

MINUTES

ORANGE COUNTY FIRE AUTHORITY

Board of Directors Special Meeting
Thursday, July 23, 2015
5:30 P.M.

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

CALL TO ORDER

A special meeting of the Orange County Fire Authority Board of Directors was called to order on July 23, 2015, at 5:34 p.m. by Chair Murray.

INVOCATION

Chaplain Hetschel offered the invocation.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Carol Gamble, Rancho Santa Margarita
Craig Green, Placentia
Gene Hernandez, Yorba Linda
Jeffrey Lalloway, Irvine
Jerry McCloskey, Laguna Niguel
Al Murray, Tustin
Dwight Robinson, Lake Forest
Don Sedgwick, Laguna Hills
Elizabeth Swift, Buena Park

Gerard Goedhart, La Palma
Noel Hatch, Laguna Woods
Robert Johnson, Cypress
Warren Kusumoto, Los Alamitos
Joseph Muller, Dana Point
John Perry, San Juan Capistrano
Ed Sachs, Mission Viejo
David Shawver, Stanton
Tri Ta, Westminster

Absent: Angelica Amezcua, Santa Ana
Lisa Bartlett, County of Orange
David Sloan, Seal Beach
Phillip Tsunoda, Aliso Viejo

Robert Baker, San Clemente
Rick Barnett, Villa Park
Todd Spitzer, County of Orange

Also present were:

Fire Chief Jeff Bowman
Assistant Chief Lori Zeller
Assistant Chief Brian Young
Assistant Chief Mike Schroeder
Clerk of the Authority Sherry Wentz

Assistant Chief Lori Smith
Assistant Chief Dave Thomas
Human Resources Director Jeremy Hammond
Communications Director Sandy Cooney
General Counsel David Kendig

PUBLIC COMMENTS – CLOSED SESSION (F: 11.11)

Chair Murray opened the Public Comments portion of the meeting. Chair Murray closed the Public Comments portion of the meeting without any comments from the general public.

Director Sedgwick arrived at this point (5:39 p.m.)

CLOSED SESSION (F: 11.15)

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

Chair Murray recessed the meeting to Closed Session at 5:34 p.m.

CS1. CONFERENCE WITH LEGAL COUNSEL–ANTICIPATED LITIGATION

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

Chair Murray reconvened the meeting to Closed Session at 5:43 p.m., with all prior members present.

CLOSED SESSION REPORT (F: 11.15)

General Counsel David Kendig reported there was no reportable action.

PRESENTATIONS

1. Requests for Commendations and Proclamations (X: 11.09)

A. Presentation of Certificate of Achievement to the Business Services Department – Finance Division, Orange County Fire Authority for Excellence in Financial Reporting by the Government Finance Officers Association of the United States and Canada (GFOA) for its Comprehensive Annual Financial Report (CAFR). (F: 17.10F)

B. Distinguished Budget Presentation Award to the Business Services Department of the Orange County Fire Authority by the Government Finance Officers Association. (F: 17.10F)

C. Length of Service Recognition. (X: 11.09)

On motion of Director Johnson and second by Vice Chair Hernandez, the Board voted unanimously by those present to approve the requests as submitted and make presentations to those present.

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Chair Murray and Chief Jeff Bowman presented a Certificate of Achievement to the Business Services Department, honoring the Finance Division for Excellence in Financial Reporting, the Distinguished Budget Presentation Award to Business Services Department, and a Length of Service Recognition to Stanton Director David John Shawver for 20 years of service on the Board of Directors.

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

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

Budget and Finance Committee Vice Chair Elizabeth Swift reported on behalf of Chair McCloskey, at the July 15, 2015 meeting of the Budget and Finance Committee, the Committee voted unanimously to direct staff to place the Monthly Investment Reports and the Quarterly Change Order Report on the agenda for the Executive Committee meeting with the Budget and Finance Committee's recommendation that the Executive Committee receive and file the reports. The Committee voted to direct staff to place the Updated Cost Reimbursement Rates, approval of the Updated OCFA ALS Paramedic and BLS Medical Supplies Reimbursement Rates, the Community Risk Reduction Fee Study, and adoption of Associated Fee Schedules on the agenda for the Board of Directors meeting with the Budget and Finance Committee's recommendation that the Board of Directors approve the recommended actions. The Committee also reviewed the Quarterly Status Update – Orange County Employees' Retirement System and accepted the Grant Acceptance FEMA Assistance to Firefighter Grant.

