

MINUTES

ORANGE COUNTY FIRE AUTHORITY

Board of Directors Regular Meeting
Thursday, January 28, 2016
6:00 P.M.

Regional Fire Operations and Training Center Board Room
1 Fire Authority Road
Irvine, CA 92602-0125

CALL TO ORDER

A regular meeting of the Orange County Fire Authority Board of Directors was called to order on January 28, 2016, at 6:00 p.m. by Chair Hernandez.

INVOCATION

Senior Chaplain Dave Keehn offered the invocation.

PLEDGE OF ALLEGIANCE

Director Ta led the Assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

Angelica Amezcua, Santa Ana
Rick Barnett, Villa Park
Carol Gamble, Rancho Santa Margarita
Noel Hatch, Laguna Woods
Joseph Muller, Dana Point
John Perry, San Juan Capistrano
Ed Sachs, Mission Viejo
David Shawver, Stanton
Michele Steggell, La Palma
Tri Ta, Westminster

Robert Baker, San Clemente
Lisa Bartlett, County of Orange
Craig Green, Placentia
Gene Hernandez, Yorba Linda
Al Murray, Tustin
Dwight Robinson, Lake Forest
Don Sedgwick, Laguna Hills
David Sloan, Seal Beach
Elizabeth Swift, Buena Park
Phillip Tsunoda, Aliso Viejo

Absent: Shelley Hasselbrink, Los Alamitos
Jeffrey Lalloway, Irvine
Todd Spitzer, County of Orange

Robert Johnson, Cypress
Jerry McCloskey, Laguna Niguel

Also present were:

Fire Chief Jeff Bowman
Assistant Chief Brian Young
Assistant Chief Lori Zeller
Clerk of the Authority Sherry Wentz
General Counsel David Kendig

Assistant Chief Dave Thomas
Assistant Chief Mike Schroeder
Assistant Chief Lori Smith
Communications Director Sandy Cooney
Human Resources Director Jeremy Hammond

PUBLIC COMMENTS – CLOSED SESSION (F: 11.11)

Stephen Wontrobski, Mission Viejo resident, addressed his concerns with regards to unfunded liability, retirement options, labor negotiations, and Orange County Employees Retirement System.

Kay Kearney, K&K Public Affairs, unable to stay for the public comment portion of the meeting, addressed the Board on behalf of the South Orange County Exchange Club to remind everyone of the upcoming Best and Bravest Awards Dinner, Thursday, February 4.

CLOSED SESSION (F: 11.15)

Director Barnett arrived at this point (6:09 p.m.).

General Counsel Kendig reported the Board would be convening to Closed Session to consider the matters on the Agenda identified as CS1, Conference with Labor Negotiator and CS2, Conference with Legal Counsel – Anticipated Litigation.

Chair Hernandez recessed the meeting to Closed Session at 6:09 p.m.

CS1. CONFERENCE WITH LABOR NEGOTIATOR

Chief Negotiator: Peter Brown, Liebert Cassidy Whitmore
Employee Organizations: Orange County Professional Firefighters’ Association,
Local 3631, Orange County Fire Authority Chief
Officers’ Association, and Unrepresented Employees
Authority: Government Code Section 54957.6

CS2. CONFERENCE WITH LEGAL COUNSEL–ANTICIPATED LITIGATION

Authority: Government Code Section 54956.9(b) – Significant Exposure to
Litigation (3 cases)

Director Bartlett arrived at this point (6:14 p.m.).

Director Amezcua arrived at this point (6:15 p.m.).

Director Tsunoda arrived at this point (6:20 p.m.).

Director Barnett left at this point (7:15 p.m.).

Chair Hernandez reconvened the meeting at 7:16 p.m.

CLOSED SESSION REPORT (F: 11.15)

General Counsel David Kendig stated there were no reportable actions.

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PRESENTATIONS

No items.

