

MINUTES

ORANGE COUNTY FIRE AUTHORITY

Board of Directors Regular and Concurrent Joint Special Meetings
Thursday, January 27, 2022
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 January 27, 2022, at 6:00 p.m. by Chair Shawver.

INVOCATION

The invocation was led by Chaplain Kent Kraning.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Dave Shawver, Stanton, Chair	Michele Steggell, La Palma, Vice Chair
Troy Bourne, San Juan Capistrano*	Ross Chun, Aliso Viejo*
Carol Gamble, Rancho Santa Margarita*	Shelley Hasselbrink, Los Alamitos*
Noel Hatch, Laguna Woods*	Gene Hernandez, Yorba Linda*
Anne Hertz-Mallari, Cypress	Joe Kalmick, Seal Beach
Anthony Kuo, Irvine	Jessie Lopez, Santa Ana*
Austin Lumbard, Tustin*	John R. O'Neill, Garden Grove*
Sunny Park, Buena Park*	Sandy Rains, Laguna Niguel*
Vince Rossini, Villa Park	Ed Sachs, Mission Viejo*
Don Sedgwick, Laguna Hills*	Tri Ta, Westminster*
Mark Tetterer, Lake Forest	Richard Viczorek, Dana Point*
Donald P. Wagner, County of Orange*	Kathleen Ward, San Clemente*

Absent Lisa Bartlett, County of Orange

Also present were:

Fire Chief Brian Fennessy	Deputy Chief Lori Zeller
Deputy Chief Kenny Dossey	Assistant Chief Randy Black
Assistant Chief Robert Cortez	Assistant Chief Jim Ruane
Assistant Chief Stephanie Holloman	Assistant Chief Phil Johnson
Assistant Chief Lori Smith	General Counsel David Kendig
Clerk of the Authority Maria D. Huizar	

REPORTS

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

Budget and Finance Vice Chair Tri Ta reported at its January 12, 2022, Budget and Finance Committee Meeting, the Committee reviewed and forwarded the Monthly Investment Reports, to the Executive Committee meeting of January 27, 2022, to receive and file the reports. Additionally, the Committee reviewed and approved to forward the following to the Board of Directors Meeting of January 27, 2022: FY2021/2022 Mid-Year Financial Report, Annual Grant Priorities for 2022, the 2020 Urban Areas Security Initiative Grant Program Agreement to Transfer Property or Funds, the 2021 Long Term Liability Study & Accelerated Pension Payment Plan, and lastly the Award of RFP# RO2480a Physical Security/Security Management Services and Approval of Corresponding Budget Adjustments. The Committee also reviewed the OCFA Aviation Unit Fleet Plan Analysis and Proposed Process for Developing Recommendations Related to Aircraft Replacement item. The Committee directed staff to draft a vetting process to educate and inform policymakers and to return to the Budget and Finance Committee in February to further develop a proposed review structure to be considered by the Board at a future date.

B. Report from the Fire Chief (FILE 11.14)

Fire Chief Brian Fennessy honored Tom Christian who was recently recognized by the Regional Center of Orange County at its January 13, 2022, Board meeting. Honored for each year of employment success working with developmental disabilities, Tom joined the OCFA in 2002 in the Service Center Division, and has continued to be a dedicated employee, providing model customer service. Chief Fennessy also reviewed the Second Quarter Update – 2021/22 Goals & Objectives, and expressed thanks to all for keeping our stations fully staffed, dispatch, mechanics, all firefighters. He noted the Fire Service Proposal to Fullerton was presented by Division Chief Rob Capobianco, with the City to fully vet the proposal.

PUBLIC COMMENTS (FILE 11.11)

Aaron Peardon, Senior Labor Relations Representative for OCEA, spoke in favor of the award of agenda item number 3A RFP# RO2480a, physical security/security management at OCFA.

Cory Johnson addressed the spike of COVID, and need for vaccinations.

Michelle addressed gender discrimination.

Ann Cadosh addressed gender discrimination.

Resident with phone number ending in 1172, addressed gender discrimination and harassment.

Sandy addressed gender discrimination and harassment.

Minutes

OCFA Board of Directors Regular and Concurrent Joint Special Meeting
January 27, 2022 Page - 2

Resident with phone number ending in 6170, shared concerns that responders on a call to a family members home did not wear protective masks.

1. PRESENTATIONS

A. Recognition of former OCFA Board of Directors (FILE 11.09)

Chair Shawver expressed thanks for their service and with Fire Chief Fennessy presented recognitions to former Board of Directors Joseph Muller, Dana Point, Letitia Clark, Tustin, and Frances Marquez, Cypress.

