

MINUTES

ORANGE COUNTY FIRE AUTHORITY

Board of Directors Regular Meeting
Thursday, May 25, 2017
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 May 25, 2017, at 6:04 p.m. by Chair Swift.

INVOCATION

Chaplain Duncan McColl offered the invocation.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Lisa Bartlett, County of Orange
Tim Brown, San Clemente
Ellery Deaton, Seal Beach
Melissa Fox, Irvine
Craig Green, Placentia
Shelley Hasselbrink, Los Alamitos
Robert Johnson, Cypress
Al Murray, Tustin
Ed Sachs, Mission Viejo
David Shawver, Stanton
Elizabeth Swift, Buena Park
Juan Villegas, Santa Ana

Leah Basile, Lake Forest
Laurie Davies, Laguna Niguel
Sergio Farias, San Juan Capistrano
Carol Gamble, Rancho Santa Margarita
Dave Harrington, Aliso Viejo
Gene Hernandez, Yorba Linda
Joe Muller, Dana Point
Bill Nelson, Villa Park
Don Sedgwick, Laguna Hills
Michele Steggell, La Palma
Tri Ta, Westminster

Absent: Noel Hatch, Laguna Woods

Todd Spitzer, County of Orange

Also present were:

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

Assistant Chief Lori Zeller
Assistant Chief Mike Schroeder
Assistant Chief Dave Anderson
Human Resources Director Brigitte Gibb

PRESENTATIONS

1. Requests for Commendations and Proclamations

On motion of Director Johnson and second by Director Hernandez, the Board of Directors voted by those present to approve request as submitted and make presentations to those present.

- A. Chair Swift and Fire Chief Bowman presented a recognition to Director Hernandez for his service as chair. (F: 11.09)
- B. Chair Swift and Fire Chief Bowman presented Length of Service recognitions to Fire Captain Rick Van Auken for 40 years of service, and Battalion Chief Ron Roberts and Fire Captain Gary Lee for their 35 years of service. (F: 11.09D) (X: 11.09)
- C. Chair Swift and Fire Chief Bowman recognized Fire Captain Steve Concialdi's recent work for the Friends Against Drinking and Driving (FADD). Assistant Chief Schroeder introduced a video montage of Captain Concialdi's work with FADD. (F: 11.09B) (X: 11.09)

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

PUBLIC COMMENTS (F: 11.11)

Stephen Wontrobski, Mission Viejo resident, addressed transparency in public agencies and opposition to State Senate Bill 302.

CLOSED SESSION (F: 11.15)

General Counsel David Kendig reported the Board would convene to Closed Session to consider the matter on the agenda identified as CS1, Threat to Public Services or Facilities, CS2, Conference with Legal Counsel – Anticipated Litigation, CS3, Conference with Legal Counsel – Existing Litigation, CS4, Conference with Legal Counsel – Existing Litigation, CS5, Conference with Legal Counsel – Existing Litigation, CS6, Conference with Legal Counsel – Existing Litigation, and CS7, Conference with Labor Negotiator.

Chair Swift recessed the meeting to Closed Session at 6:37 p.m.

Director Farias arrived at this point (6:44 p.m.).

CS1. THREAT TO PUBLIC SERVICES OR FACILITIES

Authority: Government Code Section 54957(a)
Consultation with Irvine Police Department Lieutenant and Sergeant

CS2. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Authority: Government Code Section 54956.9(d)(2) – Significant Exposure to Litigation (1 cases)

CS3. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Name of Claim: Gregory Hennessey vs. OCFA
Case Nos. 0518-WC-14-0500306
Authority: Government Code Section 54956.9(a)

CS4. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Name of Claim: Gregory Lonza vs. OCFA
Case Nos. 0518-WC-14-0500164
Authority: Government Code Section 54956.9(a)

CS5. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Name of Claim: Roger James vs. OCFA
Case Nos. ADJ1029504
Authority: Government Code Section 54956.9(a)

CS6. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Name of Case: Medix Ambulance Inc. v. Orange County Fire Authority
Case No.: OC Superior Court Case No. 30-2015-00773054-CU-BT-CJC
Authority: Government Code Section 54956.9(d)(1)

CS7. CONFERENCE WITH LABOR NEGOTIATOR

Agency Designated Representative: Lori Zeller, Assistant Chief
Employee Organizations: All Groups
Authority: Government Code Section 54957.6

Chair Swift reconvened the meeting at 7:50 p.m., with all prior Committee Members present.

CLOSED SESSION REPORT (F: 11.15)

General Counsel Kendig stated the Board of Directors unanimously approved settlements of CS3, CS4, and CS5; the specifics of the settlements will be disclosed upon request once the settlements are approved by all of the parties; otherwise there was no reportable action.

