing with couplings and threaded fittings).

3 PUBLIC PROJECTS

Contracts for the construction or completion of any building, structure, or improvement must follow the procedures of this section.

- 3.1** When the expenditure required for a Public Project described above exceeds ten thousand dollars (\$10,000), the Purchasing and Contracting Authority shall follow the Formal Bidding Procedure.

In addition, the following provisions apply to contracts let for Public Projects.

- 3.1.1 Cost Records.** Cost records of the public project work shall be kept in the manner provided in Chapter 1 (commencing with Section 4000) of Division 5 of Title 1 of the Government Code.
- 3.1.2 Contractor Requirements.** Contracts authorized by the District shall be let only to a holder of a valid State Contractor's license unless such work is exempt from such licensing requirement by any other provision of law.

4 SERVICES

4.1 Special Services. Public Contract Code section 20182(a) provides that the District may contract for special services. The special services shall be limited to the fields of accounting, administration, ambulance, architecture, custodial, economics, engineering, finance, insurance, labor relations, law, maintenance, mechanics, medicine, planning, science, technology, and other services which are incidental to the operation of the District. The term “special services” includes, in accordance with Government Code section 4526, professional services of private architectural, landscape architectural, engineering, environmental, land surveying, and construction project management firms.

~~4.1~~—

4.2 In securing such special services, pursuant to Public Contract Code section 20812(b), the District shall follow the contracting and purchasing procedures which apply to the County of Contra Costa. The District shall, by resolution, adopt contracting and purchasing procedures for securing such special services that follow the contracting and purchasing procedures which apply to the County of Contra Costa. These procedures shall assure maximum participation of small business firms, as defined pursuant to Government Code section 14837.

~~4.2.1—4.2.1~~ The contracting and purchasing procedures for securing special services applicable to the County of Contra Costa, as established by Government Code sections 4526, 31000 and 53060, do not require that any contracts for special services be let to the lowest responsible bidder. Such special services shall be engaged, in accordance with the contracting and purchasing procedures established pursuant to Section 4.2 of this Ordinance, on the basis of demonstrated competence and qualifications for the types of services to be performed and at fair and reasonable prices to the District.

~~4.2.3—Special and Incidental Services includes accounting, administration, ambulance, auditing, custodial, economics, finance, insurance, labor relations, law, maintenance, mechanics, medicine, planning, science, technology, and other services which are incidental to the operation of the district.~~

~~4.2.5—When the annual aggregate cost of the special and incidental services contract is less than \$5,000, the Purchasing and Contracting Authority shall utilize the Open Market Purchase Procedures when selecting the service provider.~~

~~4.2.8—When the annual aggregate cost of the special and incidental services contract is \$5,000 or more, but not more than \$100,000, the Purchasing and Contracting Authority may hire independent contractors to perform the special and/or incidental services by using the Informal Bidding Procedures.~~

~~4.2.9 For the special and incidental services contracts with an annual aggregate cost of \$100,000 or more, the Purchasing and Contracting Authority shall use the Formal Request for Proposal Procedure.~~

~~4.2.12 If the District Board rejects all proposals received as part of the Formal Request for Proposal Procedure, it may either readvertise or adopt a resolution, by two-thirds vote, declaring that the service can be performed more economically by the District's employees or obtained at a lower price in the open market.~~

4.44.3 Core Services includes fire protection services, rescue services, emergency medical services, hazardous material emergency response services, ambulance services, and any other emergency services for the protection of lives and property.

4.4.14.3.1 When the district board determines that it is in the public interest, the District may contract with any other public agency for Core Services. No formal competitive process is required. The District may not contract with private entities for the Core Services.

5 EXCEPTIONS TO THE BIDDING PROCESS

Purchases of supplies, equipment or services may be, but need not be, allowed pursuant to competitive proposals in the following circumstances:

5.1.1 In the case of an emergency, as defined in Public Contract Code section 1102, the District Board delegates authority to the Fire Chief up to \$100,000 to repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts. If the Fire Chief orders any such action, he or she shall report to the Board, at its next meeting as required under Public Contract Code section 22050, the reasons justifying why the emergency will not permit a delay resulting from a competitive solicitation for bids and why the action is necessary to respond to the emergency. The District shall follow all other applicable procedures of Public Contract Code section 22050.

5.1.2 When the following types of personal property or services are being acquired, obtained, rented or leased: (i) advertising; (ii) books, recordings, films, subscriptions; (iii) election supplies; (iv) insurance; (v) public utility services; (vi) travel services; (vii) property or services provided by or through other governmental agencies; or obtainable from suppliers which have in force a current contract with another governmental agency for the same item or service; or (viii) property or services the price of which is fixed by law; or

5.1.3 The supplies, materials, services or equipment are produced only by one manufacturer or are available from only one source; or

5.1.4 When a purchase is made through a master agreement, multiple award schedule or cooperative agreement with any federal, state or local agency wherein the original agreement was properly awarded through the appropriate public bid process.

6 PURCHASING AUTHORITY LEVELS

The funding included in the annual budget approved by the Board of Directors for the purchase of supplies and equipment, services, and Public Projects shall constitute spending authority to the listed persons for such contracts up to the amounts listed below. The Board of Directors, when sitting as a convened Board, may serve as the Purchase and Contract Authority for any District purchases in any amount. All such purchases by any individual or the Board of Directors shall meet the requirements, if any, of the informal or formal bidding requirements prior to purchase and the contracting limits as specified below.

