

MINUTES

ORANGE COUNTY FIRE AUTHORITY

Board of Directors Regular and Concurrent Joint Special Meetings
Thursday, June 23, 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 June 23, 2022, at 6:00 p.m. by Chair Steggell.

INVOCATION

The invocation was led by Chaplain Gerardo Arenado.

PLEDGE OF ALLEGIANCE

Chair Steggell led the Assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

Michele Steggell, La Palma, Chair	Anthony Kuo, Irvine, Vice Chair
Ross Chun, Aliso Viejo*	Carol Gamble, Rancho Santa Margarita*
Shelley Hasselbrink, Los Alamitos*	Noel Hatch, Laguna Woods*
Anne Hertz-Mallari, Cypress*	Joe Kalmick, Seal Beach
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
Dave Shawver, Stanton*	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
Gene Hernandez, Yorba Linda

Troy Bourne, San Juan Capistrano

Also present were:

Fire Chief Brian Fennessy	Deputy Chief Lori Zeller
Deputy Chief Kenny Dossey	Assistant Chief Robert Cortez
Assistant Chief Jim Ruane	Assistant Chief Stephanie Holloman
Assistant Chief Lori Smith	Assistant Chief TJ McGovern
Assistant Counsel Barbara Raileanu	General Counsel David Kendig
Director of Communications Matt Olson	Clerk of the Authority Maria D. Huizar

**Those members attending via Teleconferencing.*

REPORTS

Director Lumbard arrived at this point (6:04 p.m.).

Director Kalmick arrived at this point (6:06 p.m.).

Director Lopez arrived at this point (6:07 p.m.).

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

Budget and Finance Chair Tri Ta reported at its June 8, 2022, Committee meeting, the Committee reviewed and recommended to forward the Updated Cost Reimbursement Rates; FY 2021/22 Year End Budget Adjustment; and CAL FIRE Grant to OCFA for Vegetation Management to the Board of Directors for approval of the recommended actions. Also, the Committee reviewed and recommended to forward the Fire Integrated Real-time Intelligence System (FIRIS 3.0) Program Extension; the Award of RFP #SK2489b Design-Build Services for OCFA Mission Viejo Fire Station #24 and Approval of Corresponding Budget Adjustments; and the 2022 Quick Reaction Force (QRF) Program, to the Board of Directors for approval of the recommended actions. Lastly, the Committee received and filed the second phase of the OCFA Aircraft Replacement Review Process of Air Ops Services Provided, and recommended modifying the Board approved work plan by combining some of the review phases.

B. Report from the Fire Chief (FILE 11.14)

Fire Chief Brian Fennessy reported on and provided a video of the upcoming Girls Empowerment Camp; an opportunity for youth to learn what it's like to be a firefighter and build self-confidence in a profession they might want for their future. Chief Fennessy also highlighted the recent Fire Captain Academy graduation, thanking Chair Steggell for attending. He noted there were 15 newly promoted Fire Captains.

PUBLIC COMMENTS (FILE 11.11)

Resident with the phone number ending in 1770, commented on a recent survey conducted by the Firefighters Union Local 3631.

Cynthia, no phone number provided, commented on a zero tolerance policy, the recent Captain's Academy and promotions, and compliance of the federal law pertaining to the OCFA.

Resident with the phone number ending in 8403, addressed diversity at OCFA.

Cory Johnson, no phone number provided, spoke of the management of the recent Coastal Fire.

Kris, no phone number provided, addressed the lack of staffing at OCFA.

Resident with the phone number ending in 7575, addressed invocations at the Board meetings, number of women firefighters, survey by Local 3631, adequate facilities for women, and need to hire more minorities.

Minouche Kandel, Senior Staff Lawyer for the ACLU Foundation of Southern California, no phone number provided, spoke to gender laws and Title VII of the Civil Rights Act of 1964.

1. PRESENTATIONS

No items.

Director Sachs arrived at this point (6:31 p.m.).

Director Kuo left at this point (6:32 p.m.).

2. CONSENT CALENDAR

On motion of Director Sachs and second by Director Rossini, and following a roll call vote, approved 21-0 Agenda Items No. 2A-2B and 2D-2G (Directors Bartlett, Bourne, Hernandez, and Kuo absent). Agenda Item 2C was pulled for separate consideration.

Director Lopez left at this point (6:36 p.m.)

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

Action: Approve the Minutes for the May 26, 2022, Regular and Concurrent Joint Special Meeting as submitted.

B. CAL FIRE Grant to OCFA for Vegetation Management (FILE 16.0212)

Action: Approve a budget adjustment to the FY 2022/23 General Fund (121) budget to increase revenues and expenditures by \$1,225,000 for the OCFA Vegetation Management grant.

C. FY 2021/22 Year End Budget Adjustment (FILE 15.04)

Director Tetterer pulled the item for clarification.

