



ORANGE COUNTY FIRE AUTHORITY AGENDA

Claims Settlement Committee Meeting
Thursday, August 22, 2013
5:30 p.m.

Orange County Fire Authority
Regional Fire Operations and Training Center
Room AE117
1 Fire Authority Road
Irvine, California 92602

Steven Weinberg, Board Chair
Al Murray, Board Vice Chair
Elizabeth Swift, Budget and Finance Committee Chair
Keith Richter, Fire Chief
Janet Wells, Interim Human Resources Director

Unless legally privileged, all supporting documentation and any writings or documents provided to a majority of the Claims Settlement Committee after the posting of this agenda, which relate to any item on this agenda will be made available for public review in the office of the Clerk of the Authority located on the 2nd floor of the OCFA Regional Fire Operations & Training Center, 1 Fire Authority Road, Irvine, CA 92602, during regular business hours, 8:00 a.m. - 5:00 p.m., Monday through Thursday, and every other Friday, (714) 573-6040. In addition, unless legally privileged, all supporting documentation and any such writings or documents will be available online at <http://www.ocfa.org>.

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, supporting documents, including staff reports, are available for review at the Orange County Fire Authority Regional Fire Operations and Training Center, 1 Fire Authority Road, Irvine, CA 92602 or you may contact Sherry A.F. Wentz, Clerk of the Authority, at (714) 573-6040 Monday through Friday from 8:00 a.m. to 5:00 p.m.

If you wish to speak before the Claims Settlement Committee, please complete a Speaker Form identifying which item(s) you wish to address. Please return the completed form to the Clerk of the Authority. Speaker Forms are available on the counter noted in the meeting room.



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. Notification 48 hours prior to the meeting will enable the Authority to make reasonable arrangements to assure accessibility to the meeting.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENTS

Any member of the public may address the Committee on items within the Committee's subject matter jurisdiction but which are not listed on this agenda during PUBLIC COMMENTS. However, no action may be taken on matters that are not part of the posted agenda. We request comments made on the agenda be made at the time the item is considered and that comments be limited to three minutes per person. Please address your comments to the Committee as a whole, and do not engage in dialogue with individual Committee Members, Authority staff, or members of the audience.

MINUTES

- 1. Minutes for the June 27, 2013, Claims Settlement Committee Meeting**
Submitted by: Sherry A.F. Wentz, Clerk of the Authority

Recommended Action:
Approve as submitted.

CONSENT CALENDAR

No items.

DISCUSSION CALENDAR

No items.

REPORTS

No items.

COMMITTEE MEMBER COMMENTS**CLOSED SESSION****CS1. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**

Name of Claim: Timothy Gogerty v. OCFA
Case No. WCAB: ADJ 7939962
Authority: Government Code Section 54956.9(a)

CS2. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Name of Claim: Roger Pane v. OCFA
Case No. WCAB: ADJ 7481891; ADJ7481895; ADJ 8614699
Authority: Government Code Section 54956.9(a)

CS3. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Name of Claim: Tommy J. Pawloski v. OCFA
Case No. WCAB: ADJ 187102; ADJ 115040
Authority: Government Code Section 54956.9(a)

CS4. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Name of Claim: Thomas Loveless v. OCFA
 Case No. WCAB: ADJ 785734
 Authority: Government Code Section 54956.9(a)

CS5. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Name of Claim: Pete Peters v. OCFA
 Case No. WCAB: ADJ 8491770; ADJ8491767
 Authority: Government Code Section 54956.9(a)

CLOSED SESSION REPORT

ADJOURNMENT – The next regular meeting of the Claims Settlement Committee is scheduled for Thursday, September 26, 2013, at 5:30 p.m.

AFFIDAVIT OF POSTING

I hereby certify under penalty of perjury under the laws of the State of California, 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. Dated this 15th day of August 2013.

