

Moraga-Orinda Fire Protection District

BOARD OF DIRECTORS REGULAR BOARD MEETING MINUTES

October 15, 2014

(Approved November 19, 2014)



1. Opening Ceremonies

The Board of Directors convened in Open Session at 6:00 P.M. on October 15, 2014, at the Moraga Library Community Room, 1500 Saint Mary's Road, Moraga, California. President Wyro called the meeting to order. Director Evans was absent. Present were the following Directors and Staff:

Director Wyro	Stephen Healy, Fire Chief
Director Famulener	Grace Santos, District Secretary/Clerk
Director Anderson	
Director Weil	

2. Public Comment

There was no comment

3. Closed Session

At 6:01 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 7:00 P.M. Present were the following Directors and Staff:

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

5. Report of Closed Session Action

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

6. Public Comment

John Robertson, resident of Orinda and representative for a group of North Orinda residents, voiced his concern over the potential relocation of Station 43 to Lafayette. He requested that the District meet with GIS expert and UC Berkeley Professor John Radkle and a few members of his group to work on a new study. He was also concerned that the District has not yet held a public workshop to discuss the issue.

President Wyro stated that the item will be placed on a future agenda. There are ongoing studies and conversations between Chief Healy and members of Mr. Robertson's group to have their questions answered. It has taken longer than the Board hoped it would and that no decisions will be made until the full public process is completed.

7. Consent Agenda

Director Weil asked to remove item 7.3 from the consent agenda to discuss separately.

Motion by Director Weil and seconded by Director Evans to receive and file items 7.1, 7.2 and 7.4. Said motion carried a unanimous 5-0 voice vote (Ayes: Anderson, Evans, Famulener, Weil, Wyro).

Director Weil asked why line 11, Impact Mitigation Fees, on the Statement of Revenue and Expenditures - Capital Projects Fund report, was over \$175,000 higher than the District budgeted. Administrative Services Director (ASD) Gloriann Sasser explained that it was for mitigation fee payments from the Orinda Grove development, which the District had not anticipated. Director Weil asked if there are other impact fees coming along that were not included in the budget. ASD Sasser stated that there are several developments in Orinda and Moraga that staff is currently working on.

Motion by Director Famulener and seconded by Director Weil to receive and file item 7.3. Said motion carried a unanimous 5-0 voice vote (Ayes: Anderson, Evans, Famulener, Weil, Wyro).

7.1 Board Meeting Minutes of September 17, 2014

Action: Receive and File.

7.2 Monthly Incident Report – September 2014

Action: Receive and File.

7.3 Monthly Financials Report – September 2014

Action: Receive and File.

7.4 Monthly Check/Voucher Register – September 2014

Action: Receive and File.

8. Regular Calendar

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

On an annual basis the District engages a certified public accountant to audit the financial statements of the District. The District's Administrative Services Division prepared the appropriate financial statements and the statements were audited by JJACPA, Inc.

In addition, JJACPA prepared a report titled, "Communication With Those Charged With Governance and Communication of Internal Control Related Matters." This report includes one finding regarding information technology systems. The finding was reviewed by management and will be implemented.

In addition to the audited financial statements, the District prepared a Comprehensive Annual Financial Report (CAFR) that is designed to meet the requirements of the Government Finance Officers Association (GFOA). The GFOA established the Certificate of Achievement for Excellence in Financial Reporting Program (CAFR Program) in 1945 to encourage and assist state and local governments to go beyond the minimum requirements of generally accepted accounting principles to prepare comprehensive annual financial reports that evidence the spirit of transparency and full disclosure. The GFOA then recognizes individual governments that succeed in achieving this goal. This is the first year the District has participated in the CAFR Program.

The District's CAFR for the fiscal year ended June 30, 2014 will be submitted to the GFOA for consideration of a Certificate of Achievement for Excellence in Financial Reporting. The CAFR will also be posted on the District's website.

The CAFR includes four sections: Introductory, Financial, Statistical and Other Reports. The Introductory Section includes a letter of transmittal to the Board. The Financial Section includes Management's Discussion and Analysis which provides an overview and analysis of the financial activities of the District. The Statistical Section provides operational, economic and historical data that provide a context for assessing the District's economic condition. The CAFR concludes with a report on internal control over financial reporting.

Administrative Services Director Gloriann Sasser gave a presentation on the CAFR and Joe Arch, President and CEO of JJACPA, presented the audit findings to the Board.

On a motion by Director Weil and seconded by Director Famulener, the Board received 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. Said motion carried a unanimous 5-0 voice vote (Ayes: Anderson, Evans, Famulener, Weil, Wyro).

8.2 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.

One part of the Contra Costa County Better Government Ordinance addresses public information. District Policy 05 (attached) addresses requests for District information. A new Public Records Policy has been drafted and was presented to the Board for adoption at the September 17, 2014 Board meeting. The Board continued the item to a future meeting and directed staff to determine whether the California Public Records Act or the draft Public Records Policy requires the District to compile data that does not already exist.

Additional information was obtained from General Counsel. The District has no duty to create a record that does not exist at the time of the request. The District has an obligation to collect and supply existing information, but is not obligated to create information that does not exist.

On a motion by Director Weil and seconded by Director Famulener, the Board adopted the Public Records Policy to supersede District Policy 05 Requests For District Information. Said motion carried a unanimous 5-0 voice vote (Ayes: Anderson, Evans, Famulener, Weil, Wyro).

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*)

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))

President Wyro encouraged the board and staff to attend the next Contra Costa County Fire Commissioners Association meeting on December 18, 2014.

10.2 Questions and informational comments from Board members and Staff

Director Weil stated that he was disappointed that he was not able to attend the MOFD Badge Pinning Ceremony and MOFD Open House because of the way they were scheduled. He hoped that in the future, the District will be more flexible when scheduling events so as not to exclude board and community members.

Chief Healy thanked the Board for supporting the organization with the establishment of the new Core Values. He apologized to the community and Director Weil for the scheduling conflict of the badge pinning ceremony and open house, and vowed that it would not happen again.

Chief Healy announced the death of CalFire pilot and UC Santa Cruz chemistry professor Craig Hunt, who was killed on October 7, 2014, while fighting the fire in Yosemite. The fire service also lost Bill McCammon, who was the first Fire Chief of the Alameda County Fire Department and Executive Director of the East Bay Regional Communications System Authority (EBRCSA), who died suddenly on October 13, 2014.

Fire Marshal Leonard gave an update on the Canyon bridge replacement community meeting. The biggest concern was the bridge speed, which will drop down to 25 mph. There will be 2 – 12 foot lanes, with 2 – 8 foot shoulders to accommodate bicyclists, and a pedestrian protected walkway on the west side. The bridge will be slightly longer, curved, and 1.5 feet taller to allow for the 100-year flooding. The effects of the closure will be minimal for the fire district. Their plan is to work on one side at a time to avoid shutting down the entire bridge. The District will continue to work with all neighboring agencies to ensure that coverage remains the same and can respond quickly.

Administrative Services Director Sasser announced that the Contra Costa County Employees Retirement Association (CCCERA) presented their updated actuarial evaluation at their meeting on October 8, 2014. They also adopted employer contribution rates for 2015/16. The following are some highlights of the report:

- The District's pension unfunded liability was reduced from \$45M to \$40M
- The adopted safety rate for next fiscal year decreased to 71%

Director Anderson asked staff to make the CCCERA information available on the District's website.

10.3 District Update for September 2014

There was no comment.

11. Adjournment

At 7:50 P.M., President Wyro called for adjournment of the regular meeting.



Grace Santos
Secretary to the Board