

# MINUTES

## ORANGE COUNTY FIRE AUTHORITY

**Board of Directors Special Meeting**  
**Thursday, February 28, 2013**  
**6:30 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 February 28, 2013, at 7:20 p.m. by Chair Trish Kelley.

**INVOCATION** by OCFA Chaplain Bob George

**PLEDGE OF ALLEGIANCE** by Director Johnson

### ROLL CALL

<b>Present:</b> Joseph Aguirre, Placentia	Sam Allevato, San Juan Capistrano
Bob Baker, San Clemente	Rick Barnett, Villa Park
Cynthia Connors, Alternate, Laguna Woods	Randal Bressette, Laguna Hills
Carol Gamble, Rancho Santa Margarita	Gerard Goedhart, La Palma
Eugene Hernandez, Yorba Linda	Robert Johnson, Cypress
Trish Kelley, Mission Viejo	Warren Kusumoto, Los Alamitos
Jeffrey Lalloway, Irvine	Kathryn McCullough, Lake Forest
Al Murray, Tustin	David Sloan, Seal Beach
David Shawver, Stanton	Elizabeth Swift, Buena Park
Steven Weinberg, Dana Point	

<b>Absent:</b> Pat Bates, County of Orange	Noel Hatch, Laguna Woods
Jerry McCloskey, Laguna Niguel	Todd Spitzer, County of Orange
Tri Ta, Westminster	Sal Tinajero, Santa Ana
Phillip Tsunoda, Aliso Viejo	

### Also present were:

Fire Chief Keith Richter	General Counsel Dave Kendig
Deputy Chief Ron Blaul	Assistant Chief Laura Blaul
Assistant Chief Craig Kinoshita	Assistant Chief Brian Stephens
Assistant Chief Lori Zeller	Clerk of the Authority Sherry Wentz
Assistant Clerk Lydia Slivkoff	

**PRESENTATIONS (F: 11.09)**

No items.

**PUBLIC COMMENTS (X: 11.11)**

Chair Kelley opened the Public Comments portion of the meeting.

Stephen Wontrobski, Mission Viejo resident, commented on his support of the firefighters union and his concerns with disciplinary actions within the Fire Authority.

Chair Kelley closed the Public Comments portion of the meeting.

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

Chair Kelley indicated a report would be presented at the next regular meeting.

**MINUTES**

No items.

**CONSENT CALENDAR**

No items.

**CLOSED SESSION (F: 11.15)**

General Counsel David Kendig reported the Board would be convening to Closed Session to consider the matter on the Agenda identified as CS1.

Chair Kelley recessed the meeting to Closed Session at 7:25 p.m.

**CS1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Authority: Exposure to Litigation pursuant to Government Code Section 54956.9(b)  
(1 case)

Chair Kelley reconvened the meeting at 8:04 p.m.

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

General Counsel David Kendig indicated the Board took no reportable action during Closed Session.

## DISCUSSION CALENDAR

### 1. **Proposed Transition of California Accidental Release Plans and Hazardous Materials Disclosure Programs to the Orange County Health Care Agency (F: 18.11D)**

Fire Chief Keith Richter provided an overview of the proposed transition of California Accidental Release Plans (CalARP) and Hazardous Materials Disclosure (HMD) programs to the Orange County Health Care Agency. Deputy Chief Ron Blaul briefed the Board on the history of the Hazardous Material Program. Assistant Chief Laura Blaul provided a PowerPoint presentation on the transition of the CalARP and HMD Programs.

Stephen Wontrobski, Mission Viejo resident, provided public comments in opposition to the transition and requested it be deferred until the Orange County District Attorney's office concludes its on-going investigation regarding the inspection reports.

Senior Labor Representative Aaron Peardon, Orange County Employees Association, provided public comments in opposition to the transition, and requested it be deferred until the District Attorney completes its investigation.

Rod Washington, representing Norman Stone of Dean Foods, provided public comments in opposition to the transition, and his support of the OCFA maintaining its existing programs.

Richard Sanchez, Orange County Health Care Agency, provided public comments in support of transitioning both programs. He also provided a letter of support from Orange County Supervisors Bates and Spitzer who could not be in attendance at tonight's meeting, due to scheduling conflicts.

A lengthy discussion ensued.

On motion of Vice Chair Weinberg and second by Director Bressette, the Board voted to:

1. Approve the transition of the California Accidental Release Plans and Hazardous Materials Disclosure Programs from OCFA to the Orange County Health Care Agency, effective July 1, 2013.
2. Direct staff to pursue expenditure reductions that can be achieved to offset the revenue reduction associated with program transition, effective July 1, 2013, and to include these reductions in the proposed FY 2013/14 budget.

Director Baker opposed.

## **PUBLIC HEARING**

### **2. Fire Prevention Fee Study and Adoption of Associated Fee Changes (F: 15.05)**

Assistant Chief Lori Zeller introduced Finance Manager/Auditor Jim Ruane who provided a PowerPoint presentation on Fire Prevention Fee Study and adoption of associated fee revisions.

Chair Kelley opened the Public Hearing for comments. Chair Kelley closed the Public Hearing without any comments.

Director Lalloway left at this point (8:45 p.m.)

On motion of Director Bressette and second by Vice Chair Weinberg, the Board voted to:

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 2013-05 approving recommended increases in specified Fire Prevention fees effective May 1, 2013, and the HMD fee decreases retroactive to July 1, 2012.

#### **RESOLUTION NO. 2013-05**

#### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ORANGE COUNTY FIRE AUTHORITY SUPERSEDING RESOLUTION NOS. 2007-17, 2008-26, 2009-10, 2011-04, AND 2012-09, AND APPROVING CHANGES IN FIRE PREVENTION FEES**

3. Direct staff to include a revenue adjustment in the March 2013 mid-year budget adjustments for FY 2012/13 to reflect the revenue changes associated with the actions above, and discussed herein.

Directors Barnett and Gamble opposed.

## **REPORT**

### **3. Chief's Report (F: 11.14)**

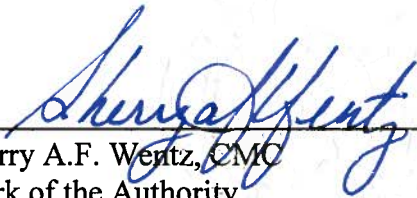
Chief Richter reported the OCFA's bid for John Wayne Airport services will be submitted to the County, and the contract would be awarded in July 2013. He announced that there have been several promotions in our ranks, due to the retirement of staff. He thanked, soon to be retiring, Deputy Chief Ron Blaul for his assistance over the last 3 years.

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

Chair Kelley commended Deputy Chief Blaul for his services. She also congratulated Assistant Chief Craig Kinoshita and other staff members on their promotions. Chair Kelley also reminded Board members to attend the Board Special Meeting and Board Orientation scheduled for Thursday, March 14, 2013, at 5:00 p.m.

**ADJOURNMENT**

Chair Kelley adjourned the meeting at 9:22 p.m. The next regular meeting of the Orange County Fire Authority Board of Directors is scheduled for March 28, 2013, at 6:30 p.m.

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