

MINUTES ORANGE COUNTY FIRE AUTHORITY

Board of Directors Regular Meeting
Thursday, July 26, 2012
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 July 26, 2012, at 6:34 p.m. by Chairman Mark Tettermer.

INVOCATION

The invocation was given by Chaplain Bob George.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Director Tyler Diep.

ROLL CALL

Present: Joseph Aguirre, Alternate, Placentia	David Benavides, Santa Ana
Bill Campbell, Alternate, County of Orange	Gary Capata, Laguna Niguel
James Dahl, San Clemente	Tyler Diep, Westminster
Carol Gamble, Rancho Santa Margarita	Trish Kelley, Mission Viejo
Al Murray, Tustin	Janet Nguyen, County of Orange
Brad Reese, Villa Park	Nancy Rikel, Yorba Linda
Martin Rhodes, Laguna Woods	Ralph Rodriguez, La Palma
Todd Seymore, Cypress	David Shawver, Stanton
David Sloan, Seal Beach	Ken Stephens, Los Alamitos
Elizabeth Swift, Buena Park	John Taylor, Alternate, San Juan Capistrano
Mark Tettermer, Lake Forest	Phillip Tsunoda, Aliso Viejo
Steven Weinberg, Dana Point	

Absent: Pat Bates, County of Orange	Larry Agran, Irvine
Randal Bressette, Laguna Hills	Sam Allevato, San Juan Capistrano
Chad Wanke, Placentia	

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

1. Requests for Commendations and Proclamations

On motion of Director Seymore and second by Director Capata, the Board voted unanimously to approve requests as submitted and make presentations to those present.

Chair Tettermer and Fire Chief Richer presented the following:

- A. Length of Service Recognition to Division Chief Mike Moore for his 30 years of service.
- B. Tokens of appreciation to Dr. Fadi Essmaeel from the office of Congressman Dana Rohrabacher and Pat Fabio from the office of Congressman Gary Miller, for their support of the Assistance to Firefighter's Grant.
- C. Recognition OCFA Chaplain Warren Johnson for receiving the International Salvation Army's "Order of the Founder" Award.
- D. Certificate of Achievement plaque to Finance Manager/Auditor Jim Ruane and General Accounting Manager Tammie Pickens of the Business Department/Finance Division for receiving the Excellence in Financial Reporting by the Government Finance Officers Association of the United States and Canada (GFOA) certificate for OCFA's Comprehensive Annual Financial Report (CAFR).

Orange County Fire Authority Foundation Chair Doug Davert introduced new Foundation Directors Chris Lowe and Sherri Butterfield to the Board.

PUBLIC COMMENTS

Chairman Tettermer opened the Public Comments portion of the meeting.

Darrell Nolta commented on his concern with the integrity of the City of Westminster's business practices and its ambulance service provider.

Stephen Wontrobski, Mission Viejo resident, commented on the Grand Jury Report on "Compensation Cost Transparency." He provided a letter regarding his concerns, which is on file in the Office of the Clerk.

Ray Geagan, Director of the Orange County Professional Firefighters Association (OCPFA), Local 3631, invited Board members to the upcoming OCPFA's barbeque.

Chairman Tettermer closed the Public Comments portion of the meeting.

REPORT FROM THE BUDGET AND FINANCE COMMITTEE CHAIR

Budget and Finance Committee Chair Steven Weinberg reported at the July 11, 2012, meeting of the Budget and Finance Committee, the Committee welcomed three new members, Tyler Diep (Westminster), Al Murray (Tustin), and Chad Wanke (Placentia). He also indicated the Committee had a large agenda and engaged in lengthy discussions for several of the agenda items, and voted to send these items to the Board of Directors, with the recommendation that the Board approve the items. Agenda items included the Monthly Investment Report, Updated OCFA ALS/BLS Medical Supplies Reimbursement Rates, Updated Cost Reimbursement Rates, City of Stanton's Request for Change in Service Configuration, and the Initiation of a Fire Prevention Fee Study.

MINUTES

2. Minutes from May 24, 2012, Regular Board of Directors Meeting

Stephen Wontrobski, Mission Viejo resident, indicted his opposition to the recommended action. He provided a letter regarding his concerns, which is on file in the Office of the Clerk.

Darrell Nolta indicated his opposition to the recommended action.

On motion of Director Weinberg and second by Director Capata, the Board voted to approve the minutes from the Board of Directors meeting held on May 24, 2012, as submitted. Directors Aguirre, Campbell, Rhodes, and Sloan abstained.

