



# ORANGE COUNTY FIRE AUTHORITY AGENDA

## BOARD OF DIRECTORS REGULAR MEETING

Thursday, July 27, 2023  
6:00 P.M.

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

Link to:

[Board of Directors Member Roster](#)

### NOTICE REGARDING PUBLIC ACCESS AND PARTICIPATION

This meeting is open to the public. Committee members will participate in person. There are several alternative ways to make comments including:

**In Person Comments at Meeting:** Resolution No. 97-024 established rules of decorum for public meetings held by the Orange County Fire Authority. Resolution No. 97-024 is available from the Clerk of the Authority.

Any member of the public may address the Committee on items within their subject matter jurisdiction, but which are not listed on this agenda during PUBLIC COMMENTS. However, no action may be taken on matters that are not part of the posted agenda. We request comments made on the agenda be made at the time the item is considered and that comments be limited to three minutes per person. Please address your comments to the Committee and do not engage in dialogue with individual Board Members, Authority staff, or members of the audience.

If you wish to speak, please complete a Speaker Form identifying which item(s) you wish to address. Please return the completed form to the Clerk of the Authority prior to item being considered. Speaker Forms are available at the entryway of meeting location.

**E-Comments:** Alternatively, you may email your written comments to [coa@ocfa.org](mailto:coa@ocfa.org). E-comments will be provided to the Committee members upon receipt and will be part of the meeting record as long as they are received during or before the Committee takes action on an item. Emails related to an item that are received after the item has been acted upon by the Committee will not be considered.

This Agenda contains a brief general description of each item to be considered. Except as otherwise provided by law, no action or discussion shall be taken on any item not appearing on the following Agenda. Unless legally privileged, all supporting documents, including staff reports, and any writings or documents provided to a majority of the board members after the posting of this agenda are available for review at the Orange County Fire Authority Regional Fire Operations & Training Center, 1 Fire Authority Road, Irvine, CA 92602 or you may contact the Clerk of the Authority at (714) 573-6040 Monday through Thursday, and every other Friday from 8 a.m. to 5 p.m. and available online at <http://www.ocfa.org>



In compliance with the Americans with Disabilities Act and [Board of Directors policy](#), if you need reasonable accommodations to participate in this meeting, please complete the [ADA Reasonable Accommodation Form](#) available on the Agency's website and email to [COA@ocfa.org](mailto:COA@ocfa.org), or you may contact the Clerk of the Authority at (714) 573-6040 during regular business hours to submit your request orally. Please notify us at least 48 hours prior to the meeting to enable the Authority to make reasonable arrangements to assure accessibility to the meeting.

**CALL TO ORDER** by Chair Rossini

**INVOCATION** by OCFA Chaplain Ed Valdez

**PLEDGE OF ALLEGIANCE** by Director Chun

**ROLL CALL** by Clerk of the Authority

**REPORTS**

**A. Report from the Fire Chief**

- Wildfire Season Preparation, Innovation, and Goals
- 2023 Vegetation Fire Responses
- QRF and FIRIS Updates

**PUBLIC COMMENTS**

**Please refer to instructions on how to submit a public comment on Page 1 of this Agenda.**

**1. PRESENTATION**

None

**2. CONSENT CALENDAR**

*All matters on the consent calendar are considered routine and are to be approved with one motion unless a director or a member of the public requests separate action on a specific item.*

**A. Minutes for the Board of Directors**

Submitted by: Maria D. Huizar, Clerk of the Authority

The record will show that any Director not in attendance at the meeting of the Minutes will be registered as an abstention, unless otherwise indicated.

Recommended Action:

Approve the Minutes for the June 22, 2023, Regular Meeting as submitted.

**B. Proclamation for Fire Prevention Week**

Submitted by: Matt Olson, Director of Communications/Corporate Communications and Sophia Champieux, Public Relations Manager/Corporate Communications

Recommended Action:

Approve proclamation designating October 8-14, 2023, as Fire Prevention Week.

**C. Military Service Buy-Back**

Submitted by: Lori Zeller, Deputy Chief/Administration & Support Bureau and Stephanie Holloman, Assistant Chief/Human Resources Director

Recommended Action:

Direct staff to proceed with the next steps in support of the military service buy-back option with OCERS, subject to further approval of enabling actions by the Board of Directors prior to implementation and at no cost to the Fire Authority.

**3. DISCUSSION CALENDAR**

**A. Request for Proposal Consultation for Ambulance Transportation Service Options**

Submitted by: Brian Fennessy, Fire Chief and Rob Capobianco, Assistant Chief/Emergency Medical Services and Training Department

Recommended Action:

Approve and authorize the Purchasing Manager to issue an RFP for consultation on ambulance transportation service options in OCFA jurisdiction, as outlined by the scope of work.