For ~~Public Projects~~purchases and contracts of \$100,000 or more, the District Board of Directors shall be the only Purchasing and Contracting Authority.

For all other types of purchases and contracts, each of the following persons shall be authorized to be a Purchasing and Contracting Authority:

Any amount less than \$100,000:	District Fire Chief
Any amount less than \$25,000:	Administrative Services Director
Any amount less than \$10,000:	Battalion Chief, Fire Marshal, <u>Finance Manager, Human Resources Manager, Fuels Mitigation Manager, District Secretary/District Clerk, Project Coordinator</u> and Emergency Preparedness Coordinator
Any amount less than \$500	Captain, <u>Fire Inspector/Plans Examiner, Office Specialist</u>
Any amount less than \$100	Any District Employee

97 PROHIBITED ACTS

In no event shall any Purchasing and Contracting Authority allow any unlawful activity including, but not limited to, rebates, kickbacks or other unlawful consideration in fulfilling the requirements of this Ordinance nor shall any individual participate in the selection process when he or she has a financial interest as defined in Government Code section 87100, et seq. with a person or business entity seeking a contract.

108 SUFFICIENT FUNDS REQUIRED

Nothing in this Ordinance shall be interpreted to allow any purchase or contract for which insufficient District funds have been appropriated.

119 USE OF DISTRICT FORM CONTRACTS

The District shall utilize a form contract provided by the District and approved by District Counsel ("Form Contract") to memorialize agreements for provision of any Services whenever the District is agreeing to pay \$500.00 or more. The District may utilize a Form Contract for expenditures of \$499.99 or less.

1210 PROTEST PROCEDURE

After the award of any contract, any unsuccessful bidder may challenge the bid procedure by filing a written protest with the Purchasing and Contracting Authority. The protest must set forth the reasons for the challenge and must be filed within ten (10) days of the award of the contract, and must be accompanied by a bid protest deposit. The District bid protest deposit is \$1,500.

The bid protester will be charged actual hourly costs of staff time and attorney fees and any remaining deposit will be returned. The Board of Directors shall review the protest and provide a written reply in an expeditious manner. The decision of the Board of Directors with respect to the protest shall be final. Failure to file a timely protest shall be deemed a waiver of any challenge to the selection procedure or the award of a contract. Notice of this procedure shall be included in any formal or informal District solicitation for the purchase of supplies, materials, equipment or the performance of services.

1311 SPLITTING ORDERS

The splitting of orders to separate purchases, orders or contracts for services into smaller quantities or amounts for the purpose of avoiding the competitive bidding provisions or the Purchasing and Contracting Authority provisions of this Ordinance will not be allowed.

1412 INSPECTION AND TESTING

The Purchasing and Contracting Authority shall have the power to inspect all supplies, materials and equipment delivered pursuant to any District purchase or any service provided by District contract to determine their conformance with the specifications for the involved supplies, materials, equipment or service. The Purchasing and Contracting Authority shall also have the power to require chemical and physical tests of samples submitted with bids

and samples of deliveries, as necessary to determine their quality and conformance with specifications and applicable law.

1513 SEVERABILITY

If any section, subsection, subdivision, paragraph, sentence, clause, phrase or word in this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining provisions of this Ordinance. The Board hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, phrase or word of this Ordinance regardless of the unconstitutionality or invalidity of any other section, subsection, subdivision, paragraph, sentence, clause, phrase or word herein.

SECTION 215. Effective Date and Publication of Ordinance Summary. This Ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The Administrative Secretary of the District shall cause a summary of the Ordinance to be posted in accordance with Section 25124 of the Government Code of the State of California.

SECTION 314. This Ordinance superesedes Ordinance 156-01.

PASSED, APPROVED and ADOPTED this _____ day of _____, 2023 at the regular meeting of the Board of Directors held at 22 Orinda Way, Orinda, California 94563 on _____, on a motion made by, on a motion made by Director _____, seconded by Director _____, and duly carried with the following roll call vote:
~~Adoption on motion by the Board of Directors of the Moraga-Orinda Fire Protection-~~

District.

AYES:

NOES:

ABSENT:

ABSTAIN:

Board of Directors[RC1]

I certify that this is a full, true and correct copy of the original document which is on file in my office that was passed and adopted by the Moraga-Orinda Fire Protection District on the date shown.

ATTEST:[RC2]

ORDINANCE NO. 23-05**AN ORDINANCE OF THE MORAGA-ORINDA FIRE PROTECTION DISTRICT AMENDING THE PURCHASING AND CONTRACTING PROCEDURES AND AUTHORITIES**

The Board of Directors (the Board) of the Moraga-Orinda Fire Protection District (the "District") ordains as follows:

WHEREAS, the District adopted Ordinance Number 16-01 establishing a purchasing system for the purchase of supplies, equipment, public projects, and services.

