

MINUTES

ORANGE COUNTY FIRE AUTHORITY

Board of Directors Regular Meeting
Thursday, October 28, 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 October 28, 2021, at 6:00 p.m. by Chair Shawver.

INVOCATION

The invocation was led by Chaplain Emily McColl.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Dave Shawver, Stanton, Chair
Ross Chun, Aliso Viejo*
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*
Don Sedgwick, Laguna Hills
Mark Tettermer, Lake Forest
Kathleen Ward, San Clemente*

Michele Steggell, La Palma, Vice Chair
Letitia Clark, Tustin*
Shelley Hasselbrink, Los Alamitos*
Gene Hernandez, Yorba Linda*
Anthony Kuo, Irvine
Frances Marquez, Cypress*
John R. O'Neill, Garden Grove*
Sandy Rains, Laguna Niguel*
Ed Sachs, Mission Viejo*
Tri Ta, Westminster*
Donald P. Wagner, County of Orange

Absent: Lisa Bartlett, County of Orange

Troy Bourne, San Juan Capistrano

Also present were:

Fire Chief Brian Fennessy
Deputy Chief Kenny Dossey
Assistant Chief Robert Cortez
Assistant Chief Phil Johnson
Assistant Chief Stephanie Holloman
Clerk of the Authority Maria D. Huizar

Deputy Chief Lori Zeller
Assistant Chief Randy Black
Assistant Chief Jim Ruane
General Counsel David Kendig
Assistant Chief Lori Smith

**Board 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 its October 13, 2021, regular meeting, the Committee approved the recommended actions of the following items to be forwarded to the Board of Directors for approval; Approval of the Annual Statement of Investment Policy and Investment Authorization, the 2020 Homeland Security Grant Program, the FIRIS 3.0 Program Extension, the Findings Required by AB 361 for the Continued Use of Teleconferencing for Meetings of the Budget and Finance Committee; and the Fire Service Proposal for Emergency Services for the City of Fullerton.

B. Report from the Fire Chief (FILE 11.14)

Fire Chief Brian Fennessy reported on the following; the Orange County Grand Jury recent tour of the OCFA Regional Center; the Benevolent Picnic well attended, a successful event; thanks to Risk Management Manager Rhonda Haynes and others for their work on Suicide Prevention month, and thanks to Investigator Jim Cass as the standing President of the Benevolent Association, who has worked tirelessly supporting the members in times of need.

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. Clerk of the Authority noted that e-comment received from OCEA and was transmitted to the Members of the Board upon receipt.

1. PRESENTATIONS (FILE 11.09)

Chair Shawver, Fire Chief Fennessy, and Assistant Chief Cortez presented the Purchasing Department with the 2021 National Procurement Institute's Achievement of Excellence in Procurement (AEP) Award noting it is the departments 11th consecutive year of receiving the award.

RECESS TO CLOSED SESSION (FILE 11.15)

At this point, Chair Shawver announced Closed Session would be moved to the end of the meeting.

2. CONSENT CALENDAR

On motion of Director Kuo and second by Director Kalmick, and following a roll call vote, declared Agenda Items 2A-2D, and 2F approved 21-0 (Directors Bartlett, Bourne, Park, and Rains absent). Clerk of the Authority noted that Agenda Item 2E pulled at the request of staff.

A. Minutes from the September 23, 2021, Regular Meeting of the Board of Directors
(FILE 11.06)

Action: Approve as submitted.

B. Fire Integrated Real-time Intelligence System (FIRIS) 3.0 Program Extension
(FILE 18.09D)

Action:

1. Approve and authorize a budget adjustment to increase revenue and appropriations in the FY 2021-22 General Fund (121) budget by an additional \$10,671,443 for the extension of the FIRIS 3.0 Program for an additional eight months from November 1 through June 30, 2022.
2. Approve and authorize the Purchasing Manager to adjust all FIRIS-related vendor contracts by the individual amounts needed in support of the FIRIS 3.0 Program extension, so long as the aggregate value of the increase does not exceed the revised program budget (see table).

C. Approval of Annual Statement of Investment Policy and Investment Authorization
(FILE 11.10D1)

Action:

1. Review and approve the submitted Investment Policy of the Orange County Fire Authority, to be effective January 1, 2022.
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, 2022.

D. 2020 Homeland Security Grant Program (FILE 19.09E)

Action:

1. Approve and authorize the Fire Chief to execute any necessary agreement(s) to accept and administer the FY 2020 Homeland Security Grant Program.
2. Approve a budget adjustment to the FY 2021/22 General Fund (121) budget to increase revenues and expenditures by \$180,000.

E. Updated Cost Reimbursement Rates (FILE 15.12)

Staff pulled this item for consideration at a future date.

