
**MORAGA-ORINDA FIRE DISTRICT
BOARD OF DIRECTORS
REGULAR BOARD MEETING MINUTES**

March 16, 2011

(Approved April 20, 2011)

1. Opening Ceremonies

The Board of Directors convened in Open Session at 6:00 P.M. on March 16, 2011, at the Moraga-Orinda Fire Administration Building, 1280 Moraga Way, Moraga, California. President Wyro called the meeting to order and led the Pledge of Allegiance. Present were the following Directors and Staff:

President Wyro	Randall Bradley, Fire Chief
Director Olsen	Steve Meyers, District Counsel
Director Mancinelli	Sue Casey, Administrative Services Director
Director Sperling	
Director Weil	

2. Public Comment

There were no comments from the public.

3. Closed Session

At 6:05 P.M., the Board adjourned into Closed Session.

4. Reconvene the Meeting

President Wyro reconvened the regular business meeting of the Moraga-Orinda Fire District Board of Directors at 7:03 P.M. Present were the following Directors and Staff:

President Wyro	Randall Bradley, Fire Chief	Grace Santos, Administrative Secretary
Director Olsen	Darrell Lee, Division Chief	
Director Mancinelli	Sean Perkins, Battalion Chief	
Director Sperling	Steve Meyers, District Counsel	
Director Weil	Sue Casey, Administrative Services Director	

5. Report of Closed Session Action

President Wyro reported that there was no reportable action taken on the following Closed Sessions items:

3.1. Conference with Labor Negotiator

(Government Code Section 54957.6)

Agency Designated Representative: Fire Chief Bradley

Employee Organization: Association of Federated Firefighters IAFF, Local 1230

3.3. Conference with Legal Counsel – Initiation of Litigation (1 matter)

(Government Code Section 54956.9(b))

President Wyro stated that the Board would reconvene into closed session after the regular business meeting to discuss the following items:

3.2. Public Employment Performance Evaluation

(Government Code Section 54957)

Title: Fire Chief

3.4. Conference with Real Property Negotiator

(Government Code Section 54956.8)

Agency Negotiator: Randall Bradley

Under Negotiations: Instructions to negotiator will concern price and terms of payment.

Real Property: 1150 Moraga Way, Moraga, CA 94556

Negotiating Parties: Linda & Jules Property LLC

3.5. **Conference with Real Property Negotiator**

(Government Code Section 54956.8)

Agency Negotiator: Randall Bradley

Under Negotiations: Instructions to negotiator will concern price and terms of payment.

Real Property: 533 Moraga Rd, Moraga, CA 94556

Negotiating Parties: Moraga Office Partners LP

6. **Public Comment**

Jonathan Goodwin, resident of Canyon, thanked Chief Bradley, Division Chief Lee, President Wyro and Director Olsen for attending the Canyon Community Meeting. He felt that it was a very good meeting and very positive to have representatives from the MOFD and the Board present. Mr. Goodwin reported that he met with representatives from PG&E and EBMUD regarding hazardous trees and other fire hazards in Canyon. He wanted to voice his concern about the PG&E property by the Moraga Substation in Orinda - he felt that PG&E could do more to make it safer. Mr. Goodwin also suggested that the District work on community relations/community efforts and make itself more visible as a partner in the community.

7. **Consent Agenda**

Director Olsen asked to pull Item 7.1 – Board Minutes of February 16, 2011

It was M/S/C by a vote of 5-0 (Yes: Mancinelli, Olsen, Sperling, Weil, Wyro) to approve Items 7.2 – Monthly/Annual Incident Summary, and 7.3 – Monthly Financial Reports.

Director Olsen suggested that staff add the words “*Administration Building*” after each reference to “*Station #41*” in Item 7.1 – Board Minutes of February 16, 2011, page 5, third paragraph of Item 9.2.1. President Wyro commented that in the future where items are combined as in Items 8.2 and 8.3, which is located on page 3, there should be a brief statement added after the item to say “See Item number that it is combined with. For the Board Minutes of February 16, 2011, please add to Item 8.2 to say, “See 8.3”.

