

MINUTES

ORANGE COUNTY FIRE AUTHORITY

Board of Directors Regular and Concurrent Joint Special Meeting
Thursday, November 17, 2022
6:00 P.M.

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

CALL TO ORDER

A regular meeting of the Orange County Fire Authority Board of Directors was called to order on November 17, 2022, at 6:00 p.m. by Board Chair Michele Steggell.

INVOCATION

The invocation was led by Chaplain Ken Krikac.

PLEDGE OF ALLEGIANCE

Director Hernandez led the assembly in the Pledge of Allegiance.

ROLL CALL

Present:	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
	Gene Hernandez, Yorba Linda	Joe Kalmick, Seal Beach
	Austin Lombard, Tustin	John O'Neill, Garden Grove
	Sandy Rains, Laguna Niguel	Dave Shawver, Stanton
	Don Sedgwick, Laguna Hills	Tri Ta, Westminster*
	Mark Tettermer, Lake Forest	Richard Viczorek, Dana Point
	Donald P. Wagner, County of Orange*	Kathy Ward, San Clemente
Absent:	Troy Bourne, San Juan Capistrano	Lisa Bartlett, County of Orange
	Anne Hertz-Mallori, Cypress	Jessie Lopez, Santa Ana
	Sunny Park, Buena Park	Vince Rossini, Villa Park

Also present were:

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

*Board Members participating via teleconferencing

REPORTS

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

Budget and Finance Committee Chair Tri Ta reported at its November 9, 2022, meeting, the Committee reviewed and recommended by a unanimous vote to forward the following items to the full Board for consideration and approval: First Quarter Purchasing Report; Annual Statement of Investment Policy and Investment Authorization; Organizational Service Level Assessment Update; Acceptance of the CAL Fire Grant for Fuels Reduction Equipment; Audited Financial Reports for the Fiscal Year Ended June 30, 2022; Fire Integrated Real-Time Intelligence System (FIRIS) 3.0 Program Extension, and lastly, the Quick Reaction Force (QRF) Program Extension.

B. Report from the Operations Committee Chair (FILE 11.12)

Operations Committee Vice Chair Sandy Rains reported at its November 2, 2022, meeting, the Committee met at the OCFA's Urban Search & Rescue facility in Lake Forest. The Committee received an Introduction to Special Operations from Deputy Chief Kenny Dossey. The Committee also reviewed a Video Update on OCFA's Emergency Medical System (EMS), from Director of Communications Matt Olson. Assistant Chief Jim Ruane provided an update to the RFOTC Training Grounds Project Scope and Development Plan. Lastly, the Committee participated in an all-inclusive site tour of the elite equipment staged at the facility and used by the USAR teams for search and rescue.

C. Report from the Fire Chief (FILE 11.14)

Fire Chief Fennessy delivered a message on the passing of Apparatus Engineer Mike Tooley, and offered a moment of silence in his honor. With Veterans Day coming up, the Chief reminded the audience that both current and past firefighters have served with honor in our military. He noted that KABC Channel 7, KWave, and partnering agencies kick off the Annual Spark of Love / Stuff a Bus drive December 16th; the Season of Gratitude includes acknowledging our firefighters and professional staff, our professionals who will have responded to 160,000 emergency calls and more than 220,000 fire unit responses this year. He concluded wishing all a wonderful Thanksgiving.

PUBLIC COMMENTS (FILE 11.11)

Brian Abney, elected Board of Director of Local 3631, addressed the untimely passing of OCFA Mike Tooley, commending him for his service.

Brad Mayo, candidate for President of Local 3631, commented on the service of professional firefighters and lack of ratification of a contract for those who serve.

Linda Brown, Firefighter/Medic Engineer, addressed complacency of the Board for the working conditions and pay, and value of the firefighters.

Joshua Salmon, Firefighter, addressed firefighter pay versus expenditures approved by the OCFA management.

Jason Williams, OCFA Fire Captain, addressed the need for a fair contract.

Dylan Brown, OCFA firefighter, addressed fair compensation for the firefighters.

Christy De Leon, family member of OCFA employee, addressed the need for a fair and responsible contract, lack of compensation, work overtime because of low pay, and its impact on families.

Steve Kriha, Local 3631, addressed the numerous contract meetings without results. Implored the Board to provide a tentative agreement before the next Board meeting.

