



# Moraga-Orinda Fire District

## Board of Directors

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**REGULAR MEETING**  
**August 21, 2024 – 6:00 PM**  
6:00 p.m. CLOSED SESSION  
7:00 p.m. OPEN SESSION

LOCATION:  
Orinda Library Auditorium  
26 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/81021601337>  
or By Phone: 1-669-900-6833  
Webinar ID: 810 2160 1337

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### **Public Participation**

This meeting will be conducted in a hybrid format with in-person and remote options for public participation. 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 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:** join via the ZOOM link or the dial-in information above. You can access the meeting via a smartphone or computer App (Zoom) or phone. Live Public Comment can be provided via the Zoom app (during the public comment period) by the raise hand feature. The District Clerk will announce, "the next speaker has been unmuted." A notification will appear for the speaker who has raised their hand, asking them to unmute their microphone. Please unmute your microphone and state your first and last name for the record (not required). If participating by phone, dial \*9 to raise your hand. Staff will announce the last four (4) digits of the phone number for dial-in attendees. Participants will be called in the order of hands raised.

**Submit Public Comment Before the Meeting:** Members of the public can provide public comment by sending an e-mail to [info@mofd.org](mailto:info@mofd.org) no later than 3:00 p.m. the day of the meeting. Those e-mails will be distributed to the Board of Directors and posted on the District's website as part of the public record by 5:00 p.m. on the day of the meeting. Note: any written public comments received after the deadline will not be distributed to the Board of Directors or posted on the District's website until the following day. Written comments will NOT be read into the record. All written public comments are available to view at [mofd.org/agendas](http://mofd.org/agendas).

The meeting will be live streamed via the [MOFD YouTube Channel](#). A link is accessible via the District's website.

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- 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 Labor Negotiator - Local 1230, IAFF**

(Government Code Section 54957.6)

Employee Organization: Local 1230, International Association of Firefighters IAFF

Agency Designated Representative: Luke Jensen

3.2 **Conference with Labor Negotiator - MOFCOA**

(Government Code Section 54957.6)

Employee Organization: Moraga-Orinda Fire Chief Officers' Association

Agency Designated Representative: Luke Jensen

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

(Government Code Section 54957.6)

Employee Organization: Unrepresented Employees

Agency Designated Representative: Luke Jensen

3.4 **Conference with Legal Counsel - Existing Litigation (Larson)**

(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of Case: Keith Larson v. Moraga-Orinda Fire District, permissibly self-insured, adjusted by ATHENS ADMINISTRATORS, Defendants

Adjudication Number: ADJ17881925

3.5 **Conference with Legal Counsel - Existing Litigation (Nowicki)**

(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of Case: Peter J. Nowicki v. Contra Costa County Employee' Retirement Association, Moraga-Orinda Fire District, and Does 1 - 25 inclusive

Case No. Case No. MSC17-01266

3.6 **Conference with Legal Counsel - Existing Litigation (Pearson)**

(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of Case: Sandia Pearson and Anita K. Pearson v. Moraga-Orinda Fire District

Case No. Case No. N23-2201

4. **RECONVENE THE MEETING**

- Call the Meeting to Order
- Roll Call

5. **REPORT OF CLOSED SESSION ACTION**

6. **PROCLAMATION**

6.1 [Proclamation 25th Anniversary Flag Commemoration and Preservation in the Town of Moraga's Time Capsule](#)

[Attachment: Town of Moraga Time Capsule Proclamation](#)

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**

7.4 **Fire Chief Updates**

- Finance Report**
- Human Resources**
- Fire Marshal Report (attached)**
- Tunnel East Bay Hills Fuel Break Project**
- Home Hardening Grant Program**
- Standards of Cover**

g. **Operations**

h. **Upcoming Calendar and Events - (8/21/24-9/18/24)**

**MOFD Events:**

September 18: [Board of Directors Meeting](#), Orinda Library Auditorium

**External Events:**

August 17: Fire Station Visit, Puppy Raisers Club of Guide Dogs for the Blind

[Attachment: Fire Prevention Report July 2024](#)

8. **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.

9. **CONSENT AGENDA**

9.1 [Meeting Minutes - June 19, 2024 \(regular\), July 25, 2024 \(special\)](#)

Staff Recommendation: Approve and File

[Attachment: 06-19-24 Regular Minutes DRAFT](#)

[Attachment: 07-25-24 Special Minutes DRAFT.pdf](#)

9.2 [Monthly Incident Report - June 2024 and July 2024](#)

Staff Recommendation: Approve and File

[Attachment: Monthly Incident Report June 2024.pdf](#)

[Attachment: Monthly Incident Report July 2024.pdf](#)

9.3 [Monthly Check/Voucher Register - June 2024 and July 2024](#)

Staff Recommendation: Approve and File

[Attachment: Check Register 06.01-07.31.24.pdf](#)

9.4 [Monthly Financial Report - June 2024 and July 2024](#)

Staff Recommendation: Approve and File

[Attachment: June Financials.pdf](#)

[Attachment: July 2024 Financials.pdf](#)

9.5 [Quarterly Investment Report - June 30, 2024](#)

Staff Recommendation: Approve and File

[Attachment: Quarterly Investment Report 06.2024.pdf](#)

9.6 [PARS Annual Statement - June 2024](#)

Staff Recommendation: Receive and File

[Attachment: PARS Annual Statement FY2023-24.pdf](#)

9.7 [Approve Continuing the Current Discount Rate of 6.25% to be Used for the Other Post-Employment Benefits Actuarial Valuation Report as of June 30, 2024; Approve Continuing the Current Discount Rate of 6.25% to be Used for the Pension Rate Stabilization Trust Fund](#)

Staff Recommendation: Approve continuing current discount rate (6.25%) to be used for the GASB 75 OPEB Actuarial Valuation Report as of June 30, 2024; 4) Approve continuing current discount rate (6.25%) 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 2025.

