

MINUTES

ORANGE COUNTY FIRE AUTHORITY

Board of Directors Regular Meeting
Thursday, March 23, 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 March 23, 2023, at 6:02 p.m. by Vice Chair Vince Rossini.

INVOCATION by OCFA Senior Chaplain Dave Keehn.

PLEDGE OF ALLEGIANCE by Director Nguyen.

ROLL CALL by Clerk of the Authority

Vince Rossini, Villa Park, Vice Chair
Ross Chun, Aliso Viejo
Katrina Foley, County of Orange
Shelley Hasselbrink, Los Alamitos
Gene Hernandez, Yorba Linda
Joe Kalmick, Seal Beach
Austin Lombard, Tustin
John O'Neill, Garden Grove
Bob Ruesch, Mission Viejo
Joshua Sweeney, Laguna Hills
Connor Traut, Buena Park

Phil Bacerra, Santa Ana
Chris Duncan, San Clemente
Carol Gamble, Rancho Santa Margarita
Noel Hatch, Laguna Woods
Kelly Jennings, Laguna Niguel
Tammy Kim, Irvine
Chi Charlie Nguyen, Westminster
Nitesh Patel, La Palma
Dave Shawver, Stanton
Mark Tetterer, Lake Forest
Donald P. Wagner, County of Orange

Absent Troy Bourne, San Juan Capistrano
Anne Hertz-Mallari, Cypress
John Gabbard, Dana Point

Also present were:

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

Deputy Chief TJ McGovern
Assistant Chief Rob Capobianco
Assistant Chief Tim Perkins
Assistant Chief Stephanie Holloman
General Counsel David Kendig

Clerk of the Authority Maria D. Huizar, administered the Oath of Office to newly appointed Director Kelly Jennings, recently appointed by the Laguna Niguel City Council to the OCFA Board of Directors.

REPORTS

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

Budget and Finance Committee Chair John O'Neill reported at its March 8, 2023, meeting, the Committee reviewed and recommended by a unanimous vote to forward the FY 2022-23 Mid-Year Budget Adjustment to the full Board for consideration and approval of the recommended actions.

B. Report from the Fire Chief (FILE 11.14)

On behalf of Fire Chief Fennessy, Director of Communications Matt Olson reported on the recent successful OCFA Headquarters Open House having the greatest attendance historically; he commented on the observance of Women's History Month, its impact it has had for young women to be empowered and inspired to emulate those before them such as firefighters, dispatchers, and others in leadership roles; forged by women who have created the framework for other women to succeed.

Deputy Chief TJ McGovern on behalf of Fire Chief Fennessy, addressed the recent February storms highlighting the call from the San Bernadino County Fire Department for assistance, with the OCFA sending hand crew, overhead personnel, and the Office of Emergency Services Type 6 Strike Team to assist for two weeks, aiding residents, removing snow for access and egress of residents' homes, fire protection, and medical assistance, and wellness searches. He noted the Swift Water Rescue Team 5 traveled to Central California to assist with flooding events occurring in Visalia, conducting multiple water rescues. OCFA continued to ensure OCFA regional service was fully staffed and protected.

San Clemente Board of Director Chris Duncan reported the OCFA team under direction of Assistant Chief Sherwood assisted to ensure residents were safe during the heavy rain when a landslide occurred in San Clemente. The city was grateful for their quick response to the situation.

PUBLIC COMMENTS (FILE 11.11)

Vice Chair Rossini opened the Public Comments portion of the meeting, and with no comments from the general public, closed the Public Comments portion of the meeting.

1. PRESENTATIONS (FILE 11.09A)

Vice Chair Rossini and Deputy Chief McGovern introduced the recognition and congratulated OCFA Fire Captain Scott Dierdorff, who could not be present, but was able to view the meeting via the OCFA website, for his Graduation from Executive Leaders Program at the Naval Post Graduate School.

Vice Chair Rossini, Deputy Chief McGovern, and Emergency Command Center Manager Collette Whitlock recognized OCFA dispatchers Michelle Geiger, Grace Romero, and Kelsey Tjernagel as recipients of the Association of Public Safety Communications Officers (APCO) awards. The southern California Chapter annually presents awards to honor public safety personnel who demonstrate the highest level of performance in the line of duty.

2. CONSENT CALENDAR

On motion of Director O'Neill and second by Director Tetteimer, and following a unanimous vote by acclamation approved 22-0 Agenda Item Nos. 2A-2F (Directors Bourne, Hertz-Mallari, and Gabbard absent).

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

Action: Approve the Minutes for the February 23, 2023, Regular Meeting as submitted.

B. Drowning Prevention Awareness Proclamation (FILE 11.09A)

Action: Approve proclamation designating May and continued through August as Drowning Prevention Awareness.

C. National Public Safety Telecommunicators Week Proclamation (FILE 11.09A)

Action: Approve proclamation designating April 9-15, 2023, as National Public Safety Telecommunicators Week.

D. FY 2022-23 Mid-Year Budget Adjustment (FILE 15.4)

On March 8, 2023, the Budget and Finance Committee reviewed the proposed agenda item and directed staff to place the item on the Executive Committee agenda by a vote of 6-0 (Directors Rossini, Gabbard and Lumbard absent).