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

UPCOMING MEETINGS:

Budget and Finance Committee Meeting	Wednesday, September 11, 2013, 12:00 noon
Claims Settlement Committee Meeting	Thursday, September 26, 2013, 5:30 p.m.
Executive Committee Meeting	Thursday, September 26, 2013, 6:00 p.m.
Board of Directors Meeting	Thursday, September 26, 2013, 6:30 p.m.

MINUTES ORANGE COUNTY FIRE AUTHORITY

Claims Settlement Committee Meeting
Thursday, June 27, 2013
5:30 P.M.

Regional Fire Operations and Training Center
Room AE117
1 Fire Authority Road
Irvine, CA 92602

CALL TO ORDER

Chair Kelley called a regular meeting of the Orange County Fire Authority Claims Settlement Committee to order at 5:30 p.m. on June 27, 2013.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Present: Trish Kelley, Board Chair, Mission Viejo
Steven Weinberg, Board Vice Chair, Dana Point
Al Murray, Budget and Finance Committee Chair, Tustin
Keith Richter, Fire Chief
Zenovy Jakymiw, Human Resources Director

Absent: None

Also present were Deputy Chief Craig Kinoshita; OCFA General Counsel David Kendig; Clerk of the Authority Sherry Wentz; and OCFA Risk Management Analyst Rhonda Haynes.

PUBLIC COMMENTS (F:12.02C3)

Chair Kelley opened the Public Comments portion of the meeting. Chair Kelley closed the Public Comments portion of the meeting without any statements from the public.

MINUTES (F:12.02C2)

1. Minutes for the May 23, 2013, Claims Settlement Committee Meeting

On motion of Director Murray, and second by Fire Chief Richter, the Committee voted unanimously to approve the minutes of the May 23, 2013, Claims Settlement Committee meeting.

CONSENT CALENDAR

No items.

DISCUSSION CALENDAR

No items.

REPORTS

No items.

COMMITTEE MEMBER COMMENTS (F:12.02C4)

The Committee Members presented no comments.

CLOSED SESSION (F:12.02C5)

General Counsel David Kendig reported the Committee would be convening in Closed Session to consider the matters on the Agenda identified as CS1 through CS6, Conference with Legal Counsel-Existing Litigations.

The Claims Settlement Committee convened to Closed Session at 5:33 p.m.

CS1. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Name of Claim: John Lawrence v. OCFA

Case No. WCAB: ADJ7888335

Authority: Government Code Section 54956.9(a)

CS2. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Name of Claim: Shawn McDaniel v. OCFA

Claim No. OCFI-003778

Authority: Government Code Section 54956.9(a)

CS3. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Name of Claim: Michael McCoy v. OCFA
Claim No. OCFI-003536
Authority: Government Code Section 54956.9(a)

CS4. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Name of Claim: Peter Curran v. OCFA
Case No. WCAB: ADJ 7195170
Authority: Government Code Section 54956.9(a)

CS5. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Name of Claim: William Dean v. OCFA
Case No. WCAB: ADJ8227468
Authority: Government Code Section 54956.9(a)

CS6. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Name of Claim: Randall Burt v. OCFA
Case No. WCAB: ADJ1276050; ADJ3380158
Authority: Government Code Section 54956.9(a)

The Claims Settlement Committee reconvened for regular business at 6:00 p.m., with all Members present.

CLOSED SESSION REPORT (F:12.02C5) (X: 12.02C6)

General Counsel David Kendig announced the Claims Settlement Committee considered and unanimously authorized offers of settlement on Worker's Compensation claims CS2, CS3, CS4, CS5, and CS6, the substance of which, upon acceptance by the parties will be disclosed after the agreements have been fully executed. He also reported no action was taken on Worker's Compensation claim CS1.

ADJOURNMENT – Chair Kelley adjourned the meeting at 6:02 p.m. The next regular meeting of the Claims Settlement Committee is scheduled for Thursday, August 22, 2013, at 5:30 p.m.

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