



ORANGE COUNTY FIRE AUTHORITY

AGENDA

BOARD OF DIRECTORS REGULAR MEETING

Thursday, May 28, 2020

6:00 P.M.

Regional Fire Operations and Training Center

Board Room

1 Fire Authority Road

Irvine, CA 92602

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 of Directors 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, if you need special assistance to participate in this meeting, you should contact the Clerk of the Authority at (714) 573-6040.

Notice Regarding Public Participation During COVID-19 Emergency

During the Statewide COVID-19 Emergency, the public is not permitted to convene in person for this public meeting. However, the public may still view and comment on the meeting as follows:

To watch the meeting, the public may observe the meeting online at OCFA.org.

To comment on one or more items, send an email to PublicComments@ocfa.org. You may comment on items on the agenda or not on the agenda. Your comments will be forwarded electronically and immediately to the members of the Board. Comments related to a particular agenda item will only be considered prior to the close of public comments on that item.

For Individuals with Disabilities: The OCFA is dedicated to ensure accessibility to the meetings for those individuals with disabilities, therefore the OCFA has established a process to request a reasonable modification or accommodation consistent with the Americans with Disabilities Act (ADA). If you would like to request a modification or accommodation due to a disability, please call (714) 573-6040 as soon as is feasible, and identify the need and the requested modification or accommodation.

CALL TO ORDER

INVOCATION by OCFA Chaplain Devon Chase

PLEDGE OF ALLEGIANCE by Director Moore

ROLL CALL

1. PRESENTATIONS

No items.

PUBLIC COMMENTS

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 Board on items within the Board's 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 Board and do not engage in dialogue with individual Board Members, Authority staff, or members of the audience.

The Agenda and Minutes are now available through the Internet at www.ocfa.org. You can access upcoming agendas on the Monday before the meeting. The minutes are the official record of the meeting and are scheduled for approval at the next regular Board of Directors meeting.

Public Comments during COVID-19 Emergency: Public Comments will be accepted prior to or during the meeting via email at PublicComments@ocfa.org. Comments may be submitted in reference to a specific item on the agenda or on items within the Board's subject matter jurisdiction but which are not listed on the agenda. All written comments will be distributed in writing via email to the Board members. Comments on items on the agenda will only be considered until the opportunity for public input on that item has closed.

REPORTS

REPORT FROM THE BUDGET AND FINANCE COMMITTEE CHAIR

REPORT FROM THE FIRE CHIEF

- Academy Graduation

CLOSED SESSION

CS1. CONFERENCE WITH LABOR NEGOTIATOR

Chief Negotiator: Peter Brown, Liebert Cassidy Whitmore

Employee Organizations: Orange County Professional Firefighters' Association, Local 3631 and Chief Officers Association

Authority: Government Code Section 54957.6

CS2. CONFERENCE WITH LABOR NEGOTIATOR

Chief Negotiators: Board Chair Hasselbrink, Vice Chair Rossini, and Immediate Past Board Chair Muller
Position: Fire Chief

Authority: Government Code Section 54957.6

CS3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9

CLOSED SESSION REPORT

2. CONSENT CALENDAR**A. Minutes from the April 23, 2020, Regular Meeting of the Board of Directors**

Submitted by: Martha Halvorson, Acting Clerk of the Authority

Recommended Action:

Approve as submitted.

B. State Standard Agreement For Fire Protection Services of State Responsibility Areas

Submitted by: Robert Cortez, Assistant Chief/Business Services Department

Recommended Action:

Approve and authorize the Board Chair to sign the Assignment of a three-year Cooperative Fire Protection Agreement between the State of California Department of Forestry and Fire Protection and the County of Orange to OCFA.

C. Compensation Agreement for Disposition of San Juan Capistrano Former Redevelopment Agency Property

Submitted by: Robert Cortez, Assistant Chief/Business Services Department

Recommended Action:

Approve and authorize the Board Chair to sign the final Master Agreement for Taxing Entity Compensation between the Orange County Fire Authority and the City of San Juan Capistrano in a form substantially in conformance with the attached.

D. Third Amendment to the Advanced Life Support Billing/Reimbursement Agreements

Submitted by: Robert Cortez, Assistant Chief/Business Services Department

Recommended Action:

Approve and authorize the Board Chair to sign the third amendment to the Advanced Life Support Billing Agreement to extend the term for an additional five years.

E. Annexation Property Tax Pass-Through Agreement with the City of Santa Ana

Submitted by: Robert Cortez, Assistant Chief/Business Services Department

Recommended Action:

Approve and execute the submitted Annexation Property Tax Pass-Through Agreement with the City of Santa Ana, effective November 13, 2019.

3. DISCUSSION

A. [Appointment of the Clerk for the Orange County Fire Authority](#)

Submitted by: Robert Cortez, Assistant Chief/Business Services Department

Recommended Action:

Approve and adopt the proposed Resolution entitled A RESOLUTION OF THE ORANGE COUNTY FIRE AUTHORITY, ORANGE COUNTY, CALIFORNIA, APPOINTING A CLERK FOR THE ORANGE COUNTY FIRE AUTHORITY appointing Maria D. Huizar as the Clerk for the Orange County Fire Authority.

