

MINUTES

ORANGE COUNTY FIRE AUTHORITY

Board of Directors Regular Meeting
Thursday, June 22, 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 June 22, 2023, at 6:01 p.m. by Chair Vince Rossini.

INVOCATION

The Invocation was led by Chaplain Ken Krikac.

PLEDGE OF ALLEGIANCE

Director Duncan led the assembly in the Pledge of Allegiance.

ROLL CALL

Vince Rossini, Villa Park, Chair
Phil Bacerra, Santa Ana
Ross Chun, Aliso Viejo
Katrina Foley, County of Orange
Carol Gamble, Rancho Santa Margarita
Gene Hernandez, Yorba Linda
Anne Hertz-Mallari, Cypress
Tammy Kim, Irvine
Bob Ruesch, Mission Viejo
Mark Tettermer, Lake Forest
Donald Wagner, County of Orange

John O'Neill, Garden Grove, Vice Chair
Troy Bourne, San Juan Capistrano
Chris Duncan, San Clemente
John Gabbard, Dana Point
Shelley Hasselbrink, Los Alamitos
Austin Lumbard, Tustin
Joe Kalmick, Seal Beach
Chi Charlie Nguyen, Westminster
Joshua Sweeney, Laguna Hills
Connor Traut, Buena Park

Absent: Noel Hatch, Laguna Woods
Nitesh Patel, La Palma

Kelly Jennings, Laguna Niguel
Dave Shawver, Stanton

Also present were:

Fire Chief Brian Fennessy
Assistant Chief Robert Cortez
Assistant Chief Lori Smith
Assistant Chief Tim Perkins
Director of Communications Matt Olson
General Counsel David Kendig

Deputy Chief Lori Zeller
Assistant Chief Rob Capobianco
Assistant Chief Jim Ruane
Assistant Chief Shane Sherwood
Clerk of the Authority Maria D. Huizar

REPORTS

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

Budget and Finance Committee Chair John O'Neill reported at its June 14, 2023, meeting, the Committee reviewed and recommended by unanimous vote to forward the following items to the Board for consideration and approval of the recommended actions: FY 2022/23 Year End Budget Adjustment; Updated Cost Reimbursement Rates; Updated Community Risk Reduction and Miscellaneous Fee Schedules, and the Cal OES Fire Integrated Real-time Intelligence System (FIRIS) Program Mission Commander Contract Management for Fiscal Year 2023/2024.

B. Report from the Fire Chief (FILE 11.14)

Fire Chief Fennessy thanked the Board of Directors who were able to attend the 57th Academy Graduation. Chief Fennessy noted there is ongoing leadership training. Continual training recently included 14 Chief Officers and hand crew members who attended the L580 Leadership is Action Gettysburg Staff Ride in Gettysburg, Pennsylvania. He provided a video clip of a reporter who joined an OCFA Technical Rescue team for a day. The Chief provided a sample of the work going on in the field; a quarter of a million units were sent into the communities we serve on over 175,000 incidents. Also, reported on the automated survey texted to 911 callers has provided more than 95% responsive praising dispatchers and the aid provided by crew members. On our National Flag Day, Captain Danny Goodwin and the crew of Truck 56 brought a new American flag and mounting hardware to the historic Miramar Theatre in San Clemente, which had been closed for several years. The crew utilized their aerial ladder to remove the existing dilapidated flag and mount the new one, joined by San Clemente Mayor and OCFA Board Member Chris Duncan. Lastly, with the Mayor's support the City Council renamed Vista Hermosa Park in honor of Los Angeles County Firefighter, Jonathan Flaggler, 21-year veteran who died while on duty fighting a fire. Chief Fennessy closed his report with the OCFA Strategic Goals presented to the Board for FY 22-23 4th Quarter, and FY 23-24.

PUBLIC COMMENTS

None.

1. PRESENTATION

None.

2. CONSENT CALENDAR

On motion of Director Kim and second by Director Hernandez approved Agenda Item Nos. 2A-2D by consensus (Directors Hatch, Jennings, Patel, and Shawver absent).

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

Action: Approve the Minutes for the May 25, 2023, Regular Meeting as submitted.

B. FY 2022/23 Year End Budget Adjustment (FILE 15.04)

On June 14, 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 6-0 (Directors Gabbard, Patel and Hernandez absent).

Action: Approve and authorize FY 2022/23 budget adjustments as detailed in this report.

C. Updated Cost Reimbursement Rates (FILE 15.12)

On June 14, 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 6-0 (Directors Gabbard, Patel and Hernandez absent).

Action: Approve and adopt the proposed Cost Reimbursement Rate schedules to be effective July 1, 2023.

D. Cal OES Fire Integrated Real-time Intelligence System (FIRIS) Program Mission Commander Contract Management for Fiscal Year 2023/2024 (FILE 18.09D)

On June 14, 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 6-0 (Directors Gabbard, Patel and Hernandez absent).