WHEREAS, the District wishes to restate and amend the purchasing system for the purpose of setting forth efficient procedures for the purchase of supplies, equipment, public projects and services; to secure for the District those supplies, materials, equipment and services at the lowest possible cost or in the best interests of the District in an efficient manner without unnecessary delays; to exercise positive financial control over purchases; to clearly define the delegated authority for the purchasing and contracting functions; in compliance with the Fire Protection District Law (the "Act"), Government Code section 4526 and Public Contract Code section 20812(a) and (b); and to ensure the quality of the purchases and contracts for services accomplished by the District.

NOW THEREFORE BE IT RESOLVED, that the District restates and amends the purchasing system for the purpose of setting forth efficient procedures for the purchase of supplies, materials, equipment and services; to secure for the District those supplies, materials, equipment and services at the lowest possible cost or in the best interests of the District in an efficient manner without unnecessary delays; to exercise positive financial control over purchases; to clearly define the delegated authority for the purchasing and contracting functions; in compliance with the Act, Government Code section 4526 and Public Contract Code section 20812(a) and (b); and to ensure the quality of the purchases and contracts for services accomplished by the District.

1. DEFINITIONS**1.1 Purchasing and Contracting Authority**

Purchasing and Contracting Authority is the representative or representatives of the District, whether members of its staff, or its Board of Directors acting together, who, depending on the size and type of transaction at issue, are authorized to approve a particular purchasing transaction or award a contract after completion of the applicable selection process.

1.2 Lowest Responsible Bidder

The Lowest Responsible Bidder is a bidder that is deemed responsible by the District and has demanded the least compensation from the District. When determining whether a bidder is responsible, the District shall consider one or more of the following factors as appropriate:

- 1.2.1 The ability, capacity, and skill of the bidder;
- 1.2.2 Whether the bidder has the facilities to perform the contract promptly, or within the time specified, without delay or interference;
- 1.2.3 The character, integrity, reputation, judgment, experience and efficiency of the bidder;
- 1.2.4 The bidder's record of performance of previous contracts;
- 1.2.5 Previous and existing compliance by the bidder with laws and policies relating to the contract;
- 1.2.6 The sufficiency of the financial resources and ability of the bidder to perform the contract;
- 1.2.7 The available insurance held by the bidder;
- 1.2.8 The quality and availability of the supplies, equipment, or services purchased, and the adaptability of the above to the particular use required;
- 1.2.9 The ability of the bidder to provide future maintenance and service for the supplies, equipment, or services purchased;
- 1.2.10 The number and scope of conditions attached to the bid;
- 1.2.11 Any referrals or comments regarding the bidder made by knowledgeable persons familiar with the bidder and/or the bidder's business, industry or finances.

1.3 Open Market Purchase Procedure

The Open Market Purchase Procedure does not involve any formal or informal solicitation and evaluation of competitive bids. The Purchasing and Contracting Authority shall use his or her judgment and experience in making the decision, and shall also consider the same criteria used to determine the Lowest Responsible Bidder.

1.4 Informal Bidding Procedure

The Informal Bidding Procedure is a cost-effective competitive process for canvassing the marketplace to identify vendors most likely to provide appropriate supplies or services at a reasonable price and in an efficient manner.

The Informal Bidding Procedure requires the Purchasing and Contracting Authority to solicit written, faxed, e-mailed or verbal price quotations from a minimum of three (3) vendors. The solicitation may be either written or verbal, as dictated by the circumstances and judgment of the Purchasing and Contracting Authority. The bid shall be awarded to the Lowest Responsible Bidder as defined above.

1.5 Formal Bidding Procedure

- 1.5.1 Preparation of Plans and Specifications.** For Public Projects, the District shall prepare plans and specifications providing adequate direction to enable any competent contractor or other builder to carry them out.
- 1.5.2 Notice.** Notice requesting sealed bids shall set a date for the opening of sealed bids. The first publication or posting of the notice shall be at least 10 days before the date of opening the sealed bids. Notice shall be published at least twice, not less than five days apart, in a newspaper of general circulation in the District, or if there is none, it shall be posted in at least three public places in the District.
- 1.5.3 Posting Bonds.** The District Board may require in the public notice for bids that the bidder provide bidder's security, insurance, and/or the posting of those bonds it deems desirable as a condition to the filing of a bid or the letting of a contract. A surety bond insures the faithfulness of the bid and insures the performance of a contract. The intent is to protect the District from losses, damages, claims and liabilities in the event the vendor fails to execute a contract. For all Public Projects in excess of \$25,000, posting of a bond shall be required.
- 1.5.4 Time Stamping Bids.** Bids received shall be time-stamped by the District Clerk and deposited unopened in the bid file. Any bid received subsequent to the time of closing as stated on the request for bid shall be time-stamped and returned to the bidder.
- 1.5.5 Tendering Bids.** Bidders shall be entitled to the return of bid security, except that a successful bidder shall forfeit its bid security upon refusal or failure to execute the contract within ten (10) days after the notice of award has been mailed, or a time agreed upon in writing by both the successful bidder and the District, unless the District is responsible for the delay. The Purchasing and Contracting Authority may, on refusal or failure of the successful bidder to execute the contract, award the contract to the next Lowest Responsible Bidder. The amount of the lowest bidder's forfeited security shall be applied by the District to the difference between the low bid and the second lowest bid, and the surplus, if any, shall be returned to the lowest bidder. The successful bidder's check or bond will be held until submission of the performance bond.
- 1.5.6 Bid Opening.** In the case of construction contracts, and pursuant to the Public Contract Code, bidders shall submit sealed bids to the District and shall identify the bid as a sealed bid on the envelope. Sealed bids must be opened only at the time and place stated in the public notice. The Purchasing and Contracting Authority shall prepare a summation of all sealed bids received and shall make the summation available for public inspection during regular business hours for a period of not less than thirty (30) days after the bid opening. The District shall not accept any bid unless it is in writing.