REPORT FROM THE BUDGET AND FINANCE COMMITTEE CHAIR (F: 11.12)

Budget and Finance Committee Vice Chair Swift reported at its January 13, 2016, meeting the Committee voted unanimously to receive and file the OCERS Quarterly Status Update; directed staff to place the following items on the agenda for the Executive Committee's consideration with the Budget and Finance Committee's recommendation that the Committee approve the recommended actions for the Monthly Investment Reports, First Quarter Financial Newsletter, and the Quarterly Purchasing Report. The Committee voted unanimously to direct staff to place the following items on the agenda for the Board of Directors with the recommendation that the Board approve the recommended actions: 2015 Urban Areas Security Initiative Grant Agreement, State Lobbying Service Amendment, 2016 Grant Priorities, Urban Search & Rescue and Hazardous Materials Staffing, Air Operations Program Staffing, and the FY 2015/16 Mid-Year Financial Report. The Committee voted to direct staff to place the Community Risk Reduction Staffing and Workload on the agenda for the Board of Directors consideration with the Budget and Finance Committee's recommendation that the Board approve the recommended actions, with Director Sachs voting in opposition suggesting staff consider the feasibility of fully outsourcing plan review services.

REPORT FROM THE HUMAN RESOURCES COMMITTEE CHAIR (F: 11.12)

Human Resources Chair Shawver reported at its January 5, 2016, meeting, the Committee reviewed the Amendment to Board Rules of Procedure to change the frequency of its meetings from monthly to quarterly and voted unanimously to direct staff to place the item on the agenda for the Board of Directors consideration with the recommendation that the Board approve the recommended action. The Committee received updates on the following: graduation of Academy 41 and the start of Academy 42, recruitments for Battalion Chief and Apparatus Engineer, Classification Comp Studies status, and the Professional Standards Unit RFP Status Update.

REPORT FROM THE CLAIMS SETTLEMENT COMMITTEE CHAIR (F: 11.12)

Chair Hernandez reported the Committee considered a Worker's Compensation claim for claimant Gregory Hosburg, and stated there was no reportable action.

REPORT FROM THE FIRE CHIEF (F: 11.14)

Fire Chief Bowman reported on his FY 2015/16 Performance Update. He introduced Clerk of the Authority Sherry Wentz who reported on the recent Fair Political Practices Commission's training hosted by the OCFA. Fire Chief Bowman introduced Assistant Chief Michael Schroeder who recognized retiring OCFA Property Manager Steve Chambers and introduced the newly hired Property Manager Patrick Bauer. Communications Director Sandy Cooney introduced the newly appointed Public Information Officer (PIO) Larry Kurtz.

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PUBLIC COMMENTS – PUBLIC SESSION (F: 11.11)

Stephen Wontrobki, Mission Viejo resident, addressed the city of Costa Mesa's emergency medical services model.

2. MINUTES

A. Minutes from the November 19, 2015 (1) Regular, and January 7, 2016, (2) Special Board of Directors Meetings (F: 11.06)

On motion of Vice Chair Swift and second by Director Shawver, the Board voted to approve the November 19, 2015, regular meeting and January 7, 2016, Special Board of Directors meeting minutes as submitted. Director Amezcua and Director Robinson were recorded as abstentions from the November 19, 2015, meeting, due to their absence from the meeting. Director Amezcua was recorded as abstention from the January 7, 2016, meeting due to her absence from the meeting.

Director Barnett was absent for the vote.

3. CONSENT CALENDAR (Agenda items 3C, 3F, and 3G were pulled for separate consideration)

A. Amendment to Board Rules of Procedure (F: 11.03)

On motion of Director Murray and second by Director Shawver, the Board of Directors voted to adopt the proposed Resolution to amend the Board of Directors Rules of Procedure relating to changing the regular meetings of the Human Resources Committee from monthly to quarterly during the months of January, April, July, and October.

RESOLUTION NO. 2016-01

**A RESOLUTION OF THE ORANGE COUNTY FIRE AUTHORITY
AMENDING THE BOARD OF DIRECTORS RULES OF PROCEDURE TO
CHANGE THE REGULAR MEETINGS OF THE HUMAN RESOURCES
COMMITTEE**

Director Barnett was absent for the vote.