Action:

1. Authorize the proposed mid-year budget adjustments and transfers as detailed in this report and attachments.

2. Amend the Master Position Control list to add one Wildland Resource Technician funded with CalFire Gray Book revenue.

E. Adopting an Americans With Disabilities Act ("ADA") Reasonable Accommodation Request Policy for the meetings of the Board of Directors and all committees; and directing staff to make necessary modifications to implement the ADA requirements of Assembly Bill No. 2449 (FILE 11.10W)

Action: Adopt Resolution No. 2023-01 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ORANGE COUNTY FIRE AUTHORITY ADOPTING AN AMERICANS WITH DISABILITIES ACT ("ADA") REASONABLE ACCOMMODATION REQUEST POLICY FOR THE MEETINGS OF THE BOARD OF DIRECTORS AND ALL COMMITTEES; AND DIRECTING AGENCY STAFF TO MAKE NECESSARY MODIFICATIONS TO IMPLEMENT THE ADA REQUIREMENTS OF ASSEMBLY BILL NO. 2449.

F. Inter-agency Services Agreement with Rancho Santiago Community College District for Instructional Training (FILE 17.14B10)

Action: Approve and authorize the Fire Chief, or designee, to execute the Inter-Agency Services Agreement between the OCFA and Rancho Santiago Community College District, subject to non-substantive amendments as determined by the General Counsel, for a term of five years (April 2023 through March 2028) and thereafter, this agreement will be submitted to the Executive Committee for renewals.

3. DISCUSSION CALENDAR

A. Approval of Memorandum of Understanding Orange County Professional Firefighters Association (FILE 17.04B)

Chris Hamm, President of Local 3631, addressed the Board in support of the approval of the Memorandum of Understanding for the Orange County Professional Firefighters Association.

Deputy Chief Lori Zeller presented the Approval of Memorandum of Understanding Orange County Professional Firefighters Association.

On motion of Director Foley and second by Director Bacerra, and following a unanimous vote by acclamation approved 22-0 (Directors Bourne, Hertz-Mallari, and Gabbard absent) to approve the proposed MOU between the Orange County Fire Authority and the Orange County Professional Firefighters Association for a term of March 23, 2023, through March 22, 2027.

B. Election of Unscheduled Vacancy of the Board Chair (FILE 11.02B)

Vice Chair Rossini introduced the election process for Board Chair and Vice Chair for 2023.

Approved by acclamation of 22-0, the election process for Board Chair and Vice Chair for 2023, was accepted.

Director Hasselbrink nominated Vice Chair Rossini for Chair of the Board; Director Hatch seconded the motion.

Vice Chair Rossini accepted the nomination.

There were no additional nominations.

With no objections presented, and approved by a unanimous acclamation 22-0, Vice Chair Vince Rossini was declared the elected Chair of the Board of Directors for the ensuing term.

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

Chair Rossini nominated Director O'Neill for the Vice Chair of the Board; Director Hatch seconded the motion.

Director O'Neill accepted the nomination.

There were no additional nominations.

With no objections presented, and approved by a unanimous acclamation of 22-0, Director John O'Neill was declared the elected Vice Chair of the Board of Directors for the ensuing term.

BOARD MEMBER COMMENTS (FILE 11.13)

Director Wagner stated he attended the OCFA Open House and commended staff that it was well done. He also praised Fire Chief Fennessy for his professionalism for the Public Service Announcements that they recorded together recently; thanking the Chief and the OCFA communications team for their work creating concise messages for the community.

Chair Rossini noted he also attended the OCFA Open House and thanked Assistant Chief Sherwood for spending a great deal of time explaining various aspects of OCFA with his son.

Vice Chair O'Neill thanked the entire Board for supporting him as Vice Chair, and looks forward to working with Chair Rossini to have smooth operations the rest of this year, and work together to get things done.

Director Bacerra thanked the OCFA Battalion Chiefs Chris Sotro and Chad Gremel, who attended the City of Santa Ana meeting where Firefighter Paramedic Nick Sibayan was honored; after witnessing an individual get into an altercation with a police officer, without hesitation Firefighter Sibayan jumped in and subdued the person until the officer could regain control of the individual.

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;
- Chief Officers Association (COA);
- Orange County Employees Association (OCEA); and
- Orange County Fire Authority Management Association (OCFAMA)

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

CS3. CONFERENCE WITH LEGAL COUNSEL - PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54954.5

Position:

Fire Chief

CS4. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of case: Desiree Horton v. OCFA, et al.; OCSC Case No. 30-2021-01200267-CU-WT-WJC

CS5. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of case: Thomas Townley v. OCFA; OCSC Case No. 30-2022-01267557-CU-OE-CJC

CS6. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

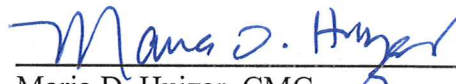
Name of case: Colleen Windsor v. OCFA et al.; OCSC Case. No. 30-2021-01227581-CU-
OE-CJC

RECONVENE TO OPEN SESSION

CLOSED SESSION REPORT (FILE 11.15)

General Counsel David Kendig stated the Board took no reportable action.

ADJOURNMENT – Chair Rossini adjourned the meeting at 8:12 p.m. The next meeting of the Orange County Fire Authority Board of Directors will be on Thursday, April 27, 2023, at 6:00 p.m.



Maria D. Huizar, CMC
Clerk of the Authority