

# MINUTES

## ORANGE COUNTY FIRE AUTHORITY

**Board of Directors Special Meeting**  
**Thursday, June 25, 2015**  
**5:30 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 June 25, 2015, at 5:30 p.m. by Chair Murray.

### INVOCATION

Chaplain Jeff Hetschel offered the invocation.

### PLEDGE OF ALLEGIANCE

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

### ROLL CALL

Angelica Amezcua, Santa Ana  
Rick Barnett, Villa Park  
Carol Gamble, Rancho Santa Margarita  
Craig Green, Placentia  
Gene Hernandez, Yorba Linda  
Jeffrey Lalloway, Irvine  
Jerry McCloskey, Laguna Niguel  
John Perry, San Juan Capistrano  
Don Sedgwick, Laguna Hills  
David Sloan, Seal Beach  
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  
Warren Kusumoto, Los Alamitos  
Al Murray, Tustin  
Ed Sachs, Mission Viejo  
David Shawver, Stanton  
Todd Spitzer, County of Orange  
Tri Ta, Westminster  
Richard Vizcorek, Alternate, Dana Point

**Absent:** Joseph Muller, Dana Point

Dwight Robinson, Lake Forest

### Also present were:

Fire Chief Jeff Bowman  
Assistant Chief Lori Zeller  
Communications Director Sandy Cooney  
Clerk of the Authority Sherry Wentz

Assistant Chief Lori Smith  
Assistant Chief Brian Young  
Human Resources Director Jeremy Hammond  
General Counsel David Kendig

## **1. PRESENTATIONS**

No items.

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

Budget and Finance Committee Vice Chair Swift reported on behalf of Chair McCloskey, the Budget and Finance Committee did not meet in the month of June; therefore there is nothing to report.

Director Perry arrived at this point (5:37 p.m.)

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

Human Resources Committee Chair Shawver reported at its June 2, 2015, meeting, the Committee voted unanimously to direct staff to prepare an amendment to the Personnel and Salary Resolution to implement the provisions of the Healthy Workplace Healthy Family Act for the consideration by the Board of Directors. The Committee voted unanimously to direct staff to prepare and present a job description for the Assistant Chief of Organizational Planning with a corresponding salary range for consideration by the Executive Committee. The Committee also received updates on the development of the Professional Standards Unit, staffing changes for Fiscal Year 2015/16, and the current Firefighter Academy recruitment.

Director Baker arrived at this point (5:40 p.m.)

Director Vizcorek arrived at this point (5:40 p.m.)

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

Claims Settlement Committee Chair Murray reported at the June 18, 2015, Claims Settlement Committee meeting, the Committee considered Worker's Compensation claims for the following claimants: Daren Wills and Joseph La Rocca. He noted there were no reportable actions.

Director McCloskey arrived at this point (5:48 p.m.)

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

Fire Chief Jeff Bowman reported on the upcoming July 9, 2015, Fire/EMS Demonstrations for City Managers and those Board Members who have not had the opportunity to attend. He reported he will be bringing forward the FY 14/15 Performance Measures Review plan results, and present the FY 15/16 Proposed Performance Measures. He introduced Assistant Chief Brian Young who reported on a medical aide call of a full cardiac arrest patient from May 2015. The patient's wife responded to the OCFA customer service survey with high praises noting her husband survived without any residual trauma effects. Assistant Chief Young also provided an update on the recent wildfires.

Minutes

OCFA Board of Directors Special Meeting

June 25, 2015 Page - 2

**PUBLIC COMMENTS (F: 11.11)**

Stephen Wontrobski, Mission Viejo resident, spoke in opposition to Closed Session Item No. 1, Orange County Professional Firefighters Association labor contract with OCFA.

Director Amezcua arrived at this point (5:52 p.m.)

**2. MINUTES**

**A. Minutes from the May 28, 2015, Special Board of Directors Meeting (F: 11.06)**

On motion of Vice Chair Hernandez and second by Director Johnson, the Board of Directors voted to approve the minutes as presented. Directors Bartlett, Green, Hernandez, Lalloway, Sloan, Spitzer, Swift, and Vizcorek were recorded as an abstention, due to their absence from that meeting. Director Robinson was absent.

**3. CONSENT CALENDAR**

**A. Resolution Authorizing the Fire Chief to Execute a Cooperative Agreement for the Loan of Federal Excess Personal Property (F: 22.06A)**

On motion of Vice Chair Hernandez and second by Director Johnson, the Board of Directors voted unanimously by those present to approve and adopt:

**RESOLUTION NO. 2015-09**

**A RESOLUTION OF THE ORANGE COUNTY FIRE AUTHORITY BOARD OF DIRECTORS AUTHORIZING APPLICATION FOR FEDERAL EXCESS PERSONAL PROPERTY IN ACCORDANCE WITH UNITED STATES FOREST SERVICE COOPERATIVE FORESTRY ASSISTANCE ACT (CFAA) OF 1978**

authorizing the Fire Chief, or his designee, to execute the Cooperative Agreement for the Loan of Federal Excess Personal Property between the State of California Department of Forestry and Fire Protection and the Orange County Fire Authority.