B. 2015 Urban Areas Security Initiative Grant Agreement to Transfer Property or Funds (F: 16.02H)

On motion of Director Murray and second by Director Shawver, the Board of Directors voted to:

1. Approve and authorize the Fire Chief to execute the agreement and any necessary attachments to accept and administer the Urban Area Security Initiative (UASI) Grant Program award.
2. Approve a Budget Adjustment to the FY 2015/16 General Fund (121) to increase revenue and appropriations by \$167,727 for the FY 2015 UASI Grant award.

Director Barnett was absent for the vote.

C. State Lobbying Service Amendment to Agreement (F: 11.10F2)

Stephen Wontrobski, Mission Viejo resident, expressed concerns with the Joint Power Authority and Unfunded Actuarial Accrued Liability.

On motion of Vice Chair Swift and second by Director Murray, the Board of Directors voted unanimously by those present to:

1. Approve and authorize the Fire Chief to execute the second amendment to the agreement with Nielsen Merksamer Parrinello Gross & Leoni, LLP, for a contract increase of \$80,000 for additional assistance in opposition to AB 1217 or any other legislation, if needed, which forces state-mandated changes to the OCFA board composition or operation lobbying efforts.
2. Approve and authorize the Board Chair to approve and release the use of these additional funds, if needed.
3. Approve a budget adjustment in the FY 2015/16 General Fund (121) budget increasing expenditures by \$80,000 to support this contract.

Director Barnett was absent for the vote.

D. 2016 Grant Priorities (F: 11.10G)

On motion of Director Murray and second by Director Shawver, the Board of Directors voted to approve the 2016 Grant Priorities.

Director Barnett was absent for the vote.

E. Secured Fire Protection Agreements for Irvine Gateway Apartments, Irvine Gateway Townhomes, 7905 Gateway Hotel, and Reata at Oakbrook Village (F: 18.14)

On motion of Director Murray and second by Director Shawver, the Board of Directors voted to:

1. Approve and authorize the Fire Chief or his designee to execute Secured Fire Protection Agreements with Fairfield Von Karman LLC, related to the Irvine Gateway Apartments (Lot 1) and Irvine Gateway Townhomes (Lot 2) of Tract 17785, in the City of Irvine.
2. Approve and authorize the Fire Chief or his designee to execute a Secured Fire Protection Agreement with Spectrum Hotels, LLC, related to the 7905 Gateway Hotel Project (Parcel 2) of Parcel Map 201-161, in the City of Irvine.
3. Approve and authorize the Fire Chief or his designee to execute a Secured Fire Protection Agreement with Oakbrook Urban Village I, LLC, related to the Reata at Oakbrook Village Tract Map No. 17460, in the City of Laguna Hills.
4. Direct the Clerk of the Authority to record the Secured Fire Protection Agreements in the Official Records of the County of Orange, and furnish the developers copies of the conformed documents within fifteen days of recordation.

Director Barnett was absent for the vote.

F. Final Financial Report for Construction of Fire Station 56 (F: 19.07C56)

This item was pulled by staff to be considered at a future meeting.

G. Award of Bid #RO2087 Upgrade of Emergency Power Distribution for the Regional Fire Operations and Training Center (F: 19.07B10)

This item was pulled by staff to be considered at a future meeting.

4. PUBLIC HEARING(S)

No items.

5. DISCUSSION CALENDAR

Chair Hernandez, using his Chair's discretion, requested Agenda item 5D to be brought forward on the agenda.

D. FY 2015/16 Mid-Year Financial Report (F: 15.0415/16)

Assistant Chief Lori Zeller presented the FY 2015/16 Mid-Year Financial Report and summary of changes.