**BOARD MEMBER COMMENTS**

**RECESS TO CLOSED SESSION**

*The Brown Act permits legislative bodies to discuss certain matters without members of the public present. The Board of Directors find, based on advice from the General Counsel, that discussion in open session of the following matter will prejudice the position of the Authority on item listed below:*

**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 LABOR NEGOTIATOR** pursuant to Government Code Section 54957.6

Chief Negotiators: Board Chair Rossini, Board Vice Chair & Budget and Finance Committee Chair O’Neill, and Immediate Past Board Chair Shawver

Position: Fire Chief

**RECONVENE TO OPEN SESSION**

**CLOSED SESSION REPORT** by General Counsel

**ADJOURNMENT** – The next meeting of the Orange County Fire Authority Board of Directors will be on Thursday, September 28, 2023, at 6:00 p.m.

**AFFIDAVIT OF POSTING**

I hereby certify under penalty of perjury and as required by the State of California, Government Code § 54954.2(a), that the foregoing Agenda was posted in the lobby and front gate public display case of the Orange County Fire Authority, Regional Fire Operations and Training Center, 1 Fire Authority Road, Irvine, CA, not less than 72 hours prior to the meeting.

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Maria D. Huizar, CMC  
Clerk of the Authority

**FUTURE BOARD AGENDA ITEMS – THREE-MONTH OUTLOOK:**

- Carryover of FY2022-23 Uncompleted Projects
- Cal Fire and Gray Book Funding
- OCFA JPA Study Session

**UPCOMING MEETINGS:**

Human Resources Committee  
Operations Committee  
Budget and Finance Committee  
Executive Committee  
Board of Directors

Tuesday, August 1, 2023, 12 noon  
Tuesday, August 8, 2023, 12 noon  
Wednesday, September 13, 2023, 12 noon  
Thursday, September 28, 2023, 5:30 p.m.  
Thursday, September 28, 2023, 6:00 p.m.



# 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**

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## **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 57<sup>th</sup> 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 4<sup>th</sup> 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 Tetterer 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 Tetterer 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.

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Maria D. Huizar, CMC  
Clerk of the Authority



Orange County Fire Authority  
**AGENDA STAFF REPORT**

Board of Directors Meeting  
July 27, 2023

Agenda Item No. 2B  
Consent Calendar

**Proclamation for Fire Prevention Week**

**Contact(s) for Further Information**

Matt Olson, Director of Communications      [MattOlson@ocfa.org](mailto:MattOlson@ocfa.org)      714.573.6028  
Corporate Communications

Sophia Champieux, Public Relations      [SophiaChampieux@ocfa.org](mailto:SophiaChampieux@ocfa.org)      714.573.6752  
Manager/Corporate Communications

**Summary**

Annually, the Orange County Fire Authority proclaims the week that includes October 8<sup>th</sup> as Fire Prevention Week.

**Prior Board/Committee Action**

Not applicable.

**RECOMMENDED ACTION(S)**

Approve proclamation designating October 8-14, 2023, as Fire Prevention Week.

**Impact to Cities/County**

Not Applicable.

**Fiscal Impact**

There is no fiscal impact associated with this item.

**Background**

Since 1922, there has been a public observance of Fire Prevention Week. In 1925, President Calvin Coolidge proclaimed Fire Prevention Week a national observance, making it the longest-running public health observance in our country. During Fire Prevention Week, children and adults learn how to prevent fires and what safeguards to take if a fire starts. Firefighters and community educators provide lifesaving public education to prevent fires from starting and drastically decrease injuries and casualties caused by fires.

Fire Prevention Week is observed each year during the week of October 9th in commemoration of the Great Chicago Fire, which began on October 8, 1871, and caused devastating loss of life and damage. This horrific blaze killed more than 250 people, left 100,000 homeless, destroyed more than 17,400 structures, and burned more than 2,000 acres of land.

This year, Fire Prevention Week will be observed October 8-14, 2023. This year's campaign, "Cooking safety starts with YOU. Pay attention to fire prevention," works to remind us to educate everyone about simple but important actions they can take to keep themselves and those around them safe from cooking fires like staying in the kitchen while cooking and removing items from around the stove that can catch fire. We encourage Orange County residents to practice safe cooking and to support the public safety activities and efforts during Fire Prevention Week 2023.

**Attachment(s)**

Proclamation

**PROCLAMATION  
FIRE PREVENTION WEEK**

**WHEREAS**, fire is a serious public safety concern both locally and nationally, and homes are where people are at greatest risk from fire; and

**WHEREAS**, cooking is the leading cause of house fires and injuries in the nation causing nearly half of all home structure fires; and

**WHEREAS**, more than 3,000 Americans die in fires each year. Working smoke alarms in the home can reduce the risk of dying in a fire by more than half. An average of 358,500 homes experience a structural fire each year. These fires result in 7 deaths every day; and

**WHEREAS**, more than a third of home fire deaths occur in homes with no smoke alarms. The risk of dying in reported home structure fires is 55 percent lower in homes with working smoke alarms; and

**WHEREAS**, Orange County residents are responsive to public education and outreach measures and can take personal steps to increase their safety from fire, especially in their homes; and

**WHEREAS**, the 2023 Fire Prevention Week theme, “Cooking Safety Starts with YOU. Pay attention to fire prevention” effectively serves to remind us to educate everyone about simple but important actions they can take to keep themselves and those around them safe from cooking fires

**NOW, THEREFORE BE IT RESOLVED**, that the Orange County Fire Authority Board of Directors does hereby declare October 8-14, 2023, as “Fire Prevention Week” and urge Orange County residents to practice safe cooking habits. Stay in the kitchen while cooking, remove items from around the stove that can catch fire, and support the many public safety activities and efforts of Orange County Fire Authority during Fire Prevention Week 2023.





