

MINUTES ORANGE COUNTY FIRE AUTHORITY

**Board of Directors Regular and Concurrent Joint Special Meeting
Thursday, January 26, 2023
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 January 26, 2023, at 6:00 p.m. by Past Chair Dave Shawver.

INVOCATION by OCFA Emily McColl.

PLEDGE OF ALLEGIANCE by Director Tettermer.

ROLL CALL by Clerk of the Authority

Dave Shawver, Past Chair
Troy Bourne, San Juan Capistrano*
Chris Duncan, San Clemente
Carol Gamble, Rancho Santa Margarita
Noel Hatch, Laguna Woods
Anne Hertz-Mallari, Cypress
Tammy Kim, Irvine*
John O'Neill, Garden Grove
Vince Rossini, Villa Park
Joshua Sweeney, Laguna Niguel
Conner Traut, Buena Park

Phil Bacerra, Santa Ana
Ross Chun, Aliso Viejo
John Gabbard, Dana Point
Shelley Hasselbrink, Los Alamitos
Gene Hernandez, Yorba Linda
Joe Kalmick, Seal Beach
Chi Charlie Nguyen, Westminster
Sandy Rains, Laguna Niguel
Bob Ruesch, Mission Viejo
Mark Tettermer, Lake Forest
Donald P. Wagner, County of Orange*

Absent Austin Lumbard, Tustin

Nitesh Patel, La Palma

Also present were:

Fire Chief Brian Fennessy
Deputy Chief TJ McGovern
Assistant Chief Lori Smith
Assistant Chief Jim Ruane
Assistant Chief Stephanie Holloman
General Counsel David Kendig

Deputy Chief Lori Zeller
Assistant Chief Robert Cortez
Assistant Chief Rob Capobianco
Director of Communications Matt Olson
Clerk of the Authority Maria D. Huizar

**Those members attending via Teleconferencing.*

REPORTS

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

Budget and Finance Committee Vice Chair John O'Neill reported at its January 11, 2023, meeting, the Committee reviewed and recommended by a unanimous vote to forward both the Annual Grant Priorities for 2023, and the 2022/2023 Mid-Year Financial Report to the full Board for consideration and approval of the recommended actions.

B. Report from the Fire Chief (FILE 11.14)

Fire Chief Brian Fennessy welcomed the new Board of Directors; reported on the growth and opportunities OCFA welcomes; provided his Second Quarter Update and strategic goals and objectives; commended Division Chief Jim Henery and Community Educators Carmen Cardenas and Jill Cole, who partnered with ABC-7, KWAVE, and other agencies to have the most successful Spark of Love Toy Drive in the events 30-year history with \$50K monetary donations and nearly 40,000 toys donated. He reported in service of the mental health of our firefighters and staff, OCFA is in the process of acquiring OCFA's first Peer Support Canine in partnership with Performance K9 and Thor's Hope Foundation; and offered thanks to Local 3631 and Lee Cabrera and Wade Munson, for their leadership of this important addition to OCFA; announced the Agency-wide Open House coming up on March 4; and introduced to the Board recently promoted Chief Rob Capobianco as the Assistant Chief of Emergency Medical Services, and TJ McGoven promoted to Deputy Chief of Emergency Operations Bureau.

PUBLIC COMMENTS (FILE 11.11)

Chris Hamm, President of Firefighters Local 3631, thanked the new Board of Directors for their service, introduced the newly elected Board from Local 3631, and addressed the union's desire to work in collaboration with OCFA.

Charles Barfield, General Manager of Orange County Employees Association, thanked the former Board Members for their service, and addressed the desire to work in collaboration with OCFA on negotiations of contracts.

BOARD OATH OF OFFICE (FILE 11.02C)

Clerk of the Authority Maria D. Huizar administered the Oath to the following newly appointed members to the Board of Directors: Connor Traut-Buena Park, John Gabbard-Dana Point, Tammy Kim-Irvine, Nitesh Patel-La Palma, Joshua Sweeney-Laguna Hills, Robert "Bob" Sweeney-Mission Viejo, Chris Duncan-Mission Viejo, and Phil Bacerra-Santa Ana.

1. PRESENTATIONS

A. Recognition of Past Chair Michele Steggell (FILE 11.09)

Past Chair Shawver and Fire Chief Fennessy presented an award of Recognition to Past Chair Michele Steggell in gratitude for her term of service as Board Chair 2022.

B. Recognition of Outgoing Directors: (FILE 11.09)

Past Chair Shawver and Fire Chief Fennessy presented awards to the following outgoing Directors for their service on the Board of Directors of the OCFA:

DIRECTOR	REPRESENTING	YEARS OF SERVICE
Lisa Bartlett	County of Orange	12/2/2014 thru 01/03/2023
Sunny Park	Buena Park	01/12/2021 thru 12/13/2022
Richard Viczorek	Dana Point	01/11/2022 thru 12/06/2022
Anthony Kuo	Irvine	01/23/2020 thru 12/13/2022
Michele Steggell	La Palma	11/19/2015 thru 12/13/2022
Don Sedgwick	Laguna Hills	01/13/2015 thru 12/13/2022
Ed Sachs	Mission Viejo	01/05/2015 thru 11/11/2022
Kathy Ward	San Clemente	05/21/2019 thru 12/06/2022
Jessie Lopez	Santa Ana	12/17/2020 thru 12/20/2022
Tri Ta	Westminster	01/23/2013 thru 12/09/2022

2. CONSENT CALENDAR

On motion of Director Hernandez and second by Director Rossini, and following a roll call vote, approved 19-0 Agenda Items 2A-2C (Directors Nguyen, Ruesch, and Gabbard abstained, and Directors Lombard and Patel absent).

