
MORAGA-ORINDA FIRE DISTRICT
BOARD OF DIRECTORS
REGULAR BOARD MEETING MINUTES
September 16, 2009
(Approved October 21, 2009)

Opening Ceremonies

The Board of Directors convened in Open Session at 7:00 p.m. September 16, 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:

President Wilson	Fire Chief Nowicki	Battalion Chief Maxwell
Director Mancinelli	Tim Cremin, Acting District Counsel	Battalion Chief Lee
Director Sperling	Sue Casey, Financial Services Manager	
Director Weil	Christine Pokorny, Secretary	
Director Wyro		

Public Comment

Mr. Dick Olsen (1861 St. Andrews Dr, Moraga) reported on the financial statement presented at the most recent Contra Costa County Fire Advisory meeting. Back-up support received from Con Fire will be out of reserves by the end of this fiscal year; brown-outs could be possible.

Mr. Jonathon Goodwin (Canyon, CA) spoke to several retired MOFD personnel at Capt. Dave Stochl's memorial. He hopes with a new Chief that the Board will come together and support the new Chief as well as personnel. Parts of the Strategic Plan include the Board meeting with Local 1230, creation of a Board code of ethics, and team buildings sessions. He is disappointed that the Board has not followed through.

Consent Agenda

It was M/S/C by unanimous vote to approve the Consent Agenda.

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

Chief Nowicki stated that at the last Board meeting, Board members directed Staff to make additional changes and correct wording in the T-Mobile lease agreement. Staff was also directed to do a more in-depth comparison study of lease rentals in other Fire Districts or like areas of business. Battalion Chief Lee reported that the changes were made to the lease agreement, increasing the rental cap adjustment from 4% to 5%, and the language changes to the terms of the lease. In addition, additional comparison studies were included in his Board report.

The Board reviewed the document. Director Weil asked if MOFD was able to lease additional tower space to other cellular companies from the same site tower. Mr. Jeff Lienert, the representative for T-Mobile replied that it was possible. After continued Board discussion and comments from members of the public, it was M/S/C to accept the lease agreement from T-Mobile to lease land at Station 43 for installation of a cellular tower.

Final Operating Budget for Fiscal Year 2009/2010

Chief Nowicki thanked Staff for all the hard work and hours spent scaling the budget down to bare bones. He especially wanted to thank Sue Casey, Financial Services Manager for the many hours she spent working on this year's budget.

Ms. Casey also thanked Staff for their cooperation and help in putting the budget together. She went on to explain the issues facing this year's budget particularly from the decrease in property taxes and the suspension of Prop 1A. Prop 1A allows the State to redirect local property tax revenues of up to 8% from special districts, cities and counties to be used by the County Offices of Education with a condition of repayment, with interest, within three years. The suspension of Prop 1A is estimated to result in a revenue loss to the District in 2019/2010 of \$1,323,768. She emphasized that as part of the State Budget package, the Legislature also created an option for local governments to relieve the burden of loaning the State a significant portion of the property tax revenues through a securitization program. This authorizes the California Communities to purchase the receivables.

Director Sperling commented that the proposed fiscal budget now shows less of a deficit. Director Weil thanked Ms. Casey for all the work that she had done and thought her presentation was very good. He asked if there was any risk in the securitization program. Ms. Casey replied that she sees no risk. Director Weil would like to see the securitization program on the agenda for Board discussion as soon as possible.

After continued discussion by Board members and members of the public, approval of the Final Operating Budget for Fiscal Year 2009/2010 was M/S/C by a vote of 4 - 1 with President Wilson voting no.

Moraga-Orinda Fire District Website

Chief Nowicki explained the issues the District has faced regarding the website which the Board has asked to improve. The current website does not meet the need of the District, it should have a home page, dynamic news and images, content management and provide up to date information, history, profiles, a photo gallery, and community news. Battalion Chief Lee has been researching possible vendors to host and maintain the MOFD website. Staff recommends FireHouse Solutions for the District website vendor for a start up fee of \$795 and maintenance fee of \$99 monthly.

Director Mancinelli voiced his concerns of approving monies to be spent when there are issues on the table of cutting services and staffing.

After continued discussion with members of the Board, it was M/S/C by a vote of 4 – 1 vote with Director Mancinelli voting no to approve the proposal from FireHouse Solutions to design and maintain the District website.

2006 DECCAN Program

Chief Nowicki explained that at the August 19th Board meeting, Board members considered a public information request regarding a previous study performed by DECCAN International. The item was referred to District Counsel. Acting District Counsel Cremin reported that the information that is being requested was provided by Contra Costa County Fire District (CCCFD). DECCAN used the data to provide the study. The public information request asks for incident time and response data in a response model. The format that the public information request is for is not public records and the District is not legally required to produce the information. Director Wyro asks if it was up to DECCAN to give the information to the public. Acting District Counsel Cremin replied that DECCAN is not legally required to give information but it could. After continued Board discussion, the Board decided to deny the public records request. Acting District Counsel Cremin stated that the denial should be in written form and District Counsel will respond appropriately.

Committee Reports

Director Wyro reported that the full Board would be meeting on October 7th to discuss 1%, 2%, 3%, and 4% budget reductions.

Ad Hoc Committee Reports

Local 1230 – No report

New Chief Search – Director Wyro reported that the committee met last week. The Board members will interview the candidates on September 22 and 24.

LAFCO – Mr. Dick Olsen reported that the next LAFCO meeting would be held on Oct. 7th at 1 p.m. to discuss regionalization.

Expenditure Reduction Ad Hoc Committee – Director Sperling requested that the committee be disbanded.

Correspondence

President Wilson acknowledged and expressed appreciation for the correspondence received.

Announcements

Chief Nowicki

- Chief Nowicki thanked the Directors and community members that came to pay their respects to retired Captain Dave Stochl.
- Chief Nowicki reminded everyone of the recruit graduation ceremonies in Sunnyvale on Sept. 24th. 24th at 2 p.m.

Adjournment

At 8:37 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 22, 2009 at 7 p.m.

Christine Pokorny,
Secretary to the Board