Justin Dillon, Local 3631, addressed increased housing and needs for coverage, countywide 180 thousand units to be built. Need an adjustment for public safety, better wages, and recruitment efforts.

Chris Hamm, OCFA Fire Captain, addressed talking points produced from the recent labor negotiations noting staff continues to work 24 hours a day, 7 days a week to provide uninterrupted service to the cities served.

1. PRESENTATIONS

A. Procurement Award (FILE 11.9)

Chair Michele Steggell, Fire Chief Brian Fennessy, and Assistant Chief Robert Cortez presented the Purchasing Department with its 12th consecutive year the 2022 National Procurement Institute's Achievement of Excellence and Procurement (AEP) award. OCFA is one of only 39 government agencies in California and one of only 36 special districts in the United States and Canada to receive this recognition.

2. CONSENT CALENDAR

On motion of Director Tetterer and second by Director Steggell, and following a roll call vote, approved 18-0 Agenda Item Nos. 2A-2G, and 2I-2J (Directors Rossini, Bourne, Lopez, Hertz-Mallari, Park, and Bartlett absent). Director Tetterer pulled Agenda Item No. 2H for separate consideration.

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

Action:

1. Approve the Minutes for the October 13, 2022, Concurrent Joint Special Meeting as submitted.
2. Approve the Minutes for the October 27, 2022, Regular and Concurrent Joint Special Meeting as submitted.

B. Audited Financial Reports for the Fiscal Year Ended June 30, 2022 (FILE 15.06)

Action:

1. Receive and approve the reports.
2. Review the calculations used to determine the fund balance amounts assigned to the capital improvement program and workers' compensation, and confirm the calculations' consistency with the OCFA's Assigned Fund Balance Policy.

C. First Quarter Purchasing Report (FILE 11.10H1)

Action: Receive and file the report.

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

Actions:

1. Review and approve the submitted Investment Policy of the Orange County Fire Authority, to be effective January 1, 2023.
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, 2023.

E. Organizational Service Level Assessment Update (FILE 17.16)

Action:

Receive and file the Organizational Service Level Assessment (SLA) update.

F. Acceptance of CalFire Grant for Fuels Reduction Equipment (FILE 16.0212)

Actions:

1. Approve an adjustment to the FY 2022/23 General Fund (121) budget to increase revenue by \$250,000 for the grant program award, and authorize the expenditure of up to \$400,000 from the FY 2022/23 General Fund (121) budget.
2. Adopt a resolution authorizing the Board Chair and/or Fire Chief and/or their designee to execute all documents necessary to effectuate the grant award.

G. Compensation Agreement for Disposition of San Juan Capistrano Former Redevelopment Agency Property (FILE 10.03)

Action: Approve and authorize the Board Chair to sign the proposed Draft Master Agreement for Taxing Entity Compensation between the Orange County Fire Authority and the City of San Juan Capistrano.

H. 2023 Board Meetings Schedule(FILE 11.05)

Director Tetterer pulled this item for separate consideration.

On motion of Director Tetterer and second by Director Kalmick, and following a roll call vote approved 18-0 (Directors Rossini, Bourne, Lopez, Hertz-Mallari, Park, and Bartlett absent) to Adopt Resolution No. 2022-11 entitled A RESOLUTION OF THE ORANGE COUNTY FIRE AUTHORITY BOARD OF DIRECTORS ESTABLISHING THE REGULAR AND SPECIAL MEETING DATES FOR CALENDAR YEAR 2023.

I. Amendment to the FY 2022/23 Capital Improvement Program adding New Hand Crews Station 18 and Funding for New Laguna Woods Station 12 (FILE 19.07C18)

Actions:

1. Authorize and approve an increase to the FY 2022/23 Fund 123 - Fire Stations and Facilities budget as follows:
 - a) Increase FY 2022/23 Fund 123 revenue by \$16,950,000 and expenditures by \$16,700,000 for new Hand Crews Station 18, with appropriation of funds upon receipt of state funding.
 - b) Increase FY 2022/23 Fund 123 expenditures by \$250,000 at this time as interim funding for professional services in support of the new Hand Crews Station 18 project (project location assessment/initiate design process).
 - c) Approve new capital improvement project description for Hand Crews Station 18 (Attachment 1).
2. Increase the FY 2022/23 Fund 123 – Fire Station and Facilities budget by \$50,000 to allow the start of work on Fire Station 12 Laguna Woods (project location assessment/initiate design process) and approve amended capital improvement project description (Attachment 2).