F. Award of Public Works Contract for Audio/Visual Systems Upgrades at the USAR Warehouse (FILE 19.07B11)

Action:

1. Approve the plans and specifications for Audio/Visual Systems Upgrades at the USAR Warehouse.
2. Accept the JEC Integration Systems bid of August 12, 2021.
3. Approve and award the public works contract to JEC Integration System in the amount of \$211,294.45.

Director Lopez arrived at this point (6:14 p.m.).

3. DISCUSSION CALENDAR

A. Consider the 9:30 p.m. Rule in Board Rules of Procedure Rule 3(b) and Waive the 10:30 p.m. Curfew Set Forth in Rule 3(c) (FILE 11.03)

General Counsel David Kendig presented the item to Consider the 9:30 p.m. Rule in Board Rules of Procedure Rule 3(b) and Waive the 10:30 p.m. Curfew Set Forth in Rule 3(c).

On motion of Director Tetterer and second by Chair Shawver, and following a roll call vote, approved 20-2 (Directors Kuo and Muller opposed, Directors Bartlett, Bourne, and Park absent).

1. At 9:30 p.m. determine which remaining agenda items will be considered and which may be continued to the next regular meeting; and
2. In the event the Board's meeting appears likely to continue past 10:30 p.m., waive the 10:30 p.m. curfew set forth in Board Rule of Procedure 3(c). (Waiver of the 10:30 curfew requires approval from three-fifths (3/5ths) of the Board members present for the meeting.)

B. Findings Required by AB 361 for the Continued Use of Teleconferencing for Meetings of the Board of Directors (FILE 11.03)

General Counsel David Kendig presented the Findings Required by AB361 for the Continued Use of Teleconferencing for Meetings of the Board of Directors.

On motion of Director Kuo and second by Director Sedgwick, and following a roll call vote, approved 21-1 (Director Tetterer opposed, Directors Bartlett, Bourne, and Park absent).

1. Make the following findings by majority vote of the Board:
 - a. A state of emergency has been proclaimed by California's Governor due to the COVID-19 pandemic and continues in effect; and
 - b. The Board has reconsidered the circumstances of the state of emergency; and

- c. State and local officials continue to recommend measures to promote social distancing to slow the spread of COVID-19; and
2. Direct staff to schedule concurrent Special Joint Meetings of the Budget and Finance Committee, Executive Committee and Human Resources Committee with regular or special meetings of the Board of Directors whenever necessary to address the requirement to make the required findings at least every thirty (30) days, and to minimize the need for separate Board meetings to address this new requirement of the Brown Act. (A proposed schedule that could accommodate the concurrent meetings is attached hereto and referenced as Attachment 2).

Director Park arrived at this point (6:35 p.m.).

C. Fire Service Proposal for Emergency Services for the City of Fullerton (FILE 10.03)

Division Chief Rob Capobianco presented the Fire Service Proposal for Emergency Services for the City of Fullerton.

Tim Perkins, on behalf of OCFA Chief Officers Association, spoke in favor of the proposal for emergency services for the City of Fullerton.

Todd Baldrige, President of Firefighters Local 3631, spoke in favor of the proposal for emergency services for the City of Fullerton.

Director O'Neill left at this point (7:30 p.m.).

Discussion ensued.

On motion of Chair Shawver and second by Vice Chair Steggell, and following a roll call vote, approved 19-3 (Directors Wagner, Gamble, Hasselbrink opposed, Directors Bartlett, Bourne, and O'Neill absent), to approve and authorize staff to submit the Orange County Fire Authority's proposal to the City of Fullerton for its consideration.

BOARD MEMBER COMMENTS

The Board Members congratulated Director Clark on the release of her children's book "Mommy is the Mayor."

RECESS TO CLOSED SESSION (FILE 11.15)

CS1. CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6

Chief Negotiator:

Peter Brown, Liebert Cassidy Whitmore

Employee Organizations:

- Orange County Professional Firefighters Association, IAFF - Local 3631,
- Orange County Employees Association (OCEA), and
- Orange County Fire Authority Management Association (OCFAMA)

CS2. 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: One (1) Case

CS3. 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

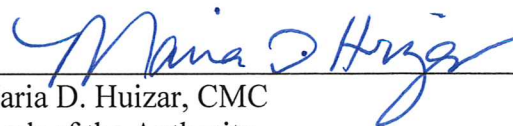
CS4. CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION pursuant to paragraph (2) and (3) of subdivision (d) of Section 54956.9 of the Government Code: One (1) case regarding unpaid invoices from Brown Marketing.

RECONVENE TO OPEN SESSION

CLOSED SESSION REPORT (FILE 11.15)

General Counsel David Kendig stated there was no reportable action.

ADJOURNMENT – Chair Shawver adjourned the meeting at 11:29 p.m. The next regular meeting of the Orange County Fire Authority Board of Directors is scheduled for Thursday, November 18, 2021, at 6:00 p.m.



Maria D. Huizar, CMC
Clerk of the Authority