



ORANGE COUNTY FIRE AUTHORITY

AGENDA

BOARD OF DIRECTORS REGULAR MEETING AND CONCURRENT JOINT SPECIAL MEETINGS OF THE BOARD OF DIRECTORS, EXECUTIVE COMMITTEE, BUDGET & FINANCE COMMITTEE, AND HUMAN RESOURCES COMMITTEE

Thursday, September 22, 2022
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](#)

NOTICE REGARDING PUBLIC PARTICIPATION DURING COVID-19 EMERGENCY

This meeting is open to the public. In addition, there are several alternative ways to view and to make comments during the meeting, including:

Access Meeting Live (No Public Comments):

You may access the meeting live electronically at: <https://player.cloud.wowza.com/hosted/xvtnclkw/player.html>.
(Note: you should use one of the other alternatives below if you want to make comments during the meeting.)

Public Comments Live via Zoom: You may also view and make real-time verbal comments during the meeting via the Zoom link below during the meeting. You will be audible during your comments, but the board members will not be able to see you. To submit a live comment using Zoom, please be prepared to use the "Raise Your Hand" feature when public comment opportunities are invited by the Chair. (You can raise your hand on your smart phone by pressing *9.) Also, members of the public must unmute themselves when prompted upon being recognized by the Chair in order to be heard. (To unmute your smartphone in Zoom, press *6.)

Public Comments via Zoom: <https://zoom.us/j/83264128588#success>
Meeting ID: 832 6412 8588
Passcode: 298121
Raise Your Hand (press *9) and Unmute (press *6)

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

Further instructions on how to provide comments is available at: <https://ocfa.org/PublicComments>.



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.

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>

CALL TO ORDER by Chair Steggell

INVOCATION by OCFA Chaplain Brett Peterson

PLEDGE OF ALLEGIANCE by Director Sachs

ROLL CALL by Clerk of the Authority

REPORTS

A. Report from the Budget and Finance Committee Chair

B. Report from the Operations Committee Chair

C. Report from the Legislative and Public Affairs Committee Chair

D. Report from the Fire Chief

- Day of Remembrance – September 11, 2022 Ceremony
- Suicide Prevention Month
- Station Open Houses

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 for 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:

1. Approve the Minutes for the July 14, 2022 Special and Concurrent Joint Special Meeting as submitted.
2. Approve the Minutes for the July 28, 2022, Regular and Concurrent Joint Special Meeting as submitted.
3. Approve the Minutes for the August 11, 2022, Special Meeting as submitted.
4. Approve the Minutes for the August 25, 2022, Regular and Concurrent Joint Special Meeting as submitted.

B. Biennial Review and Adoption of Revised Conflict of Interest Code

Submitted by : Robert Cortez, Assistant Chief/Business Services Department and Maria D. Huizar, Clerk of the Authority

Recommended Actions:

1. Adopt the proposed Resolution entitled A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ORANGE COUNTY FIRE AUTHORITY ADOPTING A CONFLICT OF INTEREST CODE WHICH SUPERSEDES ALL PRIOR CONFLICT OF INTEREST CODES, and;
2. Direct the Clerk of the Authority to submit the adopted Resolution to the Orange County Board of Supervisors, as the Code reviewing body, for approval

C. Carryover of FY 2021/22 Uncompleted Projects

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

On September 14, 2022, 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 5-0 (Directors Lumbard, Hasselbrink, Tettemer and Sachs absent).

Recommended Action:

1. Approve a budget adjustment in the FY 2022/23 General Fund (121) to adjust revenues by \$16,168,371 and expenditures by \$15,945,596.
2. Approve a budget adjustment in the FY 2022/23 General Fund CIP (12110) to adjust expenditures by \$3,171,048.
3. Approve a budget adjustment in the FY 2022/23 Fire Stations and Facilities Fund (123) to adjust expenditures by \$20,162,709.

4. Approve a budget adjustment in the FY 2022/23 Communications and Information Systems Fund (124) to adjust expenditures by \$2,557,847.
5. Approve a budget adjustment in the FY 2022/23 Fire Apparatus Fund (133) to adjust expenditures by \$2,113,000.
6. Approve a budget adjustment in the FY 2022/23 Settlement Agreement Fund (139) to adjust expenditures by \$1,500,000.
7. Approve a budget adjustment in the FY 2022/23 Structural Fire Entitlement Fund (171) to adjust expenditures by \$4,301,785.

D. Fourth Quarter Purchasing Report

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

On September 14, 2022, 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 7-0 (Directors Lumbard and Hasselbrink absent).

Recommended Action:

Receive and file the report.

E. Acceptance of 2022 Department of Homeland Security/Federal Emergency Management Agency's Urban Search & Rescue Preparedness Cooperative Agreement Funding

Submitted by: Tim Perkins, Division Chief/Operations Department and Kevin Fetterman, Battalion Chief/US&R Program Manager

On September 14, 2022, 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 7-0 (Directors Lumbard and Hasselbrink absent).

