

MINUTES

ORANGE COUNTY FIRE AUTHORITY

Board of Directors Regular Meeting
Thursday, March 28, 2019
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 March 28, 2019, at 6:00 p.m. by Chair Muller.

INVOCATION

Chaplain Kent Kranning offered the Invocation.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Lisa Bartlett, County of Orange
Sergio Farias, San Juan Capistrano
Dave Harrington, Aliso Viejo
Noel Hatch, Laguna Woods
Robert Johnson, Cypress
Thomas Moore, Seal Beach
Sandy Rains, Laguna Niguel
Ed Sachs, Mission Viejo
Michele Steggell, La Palma
Elizabeth Swift, Buena Park
Juan Villegas, Santa Ana

Letitia Clark, Tustin
Carol Gamble, Rancho Santa Margarita
Shelley Hasselbrink, Los Alamitos
Gene Hernandez, Yorba Linda
Neeki Moatazedi, Lake Forest
Joseph Muller, Dana Point
Vince Rossini, Villa Park
Dave Shawver, Stanton
Steve Swartz, San Clemente
Tri Ta, Westminster
Donald P. Wagner, County of Orange

Absent: Don Sedgwick, Laguna Hills

Also present were:

Fire Chief Brian Fennessy	Deputy Chief Dave Anderson
Deputy Chief Lori Zeller	Assistant Chief Randy Black
Assistant Chief Lori Smith	General Counsel David Kendig
Assistant Chief Pokey Sanchez	Assistant Chief Robert Cortez
Clerk of the Authority Sherry Wentz	Assistant Chief Jim Ruane
Communications Director Colleen Windsor	Human Resources Director Brigitte Gibb

Director Clark arrived at this point (6:03 p.m.).

Director Rossini arrived at this point (6:04 p.m.).

1. PRESENTATIONS

A. Requests for Commendations and Proclamations (F: 11.09) (X: 11.09A) (X: 12.02C)

On motion of Director Johnson and second by Director Farias, the Board of Directors voted by those present to approve the Drowning Prevention Proclamation and make presentations to those present.

Chair Muller and Fire Chief Fennessy recognized and presented to immediate Past Chair Sachs a memento for his contributions to the Board of Directors during his term as Board Chair.

Chair Muller and Fire Chief Fennessy recognized former Directors Basile and Spitzer for their service on the OCFA Board and acknowledged former Directors Davies and Deaton who could not be in attendance.

Chair Muller paused the meeting to allow General Counsel Kendig a moment to have a side bar discussion with newly-elected Supervisor Wagner who had arrived at this point. Chair Muller and Director Bartlett joined in the side bar.

General Counsel Kendig reported that while the Joint Powers Authority Agreement states that Directors are to be appointed by resolution of the represented agency, Supervisor Wagner would be seated and sworn on the OCFA Board, with the County submitting a resolution ratifying its appointment. Director Bartlett, for purposes of clarification, indicated that the Board of Supervisors had approved her 2019 Chairwoman's Appointments that specified the newly elected Supervisor to the Third District would fill the vacant OCFA Director position.

Clerk of the Authority Sherry Wentz administered the Oath of Office to Director Wagner.

PUBLIC COMMENTS (F: 11.11)

Stephen Wontrobski, Mission Viejo resident, addressed the OCFA Fraud Hotline, the reporting of retaliation, the Canyon Fire, and requested the inclusion of names and case numbers for Closed Session items.

CLOSED SESSION (F: 11.15)

CS1. CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION
Authority: Government Code Section 54956.9(d)(2) and (e)(5) – Significant
Exposure to Litigation (1 case)

CS2. 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 there was no need for Closed Session.

REPORTS

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

Budget and Finance Committee Chair Hasselbrink reported at the March 13, 2019, meeting, the Committee voted unanimously to approve the recommended action of the Selection of Lance, Soll & Lunghard, LLP as the Public Accounting Firm for Financial Audit and Related Services, to send the Monthly Investment Reports to the Executive Committee for its approval, and voted unanimously to send the FY 2018/19 Mid-Year Budget Adjustment, the Fiscal Year 2017/18 Backfill/Overtime and Calendar Year 2018 Total Earnings/Compensation Analysis, and the Contract Award for Accounts Payable Workflow Integrated Document Imaging Solution to the Board of Directors for approval of the recommended actions.

REPORT FROM THE FIRE CHIEF (F: 11.14)

Fire Chief Fennessy introduced newly appointed Division Chiefs Ron Roberts, Jim Henery, and Jeff Hoey. He offered praise for retiring Division Chief Kovacs who had been in attendance; however, had to leave to catch a flight. He thanked outgoing Human Resources Director Brigitte Gibb for her work during her tenure at OCFA. Chief Fennessy introduced Legislative Analyst Jay Barkman who reported on the Chief's testimony to the Joint Hearing of the California Assembly Governmental and Senate Governmental Committees on the topic of utilization of emerging technologies to monitor wildfire activity in California.

