

Moraga-Orinda Fire Protection District



BOARD OF DIRECTORS SPECIAL BOARD MEETING MINUTES

October 18, 2017

(Approved November 15, 2017)

1. **Opening Ceremonies**

The Board of Directors convened in Open Session at 5:00 P.M. on October 18, 2017 at the Hacienda Mosaic Room, 2100 Donald Drive, Moraga. President Famulener called the meeting to order. Present were the following Directors and Staff:

President Famulener	Director Jex	Gloriann Sasser, Admin Service Director
Director Anderson	Director Jorgens	Grace Santos, District Clerk
Director Barber	Jerry Lee, Interim Fire Chief	

2. **Public Comment**

There was no comment from the public.

3. **Closed Session**

At 5:01 p.m., the Board adjourned into Closed Session.

4. **Reconvene The Meeting**

President Famulener reconvened the regular business meeting of the Moraga-Orinda Fire District Board of Directors at 7:00 P.M. Present were the following Directors and Staff:

President Famulener	Director Jex	Gloriann Sasser, Admin Service Director
Director Anderson	Director Jorgens	Grace Santos, District Clerk
Director Barber	Jerry Lee, Interim Fire Chief	

5. **Report of Closed Session Action**

There was no reportable action taken in Closed Session on items 3.1 Conference with Legal Counsel, 3.2 Public Employee Appointment, 3.3 Conference with Labor Negotiator (Local 1230), 3.4 Conference with Labor Negotiator (Local 2700), 3.5 Conference with Labor Negotiator (MOFCOA), and 3.6 Public Employee Performance Evaluation.

President Famulener stated that the Board would go back into Closed Session after the regular meeting.

6. **Public Comment**

There was no comment from the public.

President Famulener reported that she fought to stick to the original architectural plans of having separate bathrooms for each of the captain's, firefighter's and engineer's quarters in the new construction of Station 43. Unfortunately, the plan would set the District back an additional \$200K in two years. She apologized to the firefighters for not being able to get it done.

7. **Consent Agenda**

Motion by Director Anderson and seconded by Director Jorgens to approve and file item 7.1 Meeting Minutes, 7.2 Monthly Incident Report, 7.3 Monthly Check/Voucher Register, 7.4 Monthly Financial Report, and 7.5 Surplus Vehicle. Said motion carried a unanimous 5-0 roll-call vote (Ayes: Anderson, Barber, Famulener, Jex, and Jorgens).

8. **Regular Calendar**

President Famulener announced that they would begin with Item 8.3 Fiscal Year 2017/18 Strike Team Budget Adjustment.

8.3 Fiscal Year 2017/18 Strike Team Overtime Budget Adjustment

The District is a participating member of the California Mutual Aid Agreement. The agreement provides that all resources and facilities of the state, its various departments and agencies, and all of its political subdivisions, be made available to provide assistance to each other in time of local

disaster. Most cities, counties and special districts in the state are signatory to the agreement. This agreement facilitates legal means of exchanging assistance between the numerous jurisdictions without the need for separate agreements among them.

Each year the District attempts to estimate the cost of providing such assistance. This cost is solely driven by how many Mutual Aid requests the District provides in response to disasters and wildfires. The approved Strike Team Overtime budget for FY17/18 is \$355K. As of September 30, 2017, actual expenditures are \$405K. The expenditures will continue to increase because of current fire conditions throughout the state and the need for assistance. The District anticipates this trend to continue for the remaining months October and November, and into the early summer months of May and June 2018. To date, the District has responded to 21 Mutual Aid requests throughout the State of California and Nation. Strike Team revenues will increase to offset these expenditures.

After a brief discussion, the Board stated that they would like to wait until they can get a better idea of the final amount of the strike team overtime. They directed staff to bring the item back at the November meeting.

Director Barber stated that he was confused about the impact of going over budget in a particular fund when it does not impact the bottom line of the overall budget and asked staff to explain it at the next meeting.

President Famulener introduced MOFD Firefighter Steve Rogness, who is also a member of the Urban Search and Rescue (USAR) California Task Force 4. Firefighter Rogness gave a presentation on his deployment to Texas and Florida to help with Hurricanes Harvey and Irma. The Board thanked him for his presentation.

8.1 Approval of GASB 75 OPEB Valuation Report as of June 30, 2017 and OPEB Funding Policy

The District provides retiree health insurance benefits to employees. Government Accounting Standards Board Statement No. 75 requires the District to complete an actuarial valuation of the other post-employment benefits (OPEB) plan. As a result, the District contracted with GovInvest to complete an actuarial report calculating the long-term cost associated with the District's OPEB plan.

A draft report was presented to the Board on September 27, 2017. The board directed staff to have the report updated to use a 6.25% discount rate. The completed report was available at the Board meeting.

In September 2016 the Government Finance Officers Association recommended that every state and local government that offers OPEB formally adopt a funding policy that provides reasonable assurance that the cost of those benefits will be funded in an equitable and sustainable manner.

Director Jex recommended to proceed with 6.25% in 20 years and the required contribution to be recorded.

MOFD Firefighter and Local 1230 Representative Mark McCullah asked the Board where the extra money would come from and what will be cut to fund it. The District has obligations and bills to pay.