Recommended Action:

1. Approve and adopt the proposed Resolution to accept the Department of Homeland Security/Federal Emergency Management Agency's Grant Readiness Cooperative Agreement funding.
2. Approve a budget adjustment to the FY 2022/23 General Fund (121) budget increasing revenues and expenditures by \$1,247,650

F. Addition of State-Funded Handcrew Positions

Submitted by: Lori Zeller, Deputy Chief/Administration and Support Bureau, Kenny Dossey, Deputy Chief/Emergency Operations Bureau and Stephanie Holloman, Assistant Chief/Human Resources Director

On September 14, 2022, 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 5-0 (Directors Lumbard, Hasselbrink, Sachs and Tettermer absent).

Recommended Action:

1. Increase General Fund (121) revenues and expenditures in the FY 2022/23 Adopted Budget by \$4,233,333 for the ongoing addition of state-funded handcrews.
2. Approve the addition of the following state-funded positions to the Master Position Control List: one (1) Hand Crew Superintendent, two (2) Fire Captains, three (3) Fire Apparatus Engineers, twenty (20) Hand Crew Firefighters and one (1) Human Resources Analyst II.

3. DISCUSSION CALENDAR

A. Proposed Purchase of Two Firehawk Helicopters

Submitted by: Brian Fennessy, Fire Chief, Tim Perkins, Division Chief/Special Operations and Robert Cortez, Assistant Chief/Business Services Department

On September 14, 2022, 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 6-1 (Directors Lumbard and Hasselbrink absent and Director Tettermer dissented).

Recommended Action:

1. Approve and authorize the Purchasing Manager to enter into a Master Purchase Agreement with United Rotorcraft, in a form approved by legal counsel (*current draft provided as Attachment 1*), which includes the express condition that the purchase is contingent upon the closure of and funding from the associated lease-purchase financing transaction (anticipated to occur no later than November 7, 2022), utilizing the sole source procurement provision in the Purchasing Ordinance for the provision of two Firehawk (Sikorsky S70 Type 1) helicopters in the amount of \$55,871,980.32 inclusive of Sales Tax.
2. Approve and authorize the Purchasing Manager to enter into a Professional Services Agreement with FlightSafety International, in a form approved by legal counsel (*current draft provided as Attachment 2*), which includes the express condition that the purchase is contingent upon the closure of and funding from the associated lease-purchase financing transaction (anticipated to occur no later than November 7, 2022), utilizing the sole source procurement provision in the Purchasing Ordinance for the provision of OCFA pilot flight safety training to operate the Sikorsky S70 Type 1 helicopters in the amount of \$389,400.
3. Approve and authorize the Purchasing Manager to enter into a Professional Services Agreement with Sikorsky, in a form approved by legal counsel (*current draft provided as Attachment 3*), which includes the express condition that the purchase is contingent upon the closure of and funding from the associated lease-purchase financing transaction (anticipated to occur no later than November 7, 2022), utilizing the sole source procurement provision in the Purchasing Ordinance for the provision of OCFA pilot in-flight training and maintainer training to operate and maintain the Sikorsky S70 Type 1 helicopters in the amount of \$568,460.
4. Direct staff to pursue lease-purchase financing for a term of 15-years, with an interest rate of 3.1379%, and annual principal and interest payments of \$4.93M with Banc of America Public Capital Corp and return to the Board of Directors at the October 27, 2022 meeting for approval of the final financing documents (*bank proposal provided as Attachment 9*).

5. Approve proposed Resolution adopting OCFA's Local Debt Policy in the form attached hereto as Attachment 4.
6. Direct staff to partner with the City of Irvine and the City of Yorba Linda to coordinate a public hearing pursuant to the Joint Powers Act, which requires one of the member local agencies within the JPA (not the actual JPA itself) to approve the proposed financing of the public capital improvement and make a finding of significant public benefit.
7. Authorize staff to increase revenue and expenditures by \$57,031,440.32 in the FY 2022/23 Adopted Budget, Capital Improvement Program – Fund 133 (Fire Apparatus) to recognize the financing proceeds revenue and to increase appropriations for the helicopter acquisition, cost of issuance (includes Municipal Financial Advisor and Special Counsel), and project implementation costs (one-time pilot/mechanic training).
8. Direct staff to return to the Board of Directors in January 2023 with the FY 2022/23 Mid-Year Financial Review, to include necessary adjustments to the Five-Year Capital Improvement Program for the addition of annual lease-purchase installment payments effective starting January 2024, and other CIP adjustments that may be needed for adjusted prioritization of capital projects.
9. Direct staff to include all supplemental costs associated with the future ongoing operation of the new helicopters, as outlined herein, in the Proposed FY 2023/24 Budget that will be submitted to the Board of Directors for review and approval in May 2023.
10. Direct staff to return to the Executive Committee with specific timing to be determined based on delivery and operation of the new helicopters, for any related subsequent contract approvals and amendments including (but not limited to) approval of aircraft insurance and adjustment of associated vendor contracts for ongoing augmented pilot training and maintenance programs. Any subsequent contracts or amendments that require a budget adjustment shall be presented to the Board of Directors.
11. Adopt an exemption from the California Environmental Quality Act (CEQA) pursuant to Title 14, California Code of Regulations, Section 15301 (Existing Facilities) and direct staff to file a Notice of Exemption.

