

# MINUTES

## ORANGE COUNTY FIRE AUTHORITY

Board of Directors Regular and Concurrent Joint Special Meetings  
Thursday, April 28, 2022  
6:00 P.M.

Regional Fire Operations and Training Center Board Room  
1 Fire Authority Road  
Irvine, CA 92602-0125

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### CALL TO ORDER

A regular meeting of the Orange County Fire Authority Board of Directors was called to order on April 28, 2022, at 6:00 p.m. by Chair Steggell.

### INVOCATION

The invocation was led by Chaplain Emily McColl.

### PLEDGE OF ALLEGIANCE

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

### ROLL CALL

Michele Steggell, La Palma, Chair  
Lisa Bartlett, County of Orange\*  
Ross Chun, Aliso Viejo\*  
Gene Hernandez, Yorba Linda\*  
Joe Kalmick, Seal Beach  
Austin Lombard, Tustin\*  
Sunny Park, Buena Park\*  
Don Sedgwick, Laguna Hills  
Tri Ta, Westminster\*  
Richard Viczorek, Dana Point\*  
Kathleen Ward, San Clemente\*

Anthony Kuo, Irvine, Vice Chair  
Troy Bourne, San Juan Capistrano\*  
Carol Gamble, Rancho Santa Margarita\*  
Anne Hertz-Mallari, Cypress\*  
Jessie Lopez, Santa Ana\*  
John R. O'Neill, Garden Grove\*  
Vince Rossini, Villa Park\*  
Dave Shawver, Stanton\*  
Mark Tetterer, Lake Forest  
Donald P. Wagner, County of Orange\*

**Absent** Shelley Hasselbrink, Los Alamitos  
Sandy Rains, Laguna Niguel

Noel Hatch, Laguna Woods  
Ed Sachs, Mission Viejo

### Also present were:

Fire Chief Brian Fennessy  
Deputy Chief Kenny Dossey  
Assistant Chief Jim Ruane  
Assistant Chief Lori Smith  
General Counsel David Kendig  
Clerk of the Authority Maria D. Huizar

Deputy Chief Lori Zeller  
Assistant Chief Robert Cortez  
Assistant Chief Stephanie Holloman  
Assistant Chief TJ McGovern  
Director of Communications Matt Olson

*\*Those members attending via Teleconferencing.*

## REPORTS

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

Budget and Finance Committee Chair Tri Ta reported at its April 13, 2022, Budget and Finance Committee meeting, the Committee reviewed and recommended to forward to the Board of Directors the Fiscal Year 2020/21 Backfill/Overtime and Calendar Year 2021 Total Earnings/Compensation Analysis for approval of the recommended actions. The Committee also reviewed and made the recommendation to forward the Community Risk Reduction Fee Study and Adoption of Associated Fee Schedules to the Board to conduct a Public Hearing and approve the recommended actions.

### **B. Report from the Fire Chief (FILE 11.14)**

Fire Chief Brian Fennessy introduced the OCFA Strategic Goals FY2021/2022, Third Quarter Update. He also addressed the OCFA standards of accountability, transparency, and integrity.

## PUBLIC COMMENTS (FILE 11.11)

Aaron Peardon, Senior Labor Relations Representative for Orange County Employees Association (OCEA), addressed the need of a fair wage increase.

Rich Swanson, OCFA Plan Reviewer and member of the OCEA negotiation team, addressed the performance and high standards of OCFA employees and the need for fair wage increase.

Samantha Soto, OCFA Emergency Command Center Supervisor and OCEA negotiation team member, asked for fair wage increases.

Brian Slegers, OCFA Senior Fire Prevention Specialist, requested consideration of the Board for fair cost of living wages.

Andrea Bruenniaks, OCFA Fire Prevention Analyst, addressed the work ethic of OCFA employees and requested consideration by the Board of fair wage increase.

John Bowden, OCFA Assistant Fire Marshal, addressed the OCEA negotiations and lack of fair increase of wages.

Josh Miller, OCEA Member, requests consideration of a fair contract.

Patty Hernandez, OCEA Board Member and County of Orange probation department employee, thanked all of those who serve OCFA as essential workers, and asked the Board reconsider providing fair wages to its employees.

Velevia Stevens, ECC Dispatcher, addressed the professionalism of the ECC staff and requested the Board provide a contract that recognizes the exceptional service by the employees.

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Charles Barfield, General Manager of OCEA, spoke of employees who worked diligently during the pandemic, but are being disregarded during negotiations.

Patricia Cabada, Orange County resident, representing Latinos United for America, asked that the Board reintroduce the safe and surrender policy to the public.

Libby Fallman with the phone number ending in 8403, addressed her concerns of disrespect for women employees of Orange County Fire Authority.

Dawn Larson, volunteer and founding member of the Girls Camp Circuit, addressed women being treated unfairly at the OCFA.

Kris, no phone number provided, addressed the DEI Survey sent out recently to OCFA staff.

Resident with the phone number ending in 7575, addressed women not treated fairly at OCFA.

Resident with the phone number ending in 4415, spoke to the unfair treatment of women at the OCFA.

## **1. PRESENTATIONS**

No items.

## **2. CONSENT CALENDAR**

On motion of Vice Chair Kuo and second by Director Tetteimer, and following a roll call vote, approved 2A-2B 18-0 (Directors Chun, Hasselbrink, Hatch, Rains, Sachs, Shawver, and Wagner absent) with Agenda Item 2C pulled by staff for a separate presentation.

