

MINUTES

ORANGE COUNTY FIRE AUTHORITY

Board of Directors Regular Meeting
Thursday, April 25, 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 April 25, 2019, at 6:00 p.m. by Chair Muller. Director Muller noted the return of Director Fox (Irvine) to the dais, and welcomed her back into service.

INVOCATION

Chaplain Kent Krikac offered the Invocation.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Letitia Clark, Tustin
Melissa Fox, Irvine
Shelley Hasselbrink, Los Alamitos
Gene Hernandez, Yorba Linda
Neeki Moatazedi, Lake Forest
Joseph Muller, Dana Point
Vince Rossini, Villa Park
Don Sedgwick, Laguna Hills
Michele Steggell, La Palma
Elizabeth Swift, Buena Park
Juan Villegas, Santa Ana

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
Dave Shawver, Stanton
Steve Swartz, San Clemente
Tri Ta, Westminster
Donald P. Wagner, County of Orange

Absent: Lisa Bartlett, County of Orange

Carol Gamble, Rancho Santa Margarita

Also present were:

Fire Chief Brian Fennessy
Deputy Chief Lori Zeller
Assistant Chief Lori Smith
Assistant Chief Pokey Sanchez
Clerk of the Authority Sherry Wentz
Communications Director Colleen Windsor

Deputy Chief Dave Anderson
Assistant Chief Randy Black
General Counsel David Kendig
Assistant Chief Robert Cortez
Assistant Chief Jim Ruane

1. PRESENTATIONS

No items.

PUBLIC COMMENTS (F: 11.11)

Mr. Stephen Wontrobski, Mission Viejo resident, addressed disclosing Closed Session case names and numbers on the agenda, equity costs for member cities, and OCFA's transparency policy.

Director Wagner arrived at this point (6:08 p.m.).

CLOSED SESSION (F: 11.15)

CS1. CONFERENCE WITH LABOR NEGOTIATOR

Chief Negotiator: Peter Brown, Liebert Cassidy Whitmore

Employee Organizations: Orange County Professional Firefighters' Association,
Local 3631 and Chief Officers Association

Authority: Government Code Section 54957.6

CS2. CONFERENCE WITH LABOR NEGOTIATOR

Chief Negotiator: Fire Chief Brian Fennessy and Deputy Chief Lori Zeller

Employee Organizations: Unrepresented Employees

Authority: Government Code Section 54957.6

CS3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9
(1 Case)

CS4. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Position: Fire Chief

Authority: Government Code Section 54954.5

CS5. CONFERENCE WITH LABOR NEGOTIATOR

Negotiators: Chair Joe Muller, Vice Chair Shelley Hasselbrink, and Immediate
Past Chair Ed Sachs

Unrepresented Employee: Fire Chief

Authority: Government Code Section 54957.6

General Counsel David Kendig reported the Board would convene to Closed Session to consider the matters on the agenda identified as CS1, CS2, and CS5, Conference with Labor Negotiator, CS3, Conference with Legal Counsel – Anticipated Litigation, and CS4, Public Employee Performance Evaluation.

Chair Muller recessed the meeting to Closed Session at 6:11 p.m.

Director Steggell left at this point (7:20 p.m.).

Chair Muller reconvened the meeting from Closed Session at 7:20 p.m.

CLOSED SESSION REPORT (F: 11.15)

General Counsel David Kendig reported the Board of Directors would reconvene for Closed Session items at the end of this meeting on the matters on the agenda identified as CS3, Conference with Legal Counsel – Anticipated Litigation, CS4, Public Employee Performance Evaluation, and CS5, Conference with Labor Negotiator. Otherwise, there were no reportable actions.

REPORTS

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

Budget and Finance Chair Shelley Hasselbrink reported at the April 10, 2019, meeting, the Committee voted unanimously to receive and file the Orange County Employees' Retirement System Quarterly Status Update and the Communications with Auditors for Fiscal Year 2018/19 Financial Audit. Additionally, the Committee voted unanimously to send the Monthly Investment Reports to the Executive Committee for its approval. Lastly, after a thorough discussion regarding the recommended changes to the procurement authority and thresholds of comparable agencies, the Committee voted unanimously to send the Changes to Procurement Related Roles, Responsibilities, and Authorities, to the Board of Directors for approval of the recommended action.

REPORT FROM THE FIRE CHIEF (F: 11.14)

Fire Chief Brian Fennessy reported on the Canyon 2 Fire – Services Enhancements, and recommendations in progress, and invited the Directors to attend the upcoming Southern Wind Urban Search and Rescue Task Force Training Exercise.

