

MINUTES

ORANGE COUNTY FIRE AUTHORITY

Board of Directors Regular Meeting
Thursday, April 26, 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 meeting of the Orange County Fire Authority Board of Directors was called to order on April 26, 2018, at 6:02 p.m. by Chair Sachs. Chair Sachs welcomed the new Fire Chief Brian Fennessy to his first Board of Directors meeting.

INVOCATION

Assistant Chief Michael Schroeder offered the invocation.

PLEDGE OF ALLEGIANCE

Director Davies 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
Noel Hatch, Laguna Woods
Robert Johnson, Cypress
Al Murray, Tustin
Ed Sachs, Mission Viejo
Dave Shawver, Stanton
Michele Steggell, La Palma

Leah Basile, Lake Forest
Laurie Davies, Laguna Niguel
Sergio Farias, San Juan Capistrano
Carol Gamble, Rancho Santa Margarita
Shelley Hasselbrink, Los Alamitos
Gene Hernandez, Yorba Linda
Joe Muller, Dana Point
Vince Rossini, Villa Park
Don Sedgwick, Laguna Hills
Todd Spitzer, County of Orange
Tri Ta, Westminster

Absent: Dave Harrington, Aliso Viejo
Juan Villegas, Santa Ana

Elizabeth Swift, Buena Park

Also present were:

Fire Chief Brian Fennessy
Assistant Chief Brian Young
Assistant Chief Lori Smith
Human Resources Director Brigette Gibb
General Counsel David Kendig

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

1. PRESENTATIONS

A. Request for Recognition of OCFA Finance Division (F: 17.10I)

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

Chair Ed Sachs and Fire Chief Brian Fennessy presented Finance Manager Jim Ruane and his General Accounting staff with the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association of the United States and Canada (GFOA) for its Comprehensive Annual Financial Report (CAFR).

Director Steggell arrived at this point (6:17 p.m.).

Director Brown arrived at this point (6:17 p.m.).

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

Budget and Finance Committee Chair Muller reported at its April 11, 2018, meeting, the Committee voted unanimously to receive and file both the Orange County Employees' Retirement System Quarterly Status Update and the Communication with Auditors for Fiscal Year 2017/18 Financial Audit. Additionally, the Committee voted unanimously to send the Monthly Investment Reports to the Executive Committee with the recommendation to receive and file the reports.

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

Claims Settlement Committee Chair Ed Sachs reported that the Claims Settlement Committee did not meeting; therefore, there was no report.

REPORT FROM THE FIRE CHIEF (F: 11.14)

Fire Chief Fennessy spoke of the honor it is to serve the OCFA as its Fire Chief, and addressed the progress of the Air Ops mediation with Orange County Sheriff Sandra Hutchens.

PUBLIC COMMENTS (F: 11.11)

Stephen Wontrobski, Mission Viejo resident, addressed opposition to Closed Session Item No. CS1 (Conference with Labor Negotiator) and California Assembly Bill 1912.

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 2 Fire

CS3. CONFERENCE WITH LEGAL COUNSEL–ANTICIPATED LITIGATION

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

CS4. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: Book 740, Page 12, Lot 22
Negotiating Parties: OCFA Property Management Manager Patrick Bauer,
Brookhurst Development and Advisory Corporation
Brokers Jeff Baize and Lisa Kalustain, and Simon
Properties
Under Negotiation: Price and Terms of Payment
Authority: Government Code Section 54956.8

CS5. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Properties: 4791 Eureka Avenue, Yorba Linda, CA;
18422 E. Lemon Drive, Yorba Linda, CA
Negotiating Parties: OCFA Property Management Manager Patrick Bauer,
Brookhurst Development and Advisory Corporation Brokers
Jeff Baize and Lisa Kalustain, and Yorba Linda Equipment
Rentals Representative Craig Steffes
Under Negotiation: Price and Terms of Payment
Authority: Government Code Section 54956.8

General Counsel David Kendig reported the Board would convene to Closed Session to consider the matters on the agenda identified as CS1, Conference with Labor Negotiator, CS2 and CS3, Conference with Legal Counsel – Anticipated Litigation, and CS4 and CS5, Conference with Real Property Negotiators. He noted the Board of Directors would not be discussing labor negotiations with the Orange County Professional Firefighters Association, Local 3631.

Chair Sachs recessed the meeting to Closed Session at 6:28 p.m.

Director Gamble arrived at this point (6:31 p.m.).

Chair Sachs reconvened the meeting from Closed Session at 7:30 p.m.

CLOSED SESSION REPORT (F: 11.15)

General Counsel David Kendig stated there were no reportable actions.

2. Minutes from the Board of Directors Meetings (F: 11.06)

On motion of Director Hernandez and second by Director Johnson, the Board of Directors voted unanimously by those present to approve the Minutes for the March 15, 2018, Regular Meeting, the March 22, 2018, Regular and Special Meetings, and the March 29, 2018, Special Meeting Minutes as submitted.

