

MINUTES

ORANGE COUNTY FIRE AUTHORITY

Board of Directors Special Meeting
Thursday, August 27, 2015
5:30 P.M.

Regional Fire Operations and Training Center Board Room
1 Fire Authority Road
Irvine, CA 92602-0125

CALL TO ORDER

Chair Hernandez called a special meeting of the Orange County Fire Authority Board of Directors to order at 5:30 p.m. on August 27, 2015.

INVOCATION

Chaplain Emily McColl offered the invocation.

PLEDGE OF ALLEGIANCE

Director McCloskey led the assembly in the Pledge of Allegiance to our Flag.

MOMENT OF SILENCE

With Chair Hernandez's concurrence, Chaplain Bob George offered words of remembrance for OCFA Senior Chaplain Warren Johnson and a moment of silence in his memory.

ROLL CALL

Angelica Amezcua, Santa Ana
Rick Barnett, Villa Park
Craig Greene, Placentia
Shelley Hasselbrink, Los Alamitos
Gene Hernandez, Yorba Linda
Jerry McCloskey, Laguna Niguel
Al Murray, Tustin
David Shawver, Stanton
Elizabeth Swift, Buena Park
Phillip Tsunoda, Aliso Viejo

Robert Baker, San Clemente
Lisa Bartlett, County of Orange
Gerard Goedhart, La Palma
Noel Hatch, Laguna Woods
Robert Johnson, Cypress
Joe Muller, Dana Point
Ed Sachs, Mission Viejo
David Sloan, Seal Beach
Tri Ta, Westminster

Absent: Carol Gamble, Rancho Santa Margarita
John Perry, San Juan Capistrano
Don Sedgwick, Laguna Hills

Jeffrey Lalloway, Irvine
Dwight Robinson, Lake Forest
Todd Spitzer, County of Orange

Also present were:

Fire Chief Jeff Bowman
Assistant Chief Lori Zeller
Assistant Chief Brian Young
General Counsel David Kendig
Clerk of the Authority Sherry Wentz

Assistant Chief Mike Schroeder
Assistant Chief Dave Thomas
Human Resources Director Jeremy Hammond
Director of Communications Sandy Cooney

PUBLIC COMMENTS – CLOSED SESSION (F: 11.11)

Chair Hernandez opened the Public Comments portion of the meeting.

Chair Hernandez closed the Public Comments portion of the meeting without any comments from the general public.

At Chair Hernandez's discretion, Agenda Item 1C was brought forward to accommodate the family in attendance for this presentation.

PRESENTATIONS

1. Requests for Commendations and Proclamations

C. Recognition of OCFA personnel involved in 405 Freeway Baby Delivery (X: 11.09)

On motion of Director Johnson and second by Director Hatch, the Board of Directors voted to approve the requests as submitted and make presentations to those present.

Chair Hernandez and Fire Chief Bowman recognized Dispatcher Grace Romero, Captain Steve Horner, Engineer Jeff Hubert, and Firefighter Paramedics Randy Ripken, Jim Aldrich, Lance Hardy, and EMT's Danielle Rauch and Manuel Aroz for helping deliver a healthy baby girl in the median of the 405 Freeway during heavy traffic.

CLOSED SESSION F: (11.15)

General Counsel David Kendig reported the Board would be convening to Closed Session to consider the matters on the Agenda identified as CS1, Conference with Labor Negotiator, CS2, Public Employee Performance Evaluation, CS3, Conference with Labor Negotiators, and CS4, Conference with Legal Counsel – Initiation of Litigation.

Chair Hernandez recessed the meeting to Closed Session at 5:45 p.m.

CS1. CONFERENCE WITH LABOR NEGOTIATOR

Chief Negotiator: Peter Brown, Liebert Cassidy Whitmore

Employee Organizations: Orange County Professional Firefighters' Association, Local 3631, Orange County Fire Authority Chief Officers' Association, Orange County Fire Authority Managers Association, and Orange County Employees' Association, and all unrepresented employees.