A. Minutes for the Board of Directors (FILE 11.6)

Actions:

1. Approve the Minutes for the November 17, 2022, Regular and Concurrent Joint Special Meeting as submitted.
2. Approve the Minutes for the December 15, 2022, Concurrent Joint Special Meeting as submitted.

B. Annual Grant Priorities for 2023 (FILE 11.10G)

On January 11, 2023, the Budget and Finance Committee reviewed the proposed agenda item and directed staff to place the item on the Board of Directors agenda by a vote of 5-0 (Directors Tetteimer and Bourne absent).

Action: Approve OCFA's Annual Grant Priorities for 2023.

C. FY 2022/2023 Mid-Year Financial Report (FILE 15.04)

On January 11, 2023, the Budget and Finance Committee reviewed the proposed agenda item and directed staff to place the item on the Board of Directors agenda by a vote of 5-0 (Directors Tetteimer and Bourne absent).

Action: Direct staff to return to the Board of Directors on March 23, 2023, for approval of the budget adjustments discussed herein for the FY 2022/23 budget.

3. DISCUSSION CALENDAR (*Agenda Item to be considered Out of Order*)

A. Election of Board Chair and Vice Chair for 2023 (FILE 11.02B)

Past Chair Shawver introduced the election process for Chair and Vice Chair.

On motion of Director O'Neill and second by Director Rossini, and following a roll call vote, declared passed 22-0 (Directors Lombard and Patel absent) to approve the process as proposed for the election.

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

Director Rossini nominated Director Rains for Chair of the Board, Director Hatch seconded the motion.

Director Hernandez nominated Director O'Neill for Chair of the Board, Director O'Neill seconded the motion.

Director Bourne nominated Director Tetteimer, Director Shawver seconded the motion.

Director Tetteimer withdrew his name for the nomination of Chair.

There were no additional nominations.

On motion of Director Rossini and second by Director O'Neill, and following a roll call vote, approved 22-0 (Directors Lombard and Patel absent) to close the nominations for Chair.

On the nominations of Director Rains and Director O'Neill, and following a roll call vote, declared 14-8 selecting Director Rains as Chair of the Board of Directors (Directors Hernandez, Nguyen, Bourne, Kalmick, Bacerra, Hasselbrink, O'Neill, Traut, dissenting, and Directors Lumbard and Patel absent).

Elected Chair Rains thanked the Board for their support.

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

Past Chair Shawver nominated Director Rossini for Vice Chair of the Board, Director Rains seconded the motion.

Director Hasselbrink nominated Director O'Neill for Vice Chair of the Board, Director Hernandez seconded the motion.

On motion of Director Hatch and second by Director O'Neill, and following a roll call vote, 22-0 (Directors Lumbard and Patel absent) closed the nominations for Vice Chair.

On the nominations of Director Rossini and Director O'Neill, and following a roll call vote, declared passed 14-8 selecting Director Rossini as Vice Chair of the Board of Directors (Directors Hernandez, Nguyen, Kalmick, Duncan, Hasselbrink, Kim, O'Neill, Traut, dissenting, and Directors Lumbard and Patel absent).

Past Chair Shawver invited Chair Rains to resume the proceedings of the meeting, she requested Past Chair Shawver to continue to conduct the meeting for the balance of the evening.

RECESS THE REGULAR MEETING OF THE BOARD OF DIRECTORS

4. 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 Meetings.

On motion of Director Shawver and second by Director O'Neill, and following a roll call vote, approved 14-8 (Directors Bourne, Bacerra, Tettermer, Rains, Sweeney, Gabbard, Hertz-Mallari, and Traut opposed, and Directors Lumbard and Patel absent) to select Option No. 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 and each Committee 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 O’Neill thanked the members who supported him for both the Chair and Vice Chair nominations. He thanked Division Chief Covey for his service to the City of Garden Grove noting two recent major fires and incidents. He praised Deputy Chief TJ McGovern who served as a firefighter for Garden Grove before the city joined OCFA.

Director Chun spoke of a ride-along he had with Station 61 in Buena Park, he enjoyed and learned from the firefighters and recommended new Board Members take the time to experience the ride-along.

Director Tettermer asked to agendaize an item for a policy to prefund the CIP. General Counsel Kendig described the different methods in which Board Members may request an item be placed on the agenda.

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, and
- Orange County Employees Association (OCEA)

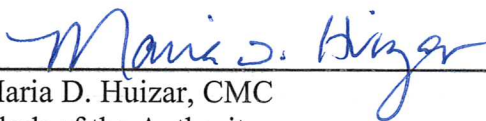
CS2. CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION pursuant to paragraph (2) and (3) of subdivision (d) of Section 54956.9 of the Government Code: One (1) Case

RECONVENED TO OPEN SESSION

CLOSED SESSION REPORT (FILE 11.15)

General Counsel David Kendig stated there was no reportable action.

ADJOURNMENT – Past Chair Shawver adjourned the meeting at 9:45 p.m. The next meeting of the Orange County Fire Authority Board of Directors will be on Thursday, February 23, 2023, at 6:00 p.m.



Maria D. Huizar, CMC
Clerk of the Authority