
**MORAGA-ORINDA FIRE DISTRICT
BOARD OF DIRECTORS
SPECIAL BOARD MEETING MINUTES
January 9, 2013
(Adopted May 15, 2013)**

1. Opening Ceremonies

The Board of Directors convened in Open Session at 7:00 P.M. on January 9, 2013, at the Hacienda Mosaic Room, 2100 Donald Drive, Moraga, California. President Sperling called the meeting to order. Present were the following Directors and Staff:

President Sperling	Director Evans	Jerry Lee, Battalion Chief
Director Wyro	Randall Bradley, Fire Chief	Darrell Lee, Division Chief
Director Weil	Stephen Healy, Division Chief	
Director Anderson	Sue Casey, Admin Services Director	

2. Public Comment

Richard Olsen, resident of Orinda, commented that he read an article published in the newspaper regarding response times and hoped the District would respond to it.

3. Special Presentation

3.1 The Board will recognize Fred Weil as out-going President of the Board of Directors

The Board approved Chief Bradley's request to defer the item to the next Board meeting.

4. Public Hearing

4.1 Opportunity for public comments contesting weed abatement notification given by the Fire District

In accordance with the California Health and Safety Code, the Board of Directors must hold a public hearing to confirm the costs of abatement incurred by the Fire District in abating separate parcels of land. The purpose of the hearing is to review any objections from property owners who have been assessed and are legally responsible. The confirmation of the costs includes the passing, approval, and adoption of Resolution 13-01, which includes the necessary documents to be submitted to the Contra Costa County Auditor-Controller Tax Division for enrollment on the property tax roll.

On April 13, 2012, notices to abate vegetation with a compliance date after June 15, 2012 were sent to properties within the boundaries of the Fire District. Property owners receiving notices to abate vegetation hazards were given a minimum of 15 days (as required by ordinance) to remove the vegetation. If such removal was not completed by the requested removal date, the Fire District, after inspection and proper second and final notice, conducted the required abatement of the property. A contracted company, in accordance with the instructions from the Office of the Fire Marshal and the vegetation clearance standards, conducted the removal. After the work order was executed, the property owners were billed for the work and had an opportunity to pay prior to the District processing a lien on the property.

There were no comments from the public. President Sperling closed the public hearing.

On a motion by Director Wyro and seconded by Director Weil, the Board adopted Resolution 13-01, Confirming and Adopting the Reported Costs Incurred by the Moraga-Orinda Fire District ("District") in Abating Public Nuisances on Certain Property within the District Pursuant to Health and Safety Code section 14912. The motion carried by a roll-call vote of 5-0 (Aye: Sperling, Weil, Wyro, Anderson, Evans).

5. Consent Agenda

Motion by Director Weil and seconded by Director Wyro to adopt and file Consent Agenda Items 5.1 and 5.2. Said motion carried a unanimous (5-0) voice vote.

5.1 Board Minutes of August 1, 2012

Action: Adopt and File.

5.2 Monthly Financial Reports of November 2012

Action: Adopt and File.

6. Regular Calendar

6.1 Draft Auditor's Management Letter and General Purpose Financial Statements for Fiscal Year 2011/2012

At the December 13, 2012 Board meeting staff presented the Draft Auditor's Management Letters dated October 8, 2012 and General Purpose Financial Statements for Fiscal Year 2011/2012 for the Board's review and acceptance. The District's auditor, John Cropper, of Cropper Accountancy Corporation, Certified Public Accountants, gave a short presentation on the General Purpose Financial Statements for Fiscal Year 2011/2012 and an explanation of what was contained in Audit Management Letters issued with the audit.

Mr. Cropper stated that their auditing firm rendered an unqualified opinion (a good opinion) that "the financials 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, 2012, and the respective changes in financial position for the year then ended in conformity with U.S. generally accepted accounting principles, as well as accounting systems prescribed by the State Controller's office and State regulation governing special districts."

The audit firm presented this opinion after examining evidence supporting the amounts and disclosures in the financial statements. The auditors also assessed the accounting principles used and significant estimates made by the District and evaluated the overall financial statement presentation.

The audited financials were presented during the first Board meeting at which two newly elected Board members were presiding. Staff was asked to bring the draft-audited financials back to the next Board meeting in order to give the new Directors sufficient time to review the report.

On a motion by Director Wyro and seconded by Director Weil, the Board accepted the draft fiscal year 2011/12 Audited Financial Statements and the Auditor's Managements Letters dated October 8, 2012. The motion carried by a voice vote of 5-0 (Aye: Sperling, Weil, Wyro, Anderson, Evans).

6.2 Ad Hoc and Standing Committee Assignments

Each year in the month of January, the Moraga Orinda Fire District Board President recommends Ad Hoc and Standing Committee assignments.

On January 11, 2012, the Board voted to establish the following Standing Committees:

1. Finance Committee
2. Human Resources Committee

Also on January 11, 2012, the Board established the following Ad Hoc Committee (ad hoc committees are formed on an as-needed basis and disbanded when the need no longer exists.):

1. Facilities Ad-Hoc Committee

After a brief discussion by the Board and members of the staff, it was decided that President Sperling, Chief Bradley and District Counsel Meyers would work together and present their committee recommendations to the entire Board in February.

6.3 2013 Board Meeting Schedule

In 2012, the Board of Directors scheduled regular Board Meetings on the first and third Wednesdays of each month. Various other special meetings were scheduled throughout the year to address time sensitive District issues. Staff presented a Master Board Meeting Schedule for the Calendar Year 2013.