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

Action: Approve the Minutes for the March 24, 2022, Regular and Concurrent Joint Special Meeting as submitted.

### **B. Wildfire Awareness and Prevention Proclamation (FILE 11.09A)**

Action: Approve proclamation designating mid-summer through early autumn as “Wildfire Awareness and Prevention Season.”

**C. Fiscal Year 2020/21 Backfill/Overtime and Calendar Year 2021 Total Earnings/Compensation Analysis (FILE 15.11)**

Staff pulled this item for separate consideration. Assistant Chief Robert Cortez introduced the item and Finance Manager Julie Nemes, who presented a PowerPoint presentation.

OCFA Fire Captain Chris Hamm addressed the Board expressing concerns about forced shifts and overtime.

Justin Dillon, Vice President of Local 3631, addressed the staffing demands within OCFA.

Discussion ensued.

On motion of Vice Chair Kuo and second by Director Tetterer, and following a roll call vote, approved 19-0 (Directors Chun, Hasselbrink, Hatch, Rains, Sachs, and Shawver absent) to:

1. Direct staff to continue pursuing reductions in overtime by filling permanent vacancies as quickly as possible after the positions become vacant.
2. Authorize staff to temporarily exceed the number of authorized firefighter positions on the Master Position Control to maximize the number of firefighters hired into each academy, pending attrition/promotions that occur during and following academy graduations.
3. Direct staff to continue using overtime to fill temporary vacancies rather than hiring additional personnel, recognizing this as a cost-effective practice for temporary needs.

**3. DISCUSSION ITEMS**

No items.

**4. PUBLIC HEARING**

**A. Community Risk Reduction Fee Study and Adoption of Associated Fee Schedules (FILE 15.05A)**

Chair Steggell opened the Public Hearing.

Finance Manager Julie Nemes presented a PowerPoint presentation for the Community Risk Reduction Fee Study and Adoption of Associated Fee Schedules.

Discussion ensued.

There were no comments from the public.

Chair Steggell closed the Public portion of the Public Hearing.

On motion of Director Gamble and second by Director Hernandez, and following a roll call vote, declared approved 20-0 (Directors Chun, Hasselbrink, Hatch, Rains, and Sachs absent) to:

1. Conduct a Public Hearing.
2. Find that, in accordance with California Government Code Section 66014, the proposed fees do not exceed the cost of providing services and are only for the purpose of meeting operational expenses and are, therefore, exempt from compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21080.
3. Approve and adopt Resolution No 2022-03 entitled A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ORANGE COUNTY FIRE AUTHORITY APPROVING CHANGES IN COMMUNITY RISK REDUCTION (FORMERLY FIRE PREVENTION) AND MISCELLANEOUS FEES approving changes in Community Risk Reduction and Miscellaneous fees and effective date.
4. On the condition that a strong audit, be conducted on 3-4 types of projects that could include multifamily housing over 100 units, High-rise structure 75 feet or above, and a Mid-rise structure under 75 feet.

## **RECESS THE REGULAR MEETING OF THE BOARD OF DIRECTORS**

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

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

General Counsel David Kendig presented the Findings Required by AB 361 for the Continued Use of Teleconferencing for Meetings.

On motion of Director Hernandez and second by Director Lopez, and following a roll call vote, approved 15-5 (Directors Tettermer, Sedgwick, Hertz-Mallari, Kuo, and Steggell opposed, and Directors Chun, Sachs, Hasselbrink, Hatch, and Rains absent) to: select Option #1 to make the following findings:

- 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.

## **ADJOURN THE CONCURRENT JOINT MEETINGS AND RECONVENE TO THE REGULAR MEETING OF THE BOARD OF DIRECTORS**

**BOARD MEMBER COMMENTS (FILE 11.13)**

Vice Chair Kuo requested staff provide a memo to the Wildfire Awareness and Prevention activity in follow up to the proclamation approved this evening.

**RECESS TO CLOSED SESSION (FILE 11.15)**

**CS1. CONFERENCE WITH LABOR NEGOTIATORS** pursuant to Government Code Section 54957.6

Negotiators:

Peter Brown, Liebert Cassidy Whitmore  
and Stephanie Holloman, Assistant Chief/Human  
Resources Director

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 - PUBLIC EMPLOYEE PERFORMANCE EVALUATION** pursuant to Government Code Section 54954.5

Position:

Fire Chief

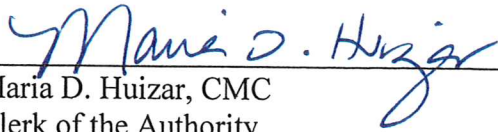
**CS3. CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION** pursuant to paragraph (2) and (3) of subdivision (d) of Section 54956.9 of the Government Code: One (1) Case

**RECONVENE TO OPEN SESSION**

**CLOSED SESSION REPORT (FILE 11.15)**

General Counsel David Kendig stated there was no reportable action.

**ADJOURNMENT** – Chair Steggell adjourned the meeting at 9:47 p.m. The next meeting of the Orange County Fire Authority Board of Directors is scheduled for Thursday, May 26, 2022, at 6:00 p.m.

  
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Maria D. Huizar, CMC  
Clerk of the Authority