B. Welcome to New Directors and Administer Oath of Office (FILE 11.02C)

Chair Shawver introduced and welcomed new Board Members, Richard Viczorek, Dana Point, Austin Lombard, Tustin, and Anne Hertz-Mallari, Cypress.

2. CONSENT CALENDAR

On motion of Director Kuo and second by Director Tetteimer, and following a roll call vote, declared passed 23-0 Agenda Items 2A-2G (Directors Bartlett and Rossini absent).

A. Minutes for the Board of Directors (FILE 11.06)

Action:

1. Approve the Minutes for the November 18, 2021, Regular and Concurrent Joint Special Meeting as submitted.
2. Approve the Minutes for the December 16, 2021, Concurrent Joint Special Meeting as submitted.
3. Approve the Minutes for the January 13, 2022, Concurrent Joint Special Meeting as submitted.

B. FY 2021/2022 Mid-Year Financial Report (FILE 15.04)

Action: Direct staff to return to the Board of Directors on March 24, 2022, for approval of the budget adjustments discussed herein for the FY 2021/22 budget.

C. Annual Grant Priorities for 2022 (FILE 11.10G)

Action: Approve OCFA's Annual Grant Priorities for 2022.

D. 2020 Urban Areas Security Initiative Grant Program Agreement to Transfer Property or Funds (FILE 16.02H2)

Action: Approve the Fiscal Year 2020 Urban Areas Security Initiative Grant Program Agreement and authorize the Fire Chief to execute it and any necessary attachments and agreement(s) to accept and administer the UASI Grant.

E. 2021 Long Term Liability Study & Accelerated Pension Payment Plan (FILE 17.06A)

Action:

1. Receive and file the report.
2. Direct staff to adjust the FY 2021/22 General Fund budget to increase expenditures and operating transfers out by a combined value of \$4,590,935, the amount identified as the unencumbered fund balance in the FY 2020/21 financial audit, and to allocate 50% or \$2,295,467.50 of the funding to replenish the contingency reserve to 10% of expenditures as required by the OCFA's Financial Stability Policy, and \$2,295,467.50 to the Structural Fire Fund Entitlement Fund as required under the 2010 First Amendment to the Amended Joint Powers Agreement. The specific technical budget adjustment to carry-out this action will be included in the March mid-year budget adjustment agenda item for final approval by the Board.

F. Extension of Health Plan Agreement Orange County Professional Firefighters Association (FILE 17.07)

Action: Approve the Side Letter Agreement to extend the Health Plan Agreement between the Orange County Fire Authority and the Orange County Professional Firefighters Association for a term of January 1, 2022, to December 31, 2022.

G. Award of Public Works Contract for Tenant Improvements at OCFA Fire Stations 32 & 53 (FILE 19.07B27)

Action:

1. Adopt the plans and specifications for Tenant Improvements at OCFA Fire Stations 32 & 53 (see Attachment Three to this staff report).
2. Accept the Neuroth Construction, Inc bid dated October 14, 2021.
3. Approve and award the public works contract to Neuroth Construction, Inc. in the amount of \$747,227.

RECESS TO CLOSED SESSION (FILE 11.15)

Director Rossini arrived at this point (7:40 p.m.).

CS1. THREAT TO PUBLIC SERVICES OR FACILITIES pursuant to Section 54957(a)

Consultation with Orange County Intelligence Assessment Center (OCIAC) and presented by Albert Martinez, Director, OCIAC, Orange County Sheriff's Department

CS2. 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)

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: One (1) Case

RECONVENE TO OPEN SESSION

CLOSED SESSION REPORT (FILE 11.15)

General Counsel David Kendig stated there was no reportable action.

Director Park left at this point (8:48 p.m.).

3. DISCUSSION CALENDAR

A. Award of RFP# RO2480a Physical Security/ Security Management Services and Approval of Corresponding Budget Adjustments (FILE 19.07B2)

Assistant Chief of Logistics Jim Ruane presented the Award of RFP# RO2480a Physical Security/Security Management Services, and Approval of Corresponding Budget Adjustments.

Minutes

OCFA Board of Directors Regular and Concurrent Joint Special Meeting
January 27, 2022 Page - 5

Discussion ensued.

On motion of Director Tetterer and second by Director Rains, and following a roll call vote, declared approved 12-11 (Directors Ward, Bourne, Chun, Hernandez, Hertz-Mallari, Viczorek, Rossini, Sachs, Ta, Steggell, and Shawver opposed; Directors Bartlett and Park absent) that an ad hoc committee be formed to review this item and other aspects of security for OCFA and to look at the suite of things being considered to determine whether they are appropriate now, and to return with a recommended master plan regarding those facets to be considered and to extend the Allied contract while the ad hoc completes its work. Friendly amendment to motion approved that a member of the ad hoc committee shall include a cash contract city representative.