CONSENT CALENDAR

3. Monthly Investment Report

Stephen Wontrobski, Mission Viejo resident, indicated his opposition to the recommended action. He provided a letter regarding his concerns, which is on file in the Office of the Clerk.

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

4. Approval of Appointments to Executive Committee

On motion of Director Seymore and second by Vice Chair Kelley, the Board voted unanimously to ratify the appointments of Directors Randal Bressette, Al Murray, and Ralph Rodriguez as Alternates to the Executive Committee.

5. FY 2011/12 Annual Progress Report on Planning and Development Activity

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

6. Approval of Replacement Lease Agreement with the City of Stanton for Fire Station 46 (Stanton)

On motion of Director Seymore and second by Vice Chair Kelley, the Board voted unanimously to approve and authorize the Board Chair to sign the submitted lease agreement between the City of Stanton and the OCFA for Fire Station 46.

7. Secured Fire Protection Agreement with Jalili Chhatrala, LLC, a California Corporation, for Entitlements in the Element Hotel Development, Tract 6411, in the City of Irvine

On motion of Director Seymore and second by Vice Chair Kelley, the Board voted unanimously to:

1. Approve and authorize the Fire Chief to enter into a Secured Fire Protection Agreement with Jalili Chhatrala, LLC, for entitlements in the Element Hotel development, Tract 6411, 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 to Jalili Chhatrala, LLC, a conformed copy of the document within fifteen (15) days of recordation.

8. Secured Fire Protection Agreement with Kelvin Apartments, LLC, a California Corporation, for Entitlements in the Kelvin Apartments Development, Tract 17166, in the City of Irvine

On motion of Director Seymore and second by Vice Chair Kelley, the Board voted unanimously to:

1. Approve and authorize the Fire Chief to enter into a Secured Fire Protection Agreement with Kelvin Apartment, LLC, for entitlements in the Kelvin Apartments development, Tract 17166, 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 to Kelvin Apartment, LLC, a conformed copy of the document within fifteen (15) days of recordation.

9. Approval of the Resolution Authorizing Fire Chief to Execute an Agreement to Transfer Property or Funds for 2011 Homeland Security Grant Program Purposes between the County of Orange Sheriff-Coroner Department and the Orange County Fire Authority

On motion of Director Seymore and second by Vice Chair Kelley, the Board voted unanimously to:

1. Approve Resolution No. 2012-03 authorizing the Fire Chief, or his designee, to execute the "Agreement to Transfer Property or Funds for 2010 Homeland Security Grant Program Purposes."

RESOLUTION NO. 2012-03

**A RESOLUTION OF THE ORANGE COUNTY FIRE AUTHORITY
BOARD OF DIRECTORS AUTHORIZING FIRE CHIEF TO EXECUTE
DOCUMENTS NECESSARY TO OBTAIN FEDERAL ASSISTANCE**

2. Increase revenue and appropriations in the FY 2012/13 General Fund by \$277,468 for purchase of equipment/services and personnel costs for the Metropolitan Medical Response System.

10. Purchase Order for Additional Costs for Overhaul of Goodrich (Helicopter) Rescue Hoist Assembly

On motion of Director Seymore and second by Vice Chair Kelley, the Board voted unanimously to authorize the purchasing manager to issue a purchase order to Goodrich, Inc. in the amount of \$30,490.39 for additional costs to replace damaged parts discovered during the 10-year overhaul service of one Goodrich helicopter rescue hoist.

11. Approval of Lead Fire Pilot Class Specification and Salary Range

On motion of Director Seymore and second by Vice Chair Kelley, the Board voted to:

1. Adopt the new class specification of Lead Fire Pilot.
2. Amend the Classification Salary Table to include the classification of Lead Fire Pilot.
3. Assign a twelve-step salary range of \$7,721 – \$10,409 per month, to the classification of Lead Fire Pilot.
4. Amend Master Position Control list adding the Lead Fire Pilot.

Motion carried, with Chair Tettmer voting in opposition.

12. Approval of WEFIT Program Coordinator Class Specification and Salary Range and the deletion of the Exercise Physiologist Class Specification

Dave Rose, President of the Orange County Professional Firefighters Association, Local 3631, indicated his support of recommended action.

On motion of Director Dahl and second by Director Reese, the Board voted unanimously to:

1. Adopt the new class specification of WEFIT Program Coordinator.
2. Amend the Classification Salary Table to include the classification of WEFIT Program Coordinator and delete Exercise Physiologist class specification.
3. Assign a twelve-step salary range of \$3,662.53 – \$4,924.40 per month, to the classification of WEFIT Program Coordinator.
4. Amend Master Position Control list adding the WEFIT Program Coordinator position.