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On motion of Director Murray and second by Director Ta, the Board of Directors voted to:

1. Approve a budget adjustment in Fund 121 increasing expenditures to allocate \$12,609,380 of available unencumbered funds identified in the FY 2014/15 financial audit to OCFA's unfunded pension liability.
2. Approve a budget adjustment in Fund 121 increasing expenditures to increase the FY 2015/16 Jurisdictional Equity Adjustment Payments by \$962,809 resulting in full accrual of the payments per the Second Amendment to the Amended Joint Powers Agreement, pending resolution of the appeal.
3. Approve a budget transfer of \$204,793 from Fund 121 to Fund 12110 to provide full fund balance in Fund 12110 to accommodate all Capital Improvement Program projects.
4. Approve a modification to the Five-Year Capital Improvement Program as proposed.
5. Direct staff to return to the Board of Directors in March 2016 for approval of all additional proposed budget adjustments for the FY 2015/16 budget.

Director Barnett was absent for the vote.

A. Community Risk Reduction Staffing and Workload (F: 17.10E)

This item was pulled by staff to be considered at a future meeting.

B. Analysis of Field Operations and Staffing for Urban Search & Rescue/Technical Rescue Truck Operations and Hazardous Materials Team Operations (F: 17.10D) (F: 18.11B) (F: 18.11C) (X: 22.05A)

Assistant Chief Brian Young presented the Analysis of Field Operations and Staffing for Urban Search & Rescue/Technical Rescue Truck Operations and Hazardous Materials Team Operations.

Devon Leonard, retired OCFA Division Chief and Chief Officers Association President, spoke in support of the US&R program and the agenda item.

Ray Geagan, OCFA firefighter and President of Local 3631, spoke in support of the agenda item.

On motion of Director Murray and second by Director Gamble, the Board of Directors voted to:

1. Establish 7.5% specialty compensation for Urban Search & Rescue trained Technical Rescue Truck personnel at an approximate annual cost of \$527,556.
2. Establish 2.5% specialty compensation for Hazardous Material Response Team members who have achieved Specialist Certification and have been assigned to the team for a minimum of two years at an annual cost of \$132,501.
3. Direct staff to include funding for a pro-rated share of this cost in the proposed Mid-

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Year FY 2015/16 Budget Review.

Director Barnett was absent for the vote.

C. Air Operations Program Enhancements: Staffing, Schedule, and Safety Management System (F: 17.10D) (X: 18.09)

Assistant Chief Dave Thomas presented the Air Operations Program Enhancements report.

On motion of Director Amezcua and second by Director Ta, the Board of Directors voted to:

1. Approve and authorize the Fire Chief to add one Firefighter/Paramedic post position (three employees) to the Air Operations Helicopter Program at a cost of \$665,256 annually.
2. Direct staff to include funding for a pro-rated share of the annual cost in the proposed Mid-Year FY 2015/16 Budget Review.

Director Barnett was absent for the vote.

BOARD MEMBER COMMENTS (F: 11.13)

Director Baker requested updates on both HazMat Inspections and Computer Aided Dispatch upgrades.

Director Muller thanked Division Chief John Abel for his recent ride-along.

Director Shawver reported as Chair of the Human Resources Committee, on a recent letter from Firefighters Union Local 3631, and thanked the labor group for its collaborative work on negotiations with OCFA.

CONTINUED CLOSED SESSION (F: 11.15)

General Counsel Kendig reported the Board would be reconvening to Closed Session to consider the matters on the Agenda identified as CS1, Conference with Labor Negotiator and CS2, Conference with Legal Counsel – Anticipated Litigation.

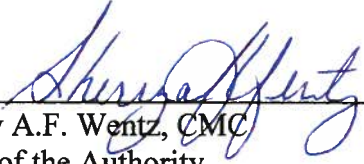
Chair Hernandez recessed the meeting to Closed Session at 8:06 p.m.

Chair Hernandez reconvened the meeting at 8:21 p.m.

CLOSED SESSION REPORT (F: 11.15)

General Counsel David Kendig stated there were no reportable actions.

ADJOURNMENT – Chair Hernandez adjourned the Board meeting at 8:24 p.m. to a Special Board meeting on Monday, February 1, 2016, at 12 noon.



Sherry A.F. Wentz, CMC
Clerk of the Authority