**B. Amendments to County Island Fire and Medical Services Agreements with the Cities of Anaheim, Fountain Valley, and La Habra (F: 18.02A)**

On motion of Vice Chair Hernandez and second by Director Johnson, the Board of Directors voted unanimously by those present to approve and authorize the Board Chair to execute the Fifth Amendments to the agreements with the Cities of Anaheim, Fountain Valley, and La Habra for the period of July 1, 2015, through June 30, 2020, for the purpose of providing fire and medical services to County unincorporated areas (county islands) located within or adjacent to the boundaries of the cities.

**C. Healthy Workplaces, Healthy Families Act (F: 17.02C)**

Director Spitzer pulled this item for separate consideration. He expressed concerns with the extra help policy with limiting time off available to victims of violence or crime.

On motion of Director Spitzer and second by Director Shawver, the Board of Directors voted unanimously by those present to approve the revisions to the Personnel and Salary Resolution to implement the provisions of the Healthy Workplaces, Healthy Families Act.

Chair Murray, using his Chair's discretion, requested the Legislative Update AB 1217 report be brought forward on the agenda.

**5. DISCUSSION CALENDAR**

**B. Legislative Update AB 1217 (F: 11.10F4)**

Director of Communications and Public Affairs Sandy Cooney introduced James Gross, of Nielsen Merksamer Parrinello Gross & Leoni, governmental law and lobbying firm, who presented the recent actions taken in Sacramento with regard to AB 1217.

Stephen Wontrobski, Mission Viejo resident, addressed his opposition to AB 1217.

Director Ta arrived at this point (6:18 p.m.)

A lengthy discussion ensued.

Director Tsunoda arrived at this point (6:55 p.m.)

On motion of Director Gamble and second by Director McCloskey, the Board voted to to (1) direct General Counsel to draft a proposed amendment to the JPA Agreement which would eliminate alternate directors, and (2) after Board approval of the form of the amendment, submit the proposed amendment to the governing bodies of OCFA's member agencies for approval.. Directors Bartlett, Lalloway, Sloan, Spitzer, and Ta voted in opposition. Director Robinson was absent.

**CLOSED SESSION (F: 11.15)**

General Counsel David Kendig reported the Board would convene to Closed Session to consider the matters on the Agenda identified as CS1, Conference with Labor Negotiator, CS2, Conference with Legal Counsel – Anticipated Litigation, and CS3, Conference with Legal Counsel – Existing Litigation.

Chair Murray recessed the meeting to Closed Session at 7:07 p.m.

Minutes

OCFA Board of Directors Special Meeting

June 25, 2015 Page - 4

**CS1. CONFERENCE WITH LABOR NEGOTIATOR**

Chief Negotiators: Jeremy Hammond, Human Resources Director, and Peter Brown, Liebert Cassidy Whitmore

Employee Organizations: Orange County Professional Firefighters Association, Local 3631, and Orange County Fire Authority Managers' Association

Authority: Government Code Section 54957.6

**CS2. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION**

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

**CS3. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**

Name of Case: Dewayne Patmon. v. Orange County Fire Authority

Case No.: OC Superior Court Case No. 30-2015-00792415-CU-CR-CJC

Authority: Government Code Section 54956.9(a)

Director Lalloway left at this point (7:30 p.m.)

Chair Murray reconvened the meeting from Closed Session at 9:27 p.m.

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

General Counsel David Kendig reported the Board unanimously directed General Counsel to coordinate the defense of the lawsuit entitled Patmon v OCFA with Counsel appointed by OCFA's insurers. There was no other reportable action.

**4. PUBLIC HEARING(S)**

No items.

**5. DISCUSSION CALENDAR**

**A. Approval of Personnel & Salary Resolution Amendments - Orange County Fire Authority Managers' Association (F: 17.02A) (F: 17.04F)**

Director of Human Resources Jeremy Hammond presented the staff report.

Stephen Wontrobski, Mission Viejo resident, spoke in opposition to the amendments.

On motion of Director Spitzer and second by Director Swift, the Board voted to approve the proposed amendments to the Personnel & Salary Resolution between the Orange County Fire Authority and the Orange County Fire Authority Managers' Association, for a term of June 25, 2015, to June 24, 2018. Director Barnett voted in opposition. Directors Lalloway and Robinson were absent.

Minutes


OCFA Board of Directors Special Meeting

June 25, 2015 Page - 5

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

Chair Murray reminded the Board of the upcoming July 9, 2015, Fire/EMS Demonstrations for City Managers and Board Members who have not had a prior opportunity to attend. He also noted the annual Board reorganization to select the new Chair and Vice Chair will occur at the July Board of Directors meeting.

**ADJOURNMENT** – Chair Murray adjourned the meeting at 9:32 p.m. The next special meeting of the Orange County Fire Authority Board of Directors is scheduled for July 23, 2015, at 5:30 p.m.

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