Director Jorgens stated that District still has \$158K in surplus so the money is coming from the excess in the budget. ASD Sasser stated that there would still be a surplus in the general fund.

ASD Sasser stated that the policy is designed to be looked at every year under different circumstances. If earnings projections changes, it would be appropriate to change the discount rate then.

Motion by Director Jex and seconded by Director Barber to approve the discount rate of 6.25% and the required contribution will be contributed to the OPEB fund for the current year, and to accept the report of the actuaries on which we are relying for the purposes of making the determination in the 20-year term. Said motion carried a 4-1 roll-call vote (Ayes: Anderson, Barber, Jex, and Jorgens; Noes: Famulener).

8.2 Resolution 17-16 Amending Resolution 17-10 Authorizing Spending Limits for the Station 43 Project

Resolution 17-10 authorizes the Fire Chief to approve any single change or modification to the contract for the construction of the Fire Station 43 in an amount not to exceed \$10,000 without prior consent of the Board. Staff was asked to raise this limit to \$20,000.

Director Jorgens stated that the Fire Chief should only have authority to approve things that have been recommended by the construction manager.

Director Barber stated that he does not believe the Chief would initiate any change orders or respond to requests from anyone other than the construction manager.

Director Jorgens directed staff to inform the construction manager that it is his responsibility to approve change orders before he submits it to the Chief for approval.

Motion by President Jorgens and seconded by Director Barber to adopt Resolution 17-16 Amending Resolution 17-10 Authorizing Spending Limits for the Fire Station 43 Construction Project. Said motion carried a unanimous 5-0 roll-call vote (Ayes: Anderson, Barber, Famulener, Jex, and Jorgens).

8.4 Station 43 Construction Project Update

In September of 2017, Federal Solutions Group (FSG) and Consolidated CM were contracted to complete the Fire Station 43 construction project. It is the expectation of the District to complete the project on time and within budget. Staff will maintain continuous oversight and provide regular progress updates to maintain open communications and understanding of the work being accomplished and the associated cost. If major challenges and necessary changes should arise, staff will be transparent and present options.

The construction contract along with a first amendment to the contract with FSG was signed on September 29, 2017. Under the terms of the first amendment, the District agreed to pay four claims directly, and FSG agreed to reduce the contract price. Shaw Kawasaki Architects has also agreed to continue architectural services.

Consolidated CM has taken over as the new construction manager and is facilitating the start of construction. A pre-construction meeting was held on October 12th, and the official notice to proceed was set for October 16th. All necessary pre-construction work has been completed or is in progress. All notifications, to include Fish and Wildlife, have been made to begin construction.

FSG is tentatively scheduled to mobilize the week of October 23rd and plans to begin grading on Monday, October 30th.

There are currently no issues to report.

President Famulener asked Chief Lee to give a brief update on the Napa and Santa Rosa fires.

Chief Lee reported that MOFD has 8 members of the District in the Napa/Santa Rosa area and everyone is doing well and in good spirits. They anticipate to be there for another 3-4 days before being released. There are no injuries.

Director Jorgens asked if the state plans to produce an after action report, and if so, could Chief Lee give the Board a briefing. Chief Lee stated that an incident action review is usually produced, however, it will not be for another 6 months to a year before one is done. He will give a briefing once it is available.

9. Committee Reports

9.1 Finance Committee (Directors Anderson and Barber)

The Committee has not met.

9.2 Pension Review Ad Hoc Committee (Directors Barber and Jorgens)

The Committee has not met.

9.3 Board of Directors and Fire Chief Roles & Responsibilities and Rules of Procedures Update Ad Hoc (Directors Famulener and Jorgens)

The Committee has not met, but they have plans to meet in November.

9.4 Fire Chief Recruitment Ad Hoc Committee (Directors Barber and Jorgens)

The Committee continues to meet, but no report is available.

9.5 Long Range Financial Plan Ad Hoc Committee (Directors Barber and Jex)

The Committee has not met.

10. Announcements

10.1 Brief information only reports related to meetings attended by a Director at District expense

There was nothing to report.

10.2 Questions and informational comments from Board members and Staff

There was nothing to report.

10.3 District Updates – June, July, August and September

Chief Lee reported that going forward, District updates would be provided on a quarterly basis.

Director Anderson asked Firefighter Rogness if there was an overall Officer in Charge (OIC) during the taskforce's deployment to make the coordination seamless. Firefighter Rogness stated that it was done at the FEMA division level.

11. Adjournment

At 8:19 p.m., President Famulener called for adjournment of the regular meeting and announced that the Board would be returning to Closed Session to discuss Item 3.2 Public Employee Appointment.

12. Reconvene The Meeting

President Famulener reconvened the regular business meeting of the Moraga-Orinda Fire District Board of Directors at 9:40 p.m. Present were the following Directors and Staff:

President Famulener
Director Anderson

Director Barber
Director Jex

Director Jorgens

13. Report of Closed Session Action

There was no reportable action taken in Closed Session on item 3.2 Public Employee Appointment.

14. Public Comment

There was no comment from the public.

15. Adjournment

At 9:40P.M., President Famulener called for adjournment of the regular meeting.



Grace Santos
Secretary to the Board