

MINUTES ORANGE COUNTY FIRE AUTHORITY

**Board of Directors Regular Meeting
Thursday, March 27, 2014
6:30 P.M.**

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

CALL TO ORDER

A regular meeting of the Orange County Fire Authority Board of Directors was called to order on March 27, 2014, at 7:07 p.m. by Chair Steven Weinberg.

INVOCATION

Chaplain Duncan McColl offered the invocation.

PLEDGE OF ALLEGIANCE

Vice Chair Murray led the assembly in the Pledge of Allegiance to our Flag.

ROLL CALL

Present: Joseph Aguirre, Alternate, Placentia
Bob Baker, San Clemente
Pat Bates, County of Orange
Carol Gamble, Rancho Santa Margarita
Noel Hatch, Laguna Woods
Trish Kelley, Mission Viejo
Jeffrey Lalloway, Irvine
Kathryn McCullough, Lake Forest
Roman Reyna, Santa Ana
David Sloan, Seal Beach
Elizabeth Swift, Buena Park
Phillip Tsunoda, Aliso Viejo

Sam Allevato, San Juan Capistrano
Rick Barnett, Villa Park
Randal Bressette, Laguna Hills
Gerard Goedhart, La Palma
Robert Johnson, Cypress
Warren Kusumoto, Los Alamitos
Jerry McCloskey, Laguna Niguel
Al Murray, Tustin
David Shawver, Stanton
Todd Spitzer, County of Orange
Tri Ta, Westminster
Steven Weinberg, Dana Point

Absent: Gene Hernandez, Yorba Linda

Chad Wanke, Placentia

Also present were:

Fire Chief Keith Richter
Deputy Chief Craig Kinoshita
Assistant Chief Dave Thomas
Int. Human Resources Director Janet Wells
Assistant Clerk Lydia Slivkoff

General Counsel Dave Kendig
Assistant Chief Brian Stephens
Assistant Chief Lori Zeller
Clerk of the Authority Sherry Wentz

PRESENTATIONS

No items.

PUBLIC COMMENTS (F: 11.11)

Chair Weinberg opened the Public Comments portion of the meeting.

Holly Veale, Orange County Health Care Agency, thanked OCFA staff for assisting with the Orange County Emergency Medical Services 911 Ambulance Transport Request for Proposal (RFP) process, and provided a copy of the draft RFP to Board members.

Chair Weinberg closed the Public Comments portion of the meeting.

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

Budget and Finance Committee (BFC) Chair Beth Swift reported at the March 12, 2014, meeting of the BFC, the Committee discussed and voted to send the OCERS' Direct Lending Policy, the Implementation of Audit Recommendations for Purchasing, and the FY 2013/14 Mid-year Budget Adjustment to the Executive Committee for review prior to the Board's review of the agenda items. The Executive Committee voted by a count of 8 in support and 1 opposed to recommend the Board of Directors direct staff to submit a letter to OCERS regarding concerns with its Direct Lending Policy. BFC Chair Swift reported the Executive Committee unanimously recommended the Board approve the Implementation of Audit Recommendations for Purchasing with the following modifications: 1.) The Executive Committee shall approve all Sole Source contracts over \$25,000, and 2.) Service contracts approved by Authority management shall be limited to \$100,000 for the life of the contract, instead of an annual aggregate.

MINUTES

1. Minutes from February 27, 2014, Regular Board of Directors Meeting (A), and Minutes from the March 13, 2014, Special Board of Directors Meeting (B) (F: 11.06)

On motion of Director Bressette and second by Director Swift, the Board voted to approve the Minutes from the February 27, 2014, Regular Board of Directors and March 13, 2014, Special Board of Directors meetings.

Directors Lalloway and Ta noted abstentions for the February 27, 2014, Regular Board of Directors meeting, and Directors Allevato, Bates, Kelley, McCloskey, Reyna, Swift, and Tsunoda noted abstentions for the March 13, 2014, Special Board of Directors meeting.

CONSENT CALENDAR

Agenda Item No. 5 was pulled from the Consent Calendar for separate consideration.

2. **Requests for Commendations and Proclamations** (F: 11.09A)

- A. Proclamation declaring May 4-10, 2014, as “Wildfire Awareness Week”
- B. Proclamation declaring participation in the “Drowning Prevention Awareness” Campaign from Memorial Day through Labor Day 2014

On motion of Director Bressette and second by Director Kelley, the Board voted unanimously to approve the requests as submitted.

3. **FY 2013/14 Mid-year Budget Adjustments** (F: 15.04)

On motion of Director Bressette and second by Director Kelley, the Board voted unanimously to:

- 1. Authorize the proposed mid-year budget adjustments
- 2. Approve the proposed Schedule of Fund Balance.

4. **Orange County Employees’ Retirement System – Direct Lending** (F: 17.06D)

On motion of Director Bressette and second by Director Kelley, the Board voted to support the Budget and Finance Committee’s recommendation to send a letter to OCERS expressing concern with the Direct Lending Program. Director Lalloway registered in opposition.

