

To: MOFD Board of Directors
From: Steve Cohn
Date: June 19, 2024
Subject: Public Comment - Wildfire Prevention in Orinda

Because the MOFD Board refuses to use the \$4 million a year in excess property tax receipts from Orinda property owners for wildfire fuel mitigation, Orinda remains at such a high risk of wildfire that insurers are cancelling fire insurance policies, causing Orindans to rely on the insurer of last resort, the state's FAIR plan, costing each property approximately \$10,000 a year in excess of what they had been paying. The total cost to Orinda property owners could easily be \$15 million for 1,700 impacted State Farm clients; could be up to \$30 million if all insurers follow the lead of State Farm and cancel 50% of all policies in Orinda; and could be \$60 million a year if the FAIR plan is actually a "fair" estimate of risk and all of Orinda ends up paying the premium due to the elevated risk after the state allows insurers to charge commensurate to risk.

Orindans pay MOFD a premium for service: 25% more than it costs MOFD to provide service to Orinda. For this premium, Orindans expect to receive premium service. This is what they were "promised" when MOFD was formed, that Orinda tax dollars would be used only for service to Orinda, not to elsewhere in the county, including Moraga. The only mechanism put in place to "guarantee" that Orinda tax dollars would be spent for service in Orinda was electing representative board members "locally" (not at large). Representatives voted by Orindans to look after the best interests of Orindans.

To date, our representatives have failed to do this. They have thrown out every excuse in the book as to why they can't or won't allocate Orinda's tax dollars for service to Orinda. Some of these excuses are:

* It costs 25% more to serve Orinda. 9 of 17 firefighters (53%) are stationed in Orinda, the same number that served Orinda before MOFD was formed. 53% of the population served by MOFD live in Orinda. The last time I analyzed incidents, 53% were in Orinda. It does not cost more to serve Orinda than Moraga.

* Units from Moraga provide service to Orinda. Operation statistics show that units from Orinda provide offsetting service to Moraga and any excess offset is within the reasonable boundaries of other providers of mutual aid between adjoining districts (provided at zero cost).

* We are one fire department. The United States is one country. But California's elected representatives do their best to get Californian's benefits from taxes going to Washington. There is nothing wrong with sticking up for your constituents' best interests; that's how representative democracy is supposed to work.

* Last year one of Orinda's board members said that if Moraga's parcel tax rate was increased to its statutory limit of 30 cents, so that more of Orinda's taxes could be used in Orinda, that Moragans would suffer financially. The average cost per household of such an increase would be about \$340, less than \$1 per day. The average Moraga home is worth \$1.8 million. The median Moraga household income is \$190,000. They can afford \$1 per day.

* An increase in Moraga's parcel tax cannot be used for service to Orinda. It would simply reduce the need for Orinda to subsidize the service Moraga is already receiving.

Tonight (June 19) you have the chance, once again, to finally do the right thing. Increase the Moraga Fire Flow Parcel Tax rate to 30 cents, use the additional \$2 million in revenue to pay for the 47% of MOFD's service that goes to Moraga (currently Moraga residents are getting 47% of MOFD's service but only paying 34% of the cost), so that more Orinda tax dollars can then be used for service to Orinda.

And after you do that (this will only address half of the misallocation) figure out how to "balance the books", by determining what tax dollars actually come from Orinda and allocating costs between Orinda and Moraga. That is what we were promised would happen 27 years ago, but you never did it. Now our homes and our lives are at risk because of the underfunding of Orinda services.

Wildfire risk CAN be measured and reduced in Orinda so that insurance costs can be minimized, and safety maximized. A proposal by the Center for Catastrophic Risk Management to Orinda in 2022 described how the fire risk in Orinda's 100 firesheds could be measured and monitored. The insurance companies are obviously performing a similar risk analysis modeling to determine that Orinda is four times the risk as Moraga and twice the risk as Lafayette. The vegetation in these designated firesheds can then be mitigated. A mitigation expert recently estimated what it would cost to mitigate three of the 100 firesheds at \$350,000. Extrapolating to all 100 firesheds results in a cost of \$12 million. Large but not impossible for MOFD, with \$4 million in excess taxes from Orinda annually plus Orinda with another \$4 million in annual Measure R sales tax revenue.

Cleaning up these firesheds is a municipal-scale project. They are not being cleared because the job is not something 7,000 private property owners have the wherewithal to accomplish on their own. That is why they are providing MOFD and Orinda with an additional \$8 million a year in tax revenue, to provide services that only the government can provide. To act in the common good.