2. MINUTES

A. Minutes from the (A) March 13, 2019, Special Meeting, and (B) March 28, 2019, Regular Meeting of the Board of Directors (F: 11.06)

On motion of Director Johnson and second by Director Rossini, the Board of Directors voted by those present to approve the Minutes of the March 13, 2019, Special Meeting, and March 28, 2019, Regular Board of Directors meetings as submitted. Directors Rains and Ta were recorded as abstentions for the March 13, 2019, meeting, due to their absence from the meeting. Director Sedgwick was recorded as an abstention for the March 28, 2019, meeting due to his absence from the meeting.

Director Steggell was absent for the vote.

3. **CONSENT CALENDAR** (Agenda Item No. 3B was pulled for separate consideration)

A. Changes to Procurement Related Roles, Responsibilities, and Authorities (F: 11.03A)
(X: 11.10H)

On motion of Director Johnson and second by Director Wagner, the Board of Directors voted by those present to approve Resolution No. 2019-02 entitled A RESOLUTION OF THE ORANGE COUNTY FIRE AUTHORITY BOARD OF DIRECTORS AMENDING THE ROLES/RESPONSIBILITIES /AUTHORITIES MATRIX amending the related to various procurement thresholds.

Director Steggell was absent for the vote.

B. Amendment to Personnel and Salary Resolution (F: 17.02)

Staff pulled this item for consideration at a future meeting.

C. City of Garden Grove – Budget Adjustment for Start-Up Costs (F: 10.03GG)

On motion of Director Johnson and second by Director Wagner, the Board of Directors voted by those present to approve and authorize a budget adjustment to the FY 2018/19 General Fund Budget (121) in the amount of \$1,136,225 for the purposes of funding supplies, services, personnel costs, and equipment necessary for the transition of Garden Grove to OCFA.

Director Steggell was absent for the vote.

D. Award of Public Works Contract for Fire Station 42 Retaining Wall and Foundation Remediation Project (F: 19.07C42)

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

1. Approve the plans and specifications for the construction of a retaining wall and foundation remediation at Fire Station 42.
2. Accept the Zusser Company, Inc. bid dated February 27, 2019.
3. Approve and award the public works contract to Zusser Company, Inc. in the amount of \$857,200.
4. Authorize a 15% contingency allowance up to \$128,580.

Director Steggell was absent for the vote.

E. New Sublease Agreement for Fire Station 11 (Emerald Bay) (F: 19.07C11)

On motion of Director Johnson and second by Director Wagner, the Board of Directors voted by those present to approve and authorize the Fire Chief to execute the proposed Sublease Agreement with the Emerald Bay Services District for Fire Station 11.

Director Steggell was absent for the vote.

END OF CONSENT CALENDAR

4. PUBLIC HEARING(S)

No items.

5. DISCUSSION CALENDAR

A. Legislative Platform 2019-2020 (F: 11.10F)

Assistant Chief Robert Cortez introduced Legislative Analyst Jay Barkman who presented the Legislative Platform 2019-2020.

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

1. Adopt the OCFA Legislative Platform 2019-2020 and direct staff to initiate procedures to implement the platform.
2. Approve recommended legislative positions.

BOARD MEMBER COMMENTS (F: 11:13)

Director Swartz addressed concerns of canyon and grass fires and the coordinated efforts to prevent them.

Director Hernandez congratulated newly appointed Division Chief Phil Johnson as he will serve the City of Yorba Linda.

Director Shawver addressed the principle of public comments; that a person needs to speak on one topic rather than multiple with extended minutes.

Director Rains left at this point (7:41 p.m.).

Director Swift reported she may bring in Porto's Bakery (located in Buena Park) items at the next meeting, as it will fall on her Birthday.

Chair Muller welcomed Director Fox back to the Board of OCFA, noting she was instrumental in the agreement with the City of Irvine; he additionally offered thanks to Director Wagner, while serving as the city's Mayor, was also instrumental in the process. He thanked Director Shawver for his efforts towards bringing Garden Grove to the OCFA.

CLOSED SESSION (F: 11.15)

General Counsel David Kendig reported the Board would reconvene to Closed Session to consider the matters on the agenda identified as CS3, Conference with Legal Counsel – Anticipated Litigation, CS4, Public Employee Performance Evaluation, and CS5, Conference with Labor Negotiator.


Chair Muller recessed the meeting to Closed Session at 7:45 p.m.

Chair Muller reconvened the meeting from Closed Session at 8:44 p.m.

CLOSED SESSION REPORT (F: 11.15)

General Counsel David Kendig stated there were no reportable actions.

ADJOURNMENT – Chair Muller adjourned the meeting at 8:45 p.m. The next regular meeting of the Orange County Fire Authority Board of Directors is scheduled for Thursday, May 23, 2019, at 6:00 p.m.



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