

MINUTES

ORANGE COUNTY FIRE AUTHORITY

Board of Directors Regular Meeting
Thursday, June 24, 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 June 24, 2021, at 6:00 p.m. by Chair Shawver.

INVOCATION

The invocation was led by Chaplain Jeff Hetschel.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Dave Shawver, Stanton, Chair
Lisa Bartlett, County of Orange*
Ross Chun, Aliso Viejo*
Letitia Clark, Tustin*
Anthony Kuo, Irvine
Joe Muller, Dana Point*
Sunny Park, Buena Park*
Vince Rossini, Villa Park*
Tri Ta, Westminster*
Kathleen Ward, San Clemente
Shelley Hasselbrink, Los Alamitos*

Michele Steggell, La Palma, Vice Chair
Donald P. Wagner, County of Orange
Gene Hernandez, Yorba Linda*
Joe Kalmick, Seal Beach
Frances Marquez, Cypress*
John R. O'Neill, Garden Grove*
Sandy Rains, Laguna Niguel*
Ed Sachs, Mission Viejo*
Mark Tettmer, Lake Forest
Noel Hatch, Laguna Woods
Carol Gamble, Rancho Santa Margarita*

Absent: Troy Bourne, San Juan Capistrano
Don Sedgwick, Laguna Hill

Jessie Lopez, Santa Ana

Also present were:

Fire Chief Brian Fennessy
Deputy Chief Kenny Dossey
Assistant Chief Robert Cortez
Assistant Chief Lori Smith
General Counsel David Kendig
Asst. Clerk Martha Halvorson

Deputy Chief Lori Zeller
Assistant Chief Randy Black
Assistant Chief Jim Ruane
Assistant Chief Phil Johnson
Assistant Chief Stephanie Holloman
Dir. of Communications Colleen Windsor

**Board Members participating via teleconferencing*

REPORTS

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

Budget and Finance Chair Joe Muller reported at the June 9, 2021, regular meeting, the Committee reviewed and approved placing the Updated Cost Reimbursement Rates, FY 2020/21 Year End Budget Adjustment, and Third Quarter Purchasing Report on the agenda for the Board of Directors June 24, 2021, meeting for approval of the recommended actions. The Committee considered the agenda item Responses to Board of Director's Questions and Comments Made During the Review of the Fiscal Year 2021/22 Proposed Budget. Following the review and discussion of the responses and information provided, by a 7-0 vote, the Committee directed staff to include the information with the June Fiscal Year 2021/22 Proposed General Fund and Capital Improvement Program (CIP) Budget for the Board of Directors June 24, 2021, meeting.

Report from the Fire Chief (FILE 11.14)

Fire Chief Brian Fennessy reported last week the Quick Reaction Force (QRF) Program was launched with a press conference and demonstration held at Los Alamitos Joint Forces Training Base. It included Ventura County Fire, Los Angeles Fire, OCFA, and Southern California Edison. Academy 52 Graduation was held last week, notably the first time all 47 firefighter trainees passed the academy. Many thanks to the Academy Cadres led by Captain Levi Medina, and thanks to those Board Members who were able to attend as well.

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.

CLOSED SESSION (FILE 11.15)

CS1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54954.5: Fire Chief

CS2. CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6

Chief Negotiators:	Board Chair Shawver, Vice Chair Steggell, Immediate Past Board Chair Hasselbrink and Budget & Finance Committee Chair Muller
Position:	Fire Chief

CS3. 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

CS4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION pursuant to Paragraph (1) of subdivision (d) of Section 54956.9 of the Government Code: Desiree Horton v. OCFA et al, Case No. 30-2021-01200267-CU-WT-CJC

CLOSED SESSION REPORT (FILE 11.15)

General Counsel David Kendig reported that at 10:34 p.m. the Board approved by a vote of 17-3 (Directors Kuo, Rains and Wagner opposed and Directors O'Neill, Sedgwick, Hasselbrink, Bourne and Lopez absent) to suspend the curfew for said meeting.

1. PRESENTATIONS

No Items.

2. CONSENT CALENDAR

On motion of Director Ward and second by Director Kalmick, and following a roll call vote, declared Agenda Item 2A-2D passed 20-0 (Directors Bourne, Hasselbrink, Lopez, O'Neill, and Sedgwick absent).

A. Minutes from the May 27, 2021, Regular Meeting of the Board of Directors (FILE 11.06)

Action: Approve as submitted.

B. Third Quarter Purchasing Report (FILE 11.10H1)

Action: Receive and file the report.