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

Budget and Finance Committee Chair Ed Sachs reported at the May 10, 2017, meeting, the Committee voted unanimously to receive and file the Communication with Auditors for Fiscal Year 2016/17 Financial Audit and the Rosenow Spevacek Group, Inc. Final Property Tax Revenue Projections; send the Monthly Investment Report and the Third Quarter Financial Newsletter to the Executive Committee for approval; and send the Updated Cost Reimbursement Rates, Orange County Drowning Prevention Task Force, and the Review of the Proposed Fiscal Year 2017/18 Budget to the Board of Directors for approval of the recommended actions.

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

Claims Settlement Committee Chair Swift reported the Committee considered Worker's Compensation claims for claimants Brad Jarrell, Charles Vollrath, and James Davis, and that there were no reportable actions.

REPORT FROM THE FIRE CHIEF (F: 11.14)

Fire Chief Jeff Bowman reported the Gold Spotted Oak Borer report will be presented at the July Board of Directors meeting, and noted the Urban Search and Rescue Contingency Fund Use was presented this evening at the Executive Committee meeting. Chief Bowman introduced Assistant Chief Anderson who presented an update of the PulsePoint app. General Counsel David Kendig reported on the Grand Jury status report, and Chief Bowman provided follow up to his October 2016 Action Items Update.

2. MINUTES

A. Minutes from the (A) March 23, 2017, Regular Board of Directors Meeting, and Minutes from the (B) April 27, 2017, Special Board of Directors Meeting (F: 11.06)

On motion of Director Johnson and second by Director Davies, the Board of Directors voted unanimously by those present to approve the Minutes of the March 23, 2017, Regular Board of Directors Meeting and the Minutes of the April 27, 2017, Special Board of Directors Meeting as submitted. Directors Gamble, Harrington, Hernandez, and Ta were recorded as abstentions due to their absence from the March 23, 2017, Board meeting. Directors Basile, Shawver, Hasselbrink, and Nelson were recorded as abstentions due to their absence from the April 27, 2017, Board meeting.

3. **CONSENT CALENDAR** (Agenda Item Nos. 3A and 3D were pulled for separate consideration)

A. Updated Cost Reimbursement Rates (F: 15.12)

Stephen Wontrobski, Mission Viejo resident, pulled this item to address transparency and the working papers of auditors Lance Soll Lunghard, LLP.

On motion of Director Murray and second by Director Shawver, the Board of Directors voted unanimously by those present to approve and adopt the proposed Cost Reimbursement Rate schedules to be effective July 1, 2017.

B. Orange County Drowning Prevention Task Force (F: 20.18)

On motion of Director Murray and second by Vice Chair Sachs, the Board of Directors voted unanimously by those present to approve a budget adjustment in the General Fund (121) increasing appropriations in the amount of \$25,000 for funding of the Orange County Drowning Prevention Task Force.

C. Amendment to County Island Fire and Medical Services Agreement with the City of Anaheim (F: 18.02)

On motion of Director Murray and second by Vice Chair Sachs, the Board of Directors voted unanimously by those present to approve and authorize the Board Chair to execute the Fifth Amendment to the Agreement with the City of Anaheim for the period of July 1, 2015, through June 30, 2020, for the purpose of providing fire and medical services to county unincorporated areas (county islands) located within, or adjacent to, the boundaries of the City of Anaheim.

D. Ratify Appointment to Executive Committee (F: 12.02A1)

Stephen Wontrobski, Mission Viejo resident, pulled this item to comment on his support of the appointment of Director Tri Ta to the Executive Committee.

On motion of Director Johnson and second by Director Murray, the Board of Directors voted unanimously to ratify the appointment of Tri Ta (Westminster) to the Executive Committee.

END OF CONSENT CALENDAR

4. PUBLIC HEARING(S)

A. Review of the Proposed Fiscal Year 2017/18 Budget 15.04 17/18

Assistant Chief Lori Zeller presented a PowerPoint presentation and review of the Proposed Fiscal Year 2017/18 Budget.

Chair Swift opened the public portion of the Public Hearing. Chair Swift closed the public portion of the Public Hearing without any comment from the general public.

Brief discussion ensued.

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

1. Conduct a Public Hearing.
2. Adopt the proposed FY 2017/18 Budget as submitted.
3. Adopt Resolution No. 2017-03 entitled A RESOLUTION OF THE ORANGE COUNTY FIRE AUTHORITY BOARD OF DIRECTORS ADOPTING AND APPROVING THE APPROPRIATIONS BUDGET FOR THE ORANGE COUNTY FIRE AUTHORITY FOR FISCAL YEAR 2017/18.
4. Approve and authorize the temporary transfer of up to \$42 million from the following Funds to cover a projected temporary cash flow shortfall for FY 2017/18:
 - Fund 123 Fire Stations and Facilities - \$15 million
 - Fund 124 Communications and Information Systems - \$13 million
 - Fund 133 Fire Apparatus - \$14 million
5. Approve and authorize the repayment of \$42 million borrowed funds from Fund 121 to the above Funds along with interest when General Fund revenues become available in FY 2017/18.
Approve and authorize a FY 2016/17 budget adjustment to increase net revenues by \$138,450 and appropriations by \$447,113, as further described in this staff report.

