

# MINUTES

## ORANGE COUNTY FIRE AUTHORITY

**Board of Directors Special Meeting**  
**Thursday, January 26, 2017**  
**5:00 P.M.**

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

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### CALL TO ORDER

A special meeting of the Orange County Fire Authority Board of Directors was called to order on January 26, 2017, at 5:01 p.m. by Chair Hernandez.

### INVOCATION

Senior Chaplain Dave Keehn offered the invocation.

### PLEDGE OF ALLEGIANCE

Director Shawver led the Assembly in the Pledge of Allegiance to the Flag.

### ROLL CALL

Leah Basile, Lake Forest	Lisa Bartlett, County of Orange
Tim Brown, San Clemente	Laurie Davies, Laguna Niguel
Sergio Farias, San Juan Capistrano	Melissa Fox, Irvine
Carol Gamble, Rancho Santa Margarita	Craig Green, Placentia
Dave Harrington, Aliso Viejo	Shelley Hasselbrink, Los Alamitos
Noel Hatch, Laguna Woods	Gene Hernandez, Yorba Linda
Robert Johnson, Cypress	Joe Muller, Dana Point
Al Murray, Tustin	Bill Nelson, Villa Park
Ed Sachs, Mission Viejo	Vicente Sarmiento, Santa Ana
Don Sedgwick, Laguna Hills	David Shawver, Stanton
Todd Spitzer, County of Orange	Michele Steggell, La Palma
Elizabeth Swift, Buena Park	Tri Ta, Westminster

**Absent:** Ellery Deaton, Seal Beach

### Also present were:

Fire Chief Jeff Bowman	Assistant Chief Dave Thomas
Assistant Chief Brian Young	Assistant Chief Lori Zeller
General Counsel David Kendig	Assistant Chief Mike Schroeder
Assistant Chief Lori Smith	Human Resources Director Brigitte Gibb
Clerk of the Authority Sherry Wentz	

**ADMINISTRATION OF OATH OF OFFICE FOR NEW MEMBERS (F: 11.02C)**

Chair Hernandez welcomed newly appointed Directors Leah Basile of Lake Forest, Sergio Farias of San Juan Capistrano, Melissa Fox of Irvine, Dave Harrington of Aliso Viejo, and Bill Nelson of Villa Park.

Director Sarmiento arrived at this point (5:03 p.m.).

Director Ta arrived at this point (5:05 p.m.).

Fire Chief Jeff Bowman welcomed the newly appointed Directors and introduced Clerk of the Authority Sherry Wentz, who administered the Oath of Office.

**1. PRESENTATIONS**

No items.

**PUBLIC COMMENTS (F: 11.11)**

Stephen Wontrobski, Mission Viejo resident, addressed staff overtime and Stanford University's offer to review OCFA's unfunded liability.

Director Sedgwick arrived at this point (5:14 p.m.).

**CLOSED SESSION (F: 11.15)**

General Counsel David Kendig reported the Board would convene to Closed Session to consider the matter on the Agenda identified as CS1, Conference with Legal Counsel – Anticipated Litigation.

Chair Hernandez recessed the meeting to Closed Session at 5:25 p.m.

Director Spitzer left at this point (5:25 p.m.).

**CS1. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**

Authority: Government Code Section 54956.9(d)(2) – Significant Exposure to Litigation  
(1 case)

Director Brown arrived at this point (5:28 p.m.).

Director Steggell arrived at this point (5:45 p.m.).

Chair Hernandez reconvened the meeting from Closed Session at 6:30 p.m.

Director Sarmiento left at this point (6:33 p.m.).

## **CLOSED SESSION REPORT (F: 11.15)**

General Counsel David Kendig reported the Board of Directors voted against releasing Closed Session and attorney client privileged documents to the Grand Jury. Director Brown voted in opposition.

## **REPORT FROM THE BUDGET AND FINANCE COMMITTEE CHAIR (F: 11.12)**

Budget and Finance Committee Chair Sachs reported at its January 11, 2017, meeting, the Committee received the OCERS Quarterly Status Update, and approved the Request for Proposal (RFP) for Financial Audit Services. Chair Sachs reported the Audit RFP included a provision to preclude OCFA's current auditors from submitting a proposal, in order to ensure that the auditors rotate periodically and provide a fresh set of eyes on OCFA's financial statements. The Committee also voted unanimously to send the Monthly Investment Reports and the First Quarter Financial Newsletter to the Executive Committee for its approval. The Committee voted unanimously to send the Annual Grant Priorities, the FY 2016/17 Mid-Year Financial Report, and the Phase Three Service Delivery Enhancements to the Board of Directors for its approval.

## **REPORT FROM THE HUMAN RESOURCES COMMITTEE CHAIR (F: 11.12)**

Human Resources Committee Chair Shawver reported at the January 3, 2017, meeting, the Committee received the Human Resources Committee Orientation; received and filed the California Employment Law Update, Quarterly Human Resources Accomplishment/Project Update, and Professional Standards Unit Update. The Committee discussed and voted unanimously to send the consideration of the Classification Specifications – Title Change and New Classifications to the Executive Committee with the recommendation that the Committee approve the item.