There was consensus from the Board on the proposed meeting schedule.

6.4 Analysis of Orinda Citizen's Report

At the Orinda City Council, meeting on September 18, 2012 an Orinda citizen presented a document titled "Report to the Community on the State of Emergency Services". The person who presented the report stated the report was written by Steve Cohn, a resident of Orinda. The report includes the names of seven additional Orinda citizens. At the MOFD Board Meeting on September 19, 2012, the

Board directed staff to provide an analysis of the report. Staff provided the Board with an analysis of the primary observations/opinions/recommendations identified in the report.

The Board accepted the report.

6.5 Operational Impacts of Fire Station 16 Closure

The Moraga-Orinda Fire Protection District (MOFD) participates in an automatic aid agreement with the Contra Costa Fire Protection District (CON Fire). Under this "boundary drop" agreement, the closest resource from either of the participating agencies responds to an incident based on a "closest unit concept" that is determined by Computer Aided Dispatching/Global Positioning Systems (CAD/GPS), which track apparatus using computers and satellites.

Until June 20, 2012, Lafayette had three staffed fire stations, each with three firefighters on duty: Fire Station-15 on Mt. Diablo Blvd, Fire Station-16 on Los Arabis Drive, and Fire Station-17 on St. Mary's Road. When Fire Station 16 closed, Engine-16 and its crew were moved to Fire Station 15 on Mt. Diablo Blvd. From June 2012 through present, there have been two engine companies at Fire Station 15. On January 15, 2013, one of these companies (Engine-16) will be taken out-of-service, reducing the number of engine companies from three to two and the number of on-duty firefighters in Lafayette from nine to six.

Prior to the closure of Fire Station 16, MOFD responded into Lafayette an average of nine times per month. Since the closure of Fire Station 16, MOFD has responded into Lafayette an average of 15 times per month - an increase of 43%. Inversely, automatic aid received from ConFire has dropped from an average of 25 times per month to an average of 14 times per month - a decrease of 44%. Because units are dispatched based on their proximity to the incident, the removal of the second company from Station 15 should have limited impact on the trends identified above.

The closure of Fire Station 16 will have two primary impacts on MOFD:

- MOFD will respond into Lafayette an additional six times each month which will increase response times to Station 43 (another MOFD engine will have to respond if Engine 43 is assigned to Lafayette) when Engine 43 is committed to a Lafayette incident. Station 43 has a relatively low call volume (371 calls annually) and adding an additional 72 incidents annually (six monthly) will have limited impact on overall MOFD service levels.
- There will be delays in receiving mutual aid in areas where Station 16 was MOFD's first due automatic aid unit. Engines will now be dispatched from Stations 15 and 17, which would primarily impact Fire Station's 43 first due, area.

With five fire companies and two ambulance companies, MOFD can only fill a first alarm and possibly a portion of a second alarm assignment. Due to the peripheral nature of MOFD's jurisdictional boundaries, Con Fire is the District's primary mutual aid partner providing needed resources in the event of multiple alarm incidents or a second incident when MOFD resources are already committed.

Auto-aid agreements are rarely equal in their distribution. They are created because political boundaries are irregular, fire station locations are not always distributed evenly, and the availability of resources is dynamic. To date, both agencies have always provided aid when the closest available resource is available to respond. Prior to Station 16 closure, Con Fire actually provided more automatic aid to MOFD than MOFD provided to Con Fire. It appears the closure will actually provide a more equitable automatic aid arrangement.

Services levels are maximized by both agencies under the current "boundary drop" auto-aid agreement. However, this agreement is impacted when fire stations near jurisdictional boundaries are closed. The MOFD and Con Fire have been "good neighbors" for many years and this mutually beneficial arrangement is worth protecting. Inversely, the residents of Moraga and Orinda pay for fire protection within their community, not Lafayette, and an unreasonable increase in the use of MOFD assets may eventually become unacceptable from a public policy perspective.

The Fire Chiefs from both agencies have met to identify mechanisms to limit the impact of Station 16 and continue to evaluate options. Fire Chief Bradley will be attending a community meeting in Lafayette on January 15, 2013 to discuss impacts and options concerning the station closure.

6.6 Hiring of New Firefighter-Paramedics

Hiring within the District's approved staffing levels and job classifications is the responsibility of the Fire Chief. During the 2012/13 budget approval process the Board requested that staff return to the Board and gain additional approval prior to hiring any firefighter/paramedics.

With Board approval, MOFD plans to finalize the hiring of six firefighter/paramedics on or about March 1, 2013.

On a motion by Director Weil and seconded by Director Wyro, the Board approved the hiring of six firefighter/paramedics. The motion carried by a voice vote of 5-0 (Aye: Sperling, Weil, Wyro, Anderson, Evans).

7. Announcements

7.1 Brief information only reports related to meetings attended by a Director at District expense
(Government Code Section 53232.3(d))

There were no comments.

7.2 Questions and informational comments from Board members and Staff

Chief Bradley reported that staff is working on a response to the newspaper report on response times and how many of the National Standards the District is meeting.

John Wyro encouraged the Fire Chief, MOFD Board members and the public to attend the Contra Costa County Special Districts Association Meeting on January 28, 2013, at 10am, at the Central Sanitary District. The topic will be the changes in the pension legislation. Representatives from CCCERA and PERS will be present to discuss the impacts of the changes.

8. Adjournment

At 10:00 P.M., President Sperling called for adjournment of the special meeting.



Grace Santos
Secretary to the Board