Orange County Fire Authority  
**AGENDA STAFF REPORT**

Board of Directors  
July 27, 2023

Agenda Item No. 2C  
Consent Calendar

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**Military Service Buy-Back**

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**Contact(s) for Further Information**

Lori Zeller, Deputy Chief [lorizeller@ocfa.org](mailto:lorizeller@ocfa.org) 714.573.6020  
Administration & Support Bureau

Stephanie Holloman, Assistant Chief [stephanieholloman@ocfa.org](mailto:stephanieholloman@ocfa.org) 714.573.6353  
Human Resources Department

**Summary**

This agenda item is submitted for review of the military service buy-back option that can be made available through OCERS for employees who had military service prior to employment with OCFA.

**Prior Board/Committee Action**

At the November 19, 2020, Board of Directors meeting, members of the Orange County Professional Firefighters Association (OCPFA), Local 3631, provided public comment seeking Board support to study and consider the option for OCPFA members to purchase service credit with OCERS for time served in the military prior to employment with OCFA. In response to the public comments, the Board directed staff to prepare an agenda item for review of this request with the Budget and Finance Committee (B&FC) and the Board of Directors in January 2021.

At the January 28, 2021, Board of Directors meeting, the Board voted to defer consideration of the OCPFA military buy-back proposal (which, as proposed, would have resulted in an employer cost to OCFA) until the next time OCFA and OCPFA engaged in labor negotiations for a successor MOU.

At the March 23, 2023, Board of Directors meeting, the Board approved a successor MOU with the OCPFA which included the following provision: *“For the term of this 2023-2027 MOU, the parties agree to work on a side letter regarding military buyback that results in **no cost to the Fire Authority.**”*

**RECOMMENDED ACTION(S)**

Direct staff to proceed with the next steps in support of the military service buy-back option with OCERS, subject to further approval of enabling actions by the Board of Directors prior to implementation and at no cost to the Fire Authority.

**Impact to Cities/County**

The option for employees to purchase service credit for prior military service could potentially serve as incentive for former military personnel to pursue a career with OCFA, which would be beneficial to the services provided to our member agencies, while also demonstrating appreciation

to these employees for their service to our country, and recognizing the value that their prior military service adds to the organization.

### **Fiscal Impact**

The employees/veterans who wish to take advantage of the military buy-back option would be responsible for payment of both the *employee* and *employer* retirement contribution costs to OCERS, plus interest, for the added period of service credit being purchased.

### **Background**

The OCPFA/Local 3631, with support of OCFA's other three labor associations, has requested that OCFA consider allowing eligible employees to purchase service credit with OCERS for time served in the military.

OCERS has advised that pursuant to the County Employees Retirement Law (CERL), the governing body for any employer participating in OCERS can adopt a resolution permitting the purchase of retirement credit for military service. We have attached a Circular Letter prepared by OCERS that contains information for employers regarding this option (attachment). To date, no other employers participating in OCERS have adopted such a resolution; therefore, a current sample template does not exist. However, OCFA staff and General Counsel remain ready to work with OCERS to prepare a resolution if the Board provides direction to staff to proceed with steps for implementation.

Also pursuant to CERL, if the military service buy-back option is enabled by OCFA, employees wishing to purchase prior service credit must pay *two times* the *employee* retirement contributions for the prior period, plus interest at the rate of 2.5% compounded every six months. This amount would be calculated by OCERS, and a payment agreement would be implemented between OCERS and the individual employee, with OCERS requiring full payment within a period no greater than five years and completion of the purchase prior to the members' retirement date.

Furthermore, the corresponding value of *employer* retirement contributions is an additional cost associated with the purchase of prior service credit. The OCFA's four labor associations have provided their support to require the qualifying member to pay this cost on behalf of the employer, in order to make it financially feasible for OCFA to enable the military buy-back provisions.

As a result, this current military buy-back proposal is significantly different from the prior proposal that the Board considered in 2021, since this new proposal seeks approval of a benefit at *no cost to OCFA*. OCFA's labor associations simply wish to enable this feature for their members who had prior military service, understanding that those members who wish to take advantage of the provision must bear the full cost via completion of individual agreements between those members and OCERS.

### ***Request for Board Direction & Next Steps***

Staff is seeking direction from the Board of Directors regarding whether to pursue the option to enable qualified employees to purchase service credit with OCERS for prior military service. With the Board's support to enable this option, the next steps towards implementation would include:

- Negotiate Side Letter Agreements with OCFA's four labor associations memorializing an agreement that members who wish to utilize this provision must pay both the *employee* and *employer* share of retirement contributions for the prior service time purchased, plus interest, as calculated by OCERS.