1.5.7 Award of Bid. If any bid is awarded, it shall be awarded to the Lowest Responsible Bidder using the criteria defined within this Ordinance.

1.5.8 Tie Bids. Pursuant to the Public Contract Code, if two or more bids are the same and the lowest, the Purchasing and Contracting Authority may accept the bid of any of the lowest responsible bidders.

1.5.9. Rejection of Bids. In its discretion, the District Board may reject the bids presented and readvertise.

1.6 Public Projects

Contracts for the construction or completion of any building, structure, or improvement

2 PURCHASES OF SUPPLIES AND EQUIPMENT

This section governs purchases of goods, materials, supplies, vehicles, machinery, furnishings and other tangible property.

2.1 For purchases of supplies and equipment under \$5,000, the Purchasing and Contracting Authority shall use the Open Market Purchase Procedure.

2.2 For purchases of supplies and equipment of between \$5,000 and \$100,000, the Purchasing and Contracting Authority shall use the Informal Bidding Procedure.

2.3 For purchases of supplies and equipment over \$100,000, the Purchasing and Contracting Authority shall use the Formal Bidding Procedure.

2.4 For purchases of gasoline or other automotive fuel, the Purchasing and Contracting Authority shall use the Informal Bidding Procedure. Informal bidding shall occur at least triennially.

2.5 Notwithstanding the above, purchases of any equipment for fire protection purposes shall conform to the standardization provisions of Health & Safety Code section 13025 and following (dealing with couplings and threaded fittings).

3 PUBLIC PROJECTS

Contracts for the construction or completion of any building, structure, or improvement must follow the procedures of this section.

3.1 When the expenditure required for a Public Project described above exceeds ten thousand dollars (\$10,000), the Purchasing and Contracting Authority shall follow the Formal Bidding Procedure.

In addition, the following provisions apply to contracts let for Public Projects.

3.1.1 Cost Records. Cost records of the public project work shall be kept in the manner provided in Chapter 1 (commencing with Section 4000) of Division 5 of Title 1 of the Government Code.

3.1.2 Contractor Requirements. Contracts authorized by the District shall be let only to a holder of a valid State Contractor's license unless such work is exempt from such licensing requirement by any other provision of law.

4 SERVICES

4.1 Special Services. Public Contract Code section 20182(a) provides that the District may contract for special services. The special services shall be limited to the fields of accounting, administration, ambulance, architecture, custodial, economics, engineering, finance, insurance, labor relations, law, maintenance, mechanics, medicine, planning, science, technology, and other services which are incidental to the operation of the District. The term "special services" includes, in accordance with Government Code section 4526, professional services of private architectural, landscape architectural, engineering, environmental, land surveying, and construction project management firms.

4.2 In securing such special services, pursuant to Public Contract Code section 20812(b), the District shall follow the contracting and purchasing procedures which apply to the County of Contra Costa. The District shall, by resolution, adopt contracting and purchasing procedures for securing such special services that follow the contracting and purchasing procedures which apply to the County of Contra Costa. These procedures shall assure maximum participation of small business firms, as defined pursuant to Government Code section 14837.

4.2.1 The contracting and purchasing procedures for securing special services applicable to the County of Contra Costa, as established by Government Code sections 4526, 31000 and 53060, do not require that any contracts for special services be let to the lowest responsible bidder. Such special services shall be engaged, in accordance with the contracting and purchasing procedures established pursuant to Section 4.2 of this Ordinance, on the basis of demonstrated competence and qualifications for the types of services to be performed and at fair and reasonable prices to the District.

4.3 Core Services includes fire protection services, rescue services, emergency medical services, hazardous material emergency response services, ambulance services, and any other emergency services for the protection of lives and property.

4.3.1 When the district board determines that it is in the public interest, the District may contract with any other public agency for Core Services. No formal competitive process is required. The District may not contract with private entities for the Core Services.

5 EXCEPTIONS TO THE BIDDING PROCESS

Purchases of supplies, equipment or services may be, but need not be, allowed pursuant to competitive proposals in the following circumstances:

- 5.1.1** In the case of an emergency, as defined in Public Contract Code section 1102, the District Board delegates authority to the Fire Chief up to \$100,000 to repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts. If the Fire Chief orders any such action, he or she shall report to the Board, at its next meeting as required under Public Contract Code section 22050, the reasons justifying why the emergency will not permit a delay resulting from a competitive solicitation for bids and why the action is necessary to respond to the emergency. The District shall follow all other applicable procedures of Public Contract Code section 22050.
- 5.1.2** When the following types of personal property or services are being acquired, obtained, rented or leased: (i) advertising; (ii) books, recordings, films, subscriptions; (iii) election supplies; (iv) insurance; (v) public utility services; (vi) travel services; (vii) property or services provided by or through other governmental agencies; or obtainable from suppliers which have in force a current contract with another governmental agency for the same item or service; or (viii) property or services the price of which is fixed by law; or
- 5.1.3** The supplies, materials, services or equipment are produced only by one manufacturer or are available from only one source; or
- 5.1.4** When a purchase is made through a master agreement, multiple award schedule or cooperative agreement with any federal, state or local agency wherein the original agreement was properly awarded through the appropriate public bid process.

