

# MINUTES

## ORANGE COUNTY FIRE AUTHORITY

**Board of Directors Regular Meeting**  
**Thursday, November 15, 2018**  
**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 November 15, 2018, at 6:01 p.m. by Chair Sachs.

### INVOCATION

Deputy Chief Dave Anderson offered the Invocation.

### PLEDGE OF ALLEGIANCE

Chair Sachs led the Assembly in the Pledge of Allegiance to the Flag.

### ROLL CALL

Lisa Bartlett, County of Orange  
Tim Brown, San Clemente  
Carol Gamble, Rancho Santa Margarita  
Shelley Hasselbrink Los Alamitos  
Gene Hernandez, Yorba Linda  
Al Murray, Tustin  
Ed Sachs, Mission Viejo  
Dave Shawver, Stanton  
Michele Steggell, La Palma  
Elizabeth Swift, Buena Park

Leah Basile, Lake Forest  
Sergio Farias, San Juan Capistrano  
Dave Harrington, Aliso Viejo  
Noel Hatch, Laguna Woods  
Robert Johnson, Cypress  
Vince Rossini, Villa Park  
Don Sedgwick, Laguna Hills  
Todd Spitzer, County of Orange  
Tri Ta, Westminster

**Absent:** Lori Davies, Laguna Niguel  
Joe Muller, Dana Point

Ellery Deaton, Seal Beach  
Juan Villegas, Santa Ana

### Also present were:

Fire Chief Brien Fennessy  
Deputy Chief Lori Zeller  
Human Resources Director Brigitte Gibb  
Assistant Chief Jim Ruane  
Clerk of the Authority Sherry Wentz

Deputy Chief Dave Anderson  
Assistant Chief Mark Sanchez  
Assistant Chief Lori Smith  
General Counsel David Kendig

Chair Sachs announced, using his discretion as the Chair, would reorder the agenda to move Closed Session following the Consent Calendar.

## **1. PRESENTATIONS**

### **A. Requests for Commendations and Proclamations (F: 11.09)**

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

Chair Sachs and Chief Fennessy recognized and presented a plaque to outgoing Directors Al Murray and Tim Brown for their service on the OCFA Board of Directors.

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

Stephen Wontrobski, Mission Viejo resident, commented OCFA should solicit a proposal for legal services, and the need to revise the OCFA Joint Powers Agreement's Amendment No. 4.

## **REPORTS**

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

Budget and Finance Committee Vice Chair Hasselbrink reported at the November 14, 2018, meeting, the Committee voted unanimously by those present to receive and file the First Quarter Financial Newsletter and Monthly Investment Reports and send them both to the Executive Committee for approval of the recommended actions. The Committee voted unanimously to send the Annual Statement of Investment Policy and Investment Authorization, Audited Financial Reports for the Fiscal Year Ended June 30, 2018, and the 2018 Long Term Liability Study & Accelerated Pension Payment Plan to the Board of Directors for approval of the recommended actions.

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

Human Resources Committee Chair Murray reported at the November 6, 2018, meeting, the Committee received and filed the Behavioral Health, and Cancer Prevention Presentations, the Contract Award for Classification and Compensation Study Services, Annual Workers' Compensation Program Update, and the FY 2017/18 Human Resources Accomplishments.

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

Claims Settlement Committee Chair Sachs reported as the November meeting was cancelled.

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

Fire Chief Fennessy introduced recently promoted Division Chief Shane Sherwood and Assistant Chief of Logistics Jim Ruane; acknowledged the promotion of Kenny Dossey to Division Chief; thanked Vice Chair Muller for his Reserve Firefighter's graduation participation; and presented a briefing on the Santa Ana winds and recent fires.

Director Spitzer left at this point (6:32 p.m.).

Director Basile arrived at this point (6:33 p.m.).

## **2. MINUTES**

### **A. Minutes from the October 25, 2018, Regular Board of Directors Meeting (F: 11.06)**

Stephen Wontrobski, Mission Viejo resident, suggested comments made in the Minutes by Board Member Sedgwick should be amended.

On motion of Director Ta and second by Director Sedgwick, the Board of Directors voted to approve the October 25, 2018, Minutes as submitted. Directors Harrington and Johnson were recorded as abstentions due to their absence from the meeting, and Director Spitzer was absent for the vote.

## **3. CONSENT CALENDAR**

### **A. Annual Statement of Investment Policy and Investment Authorization (F: 11.10D)**

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

1. Review and approve the submitted Investment Policy of the Orange County Fire Authority, to be effective January 1, 2019.
2. Pursuant to Government Code Sections 53601 and 53607, renew delegation of investment authority to the Treasurer for a one-year period, to be effective January 1, 2019.