- Seek assistance from OCERS to draft a resolution permitting the purchase of prior military service.
- Coordinate the details and timing with OCERS for future implementation.
- Return to the Board of Directors for approval of the military service buy-back option, including the negotiated Side Letter Agreements, adoption of the enabling resolution and details relating to the proposed timing for implementation.

**Attachment**

OCERS Circular Letter – Military Service Credit Purchase

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To: All OCERS Employers

Subject: Military Service Credit Purchase resolutions

The purpose of this Circular Letter is to provide information to OCERS employers regarding your ability to adopt a resolution offering your employees an opportunity to purchase prior military service with OCERS.

Background: In 1963 the Board of Supervisors of the County of Orange adopted a resolution under section 31641.95 providing that the CERL sections respecting purchase of public service credit would apply in the County, but expressly excluding the United States and any department or agency of the United States from the public agencies for which prior public service credit could be purchased (the 1963 Resolution).

Based on our reading of the relevant statutes and the 1963 Resolution, we set forth the information below:

1. Can a district permit the purchase of prior military service if the County of Orange has excluded it?

Yes, if the governing board of the district adopts by majority vote a resolution permitting the purchase. Under our reading of section 31641.95 of the CERL, a district has separate authority from the county to permit the purchase of prior military service. Section 31641.95 provides that the governing board of "any county or district" may adopt, by majority vote, a resolution providing that sections 31470.7 (status as "member" during public or county service), 31478 (definition of "public agency"), 31479 (definition of "public service"), 31480 (service requirements), 31641.1 (contributions and credit for prior public service), 31641.2 (amount of contributions by member previously in public service), 31641.3 (compensation first earnable), 31641.4 (public service credits), 31641.8 (member installment and lump sum payments) and 31641.9 (treatment of contributions/no matching by county) shall apply in the district.

2. Can the County of Orange permit the purchase of prior military service?

Yes, if the County adopts a new resolution amending the 1963 Resolution.

Section 31641.1 provides that "a member who was in public service before becoming a member may elect by written notice filed with the board to make contributions pursuant to Section 31641.2 and to receive credit in the retirement system for all allowed public service time...." "Public service" is defined by section 31479 of the CERL to mean "service rendered as an officer or employee of a public agency for which service the officer or employee received compensation from the public agency and with respect to which he is not entitled to receive credit in any retirement system supported wholly or in part by public funds after he becomes a

member of this system.” “Public agency” is defined by section 31478 to include the United States and any department or agency of the United States.

Under section 31641.95 of the CERL, the governing board of “any county or district” may adopt, by majority vote, a resolution providing that sections 31470.7 (status as “member” during public or county service), 31478 (definition of “public agency”), 31479 (definition of “public service”), 31480 (service requirements), 31641.1 (contributions and credit for prior public service), 31641.2 (amount of contributions by member previously in public service), 31641.3 (compensation first earnable), 31641.4 (public service credits), 31641.8 (member installment and lump sum payments) and 31641.9 (treatment of contributions/no matching by county) shall apply in the county.

3. Can the County of Orange permit the purchase of some types of prior service but exclude prior military service?

Yes. Under section 31641.95 of the CERL, a county is authorized to adopt a resolution providing that the CERL sections respecting purchase of public service credit shall apply in the county (see answer to #2 above), and is also permitted by such resolution to limit the applicability of such sections to any one or more of the public agencies as defined by Section 31478. Accordingly, the County can exclude the United States and its departments (e.g., Department of Defense) from the public agencies for which prior public service can be purchased. This is what the County did under the 1963 Resolution.

4. Can a district exclude prior military service from the types of prior service that can be purchased if the County of Orange has permitted it?

Yes. Under section 31641.95, a district is authorized to adopt a resolution providing that the CERL sections respecting purchase of public service credit shall apply in the district (see answer to #1 above), and is also permitted by such resolution to limit the applicability of such sections to any one or more of the public agencies as defined by Section 31478. Accordingly, a district can exclude the United States and its departments (e.g., Department of Defense) from the public agencies for which prior public service can be purchased.

5. Is the purchase of prior military service prohibited under PEPRA?

No. Under our reading, PEPRA (Gov.Code sec. 7522.46) eliminated purchases of “nonqualified service credit, as defined by Section 415(n)(3)(C) of the Internal Revenue Code,” commonly referred to as “air time,” after January 1, 2013, but did not eliminate or affect the purchase of “public service.” In addition, military service credit that is recognized by a government plan is expressly excluded from “nonqualified service credit” under Section 415(n)(3)(C) subject to narrow exceptions.

6. When would a 4/5ths vote of a county or district be required for the purchase of prior military service?

Subdivisions (a) and (b) of section 31641.2 expressly set forth the amount of the contribution a member is required to pay, by lump sum or by installment payments over a period not to exceed five years, in order to receive credit for prior public service. Subdivision (c) of section 31641.2 provides the governing board of the county or district may, by 4/5ths vote, provide that it shall make on behalf of the employee eligible to receive credit for prior service, and who so elects prior to filing an application for retirement, part of the contributions specified by subdivisions (a) and (b) of section 31641.2. Accordingly, a 4/5<sup>th</sup> vote of the county or district is required only if the county or district wants to pay any portion of the member's cost as calculated by section 31641.2.