Action:

1. Approve and authorize the Fire Chief to enter into a reimbursement agreement with the State of California Governor's Office of Emergency Services (Cal OES) in the amount of \$5,000,000 for the provision of Airborne Mission Commanders and Mission Commander administrative support services.
2. Approve and authorize a budget adjustment to increase revenue and appropriations in the FY 2023-24 General Fund (121) budget by \$5,000,000 for Mission Commander (MC) contracts and MC administrative support services for the Cal OES FIRIS Program up to one-year from July 1, 2023, through June 30, 2024.
3. Approve and authorize the Purchasing Manager to enter into new Professional Services Agreements for a one-year period through July 30, 2024, by the individual amounts needed in support of the Cal OES FIRIS Program Mission Commanders, so long as the aggregate value of the agreements does not exceed the program budget (see table).

3. DISCUSSION CALENDAR

A. Approval of Memorandum of Understanding Orange County Fire Authority Chief Officers Association (FILE 17.04C)

Deputy Chief Lori Zeller presented the Memorandum of Understanding with the Orange County Fire Authority Chief Officers Association.

Cheyne Maule, President of the Chief Officers Association, addressed the Board of Directors and thanked them for their consideration of the item.

On motion of Director Foley and second by Director Tettmer approved the proposed MOU between the Orange County Fire Authority and the Orange County Fire Authority Chief Officers Association for a term of July 1, 2023, through September 30, 2027 by consensus (Directors Hatch, Jennings, Patel, and Shawver absent).

B. Approval of Memorandum of Understanding Orange County Fire Authority Managers Association (FILE 17.04F)

Deputy Chief Lori Zeller presented the Memorandum of Understanding with the Orange County Fire Authority Managers Association.

Duke Steppe, President of the Orange County Fire Managers Association, thanked the Board of Directors, Local 3631, Executive Management staff, and OCEA members for their support with this item.

On motion of Director Tettmer and second by Director Kim approved the proposed MOU between the Orange County Fire Authority and the Orange County Fire Authority Managers Association for a term of June 23, 2023, through June 22, 2027 by consensus (Directors Hatch, Jennings, Patel, and Shawver absent).

4. PUBLIC HEARING

A. Updated Community Risk Reduction and Miscellaneous Fee Schedules (FILE 15.05A)

On June 14, 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 6-0 (Directors Gabbard, Patel and Hernandez absent).

Chair Rossini opened the Public Hearing. There were no speakers and the Hearing closed.

Assistant Chief Robert Cortez presented the Updated Community Risk Reduction and Miscellaneous Fee Schedules.

On motion of Director Kim and second by Director Gamble approved by consensus (Directors Hatch, Jennings, Patel and Shawver absent):

1. 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.
2. Approve and adopt Resolution No. 2023-04 entitled A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ORANGE COUNTY FIRE AUTHORITY AMENDING RESOLUTION 2022-03.

BOARD MEMBER COMMENTS (FILE 11.13)

Chair Rossini commended the labor unions, OCFA staff, and Board of Directors who all worked together to move forward with the labor negotiations and bring the contracts to a conclusion.

Director Foley thanked Fire Chief Fennessy and staff for the opportunity to be a part of the Orange County Fire Authority Academy No. 57 Graduation Ceremony.

Director Chun noted along with Director Ruesch, they took part in an incredible experience touring Fire Station 41 with a helicopter ride along. He thanked the crew and staff and recommended it for all Board Members to take time to schedule a tour.

RECESS TO CLOSED SESSION (FILE 11.15)

General Counsel David Kendig reported the Board would adjourn to Closed Session for Agenda Items CS2 and CS3.

CS1. 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

CS2. CONFERENCE WITH LEGAL COUNSEL - PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54954.5
Position: Fire Chief

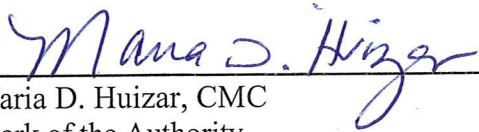
CS3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION pursuant to Paragraph (1) of subdivision (d) of Section 54956.9 of the Government Code:
Case Name: Michael Whalen, WCAB No(s) : ADJ11065969 and ADJ11064819

RECONVENE TO OPEN SESSION

CLOSED SESSION REPORT (FILE 11.15)

General Counsel David Kendig reported the Board of Directors concluded the performance evaluation of the Fire Chief; otherwise, there was no reportable action.

ADJOURNMENT – Chair Rossini adjourned the meeting at 7:39 p.m. The next meeting of the Orange County Fire Authority Board of Directors will be on Thursday, July 27, 2023, at 6:00 p.m.



Maria D. Huizar, CMC
Clerk of the Authority