On motion of Director Tetterer and second by Director Ward, and following a roll call vote, approved Agenda Item 2C 20-0 (Directors Bartlett, Bourne, Hernandez, Kuo, and Lopez absent) to approve and authorize FY 2021/22 budget adjustments as detailed in this

report.

Note: The ABH adjustment detail on the staff report was corrected to reflect \$4,542,894 instead of \$4,415,524. However, the Board approved total general fund adjustment remained unchanged.

D. Updated Cost Reimbursement Rates (FILE 15.12)

Action: Approve and adopt the proposed Cost Reimbursement Rate schedules to be effective July 1, 2022.

E. Award of RFP# SK2489b Design-Build Services for OCFA Mission Viejo Fire Station #24 and Approval of Corresponding Budget Adjustments (FILE 19.07C24)

Actions:

1. Direct staff to increase the FY 2021/22 Fire Stations and Facilities CIP in the amount of \$3,000,000 for one-time additional funding for Fire Station #24 to add station capacity for both an Engine and Truck company.
2. Approve and authorize the Purchasing Manager to execute the proposed Design-Build Services Agreement for OCFA Mission Viejo Station #24 with EC Constructors, Inc. in an amount not to exceed \$14,996,489.

F. Award of Public Works Contract for Uninterruptible Power Supply System Upgrade – RFOTC (FILE 19.07B10)

Actions:

1. Approve the plans and specifications for the installation and replacement of the existing Uninterruptible Power Supply System at the RFOTC.
2. Accept Ferreira Coastal Construction Company bid dated April 19, 2022.
3. Approve and award the public works contract to Ferreira Coastal Construction Company in the amount of \$602,311.

G. Award of Public Works Contract for Installation of Clean Agent Fire Suppression System – RFOTC (FILE 19.07B30)

Actions:

1. Approve the plans and specifications for the installation of a Clean Agent Fire Suppression System at the RFOTC.
2. Accept Facilities Protection Systems bid dated April 5, 2022.
3. Approve and award the public works contract to Facilities Protection Systems in the amount of \$319,992.

RECESS TO CLOSED SESSION (FILE 11.15)

General Counsel David Kendig reported the Board would recess to Closed Session to consider one item on the Closed Session agenda. He stated the purpose of meeting in closed session for this item is the exposure of liability and potential litigation related to topics where the agency has already experienced some litigation.

RECONVENE TO OPEN SESSION

CLOSED SESSION REPORT (FILE 11.15)

General Counsel David Kendig reported the Board of Directors determined by a vote of 18-0 that a Closed Session discussion pursuant to subdivision (d) of Section 54956.9 of the Government Code was not authorized; no Closed Session occurred with the following Board Members absent, Hernandez, Bartlett, Bourne, Shawver, Lopez, Park, and Kuo.

Director Kuo arrived in person at this point (7:09 p.m.).

3. DISCUSSION ITEMS

A. OCFA Diversity, Equity and Inclusion Initiatives from 2019 Collaboration with ACLU to 2022 Climate Survey (FILE 12.02D6)

Assistant Chief Stephanie Holloman presented the OCFA Diversity, Equity and Inclusion Initiatives from 2019 Collaboration with ACLU to 2022 Climate Survey, along with a PowerPoint presentation.

On motion of Director Ward and second by Director Sedgewick, and following a roll call vote, approved 20-0 (Directors Bartlett, Bourne, Hernandez, Lopez, and Shawver absent) to receive and file the report.

B. Approval of Memorandum of Understanding with the Orange County Fire Authority Management Association (FILE 17.18)

Assistant Chief/Human Resources Director Stephanie Holloman presented the Approval of Memorandum of Understanding with the Orange County Fire Authority Management Association.

On motion of Director Kuo and second by Director Kalmick, and following a roll call vote, approved 20-0 (Directors Bartlett, Bourne, Hernandez, Lopez, and Shawver absent) to approve the proposed Memorandum of Understanding between the Orange County Fire

Authority and the Orange County Fire Authority Management Association, for a term of June 23, 2022, to June 22, 2023.

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

Fire Chief Brian Fennessy presented the Fire Integrated Real-time Intelligence System (FIRIS) 3.0 Program Extension.

On motion of Director Sedgwick and second by Director Rossini, and following a roll call vote, approved 20-0 (Directors Bartlett, Bourne, Hernandez, Lopez, and Shawver absent) to:

1. Approve and authorize a budget adjustment to increase revenue and appropriations in the FY 2022-23 General Fund (121) budget by an additional \$9,789,565 for the extension of the FIRIS 3.0 Program up to an additional six months from July 1 through December 31, 2022.
2. Approve and authorize the Purchasing Manager to either amend or enter into new 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).
3. Approve and authorize the Purchasing Manager to issue an amendment to the Professional Services Agreement with AEVEX to modify the scope of services to allow for the installation and utilization of additional sensor technology, as requested by Cal OES.