If you have any questions or need additional information please contact me at (714) 558-6215 or via email at [sjenike@ocers.org](mailto:sjenike@ocers.org).

Suzanne Jenike  
Assistant CEO, External Operations



**Orange County Fire Authority**  
**AGENDA STAFF REPORT**

**Board of Directors Meeting**  
**July 27, 2023**

**Agenda Item No. 3A**  
**Discussion Calendar**

**Request for Proposal**  
**Consultation for Ambulance Transportation Service Options**

**Contact(s) for Further Information**

Brian Fennessy, Fire Chief	<a href="mailto:brianfennessy@ocfa.org">brianfennessy@ocfa.org</a>	714.573.6010
Rob Capobianco, Assistant Chief Emergency Medical Services and Training Department	<a href="mailto:robcapobianco@ocfa.org">robcapobianco@ocfa.org</a>	714.573.6008

**Summary**

This item is submitted for approval to issue a Request for Proposal “RFP” for ambulance transportation service options consultation. A scope of work has been developed seeking guidance on options for OCFA to contribute to the improvement and sustainability of the ambulance transportation system in Orange County.

**Prior Board/Committee Action(s)**

At the February 25, 2021 meeting of the OCFA Board of Directors, there was an agenda item for Emergency Medical Services Optimization Study. This agenda item was submitted for approval to issue a special procurement contract to AP Triton Consulting, LLC (AP Triton) to provide an optimization study of Orange County Fire Authority’s (OCFA) existing Emergency Medical Services (EMS) delivery system. This study was going to provide an ambulance system valuation and regional look at OCFA’s system. The recommended action was rejected 25-0 in favor of a formal RFP process to solicit proposals for an Emergency Services Optimization Study.

**RECOMMENDED ACTION(S)**

Approve and authorize the Purchasing Manager to issue an RFP for consultation on ambulance transportation service options in OCFA jurisdiction, as outlined by the scope of work.

**Impact to Cities/County**

This report will give recommendations for the future of the ambulance transportation system in the OCFA jurisdiction. These recommendations will give a regional perspective on what are currently 10 individual contracts for ambulance transportation. This perspective will be a resource for the five member cities that maintain their own ambulance contracts as well as the Orange County Emergency Medical Service Agency (OCEMSA) as we work collaboratively to develop a sustainable ambulance system with our partners. The OCFA has received interest from OCFA member cities as well the OCEMSA in the results of an objective study of the ambulance system (Attachments 2, 3, 4, 5 and 6).

**Fiscal Impact**

There is no fiscal impact to soliciting an RFP for consultation services. The fiscal impact of awarding a contract will be determined by the competitive RFP process.

Increased Cost Funded by Structural Fire Fund:	\$0
Increased Cost Funded by Cash Contract Cities:	\$0



## **Background**

The Orange County Fire Authority is the advanced life support (ALS) provider for our 23 cities and unincorporated Orange County. The Health and Safety Code section 1797.201 grants cities the ability to maintain their EMS system as they provided when the EMS Act was adopted in 1980 (Attachment 6). These cities are often referred to as 201 cities. Of our 23 cities, five of them maintain the ability to administer their own EMS. These 201 cities contract individually for ambulance transportation within their city. The OCEMSA administers the contracts for the remaining 18 OCFA cities and unincorporated areas through five contracts referred to as Exclusive Operating Areas (EOAs). Historically, these contracts have been negotiated independently of each other and have not employed a regional perspective to efficiently share resources. The OCFA has had very little involvement in the OCEMSA RFP development and minimal operational oversight. The ambulance contracts vary greatly between the different cities and the county.

The involvement of the OCFA in daily operational oversight varies from the dispatching of private ambulances in some cities to completely hands off in other areas. The regulatory oversight is strong in some areas and lacking in others. The ambulance system in Orange County is operating in silos and not collaborating with surrounding jurisdictions. Stronger coordination of ambulance resources between jurisdictions can build a more resilient and cost effective system.

Many Fire Departments across California and in Orange County have recently entered into the ambulance transportation business like Santa Barbara County, Laguna Beach and Anaheim. Others have entered into an alliance model or public/private partnership like Contra Costa County and San Diego. There have been changes in state legislation and federal reimbursements that have enabled public providers to reinvest revenue back into the EMS systems in an effort to improve the system and increase sustainability.

Over the next 12-24 months, the majority of the ambulance contracts in OCFA jurisdiction will be coming up for RFP. Three of our cities that contract for their own ambulance service have hired an ambulance consultant to evaluate their options within their city. In an effort to improve response times and the quality of care, the OCFA can play a role in developing an efficient and collaborative regional ambulance transportation system.

### ***Current Request***

There is an opportunity for the OCFA to contribute to the ambulance transportation system in Orange County. Each system is very different and there are challenges that need to be addressed. The OCFA EMS would like to explore options to improve and enhance the current system. We believe collaboration and transparency with our public and private partners can create a more sustainable system.

