

MINUTES

ORANGE COUNTY FIRE AUTHORITY

Board of Directors Regular Meeting
Thursday, March 25, 2021
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 25, 2021, at 6:00 p.m. by Chair Shawver.

INVOCATION

Senior Chaplain Dave Keehn offered the invocation.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Dave Shawver, Stanton, Chair
Lisa Bartlett, County of Orange*
Letitia Clark, Tustin*
Carol Gamble, Rancho Santa Margarita*
Noel Hatch, Laguna Woods*
Joe Kalmick, Seal Beach
Jessie Lopez, Santa Ana*
Joe Muller, Dana Point
Sunny Park, Buena Park*
Vince Rossini, Villa Park*
Mark Tettermer, Lake Forest
Donald P. Wagner, County of Orange*

Michele Steggell, La Palma, Vice Chair
Troy Bourne, San Juan Capistrano*
Ross Chun, Aliso Viejo*
Shelley Hasselbrink, Los Alamitos
Gene Hernandez, Yorba Linda*
Anthony Kuo, Irvine
Frances Marquez, Cypress*
John R. O'Neill, Garden Grove*
Sandy Rains, Laguna Niguel*
Tri Ta, Westminster*
Kathleen Ward, San Clemente*

Absent: Ed Sachs, Mission Viejo

Don Sedgwick, Laguna Hills

Also present were:

Fire Chief Brian Fennessy
Deputy Chief Kenny Dossey
Assistant Chief Robert Cortez
Assistant Chief Jim Ruane
General Counsel David Kendig
Dir. of Communications Colleen Windsor

Deputy Chief Lori Zeller
Assistant Chief Randy Black
Assistant Chief Stephanie Holloman
Assistant Chief Lori Smith
Assistant Chief Phil Johnson
Clerk of the Authority Maria Huizar

*Board of Director Members participating via Teleconferencing

REPORTS

A. Report from the Budget and Finance Committee Chair (FILE 11.12)

Budget and Finance Committee Chair Joe Muller reported at the March 10, 2021, regular meeting of the Budget and Finance Committee, the Committee voted unanimously to forward the Monthly Investment Reports to the Executive Committee to receive and file the reports. Additionally, the Committee voted unanimously to forward the FY 2020/21 Mid-Year Budget Adjustment to the Board for its approval of the recommended actions. During the special Budget meeting that followed, the Committee received a Budget and Finance Committee orientation presentation by Assistant Chief Cortez and voted unanimously to approve a Budget Adjustment for the Fire Integrated Real-time Intelligence System (FIRIS) 2.0 Program Extension. Additionally, and after extensive discussion and recommendation that staff memorialize the advance payment and credit-back process as a Board-approved policy, the Committee voted unanimously to forward the Authorization to Prepare Fire & Emergency Services Proposal for the City of Fullerton to the Board of Directors for approval of the recommended actions.

B. Report from the Fire Chief (FILE 11.14)

Fire Chief Brian Fennessy presented a video presentation update and overview on the COVID-19 vaccination logistics provided by OCFA in conjunction with the County of Orange.

PUBLIC COMMENTS

Chair Shawver opened the Public Comments portion of the meeting. Chair Shawver closed the Public Comments portion of the meeting without any comments from the general public.

1. PRESENTATIONS

No items.

2. CONSENT CALENDAR

On motion of Director Kuo and second by Director Muller, and following a roll call vote, declared Agenda Item 2A-2D passed 22-0 (Directors Rains, Sachs, and Sedgwick absent), with Agenda Items 2F and 2G pulled for separate consideration.

A. Minutes from the February 25, 2021, Regular Meeting of the Board of Directors (FILE 11.06)

Action: Approve as submitted.

B. 2021 Committee Member Roster (FILE 11.02E)

Action: Receive and file report.

C. Ratify Appointments to Executive Committee (FILE 12.02A1)

Action: Confirm the appointments of the Executive Committee and Alternate members, as required in Rule 9(b) of the Board of Directors Rules of Procedure.

D. FY 2020/21 Mid-Year Budget Adjustment (FILE 15.04)

Action: Authorize the proposed mid-year budget adjustments and transfers as detailed in this report and attachments.

E. Agenda Item 2E was pulled at the request of staff (FILE 18.09D)

F. Authorization to Prepare a Fire & Emergency Services Proposal for the City of Fullerton (FILE 10.03)

Director Bartlett pulled this agenda item for separate consideration.