6 PURCHASING AUTHORITY LEVELS

The funding included in the annual budget approved by the Board of Directors for the purchase of supplies and equipment, services, and Public Projects shall constitute spending authority to the listed persons for such contracts up to the amounts listed below. The Board of Directors, when sitting as a convened Board, may serve as the Purchase and Contract Authority for any District purchases in any amount. All such purchases by any individual or the Board of Directors shall meet the requirements, if any, of the informal or formal bidding requirements prior to purchase and the contracting limits as specified below.

For purchases and contracts of \$100,000 or more, the District Board of Directors shall be the only Purchasing and Contracting Authority.

For all other types of purchases and contracts, each of the following persons shall be authorized to be a Purchasing and Contracting Authority:

Any amount less than \$100,000:	District Fire Chief
Any amount less than \$25,000:	Administrative Services Director
Any amount less than \$10,000:	Battalion Chief, Fire Marshal, Finance Manager, Human Resources Manager, Fuels Mitigation Manager, District Secretary/District Clerk, Project Coordinator and Emergency Preparedness Coordinator
Any amount less than \$500	Captain, Fire Inspector/Plans Examiner, Office Specialist
Any amount less than \$100	Any District Employee

7 PROHIBITED ACTS

In no event shall any Purchasing and Contracting Authority allow any unlawful activity including, but not limited to, rebates, kickbacks or other unlawful consideration in fulfilling the requirements of this Ordinance nor shall any individual participate in the selection process when he or she has a financial interest as defined in Government Code section 87100, et seq. with a person or business entity seeking a contract.

8 SUFFICIENT FUNDS REQUIRED

Nothing in this Ordinance shall be interpreted to allow any purchase or contract for which insufficient District funds have been appropriated.

9 USE OF DISTRICT FORM CONTRACTS

The District shall utilize a form contract provided by the District and approved by District Counsel ("Form Contract") to memorialize agreements for provision of any Services whenever the District is agreeing to pay \$500.00 or more. The District may utilize a Form Contract for expenditures of \$499.99 or less.

10 PROTEST PROCEDURE

After the award of any contract, any unsuccessful bidder may challenge the bid procedure by filing a written protest with the Purchasing and Contracting Authority. The protest must set forth the reasons for the challenge and must be filed within ten (10) days of the award of the contract, and must be accompanied by a bid protest deposit. The District bid protest deposit is \$1,500.

The bid protester will be charged actual hourly costs of staff time and attorney fees and any remaining deposit will be returned. The Board of Directors shall review the protest

and provide a written reply in an expeditious manner. The decision of the Board of Directors with respect to the protest shall be final. Failure to file a timely protest shall be deemed a waiver of any challenge to the selection procedure or the award of a contract. Notice of this procedure shall be included in any formal or informal District solicitation for the purchase of supplies, materials, equipment or the performance of services.

11 SPLITTING ORDERS

The splitting of orders to separate purchases, orders or contracts for services into smaller quantities or amounts for the purpose of avoiding the competitive bidding provisions or the Purchasing and Contracting Authority provisions of this Ordinance will not be allowed.

12 INSPECTION AND TESTING

The Purchasing and Contracting Authority shall have the power to inspect all supplies, materials and equipment delivered pursuant to any District purchase or any service provided by District contract to determine their conformance with the specifications for the involved supplies, materials, equipment or service. The Purchasing and Contracting Authority shall also have the power to require chemical and physical tests of samples submitted with bids and samples of deliveries, as necessary to determine their quality and conformance with specifications and applicable law.

13 SEVERABILITY

If any section, subsection, subdivision, paragraph, sentence, clause, phrase or word in this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining provisions of this Ordinance. The Board hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, phrase or word of this Ordinance regardless of the unconstitutionality or invalidity of any other section, subsection, subdivision, paragraph, sentence, clause, phrase or word herein.

14. This Ordinance supersedes Ordinance 16-01.

15. EFFECTIVE DATE AND PUBLICATION OF ORDINANCE SUMMARY.

This Ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The Administrative Secretary of the District shall cause a summary of the Ordinance to be posted in accordance with Section 25124 of the Government Code of the State of California.

PASSED, APPROVED and ADOPTED this ____ day of _____, 2023 at the regular meeting of the Board of Directors held at 22 Orinda Way, Orinda, California 94563 on ____, on a motion made by, on a motion made by Director ____, seconded by Director ____, and duly carried with the following roll call vote:
District.

AYES:

NOES:

ABSENT:

ABSTAIN:

ORDINANCE NO: 23-05

ATTEST:

John Jex, President
Board of Directors

I certify that this is a full, true, and correct copy of the original document, which is on file in my office, was passed and adopted by the Moraga-Orinda Fire District on the date shown.

