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Departures Hobble Fire Districts

By Nick Marnell

Two key managers of Lamorinda fire agencies abruptly retired July 1. Division chief Darrell Lee of the Moraga-Orinda Fire District and operations chief Alan Hartford of the Contra Costa County Fire Protection District retired and were offered similar temporary roles as their districts scrambled to adjust without them.

A rash of July retirements hit fire districts statewide as a result of Assembly Bill 197, signed in 2012 by Governor Jerry Brown. AB 197 changed how retirement boards calculate pensions. No longer can certain accrued leave payouts, standby pay and pay received for other services be used to figure pension payments. Unions sued, claiming that workers had reasonably counted on the extra money being figured into their pensions. The case is on appeal, but in May a stay was lifted, so the Contra Costa County Employees' Retirement Association was ordered to comply with the new law for retirements that started July 12.

"I am sorry that Alan has to retire but I understand it completely," said ConFire chief Jeff Carman, who asked Hartford to return while ConFire finds his replacement. "We don't need to interrupt momentum," continued the chief. "I know the unions are against this, but I need to do whatever is best for the organization."

Indeed, the firefighters union is against hiring back retirees. "It's a slap in the face to current employees, telling them that they can't do the job," said Vince Wells, Local 1230 president. He noted the irony of the situation: "The unions are paying money to fight the bill, the unrepresented managers are not, but they're the ones being brought back."

MOFD labor representative Mark DeWeese said that the district should have anticipated Lee's retirement and planned for it months ago. Not so, according to MOFD director Kathleen Famulener. "We expected him to retire next April," she said. "This was not expected, and it leaves us a big hole."

"It's a safety issue," said MOFD chief Stephen Healy, explaining why the district wants to rehire Lee as a communications and emergency medical services specialist. The district is switching to the East Bay Regional Communications System this summer and Healy said that the district needs Lee's background and expertise to expedite the transition.

"I disagree that he's the only one available to do this," said Wells. "There should have been plans made to bring someone up to speed."

Not every employee eligible for the increased pension headed out the fire station door. ConFire captain Gil Caravantes passed up the higher retirement check to honor his commitment to the fire service. "I love the job, and I love helping people," he said. "It's not always about the money."

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