It was M/S/C by a vote of 5-0 (Yes: Mancinelli, Olsen, Sperling, Weil, Wyro) to adopt Item 7.1 – Board Meeting Minutes of February 16, 2011, as amended by Director Olsen and President Wyro.

8.1 **Facilities Ad Hoc Committee Report & Presentation**

At the Moraga-Orinda Fire District Board meeting on July 21, 2010, the Board of Directors established an Ad Hoc Committee to evaluate and provide recommendations on District Facilities. The Ad Hoc Committee has had several meetings during the past six months. Directors Olsen and Mancinelli provided a brief report and presentation on their findings.

President Wyro thanked Directors Olsen and Mancinelli for the report and their hard work. He stated that the Board would like to digest the information presented and schedule another meeting to discuss it.

Jonathan Goodwin asked about Director Olsen’s recommendation on classroom and public meeting facility. Director Olsen stated that the need is for a larger meeting room, particularly for training purposes. This could also provide a revenue opportunity, which would more than justify a larger space. The space would be part of whatever solution the Board and the District might come up with in addressing its administrative space.

Director Sperling was impressed by the report and thanked Directors Olsen and Mancinelli for the great job they did. President Wyro commented that he would like more time to review the report and asked the other Board members when they would like to bring this item back for further discussion. After continued discussion by the Board and members of the public, the Board asked Staff to include this item in a Study Session on April 6, 2011.

8.2 **Second Reading of Ordinance 11-04, an Ordinance of the Moraga-Orinda Fire District of Contra Costa County Amending Sections 3.2, 3.5 and Exhibit “A” of Ordinance 10-02 Establishing and Adopting a Schedule of Fees and Collections Policies for Cost Recovery of Fire Based Emergency Services.**

On February 16, 2011, the District Board of Directors introduced and passed for first reading of Ordinance 11-04 – An Ordinance of the Moraga-Orinda Fire District of Contra Costa County Amending Sections 3.2,

3.5 and Exhibit "A" of Ordinance 10-02 Establishing and Adopting a Schedule of Fees and Collections Policies for Cost Recovery of Fire Based Emergency Services.

Vince Maiorana, resident of Orinda, commented that a vehicle is an instrument of conveyance. He stated that if the District was going to pass this Ordinance, that the District define what is considered a motor vehicle and list each one. Chief Bradley stated that the intent is for motor vehicles that require licensing in California, which also require motor vehicle insurance through California's Vehicle Financial Responsibility Law. District Counsel Steve Meyers agreed with Chief Bradley.

Director Weil pointed out that on Exhibit "A", page 1, Level 3 states "Car" Fire as opposed to a "Vehicle" Fire. He suggested that it be changed to "Vehicle". District Counsel stated that the Exhibit is not part of the Ordinance – it is an administrative document. President Wyro agreed with Director Weil and suggested that the wording be changed to "Vehicle" in the document.

After continued discussion by the Board and members of the public, it was M/S/C by a vote of 4-1 (Yes: Olsen, Sperling, Weil, Wyro; Noes: Mancinelli) to waive the second reading and adopt Ordinance 11-04, An Ordinance of the Moraga-Orinda Fire District of Contra Costa County Amending Sections 3.2, 3.5 and Exhibit "A" of Ordinance 10-02 Establishing and Adopting a Schedule of Fees and Collections Policies for Cost Recovery of Fire Based Emergency Services, with directions to Staff to clarify with a memo that on Exhibit "A" (in Level 3) "Car" Fire means "Vehicle" Fire.

9.1 Finance Committee

Director Weil stated that the Committee has not met since the last meeting and there was nothing to report.

Director Weil stated that the Committee considered having a meeting regarding property taxes, but decided to wait until more solid information was available before doing so.

