



Moraga-Orinda Fire District

Board of Directors

REGULAR MEETING
October 15, 2014
6:00 p.m. CLOSED SESSION
7:00 p.m. OPEN SESSION

PLEASE NOTE NEW MEETING ADDRESS:

Moraga Library Community Room
1500 Saint Mary's Road
Moraga, CA 94556

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1. OPENING CEREMONIES
 - 1.1. Call the meeting to Order
 - 1.2. Roll Call
 2. PUBLIC COMMENT

The public is invited to speak on any matter not appearing on the agenda including Closed Session, and within the subject matter jurisdiction of the District. Comments should be limited to three minutes. Please state your name and address for the record.
 3. CLOSED SESSION
 - 3.1. **Public Employee Performance Evaluation**
(Government Code Section 54957)
Fire Chief
 4. RECONVENE THE MEETING
 - 4.1. Call the meeting to Order
 - 4.2. Pledge of Allegiance
 - 4.3. Core Values – *Service, Honor, Integrity*
 5. REPORT OF CLOSED SESSION ACTION
 6. PUBLIC COMMENT

The public is invited to speak on any matter not appearing on the agenda and within the subject matter jurisdiction of the District. Comments should be limited to three minutes. Please state your name and address for the record.
 7. CONSENT AGENDA
 - 7.1. **Board Meeting Minutes**
Board Minutes of September 17, 2014
Staff Recommendation: Receive and File
 - 7.2. **Monthly Incident Report – September 2014**
Staff Recommendation: Receive and File
 - 7.3. **Monthly Financials Report – September 2014**
Staff Recommendation: Receive and File
 - 7.4. **Monthly Check/Voucher Register – September 2014**
Staff Recommendation: Receive and File

8. REGULAR CALENDAR

8.1. **Annual Audit and Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2014**

Staff will present information to the Board regarding the Annual Audit and Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2014.

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Receive the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2014, the Communication With Those Charged With Governance and Communication of Internal Control Related Matters June 30, 2014 and the Gann Appropriation Limit Schedule For the Year Ended June 30, 2014.

8.2. **Consideration of Adoption of Policy Similar to the Better Government Ordinance**

Staff will present information for the Board to consider the adoption of a policy similar to the Contra Costa County Better Government Ordinance expanding the right of the public to access public records.

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Adopt the Public Records Policy to supersede District Policy 05 Requests for District Information.

9. COMMITTEE REPORTS

9.1. **Finance Committee (Directors Anderson & Evans)**

9.2. **Ad Hoc Committee Reports**

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

10. ANNOUNCEMENTS

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

10.2. **Questions and informational comments from Board members and Staff**

10.3. **District Updates – September 2014**

11. 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) 258-4599, 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.

I hereby certify that this agenda in its entirety was posted on October 10, 2014, at the Moraga and Orinda Fire Administration offices, Stations 41, 42, 43, 44, and 45. Agenda provided to the Moraga Town Office (Hacienda) and Orinda City Hall.



Grace Santos
Clerk to the Board



Moraga-Orinda Fire Protection District

BOARD OF DIRECTORS REGULAR BOARD MEETING MINUTES

September 17, 2014

1. Opening Ceremonies

The Board of Directors convened in Open Session at 7:00 P.M. on September 17, 2014, at the Moraga Library Community Room, 1500 Saint Mary's Road, Moraga, California. Vice President Evans called the meeting to order. President Wyro was absent. Present were the following Directors and Staff:

Director Evans	Stephen Healy, Fire Chief
Director Famulener	Gloriann Sasser, Admin. Services Director
Director Anderson	Felipe Barreto, Battalion Chief
Director Weil	Grace Santos, District Secretary/Clerk

2. Public Comment

Denise Coane, resident of Moraga, presented a letter to the Board from a group of Moraga residents concerned about the City Venture project adjacent to Station 41. Ms. Coane requested a meeting with the Fire District and the Fire Marshal to discuss their concerns.

Brad Barber, resident of Orinda, introduced himself as the soon-to-be Division 4 Board member, who will be joining the district in December.

3. Consent Agenda

Director Evans asked to remove item 3.5 from the consent agenda to discuss separately.

Motion by Director Weil and seconded by Director Evans to receive and file items 3.1 through 3.4 and 3.6. Said motion carried a unanimous 4-0 voice vote (Ayes: Anderson, Evans, Famulener, Weil; Absent: Wyro).

There was a brief discussion between the Board and staff regarding changing the resident ambulance billing policy. The Board instructed staff to change the report column headings to make them less confusing. Motion by Director Evans and seconded by Director Weil to receive and file item 3.5. Said motion carried a unanimous 4-0 voice vote (Ayes: Anderson, Evans, Famulener, Weil; Absent: Wyro).

3.1 Board Minutes of August 6, 2014

Action: Receive and File.

3.2 Monthly Incident Report – July and August 2014

Action: Receive and File.

3.3 Monthly Financials Report – July and August 2014

Action: Receive and File.