### ***Recommendation***

Staff recommends approval for the OCFA to issue an RFP for ambulance transportation service consultation to explore options for the OCFA to contribute and improve the current ambulance system in Orange County (Attachment 1).

## **Attachment(s)**

1. OCFA Ambulance Transportation Service Options Scope of Work
2. City of Westminster – Letter of Support
3. City of Buena Park – Letter of Support
4. City of Garden Grove – Letter of Support
5. OCEMSA Email of Support for an objective study to evaluate options
6. California Code. Health and Safety Code 1797.201



## OBJECTIVES and SCOPE OF WORK

### **Objectives:**

**Provide recommendations to enhance the EMS patient transportation system in Orange County using a regional approach.**

- Improve response times
- Improve quality of care
- Improve sustainability and economics for the cities in OCFA jurisdiction
- Identify revenue sources to re-invest into system enhancements

**As the ambulance transport system evolves throughout the state, outline options for OCFA to contribute to the improvement and sustainability of the ambulance system in Orange County**

- A. Independent 201 city and county EOA contract operational oversight
- B. Regional program management through public/private partnerships to provide daily operational oversight
- C. OCFA bid on a transportation contract

### **A. Operational Oversight Option:**

**Identify avenues to provide support and subject matter expertise to OCFA member 201 cities and OCEMSA with their ambulance contracts.**

In the scenario that the (5) 201 member cities and the (5) Orange County EOAs continue to work independently of each other, identify options for OCFA to assist our member cities and OCEMS to provide operational oversight of existing contracts.

### **B. Regional Public/Private Program Management Option:**

**Identify OCFA administrative needs to manage a partnership (alliance model) program.**

The OCFA would need to build a support system to administer the management of a regional ambulance system. Identify what would be required to support such a program, including additional staff positions, a third-party billing contract and start-up costs to provide the oversight and required reporting. Evaluate short and long term effects.

**Identify costs for OCFA managing the regional ambulance system.**

Once the administrative needs are identified, the ongoing costs incurred for the organization can be determined. Explore additional revenues that could be brought in to support the enhancement of the system. Evaluate retrospective ambulance transports with payer mix data for all transports in OCFA areas to calculate potential reimbursement via PP-GEMT and other programs. Determine the reimbursement process with CalOptima (Orange County's managed Medical program)

**Consider standardization and/or consolidation of the (5) member 201 city ambulance contracts to provide increased savings and better operational oversight**

Ambulance contracts for the 201 cities in Orange County have been approached independently of each other. OCFA is interested in taking a regional look at ambulance contracts for the 201 cities to identify efficiencies. Multiple independent ambulance contracts managed by city staff has created an environment with limited operational oversight.

**Evaluate the management of member 201 cities plus the Orange County EOAs to provide increased savings and better operational oversight (Economy of scale)**

OCFA is interested in a regional look at the total OCFA jurisdiction to identify efficiencies and benefits to a coordinated management of the larger system. With a coordinated operational oversight of a larger system and adequate resourcing, OCFA would be interested to investigate the feasibility of sharing ambulance resources between cities/county contracts. Determine if the regional approach could provide enhancements or relief to the member 201 cities.

**Analyze the options with ambulance dispatching services.**

Currently, OCFA provides dispatch services for Westminster and San Clemente. The management and control of those resources are handled by the OCFA. Analyze the efficiency of this service and if it should be expanded, terminated, or reconfigured.

**Analyze options for the management/supervision of field resources**

With a regional public/private model, the field management and supervision of ambulance resources needs to be clearly outlined.

**Determine the feasibility of ambulance resource sharing with Orange County Metro Net 201 cities**

Currently, the cities in Orange County are a mix of public and private ambulance services. There are agreements in place between some of the public ambulance service providers. Although the agreements exist, there is disparate utilization of resources due to the different terms within the individual city contracts that effect optimal resource sharing. There is little formal collaboration between sharing resources between public and private ambulance providers. With a closely managed public/private ambulance service by OCFA, we need to determine the feasibility of county wide ambulance resource sharing.

**C. OCFA Transportation Option:**

**Identify cost efficiencies of a regional single role OCFA ambulance program.**

Currently, OCFA does not provide ambulance transportation service options. OCFA has been approached by OCFA member 201 cities to determine the feasibility of providing ambulance transportation in their city. With the goal of improving the

ambulance system in Orange County, we are interested in identifying efficiencies created through a regional OCFA ambulance program and need to understand the challenges. Determine if such a program would be more or less cost effective than what could be achieved through a public/private partnership

**Identify the start-up and on-going costs for an OCFA ambulance program**

Stepping into the ambulance transportation business will require a significant investment in vehicles, personnel, and support infrastructure. Identify the costs associated with starting a transportation division, as well as the ongoing costs to sustain the program.