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

Claims Settlement Committee Chair Hernandez reported the Claims Settlement Committee held a special meeting to consider one case of anticipated litigation. There was no reportable action.

## **REPORT FROM THE FIRE CHIEF (F: 11.14)**

Fire Chief Jeff Bowman presented the FY 2016/17 Domain Objectives Mid-Year Update. He introduced Assistant Chief Schroeder who provided an overview of the contingency funds, and the Regional Fire Operations and Training Center AV upgrades. Fire Chief Bowman reported on the recent rainfall and introduced Division Chief John Abel, the acting duty chief during the rainstorms, who reported on the activity and coordination efforts to keep the public safe.

Fire Chief Bowman introduced Assistant Chief Young who presented a fire service deployment video and addressed its key points.

**2. MINUTES**

**A. Minutes from the November 17, 2016, Regular Board of Directors Meeting (F: 11.06)**

On motion of Director Johnson and second by Director Sachs, the Board of Directors voted to approve the Minutes of the November 17, 2016, Regular Board Meeting as submitted. Directors Basile, Farias, Fox, Harrington, Hasselbrink, Murray, and Nelson were recorded as abstentions due to their absence from the meeting.

Directors Sarmiento and Spitzer were absent for the vote.

**3. CONSENT CALENDAR (Agenda Item Nos. 3B and 3C were pulled for separate consideration.)**

**A. FY 2016/17 Mid-Year Financial Report (F: 15.04)**

On motion of Director Murray and second by Director Ta, the Board of Directors voted to:

1. Approve a budget adjustment in the General Fund (Fund 121) increasing expenditures to allocate \$9,814,477 of available unencumbered funds identified in the FY 2015/16 financial audit to OCFA's unfunded pension liability, in accordance with the OCFA's Expedited Pension Payment Plan.
2. Direct staff to return to the Board of Directors in March 2017 for approval of all additional budget adjustments discussed herein for the FY 2016/17 budget.

Directors Sarmiento and Spitzer were absent for the vote.

**B. Annual Grant Priorities for 2017 (F: 11.10G)**

Director Bartlett pulled this item from the Consent Calendar to inquire about OCFA applying for the 2017 Federal Emergency Management Agency Fire Prevention and Safety Grant.

On motion of Director Bartlett and second by Director Murray, the Board of Directors voted to approve OCFA's Annual Grant Priorities for 2017.

Directors Sarmiento and Spitzer were absent for the vote.

**C. Award of Public Works Contract for Tenant Improvements – Urban Search and Rescue Warehouse (F: 22.05A1a)**

Director Sachs pulled this item from the Consent Calendar for clarification of the terms addressing the completion of the contract.

On motion of Director Gamble and second by Director Murray, the Board of Directors voted to:

1. Approve the plans and specifications for the tenant improvements at the US&R Warehouse.
2. Approve and award the public works contract to Hoffman Management and Construction Corporation in the amount of \$616,258.
3. Authorize a 10% (\$61,625) allowance for contingency.

Directors Sarmiento and Spitzer were absent for the vote.

**D. Secured Fire Protection Agreement for South Cove (Dana Point) (F: 18.14)**

On motion of Director Murray and second by Director Ta, the Board of Directors voted to:

1. Approve and authorize the Fire Chief or his designee to execute a Secured Fire Protection Agreement with 27 DBV Owner, LLC, as related to South Cove (Doheny Village), Dana Point.
2. Direct the Clerk of the Authority to record the Secured Fire Protection Agreement in the Official Records of the County of Orange, and furnish the developer a copy of the conformed documents within fifteen days of recordation.

Directors Sarmiento and Spitzer were absent for the vote.

**E. Initial Budget Adjustment to Replace Losses Incurred at the Fire Station 61 Fire (F: 19.07C61A)**

On motion of Director Murray and second by Director Ta, the Board of Directors voted to:

1. Approve an initial budget adjustment in the amount of \$3 million to be allocated between the General and the Capital Improvement Program funds at staff's discretion to be used for the purposes of replacing vehicles and equipment lost at Fire Station 61.
2. Direct staff to return to include any additional budget adjustments required to complete the replacement of losses in the March 2017 Mid-Year Budget Adjustment.

Directors Sarmiento and Spitzer were absent for the vote.

**END OF CONSENT CALENDAR**

**4. PUBLIC HEARING(S)**

No items.

## **5. DISCUSSION CALENDAR**

### **A. Board Member Retirement Savings Plan Options (F: 17.05A)**

Human Resources Director Brigitte Gibb presented Retirement Savings Plan Options.

On motion of Director Green and second by Director Johnson, the Board of Directors voted to direct staff to enroll the Board Members into a 457 Omnibus Budget Reconciliation Act (OBRA) mandatory retirement savings plan.

Directors Sarmiento and Spitzer were absent for the vote.

### **B. Service Delivery Enhancements – Phase Three (F: 17.10D) (X: 18.13)**

Assistant Chief Brian Young provided a PowerPoint presentation for the Service Delivery Enhancements - Phase Three.

