
MORAGA-ORINDA FIRE DISTRICT
BOARD OF DIRECTORS
REGULAR BOARD MEETING MINUTES
August 19, 2009
(Approved September 16, 2009)

Opening Ceremonies

The Board of Directors convened in Open Session at 4:00 p.m. August 19, 2009, at the Moraga Orinda Fire Administration Building, 1280 Moraga Way in Moraga, California. President Wilson called the meeting to order and led the Pledge of Allegiance. Present were the following Directors and Staff:

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| President Wilson | Fire Chief Nowicki |
| Director Mancinelli | Steve Meyers, District Counsel |
| Director Sperling | |
| Director Weil - Absent | |
| Director Wyro | |

At 4:03 p.m., the Board went into Closed Session.

Business Meeting

President Wilson reconvened the regular business meeting of the Moraga-Orinda Fire District Board of Directors at 7:02 p.m. Present were the following Directors and Staff:

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| President Wilson | Fire Chief Nowicki | Battalion Chief Healy |
| Director Mancinelli | Steve Meyers, District Counsel | Battalion Chief Lee |
| Director Sperling | Sue Casey, Financial Services Manager | |
| Director Wyro | Secretary Pokorny | |

Report of Closed Session Action

President Wilson stated that there was no action taken on Item 3.1 - Public employee appointment, employment, evaluation of performance, dismissal. There was action taken on Item 3.2 - Conference with Labor Negotiator, Moraga-Orinda Fire District Chief Officers Association, Item 3.3, Conference with Labor Negotiator – AFSCME, Local 2700, and Item 3.4, Conference with Labor Negotiator – unrepresented employees in that all the negotiations were successfully completed and will be ratified and/or approved at a Special Meeting to be held on September 2, 2009.

Public Comment

Clyde Vaughn (59 Donna Maria Way Orinda, CA) referred to the letter that the Director Sperling wrote to the Lamorinda Weekly regarding the Public Retirement System and wondered what action had been taken on it.

Consent Agenda

Item 6.3 was removed from the Consent Agenda because the Monthly Financial Report was not available. It was M/S/C by unanimous vote to approve Item 6.1 Board Minutes from July 2, 2009 and July 15, 2009 and Item 6.2 Monthly/Annual Incident Summary.

Continued discussion with T-Mobile regarding possible installation of a site tower at Station 43.

Chief Nowicki referred to the presentation given by T-Mobile at the last Board meeting regarding leasing property at Station 43 to install a site tower for cellular use. At that meeting, Director Weil reviewed the lease agreement and made several suggestions regarding monthly rent, increasing the rental cap adjustment from 3% to 5%, and some language changes to the terms of the lease. Staff was directed to make the changes to the lease agreement and bring the item back to the next Board meeting for review. Battalion Chief Lee reported that the changes had been made. The Board reviewed the document, public comments were discussed, and additional changes to the lease were requested. It was M/S/C by Board members to table the discussion and bring the lease back to the next Board meeting with corrections and for further discussion. Staff was also directed to do a comparison study of lease rentals in other Fire Districts or like areas of business.

Possible Contract extension for Local 2700.

The contract for Local 2700 has not yet been finalized and will be presented at a Special Board meeting on September 2, 2009.

2006 Deccan Program

President Wilson opened the discussion regarding a Standards of Coverage study that was done by DECCAN in 2006. The study was commissioned by the District as an assessment tool to evaluate community risk, response times, utilization of resources, development impact, and recommended performance objectives. Upon completion, the study was publicly presented and copies are available to anyone requesting it. Recently, an Orinda citizen made a direct request to DECCAN to be able to access and utilize the original computer program data so that he could use the information to produce ancillary reports. President Wilson feels that members of public should not be able to access the program under any circumstances. Director Sperling stated that further research is needed to determine if the data produced by the Deccan program is proprietary. District Counsel Meyers will review the original contract and make a determination on the proprietary status of the data.

Committee Reports

Finance/ Long Range Planning – Director Wyro reported that the Committee met to discuss the ramifications of the suspension of Proposition 1A; the suspension enacted by the Governor to help balance the State budget. The suspension of Prop. 1A will allow the State to borrow 8% of District property tax revenue. The State is mandated by Prop. 1A to pay the funds back within three years with interest. The District currently has sufficient reserves to absorb the revenue borrowing. Nevertheless, the District is looking closely at budget reductions of 1%, 2%, 3% and 4% and will be meeting to discuss various scenarios.

Ad Hoc Committee Reports

Local 1230 – Items were discussed in tonight's Closed Session meeting.

New Chief Search - The search for a new Fire Chief is moving along. Three panels have been selected to meet and interview candidates on September 2. Board members will meet with the final candidates on September 14.

LAFCO – Director Wyro reported that he was unable to attend the LAFCO meeting. Chief Nowicki reported that he attended along with Director Mancinelli and Mr. Dick Olsen. Chief Nowicki reported that the LAFCO Board adopted the MSR Report with all the original mistakes in place. They did not make any of the suggested corrections from the various agencies named in the report. The Ad Hoc Committee was directed to prepare a study regarding the MSR Report and bring it back to the Board in October. Mr. Olsen added that the majority of the group seems to be moving in the direction of a full consolidation of East County, Con Fire, and MOFD.

Correspondence

President Wilson acknowledged and expressed appreciation for the correspondence received.

Announcements

Director Wyro reported that he and Director Weil had attended the Contra Costa County Fire Commissioners dinner. He stated that it was a small group in attendance but the topic on Guantánamo Bay was well done and informative. Director Wyro feels that the Commission is a beneficial and productive way for Board members to meet with Fire Chiefs and Fire Commissioners from other Districts.

Chief Nowicki

- Chief Nowicki reported that there had been many structure and vegetation fires at MOFD during the last few weeks and commended all the firefighters on their stellar performance at these incidents. Battalion Chiefs Healy and Lee have provided exceptional suppression command. During the Corral wildland fire, MOFD sent six members of the District to assist the overhead command staff of our neighbors in the Livermore-Pleasanton area.
- Battalion Chief Maxwell and the Office of Emergency Services (OES) unit are still out at the Lockheed Fire.
- Chief Nowicki reported that Battalion Chief Lee is moving along with the underground tank removal at Station 45. BC Lee reported that bids have gone out for the second time. He expects to have a bid awarded soon after Labor Day with the project starting sometime in late September.

Adjournment

At 8:05 p.m., President Wilson called for adjournment of the regular meeting. It was M/S/C to adjourn to a Special Meeting to be held on September 2, 2009 at 7 p.m.