



ORANGE COUNTY FIRE AUTHORITY

AGENDA

BOARD OF DIRECTORS REGULAR MEETING

Thursday, September 23, 2021
6:00 P.M.

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

Link to:

[Board of Directors Member Roster](#)

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 and identify the need and the requested modification or accommodation. Please notify us as soon as is feasible, however 48 hours prior to the meeting is appreciated to enable the Authority to make reasonable arrangements to assure accessibility to the meeting.

NOTICE REGARDING PUBLIC PARTICIPATION DURING COVID-19 EMERGENCY

The public is permitted to convene in person for this public meeting or view and comment:

- To watch the meeting online, please go to website at www.Ocfa.org
- To submit an e-comment, please 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.

CALL TO ORDER by Chair Shawver

INVOCATION by OCFA Chaplain Devin Chase

PLEDGE OF ALLEGIANCE by Director Wagner

ROLL CALL by Clerk of the Authority

REPORTS

A. Report from the Budget and Finance Committee Chair

B. Report from the Fire Chief

- Participants for completion of All American Leadership Training

PUBLIC COMMENTS

Please refer to instructions on how to submit a public comment during COVID-19 Emergency on Page 1 of this Agenda.

1. PRESENTATIONS

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 from the July 22, 2021, Regular and Special Meetings of the Board of Directors](#)

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

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

Recommended Action:

- a. Approve the Minutes of the July 22, 2021 Regular Meeting as submitted.
- b. Approve the Minutes of the July 22, 2021 Special Meeting as submitted.

B. [Budget Adjustment to Conduct Mandated Defensible Space Compliance Inspections per Assembly Bill 38](#)

Submitted by: Lori Smith, Assistant Chief/Community Risk Reduction and Robert Cortez, Assistant Chief/Business Services Department

On September 8, 2021, the Budget and Finance Committee reviewed the proposed agenda item and directed staff to place on the Board of Directors agenda for approval by 9-0 vote.

Recommended Actions:

1. Amend the Master Position Control List to add one Fire Prevention Specialist to conduct defensible space inspections located in the High or Very High Hazard Severity Zones, contingent on State funding for the position. Staff shall be prepared with a fee study in the event State funding ceases.
2. Approve a Budget Adjustment to increase revenue by \$180,000 and expenditures by \$180,000, including \$135,000 in the General Fund (121) and \$45,000 in the Fleet CIP Fund (133).

C. Carryover of FY 2020/21 Uncompleted Projects

Submitted by: Robert Cortez, Assistant Chief/Business Services Department, Tricia Jakubiak, Treasurer/Treasury & Financial Planning and Stuart Lam, Budget Manager/Treasury & Financial Planning

On September 8, 2021, the Budget and Finance Committee reviewed the proposed agenda item and directed staff to place on the Board of Directors agenda for approval by 8-0 vote (Director Sachs absent).

Recommended Actions:

Authorize the following proposed budget adjustments:

1. Approve a budget adjustment in the FY 2021/22 General Fund (121) increasing revenues by \$16,637,547 and expenditures by \$17,174,678.
2. Approve a budget adjustment in the FY 2021/22 General Fund CIP (12110) increasing expenditures by \$6,025,736.
3. Approve a budget adjustment in the FY 2021/22 Fire Stations and Facilities Fund (123) increasing expenditures by \$6,818,795.
4. Approve a budget adjustment in the FY 2021/22 Communications and Information Systems Fund (124) increasing expenditures by \$3,741,515.
5. Approve a budget adjustment in the FY 2021/22 Fire Apparatus Fund (133) increasing expenditures by \$10,414,456.
6. Approve a budget adjustment in the FY 2021/22 Settlement Agreement Fund (139) increasing expenditures by \$1,500,000.
7. Approve a budget adjustment in the FY 2021/22 Structural Fire Entitlement Fund (171) increasing expenditures by \$1,120,305.

D. Fourth Quarter Purchasing Report

Submitted by: Robert Cortez, Assistant Chief/Business Services Department and Sara Kennedy, Purchasing Manager/Purchasing Division

On September 8, 2021, the Budget and Finance Committee reviewed the proposed agenda item and directed staff to place on the Board of Directors agenda for approval by 9-0 vote.

Recommended Action:

Receive and file the report.

E. [Amendment to Purchasing Ordinance –Second Reading](#)

Submitted by: Robert Cortez, Assistant Chief/Business Services Department and Sara Kennedy, Purchasing Manager

At the July 22, 2021 meeting of the Board of Directors, the First Reading of the proposed ordinance was approved by a 18-2 vote (Director Tettmer and Bartlett dissented and Directors Chun, Muller, O’Neil, Sachs, and Sedgwick absent).

Directors Tettmer and Bartlett dissented on the first reading of the ordinance; said votes will be carried over for second reading and on the Minutes, unless this item is pulled from the Consent Calendar and register a “yes” vote on this item.

Recommended Actions:

1. Waive the full reading of the proposed Ordinance.
2. Adopt and read by title only proposed Ordinance No. 009 entitled AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE ORANGE COUNTY FIRE AUTHORITY AMENDING THE FIRE AUTHORITY’S PROCUREMENT CODE TO REVISE THE PURCHASING RULES AND PROCEDURES.