3.4 Monthly Check/Voucher Register – August 2014

Action: Receive and File.

3.5 Quarterly Ambulance Billing Report

Action: Change the headings of the report

Action: Receive and File.

3.6 Surplus Vehicle

Action: Declared vehicle as surplus and authorized staff to dispose of as proposed.

4. Regular Calendar

4.1 Actuarial Valuation June 30, 2013

The District provides retiree health insurance benefits to employees. Government Accounting Standards Board Statement No. 45 requires the District to complete an actuarial valuation of the other post employment benefits (OPEB) plan every three years. As a result, the District contracted with Bartel Associates, LLC for an actuarial report calculating the long-term cost associated with the District's OPEB.

The most recent Memorandums of Understanding established the District's monthly medical contribution at the PERS minimum contribution level and capped the maximum medical contribution at a fixed amount for all labor groups. Dental insurance benefits were also capped. In addition, employees hired in the future will receive only the minimum retiree health insurance contribution at

retirement (currently \$119 per month). The benefits caps have been included in the updated actuarial valuation.

Doug Pryor, from Bartel Associates, gave a presentation on the actuarial valuation. There was a brief discussion regarding offering incentives to current and retired employees who choose to waive their medical insurance.

On a motion by Director Weil and seconded by Director Anderson, the Board received the report and directed staff to include the cost to pre-fund OPEB for discussion during the mid-year budget review. Said motion carried a unanimous 4-0 voice vote (Ayes: Anderson, Evans, Famulener, Weil; Absent: Wyro).

4.2 Short-Term Staffing Options

Staff was directed to present information to the Board regarding the options for future daily on-duty minimum staffing levels. This includes the option of Single-role Paramedics (SRPM).

During FY 2013/14 a daily on-duty minimum staffing level of 17 was established with the goal of restoring a positive General Fund balance with a 10% reserve. Although the Board and senior staff have repeatedly stated that the use of fire flow tax revenue is not a sustainable solution to provide service delivery, the District is using fire flow tax revenue to sustain services during FY 14/15. In addition, the use of fire flow tax revenue is projected to continue through FY 2016/17.

In August of 2014, due to extreme drought conditions, the Board authorized an increase in the minimum staffing level from 17 to 19 personnel on a 24-hour basis, through November 30, 2014. Staffing can also be increased for Red Flag Warnings on a daily basis in accordance with existing policies. In future fiscal years, staff will evaluate the need for seasonal staffing during the development of the next fiscal year's budget.

Staff is presently moving forward with the establishment of Firefighter-Paramedic and SRPM hiring lists, which will enable the District to hire personnel from either classification as needed. The District will first establish a Firefighter-Paramedic hiring list. Following that, a SRPM hiring list will also be established (following completion of the meet-and-confer process with the bargaining group).

As outlined in the MOU with IAFF Local 1230, trigger points for hiring SRPM's are safety roster strengths of 53 and 47. Present roster strength is 54. It should be noted that these trigger points are optional for the District.

For consistency, when calculating the costs of different staffing models, a roster strength of 51 was used, which represents 17 personnel on each of the three (3) work shifts. With a roster strength of 51, overtime would be used to staff additional equipment.

When evaluating the cost of increasing staffing to 19 with SRPM's, staff originally projected savings of \$600,000 and \$1.2 M based on a roster strength of 59. Roster strength is now 54 and is expected to drop to about 51, which was the basis for comparison.

Short-term Staffing Models

When evaluating staffing models during the next two to three years, staff considered: 1) Firefighter safety; 2) General Fund balance (both actual and projected); 3) service level capacity, demands, and vulnerabilities; and 4) the District's service delivery goals.

The District may choose to hire and deploy SRPM's once the roster strength reaches 53 or may choose to maintain a minimum staffing level of 17 (status quo).

Conclusion

Attaining a balanced General Fund with a 10% reserve should remain the primary short-term goal. Based on current projections, the goal of a positive General Fund balance should be attained in FY 2016/17.

With the current staffing model of 17 safety personnel on-duty, if the District staffed one ambulance with SRPM's, (with a roster strength of 51), the increased cost would be approximately \$678,000. The District also has the option of using Firefighter-Paramedics on overtime to staff a second dedicated ambulance is projected to cost \$876,000. Based on the difference of \$198,000, it is staff's opinion that the SRPM program should not be implemented at this time.

With the goal of a balanced General Fund (with a reserve) mid-year budget analysis in January, receipt of projected revenue (based on projected assessed property tax growth) in March, and roster strength represent the trigger points for further consideration of establishing the SRPM job classification.

Staff recommends that the Board consider three (3) options in the spring of 2015:

- Allow roster strength to reduce to 51; hold minimum staffing level at 17 until FY 2016/17
- Allow roster strength to reduce to 51, and hire six (6) SRPM in FY 2015/16
- Allow roster strength to be reduced to 47; which would allow hiring 12 SRPM's

After a brief discussion about the status of the current ambulance staffing, Directors Weil and Anderson agreed that they did not want to go to a single-role paramedic without first holding a workshop for the public to provide input and for staff to explain the potential impacts. They asked staff to monitor the current service levels and continue to monitor it month-by-month, make suggestions based on the findings and include various scenarios at the workshop.