5. DISCUSSION CALENDAR

A. Review of Request for Stanford Study (F: 11.17A)

Assistant Chief Lori Zeller presented the review of the Request for Stanford Study.

Stephen Wontrobski, Mission Viejo resident, addressed bankruptcy and pension law.

Brief discussion ensued.

On motion of Director Shawver and second by Director Ta, the Board of Directors voted by those present to decline the request for OCFA to take action to facilitate a Stanford Study.

SUPPORT (19):

Lisa Bartlett, County of Orange
Tim Brown, San Clemente
Laurie Davies, Laguna Niguel
Ellery Deaton, Seal Beach
Sergio Farias, San Juan Capistrano
Melissa Fox, Irvine
Carol Gamble, Rancho Santa Margarita
Dave Harrington, Aliso Viejo
Shelley Hasselbrink, Los Alamitos
Gene Hernandez, Yorba Linda
Robert Johnson, Cypress
Al Murray, Tustin
Ed Sachs, Mission Viejo
Don Sedgwick, Laguna Hills
David Shawver, Stanton
Michele Steggell, La Palma
Elizabeth Swift, Buena Park
Tri Ta, Westminster
Juan Villegas, Santa Ana

OPPOSED (4):

Leah Basile, Lake Forest
Craig Green, Villa Park
Joe Muller, Dana Point
Bill Nelson, Villa Park

ABSENT (2):

Noel Hatch, Laguna Woods
Todd Spitzer, County of Orange County Fire Authority

B. Professional Labor Negotiation Services (F: 17.10J1)

Assistant Chief Lori Zeller presented the Professional Labor Negotiation Services.

Stephen Wontrobski, Mission Viejo resident, spoke in opposition to the Professional Services Agreement.

On motion of Vice Chair Sachs and second by Director Ta, the Board of Directors voted unanimously by those present to approve the Professional Services Agreement (Option 1) with Peter Brown, Liebert Cassidy Whitmore, for professional labor negotiation services

for a three year term (July 1, 2017, to June 30, 2020), at an annual amount not to exceed \$100,000.

BOARD MEMBER COMMENTS (F: 11.13)

Director Ta thanked the Board Members for supporting his appointment to the Executive Committee.

Director Johnson noted the City of Cypress will be participating in the Orange County Task Force on Drowning Prevention.

Director Fox commended OCFA firefighters on the handling of a fuel truck fire at Bowerman Landfill.

Director Murray thanked OCFA Board of Directors for the contribution of \$25,000 toward the Orange County Task Force on Drowning Prevention, and Irvine's Director Fox, for bringing the request of a contribution to her city council where they also contributed \$25,000.

Director Gamble noted the City of Rancho Santa Margarita hosted the 1st Friends Against Drinking and Driving event and commended Captain Steve Concialdi's for his 100th presentation; bringing awareness of the consequences to high school students of drinking and driving.

Director Hernandez commended OCFA for the great tribute given to retiring Assistant Chief Dave Thomas.

Director Shawver thanked Board Members, staff, and firefighters for their well wishes during his recent surgery.

Director Green reported attending the OCFA Open House, the Placentia-Linda Hospital awards ceremony recognizing first responders, noting OCFA was well represented. He commented the Placentia City Council recently adopted a proclamation on drowning prevention.


Fire Chief Bowman commended Assistant Chief Lori Zeller and her team for their exceptional work on the 2017/18 Budget.

Vice Chair Sachs stated he and Chair Swift visited several fire stations recently, and encouraged all Board Members to visit fire stations outside of their own cities.

Chair Swift thanked Board Members who joined her and Vice Chair Sachs when they toured their respective city's fire stations. She encouraged the Board Members to approach their city managers for contributions to the efforts of drowning prevention.

Director Muller reported the City of Dana Point contributed \$5,000 towards the Orange County Task Force on Drowning Prevention and adopted a proclamation on the prevention of drowning. He noted attending the event for retiring Assistant Chief Dave Thomas.

ADJOURNMENT – Chair Swift adjourned the meeting at 9:35 p.m. The next regular meeting of the Orange County Fire Authority Board of Directors is scheduled for Thursday, July 27, 2017, at 6:00 p.m.



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