



Moraga-Orinda Fire District

BOARD OF DIRECTORS REGULAR BOARD MEETING MINUTES

February 19, 2014
(Approved March 19, 2014)

1. **Opening Ceremonies**

The Board of Directors convened in Open Session at 6:00 P.M. on February 19, 2014, at the Library Community Room, 1500 Saint Mary's Road, Moraga, California. President Wyro called the meeting to order. Directors Anderson and Evans were absent. Present were the following Directors and Staff:

President Wyro	Stephen Healy, Fire Chief	Grace Santos, Board Clerk
Director Famulener	Edward Kreisberg, District Counsel	
Director Weil		

2. **Public Comment**

There was no comment.

3. **Closed Session**

At 6:03 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 7:10 P.M. Present were the following Directors and Staff:

President Wyro	Stephen Healy, Fire Chief	Grace Santos, Board Clerk
Director Famulener	Edward Kreisberg, District Counsel	
Director Weil		

5. **Report of Closed Session Action**

President Wyro reported that there was no reportable action taken during Closed Session.

6. **Public Comment**

Anthony Perry, MOFD Captain, commented that at the Finance Committee meeting on January 27, *Gloriann Sasser* stated that the combined fund would be in the red within two years and include 4-5 years of capital campaign of expenditures totaling \$4.6 million. He asked if some of those items were necessary or if there would be room to defer or exclude them. Chief Healy stated that the Long Range Financial Plan is ever changing and staff intends to update and release a new plan twice a year - once during the mid-year budget review and again during the fall, when the new fiscal year budget is adopted. The Long Range Financial Plan is not a budget nor is it adopted as a budget.

Raul DeJou, resident of Moraga, was concerned about the polarization between District management and firefighters. He urged management and the Board to sit down and talk with the firefighters.

Mark DeWeese, MOFD firefighter and resident of Orinda, stated that the Board should make itself accountable for the poor decisions made in the past that are now in part causing the financial problems that the District is faced with. He asked the Board to support the workers who perform the work and the service.

Maryann Grubb, former Moraga police officer, stated that the Moraga and Orinda communities need the high level of service that the MOFD firefighters currently provide. If costs of their medical care continue to rise, pay cuts are imposed instead of a cost-of-living increase, and other directives are issued that adversely affect the firefighters and paramedics financially, many current MOFD firefighters and medics will be forced to work elsewhere and replacements will be substandard. If that happens, the real losers will be the citizens of Moraga and Orinda.

Chris Leimpeter, Vice President of Local 1230, asked that the directors instruct their key negotiator to come back to the table and discuss ways on how to best resolve the situation. He stated that imposition is good for no one and urged MOFD to work with Local 1230.

Sherry Dejou, resident of Moraga, stated that she loved the MOFD firefighters and paramedics and would like to keep them here.

Gary Pearl, retired MOFD firefighter, reminded the board that one firefighter gave his life working for MOFD and three firefighters were injured on the freeway working for MOFD. He asked the board to work with the firefighters and look at other things to cut.

Tim Hill, MOFD firefighter, stated that the firefighters were one of the lowest paid in the Bay Area based on the amount of contributions made into their medical and retirement. The firefighters do not deserve to be treated the way they have been and that there are other ways to make it work by firefighters working with management, the board and citizens.

Anne Smith, resident of Moraga, was appalled to know that this is happening and asked the board to support the firefighters.

Clayton Hoover, MOFD firefighter and resident, told the story of how his family's home caught on fire in 2008. By speaking with the firefighters on scene, he learned that they had planned to do a defensive attack on his family's home. Instead, the Captain on duty decided to do an interior attack, which saved his family's home. Mr. Hoover and his family were displaced for 3 years but were eventually able to rebuild. If the firefighters took a different approach, his family could have lost their home and still be displaced. The Captain's call made a huge difference that day. He asked that the board do what they can to keep the firefighters and not let MOFD become a 'stepping-stone' fire department.

Jon Ford, MOFD firefighter, stated that if the district continues to head in the direction it is heading in, MOFD will become a stepping-stone department. He loves MOFD, the community, his fellow firefighters, and everything about MOFD except for the direction that the board is taking it. He asked the board not to turn the department into a stepping-stone department because they will regret it.

President Wyro thanked everyone for attending the meeting and stated that MOFD has the best fire district there is with the best people, which is not the issue. The issue is being able to sustain the district and its people to make it an even better district. Through their representatives, the Board is available to talk anytime and hopes that the conversations can continue to avoid going down the path that it is on. He hopes that it will happen. The board is open to suggestions and looks forward to working with the firefighters' representatives to solve the problem.

7. **Consent Agenda**

Motion by Director Weil and seconded by Director Famulener to receive and file all Consent Agenda items. Said motion carried a unanimous 3-0 roll-call vote (Ayes: Famulener, Wyro, Weil; Absent: Anderson, Evans).

7.1 **Board Minutes of February 5, 2014**

Action: Receive and File.

7.2 **Monthly Incident Reports**

Action: Receive and File.

7.3 **Monthly Financial Reports**

Action: Receive and File.

8. **Regular Calendar**

8.1 **Standing and Ad Hoc Committee Members and District Liaisons**

Each year, the Board of Directors elects new officers, Standing and Ad Hoc Committee Members and District Liaisons.

