

Moraga-Orinda Fire Protection District



BOARD OF DIRECTORS REGULAR BOARD MEETING MINUTES

September 21, 2016
(Approved October 5, 2016)

1. Opening Ceremonies

The Board of Directors convened in Open Session at 7:00 P.M. on September 21, 2016 at the Hacienda Mosaic Room, 2100 Donald Drive, Moraga, California. Director Barber was absent. President Anderson called the meeting to order.

Present were the following Directors and Staff:

President Anderson	Director Weil	Kathy Leonard, Fire Marshal
Director Evans	Stephen Healy, Fire Chief	Grace Santos, District Clerk
Director Famulener	Gloriann Sasser, Admin Services Director	

2. Public Comment

There were no comments from the public.

3. Consent Agenda

Motion by Director Evans and seconded by Director Famulener to receive and file all items – 3.1 Meeting Minutes, 3.2 Monthly Incident Report, 3.3 Monthly Check/Voucher Register, 3.4 Monthly Financial Report, 3.5 Quarterly Treasurer's Report, 3.6 Quarterly Ambulance Billing Report, 3.7 PARS Annual Account Report, and 3.8 Part-Time Fire Inspector/Plans Examiner Salary Range. Said motion carried a 3-0 roll-call vote (Ayes: Evans, Famulener and Weil; Abstain: Anderson; Absent: Barber).

4. Regular Calendar

4.1 Approval of Side Letters of Agreement with Local 1230, AFSCME Local 2700, and Moraga-Orinda Fire Chief Officers Association; Effective January 1, 2017

In 2014, the District negotiated new memorandums of understandings (MOU) with the three (3) MOFD bargaining groups: Local 1230, Local 2700, and MOFCOA. These MOU's resulted in capped medical premium amounts for active and retired employees. Retired employee medical premiums remain capped, which has lowered the District's post-retirement unfunded liabilities (OPEB).

In an effort to keep pace with other fire service agencies in the Bay Area (regional job market), the Board of Directors directed staff to negotiate side-letters of agreement with the bargaining units, who represent the active employees. The latest District salary survey data was used to determine what the average employer-paid premiums were.

Since 2014, the District's economic outlook has continued to improve. As directed, staff has negotiated a Side Letter of Agreement with Local 1230, Local 2700, and MOFCOA. The cost of these side-letters is approximately \$76,000 in FY 2016/17 and \$153,000 in FY 2017/18.

Mark DeWeese, Local 1230 representative, read a prepared statement and thanked the Board for the increase towards employee medical premiums.

Motion by Director Weil and seconded by Director Famulener to approve Side Letter of Agreement with Local 1230, Local 2700, and MOFCOA. Said motion carried a unanimous 4-0 roll-call vote (Ayes: Anderson, Evans, Famulener and Weil; Absent: Barber).

4.2 Resolution 16-14 , A Resolution of the Moraga-Orinda Fire Protection District of Contra Costa County, Amending the District Conflict of Interest Code

All local government agencies are required by statute to adopt a Conflict of Interest Code that include provisions designating the positions within the agency that will be required to report certain financial interests, the manner of reporting those financial interests, and standards for when the employees will be disqualified from participating in the making of certain decisions.

Conflict of Interest Codes must specifically list positions that make or participate in making decisions for or on behalf of the District. Typically, positions that involve voting on matters, negotiating contracts, or making recommendations on purchases without substantive review must be included in codes.

A primary purpose of the Code is to require disclosure of those types of investments, interests in real property, sources of income and business positions that designated positions may affect in their decision-making.

District Staff has conducted the required biennial review of the Conflict of Interest Code and has determined to delete one position and add three new positions and associated disclosure categories to the list of "Designated Positions" in the Code. In accordance, Section 2 of Resolution 16-14 Amending the District Conflict of Interest Code and the Conflict of Interest Code has been amended to delete "Fire Prevention Specialist", and add three new positions of "Administrative Services Director", "Fire Inspector/Plans Examiner" and "Human Resources Manager".

