

MINUTES

ORANGE COUNTY FIRE AUTHORITY

Board of Directors Regular and Special Meetings
Thursday, March 22, 2018
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 and special meeting of the Orange County Fire Authority Board of Directors was called to order on March 22, 2018, at 6:03 p.m. by Chair Sachs.

INVOCATION

Chaplain Robert Benoun offered the invocation.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Lisa Bartlett, County of Orange
Laurie Davies, Laguna Niguel
Carol Gamble, Rancho Santa Margarita
Dave Harrington, Aliso Viejo
Noel Hatch, Laguna Woods
Joe Muller, Dana Point
Vince Rossini, Villa Park
Don Sedgwick, Laguna Hills
Todd Spitzer, County of Orange
Elizabeth Swift, Buena Park
Juan Villegas, Santa Ana

Tim Brown, San Clemente
Ellery Deaton, Seal Beach
Craig Green, Placentia
Shelley Hasselbrink, Los Alamitos
Robert Johnson, Cypress
Al Murray, Tustin
Ed Sachs, Mission Viejo
Dave Shawver, Stanton
Michele Steggell, La Palma
Tri Ta, Westminster

Absent: Leah Basile, Lake Forest
Melissa Fox, Irvine

Sergio Farias, San Juan Capistrano
Gene Hernandez, Yorba Linda

Also present were:

Acting Fire Chief Dave Anderson
Assistant Chief Brian Young
General Counsel David Kendig
Sherry Wentz Clerk of the Authority

Assistant Chief Lori Zeller
Assistant Chief Mike Schroeder
Assistant Chief Lori Smith
Brigitte Gibb Human Resources Director

Director Bartlett arrived at this point (6:16 p.m.).

1. PRESENTATIONS (X: 11.09)

- A. Recognition of former OCFA Board Member Bill Nelson for his service.
- B. Recognition of former OCFA Board Chair Swift for her service.
- C. Recognition of the OCFA Budget Team as recipients of the Government Finance Officers Association's Distinguished Budget Presentation Award.

On motion of Director Ta and second by Director Murray, the Board of Directors approved by those present the requests as submitted and made presentations to those present.

Chair Sachs and Acting Fire Chief Anderson recognized and presented plaques to former OCFA Board Member Bill Nelson and Director Swift as the former Board Chair for their service.

Chair Sachs and Acting Fire Chief Anderson recognized the OCFA Budget Team as recipients of the Government Finance Officers Association's Distinguished Budget Presentation Award. (F: 17.10F1)

Director Brown arrived at this point (6:18 p.m.).

REPORTS FROM BUDGET AND FINANCE COMMITTEE CHAIR (F: 11.12)

Budget and Finance Committee Chair Muller reported at the March 14, 2018, meeting, the Committee voted to send the Monthly Investment Reports and the Write-off for Uncollectible Account – Medix Ambulance Services to the Executive Committee for approval of the recommended actions; and voted unanimously to send the FY 2017/18 Mid –Year Budget Adjustments, Fiscal Year 2016/17 Backfill/Overtime and Calendar Year 2017 Total Earnings/Compensation Analysis, and Second Amendment to Advanced Life Support Billing/Reimbursement Agreements 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 Sachs reported the Committee considered Workers' Compensation claims for claimants: Julie Pearson, James Bento, Andrew Weissenberger, Dana Boller, and Gilbert Camarena. There were no reportable actions.

REPORT FROM THE FIRE CHIEF (F: 11.12)

Acting Fire Chief Anderson introduced newly appointed Division Chiefs Bill Lockhart and Brian Norton.

PUBLIC COMMENTS (11.11)

Stephen Wontrobski, Mission Viejo resident, addressed a recent Orange County Grand Jury report and a letter he received from OCFA Counsel Douglas Holland of Woodruff, Spradlin and Smart.

Jon Dumitru, OCFA dispatcher, addressed a new dispatch study and expressed concerns with regards to errors and omissions. He spoke in opposition to the proposed dispatcher shift change from a 24-hour shift to 12-hour shift.

Chad Kurthy, OCFA dispatcher, spoke in opposition to the proposed dispatcher shift change from a 24-hour shift to 12-hour shift.

Cody Quirarte, OCFA dispatcher, provided handouts on public safety and spoke in opposition to the proposed dispatcher shift change from a 24-hour shift to 12-hour shift.

Megan Soman, ECC Dispatch Supervisor, spoke to the proposed dispatcher shift change from a 24-hour shift to 12-hour shift, and invited Board Members to participate in a sit-a-long to have a better understanding of the logistical operations of the dispatch center.