B. [Resolution Authorizing Payment of the Non-Base Building Merit Increase Delineated in the Fire Chief's May 23, 2019, Employment Agreement](#)

Submitted by: Nina Collins, Assistant Chief/Human Resources Department

Recommended Action:

Approve the proposed Resolution entitled A RESOLUTION OF THE ORANGE COUNTY FIRE AUTHORITY BOARD OF DIRECTORS AUTHORIZING PAYMENT OF THE NON-BASE BUILDING MERIT INCREASE AS PROVIDED IN THE FIRE CHIEF'S MAY 23, 2019, EMPLOYMENT AGREEMENT (Attachment 4).

4. PUBLIC HEARING(S)

Public Hearings are scheduled at 7:00 p.m. or soon after as possible. The Board of Directors when considering the matter scheduled for hearing, will take the following actions: 1. Receive staff report. 2. Open the Public Hearing. 3. Accept public testimony. 4. Close the Public portion of the Public Hearing. 5. Receive Board Member comments and questions. 6. Take appropriate action. Those wishing to address the Board during the Public Hearing must submit written comments via email at PublicComments@ocfa.org prior to or during the Public Hearing and these will be provided to the Clerk of the Authority and will be considered prior to the close of public comments of the Public Hearing.

A. [Review and Adoption of the Fiscal Year 2020/21 Proposed Budget](#)

Submitted by: Robert Cortez, Assistant Chief/Business Services Department

Budget and Finance Committee Recommendation: See Below

Recommended Actions:

Based on the motion by the Budget and Finance Committee at its May 13, 2020, meeting, the nature of the motion requiring an amendment to the Joint Powers Authority (JPA) Agreement and given the short timeline to adopt the budget, staff respectfully provides the following three options for consideration by the Board. Staff recommends Option B.

Option A – Budget and Finance Committee's Recommendation

As motioned by the Budget and Finance Committee, direct staff to provide additional budget and JPA analysis to the Budget and Finance Committee at its June 10, 2020, meeting, to seek further input and recommendations that may be considered by the Board in conjunction with the adoption of the proposed FY 2020/21 Budget at its June 25, 2020, meeting.

Option B – Staff’s Original Recommendation

Review the proposed FY 2020/21 Budget agenda item, take the following actions 1 through 8 listed below, and direct staff to continue to work with the Budget and Finance Committee to explore recommendations that may be implemented during the course of the fiscal year. *This option would allow the Board to continue to fulfill the requirements of the JPA as currently adopted and provide additional time to vet recommendations thoroughly.*

1. Conduct a Public Hearing.
2. Adopt the proposed FY 2020/21 Budget as submitted.
3. Adopt the resolution entitled A RESOLUTION OF THE ORANGE COUNTY FIRE AUTHORITY BOARD OF DIRECTORS ADOPTING AND APPROVING THE APPROPRIATIONS BUDGET FOR THE ORANGE COUNTY FIRE AUTHORITY FOR FISCAL YEAR 2020/21.
4. Approve and authorize the temporary transfer of up to \$85 million from the following funds to cover a projected temporary cash flow shortfall for FY 2020/21:
 - a. Fund 123 Fire Stations and Facilities - \$5 million.
 - b. Fund 133 Fire Apparatus - \$10 million.
 - c. Fund 190 Workers’ Compensation Reserve Fund - \$70 million.
5. Approve and authorize the repayment of \$85 million borrowed funds from Fund 121 to the above funds along with interest when General Fund revenues become available in FY 2020/21.
6. Approve an update to the Financial Stability Budget Policy included as Attachment 4 that clarifies how the 10% contingency reserve will be calculated.
7. Approve changes to the Master Position Control list to add a limited term Construction Manager.
8. Approve transfers from the General Fund 121 to CIP Funds and Settlement Agreement Fund totaling \$22,788,603.

Option C – Hybrid of Budget and Finance Committee’s & Staff’s Recommendations

Review the proposed FY 2020/21 Budget agenda item, take actions 1 through 8 listed above in Option B, direct staff to delay the timing for when OCFA remits the FY 2020/21 Snowball pension paydown plan payment to OCERS until further direction is provided by the Board, and remove the Snowball pension paydown payment from the cash contract city charge calculation in order to provide relief from future on-going increases. *This option would allow the Board to continue to fulfill the requirements of the JPA as currently adopted, commit to a review of the Snowball pension paydown plan, and set in motion relief for cash contract cities that would be reflected going forward starting with FY 2021/22.*

BOARD MEMBER COMMENTS

ADJOURNMENT – The next regular meeting of the Orange County Fire Authority Board of Directors is scheduled for Thursday, June 25, 2020, at 6:00 p.m.

AFFIDAVIT OF POSTING

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing Agenda was posted in the lobby, front gate public display case, and website 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. Dated this 21st day of May 2020.

Martha Halvorson
Acting Clerk of the Authority

UPCOMING MEETINGS:

Budget and Finance Committee Meeting	Wednesday, June 10, 2020, 12 noon
Executive Committee Meeting	Thursday, June 25, 2020, 5:30 p.m.
Board of Directors Meeting	Thursday, June 25, 2020, 6:00 p.m.