F. [Resolution for Approval of the Joint Community Facilities Agreement Relating to Fire Facilities at Rienda Master Planned Community](#)

Submitted by: Jim Ruane, Assistant Chief/Logistics Department and Rob Capobianco, Division Chief

Recommended Action:

Adopt resolution authorizing the Fire Chief, or designee, to execute the Joint Community Facilities Agreement among the County of Orange, the Orange County Fire Authority, and RMV PA 3 Development, LLC relating to Fire Facilities at Rienda Master Planned Community. (*Requires majority vote of the total membership of the board, pursuant to Cal. Gov’t Code § 36936.*)

G. [Amendments to the Personnel & Salary Resolution](#)

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

Recommended Action:

Review and approve the amendments to the Personnel & Salary Resolution, Part 3, Article I, Section 5(E) – CalPers Health Care.

H. [Ratification of Agenda Items Acted Upon by the Board of Directors on June 24, 2021 after 10:30 p.m.](#)

Submitted by: David Kendig, General Counsel

Recommended Action:

Ratify the approval of the following agenda items approved after 10:30 p.m. at the June 24, 2021, Board of Directors meeting:

- 2A. Minutes from the May 27, 2021, Regular Meeting of the Board of Directors
- 2B. Third Quarter Purchasing Report
- 2C. Updated Cost Reimbursement Rates
- 2D. 2020/21 Year End Budget Adjustment
- 3A. Mutual Aid Agreement with Los Alamitos Joint Forces Training Base (JFTB)
- 3B. Fire Chief's Discretionary Bonus Upon Completion of Third Full Year of Service
- 4A. Fiscal Year 2021/22 Proposed Budget.

3. DISCUSSION CALENDAR

A. [Consider the 9:30 p.m. Rule in Board Rules of Procedure Rule 3\(b\) and Waive the 10:30 p.m. Curfew Set Forth in Rule 3\(c\)](#)

Submitted by: David Kendig, General Counsel

Recommended Action:

1. At 9:30 p.m. determine which remaining agenda items will be considered and which may be continued to the next regular meeting; and
2. In the event the Board's meeting appears likely to continue past 10:30 p.m., waive the 10:30 p.m. curfew set forth in Board Rule of Procedure 3(c). (Waiver of the 10:30 curfew requires approval from three-fifths (3/5ths) of the Board members present for the meeting.)

B. [Modifications to the Quick Reaction Force Pilot Program – Northern California Wildfire QRF Support and Cost Recovery](#)

Submitted by: Brian Fennessy, Fire Chief and Robert Cortez, Assistant Chief/Business Services Department

Recommended Actions:

1. Approve and authorize the Purchasing Manager to execute amendments to the various QRF agreements in support of the Northern California wildfires by increasing the contract amounts as referenced in Table One.
2. Approve and authorize a FY2021-22 General fund (121) budget adjustment to recognize cost recovery revenue increase of an estimated \$1,868,210 and to increase appropriations by the same amount.
3. Approve the updated Cost Reimbursement Rate schedule to include the addition of standby rates for aircraft and mobile retardant base, and rates for program management and ATGS services in response to the Northern California wildfire QRF support with a retroactive effective date of August 17, 2021.

C. [Board of Director Requested Item: Child Car Safety Seat Installation and Inspection](#)

Submitted by: Kenny Dossey, Deputy Chief/Operations Bureau and Phil Johnson, Assistant Chief/Field Operations

Recommended Action:

1. **Option 1** – Direct staff to, like other agencies, continue to provide National Transportation Safety Board informational materials for the stations to direct people to a certified child safety car seat specialist in the local area; or
2. **Option 2** – Direct staff to provide specified employees (such as Community Educators) with certified training in child car safety seat installation. Offer installation at Orange County Regional Operations and Training Center (Headquarters) and during community events.

BOARD MEMBER COMMENTS**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 matters will prejudice the position of the authority in existing and/or anticipated litigation:

CS1. CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6

Chief Negotiator:

Peter Brown, Liebert Cassidy Whitmore

Employee Organizations:

- Orange County Professional Firefighters Association, IAFF - Local 3631,
- Orange County Employees Association (OCEA), and
- Orange County Fire Authority Management Association (OCFAMA)

CS2. 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: Three (3) Cases**CS3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** pursuant to Paragraph (1) of subdivision (d) of Section 54956.9 of the Government Code: Desiree Horton v. OCFA et al, Case No. 30-2021-01200267-CU-WT-CJC**CLOSED SESSION REPORT** by General Counsel

ADJOURNMENT – The next regular meeting of the Orange County Fire Authority Board of Directors is scheduled for Thursday, October 28, 2021, 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.

Maria D. Huizar, CMC
Clerk of the Authority

UPCOMING MEETINGS:

Budget and Finance Committee
Executive Committee
Board of Directors

Wednesday, October 13, 2021, 12 noon
Thursday, October 28, 2021, 5:30 p.m.
Thursday, October 28, 2021, 6:00 p.m.