D. 2022 Quick Reaction Force (QRF) Program (FILE 18.09D)

Fire Chief Brian Fennessy presented the 2022 Quick Reaction Force (QRF) Program.

Brief discussion ensued.

On motion of Director Chun and second by Director Kalmick, and following a roll call vote, approved 20-0 (Directors Bartlett, Bourne, Hernandez, Lopez, and Shawver) to:

1. Approve the Funding Agreement with Southern California Edison in a form substantially consistent with the attachment to accept funding in the amount of \$9,018,100 to fund the fixed-cost portion of the 165-day 2022 Quick Reaction Force Program.
2. Approve and authorize the Purchasing Manager to execute the Public Aircraft Lease and Service Agreement with Coulson Aviation (USA), Inc. in a form substantially consistent with the attachment utilizing the sole source procurement provision in the Purchasing Ordinance for the provision of aircraft and other operational related services in an amount not to exceed \$7,974,110 for the 2022 QRF Program term with the option to renew the agreement for two additional program terms, at the sole discretion of OCFA and contingent upon the identification of additional SCE funding.

3. Approve and authorize the Purchasing Manager to enter into a Professional Services Agreement with Perimeter Solutions in a form substantially consistent with the attachment utilizing the sole source procurement provision in the Purchasing Ordinance for the provision of a mobile fire-retardant plant and related services in an amount not to exceed \$1,655,000 for the 2022 QRF Program term.
4. Approve and authorize the Purchasing Manager to enter into new Professional Services Agreements with the Air Tactical Group Supervisors (ATGS') in a form substantially consistent with the attachment at an amount not to exceed \$250,000 each for the 2022 QRF Program term, with an aggregate program spending cap not to exceed \$660,000.
5. Approve and authorize the Purchasing Manager to enter into a new Professional Services Agreement for Program Manager Services with Scott Jones, in a form substantially consistent with the attachment and an aggregate program spending cap not to exceed \$250,000 for the 2022 QRF Program term.
6. Approve and authorize a FY 2022/23 General Fund (121) budget adjustment to recognize funding from SCE for a revenue increase of \$9,018,100 and to increase appropriations by the same amount.
7. Approve the updated Cost Reimbursement Rate schedule to include the CH-47 Very Large Helitanker, S-61 Helitanker, and S-76 Helitanker daily stand-by and hourly flight rates, and mobile fire retardant plant daily stand-by and hourly rates, and hourly rates for Program Manager and Air Tactical Group Supervisors to be effective June 24, 2022.
8. Adopt an exemption from the California Environmental Quality Act (CEQA) pursuant to Title 14, California Code of Regulations, Section 15301 (Existing Facilities) and direct staff to file a Notice of Exemption.
9. Approve and authorize the Fire Chief to enter into an agreement with the Los Alamitos Joint Forces Training base in a form substantially consistent with the attachment for a program spending cap not to exceed \$150,000 for the 2022 QRF Program term.

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 Wagner and second by Director Chun, and following a roll call vote, approved 14-6 (Directors Hertz-Mallari, Rossini, Sachs, Tettmer, Kuo, and Steggell opposed, Directors Bartlett, Bourne, Hernandez, Lopez, and Shawver absent) to select Option #1 to make the following findings: A state of emergency has been proclaimed by California's Governor due to the COVID-19 pandemic and continues in effect; and

- a. The Board of Directors and each Committee has reconsidered the circumstances of the emergency; and
- b. 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

The Board Members offered no comments.

RECESS TO CLOSED SESSION (FILE 11.15)

General Counsel David Kendig reported the Board would be convening to Closed Session to consider items CS1, CS2, and CS3 as they appear on the agenda including conference with its labor negotiator Peter Brown.

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 - PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54954.5

Position:

General Counsel

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:

Two (2) Cases

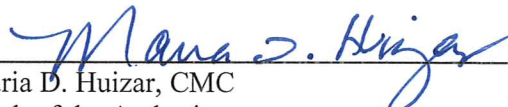
CS5. CONFERENCE WITH LEGAL COUNSEL – POSSIBLE INITIATION OF LITIGATION pursuant to paragraph (4) of subdivision (d) of Section 54956.9 of the Government Code: One (1) Case

RECONVENE TO OPEN SESSION

CLOSED SESSION REPORT (FILE 11.15)

General Counsel David Kendig stated the Board gave direction to their labor negotiator otherwise, there was no reportable action.

ADJOURNMENT – Chair Steggell adjourned the meeting at 10:28 p.m. The next meeting of the Orange County Fire Authority Board of Directors will be a Concurrent Joint Special Meeting of the Board and all Committees on Thursday, July 14, 2022, at 6:00 p.m.



Maria D. Huizar, CMC
Clerk of the Authority