Director Spitzer was absent for the vote.

### **B. Amendment to 2019 Board Meeting Schedule (F: 11.05)**

On motion of Director Murray and second by Director Johnson, the Board of Directors voted to adopt Resolution No. 2018-07 entitled A RESOLUTION OF THE ORANGE COUNTY FIRE AUTHORITY BOARD OF DIRECTORS AUTHORIZING TO TEMPORARILY EXPAND THE REGULAR MEETING DATES OF THE BOARD OF DIRECTORS FOR CALENDAR YEAR 2019.

Director Spitzer was absent for the vote.

**END OF CONSENT CALENDAR**

**CLOSED SESSION (F: 11.15)**

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

Chair Sachs recessed the meeting to Closed Session at 6:32 p.m.

Director Murray left at this point (6:43 p.m.).

**CS1. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**

Name of Claim: Brian Coney v. OCFA

Case No. ADJ11054320

Authority: Government Code Section 54956.9(a)

**CS2. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION**

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

**CS3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

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

Director Ta left at this point (8:00 p.m.).

Director Hernandez left at this point (8:00 p.m.).

Chair Sachs reconvened the meeting from Closed Session at 8:50 p.m.

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

General Counsel David Kendig stated there were no reportable actions.

**4. PUBLIC HEARING(S)**

No items.

**5. DISCUSSION CALENDAR**

**A. 2018 Long Term Liability Study & Accelerated Pension Payment Plan (F: 17.06A)**

Treasurer Tricia Jakubiak provided the staff report and a PowerPoint presentation for the 2018 Long Term Liability Study & Accelerated Pension Payment Plan.

On motion of Director Hatch and second by Director Shawver, the Board of Directors voted to:

1. Direct staff to continue the Accelerated Pension Payment Plan as indicated in the Updated Snowball Strategy.
2. Direct staff to adjust the FY 2018/19 General Fund budget to increase expenditures by \$10 million for the purpose of allocating \$10 million of the \$13 million of available unencumbered funds identified in the FY 2017/18 financial audit to OCFA's unfunded pension liability.
3. Direct staff to return to the Board of Directors in January, with the mid-year financial review, to consider any allocation of the remaining \$3 million of available unencumbered funds identified in the FY 2017/18 financial audit.

Directors Hernandez, Murray, Spitzer, and Ta were absent for the vote.

#### **B. Audited Financial Reports for the Fiscal Year Ended June 30, 2018 (F: 15.06)**

Deputy Chief Zeller introduced Roger Alfaro, Partner of Vavrinek, Trine, Day & Co., LLP, who presented the Audited Financial Reports for the Fiscal Year Ended June 30, 2018.

On motion of Director Harrington and second by Director Basile, the Board of Directors voted to:

1. Receive and approve the reports.
2. Adopt the revised *Assigned Fund Balance Policy* effective November 14, 2018.
3. Review the calculations used to determine the fund balance amounts assigned to the capital improvement program and workers' compensation, and confirm the calculations' consistency with the OCFA's revised Assigned Fund Balance Policy.

Directors Hernandez, Murray, Spitzer, and Ta were absent for the vote.

#### **C. Specialty Pay for Accelerant Detection Canine Handler and Canine Disaster Search Specialist (F: 17.04B1)**

Deputy Chief Anderson presented the Specialty Pay for Accelerant Detection Canine Handler and Canine Disaster Search Specialist.


The Board of Directors by consensus received and filed the report as presented.

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

Director Shawver thanked former Division Chief Bill Lockhart for his service with the City of Stanton and its surrounding cities, and he welcomed newly appointed Division Chief Shane Sherwood to his position.

Chair Sachs congratulated Jim Ruane on his promotion to Assistant Chief of Logistics; complimented Division Chief Rob Capobianco and OCFA's Fleet Crew in getting additional surge apparatus on-line; and reported on his trip to Washington, D.C., where he advocated the use of U.S. air support to expedite the transportation of deployed Urban Search & Rescue teams.

**ADJOURNMENT** – Chair Sachs adjourned the meeting at 9:13 p.m., in the memory of the loss of OCFA retired Fire Apparatus Engineer Shawn Metcalf, Costa Mesa Fire Captain Mike Kreza, and the victims of the Borderline Bar mass shooting and the Camp and Woolsey Fires. The next regular meeting of the Orange County Fire Authority Board of Directors is scheduled for January 24, 2019, at 6:00 p.m.

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