**Identify revenue sources to fund an OCFA ambulance program**

The revenue opportunities will vary between the different 201 Cities and the County EOAs. Revenue resources will be required to fund an OCFA program. Identify sustainable revenue generation with the intention to reinvest into the system to see improvement. Evaluate retrospective ambulance transports with payer mix data for all transports in OCFA areas to calculate potential reimbursement via PP-GEMT and other programs. Determine the reimbursement process with CalOptima (Orange County's managed medical program)

**Determine the time requirements to stand up a new OCFA ambulance program**

The existing ambulance contracts are on differing timelines. Determine the timeline for equipment/apparatus purchasing and hiring of personnel.

**Determine impacts and benefits to the OCFA cash contract cities if OCFA deploys an ambulance program**

With the formation of an OCFA ambulance service, each member city will be effected differently. Assistance to the cash contract cities have been the subject of discussions and research.

**Identify OCFA administrative needs to manage an OCFA ambulance program.**

The OCFA would need to build a support system to administer the management of a regional ambulance system. Identify what would be required to support such a program, including additional staff positions, a third-party billing contract and start-up costs to provide the oversight and required reporting.

**Determine the feasibility of ambulance resource sharing with Orange County Metro Net 201 cities**

Currently, the cities in Orange County are a mix of public and private ambulance service. There are agreements in place between some of the public ambulance service providers. Although the agreements exist, there is little sharing of resources between agencies due to the complexity of billing and revenue. There is little formal collaboration between sharing resources between public and private ambulance providers. With an OCFA ambulance service, we need to determine the feasibility of county wide ambulance resource sharing.

**COPY**

8200 WESTMINSTER BOULEVARD, WESTMINSTER, CA 92683 • (714) 898-3311

June 8, 2023

Brian Fennessy  
 Fire Chief  
**Orange County Fire Authority**  
 1 Fire Authority Road  
 Irvine, CA 92602

**Subject: Request for Study on Utilizing Orange County Fire Authority for Ambulance Emergency Services**

Dear Chief Fennessy,

I am writing to bring to your attention an important matter concerning emergency medical services in our local cities within Orange County. I kindly request the Orange County Fire Authority to initiate a study on the feasibility of utilizing your (OCFA) resources to provide ambulance emergency services to our communities.

As we all know, emergency medical services are vital in ensuring the well-being and safety of our residents. Currently, the responsibility of providing ambulance services in our cities lies with private ambulance providers. While these providers offer valuable services, it is worth considering an alternative model that can potentially provide enhanced benefits for our communities at a more reasonable cost to taxpayers than what is being presented to our City by our current vendor.

By leveraging the existing infrastructure, resources, and expertise of the Orange County Fire Authority, we have an opportunity to explore a more efficient and cost-effective approach to delivering ambulance services. The OCFA is already equipped with highly trained personnel, state-of-the-art equipment, and strategically located fire stations throughout the county. Integrating ambulance services into the OCFA's operations would allow for seamless coordination between emergency medical response and fire suppression services, possibly leading to improved overall emergency response times and outcomes for our residents.

In addition to the operational advantages, another significant benefit of utilizing the OCFA for ambulance emergency services is the financial aspect. Currently, our cities pay private ambulance providers for their services, and a significant portion of those funds goes towards private company profits. By shifting the responsibility to the OCFA, the revenues generated from providing ambulance services would remain within the public agencies. This would allow us to reinvest the funds into other initiatives that benefit our residents directly.

Therefore, I kindly request that OCFA initiate a comprehensive study to evaluate the feasibility and potential benefits of integrating ambulance emergency services into the operations of the Orange County Fire Authority. This study should assess the logistical requirements, financial implications, staffing considerations, and regulatory aspects of such a transition. Furthermore, it should include an analysis of successful models implemented in other regions, highlighting their achievements and lessons learned. Several agencies across the state have recently done this and have assumed

**Chi Charlie Nguyen**  
*Mayor*

**NamQuan Nguyen**  
*Vice Mayor*  
*District 4*

**Amy Phan West**  
*Council Member*  
*District 1*

**Carlos Manzo**  
*Council Member*  
*District 2*

**Kimberly Ho**  
*Council Member*  
*District 3*

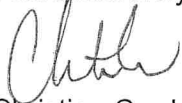
**Christine Cordon**  
*City Manager*

Cont'd

direct control of their respective Counties' ambulances. I firmly believe that by conducting this study, we will gain valuable insights into the potential advantages of utilizing the Orange County Fire Authority for ambulance emergency services. It will allow us to make informed decisions regarding the best approach to providing more cost-effective high-quality and efficient care to our residents during medical emergencies.

Thank you for your attention to this matter. I trust in your commitment to the well-being of our communities, and I am confident that you will carefully consider this request. Please feel free to reach out to our Mayor or myself if you require any additional information or if I can be of assistance in any way.