The Board presently has one Standing Committee and one Ad-Hoc Committee:

- Finance – Standing Committee
- Facilities – Ad-Hoc Committee

President Wyro directed staff to add this item to the next regular meeting agenda, to be discussed when a full Board is present. He announced that Director Famulener will be the ad hoc Town of Moraga liaison until then.

8.2 Resolution 14-02 – Designating the Governmental Accounting Funds Used in the County of Contra Costa General Ledger

The District is a voluntary participant in the Contra Costa County investment pool. This service provides investment and banking services through the Treasurer of Contra Costa County. The District established four accounting funds with the County as follows:

1. General Fund #307400
2. Capital Outlay Fund #302700
3. Long Term Capital Fund #302800
4. Fire Prevention Fund #307500

Today the District utilizes three funds for accounting purposes as follows:

1. General Fund
2. Capital Projects Fund
3. Debt Service Fund

The District's records with the County should reflect the District's current accounting practices. The County requires a District Resolution to update the County accounting records. In addition, the proposed Resolution designates the Administrative Services Director and Accountant as the officials authorized to update and maintain the District's accounting structure with the County. The signatures of both officials would be required to approve accounting entries with the County in order to maintain proper segregation of duties.

On a motion by Director Weil and seconded by Director Famulener, the Board adopted Resolution 14-02 designating the governmental accounting funds used in the County of Contra Costa general ledger. Said motion carried a unanimous 3-0 roll-call vote (Ayes: Famulener, Wyro, Weil; Absent: Anderson, Evans).

8.3 East Bay Regional Communications System Authority (EBRCSA) Operating Payments and Budget Adjustment

The District is a member of the East Bay Regional Communications System Authority (EBRCSA). EBRCSA is a joint exercise of powers authority organized for the purpose of establishment of a P25 compliant communications system. This communications system provides fully interoperable communications to all public agencies serving Contra Costa and Alameda Counties. EBRCSA includes 43 member agencies serving a population of over 2.5 million people. The District entered into a Project Operating Agreement with EBRCSA in 2011.

The District planned to begin using the EBRCSA communications system during the last quarter of fiscal year 2013-14. However, last summer a communications tower was vandalized. This forced the District to begin using the EBRCSA system earlier than planned. The terms of the Project Operating Agreement between the District and EBRCSA state that once the communications system is operable, the District is required to make annual operating payments to EBRCSA. The operating payments are used to fund EBRCSA subscriber fee operating costs on a per radio basis. The District's operating payments for fiscal year 2013-2014 are \$25,500. Appropriations for this expenditure were included in the District's General Fund Budget for only part of the fiscal year (\$8K). Therefore a budget adjustment is necessary in the amount of \$17,500.

On a motion by Director Weil and seconded by Director Famulener, the Board authorized payment to the East Bay Regional Communications System Authority in the amount of \$25,500 and approved a budget adjustment to increase General Fund expenditure appropriations in the amount of \$17,500. Said motion carried a unanimous 3-0 roll-call vote (Ayes: Famulener, Wyro, Weil; Absent: Anderson, Evans).

8.4 Contract for Dental Insurance with Delta Dental of California

The District provides dental insurance to employees and retirees through a contract with Delta Dental of California. The current contract expires March 31, 2014. The dental insurance coverage provided has been in place since 1998 and includes no coverage for orthodontics. Several employees requested coverage options that would include orthodontics.

As a result, staff obtained quotations for enhanced coverage from Delta Dental. The recommended plan was agreed to by all District bargaining groups. Based on existing MOUs, the additional cost to the District for the recommended plan is \$219 for the plan year.

On a motion by Director Weil and seconded by Director Famulener, the Board authorized a contract with Delta Dental of California for the recommended plan for the period April 1, 2014 through March 31, 2015. Said motion carried a unanimous 3-0 roll-call vote (Ayes: Famulener, Wyro, Weil; Absent: Anderson, Evans).

8.5 Amendments to Fire Chief Employment Agreement

Due to the District's projected general fund deficit in FY 2014-15, the Fire Chief requested a base salary reduction of 9.5% for Fiscal Year 2014/15.

On a motion by Director Weil and seconded by Director Famulener, the Board approved the amendment to the Fire Chief's employment agreement. Said motion carried a unanimous 3-0 roll-call vote (Ayes: Famulener, Wyro, Weil; Absent: Anderson, Evans).

9. Committee Reports

9.1 Finance Committee (*Directors Anderson & Evans*)

There was nothing to report.

9.2 Ad Hoc Committee Reports

9.2.1 Facilities Ad Hoc Committee (*President Wyro & Director Weil*)

Director Wyro asked staff to schedule a meeting for the Facilities Ad Hoc Committee soon. There was nothing to report.

10. Announcements

10.1 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.

10.2 Questions and informational comments from Board members and Staff

There was nothing to report.

10.3 District Update January 2014

Chief Healy announced that each month he would give an update highlighting what is happening in the District. The reports will begin at the next regular meeting.

11. Adjournment

At 7:45 P.M., President Wyro called for adjournment of the regular meeting and announced that the Board would go back into Closed Session.

The Closed Session ended at 8:00 P.M. There was no reportable action from the Closed Session.



Grace Santos
Secretary to the Board