B. [Award of RFP# RO2480a Armed Physical Security/Security Management Services and Approval of Corresponding Budget Adjustments](#)

Submitted by: Jim Ruane, Assistant Chief/Logistics Department and Patrick Bauer, Property Manager/Logistics Department

On July 6, 2022 the Security Ad Hoc Committee approved staff recommendation to award contract to the Orange County Sheriff Security Bureau by a 6-0 vote (Director Rossini absent).

On September 14, 2022, 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 5-0 (Directors Lombard, Hasselbrink, Tettermer and Sachs absent).

Recommended Action:

1. Approve and authorize the Purchasing Manager to execute the proposed Security Services Agreement (Attachment 1) for Armed Physical Security and Security Management Services with the Orange County Sheriff's Department for a three-year

- initial term plus two optional one-year renewals in an amount not to exceed \$1,304,269 annually (\$6,521,345 5-year aggregate), plus allowances for annual cost adjustments as described in Exhibit “B” of the Agreement.
2. Direct staff to make the recommended budget adjustment, as noted in the fiscal impact section of this report.
 3. Approve and authorize the Purchasing Manager to increase and extend the existing contract with Allied Universal as needed to allow for the transition to the new contract for Armed Physical Security Services.

RECESS THE REGULAR MEETING OF THE BOARD OF DIRECTORS

CALL TO ORDER THE CONCURRENT JOINT SPECIAL MEETINGS OF THE: BOARD OF DIRECTORS, EXECUTIVE COMMITTEE, BUDGET & FINANCE COMMITTEE, AND THE HUMAN RESOURCES COMMITTEE

- A. [Findings Required by AB 361 for the Continued Use of Teleconferencing for Meetings](#)
Submitted by: David Kendig, General Counsel

Recommended Actions by each legislative body:

Option #1:

Make the following findings by majority votes of the Board of Directors, and the following committees: Executive, Budget and Finance, and Human Resources:

- a. A state of emergency has been proclaimed by California’s Governor due to the COVID-19 pandemic and continues in effect; and
- b. The Board of Directors and each Committee has reconsidered the circumstances of the emergency; and
- c. Local officials continue to recommend measures to promote social distancing to slow the spread of COVID-19.

Option #2:

Make the following findings by majority votes of the Board of Directors, and following committees: Executive, Budget and Finance, and Human Resources:

- a. Although a state of emergency has been proclaimed by California’s Governor due to the COVID-19 pandemic and continues in effect, the OCFA Board of Directors and each Committee has reconsidered the circumstances of the emergency and no longer finds a need for the legislative body to continue the use of teleconferencing for its meetings.

ADJOURN THE CONCURRENT JOINT MEETINGS AND RECONVENE TO THE REGULAR MEETING OF THE BOARD OF DIRECTORS

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 LABOR NEGOTIATORS pursuant to Government Code Section 54957.6

Negotiators:

Peter Brown, Liebert Cassidy Whitmore and
Stephanie Holloman, Assistant Chief/Human
Resources Director

Employee Organizations:

- Orange County Professional Firefighters Association, IAFF - Local 3631, and
- Orange County Employees Association (OCEA)

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: One (1) Case

CS.3. CONFERENCE WITH LEGAL COUNSEL – POSSIBLE INITIATION OF LITIGATION pursuant to paragraph (4) of subdivision (d) of Section 54956.9 of the Government Code: One (1) Case

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 a Concurrent Joint Special Meeting of the Board and Committees on Thursday, October 13, 2022, 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

FUTURE BOARD AGENDA ITEMS – THREE-MONTH OUTLOOK:

- Labor Negotiations
- Quarterly Purchasing Report
- Accept UASI and SHSGP Grant Funding
- Approval of Annual Statement of Investment Policy and Investment Authorization
- ACFR Report – Audited Financial Reports
- Annual Calendar of Meetings in 2023
- Lease-Purchasing Agreement for Firehawk Helicopters

UPCOMING MEETINGS:

Budget and Finance Committee	Wednesday, October 12, 2022, 12 noon
Concurrent Joint Special Meeting of the Board of Directors and Committees	Thursday, October 13, 2022, 6:00 p.m.
Legislative and Public Affairs Committee	Wednesday, October 19, 2022, 12 noon
Concurrent Joint Special Meeting of the Board of Directors and Committees	Thursday, October 27, 2022, 6:00 p.m.
Executive Committee	Thursday, October 27, 2022, 5:30 p.m.
Board of Directors	Thursday, October 27, 2022, 6:00 p.m.