

# MINUTES

## ORANGE COUNTY FIRE AUTHORITY

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

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

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### CALL TO ORDER

A regular meeting of the Orange County Fire Authority Board of Directors was called to order on April 28, 2016, at 6:01 p.m. by Chair Hernandez.

### INVOCATION

Chaplain Jeff Hetschel offered the invocation.

### PLEDGE OF ALLEGIANCE

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

The musical group the Overtones from the Orange County School of Arts provided a special performance of the National Anthem.

### ROLL CALL

Angelica Amezcua, Santa Ana  
Lisa Bartlett, County of Orange  
Shelley Hasselbrink, Los Alamitos  
Gene Hernandez, Yorba Linda  
Jeffrey Lalloway, Irvine  
John Perry, San Juan Capistrano  
Ed Sachs, Mission Viejo  
David Shawver, Stanton  
Todd Spitzer, County of Orange  
Elizabeth Swift, Buena Park  
Phillip Tsunoda, Aliso Viejo

Robert Baker, San Clemente  
Craig Green, Placentia  
Noel Hatch, Laguna Woods  
Robert Johnson, Cypress  
Jerry McCloskey, Laguna Niguel  
Dwight Robinson, Lake Forest  
Don Sedgwick, Laguna Hills  
David Sloan, Seal Beach  
Michele Steggell, La Palma  
Tri Ta, Westminster

**Absent:** Rick Barnett, Villa Park  
Joseph Muller, Dana Point

Carol Gamble, Rancho Santa Margarita  
Al Murray, Tustin

### Also present were:

Fire Chief Jeff Bowman  
Assistant Chief Mike Schroeder  
Assistant Chief Lori Smith  
Clerk of the Authority Sherry Wentz

Assistant Chief Brian Young  
Assistant Chief Lori Zeller  
General Counsel David Kendig  
Communications Director Sandy Cooney

## **1. PRESENTATIONS**

No items.

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

Budget and Finance Committee Chair McCloskey reported at its April 13, 2016, meeting, the Committee voted unanimously to receive and file the Quarterly Status Update on the Orange County Employees' Retirement System and the Communication with Auditors for FY 2015/16 Financial Audit Report, and to send the Quarterly Purchasing Report and the Monthly Investment Reports to the Executive Committee for its approval, and to send the Proposed New Purchasing Ordinance to the Board of Directors for its approval.

Stephen Wontrobski, Mission Viejo resident, addressed the Unfunded Actuarial Accrued Liability (UAAL), and continued concerns regarding Lance Soll and Lunghard. (F: 11.11)

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

Human Resources Committee Chair Shawver reported at its April 5, 2016, the Committee voted unanimously to receive and file the Annual Fraud Hotline, Professional Standards Unit Progress, and Paid Administrative Leave Reports, and to send the Professional Labor Negotiation Services, to the Executive Committee for its approval. The Committee received a presentation by Fire Chief Bowman and staff regarding the Structure of the Human Resources Department, as well as key Human Resources projects that are underway, discussed a draft policy for processing complaints against the Fire Chief, and directed Legal Counsel to revise the policy for further consideration at its May special meeting. The frequency of the HR Committee meetings was discussed, and it was determined that regular meetings will continue to be held on a quarterly-basis; however, as it is the Human Resource Committee's option, special meetings will be held in May and June.

Stephen Wontrobski, Mission Viejo resident, addressed pension reform and correspondence between Board Members. (F: 11.11)

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

Claims Settlement Committee Chair Hernandez reported at its meeting this evening, the Claims Settlement Committee considered Workers' Compensation claims for claimants Vernon Hansen and Jim McArdle; there were no reportable actions.

## **REPORT FROM THE FIRE CHIEF (F: 11.14)**

Fire Chief Jeff Bowman summarized the provided Fire Station Visitation Report and introduced Assistant Chief Brian Young who provided a report on the USAR Task Force Readiness Review; introduced Communications Director Sandy Cooney who provided an update on the Drowning Prevention Campaign; introduced Assistant Chief Lori Zeller who provided an update on the Business Services financial checks and balances. Fire Chief Bowman concluded his report with the presentation of a draft firefighter recruitment video.