13. Fire Prevention Service Fees and Request for Approval to Conduct a Fee Study

On motion of Director Seymore and second by Vice Chair Kelley, the Board voted unanimously to direct staff to initiate an expedited comprehensive Fire Prevention Fee Study and present the results, along with any recommended changes to the fees, at the Budget and Finance Committee and Board of Directors' September meetings.

PUBLIC HEARING

14. Updated Cost Reimbursement Rates and Methodologies

Assistant Chief Lori Zeller introduced Finance Manager/Auditor Jim Ruane who provided an overview on the need for a resolution for cost reimbursement rates and methodologies.

Chairman Tetteimer opened the Public Hearing for comments. Chairman Tetteimer closed the Public Hearing without any comments.

On motion of Director Capata and second by Vice Chair Kelley, the Board voted unanimously to approve and adopt Resolution No. 2012-04 authorizing non-management civilian personnel to be reimbursed portal to portal for time assigned on an in or out of county incident. Director Diep was absent.

RESOLUTION NO. 2012-04
A RESOLUTION OF THE ORANGE COUNTY FIRE AUTHORITY
BOARD OF DIRECTORS AUTHORIZING OCFA NON MANAGEMENT
CIVILLIAN PERSONNEL TO BE COMPENSATED
PORTAL TO PORTAL INCIDENT RELATED ACTIVITY

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

Assistant Chief Lori Zeller introduced Finance Manager Jim Ruane and EMS Battalion Chief Scott Brown who provided a PowerPoint presentation on the Updated OCFA Advanced Life Support (ALS) Paramedic and Basic Life Support (BLS) Medical Supplies Reimbursement Rates.

Chairman Tetteimer opened the Public Hearing for comments.

Darrell Nolta indicated his opposition to the recommended action.

Chairman Tetteimer closed the Public Hearing.

A lengthy discussion ensued.

On motion of Director Capata and second by Director Weinberg, the Board voted to authorize staff to increase OCFA's ALS and BLS Medical Supply reimbursement rates by the same percentage increase effective on or after July 27, 2012, based on the increase to the BLS maximum emergency 9-1-1 transportation billing rate as approved by the Orange County Board of Supervisors.

Motion carried, with Director Nguyen voting in opposition.

DISCUSSION CALENDAR

16. City of Stanton - Request for Change in Service Configuration

Fire Chief Richter provided an overview on the City of Stanton's request for change in service configuration and introduced Assistant Chief Zeller who provided an in depth report.

Carol Jacobs, City Manager of the City of Stanton, indicted her support of the recommended action.

Stephen Wontrobski, Mission Viejo resident, commented on an unrelated subject regarding competitive bidding practices and union negotiations. He provided a letter regarding his concerns, which is on file in the Office of the Clerk;

Dave Rose, President of the Orange County Professional Firefighters Association, Local 3631, indicated his support of the recommended action.

Darrell Nolta indicted his opposition to recommended action.

A lengthy discussion ensued.

On motion of Director Weinberg and second by Director Seymore, the Board voted to:

1. Approve the recommended change in service configuration to the City of Stanton and the correlating reduction in costs assessed to Stanton; and
2. Approve the side letter agreement with the Orange County Professional Firefighters Association, Local 3631, regarding extending the hand crew through June 2014 and the exemption from the 25% provision in the side letter to the MOU.
3. Direct staff to provide quarterly reports to the Executive Committee regarding the impact of the changed service configuration, if any, on the surrounding communities. The Executive Committee may recommend that the Board take appropriate actions at that time.

Motion carried, with Chair Tettermer voting in opposition.

Chairman Tettermer recessed the Board at 9:40 p.m. and reconvened the meeting at 9:50 p.m., with Directors Nguyen and Tsunoda absent.

17. OCFA Response to 2011/2012 Orange County Grand Jury Report “Emergency Medical Response in Orange County”

Fire Chief Richter provided an overview on OCFA’s response to the Grand Jury Report, “Emergency Medical Response in Orange County.” Emergency Medical Services (EMS) Section Battalion Chief Scott Brown and Dr. Ken Miller provided a comprehensive PowerPoint presentation on the history and development of OCFA’s emergency medical services.

Director Diep left at this point (10:00 p.m.)

Darrell Nolta commented on emergency medical services.

A lengthy discussion ensued.