Motion by Director Famulener and seconded by Director Evans to adopt Resolution 16-14 – a Resolution of the Moraga-Orinda Fire District of Contra Costa County, Amending the District Conflict of Interest Code as amended. Said motion carried a unanimous 4-0 roll-call vote (Ayes: Anderson, Evans, Famulener and Weil; Absent: Barber).

4.3 Public Hearing on Fire Code Adoption - Public Hearing on Fire Code Adoption - Introduction and First Reading of Ordinance 16-02 adopting the 2016 California Fire Code and the 2015 International Fire Code with Fire District Amendments; consideration of findings of fact pursuant to Section 18941.5 of the Health and Safety Code

California adopts a new fire code every three years from the International Fire Code. The Fire Code as Adopted by the State of California is the minimum requirements for fire and life safety. A local Jurisdiction or District may adopt and add more restrictive requirements based on three conditions that would justify a more restrictive Code. These conditions are based on climatic, geological and geographical conditions that are unique to the local jurisdiction. Collectively, these are called a Findings of Fact and must be filed along with the proposed Ordinance with the State of California.

The Moraga-Orinda Fire District is unique with a climate of hot, dry and windy conditions, geographical and geological conditions that include an abundance of combustible vegetation, difficult access to structures with narrow steep roads and a water supply that, in certain areas, are substandard for effective firefighting. The District is also on the eastern side of where the Oakland fire storm of 1991 destroyed over 3000 homes.

Draft Ordinance 16-02 represents more restrictive fire codes in an effort to increase public safety, reduce property loss and minimize disruption to the community. This Ordinance was also based on several months' collaborative work between MOFD, the Contra Costa Building Department, Contra Costa Fire Department and San Ramon Valley Fire District. The goal was to have justifiable and reasonable code requirements that allowed for community growth, but ensured that the code requirements would provide for the highest level of public safety.

President Anderson opened the public hearing and pointed out two typos that need correction. Staff made note of the corrections and will update for the second reading on October 5, 2016. There were no comments from the public. President Anderson closed the public hearing.

Motion by Director Famulener and seconded by Director Weil to adopt findings and waive the first reading of the proposed amendments for the 2016 California Fire Code and the 2015 International Fire Code. Said motion carried a unanimous 4-0 roll-call vote (Ayes: Anderson, Evans, Famulener and Weil; Absent: Barber).

5. Committee Reports

5.1 Finance Committee (Directors Barber & Weil)

There was nothing to report.

6. Announcements

6.1 Brief information only reports related to meetings attended by a Director at District expense (Government Code Section 53232.3(d))

There was nothing to report.

6.2 Questions and informational comments from Board members and Staff

Chief Healy informed the Board that there will be two meetings a month in October, November and December to review and comment on documents such as the District's CAFR, Standards of Cover, and the Strategic Plan.

President Anderson commented on an incident on Moraga Way where the paramedics from Station 44 responded to multiple injuries. A bystander commented on the paramedics' professionalism and hard work.

Director Evans left the meeting at 7:22 p.m.

Fire Marshal Leonard announced that MOFD would be holding the annual Moraga open house and pancake breakfast on Saturday, October 1, from 8am-12pm at Station 41. She invited everyone to attend.

6.3 District Updates

President Anderson asked who was involved in the Canyon mapping project. Chief Healy stated that Dennis Rein, Kathy Leonard and a GIS Specialist intern worked on the project. They mapped all the parcels, accurately identifying locations and streets. Dennis Rein worked with Contra Costa County to get addresses assigned to all the homes in Canyon, negotiated with them to reduce their fees and applied for a grant to cover the remaining balance. They are also applying for a grant to pay for street signs and addresses.

Richard Olsen, Moraga resident, asked if a demolition contract was awarded, and when the contract for rebuilding of Station 43 would be on the agenda. Chief Healy stated that the demolition contract was a two-part contract. The first part of the contract was to remove all the asbestos in the station, which was completed. The remainder of the demolition contract was awarded and will begin on September 26. Mr. Olsen asked if the Board had to approve contracts above a certain dollar amount. Chief Healy explained that the Board only approves contracts over \$100K and since this project is under that amount, it was not necessary.

7. Adjournment

At 7:40 P.M., President Anderson called for adjournment of the regular meeting.



Grace Santos
Secretary to the Board