C. Updated Cost Reimbursement Rates (FILE 15.12)

Action: Approve and adopt the proposed Cost Reimbursement Rate schedules to be effective July 1, 2021.

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

Action: Approve and authorize FY 2020/21 budget adjustments to increase net revenues by \$4,494,276 and net appropriations by \$3,535,745 as further described in this staff report.

3. DISCUSSION CALENDAR

A. Mutual Aid Agreement with Los Alamitos Joint Forces Training Base (JFTB) (FILE 18.09D)

Chief Fennessy introduced the Mutual Aid Agreement and Assistant Chief Jim Ruane who provided a brief summary of the document.

On motion of Director Kalmick and second by Director Tettermer, and following a roll call vote, declared approved 20-0 (Directors Bourne, Hasselbrink, Lopez, O'Neill, and Sedgwick absent) to:

1. Approve and authorize the Fire Chief or his designee to execute the proposed Mutual Aid Agreement with the Joint Forces Training Base, Los Alamitos in a form acceptable to OCFA legal counsel.
2. Approve and authorize the revision to the QRF program budget by \$150,000 to reflect the estimated JFTB facilities use reimbursement costs.

B. Fire Chief's Discretionary Bonus Upon Completion of Third Full Year of Service (FILE 17.10A2)

General Counsel David Kendig introduced the Fire Chief's Discretionary Bonus Upon Completion of Third Full Year of Service.

Todd Baldrige, President of Firefighters Local 3631, requested a delay of the consideration of the item until Local 3631 has completed a survey of its own members.

On motion of Chair Shawver and second by Director Ward, and following a roll call vote, declared approved 11-5 (Directors Bartlett, Kuo, Rains, Tettermer, Wagner opposed, Directors Bourne, Gamble, Hasselbrink, Lopez, Muller, O'Neill, Rossini, Sedgwick, absent and Director Clark abstained), to approve the discretionary bonus to the Fire Chief of \$20,000.

4. PUBLIC HEARING

A. Review of the Fiscal Year 2021/22 Proposed Budget (FILE 15.04)

Chief Fennessy addressed the Board in follow up to questions directed to staff at the May 27, 2021, Board meeting. He introduced Assistant Chief Robert Cortez who provided the Review of the Fiscal Year 2021/22 Proposed Budget.

On motion of Director Kuo and Second by Chair Shawver, and following a roll call vote, declared approved 17-1 (Directors Bourne, Hasselbrink, Lopez, Muller, O'Neill, Rossini, Sedgwick absent, and Director Bartlett opposed) to:

1. Conduct a Public Hearing.
2. Adopt the FY 2021/22 Proposed Budget as submitted.
3. Adopt the resolution entitled A RESOLUTION OF THE ORANGE COUNTY FIRE AUTHORITY BOARD OF DIRECTORS ADOPTING AND APPROVING THE APPROPRIATIONS BUDGET FOR THE ORANGE COUNTY FIRE AUTHORITY FOR FISCAL YEAR 2021/22.
4. Approve and authorize the temporary transfer of up to \$90 million from the Fund 190 Workers' Compensation Reserve Fund to the General Fund 121 to cover a projected temporary cash flow shortfall for FY 2021/22.
5. Approve and authorize the repayment of \$90 million borrowed funds from Fund 121 to Fund 190 along with interest when General Fund revenues become available in FY 2021/22.
6. Approve transfers from the General Fund 121 to CIP Funds and Settlement Agreement Fund totaling \$17,032,518.

BOARD MEMBER COMMENTS (FILE 11.13)

Director Ward requested that staff return at the next Board of Directors meeting with the staff report where the special procurement policy was implemented in order to have a full Board discussion.

Director Gamble reported her inability to participate fully during the meeting because of interrupted teleconference service.

Director Rains reported her agenda packet arrived late and asked for review of the delivery process. She reported the city of Laguna Niguel had a meet and greet recently, firefighters interacted with the public, and a demonstration of brush abatement to prevent potential fire hazards was given using goats.

Assistant Chief Cortez reported staff will research the problems with the delivery of mail to the board members.

Chair Shawver reported staff will research both the mail delivery and the internet service problems before the next board meeting.

ADJOURNMENT – Chair Shawver adjourned the meeting at 11:09 p.m. The next regular meeting of the Orange County Fire Authority Board of Directors is scheduled for Thursday, July 22, 2021, at 6:00 p.m.



Martha Halvorson, CMC
Assistant Clerk of the Authority