Authority: Government Code Section 54957.6

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CS2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Position: Fire Chief

Authority: Government Code Section 54957

CS3. CONFERENCE WITH LABOR NEGOTIATORS

OCFA Designated Labor Negotiators: Board Chair Gene Hernandez, Board Vice Chair Beth Swift, and Budget and Finance Committee Chair Jerry McCloskey

Authority: Government Code Section 54957.6

Unrepresented Employee: Fire Chief

CS4. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION

Authority: Government Code Section 54956.9(d)4

Director Amezcua arrived at this point. (6:03 p.m.)

Director Tsunoda arrived at this point. (6:30 p.m.)

Chair Hernandez reconvened the meeting from Closed Session at 7:11 p.m.

CLOSED SESSION REPORT (F: 11.15)

General Counsel David Kendig reported the Board of Directors unanimously approved the initiation of litigation which will be made public upon the person being served.

CONTINUED PRESENTATIONS

1. Requests for Commendations and Proclamations

A. Length of Service Recognition (F: 11.09D)

B. Recognition of former Board Chair Al Murray (F: 11.09)

D. Proclamation declaring October 4-10, 2015, as “Fire Prevention Week” (F: 11.09A)

On motion of Director Johnson and second by Director Hatch, the Board of Directors voted unanimously by those present to approve the requests as submitted and make presentations to those present.

Chair Hernandez and Fire Chief Bowman presented 30 Year Length of Service badges to Fire Captain Jeff Hughes and Firefighter Bruce Brown, and presented a token of appreciation to Director Al Murray for his service as OCFA Board Chair 2014-15.

REPORT FROM THE BUDGET AND FINANCE COMMITTEE CHAIR (F: 12.02A6)

Chair McCloskey reported that at the August 12, 2015, meeting of the Budget and Finance Committee, the Committee voted unanimously to direct staff to place the Monthly Investment Reports and Annual Investment Report on the agenda for the Executive Committee meeting, with the Committee's recommendations that the Executive Committee receive and file the reports. The Committee also voted unanimously to direct staff to place the Response to Grand Jury Report: "Joint Powers Authorities: Issues of Viability, Control, Transparency, and Solvency" and the Acceptance of 2015 Department of Homeland Security/Federal Emergency Management Agency's Urban Search & Rescue Preparedness Grant on the agenda for the Board of Directors meeting, with the Committee's recommendation that the Board approve the recommended actions. The Committee held its annual election of Chair and Vice Chair; the Committee approved the reappointment of Chair McCloskey and Vice Chair Swift for the ensuing term.

REPORT FROM THE HUMAN RESOURCES COMMITTEE CHAIR (F: 12.02A6)

Chair Shawver reported that at the August 4, 2015, meeting of the Human Resources Committee, the Committee voted unanimously to receive and file the Workers' Compensation Program Update and directed staff to present this report in its entirety as a discussion item at the next Board of Directors meeting. The Committee received updates on Academy 41, the Firefighter Trainee recruitment process for Academy 42, and the recent Active Shooter Drill. The Committee held its annual election of Chair and Vice Chair; Director Hatch was elected as Vice Chair, and Chair Shawver had been re-elected as Chair for the ensuing term.

REPORT FROM THE CLAIMS SETTLEMENT COMMITTEE CHAIR (F: 11.12)

Chair Hernandez reported there was no Claims Settlement Committee Meeting in August; therefore, there was nothing to report.

REPORT FROM THE FIRE CHIEF (F: 11.14)

Fire Chief Jeff Bowman reported on the recent reconfiguration of the Board Room, the Chief's FY 2015/16 Performance Initiatives, and introduced Assistant Chief Thomas who provided updates on the various fires throughout California. Fire Chief Bowman also introduced Clerk of the Authority Sherry Wentz who requested completion of the provided Emergency Notification Form from the Directors. In conclusion, Fire Chief Bowman thanked Director Murray noting during his tenure as Board Chair, he traveled to Washington, D.C. to help lobby for the Homeland Security Grant, which resulted in the distribution of the second highest grant award in the United States to the OCFA.