On motion of Director Davies and second by Director Johnson, the Board of Directors voted to:

1. Direct staff to include funding for the Phase Three enhancements in the Mid-Year Budget Adjustments that will be submitted to the Board in March, at a partial-year cost of \$684,764.
2. Authorize staff to add 12 firefighter positions to the Master Position Control (four post-positions, with three employees per post-position to cover three shifts for 24/7 coverage).

Directors Sarmiento and Spitzer were absent for the vote.

### **ELECTION OF CHAIR/VICE CHAIR (F: 11.02B)**

Chair Hernandez opened the nominations for Chair of the Board of Directors.

Director Shawver nominated Vice Chair Swift with a second by Director Murray.

There were no additional nominations.

Director Murray requested the Board vote Vice Chair Swift as Chair by acclamation.

The Board acclaimed Vice Chair Swift as Chair for the ensuing term. Directors Sarmiento and Spitzer were absent for the vote.

Chair Swift opened the nominations for Vice Chair of the Board of Directors.

Director Hatch nominated Director Shawver with a second by Director Ta.

Director Davies nominated Director Sachs with a second by Director Harrington.

Chair Swift closed the nominations for Vice Chair of the OCFA Board of Directors.

The following Directors (9) voted in support of Director Shawver:

Melissa Fox, Irvine	Noel Hatch, Laguna Woods
Shelley Hasselbrink, Los Alamitos	Robert Johnson, Cypress
Bill Nelson, Villa Park	David Shawver, Stanton
Michelle Steggell, La Palma	Elizabeth Swift, Buena Park
Tri Ta, Westminster	

The following Directors (13) voted in support of Director Sachs.

Lisa Bartlett, County of Orange	Leah Basile, Lake Forest
Tim Brown, San Clemente	Laurie Davies, Laguna Niguel
Sergio Farias, San Juan Capistrano	Carol Gamble, Rancho Santa Margarita
Craig Green, Placentia	Dave Harrington, Aliso Viejo
Gene Hernandez, Yorba Linda	Joseph Muller, Dana Point
Al Murray, Tustin	Ed Sachs, Mission Viejo
Don Sedgwick, Laguna Hills	

Directors Sarmiento and Spitzer were absent for the vote.

Chair Swift requested the Board vote Director Sachs as Vice Chair by acclamation.

The Board acclaimed Director Sachs as Vice Chair for the ensuing term. Directors Sarmiento and Spitzer were absent for the vote.

#### **BOARD MEMBER COMMENTS (F: 11.13)**

Chair Swift thanked Director Hernandez for his service as Board Chair.

Director Hernandez praised the Board of Directors, Chief Bowman, and wished Chair Swift well during her tenure.

Director Sedgwick, after participating on a ride-along with Station 22, complemented the firefighters for their professionalism.

Director Bartlett requested the Board agendaize the subject of equity.

Director Gamble thanked former Chair Hernandez for his service, praised Director Sachs and Shawver, and Chair Swift, and offered a “shout out” to Chief Abel for his presentation and his constant updates during the rain storms; keeping the council and city manager of Rancho Santa Margarita well informed.

Director Murray congratulated Chair Swift and Vice Chair Sachs on their appointments, and Director Shawver for his nomination as Vice Chair; and noted Director Shawver’s recent appointment to the Orange County Sanitation District.

Director Hernandez commended Captain/Paramedic Joe Menton from Station 51, after responding to a 911 call, he ensured the owners pet was cared for and followed-up on the patient.

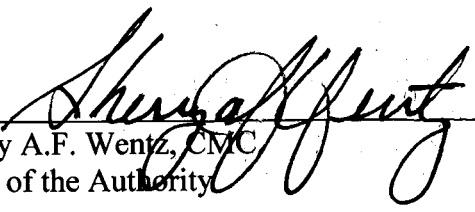
Vice Chair Sachs thanked those who voted for Director Shawver and himself; offered a personal thanks to Director Hernandez for his work and efforts for the Board, and noted looking forward to working with Chair Swift. He suggested new Board Members add the PulsePoint app on their phones (which provides notification of emergency calls within close proximity), and reported during the storms, staff responded to fifty-five flooding calls.

Director Fox looked forward to serving on OCFA Board.

Director Hatch complimented Director Hernandez for his dedicated service as Chair of the Board; praised the direction the Board took during Director Murray’s service as Chair during some rather difficult times; complimented Vice Chair Sachs as he takes on his new position, and complimented the firefighters of Fire Station 22 for their dedicated service to his community.

Chair Swift commented on the fire at Fire Station 61, mentioning the future plans for the new station include breaking ground in April 2017, with a projected completion date of March 2018. She commended the firefighters who rescued the trapped individuals on the Sky Cabin (a non-thriller ride) at Knott’s Berry Farm.

**ADJOURNMENT** – Chair Swift adjourned the meeting at 7:54 p.m. The next regular meeting of the Orange County Fire Authority Board of Directors is scheduled for Thursday, March 23, 2017, at 6:00 p.m.

  
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Sherry A.F. Wentz, CMC  
Clerk of the Authority