Lengthy discussion ensued.

On motion of Director Kuo and second by Director Hernandez, and following a roll call vote, declared passed 15-8, (Directors Sachs and Sedgwick absent and Directors Muller, Rains, Gamble, Lopez, Clark, Rossini, Bartlett, and Wagner opposed), to:

1. Direct staff to require advance payment from the City of Fullerton in the amount of \$80,207.55 to cover the cost of OCFA staff time to prepare a fire and emergency services proposal.
2. Direct staff, when invoicing the City of Fullerton, to inform the City that should they choose to contract with the OCFA, the \$80,207.55 payment would constitute an annual payment credit over the remainder of the current Joint Powers Agreement term.
3. Direct staff to prepare a fire and emergency services proposal for Board consideration for the City of Fullerton upon receipt of the advance payment.

G. Drowning Prevention Awareness Proclamation (FILE 11.09A)

Director Muller pulled this agenda item for separate consideration.

Justin Dillon, PAC Director for Firefighter Local 3631, read a letter from Julie Lopiccolo addressed to the OCFA Board regarding the Orange County Drowning Prevention Task Force.

Discussion ensued. Directors requested item be brought back with background and fiscal information for Board consideration.

On motion by Director Wagner and second by Director Kuo, and following a roll call vote, declared passed 23-0 (Directors Sachs and Sedgwick absent) to approve proclamation designating May and continue through October as Drowning Prevention Awareness.

3. DISCUSSION

A. San Onofre Nuclear Generating Station (SONGS) Community Coalition (FILE 18.02)

Deputy Chief Kenny Dossey provided a brief summary of the Orange County Fire Authority's monitoring of the transition of the San Onofre Nuclear Generating Station.

Discussion ensued.

On motion of Director Tetterer and second by Director Shawver, and with a roll call vote, declared passed 12-2 (Directors Sachs and Sedgwick absent and Directors Park, Marquez, Hatch, Gamble, Lopez, Kalmick, Rossini, Ta, and Hernandez abstained), to move to support the SONGS Coalition efforts but limit the OCFA's involvement to the Fire Chief's participation only.

4. PUBLIC HEARING

No items.

BOARD MEMBER COMMENTS (FILE 11.13)

Director Bartlett requested adding an agenda item to the next Board of Directors meeting to discuss the usage and terms for legal contracts of special procurement authorization and sole source authorization, and provide the legal definitions for the terms of both forms of authorizations.

Director Wagner spoke in agreement with Director Bartlett's request to add the agenda item of sole source authorization and special procurement for discussion.

Director O'Neill informed the Board that former Mayor of Garden Grove William "Bill" Dalton passed away recently. He served a combined 40 years for the City Council and as a Garden Grove police officer, was awarded the medal of valor, and had many other significant contributions throughout the years serving the public of Garden Grove.

Director Rains commended the OCFA firefighters serving Laguna Niguel who stopped to assist a community member caring for her garden late in the evening.

Director Kuo thanked firefighters from Station 71 (Santa Ana) who attended to two false alarms due to faulty equipment in his business's office building.

CLOSED SESSION (FILE 11.15)

CS1. CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION - pursuant to paragraph (2) and (3) of subdivision (d) of Section 54956.9 of the Government Code: Two (2) Cases.

CS2. CONFERENCE WITH LEGAL COUNSEL - PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54954.5
Position: Fire Chief

CS3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Government Code Section 54956.9)
Name of Claim: Phi Le vs. OCFA,
Case No. ADJ 13837889

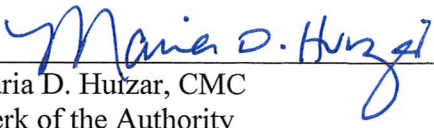
CS4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Government Code Section 54956.9)
Name of Claim: Dylan Van Iwaarden vs. OCFA,
Case No. ADJ13838365

CS5. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - (Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9
Number of potential cases: Two (2), Potential claims related to injuries sustained by firefighters during the Silverado Fire in October 2020.

CLOSED SESSION REPORT (FILE 11.15)

General Counsel David Kendig stated there was no reportable action.

ADJOURNMENT – Chair Shawver adjourned the meeting at 9:16 p.m., in memory of former Garden Grove Mayor William “Bill” Baldwin. The next regular meeting of the Orange County Fire Authority Board of Directors is scheduled for Thursday, April 22, 2021, at 6:00 p.m.



Maria D. Huizar, CMC
Clerk of the Authority