ATTEST:

Marcia Holbrook
District Secretary/District Clerk

APPROVED AS TO FORM:

Jonathan V. Holtzman
District Counsel

RESOLUTION NO. 23-15

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MORAGA-ORINDA FIRE PROTECTION DISTRICT ESTABLISHING CONTRACTING PROCEDURES FOR SPECIAL SERVICES CONTRACTS

WHEREAS, Public Contract Code section 20182(a) provides that the Moraga-Orinda Fire Protection District (District) may contract for special services.

WHEREAS, In securing such special services, pursuant to Public Contract Code section 20812(b), the District shall follow the contracting and purchasing procedures which apply to the County of Contra Costa.

WHEREAS, Section 4.2 of Ordinance 23-05 of the District provides that the District shall, by resolution, adopt contracting and purchasing procedures for securing special services that following the contracting and purchasing procedures which apply to the County of Contra Costa.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Moraga-Orinda Fire Protection District hereby adopts contracting and purchasing procedures for securing special services, which are attached hereto as “Exhibit A” and incorporated herein by reference, that follow the contracting and purchasing procedures which apply to the County of Contra Costa.

PASSED, APPROVED, and ADOPTED this 20th day of September 2023 at the regular meeting of the Moraga-Orinda Fire Protection District Board of Directors held at 22 Orinda Way, Orinda, California 94563, on a motion made by _____, and seconded by _____, and duly carried with the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John Jex, President
Board of Directors

I certify that this is a full, true and correct copy of the original document which is on file in my office, and that was passed and adopted by the Moraga-Orinda Fire Protection District on the date shown.

ATTEST:

Marcia Holbrook
District Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Jon Holtzman, District Counsel

Dave Winnacker, Fire Chief

Exhibit A

MORAGA-ORINDA

FIRE PROTECTION DISTRICT

CONTRACTING PROCEDURES

SPECIAL SERVICES CONTRACTS

The purpose of this policy is to set forth purchasing policies and requirements to achieve minimum standards for contracts for special services for the benefit of the Moraga-Orinda Fire Protection District (the "District"). More information about compliance with this policy, including process, procedures and forms can be found in the resources included in the "References" section at the conclusion of this policy.

I. DEFINITIONS

- A. **"Cooperative Purchasing Contract"** is a contract for goods or services between a vendor and another public agency, awarded following a competitive solicitation, and made available to other public agencies. Examples of agencies that administer such Cooperative Purchasing Contracts include the National Intergovernmental Purchasing Alliance (National IPA), the State of California, Department of General Services, the U.S. General Services Administration, U.S. Communities Government Purchasing Alliance sponsored by the National Association of Counties, or similar entity. The District may participate in a Cooperative Purchasing Contract by entering into a Participating Agreement with the vendor that is party to the Cooperative Purchasing Contract.
- B. **"Informal Bid"** is a written or oral quotation obtained from an approved vendor but not required to be opened publicly at a specified day, place and time.
- C. **"Invitation for Bid"** (IFB) is a solicitation method by which awards are made to the lowest bid. The winning bid must be responsive (conforms to bid requirements) and responsible (competent and qualified to perform under the contract).
- D. **"Participating Agreement"** means an agreement between the District and a vendor that incorporates by reference, with or without modifications, the terms of a Cooperative Purchasing Contract that the vendor has entered into with another public agency.
- E. **"Purchasing and Contracting Authority"** is the representative or representatives of the District, whether members or staff, or its Board of Directors acting together, who, depending on the size and type of transaction at issue, are authorized to approve a particular purchasing transaction or award a contract after completion of the applicable selection process, and are identified as such in Ordinance Number 23-05.

- F. **“Request for Information”** (RFI) is a process to separate those vendors who intend to participate in an upcoming solicitation from those who have no interest in participating. An RFI is typically used when there is an excessively large pool of interested vendors and to identify qualified suppliers capable of providing a certain product or service. If an RFI is issued for an upcoming solicitation and a single, qualified vendor responds to the RFI, then it is not necessary to conduct any further Solicitation.
- G. **“Request for Proposal”** (RFP) is a formal competitive procurement process and is the most flexible method for obtaining contracted services and certain types of goods. Responders to an RFP submit proposals detailing their technical and business experience, capabilities, and specific approach to achieve the requirements for the services or goods requested. An RFP includes evaluation factors and criteria, and their relative importance for award selection. An RFP may establish minimum or pre-qualification requirements to be eligible for consideration.
- H. **“Request for Qualifications/Quote”** (RFQ) is a process to establish a pre-qualified list of potential vendors by allowing interested parties to demonstrate compliance with minimum qualifications or requirements to provide a material, product, or service. An RFQ may be used to initiate a formal procurement process or to establish a pool of qualified vendors and may be released for a specific amount of time or on a continuous basis to maintain a current qualified list of vendors at all times.
- I. **“Single Source”** is a procurement decision whereby purchases are directed to one vendor because of standardization, warranty, or other factors, even though other competitive sources may be available.
- J. **“Special Services,”** as defined in Public Contract Code section 20182(a), are limited to the fields of accounting, administration, ambulance, architecture, custodial, economics, engineering, finance, insurance, labor relations, law, maintenance, mechanics, medicine, planning, science, technology, and other services which are incidental to the operation of the District. The term “special services” includes, in accordance with Government Code section 4526, professional services of private architectural, landscape architectural, engineering, environmental, land surveying, and construction project management firms. For purposes of this policy, whether services contracted for are “special services” requires consideration of factors such as the nature of the services, qualifications of the person furnishing them, and their availability from public sources. For example, services may be special because of the outstanding skill or expertise of the person furnishing them.
- K. **“Sole Source”** is a procurement decision created due to the inability to obtain competition due to one vendor or supplier possessing the unique ability to meet the particular requirements of the solicitation.
- L. **“Solicitation”** is a request for offers to provide goods or services, including an Informal Bid request for price quotations, an Invitation for Bids (IFB), Request for Qualifications/Quote (RFQ), Request for Information (RFI) or a Request for Proposals (RFP).