B. Organizational Service Level Assessment Update (FILE 17.16)

Assistant Chief Robert Cortez introduced the Organizational Service Level Assessment Update, and Public Safety Principal from Citygate Associates, LLC, Stewart Gary. Mr. Gary presented the Citygate Organizational Service Level Assessment update.

On motion by Chair Shawver and second by Director Tetterer, and following a roll call vote, declared approved 21-0 (Directors Bartlett, Hasselbrink, Lopez, and Park absent) to:

1. Receive and file the Citygate Organizational Service Level Assessment (SLA) update for Field Deployment, Emergency Medical Services, Emergency Command Center, Fleet Services, and Executive Leadership/Human Resources.
2. Receive and file the Citygate Organizational Service Level Assessment (SLA) results presentation and final reports for the Business Services Department and the Community Risk Reduction Department.

C. Board of Director Requested Item - Consideration of Additional Standing Sub-Committees of the Board of Directors (FILE 11.03)

Chair Shawver presented the request to consider additional sub-committees of the Board of Directors. He recommended two new standing committees, Operations, and Legislation.

On motion of Chair Shawver and second by Director Kalmick, and following a roll call vote, declared approved 21-1 (Director Sachs opposed, Directors Bartlett, Hasselbrink, Park, absent).

Director Hasselbrink left at this point (9:25 p.m.).

RECESSED THE REGULAR MEETING OF THE BOARD OF DIRECTORS AT 9:52 P.M.

**CALL TO ORDER THE CONCURRENT JOINT SPECIAL MEETINGS OF THE:
BOARD OF DIRECTORS, EXECUTIVE COMMITTEE, BUDGET & FINANCE
COMMITTEE, AND HUMAN RESOURCES COMMITTEE**

**D. Findings Required by AB 361 for the Continued Use of Teleconferencing for Meetings
(FILE 11.03)**

On motion of Chair Shawver and second by Director Hernandez, and following a roll call vote, declared approved 21-1 (Director Tetteimer opposed; Directors Bartlett, Hasselbrink, and Park absent) to make the following findings by majority votes of the Board of Directors, Executive Committee, Budget and Finance Committee and Human Resource Committee:

- 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 of Directors and each Committee has reconsidered the circumstances of the emergency; and
- c. State and local officials continue to recommend measures to promote social distancing to slow the spread of COVID-19.

**ADJOURNED THE CONCURRENT JOINT MEETINGS AND RECONVENED TO THE
REGULAR MEETING OF THE BOARD OF DIRECTORS AT 9:56 P.M.**

E. Election of Board Chair and Vice Chair (FILE 11.02B)

On motion of Chair Shawver and second by Director O'Neill, and following a roll call vote, declared passed 22-0 (Director Bartlett, Hasselbrink, and Park absent), to approve the process as proposed for the election.

Chair Shawver opened the nominations for Chair of the Board.

Chair Shawver nominated Vice Chair Steggell, with a second by Director Kuo.

There were no additional nominations.

On the nomination of Vice Chair Steggell, and following a roll call vote, declared passed 22-0 (Director Bartlett, Hasselbrink, and Park absent) as Chair of the Board.

Chair Shawver opened the nominations for Vice Chair of the Board.

Director Hernandez nominated Director Rossini; with a second by Director Ta.

Director Gamble nominated Director Kuo; with a second by Director Ward.

There were no additional nominations.

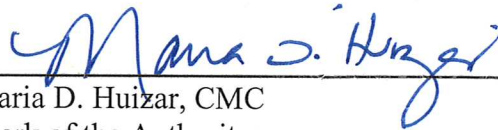
On the nomination of Director Rossini, and following a roll call vote, motion failed 12-10, (Directors Tettermer, Bourne, Chun, Lumbard, Gamble, Hatch, Kalmick, Kuo, Lopez, Viczorek, O'Neill, Rains dissenting, with Directors Bartlett, Hasselbrink, and Park absent) as Vice Chair of the Board.

On the nomination of Director Kuo, and following a roll call vote, declared passed 14-8 (Directors Ward, Hernandez, Hertz-Mallari, Rossini, Sachs, Ta, Steggell, and Shawver dissenting) as Vice Chair of the Board.

BOARD MEMBER COMMENTS (FILE 11.13)

Chair Shawver thanked his fellow Board Members, Fire Chief and the entire OCFA staff, for their service under his term as Chair over the past year.

ADJOURNMENT – Chair Shawver adjourned the meeting at 10:20 p.m. The next meeting of the Orange County Fire Authority Board of Directors is scheduled for Thursday, February 24, 2022, at 6:00 p.m.



Maria D. Huizar, CMC
Clerk of the Authority