MOFD has to take action by charging Moraga property owners an additional \$340 a year in fire flow parcel tax. Even then, the tax revenue from Moraga will only be 85% of what it costs MOFD to provide service. Moraga is living beyond its means. It is not Orinda's job to subsidize it, especially when that subsidy negatively impacts Orinda's safety. When MOFD was formed, both the Orinda and the Moraga voters' pamphlets made it very clear a primary reason for forming the district was to use local tax dollars locally, not just within the newly formed district, but within Orinda and Moraga as separate partners in the partnership. A partnership where one partner is sucking the other partner dry is doomed to fail. Each town wanted equal service, and they are receiving it, but they never anticipated one city massively subsidizing the other. Moraga never expected a windfall from the partnership other than sharing the administrative expense. Orinda's sole reason for forming the partnership was to use all of Orinda's tax revenue in Orinda for better service. Initially that was accomplished but that is not happening now.

If the government, both MOFD and Orinda, does not use the money made available to them for wildfire fuel mitigation, then Orinda's wildfire risk will remain extreme, and the residents will have to pay tens of millions more in elevated fire insurance premiums. All because the government has failed to act.

From: [Jane Johnson](#)
To: [Info](#)
Subject: Fire
Date: Wednesday, June 19, 2024 2:24:26 PM

Spend the money in Orinda!

Sent from my iPad

From: S Fior <sfior@venturaglobal.com>
Sent: Monday, June 24, 2024 1:11:36 AM
To: ssmith@cityoforinda.org <ssmith@cityoforinda.org>; SteveDforMOFD@gmail.com <SteveDforMOFD@gmail.com>; [craig gmail <craig.jorgens@gmail.com>](mailto:craig.jorgens@gmail.com); MRoemer@mofd.org <MRoemer@mofd.org>
Cc: Gianni Fior Ph. D. <gfior@venturaglobal.com>; ssmith@cityoforinda.org <ssmith@cityoforinda.org>
Subject: Extreme Wildfire Risk and Measure R: MOFD Board Meeting June 19

Dear MOFD Board members,

My husband and I moved to Orinda in November 2022 pleased to join a community that we have admired from our previous residence of more than twenty years in San Ramon. Little did we know that Orinda has faced and is facing extreme fire risk and cancellations of homeowners' insurance as a result. Our insurance with State Farm has been cancelled this month and we face a near \$10,000 insurance policy with the state, insurance which is oversubscribed and now somewhat fiscally unstable.

In three years, Measure R has generated \$12 million but almost none of it has been used for fuel mitigation in the City of Orinda. We request that the MOFD use it for the City of Orinda.

Our neighborhood on Tahos Road has held community meetings and has taken serious steps to create plans should fire encroach our homes. Many of us have taken steps, including consulting with MOFD volunteers about fire hardening and properly preparing our property with full attention to meeting the mandates of June 30.

At the same time we have noted ***no MOFD efforts*** to maintain the vegetation on and around Tahos Road which is dry, overgrown and likely extremely flammable. Other roads in our area show equally dangerous vegetation conditions and NO action by the MOFD. We note that Orinda residents identified wildfire prevention was their #1 in importance yet much of the money generated by Measure R has been shifted to Moraga and not for general and essentially needed fuel mitigation in Orinda.

Our neighborhood, composed of families and both short and long term Orindians request that the Board take action immediately to institute a widespread fuel mitigation program that goes beyond asking residents to meet a June 30 deadline each year. MOFD is not doing enough. We pay our taxes responsibly, follow the instructions of the MOFD but the district itself is not demonstrating a serious commitment to reducing substantive fire hazards. Instead, it passes the buck to residents both in terms of safety and financially with cancelled insurance policies.

As Orinda residents we request that on June 19 the board increase the parcel tax on Moraga residents. Using Measure R funds for Moraga means that Orinda residents subsidize Moraga.

Measure R funds should be directed promptly and fully to the fuel mitigation In Orinda that was promised 27 years ago when the MOFD was formed.