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

Human Resources Committee Chair Shawver reported, at the July 15, 2015 meeting of the Human Resources Committee, the Committee voted unanimously to direct staff to place the Award of RFP for Class & Compensation Study Services on the agenda for the Executive Committee meeting with the Human Resources Committee's recommendation that the Executive Committee approve the recommended actions. The Committee received updates on the Regional Fire Operations and Training Center's Active Shooter Drill, the Professional Standards Unit, Promotional Process for sworn employees, and Academy 41 Orientation.

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

Chair Murray reported there was no Claims Settlement Committee Meeting in July; therefore, there is nothing to report.

REPORT FROM THE FIRE CHIEF (F: 11:14)

Fire Chief Jeff Bowman introduced Assistant Chief David Thomas who reported on the 241 Fire and recent fires in northern California. Fire Chief Bowman also introduced Communications Director Sandy Cooney who provided an update on the newly modified OCFA website. Fire Chief Bowman reviewed his FY 2014/15 Performance Objectives and Initiatives and indicated that he would provide information on his FY 2015/16 Proposed Performance Measures at a future meeting.

Chair Murray took a brief opportunity to review and provide a status of his goals and achievements during his term of office as Chair of the Board of Directors.

PUBLIC COMMENTS (F: 11.11)

Stephen Wontrobski, Mission Viejo resident, addressed fees for public records and his continued request to review Lance Soll & Lunghard, LLP working papers.

Troy Hagen, Chief Executive Officer of Care Ambulance Service Inc., updated the Board of Directors on the successful transition of the countywide ambulance services.

2. MINUTES

A. Minutes from the (A) June 25, 2015, Special and the (B) July 1, 2015, Special Board of Directors Meetings (F: 11.06)

On motion of Vice Chair Hernandez and second by Director Johnson, the Board of Directors voted unanimously by those present to approve the June 25, 2015, and July 1, 2015, Special Board of Directors meeting Minutes as submitted.

Directors Muller and Robinson abstained on the Minutes of the June 25, 2015, meeting and Directors Sedgwick and Tsunoda abstained on the Minutes of the July 1, 2015, meeting due to their absences from these meetings.

3. CONSENT CALENDAR

A. Grant Acceptance – FEMA Assistance to Firefighter Grant (AFG) (F: 16.02D)

On motion of Vice Chair Hernandez and second by Director Johnson, the Board of Directors voted unanimously by those present to accept the grant award and approve a FY 2015/16 budget adjustment to revenues and expenditures in the amount of \$43,022 in Fund 121.

B. Request for Assignment of Cell Tower Agreement (F: 19.05)

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

1. Approve the request to consent to the assignment of Wireless Communications Facilities Site Lease from Vista Towers, LLC to SBA Towers VI, LLC.
2. Approve and authorize the Fire Chief or his designee to execute any additional documentation, such as an estoppel letter, required to complete the assignment of the Wireless Communications Facilities Site Lease Agreement to SBA Towers VI, LLC, for cell tower located at the Regional Fire Operations and Training Center.

C. Secured Fire Protection Agreement: Public Storage 16700 Red Hill Avenue, Irvine (F: 18.14)

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

1. Approve and authorize the Fire Chief or his designee to execute a Secured Fire Protection Agreement with PS Southern California One, for the Public Storage development at 16700 Red Hill Avenue, in the City of Irvine.
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 document within 15 days of recordation.

END OF CONSENT CALENDAR

4. PUBLIC HEARING(S)

A. Community Risk Reduction Fee Study and Adoption of Associated Fee Schedules (F: 15.05) (X: 11.07)

Assistant Chief Lori Zeller introduced Finance Division Manager Jim Ruane who delivered a PowerPoint presentation providing an overview on the proposed fees.

Director Lalloway left at this point (6:30 p.m.)

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

Chair Murray opened the public portion of the Public Hearing.

Steve La Motte, Director of Government Affairs for the Building Industry Association of Orange County, expressed concerns with changes to the hourly rates. (Written correspondence on file in the Office of the Clerk.)

Chair Murray closed the public portion of the Public Hearing.

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On motion of Director Gamble and second by Director Robinson, the Board of Directors voted by those present to approve the recommended actions withholding approval of the hourly rates, where staff will present recommendations for approval at an upcoming Board of Directors Meeting.

1. Find that, in accordance with California Government Code Section 66014, the proposed fees do not exceed the cost of providing services and are only for the purpose of meeting operational expenses and are, therefore, exempt from compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21080.
2. Approve and adopt Resolution No. 2015-10 and Exemption Policy approving changes in Community Risk Reduction and Miscellaneous fees and effective date.

RESOLUTION NO. 2015-10

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ORANGE COUNTY FIRE AUTHORITY SUPERSEDING ALL PREVIOUS RESOLUTIONS AND APPROVING CHANGES IN COMMUNITY RISK REDUCTION (FORMERLY FIRE PREVENTION) AND MISCELLANEOUS FEES

Directors Lalloway and Ta were absent for the vote.

