

Moraga-Orinda Fire Protection District



BOARD OF DIRECTORS REGULAR BOARD MEETING MINUTES

March 16, 2016
(Approved April 6, 2016)

1. Opening Ceremonies

The Board of Directors convened in Open Session at 6:10 P.M. on March 16, 2016 in the Moraga Library Community Room, 1500 St. Mary's Road, Moraga, California. Director Famulener was absent. President Anderson called the meeting to order.

Present were the following Directors and Staff:

Director Anderson	Director Weil	Grace Santos, District Clerk
Director Barber	Stephen Healy, Fire Chief	
Director Evans	Gloriann Sasser, Admin Services Director	

2. Public Comment

There were no comments.

3. Closed Session

At 6:10 P.M., the Board adjourned into Closed Session.

4. Reconvene the Meeting

President Anderson reconvened the regular business meeting of the Moraga-Orinda Fire District Board of Directors at 7:07 P.M. Present were the following Directors and Staff:

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

5. Report of Closed Session Action

There was no reportable action taken during Closed Session on item 3.1 Conference with Real Property Negotiators.

6. Public Comment

There were no comments.

7. Consent Agenda

Motion by Director Evans and seconded by Director Barber to receive and file Items 7.1 – Meeting Minutes, 7.2 – Monthly Incident Report, 7.3 – Monthly Financial Reports, and 7.4 – Monthly Check/Voucher Register. Said motion carried a 3-0 roll-call vote (Ayes: Barber, Evans and Weil; Absent: Famulener; Abstain: Anderson).

8. Regular Calendar

8.1 Resolution 16-06, A Resolution of the Moraga-Orinda Fire District Approving formation of the Moraga-Orinda Fire Protection District Public Facilities Financing Corporation

On November 18, 2015, the Board authorized the District to contract with Brandis Tallman, LLC to issue a direct placement lease agreement in the amount of \$4,000,000. Since then, work has continued with plans to close and fund the lease in May 2016.

In order to issue a direct placement lease, it was recommended the District establish a public facilities financing corporation. The corporation would be a nonprofit public benefit corporation. The purpose of the corporation would be to facilitate the public financing for the District for the acquisition, construction and improvement of the District's public buildings,

works and equipment. The District Board would serve as the Board of the corporation. The one-time cost to establish the corporation is approximately \$6,000.

Formation of a financing corporation is not required to issue a direct placement lease. The District could instead use an existing financing corporation (through Municipal Finance Corporation or Public Property Financing Corporation of California) or joint powers agency (through ABAG Finance Authority for Nonprofit Corporations or California Statewide Communities Development Authority) to enter into the lease financing. The cost for this service would be approximately \$2,500.

It is likely in the future that the District will need to utilize lease financings for other capital projects such as the rebuilding of Station 41 and Administration. The financing corporation would then be in place and the District would not need pay another fee to a financing corporation or joint powers agency to enter into additional lease financings. In addition, public agencies regularly form their own financing corporations when future lease financings are anticipated for cost-savings and other benefits such as having a familiar entity to enter into the lease financing documents.

Staff recommended the Board approve the formation of the financing corporation. The District's bond counsel, Henry Har, of Meyers Nave, and Nikki Tallman, from Brandis Tallman, LLC, attended the Board meeting and answered questions regarding formation of the corporation.

Motion by Director Evans and seconded by Director Barber to Adopt Resolution 16-06 Approving the Formation of the Moraga-Orinda Fire Protection District Public Facilities Financing Corporation. Said motion carried a 3-1 roll-call vote (Ayes: Anderson, Barber and Evans; Noes: Weil; Absent: Famulener).

8.2 Lorinda Lane Grant of Trail Easement to the City of Lafayette, CA for the Benefit of the General Public

In January of 2016, staff was approached by the City of Lafayette, who asked the District to consider granting a walking easement across the small parcel the District owns at the base of Lorinda Lane (see Attachment-A). The City requested the walking easement in order to improve access to the trails system, encouraging and supporting health and wellness in the Lamorinda area.