II. PURCHASE OF SERVICES CONTRACTS

A. Applicability.

This section establishes procedures for the purchase of special services required by the District. State law provides that the Board of Directors may contract for special services under certain circumstances. The Board of Directors has established, pursuant to Ordinance Number 23-05, persons authorized to serve as a Purchasing and Contracting Authority at certain threshold amounts up to and not exceeding \$100,000. Service contracts for \$100,000 or more require approval by the Board of Directors, following review by District Counsel and the District Fire Chief.

B. Procedures for Service Contracts.

1. Mandated Findings. Before a contractor for services is engaged, all of the following findings must be made and documented by the Purchasing and Contracting Authority.
 - a. A statute authorizes the contract for the desired services. For example, Public Contract Code section 20812 authorizes the District to enter into a service contract for Special Services;
 - b. District staff is not available or qualified to perform the services; and
 - c. In the case of facilities maintenance or custodial matters, the site is remote from available District employee resources and the District's economic interests are served by contracting for such services rather than by paying additional travel and subsistence expenses to existing District employees.
2. Solicitations Required. The following solicitations are required for purchase of services in the following amounts.
 - a. Service Contracts Equal to or Below \$25,000.
 1. A Purchasing and Contracting Authority may enter into service contracts equal to or below \$25,000 without providing evidence of solicitation.
 2. Purchasing and Contracting Authorities are strongly encouraged to purchase from local businesses, small businesses, women-owned businesses, disabled- owned businesses, veteran-owned businesses, and other disadvantaged business enterprises consistent with [Contra Costa County's Outreach and SBE Program](#) so they may achieve an objective of awarding 50% of total eligible dollar base amounts to SBEs.
 - b. Service Contracts Above \$25,000 and Below \$100,000.
 1. A Purchasing and Contracting Authority may enter into a service contract above \$25,000 and equal to or below \$100,000 after securing a minimum of three (3) proposals through an Informal Bid.
 2. If three (3) proposals cannot be secured, the Purchasing and

Contracting Authority or designee, shall determine whether to proceed with the service contract taking into consideration the vendor that provides the best value to the District.

3. Purchasing and Contracting Authorities are strongly encouraged to purchase from local businesses, small businesses, women-owned businesses, disabled- owned businesses, veteran-owned businesses, and other disadvantaged business enterprises consistent with [Contra Costa County's Outreach and SBE Program](#) so they may achieve an objective of awarding 50% of total eligible dollar base amounts to SBEs.

c. Service Contracts Equal to and Above \$100,000.

1. A Purchasing and Contracting Authority may enter into a service contract equal to and above \$100,000 after providing for open and competitive solicitation.
2. The form of solicitation may be an Invitation for Bid (IFB), Request for Qualifications/Quote (RFQ) or a Request for Proposals (RFP); however, initially issuing a Request for Information (RFI) should be considered to generate a list of potential vendors to provide the services required. If the District receives a single response to the RFI from a qualified bidder, then no further solicitation is required.
3. Purchasing and Contracting Authorities are strongly encouraged to purchase from local businesses, small businesses, women-owned businesses, disabled- owned businesses, veteran-owned businesses, and other disadvantaged business enterprises consistent with [Contra Costa County's Outreach and SBE Program](#) goals so they may achieve an objective of awarding 50% of total eligible dollar base amounts to SBEs.

3. Solicitation Compliance Procedure.

- a. The Purchasing and Contracting Authority shall draft an IFB, RFQ, RFI or RFP seeking qualified vendors to provide the desired services.
- b. The Purchasing and Contracting Authority shall post the solicitation online to comply with the fair and open competition requirement of this policy for a minimum of fourteen (14) calendar days.
- c. The Purchasing and Contracting Authority shall work to secure a minimum of three (3) solicitation responses in writing before selecting a vendor.
- d. The Purchasing and Contracting Authority shall retain solicitation records for the duration of each contract term.

4. Exemption from Solicitation Requirements.

- a. Service Types. The following are service contract types that are exempt

from bid solicitation requirements:

1. utility services;
2. educational services;
3. intergovernmental agreements;
4. newspaper and publication services;
5. law firms, subject to approval by District Counsel;
6. print legal briefs or legal notices;
7. reporters services or transcripts;
8. expert witnesses, consultants, and investigators hired to assist in legal matters;
9. election supplies;
10. physician services;
11. appraiser services;
12. consultants and other experts employed directly by the Board of Directors; and
13. other services that, by law, some other officer or body is specifically charged with obtaining.
14. Any additional categories noted in Chapter 5 of Ordinance 23-05 not enumerated here.

b. Cooperative Purchasing Contracts. A Purchasing and Contracting Authority may use a Cooperative Purchasing Contract for services that the District requires and that the District may procure under a Participating Agreement.