[Attachment A: MOFD PFM Plan return est 2024.pdf](#)

9.8 [Declare one 2002 International/Westates Type III Fire Engine and one 2016 International/Leader Ambulance Cab and Chassis surplus](#)

Staff Recommendation: Declare one 2002 International/Westates Type III fire engine and one 2016 International/Leader Ambulance cab and chassis surplus.

9.9 [Declare SCOTT self-contained breathing apparatus surplus](#)

Staff Recommendation: Declare SCOTT self-contained breathing apparatus surplus.

9.10 [Adopt Resolution 24-09 Amending the District Conflict of Interest Code](#)

Staff Recommendation: Adopt Resolution 24-09, a Resolution of the Moraga-Orinda Fire

District of Contra Costa County, Amending the District Conflict of Interest Code  
[Attachment A: Resolution 24-09, A Resolution of the Moraga-Orinda Fire District of Contra Costa County, Amending the District Conflict of Interest Code](#)  
[Attachment B: Conflict of Interest Code - Clean Version](#)  
[Attachment C: Conflict of Interest Code - Redlined Version](#)

- 9.11 [Adopt Resolution 24-10 Classifying the Various Components of Fund Balance as Defined in Governmental Accounting Standards Board Statement No. 54 and Adopt the Fund Balance Policy](#)

Staff Recommendation: Adopt Resolution 24-10 Classifying the Various Components of Fund Balance as Defined in Governmental Accounting Standards Board Statement No. 54 and Adopt the Fund Balance Policy

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

[Attachment B: Resolution 24-10 GASB 54](#)

- 9.12 [Authorize the Fire Chief to Enter Into an Agreement with Gutterglove, Inc. for Stainless Steel Gutter Covering Material in the Amount Not to Exceed \\$99,500](#)

Staff Recommendation: Authorize the Fire Chief to enter into a purchasing agreement with Gutterglove, Inc. in the amount not to exceed \$ 99,500.

[Attachment: RFP #24-03 Gutterglove Proposal.pdf](#)

- 9.13 [Authorize Amendment to Increase Wildland Corporation Contract in the Amount of \\$1.5 Million](#)

Staff Recommendation: Authorize staff to enter into a not to exceed contract amendment with Wildland Corporation in the amount of \$3.5 million dollars in order to close out the Tunnel East Bay Hills Shaded Fuel break.

## 10. REGULAR AGENDA

- 10.1 [PARS Other Post Employment Benefits Pre-Funding and Pension Rate Stabilization Trust Program Annual Client Review](#)

Staff Recommendation: 1) No action required; Informational purposes only

[Attachment A: Final MOFPD Client Review August 2024.pdf](#)

- 10.2 [Approve Revised Investment Guidelines Document for the Pension Trust and Other Post-Employment Benefits Trust](#)

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Approve Revised Investment Guidelines Document for the Pension Trust and Other Post-Employment Benefits Trust

[Attachment A: Investment Guidelines Document Pension Legislative Version August 2024.pdf](#)

[Attachment B: Investment Guidelines Document OPEB Legislative Version August 2024.pdf](#)

[Attachment C: Investment Guidelines Document Pension Final Version August 2024.pdf](#)

[Attachment D: Investment Guidelines Document OPEB Final Version August 2024.pdf](#)

- 10.3 [Approval of Unrepresented Employees Salary Schedule Effective July 1, 2024](#)

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Approve Unrepresented Employees Salary Schedule Effective July 1, 2024

[Attachment A: Salary Schedule-Unrepresented Effective 07.01.2024.pdf](#)

- 10.4 [Approval of Unrepresented Employee Handbook Authorizing Salary and Benefits for Unrepresented Employees Effective August 22, 2024 to Include Provisions for the New Deputy Fire Chief Position](#)

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Approve the Unrepresented Employee Handbook authorizing salary and benefits for Unrepresented Employees effective August 22, 2024

[Attachment A - Unrepresented Handbook 08.22.2024 Legislative Version.pdf](#)

[Attachment B - Unrepresented Handbook 08.22.2024 Final Version.pdf](#)

- 10.5 [Adopt Resolution 24-11 Identifying the Terms and Conditions for Fire Department Emergency Response Away From Their Official Duty Station and Assigned to an Emergency Incident](#)

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Adopt Resolution 24-11 Identifying the Terms and Conditions for Fire Department Emergency Response Away From Their Official Duty Station and Assigned to an Emergency Incident

[Attachment A: 24-11 Mutual Aid Response.docx](#)

- 10.6 [Authorize the Board President to Execute on Behalf of the District a New Letter of](#)

[Engagement with Renne Public Law Group for District Counsel Legal Services](#)

**Staff Recommendation:** 1) Discuss; 2) Deliberate; 3) Authorize the Board President to Execute on Behalf of the District a New Letter of Engagement with Renne Public Law Group for District Counsel Legal Services

[Attachment A: MOFD\\_Rate\\_Increase\\_Letter\\_\\_6-3-2024.pdf](#)

**11. COMMITTEE REPORTS**

**11.1 Standing Audit Committee (Directors Hasler and Jex)**

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

**12. REQUESTS FOR ITEMS ON FUTURE AGENDAS**

**13. ADJOURNMENT**

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

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

I hereby certify that this agenda in its entirety was posted on August 15, 2024, at the Moraga and Orinda Fire Administration offices, Stations 41, 42, 43, 44, and 45 and electronically at [www.mofd.org/agendas](http://www.mofd.org/agendas). Agenda provided to the Moraga Town Office (Hacienda) and Orinda City Hall.



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Marcia Holbrook  
District Secretary/Clerk