5. **Implementation of Audit Recommendations - Purchasing** (F: 15.02A1) (X11.03A)

Director Spitzer pulled this agenda item to recommend procurement limits on Sole Source and Service contracts, and clarified his motion to revise procurement limits will not affect emergency sole source contracts.

On motion of Director Spitzer and second by Director Lalloway, the Board voted unanimously to approve the submitted changes to the Roles/Responsibilities/Authorities Matrix effective July 1, 2014, along with the following amendments:

- 1. The Executive Committee shall approve all non-emergency sole source contracts over \$25,000.
- 2. Service contracts approved by Authority management shall be limited to \$100,000 for the life of the contract, instead of an annual aggregate.

6. Reserve Firefighter Program Status Update (F: 17.11A)

On motion of Director Bressette and second by Director Kelley, the Board voted unanimously to receive and file the report.

7. Secured Fire Protection Agreement for The Preserve at San Juan, LLC, for Entitlements in The Preserve at San Juan Development, Tract 17270 and 17269, in the Unincorporated County of Orange area off Ortega Highway (F: 18.14)

On motion of Director Bressette and second by Director Kelley, the Board voted to:

1. Approve and authorize the Fire Chief to enter into a Secured Fire Protection Agreement with The Preserve at San Juan, LLC, for Entitlements in the Preserve at San Juan Development, Tract 17270 and 17269, in the Unincorporated County of Orange area off Ortega Highway

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 to The Preserve at San Juan, LLC a copy of the conformed document within fifteen (15) days of recordation.

Director Bates registered an abstention.

8. Implementation of Audit Recommendations – Community Risk Reduction (F: 17.10E)

On motion of Director Bressette and second by Director Kelley, the Board voted unanimously to receive and file the report.

DISCUSSION CALENDAR

9. Director of Communications (F: 17.18) (F: 17.10C)

Interim Human Resources Director Janet Wells provided an overview on the Director of Communications agenda item and pointed out that this evening's action would include the minor revisions to the Class Specifications that had been provided to the Board.

A lengthy discussion ensued.

Director Barnett arrived at this point (7:37 p.m.)

John Latta, Business Agent, Orange County Professional Firefighters Association, Local 3631, provided public comments in opposition to recommended action Option 3 and endorsed Option 2, and shared his concerns with the current staffing leveling of the Training Section.

On motion of Director Spitzer and second by Director Ta, the Board voted to:

1. Approve the attached Job Class Specification for the Director of Communications position at a salary range of \$104,478.40 - \$166,046.40, and direct staff to add the position to the Master Position Control
2. Direct staff to begin recruiting for the new Director of Communications
3. Approve implementation of Option 2, as specified: Hire a full time civilian Director of Communications to manage the OCFA Corporate Communications Section. The Corporate Communications Battalion Chief and the Community Relations Supervisor would report to the new Director. The four Community Education Educators would be moved from the Community Risk Reduction Section and report to the Community Relations Supervisor. The current Captain Public Information Officer would continue to report to the Corporate Communications Battalion Chief, as would the Multimedia Specialists and the Office Services Specialist.

Director Barnett voted in opposition.

10. Board Stipends, Board Attendance, and Additional Standing Committees
(F: 11.04) (F: 12.02)

Assistant Chief Zeller provided an overview of the Board Stipends, Board Attendance, and Additional Standing Committees.

A brief discussion ensued.

On motion of Director Hatch and second by Director Swift, the Board voted unanimously to receive and file the report.

PUBLIC HEARING(S)

No items.

REPORTS

11. Chief's Report (F: 11.14)

Chief Richter thanked the City of Tustin for its partnership in building Fire Station 37, and reported that the City of Tustin and OCFA held the ribbon cutting ceremony that morning.

BOARD MEMBER COMMENTS (F: 11.13)

The Board had no comments.

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 CS2, Conference with Legal Counsel-Anticipated Litigation and CS3, Public Employee Performance Evaluation. He indicated CS1 would not be considered.

Chair Weinberg recessed the meeting to Closed Session at 8:03 p.m.

CS1. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Name of Case: Orange County Fire Authority and City of Irvine v All Persons Interested in the Matter of the Validity of that Second Amendment to Amended Joint Powers Authority

Case No.: OC Superior Court Case No. 30-2013-006945527

Authority: Government Code Section 54956.9(d)(1)

CS2. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

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

CS3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Position: Fire Chief

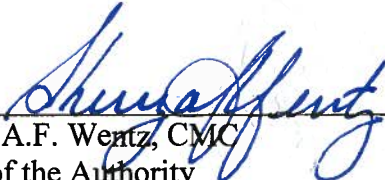
Authority: Government Code Section 54954.5

Chair Weinberg reconvened the meeting at 10:09 p.m.

CLOSED SESSION REPORT (F: 11.15)

General Counsel David Kendig indicated the Board had taken no reportable action.

ADJOURNMENT – Chair Weinberg adjourned the meeting at 10:10 p.m. The next regular meeting of the Orange County Fire Authority Board of Directors is scheduled for April 24, 2014, at 6:30 p.m.



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