## **PUBLIC COMMENTS – PUBLIC SESSION (F: 11.11)**

Using the Chair's discretion, Chair Hernandez combined the Public and Closed Session Comments portion of the meeting to be heard at this time.

Stephen Wontrobski, Mission Viejo resident, provided comments on labor negotiations reforms, auditor's work papers, equity, the Human Resources Committee Chair's response letter to Director Barnett, and discussions regarding the Equity Appeal in Closed Session.

## **2. MINUTES**

### **A. Minutes from the March 24, 2016, Regular Board of Directors Meeting (F: 11.06)**

On motion of Director Johnson and second by Director McCloskey, the Board of Directors voted unanimously by those present to approve the March 24, 2016, Regular Board of Directors Minutes as submitted.

Director Amezcua was recorded as an abstention, due to her absence from the meeting.

## **3. CONSENT CALENDAR (Agenda Item Nos. 3C was pulled for separate consideration)**

### **A. Drowning Prevention Awareness Proclamation (F: 11.09A)**

On motion of Director Shawver and second by Director Johnson, the Board of Directors voted unanimously by those present to approve the proposed "Drowning Prevention Awareness" proclamation.

**B. Secured Fire Protection Agreements for Apartment Projects: Encanto (Lake Forest) and Vantis (Aliso Viejo) (F: 18.14)**

Director Robinson noted a minor correction to the staff report's reference that the Encanto Project in Lake Forest is for single-family dwellings, not for apartments.

On motion of Director Shawver and second by Director Johnson, the Board of Directors voted unanimously by those present to:

1. Approve and authorize the Fire Chief or his designee to execute Secured Fire Protection Agreement with Meritage Homes of California, Inc., related to the Encanto Project, Lake Forest.
2. Approve and authorize the Fire Chief or his designee to execute Secured Fire Protection Agreement with Vantis Multifamily, LLC, related to the Vantis Apartment Project, Aliso Viejo.
3. 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 a copy of the conformed document within fifteen days of recordation.

**C. Reserve Firefighter Program Status Update (F: 17.11A)**

Stephen Wontrobski, Mission Viejo resident, provided his suggestions for the use of Reserve Firefighters.

On motion of Director Sachs and second by Director Johnson, the Board of Directors voted unanimously by those present to receive and file the report.

**4. PUBLIC HEARING(S)**

No items.

**5. DISCUSSION CALENDAR**

**A. Proposed New Purchasing Ordinance – Introduction (F: 11.10H) (X: 11.08)**

Assistant Chief Lori Zeller introduced Purchasing and Materials Manager Debbie Casper who presented the proposed New Purchasing Ordinance.

Chris Nguyen, Deputy Chief of Staff for Orange County Supervisor/OCFA Director Todd Spitzer, addressed concerns with the recommended thresholds.

Director Spitzer arrived at this time (7:15 p.m.).

Discussion ensued regarding inclusion of checks and balances for all special procurements by including a review and approval by the Assistant Chief of Business Services, thresholds on the Roles/Responsibilities/Authorities Matrix, and provision of a routine report on purchasing activity, similar to those provided by other agencies such as the County of Orange or the Orange County Transportation Authority.

On motion of Director McCloskey and second by Director Shawver, the Board of Directors voted unanimously by those present to:

1. Approve a revision to the proposed Ordinance for the inclusion of the “review and approval from the Assistant Chief of Business Services for all special procurements.”
2. Waive the full reading of the proposed Ordinance.
3. Introduce and read by title only proposed Ordinance No. 008 entitled: AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE ORANGE COUNTY FIRE AUTHORITY REPEALING ORDINANCE NO. 006 AND ORDINANCE NO. 007 AND ESTABLISHING THE PURCHASING RULES AND PROCEDURES OF THE ORANGE COUNTY FIRE AUTHORITY.
4. Approve Resolution No. 2016-02 entitled: A RESOLUTION OF THE ORANGE COUNTY FIRE AUTHORITY BOARD OF DIRECTORS AMENDING THE ROLES/RESPONSIBILITIES/AUTHORITIES MATRIX TO COINCIDE WITH THE NEW PURCHASING CODE.
5. Directed staff to provide a routine report on purchasing activity.