J. Update regarding Request For Proposal for Armed Physical Security and Security Management Services (FILE 19.07B2)

Action: Receive and file the report.

3. DISCUSSION CALENDAR

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

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

A brief discussion ensued.

On motion of Director O'Neill and second by Director Hernandez, and following a roll call vote, approved 18-0 (Directors Rossini, Bourne, Lopez, Hertz-Mallari, Park, and Bartlett 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 \$9,733,419 for the extension of the FIRIS 3.0 Program up to an additional six months from January 1 through June 30, 2023.
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).

B. Quick Reaction Force (QRF) Program Extension (FILE 18.09D)

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

On motion of Director Hernandez and second by Director O'Neill, and following a roll call vote approved 18-0 (Directors Rossini, Bourne, Lopez, Hertz-Mallari, Park, and Bartlett absent) to:

1. Approve the Funding Agreement with Southern California Edison in a form approved by legal counsel (*attached*) to accept funding in the amount of \$15,994,605 to fund the fixed-cost portion of the 390-day 2023 Quick Reaction Force Program.
2. Approve and authorize the Purchasing Manager to either amend or enter into new QRF-related vendor contracts, in forms approved by legal counsel, in the individual amounts needed in support of the QRF Program extension so long as the aggregate value of the increase does not exceed the revised program budget (see table).
3. Approve and authorize a FY 2022/23 General Fund (121) budget adjustment to recognize funding from SCE for a revenue increase of \$15,994,605 and to increase appropriations by the same amount.
4. Approve the updated Cost Reimbursement Rate schedule to include updated 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 December 6, 2022.
5. 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.

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, HUMAN RESOURCES COMMITTEE, AND LEGISLATIVE & PUBLIC
AFFAIRS COMMITTEE**

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

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

On motion of Director O'Neill and second by Director Lumbard, and following a roll call vote, approved 14-4 (Directors Tettermer, Sedgwick, Kuo, and Steggell opposed, Directors Rossini, Bourne, Lopez, Hertz-Mallari, Bartlett, and Park absent) to select Option #1 to make the following findings:

- a. A state of emergency has been proclaimed by California's Governor that continues in effect; and
- b. The Board of Directors has reconsidered the circumstances of the emergency; and
- c. Local officials continue to recommend measures to promote social distancing.

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

BOARD MEMBER COMMENTS (FILE 11.13)

Director Ward inquired to a recent reference to the Board of Directors as the Board of the Joint Powers Authority.

Director Chun reported attending an event at the J.F. Shea Therapeutic Riding Center which was held for visually impaired students. Those attending the event recalled when OCFA rescued the horse Choco who resides at the facility, who had fallen upside down in a ravine. Director Chun said many thanked him directly for the efforts of the firefighters who serve OCFA, he wanted to pass the gratitude on to the fire service members who actually performed the rescue.

Director O'Neill thanked Division Chief Covey who had overseen numerous fires in Garden Grove which were put out quickly saving structures and lives; noting Chief Covey has done a great job communicating to both he and the Garden Grove City Manager.

Director Shawver thanked Chair Steggell for her great leadership; she has left the OCFA in a much better shape than when she found it.

Director Ta thanked everyone for their leadership and dedication as it is his last meeting.

Chair Steggell stated it was a pleasure to serve as Vice Chair to former Chair Shawver, and working as the Chair this year with Vice Chair Kuo.

RECESS TO CLOSED SESSION

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, and
- Orange County Employees Association (OCEA)


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

RECONVENE TO OPEN SESSION

CLOSED SESSION REPORT

General Counsel David Kendig stated there was no reportable action.

ADJOURNMENT – The meeting was adjourned at 8:43 p.m. in the memory of former OCFA Fire Apparatus Engineer Mike Tooley who dutifully served OCFA for 25 years. The next meeting of the Orange County Fire Authority Board of Directors will be a Special and Concurrent Joint Special Meeting of the Board and Committees on Thursday, December 15, 2022, at 6:00 p.m.



Maria D. Huizar, CMC
Clerk of the Authority