Staff evaluated the request and any potential negative impacts on the District, including its ability to sell the property. Legal counsel and the District's realtor were consulted. No negative impacts were identified. Because an easement is a non-possessory transfer of property, it requires Board approval.

Staff recommended approval of the Easement for the purposes of a walking trail on land owned by the District and described as: certain real property in the City of Lafayette, County of Contra Costa, State of California, identified as Lots A and B (together APN 249- 150-017) in the Certificate of Compliance for Lot Line Revision file number LLR02-14 (DOC-2014-0152780-00).

The Board proposed to do nothing that might affect the sale of the property and decided to defer any action for a few months. They directed staff to further investigate the issue, and communicate with the City of Lafayette and the District's realtor.

Geoffrey Bellinger, from the Lafayette Parks & Trails Commission, was present and offered to answer any questions from the Board or the public about the issue.

Motion by Director Weil and seconded by Director Evans to continue the item to a future meeting. Said motion carried a unanimous 4-0 roll-call vote (Ayes: Anderson, Barber, Evans and Weil; Absent: Famulener).

8.3 Contract with Delta Dental of California

The District provides dental insurance to employees and retirees. The District has contracted with Delta Dental of California since 1998. The current contract expires March 31, 2016.

Delta Dental provided renewal information that reflects a 2% rate increase. The District pays a fixed amount per employee and retiree for dental insurance. The rate increase is entirely borne by employees and retirees.

Motion by Director Weil and seconded by Director Evans to authorize a contract with Delta Dental of California for the period April 1, 2016 through March 31, 2017. Said motion carried a unanimous 4-0 roll-call vote (Ayes: Anderson, Barber, Evans and Weil; Absent: Famulener).

8.4 Location for Regular Board Meetings

At the March 2, 2016 Board meeting, the Board directed Staff to place this item on the agenda to allow the Board to discuss the location of future Board meetings.

Director Barber asked for a balance between meeting in Moraga and Orinda, with some predictability in advance.

After a brief discussion, the Board directed staff to find a balance between meeting in Moraga and Orinda, find a permanent meeting location (preferably without a stage), check with Director Famulener for her suggestions, look at other locations, and bring back recommendations at the next meeting.

8.5 Station 43 Program Update

Work continues on the Station 43 program. Progress has been made in several areas. In January of 2016, staff tentatively agreed to terms with the St. Stephen's Church as the site for a temporary fire station (43). A proposed written agreement has been sent to the church Vestry with their tentative approval anticipated on March 15. If approved by the church Vestry, staff will bring the proposed agreement to the Board for approval on April 6.

On February 19, 2016, staff issued a request for qualifications for project management services. Four proposals were received from qualified firms. A recommendation and proposed agreement will be brought to the Board for approval on April 6.

The total projected cost includes building construction and site work projected cost of \$3,317,441.

9. Committee Reports

9.1 Finance Committee (*Directors Barber & 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 Anderson and Director Weil will be attending the Contra Costa County Fire Commissioners Association meeting on Thursday, March 17, 2016.

10.2 Questions and informational comments from Board members and Staff

Chief Healy noted for the record that Director Famulener is still recovering from having major surgery, which is the reason why she was absent.

BC Barreto reported that the new ambulances will be online in mid-April. Chief Healy reported that the District will be getting rid of one of the old ambulances and keep the other to use as a reserve ambulance, to use as a last resort.

Director Weil commented on how unprepared he felt PG&E handled the sinkhole problem in Moraga, including their lack of management.

Director Evans read a letter from the Government Finance Officers Association notifying the District that their Comprehensive Financial Annual Report for Fiscal year ending June 15, 2015 qualified for a Certificate of Achievement for Excellence in Financial Reporting. The certificate of achievement was mailed to Gloriann Sasser, Administrative Services Director.

Director Barber asked the Board to consider creating a contingency fund. President Anderson directed staff and the Finance Committee to look into it and discuss at the Finance Committee meeting in May.

10.3 District Updates for February 2016

There was nothing to report

11. Adjournment

At 8:40 P.M., President Anderson called for adjournment of the regular meeting.



Grace Santos
Secretary to the Board