**B. Request by Director Barnett: Discussion of Contracting for Services, Employee Compensation & Benefits, and Public Negotiation of Labor Contracts (F: 11.17A)**

In the absence of Director Barnett, this agenda item was pulled from the agenda.

**BOARD MEMBER COMMENTS (F: 11.13)**

Director Sedgwick commended Communications Director Cooney’s presentation and stated he would request Laguna Hill’s consideration of a donation to the Orange County Task Force on Drowning Prevention campaign.

Director Green reported at Placentia’s April 19, 2016, City Council meeting, the Council approved OCFA’s proposed changes in service configuration for Placentia.

Director Hatch complimented Fire Chief Bowman on the Fire Station Visitation Report that he provided to the Board.

Director Shawver thanked Fire Station 46 for its participation in Stanton’s “Youth-in-Government Day.”

Vice Chair Swift reported that the Buena Park City Council approved funds for the Task Force on Drowning Prevention’s campaign, noting the recent loss of a 19-year old resident to drowning.

Director Bartlett announced Saturday is designated “National Prescription Drug Take-Back Day” where residents can dispose of prescription drugs no longer needed, and thanked OCFA staff who contributed to the “Celebrate Ladera Ranch” event.

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Chair Hernandez in compliance with AB 1234, reported on his participation on a recent trip to Washington D.C. with OCFA's USAR Battalion Chief Mike Petro and Legislative Analyst Jay Barkman.

Director Spitzer left at this point (7:30 p.m.).

Director Tsunoda arrived at this point (7:35 p.m.).

Director Spitzer returned at this point (7:35 p.m.).

### **CLOSED SESSION (F: 11.15)**

General Counsel David Kendig reported the Board would be convening at Closed Session to consider the matters on the Agenda identified as CS1, Conference with Labor Negotiator, CS2, Conference with Legal Counsel-Existing Litigation, and CS3, Conference with Legal Counsel-Anticipated Litigation.

Chair Hernandez recessed the meeting to Closed Session at 7:36 p.m.

#### **CS1. CONFERENCE WITH LABOR NEGOTIATOR**

Chief Negotiator: Peter Brown, Liebert Cassidy Whitmore

Employee Organizations: Orange County Professional Firefighters' Association,  
Local 3631

Authority: Government Code Section 54957.6

#### **CS2. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**

Name of Case: Orange County Fire Authority and City of Irvine v All Persons  
Interested in the Matter of the Validity of that Second Amendment to  
Amended Joint Powers Authority

Case No.: Court of Appeal, Fourth Appellate District, Division Three – Appellate  
Case No. G050687

Authority: Government Code Section 54956.9(d)(1)

#### **CS3. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION**

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

Director Lalloway arrived at this point (8:00 p.m.).

Chair Hernandez reconvened the meeting at 9:59 p.m.

### **CLOSED SESSION REPORT (F: 11.15)**

General Counsel David Kendig stated there were no reportable actions.

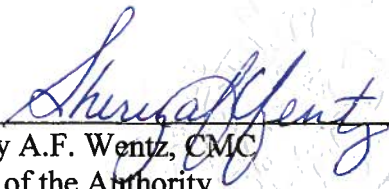
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**ADJOURNMENT** – Chair Hernandez adjourned the meeting at 10:00 p.m. The next regular meeting of the Orange County Fire Authority Board of Directors is scheduled for Thursday, May 26, 2016, at 6:00 p.m.

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