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PUBLIC COMMENTS – PUBLIC SESSION (F: 11.11)

Stephen Wontrobski, Mission Viejo resident, addressed various public record requests including the working papers of Lance, Soll, Lunghard, LLP.

2. MINUTES

A. Minutes from the July 23, 2015, Special Board of Directors Meeting (F: 11.06)

On motion of Director Johnson and second by Director Murray, the Board of Directors voted unanimously by those present to approve the minutes for the July 23, 2015, Special Board of Directors meeting. Directors Amezcua, Baker, and Bartlett were recorded as abstaining, due to their absence from the meeting.

3. CONSENT CALENDAR

A. Adoption of Ticket and Passes Distribution and Payments Policies (F: 11.100)

On motion of Director Goedhart and second by Director Johnson, the Board of Directors voted unanimously by those present to adopt the proposed Ticket and Passes Distribution Policy and Payments Policy.

B. Adoption of Board Teleconferencing Policy (F: 11.10M)

This item was pulled by Director Goedhart who spoke in opposition to teleconferencing.

A lengthy discussion ensued regarding the positive aspects of teleconferencing and the challenges in both hosting and participating in teleconferenced meetings.

On motion of Director Shawver and second by Director Muller, the Board of Directors voted by those present to adopt the proposed Board Teleconferencing Policy. The motion failed with the following members voting in opposition: Directors Baker, Barnett, Bartlett, Green, Goedhart, Hasselbrink, Hatch, McCloskey, Robinson, and Sachs.

C. Response to Grand Jury Report: “Joint Powers Authorities: Issues of Viability, Control, Transparency, and Solvency” (F: 20.04A7)

This item was pulled by a member of the public.

Stephen Wontrobski, Mission Viejo resident, spoke in opposition to OCFA’s response to the Grand Jury Report.

On motion of Vice Chair Swift and second by Director Ta, the Board of Directors voted unanimously by those present to approve and authorize the Fire Chief to submit the proposed response to the recommendations contained in the Grand Jury Report entitled *“Joint Powers Authorities: Issues of Viability, Control, Transparency, and Solvency”* to the Presiding Judge of the Superior Court and to the Orange County Grand Jury.

D. 2014 State Homeland Security Grant Program Agreement to Transfer Property or Funds (F: 16.02A)

On motion of Director Goedhart and second by Director Johnson, the Board of Directors voted unanimously by those present to:

1. Approve and authorize the Fire Chief, or his designee, to accept the 2014 State Homeland Security Grant award of \$100,000.
2. Increase revenue and appropriations in the FY 2015/16 General Fund by \$100,000 for the procurement of the Wildland Urban Interface Pre-fire Plans.

E. Acceptance of 2015 Department of Homeland Security/Federal Emergency Management Agency’s Urban Search & Rescue Preparedness Grant (F: 16.02B) (X: 11.07)

On motion of Director Goedhart and second by Director Johnson, the Board of Directors voted unanimously by those present to:

1. Adopt the proposed Resolution to accept the Department of Homeland Security/Federal Emergency Management Agency’s Administrative Preparedness Grant, entitled:

RESOLUTION NO. 2015-11

**A RESOLUTION OF THE ORANGE COUNTY FIRE AUTHORITY
ACCEPTING THE FEMA NATIONAL URBAN SEARCH AND
RESCUE (US&R) PROGRAM GRANT TO PURCHASE US&R
EQUIPMENT AND SUPPLIES, MAINTENANCE AND REPAIR OF
US&R EQUIPMENT, TRAINING AND PROGRAM
ADMINISTRATION**

2. Direct staff to increase revenue and appropriations in the amount of \$1,312,082 in the General Fund (Fund 121).

F. Grant Easement for Fire Station 31 (Mission Viejo) (F: 19.03A) (X: 19.07C3)

On motion of Director Goedhart and second by Director Johnson, the Board of Directors voted unanimously by those present to approve and authorize the Fire Chief, or his designee, to sign the Grant of Easement for Fire Station 31 to Southern California Edison to allow construction and maintenance of electric facilities adjacent to the fire station.

END OF CONSENT CALENDAR

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4. PUBLIC HEARING(S)

No items.

