



Moraga-Orinda Fire District

Board of Directors

CALL AND NOTICE OF A SPECIAL MEETING

November 28, 2017

9:00 A.M. CLOSED SESSION

10:30 A.M. OPEN SESSION

PLEASE NOTE NEW MEETING ADDRESS:

Hacienda Mosaic and Garden Rooms

2100 Donald Drive

Moraga, CA 94556

NOTICE OF TELECONFERENCE MEETING

Pursuant to California Government Code section 54953, members of the Board of Directors may attend this meeting via teleconference. Members of the public may attend and participate either at the address given above, or at the teleconference location(s) listed below:

14592 Hansel Ave

Truckee, CA 94161

1. OPENING CEREMONIES

- 1.1. Call the meeting to Order
- 1.2. Roll Call
- 1.3. Pledge of Allegiance
- 1.4. Core Values – *Service, Honor, Integrity*

2. 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.

3. CLOSED SESSION

- 3.1. **Conference with Legal Counsel – Potential Litigation**
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: one (1) potential matter
- 3.2. **Public Employee Appointment**
(Government Code Section 54957)
Title: Fire Chief

4. RECONVENE THE MEETING

- 4.1. Call the Meeting to Order

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. REGULAR AGENDA

7.1. **Termination of Agreement with Federal Solutions Group, Inc. (FSG) for Construction of Station 43 Project**

The District sent FSG a notice of default concerning its failure to comply with the terms of the construction contract. FSG was given an opportunity to cure by November 23, 2017. If FSG has not cured the default by that date, the Board will consider ratifying the Fire Chief's letter terminating the agreement with FSG for the construction of the Station 43 project.

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Ratify the Fire Chief's letter formally terminating the agreement with FSG

7.2. **Retention of Construction Attorney for Station 43**

The Board will present a Letter of Engagement with Geoff Spellberg of Renne Sloan Holtzman Sakai LLP to provide legal services on the Station 43 project.

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Approve Letter of Engagement with Renne Sloan Holtzman Sakai LLP to provide legal services on the Station 43 project

7.3. **Consider Establishment of a District Counsel Ad Hoc Committee**

Discuss formation of a District Counsel Ad Hoc Committee.

Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Establish a District Counsel Ad Hoc Committee

8. ADJOURNMENT

This agenda is posted pursuant to the provisions of the Government Code commencing at Section 54956. The date of posting is November 22, 2017.

MORAGA-ORINDA FIRE DISTRICT



Grace Santos
Clerk to the Board

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