

MINUTES

ORANGE COUNTY FIRE AUTHORITY

Board of Directors Special Meeting
Thursday, August 24, 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 special meeting of the Orange County Fire Authority Board of Directors was called to order on August 24, 2017, at 6:20 p.m. by Chair Swift.

INVOCATION

Chaplain Bob George offered the invocation.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Leah Basile, Lake Forest
Tim Brown, San Clemente
Sergio Farias, San Juan Capistrano
Dave Harrington, Aliso Viejo
Noel Hatch, Laguna Woods
Robert Johnson, Cypress
Al Murray, Tustin
David Shawver, Stanton
Elizabeth Swift, Buena Park
Juan Villegas, Santa Ana

Lisa Bartlett, County of Orange
Ellery Deaton, Seal Beach
Craig Green, Placentia
Shelley Hasselbrink, Los Alamitos
Gene Hernandez, Yorba Linda
Joe Muller, Dana Point
Ed Sachs, Mission Viejo
Todd Spitzer, County of Orange
Tri Ta, Westminster

Absent: Laurie Davies, Laguna Niguel
Carol Gamble, Rancho Santa Margarita
Don Sedgwick, Laguna Hills

Melissa Fox, Irvine
Bill Nelson, Villa Park
Michele Steggell, La Palma

Also present were:

Acting Fire Chief Dave Anderson
Assistant Chief Lori Zeller
Assistant Chief Mike Schroeder
Clerk of the Authority Sherry Wentz

Assistant Chief Brian Young
Assistant Chief Lori Smith
General Counsel David Kendig
Human Resources Director Brigitte Gibb

1. PRESENTATIONS

No items.

PUBLIC COMMENTS (F: 11.11)

Stephen Wontrobski, Mission Viejo resident, addressed public service, firefighter wages, costs borne by contract cities, and his opposition to Senate Bill 302.

2. MINUTES

No items.

3. CONSENT CALENDAR

No items.

4. PUBLIC HEARING(S)

No items.

5. DISCUSSION CALENDAR

A. Amendment to Board Rules of Procedure regarding Disclosure of Closed Session Information (F: 11.03)

General Counsel David Kendig presented the Amendment to the Board Rules of Procedure regarding Disclosure of Closed Session Information.

Discussion ensued.

On motion of Director Shawver and second by Director Deaton, the Board of Directors voted by those present to allow Board Members to communicate certain confidential information learned in an OCFA closed session to the legal counsel for the city or county they represent, or to the city council or board of supervisors for the city or county they represent, the Board adopted Resolution No. 2017-05 entitled A RESOLUTION OF THE ORANGE COUNTY FIRE AUTHORITY BOARD OF DIRECTORS AMENDING THE BOARD OF DIRECTORS' RULES OF PROCEDURE to amend the Board of Directors Rules of Procedure adopting a policy to allow disclosure of closed session information.

Directors Hatch and Spitzer voted in opposition. Director Murray abstained, due to a potential conflict of interest.

B. Change Order and Contract Increase for the Audio Video Systems Upgrade Project
(F: 19.07B11)

Acting Fire Chief Dave Anderson presented the Change Order and Contract Increase for the Audio Video Systems Upgrade Project.

On motion of Director Murray and second by Director Hernandez, the Board of Directors voted by those present to approve and authorize the Purchasing Manager to:

1. Process the change order to replace the electronic voting system.
2. Execute the proposed 2nd amendment to the construction contract.
3. Increase Purchase Order P0009974 by \$62,979.97 for a new project total of \$626,505.49.

Director Shawver voted in opposition.

REPORTS

No items.

BOARD MEMBER COMMENTS (F: 11.13)

Chair Swift noted Fire Station 61 (Buena Park) is now officially under construction.

CLOSED SESSION PUBLIC COMMENTS (F: 11.11)

Stephen Wontrobski, Mission Viejo resident, addressed unfunded liability.

Warren Kusumoto, former OCFA Board Member (Los Alamitos), addressed the selection process of a new Fire Chief as he was on the prior Fire Chief Selection Ad Hoc Committee.

The following members of the public spoke in support of the Board initiating the recruitment process for a new Fire Chief:

Scott Wiedensohler, OCFA Fire Captain/Fullerton resident
Michael Contreras, OCFA Battalion Chief/Mission Viejo resident
Dwight Robinson, former OCFA Board Member (Lake Forest)

Director Harrington arrived at this point (7:12 p.m.).

The following members of the public spoke in support of the Board rescinding Fire Chief Bowman's resignation and supporting his reinstatement:

Ron Saathoff, Past President, International Association of Firefighters
Dave Rose, Past President, Orange County Professional Fire Fighters Association, Local 3631
Tim Steging, Vice President, Orange County Professional Fire Fighters Association, Local 3631
Baryic Hunter, President, Orange County Professional Fire Fighters Association, Local 3631

Director Spitzer inquired if there was an authorized representative to speak on behalf of the Chief Officers Association's position on this issue prior to the Board recessing into Closed Session. There was no response from the audience.

CLOSED SESSION (F: 11.15)

CS1. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

Authority: Government Code Section 54956.9(d)(2) – Significant Exposure to Litigation regarding Pension Liability

CS2. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION

Authority: Government Code Section 54956.9(c) (1 Case)

CS3. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION

Authority: Government Code Section 54956.9(c) relating to potential soil contamination claims at the Urban Search and Rescue Warehouse

CS4. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION

Authority: Government Code Section 54956.9(c) relating to Air Operations

CS5. 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)

CS6. CONFERENCE WITH LABOR NEGOTIATOR

Negotiators: Lori Zeller, Assistant Chief/Business Services Department; and
Brigette Gibb, Human Resources Director

Employee: Orange County Employees' Association

Organization:

Authority: Government Code Section 54957.6

CS7. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Authority: Exposure to Litigation pursuant to Government Code Section 54956.9(b) (1 case)

CS8. PUBLIC EMPLOYEE APPOINTMENT

Position: Fire Chief

Authority: Government Code Section 54957(b)(1)

General Counsel David Kendig reported the Board would convene to Closed Session to consider the matters on the Agenda identified as CS1 and CS7, Conference with Legal Counsel – Anticipated Litigation, CS2 through CS4, Conference with Legal Counsel – Initiation of Litigation, CS5, Conference with Legal Counsel – Existing Litigation, CS6, Conference with Labor Negotiator, and CS8, Public Employee Appointment.

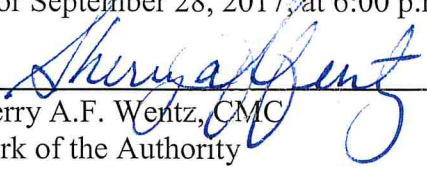
Chair Swift recessed the meeting to Closed Session at 7:25 p.m.

Chair Swift reconvened the meeting from Closed Session at 11:26 p.m., with all prior members present.

CLOSED SESSION REPORT (F: 11.15)

General Counsel David Kendig stated there were no reportable actions.

ADJOURNMENT – Chair Swift adjourned the meeting at 11:27 p.m., in memory of Director Steggell’s mother who passed away, today. The next regular meeting of the Orange County Fire Authority Board of Directors is scheduled for September 28, 2017, at 6:00 p.m.



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