5. DISCUSSION CALENDAR

A. Workers' Compensation Program Update (F: 18.10A29)

Human Resources Director Jeremy Hammond provided an update on the success of the Workers' Compensation Program.

Ray Geagan, President Local 3631, thanked Risk Management Analyst Rhonda Haynes and Attorney John Ferrone who collectively shaped the framework of the OCFA Alternative Dispute Resolution (ADR) Program.

John Ferrone, Adams Ferrone and Ferrone, summarized the various ADR Programs.

Stephen Wontrobski, Mission Viejo resident, addressed the topic.

On motion of Director Murray and second by Director Bartlett, the Board of Directors voted unanimously by those present to receive and file the report.

B. Contract Increase and Extension – Professional Labor Negotiation Services (F: 17.10JI)

Director Ta left at this point. (8:14 p.m.)

Human Resources Director Jeremy Hammond summarized the request for the extension of the Professional Services Agreement.

On motion of Director Hatch and second by Director Murray, the Board of Directors voted by those present to:

1. Approve and authorize the Purchasing Manager to increase the value of the Professional Services Agreement with Peter Brown, of Liebert Cassidy Whitmore, by \$100,000 and extend the term through June 30, 2016, with the provision of an RFP at the next contract renewal.
2. Direct staff to submit a request to the Board of Directors with the FY 2015/16 Mid-Year Budget Adjustments to increase General Fund (Fund 121) appropriations by \$100,000 for professional labor negotiations services.

Director Ta was absent for the vote.

C. Executive Committee Membership (F: 12.02AI)

Chair Hernandez presented a concept of a potential expansion of the Executive Committee members and the potential reduction of the number of Board of Directors meetings for the Board's discussion.

The Board of Directors considered the concept, conducted discussion, and by consensus took no action at this time.

BOARD MEMBER COMMENTS (F: 11.13)

Director Green addressed public records requests and the public's rights to records. He also thanked Division Chief Kris Concepcion for his service in Placentia, and congratulated him on his new position as Fire Chief in the City of Vacaville in northern California.

Director McCloskey thanked Division Chief Bryan Brice for providing a presentation to the Rotary Club. He also congratulated Division Chief Kris Concepcion on his new position.

Director Murray, on behalf of former OCFA Director Randall Bressette (Laguna Hills), thanked OCFA personnel who responded to one of his family member's incident. Director Murray reported attending a preliminary meeting of the Drowning Prevention Task Force and noted that the working group will be meeting next week.

Director Amezcua thanked those responsible for the \$10,000 grant provided for swim lessons at the Australian Swim School in Santa Ana.

Director Johnson thanked Division Chief Dave Steffen for distributing over 300 smoke alarms to mobile home residence in the City of Cypress.

Director Sachs praised the Board Room reconfiguration.

Director Hatch commented on the redesign of the Board Room.

Director Baker inquired to the status of a new voting system for the Board Room.

Chair Hernandez thanked Division Chief Kris Concepcion for the flag burial ceremony in the City of Yorba Linda, and congratulated him on his promotion and service with OCFA.

CONTINUED CLOSED SESSION F: (11.15)

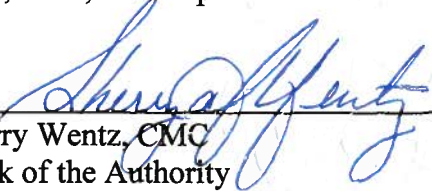
Chair Hernandez recessed the meeting to continue Closed Session at 8:39 p.m.

Chair Hernandez reconvened the meeting from Closed Session at 9:13 p.m., with all prior members in attendance.

CLOSED SESSION REPORT (F: 11.15)

General Counsel David Kendig reported there were no reportable actions.

ADJOURNMENT – Chair Hernandez adjourned the meeting in memory of Senior Chaplain Warren Johnson at 9:14 p.m. The next special meeting of the Orange County Fire Authority Board of Directors is scheduled for September 24, 2015, at 5:30 p.m.



Sherry Wentz, CMC
Clerk of the Authority