B. Approval of the Updated OCFA Advanced Life Support (ALS) Paramedic and Basic Life Support (BLS) Medical Supplies Reimbursement Rates (F: 15.12)

Assistant Chief Lori Zeller introduced Finance Division Manager Jim Ruane who delivered a PowerPoint presentation providing an overview on the proposed rates.

Chair Murray opened the public portion of the Public Hearing.

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

Chair Murray closed the public portion of the Public Hearing.

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

1. Upon approval of the proposed increase to the maximum BLS emergency 9-1-1 transportation billing rate by the Orange County Board of Supervisors, authorize staff to increase OCFA's Advanced Life Support (ALS), and Basic Life Support (BLS) Medical Supply Reimbursement Rates by the same percentage increase.

Director Sachs abstained; Directors Lalloway and Ta were absent for the vote.

5. DISCUSSION CALENDAR

A. Updated Cost Reimbursement Rates (F: 15.12)

Assistant Chief Lori Zeller introduced Finance Division Manager Jim Ruane who presented the report.

On motion of Chair Murray and second by Director Shawver, the Board of Directors voted by those present to approve and adopt the proposed Cost Reimbursement Rate schedules effective retroactively to July 1, 2015.

Directors Lalloway and Ta were absent for the vote.

B. Fire Station 56 – Notice of Completion (F: 19.07C56)

Assistant Chief Mike Schroeder presented the report.

On motion of Chair Murray and second by Director Swift, the Board of Directors voted by those present to:

1. Receive and file the Notice of Completion, of Fire Station 56, Sendero Ranch.
2. Approve the Notice of Completion of Fire Station 56 dated July 10, 2015.
3. Approve and authorize staff to record the Notice of Completion with the County of Orange.

Directors Lalloway and Ta were absent for the vote.

C. Status Reports for Third Amendment to the JPA Agreement and AB 1217 (F: 11.10F4) (F: 10.02Y)

Director of Communications and Public Affairs Sandy Cooney provided an oral report on the status of Assembly Bill 1217 and the JPA Amendment.

D. Legislative Update regarding Drone Restrictions (F: 11.10F4)

Director of Communications and Public Affairs Sandy Cooney summarized three current legislative bills addressing interference by drones with wildfire incidents.

On motion of Vice Chair Hernandez and second by Director Johnson, the Board of Directors directed staff to send letters of support to the authors of State Senate Bill 167, U.S. Senate Bill S.1608, and House Bill HR 3025, including a suggestion for the authors to include additional language to prohibit the use of drones as weapons.

Director Robinson abstained; Directors Lalloway, and Ta were absent for the vote.

ELECTION OF BOARD CHAIR/VICE CHAIR (F: 11.02B)

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

Chair Murray nominated Vice Chair Hernandez with a second by Director Swift. There were no additional nominations.

Vice Chair Hernandez was elected Board Chair by unanimous vote of those present for the ensuing term.

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

Director Shawver nominated Director Swift with a second by Director McCloskey. There were no additional nominations.

Director Swift was elected Board Vice Chair by unanimous vote by those present for the ensuing term.

BOARD MEMBER COMMENTS (F: 11.13)

Director Gamble congratulated Chair Hernandez and Vice Chair Swift, and commended and thanked Director Murray for his service on the Board.

Director Kusumoto congratulated Chair Hernandez and Vice Chair Swift; thanked Division Chief Ken Cruz, Station 2 and Care Ambulance Service, Inc. for their assistance at Los Alamitos' Fourth of July event, and Community Relations Manager Kristina Hamm for the Los Alamitos fire alarm installations. He noted attending the Fire Explorer Academy Graduation and thanked Division Chief McKeown for overseeing the program.

Director Hatch complimented OCFA employees in general, thanked Chair Murray for his leadership, and praised Fire Station 22 regarding a recent fire in Laguna Woods.

Director McCloskey thanked Senator Patricia Bates for her assistance on AB 1217.

Director Murray thanked Fire Chief Bowman for his leadership, thanked and congratulated Chair Hernandez for his service as Vice Chair, noted his pleasure to serve with this Board of Directors, and with Ray Geagan, Local 3631 President. He also noted his attendance at the Fire Explorer Academy Graduation, the City Managers Fire/EMS Demonstration, and the Grand Opening of Fire Station 56.


Director Shawver thanked the Board for his recognition of service to the Board, and commended Director Murray on his service.

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ADJOURNMENT – Chair Hernandez adjourned the meeting at 7:42 p.m. The next special meeting of the Orange County Fire Authority Board of Directors is scheduled for August 27, 2015, at 5:30 p.m.



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