CLOSED SESSION (F: 11.15)

CS1. CONFERENCE WITH LABOR NEGOTIATOR

Agency Designated Representative: Peter Brown, Liebert Cassidy and Whitmore
Employee Organizations: Orange County Employees Association, Orange County
Fire Authority Managers Association, Orange County
Professional Firefighters Association, Local 3631
Authority: Government Code Section 54957.6

CS2. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

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

CS3. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

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

CS4. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Authority: Government Code Section 54956.9(c) – Initiation of Litigation (1 case)

CS5. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION (WORKERS' COMPENSATION)

Name of Case: Buffets Unsecured Creditors' Trust. v. Orange County Fire Authority
Case No.: U.S. Bankruptcy Court, Western District of Texas, Case Number 18-50557-rbk
Authority: Government Code Section 54956.9(d)(1)

CS6. CONFERENCE WITH LEGAL COUNSEL–ANTICIPATED LITIGATION
Authority: Government Code Section 54956.9(d)(2) – Significant Exposure to
Litigation (1 case)

General Counsel David Kendig reported the Board would convene to Closed Session to consider the matters on the agenda identified as CS2 through CS4 Conference with Legal Counsel – Anticipated Litigation. Closed Session Agenda Items Nos. CS1 Conference with Labor Negotiator, CS5, Conference with Legal Counsel – Existing Litigation (Workers’ Compensation), and CS6, Conference with Legal Counsel – Anticipated Litigation will be considered at a future meeting.

Chair Sachs recessed the meeting to Closed Session at 6:43 p.m.

Director Spitzer left at this point (7:40 p.m.).

Director Harrington left at this point (8:19 p.m.).

Director Bartlett left at this point (8:28 p.m.).

Chair Sachs reconvened the meeting from Closed Session at 9:36 p.m.

CLOSED SESSION REPORT (F: 11.15)

General Counsel David Kendig stated there were no reportable actions.

2. MINUTES

No items.

3. CONSENT CALENDAR (Agenda Item Nos. 3B and 3C were pulled for separate consideration)

A. FY 2017/18 Mid-Year Budget Adjustment (F: 15.04 17/18)

On motion of Director Johnson and second by Director Murray, the Board of Directors voted by those present to approve and authorize the proposed mid-year budget adjustments and transfers.

B. Fiscal Year 2016/17 Backfill/Overtime and Calendar Year 2017 Total Earnings/Compensation Analysis (F: 15.11)

Stephen Wontrobski, Mission Viejo resident, pulled this item from the Consent Calendar to address out of county personnel costs associated with the backfill and overtime.

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

1. Direct staff to continue pursuing reductions in overtime by filling permanent vacancies as quickly as possible after the positions become vacant.
2. Authorize staff to temporarily exceed the number of authorized firefighter positions on the Master Position Control to enable the hiring of 50 firefighters into each of the next two academies, pending attrition/promotions that occur during and following academy graduations.
3. Direct staff to continue using overtime to fill temporary vacancies rather than hiring additional personnel, recognizing this as a cost-effective practice for temporary needs.

C. Second Amendment to Advanced Life Support Billing/Reimbursement Agreements (F: 18.05A)

Stephen Wontrobski, Mission Viejo resident, pulled this item from the Consent Calendar to speak on his perceived kickbacks and collusion with the County.

On motion of Director Swift and second by Director Johnson, the Board of Directors voted by those present to approve and authorize the Board Chair to sign the proposed Second Amendment to the Advanced Life Support Services Billing Agreement to amend the OCFA's reimbursement rates for the remainder of the agreement's term.

D. Award of Public Works Contract for Phase II of the Tenant Improvement Project for the Urban Search and Rescue Warehouse (F: 22.05A1a)

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

1. Approve and award the public works contract to Interlog Construction Inc. from December 19, 2017, in the amount of \$169,500.
2. Authorize a 15% (\$25,350) allowance for contingency for a total not to exceed project amount of \$194,850.

E. Policy for Processing Complaints Against the Fire Chief (F: 11.10P)

On motion of Director Johnson and second by Director Murray, the Board of Directors voted by those present to approve and adopt the policy as submitted.

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

On motion of Director Johnson and second by Director Murray, the Board of Directors voted by those present to ratify the appointment of Director Hernandez (Yorba Linda) to the Executive Committee.

END OF CONSENT CALENDAR

4. PUBLIC HEARING(S)

No Items.

5. DISCUSSION CALENDAR

A. Fire Service Proposal for Emergency Services for the City of Garden Grove (F: 10.03GG)

Assistant Chief Mike Schroeder introduced the Fire Service Proposal for Emergency Services for the City of Garden Grove. Battalion Chief Brad Phoenix presented a PowerPoint presentation outlining the proposal's impacts.

Stephen Wontrobski, Mission Viejo resident, spoke of existing rates and questioned the cost to the City of Garden Grove.

A brief discussion ensued.

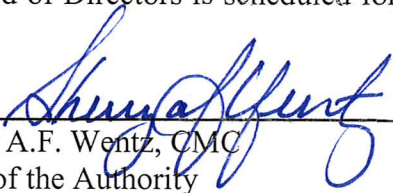
On motion of Director Shawver and second by Director Ta, the Board of Directors voted by those present to approve and authorize staff to submit the Orange County Fire Authority's proposal to the City of Garden Grove for its consideration.

BOARD MEMBER COMMENTS (F: 11.13)

Director Murray noted the announcement by Kidde Smoke Alarm on its recent product recall, and asked if staff was aware of any impact on any donated Kidde inventory.

Fire Marshal Lori Smith responded that this concern was already being addressed.

ADJOURNMENT – Chair Sachs adjourned the meeting at 10:21 p.m. The next regular meeting of the Orange County Fire Authority Board of Directors is scheduled for Thursday, April 26, 2018, at 6:00 p.m.



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