5. Ethical Standards. It is the obligation and the responsibility of every District employee to represent the District in a professional and ethical manner. Any procurement related matter shall be handled in a professional manner with the interest of the District taking precedent, including, but not limited to:

- a. Avoiding activities which would compromise or give the perception of compromising the best interests of the District;
- b. Actively promoting the concept of competition through bid solicitation consistent with this policy; and
- c. Refraining from engagement in any procurement activity in which an employee may have a personal or indirect financial interest in accordance with Government Code sections [87100](#) and [81703](#).

6. Outreach and SBE Program Compliance. Additional thresholds and goals under the Contra Costa [County Outreach and SBE \(Small Business Enterprise\) programs](#) apply to and are required for service contract solicitations. These thresholds and goals may be updated from time to time and Purchasing and Contracting Authorities must ensure compliance with the latest Outreach and SBE Program construct.

7. Contract Development and Monitoring. Purchasing and Contracting Authorities are responsible for the development and monitoring of service contracts entered into on behalf of the District, including negotiation of service plans and/or scopes of work.

- a. Performance Metrics Required. Purchasing and Contracting Authorities are responsible for negotiating service contracts that identify specific performance outputs and/or outcomes to be achieved during the contract term. These performance outputs and/or outcomes include contract deliverables (e.g., produce a final written report by a date specified) and/or service tasks (e.g., conduct three one-hour training sessions within a specified date range). Purchasing and Contracting Authorities shall review contracts at least once per year to ensure compliance with output/outcome requirements. The review should identify reason(s) for any noncompliance, including whether or not the outputs/outcomes will be achievable during the remainder of the contract term.
 - b. Payment Provisions. Vendor payment terms shall correlate with the performance outputs/outcomes negotiated as part of a service plan or scope of work for each service contract. Types of payment terms include fixed price (where deliverables are produced by the contractor and payment is due upon completion of each deliverable) and rate (where services are provided by the contractor and the contractor is reimbursed at an hourly or other periodic rate). Purchasing and Contracting Authorities shall avoid contract payment terms that are not typical of the service type being procured. For example, legal service providers may require payment of an advance, or “retainer”, upon execution of a service contract, which is typical of that industry. However, a financial consultant requesting a monthly, fixed payment as a “retainer,” whether or not the County uses the contracted services, is not a typical financial industry practice and must be avoided. Other negative payment terms, such as late payment penalties, should not be entertained as part of the negotiation of payment terms.
 - c. Vendor Noncompliance. Failure of a vendor to achieve contracted performance output and/or outcome requirements may be grounds for contract termination.
 - d. Corrective Action Plan. For contracts determined to be out of compliance with performance outputs and/or outcomes during an annual review process, and for which a Purchasing and Contracting Authority does not recommend terminating the contract, the Purchasing and Contracting Authority shall work with the vendor on a corrective action plan to ensure contracted services are delivered during the term of the contract.
 - e. Documentation. Purchasing and Contracting Authorities shall immediately notify a vendor if a determination of non-compliance is reached, including whether or not the contract will be recommended for termination. In cases where a Corrective Action Plan is entered into with the vendor, a copy of the plan shall be retained for the term of the contract.
 - f. Renewals. Purchasing and Contracting Authorities shall keep track of contract expiration dates in order to renew contracts prior to expiration, or issue solicitations for new contracts to be in place prior to expiration of the existing contract.
8. Effective Date. Service contract documents must be executed before the service contract effective date. Contract payments cannot be made until the

service contract is executed by all parties.

9. Indemnification. Any contract that requires the District to indemnify the contractor, or includes a limitation of liability, must be approved by the Board of Directors regardless of the contract amount.

C. District Counsel Review

1. A service contract that is either more than \$50,000 or not on a District standard form (i.e., on a vendor's form) must be reviewed and approved as to legal form by District Counsel before a Purchasing and Contracting Authority executes the contract. If a service contract is \$50,000 or less and is on a standard form approved by the Board of Directors and District Counsel, the Purchasing and Contracting Authority may sign the contract without District Counsel review.
2. All service contracts that are over \$50,000 must be reviewed and approved as to legal form by District Counsel.

- D. Legal Authority**. The legal authority for the purchase of certain services required by the District is set forth in the following statutes and District ordinances: Government Code section 4526, Government Code section 53060, Public Contract Code section 20812, and Ordinance Number 23-05.

III. DIGITAL SIGNATURES. All purchasing and contract related documents specified in this policy may be executed either with original signatures or electronic signatures through a digital signature platform authorized by the Fire Chief.

IV. OTHER PROCUREMENT POLICIES. The Board of Directors, in its discretion, may adopt additional policies impacting procurement of or services from time to time. This policy establishes the minimum standards for conducting procurement activities; however, compliance with additional policies adopted by the Board of Directors or those required to satisfy federal or state grant requirements may supersede this policy.

References:

- [Small Business Enterprise \(SBE\) Program Requirements](#)