
**MORAGA-ORINDA FIRE DISTRICT
BOARD OF DIRECTORS
SPECIAL BOARD MEETING MINUTES
April 24, 2013
(Approved November 20, 2013)**

1. Opening Ceremonies

The Board of Directors convened in Open Session at 6:00 P.M. on April 24, 2013, at the Orinda Community Center, Room 9, 28 Orinda Way, Orinda, 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	Sue Casey, Admin Services Director	Stephen Healy, Division Chief
Director Anderson	Grace Santos, District Clerk	

2. Public Comment

There were no comments.

3. Closed Session

At 6:02 P.M., the Board adjourned into Closed Session.

4. Reconvene the Meeting

President Sperling reconvened the regular business meeting of the Moraga-Orinda Fire District Board of Directors at 7:08 P.M. 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	Sue Casey, Admin Services Director	Stephen Healy, Division Chief
Director Anderson	Grace Santos, District Clerk	

5. Report of Closed Session Action

President Sperling reported that there was no reportable action taken in Closed Session.

6. Public Comment

There were no public comments.

7. Regular Calendar

7.1 Approval to release the second portion of the purchase deposit (\$7,500), approval of draft "deal points" and approval of the CEQA process for the purchase of the property located at 1035 Lorinda Lane, Lafayette, California

On March 26, 2013, the Board provided staff with approval to release the first \$7,500 of the purchase deposit for the property. By April 26, 2013, the District was required to release the second \$7,500 purchase deposit for the property. Failure to release the second portion of the deposit would place the District in default, and the owners will have the option to terminate the agreement and the District would forfeit the first \$7,500 deposit. As part of the draft "deal points," the Contra Costa Fire Protection District agreed to pay half of the \$15,000 of deposits. The Contra Costa Fire Protection District will present the draft "deal points" and a request to expend the Contra Costa Fire Protection District funds to pay for half of the deposit and due diligence costs at their Board Meeting on May 7, 2013.

Staff continues to believe the property is the ideal location for the proposed fire station based on the proximity to the district and city boundaries, the overall reduction in response times for both communities, availability of the property, and the ability of the property to accommodate the required fire station. Failure to secure the property will make the combined Fire Station 46 proposal much more difficult to plan and implement.

If the Board decides to continue with the purchase of the property, the District will have until May 25, 2013 to complete the purchase.

Staff met with the City of Lafayette Planning Department to determine the CEQA process that would be required to build a fire station on the proposed site. The Lafayette Planning Department indicated

that the District would likely be required to complete a "Mitigated Negative Declaration" process and provided a list of studies and reviews that would be required by that process. As part of the general planning and CEQA process, the required studies and reviews were completed.

Staff believed the information obtained in the studies was important for the Board to consider prior to deciding if the second portion of the purchase deposit should be approved. Staff received proposals for biological resources, noise, air quality/greenhouse gas, cultural and traffic studies that should be complete prior to finalizing the purchase of the property. Staff was reluctant to commence with these studies prior to Board approval of the remaining studies, approval of the second portion of the purchase deposit (\$7,500) and approval of the Board of Supervisors. Total costs of the reports and studies are \$27,580, which will be equally split with the Contra Costa Fire Protection District if they receive approval from the Board of Supervisors to proceed with the project.

On a motion by Director Wyro and seconded by Director Anderson, the Board took action to:

- Provide the MOFD Fire Chief the authority to release the second \$7,500 deposit to the seller on April 25, 2013 as identified in the purchase agreement and its addendums dated February 26, 2013 for the purchase of the property at 1035 Lorinda Lane, Lafayette, California, sellers John and Crysanthé Papadakos.
- Approve the draft "deal points" that will be used to develop a Joint Powers Agreement for joint ownership and operations of the proposed fire station located at 1035 Lorinda Lane, Lafayette, California.
- Under the condition that the Board of Supervisors approves the draft "deal points", provide the MOFD Fire Chief the authority to continue to expend District funds to obtain the remaining CEQA studies identified in this report with an understanding that ConFire will pay for half of all due diligence studies that were completed and that still need to be completed.

The Board also asked staff to provide clarification on:

- Draft Deal Points for the Development of a Joint Contra Costa Fire Protection District/Moraga-Orinda Fire Protection District Replacement Fire Station, Section VI, B1 – Withdrawal After Purchase but Before Design Phase.
- CalFire Assistance.
- The definition of a 3-person company.

Said motion carried a (3-2) voice vote (Ayes: Evans, Anderson, Wyro; Noes: Sperling, Weil).

8. Announcements

8.1 Brief information only reports related to meetings attended by a Director at District expense
(Government Code Section 53232.3(d))
There was nothing to report.

8.2 Questions and informational comments from Board members and Staff

Chief Bradley informed the Board that he would be giving a talk on the status of the District at the Special Moraga and Orinda Council Meeting, scheduled for April 29, 2013, at the Orinda Library Auditorium.

Director Weil reported that he attended the MOFD Open House on April 6, 2013, at station 45. It was a great way to meet and speak with the people in the community. In addition to MOFD firefighters and staff, various safety and support organizations were also present.

The Board asked staff to schedule a Closed Session meeting for April 30, 2013 to continue the evening's Closed Session discussion.

9. Adjournment

At 9:23 P.M., President Sperling called for adjournment of the special meeting.


Grace Santos
Secretary to the Board