On motion of Director Campbell and second by Director Seymore, the Board voted unanimously to authorize the Fire Chief to submit the proposed response to the recommendations contained in the Grand Jury Report to the Presiding Judge of the Superior Court and to the Orange County Grand Jury.

REPORTS

18. Chief's Report

Fire Chief Richter highlighted the progress of the new Fire Corp Program, and acknowledged staff for their hard work on the program. He also reported on the status of the repairs to the Firefighter Memorial, and indicated the eternal flame is scheduled to be re-ignited by August 6, 2012.

ELECTION OF BOARD CHAIR/VICE CHAIR

Chair Tettermer opened the nominations for Chair of the OCFA Board of Directors.

Director Seymore nominated with second by Director Capata, Vice Chair Kelley.

There were no additional nominations.

Vice Chair Kelley was elected Chair for the ensuing term.

Chair Kelley assumed the Chair.

Chair Kelley opened the nominations for Vice Chair of the OCFA Board of Directors.

Chair Kelley nominated with second by Director Seymore, Director Weinberg.

Director Campbell nominated with second by Director Rodriguez, Director Reese.

There were no additional nominations.

Chair Kelley closed the nominations for Vice Chair of the OCFA Board of Directors.

The following Directors (11) voted in support of Director Weinberg:

Joe Aguirre, Alternate, Placentia	Gary Capata, Laguna Niguel
James Dahl, San Clemente	Trish Kelley, Mission Viejo
Martin Rhodes, Laguna Woods	David Sloan, Seal Beach
Todd Seymore, Cypress	Ken Stephens, Los Alamitos
John Taylor, Alternate, San Juan Capistrano	Steven Weinberg, Dana Point
Mark Tettermer, Lake Forest	

The following Directors (9) voted in support of Director Reese:

David Benavides, Santa Ana	Bill Campbell, Alternate, County of Orange
Carol Gamble, Rancho Santa Margarita	Brad Reese, Villa Park
Nancy Rikel, Yorba Linda	Ralph Rodriguez, La Palma
David Shawver, Stanton	Elizabeth Swift, Buena Park
Al Murray, Tustin	

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The following Directors (5) were absent:

Larry Agran, Irvine
Randal Bressette, Laguna Hills
Tyler Diep, Westminster

Janet Nguyen, County of Orange
Phillip Tsunoda, Aliso Viejo

Director Campbell requested the Board vote Director Weinberg as Vice Chair by acclamation.

The Board acclaimed Director Weinberg as Vice Chair for the ensuing term.

BOARD MEMBER COMMENTS

Chair Kelley thanked Director Tetterer for his service as Chair.

Director Rikel indicated the (newly implemented automated) voting system worked very well.

Director Tetterer thanked colleagues for their support during his tenure as Chair. He thanked Battalion Chief Concepcion for his assistance and success in visiting each fire station prior to his term's end.

Director Shawver thanked Director Tetterer for his service as Chair.

Chair Kelley thanked Board members for their support in electing her Chair and pledged to work hard. She also thanked the Executive Committee members for their attendance/participation at this evening's special meeting.

CLOSED SESSION

General Counsel David Kendig reported the Board would be convening in Closed Session to consider the matter on the Agenda identified as CS1, Conference with Labor Negotiator. He indicated CS2 would not be heard.

Chair Kelley recessed the meeting to Closed Session at 10:43 p.m.

CS1. CONFERENCE WITH LABOR NEGOTIATOR

Designated Representatives: Zenovy Jakymiw, Director of Human Resources
Ron Blaul, Deputy Fire Chief

Employee Organizations: Orange County Professional Firefighters' Association, Local 3631, Orange County Fire Authority Chief Officers' Association, and Orange County Employees' Association

Authority: Government Code Section 54957.6

CS2. CONFERENCE WITH LABOR NEGOTIATOR

Designated Representatives: Zenovy Jakymiw, Human Resources Director and
David Kendig, General Counsel
Unrepresented Employee: Fire Chief
Authority: Government Code Section 54957.6

Chair Kelley reconvened the meeting at 11:03 p.m. with all prior members present.

CLOSED SESSION REPORT

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

Chair Kelley concluded the meeting by thanking, on behalf of the Board, Fire Chief Richter for personally providing this evening's entrée at the Annual Board BBQ, and the Hand Crew and Clerk of the Authority's office for their assistance at the event.

ADJOURNMENT

Chair Kelley adjourned the meeting at 11:04 p.m. The next regular meeting of the Orange County Fire Authority Board of Directors is scheduled for September 27, 2012, at 6:30 p.m.

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