2. MINUTES

A. Minutes from the February 28, 2019, Regular Board of Directors Meeting (F: 11.06)

On motion of Director Johnson and second by Director Hernandez, the Board of Directors voted unanimously by those present to approve the Minutes of the February 28, 2019, Board of Directors meeting as submitted. Directors Shawver and Wagner were recorded as abstentions due to their absence from the meeting.

3. CONSENT CALENDAR

A. FY 2018/19 Mid-Year Budget Adjustment (F: 15.04 18/19)

On motion of Director Ta and second by Director Johnson, the Board of Directors voted unanimously by those present to authorize the proposed mid-year budget adjustments and transfers as detailed in this report.

B. Award of Public Works Contract for Modular Classrooms (F: 19.07)

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

1. Accept the Design Space bid dated March 14, 2019.
2. Approve and authorize the Purchasing Manager to award the public works contract to Design Space in the amount of \$238,594.95, plus a 10% contingency amount of \$23,859 for a total amount not to exceed \$262,453.95.

END OF CONSENT CALENDAR

4. PUBLIC HEARING(S)

No items.

5. DISCUSSION CALENDAR

A. City of Irvine – Settlement Agreement (F: 10.03 Irv)

Deputy Chief Lori Zeller presented the City of Irvine – Settlement Agreement. She introduced former Fire Chief Chip Prather and former Laguna Hills City Manager Bruce Channing who served as consultants to the project.

Stephen Wontrobski, Mission Viejo resident, addressed the method of funding OCFA, and charges to the member cities.

Tim Staging, President Orange County Firefighters Local 3631, spoke in favor of the agreement.

On motion of Director Sachs and second by Director Farias, the Board of Directors voted unanimously by those present to approve and authorize the Board Chair to sign the proposed Settlement Agreement between the Orange County Fire Authority and the City of Irvine with the following additional items identified on the supplement Agenda Report as:

- f. Third Party Beneficiaries: Each of the 115 Trust Contributing Members shall be an “intended third party beneficiary” entitled to enforce the provisions of Section 6.
- g. No Forfeiture: Withdrawal from the OCFA by a 115 Trust Contributing Member will not forfeit nor reduce the rights accrued by that member pursuant to Section 6 prior to withdrawal.
- h. Contributions Separate from Structural Fire Fund Entitlement Fund: Payment made into the 115 Trust are separate from, and in addition to, the Structural Fire Fund Entitlement Fund contributions made pursuant to the OCFA’s Amended JPA Agreement.

B. Fire Services & Emergency Medical Services Agreement with the City of Garden Grove (F: 19.03 GG)

Deputy Chief Lori Zeller presented a PowerPoint presentation on the proposed Fire Services & Emergency Medical Services Agreement with the City of Garden Grove.

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

1. Approve the addition of the City of Garden Grove as a member of the OCFA Joint Powers Authority, effective August 16, 2019.
2. Approve the submitted Fire Services & Emergency Medical Services Agreement with the City of Garden Grove, effective August 16, 2019, and authorize the Board Chair to execute the Agreement, including any non-substantive amendments as determined by Legal Counsel.

C. Fiscal Year 2017/18 Backfill/Overtime and Calendar Year 2018 Total Earnings/Compensation Analysis (F: 15.11)

Deputy Chief Lori Zeller presented the Fiscal Year 2017/19 Backfill/Overtime and Calendar Year 2018 Total Earnings/Compensation Analysis.

On motion of Director Ta and second by Director Hernandez, the Board of Directors voted unanimously 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 maximize the number of firefighters hired into each academy, pending attrition/promotions that occur following academy graduations.
3. Authorize staff to temporarily exceed the number of authorized Hand Crew firefighter positions on the Master Position Control to maximize the number of Hand Crew firefighters hired from each Hand Crew firefighter recruitment process, pending attrition/promotions that occur as Hand Crew firefighters promote to the firefighter rank.
4. Authorize staff to temporarily exceed the number of authorized dispatcher positions on the Master Position Control to maximize the number of dispatchers hired into each academy, pending attrition/retirements that will occur.
5. 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.

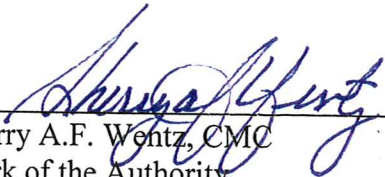
BOARD MEMBER COMMENTS (F 11.13)

Director Wagner thanked Chair Muller, Director Bartlett, General Counsel Kendig, and the Board for accommodation and affirmation of his appointment to the OCFA Board of Directors.

Directors Clark, Hernandez, and Rossini extended their thanks retiring Division Chief Kovacs for his service to the Cities of Tustin, Villa Park, and Yorba Linda.

Director Farias thanked Chief Fennessy for attending the San Juan Capistrano's Coffee Chat, where local residents had an opportunity to meet with their elected officials and other public service officials.

ADJOURNMENT – Chair Muller adjourned the meeting at 7:30 p.m. The next regular meeting of the Orange County Fire Authority Board of Directors is scheduled for Thursday, April 25, 2019, at 6:00 p.m.



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