Directors Brown and Hasselbrink, were recorded as abstentions, due to their absence from the March 15, 2018, Regular Meeting. Directors Basile, Farias, Fox, and Hernandez were recorded as abstentions, due to their absence from the March 22, 2018, Regular and Special Meetings. Directors Bartlett, Basile, Brown, Farias, Fox, Gamble, Muller, and Ta were recorded as abstentions, due to their absence from the March 29, 2018, Special Meeting.

3. CONSENT CALENDAR (Agenda item No. 3C and 3D were pulled for separate consideration.)

A. Requests for Commendations and Proclamations

On motion of Director Ta and second by Director Johnson, the Board of Directors voted unanimously by those present to approve the proclamations as submitted.

1. Proclamation declaring May through October 2018 as “Drowning Prevention Awareness” (F: 11.09A) (X: 11.09)
2. Proclamation declaring May 6-12, 2018, as “Wildfire Awareness Week” (F: 11.09A) (X: 11.09)

B. Ratify Alternate Appointments to Executive Committee (F: 12.02A1)

On motion of Director Ta and second by Director Johnson, the Board of Directors voted unanimously by those present to ratify the appointments of Director Murray (Tustin) and Rossini (Villa Park) as Alternates to the Executive Committee.

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

Staff requested this item be pulled to defer to a future Board of Directors meeting.

On motion of Director Ta and second by Director Johnson, the Board of Directors voted unanimously by those present to defer this item to a future Board of Directors meeting.

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

Stephen Wontrobski, Mission Viejo resident, pulled this item to comment on the reserve firefighter program.

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

END OF CONSENT CALENDAR

4. PUBLIC HEARING

No Items.

5. DISCUSSION CALENDAR

A. Canyon 2 Fire – After Action Report (F: 18.08A10)

Assistant Chief Brian Young presented the Canyon 2 Fire After Action Report (AAR). Fire Chief Fennessy addressed the development of the AAR, noting its importance and the review of the findings and its recommendations, thanking Chief Young and the entire team for their work on it.

Stephen Wontrobski, Mission Viejo resident, addressed the prior Independent Review Panel's report and its recommendations.

Discussion ensued regarding the document's content and its use as a high-level overview of the event.

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

1. Approve and adopt the submitted Canyon 2 Fire After-Action Report.
2. Direct staff to review and evaluate the recommendations and return at the May 24, 2018, Board of Directors Meeting with an implementation plan inclusive of the Independent Review Panel Review, the Orange County Board of Supervisors Review, and the After-Action Review. Director Basile voted in opposition.

B. Canyon 2 Fire - Additional Recommended Review Actions (F: 18.08A10)

Chair Ed Sachs presented the Additional Recommended Review Actions.

Stephen Wontrobski, Mission Viejo resident, provided public comments support of the review actions and his additional recommendations.

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

1. Direct staff to further investigate the questions and circumstances outlined in correspondence dated April 9, 2018, and report back to the OCFA Board of Directors within 60 days with the results of these efforts.
2. Direct staff to immediately deploy the first fire watch cameras, previously approved by the OCFA Board of Directors, to the area of Sierra Peak.
3. Direct staff to request the key agencies involved in the evaluation of this fire to delve deeply into the individual roles each has played in the response to the Canyon 2 Fire. Specifically, request that the members of the Independent Review Panel, the County of Orange, the Orange County Fire Authority, the Orange County Sheriff's Department, California Highway Patrol, Anaheim Fire Department, and MetroNet convene to discuss efforts and outcomes of this fire and develop measures to ensure that cooperation and collaboration are improved.
4. Authorize and increase the purchase order up to \$6,000 for the lead member of the Independent Review Panel to fund the additional scope involved in convening jointly with the other key agencies that had roles in response to the Canyon 2 Fire, as outlined in Recommended Action No. 3.

C. Economic Impacts of Public Records Act Requests on the Orange County Fire Authority (F: 14.05B)

Assistant Chief Lori Zeller presented the Economic Impacts of Public Records Act Requests on the Orange County Fire Authority.

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

BOARD MEMBER COMMENTS (F: 11.13)

Chair Sachs reminded the Board Members of the upcoming events; the Length of Service & Promotion Ceremony, on May 17, 2018, and the 46th Firefighter Academy Graduation to be held on May 23, 2018. He asked all members to keep both Director Swift and her husband in their thoughts and prayers wishing them a speedy recovery.

Director Deaton suggested the Board send flowers to Director Swift.


Director Green commented that this morning the Placentia Chamber of Commerce held its Annual Police, Fire, and EMS Recognition Breakfast where OCFA Captain Chuck Hawkins was honored; although not present to receive the award, he was represented by Division Chief Andy Kovacs.

Director Brown recognized San Clemente resident Sam Darnold, who received national recognition after being drafted third overall by the New Year Jets in the 2018 NFL Draft.

Director Hernandez complimented staff on the Swearing-In/Badge Pinning Ceremony held today for Fire Chief Brian Fennessy. He commented on Yorba Linda's recognition of first responders.

Director Murray complimented the OCFA staff on the Swearing-In/Badge Pinning Ceremony for Fire Chief Fennessy.

ADJOURNMENT – Chair Sachs adjourned the meeting at 8:39 p.m. The next regular meeting of the Orange County Fire Authority Board of Directors is scheduled for Thursday, May 24, 2018, at 6:00 p.m.



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