Yours, sincerely,



Christine Cordon  
City Manager

Cc: Mayor Chi Charlie Nguyen  
Vice Mayor NamQuan Nguyen, District 4  
Council Member Amy Phan West, District 1  
Council Member Carlos Manzo, District 2  
Council Member Kimberly Ho, District 3  
Darin Lenyi, Chief of Police  
Mavic Hizon, Police Business Services Manager

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**Chi Charlie Nguyen**  
*Mayor*

**NamQuan Nguyen**  
*Vice Mayor*  
*District 4*

**Amy Phan West**  
*Council Member*  
*District 1*

**Carlos Manzo**  
*Council Member*  
*District 2*

**Kimberly Ho**  
*Council Member*  
*District 3*

**Christine Cordon**  
*City Manager*



## City Manager's Office

Attachment 3

July 5, 2023

Brian Fennessy  
Fire Chief  
Orange County Fire Authority  
1 Fire Authority Road  
Irvine, CA 92602

Subject: Support of OCFA EMS System Analysis

Dear Chief Fennessy:

The City of Buena Park supports the Orange County Fire Authority's (OCFA) hiring a consultant firm that specializes in analysis of public agency Emergency Medical Service (EMS) delivery and, specifically, the transportation of the sick and injured by ambulance.

As you are aware, the City of Buena Park has hired a consultant to assess its patient transportation services. Included in the assessment will be how partnering with the OCFA may improve and enhance service delivery to our citizens.

Additionally, we have an interest in how patient transportation services are currently being delivered by the cities around us and how this may change in the future. The OCFA completing its own analysis will allow us both to discuss data driven options that, absent the two assessments, may otherwise not be possible.

We appreciate the OCFA always looking for opportunities to improve and enhance service delivery.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Aaron France', with a long horizontal flourish extending to the right.

Aaron France  
City Manager





# CITY OF GARDEN GROVE

July 20, 2023

Brian Fennessy  
Fire Chief  
Orange County Fire Authority  
1 Fire Authority Road  
Irvine, CA 92602

Subject: Support of OCFA EMS System Analysis

Dear Chief Fennessy:

The City of Garden Grove supports the Orange County Fire Authority (OCFA) hiring a consultant firm that specializes in analysis of public agency Emergency Medical Service (EMS) delivery and, specifically, the transportation of the sick and injured by ambulance.

As you are aware, the City of Garden Grove is currently contracting for its ambulance services. We do however have an interest in how patient transportation services are currently being delivered by the cities around us and how this may change in the future.

We appreciate the OCFA always looking for opportunities to improve and enhance service delivery.

Sincerely,

Lisa Kim  
City Manager

**Steve Jones**  
Mayor

**George S. Brietigam**  
Mayor Pro Tem - District 1

**John R. O'Neill**  
Council Member - District 2

**Cindy Ngoc Tran**  
Council Member - District 3

**Joe DoVinh**  
Council Member - District 4

**Stephanie Klopfenstein**  
Council Member - District 5

**Kim Bernice Nguyen**  
Council Member - District 6

**From:** [McConnell, Tammi](#)  
**To:** [Capobianco, Rob](#)  
**Subject:** RE: Draft Scope of Work  
**Date:** Wednesday, July 12, 2023 2:27:50 PM  
**Attachments:** [image002.png](#)  
[image004.png](#)  
[image001.png](#)  
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[Scope of Work.tcm.pdf](#)

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Hi Rob,

Thanks for sharing & the opportunity to collaborate. I am fully supportive of an objective study to evaluate options for emergency ambulance resource utilization in the OCFA jurisdiction. Attached are my edits/comments to the draft SOW. Please do not hesitate to include me on further discussions. As mentioned, we will begin the next ambulance RFP process later this year & start by evaluating & adjusting the current contract and seeking a Board resolution to comply with [HSC 1797.230](#). Both, which we can do parallel to this study.

See you tomorrow & thanks again,

**Tammi McConnell MSN, RN, MICN, PHN**  
*EMS Director, AM III*  
**Medical / Health Operational Area Coordinator**  
Orange County Emergency Medical Services  
405 West 5<sup>th</sup> Street, Suite 301A, Santa Ana CA 92701  
Direct: (714) 834-2791  
[Website](#) | [Facebook](#) | [Twitter](#)

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**From:** Capobianco, Rob <RobCapobianco@ocfa.org>  
**Sent:** Tuesday, July 11, 2023 4:07 PM  
**To:** McConnell, Tammi <TMcConnell@ochca.com>  
**Subject:** Draft Scope of Work

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

I Would appreciate any comments

Thank you



**Rob Capobianco**  
Assistant Chief  
Emergency Medical Services/  
Operations Training and Promotions  
Orange County Fire Authority  
Office: (714) 573-6008  
Cell: (714) 559-8653  
[www.ocfa.org](http://www.ocfa.org)

*In service of others!*



**California Code, Health and Safety Code - HSC § 1797.201**

Upon the request of a city or fire district that contracted for or provided, as of June 1, 1980, prehospital emergency medical services, a county shall enter into a written agreement with the city or fire district regarding the provision of prehospital emergency medical services for that city or fire district. Until such time that an agreement is reached, prehospital emergency medical services shall be continued at not less than the existing level, and the administration of prehospital EMS by cities and fire districts presently providing such services shall be retained by those cities and fire districts, except the level of prehospital EMS may be reduced where the city council, or the governing body of a fire district, pursuant to a public hearing, determines that the reduction is necessary.