On a motion by Director Famulener and seconded by Director Weil, the Board received the report but took no action. Said motion carried a unanimous 4-0 voice vote (Ayes: Anderson, Evans, Famulener, Weil; Absent: Wyro).

4.3 Consideration of Adoption of Policy Similar to the Better Government Ordinance

In June 2014, the District received Contra County Grand Jury Report No. 1405, "The Public Records Act In Contra Costa County." On July 16, 2014, the Board authorized the District's response to the Grand Jury Report. In addition, the Board directed staff to place on the agenda of a future meeting Board consideration to adopt a policy similar to the Contra Costa County Better Government Ordinance expanding the right of the public to access public records.

The Contra Costa County Better Government Ordinance (attached) includes four sections:

- Public Meetings – The District includes similar information in Resolution No. 11-03 adopting rules of procedure for Board meetings and related functions and activities.
- Public Information - District Policy 05 (attached) addresses requests for District information. A new Public Records Policy has been drafted and is attached. The draft Public Records Policy is recommended to replace District Policy 05.
- The draft Public Records Policy affirms the public's right to access District records in accordance with the California Public Records Act.
- Public Records – The draft Public Records Policy specifies public records are open to inspection at all times during office hours and every citizen has a right to inspect any public record, except those records exempted from disclosure under the California Public Records Act.
- Ongoing Improved Communication – This section:
 - Establishes a County records database - The District maintains a manual listing of ordinances and resolutions. Due to the size of the District, Staff recommends the District continue current practice.
 - Establishes a Better Government Task Force – Due to the size of the District, Staff recommends the District continue current practice of staff monitoring necessary changes to District practices regarding the right of the public to access public records.

Director Weil asked if the law requires the District to compile data/records that does not already exist. The Board directed staff to consult with District Counsel and present the answer to the Board at a future meeting. Item 4.3 is continued to a future meeting, pending additional information.

4.4 Update Resolution 14-10 – A Resolution of the Board of Directors of the Moraga-Orinda Fire Protection District Establishing a District Policy for Records Retention, Maintenance and Destruction

One of the Administrative Services Division goals for Fiscal Year 2014/15 is to establish a records retention policy and appropriately dispose of out dated records. The previous records retention policy was adopted in 2000.

Staff presented the Board with a records retention schedule. The records retention schedule was developed based on the California Secretary of State Local Government Records Management Guidelines. In addition, the records retention schedule was been reviewed by General Counsel.

The next step in the project is to appropriately dispose of out dated records based on the records retention schedule. Disposal is planned to begin by the end of 2014.

After a brief discussion, the Board directed staff to change the Administrative Accident Reports and Investigations retention period to CL + 2 years and all of the Election Records retention period to 7 years.

On a motion by Director Famulener and seconded by Director Anderson, the Board adopted Resolution 14-10 establishing a District Policy for records retention, maintenance and destruction with the amendments to the Election Records and Accident Reports retention periods. Said motion carried a unanimous 4-0 voice vote (Ayes: Anderson, Evans, Famulener, Weil; Absent: Wyro).

5. Committee Reports

5.1 Finance Committee (Directors Anderson & Evans)

Director Anderson reported that the Committee had a pre-briefing on the actuarial report and directed staff to publish it as soon as possible.

5.2 Ad Hoc Committee Reports

5.2.1 Facilities Ad Hoc Committee (President Wyro & Director Weil)

Director Weil reported that the Committee met with City Ventures and laid out concerns regarding visibility of the District training facilities, noise, the playground/park and traffic controls. The Committee addressed items that affected the District's operations. Some of the things that City Ventures agreed to were:

1. Placing semi-mature redwood trees along the property line, where there are currently none.
2. Wall to be at least 8-9 feet with sound buffering at the top.
3. Wall to be decorative with pattern and colors.
4. Wall to taper down as it approaches Moraga Way.
5. No playground immediately adjacent to the District's property.
6. Windows on the back side of the home to be triple pane glazed.
7. Deed and future deeds to include language about noise levels and visual nuisances expected to come from the District's property.
8. Commitment to share the video during the initial sales of the homes and provide contact information for future residents to receive the video.
9. Traffic control device for vehicles exiting onto Moraga Way – both parties will work with the Town of Moraga to include a deferred improvement agreement.
10. Commitment to grade and resurface the District's property adjacent to theirs with a material to be determined.

6. Announcements

6.1 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.

6.2 Questions and informational comments from Board members and Staff

Director Anderson complimented the crew at Station 44 for cutting down the bush obscuring the station sign. Battalion Chief Barreto stated that the rest of the work would be completed by October 14, 2014.

6.3 District Update for July & August 2014

There was no comment.

7. Adjournment

At 9:15 P.M., Director Evans called for adjournment of the regular meeting.



Grace Santos
Secretary to the Board

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