Sincerely,

Susan Leigh Fior
684 Tahos Toad

Holbrook, Marcia

Subject: FW: Tahos Wildfire Risk

From: Winnacker, David

Sent: Tuesday, June 25, 2024 1:31 PM

To: sfior@venturaglobal.com

Cc: gfior@venturaglobal.com; Isaacs, Jeff <jisaacs@mofd.org>; Craig Jorgens <craig@thejorgens.com>

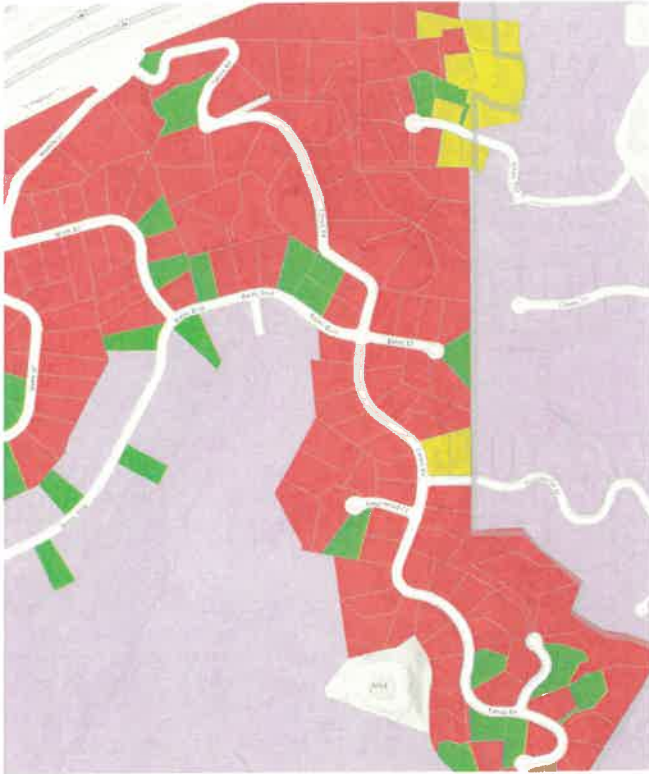
Subject: Tahos Wildfire Risk

Susan,

Thank you for contacting the fire district.

To clarify several points you made below:

1. Measure R is a City of Orinda tax measure and none of these funds pass through to MOFD. More information regarding Measure R is available from the City of Orinda to include this [background information](#) and the Supplemental Sales Tax Oversight Committee's initial [report](#).
2. MOFD has been actively carrying out inspections in your neighborhood and has issued pre-citations to the preponderance of the properties in this area for failing to meet the wildfire safety requirements included in MOFD Ordinance [23-03](#) and [23-08](#). A screenshot of our inspection dashboard along Tahos is attached and we are on track to complete around 2000 detailed parcel inspections throughout the fire district this year. To read the map, red are parcels that have been inspected and are currently non-compliant, green are parcels that have been inspected and are compliant, and yellow are parcels pending inspection due to access issues associated with nobody being home when our inspector visited the site. Please note, MOFD's authority does not extend into Lafayette, accounting for the purple areas to the East. The large undeveloped parcel owned by the Southwood Valley Estates LLC (APN: 268120017) has been cited for non-compliance in the past, but has not been inspected yet this year. It is scheduled for inspection as the initial residential parcels are completed. Of note, in prior years, the parcel was brought into compliance following citations and I am confident it will be compliant shortly after inspection. If you have specific concerns regarding parcel that are non-compliant that have not been inspected, please use the complaint form on our website available [here](#):



3. I have reviewed the parcel ownership map in your area and confirmed the only public lands are those belonging to EBMUD (APN:268470006) around the water tank behind 584 to 618 Tahos.

If you have completed the mitigations required by our exterior hazard abatement ordinances, please consider self-reporting via this [form](#). Every home that self-reports increases our awareness of conditions on the ground and frees up inspectors to carry out inspections in other areas. With regard to State Farm's decision to non-renew 22.7% of Orinda's parcels, it is worth noting they are assessing to a higher standard than MOFD's ordinance as outlined in the [CDI Safer From Wildfires Framework](#) and [JBHS Wildfire Prepared Home](#). Should you and your neighbors desire to meet this higher standard, a checklist and more information regarding certification is available [here](#). Please let us know if there is neighborhood interest in this program as we have been actively recruiting neighborhoods to carry out these mitigations at scale without success. Of note at the community scale, CDI recognizes [Fire Risk Communities](#) and all areas of MOFD are included in the [2022 list](#). We submitted an updated application for inclusion in the 2024 list and are awaiting its publication.

We have had a number of residents not pick up their Gutter Glove orders and are able to fill your request at this time. Please send the quantity and size (5" or 6") to shicks@mofd.org. The program has been a challenge to manage due to a high number of pick up cancellations, the size of the material, and our limited storage capacity. We are refining a program change that will allow the material to be shipped directly to residents and intend that have that service available in the near future.

I am available at your convenience for a call or in person meeting to discuss further as needed.

Thank you,

Dave Winnacker
Fire Chief
Moraga-Orinda Fire District