President Wyro asked if the Committee would be prepared to have a discussion on the Long Range Financial Forecast during the April 6, 2011 Special Meeting. Director Weil stated that the Committee would be prepared for it.

9.2.1 Facilities Ad Hoc Committee

Director Olsen stated that there was nothing further to report.

9.2.2 CCCERA Depooling Ad Hoc Committee

Director Weil stated that a letter was sent to CCCERA by the District's Legal Counsel to request that District Counsel and CCCERA's Counsel meet to discuss the matter privately.

Jonathan Goodwin, resident of Canyon, asked if CCCERA was pushing the District out. President Wyro stated that the District is still a member of CCCERA but the depooling has changed all the numbers and affected each entity within the County differently. Mr. Goodwin asked if they were depooling all member agencies. President Wyro, Directors Olsen and Weil all answered yes, except for entities with 50 or fewer employees.

9.2.3 Tri-Agency Ad Hoc Committee

President Wyro reported that Amy Worth of the Orinda City Council has returned from vacation, and that the Orinda City Council is still trying to decide whether they want to replace former Mayor McCormick's position on the Committee or not, before scheduling one more meeting. He stated that the District is prepared to attend the next meeting.

Jonathan Goodwin asked if there was going to be a push by the District for all the members of the Tri-Agency Committee to agree upon a concluding statement for the Committee. President Wyro stated that it would depend on the discussions that take place at the meeting and feels that it would be difficult to do in light of the history. He stated that from his perspective, closure is needed and he is frustrated that it has not been done. He added that asking the six Committee members to agree on anything has been difficult in the past. They may come to some standard conclusions, but President Wyro could not speak to what all six members might conclude.

10 Announcements

Director Olsen reported that he and Director Mancinelli attended the Pension Boot Camp put on by the California Foundation for Fiscal Responsibility. He felt that the Boot Camp offered some innovative ideas, but it would be imprudent to say anything further due to the ongoing negotiations with Local 1230. Director Mancinelli stated that he was able to pick up some good information and has literature available for the other Board members to borrow.

Director Weil reported that he and Chief Bradley attended a Contra Costa County Fire Commissioners meeting. He stated that the County is in terrible shape financially – there will be a 6% reduction in compensation to employees, radical pension and post-retirement health changes, and a \$40-50 million dollar deficit within the the next few years. He stated that it was a very interesting, but depressing presentation.

Director Mancinelli announced he would not be present at the next Regular Board Meeting. Director Weil stated that, tentatively, he would not be present at the next Regular Board Meeting as well.

President Wyro announced that he attended the City of Orinda and Town of Moraga's Mayors Liaison meetings, as well as the meeting in Canyon.

Chief Bradley reported that in each of the Board members' packets were brochures for the California Fire Districts Association's Annual Conference. If there were any interest from the Board, Staff would arrange for it to happen. Director Olsen stated that he was interested in attending and would pay his own way. President Wyro stated that the District would pay for the registration and asked Director Olsen to provide a report upon his return.

11 Adjournment

At 8:37 P.M., President Wyro called for adjournment of the regular business meeting and reported that the Board would go back into Closed Session to discuss Closed Session Items 3.2, 3.4, and 3.5.

12 Closed Session

At 8:42 P.M., the Board adjourned into Closed Session.

13 Reconvene the Meeting

President Wyro reconvened the regular business meeting of the Moraga-Orinda Fire District Board of Directors at 9:40 P.M. Present were the following Directors and Staff:

President Wyro	Randall Bradley, Fire Chief
Director Olsen	
Director Mancinelli	
Director Sperling	
Director Weil	

14 Report of Closed Session Action

President Wyro reported that there was no reportable action taken on Closed Session Items 3.2, 3.4, and 3.5.

15 Public Comment

There was no comment from the public.

16 Adjournment

At 9:45 P.M., President Wyro called for adjournment of the regular meeting.



Grace Santos
Secretary to the Board