

MINUTES

ORANGE COUNTY FIRE AUTHORITY

Board of Directors Regular Meeting
Thursday, May 23, 2013
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 May 23, 2013, at 6:55 p.m. by Chair Trish Kelley.

INVOCATION

Chaplain Jeff Hetschel offered the invocation.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Present:	Joseph Aguirre, Placentia	Sam Allevato, San Juan Capistrano
	Angelica Amezcua, Alternate, Santa Ana	Bob Baker, San Clemente
	Rick Barnett, Villa Park	Dore Gilbert, Alternate, Laguna Hills
	Gerard Goedhart, La Palma	Noel Hatch, Laguna Woods
	Eugene Hernandez, Yorba Linda	Robert Johnson, Cypress
	Trish Kelley, Mission Viejo	Warren Kusumoto, Los Alamitos
	Jerry McCloskey, Laguna Niguel	Kathryn McCullough, Lake Forest
	Al Murray, Tustin	David Shawver, Stanton
	Gordon Shanks, Alternate, Seal Beach	Elizabeth Swift, Buena Park
	Todd Spitzer, County of Orange	Tri Ta, Westminster
	Phillip Tsunoda, Aliso Viejo	Steven Weinberg, Dana Point
Absent:	Pat Bates, County of Orange	Randal Bressette, Laguna Hills
	Carol Gamble, Rancho Santa Margarita	Jeffrey Lalloway, Irvine
	David Sloan, Seal Beach	Sal Tinajero, Santa Ana

Also present were:

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

PRESENTATIONS

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

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

- A. The Board of Directors adopted Resolution No. 2013-08, declaring May 27 through September 2, 2013, as "Drowning Prevention Summer." (F: 11.09A) (X: 18.19)

RESOLUTION NO. 2013-08
A RESOLUTION OF THE ORANGE COUNTY FIRE AUTHORITY
BOARD OF DIRECTORS RECOGNIZING MAY 27 THROUGH
SEPTEMBER 2, 2013, AS "DROWNING PREVENTION SUMMER"

- B. The OCFA Board adopted Resolution No. 2013-09 recognizing Deputy Fire Chief Ron Blaul in appreciation of the occasion of his retirement. Chair Kelley and Fire Chief Richter thanked him for his many years of service to the OCFA. (F: 11.09D)

RESOLUTION NO. 2013-09
A RESOLUTION OF THE ORANGE COUNTY FIRE AUTHORITY
BOARD OF DIRECTORS IN APPRECIATION OF
DEPUTY FIRE CHIEF RON BLAUL
ON THE OCCASION OF HIS RETIREMENT

- C. Chair Kelley and Fire Chief Richter recognized OCFA Length of Service recipient Fire Captain/Paramedic Kevin Tuohy for his 30 years of service. (F: 11.09D)
- D. Chair Kelley commended Fire Chief Richter for receiving the 2013 Metropolitan Fire Chief of the Year Award from the Metropolitan Fire Chiefs Association. (F: 17.10A)

PUBLIC COMMENTS (X: 11.11)

Chair Kelley opened the Public Comments portion of the meeting.

Public comments were received by Seth Foerster, San Clemente resident, regarding concerns with fire road clearance in San Clemente. (F: 18.17)

Public comments were received by Dennis Sorensen, retiring Senior Accountant, who thanked the OCFA for allowing him the opportunity to work for them. He indicated he had many fond memories to take with him. (F: 17.10F)

Chair Kelley closed the Public Comments portion of the meeting.

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, Conference with Labor Negotiator.

Chair Kelley recessed the meeting to Closed Session at 7:14 p.m.

CS1. CONFERENCE WITH LABOR NEGOTIATOR

Chief Negotiator: Zenovy Jakymiw, Director of Human Resources

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

Authority: Government Code Section 54957.6

Chair Kelley reconvened the meeting at 8:06 p.m.

CLOSED SESSION REPORT (F: 11.15)

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

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

Budget and Finance Committee Chair Al Murray reported at the May 8, 2013, meeting of the Budget and Finance Committee, the Committee discussed and voted unanimously to send the 2013/14 Draft Proposed Budget, Updated OCFA Advanced Life Support (ALS) Paramedic and Basic Life Support (BLS) Medical Supplies Reimbursement Rates, and the Updated Cost Reimbursement Rates and Methodologies to the Board of Directors with the recommendation that the Board approve the items. He also reported the Committee received a status update on the Orange County Employees' Retirement System and a report on the Rosenow Spevacek Group, Inc. (RSG) Final Property Tax Revenue Projections. He indicated although the financial reports looked optimistic, the Committee continued to be concerned about future projections.

MINUTES

2. Minutes from March 14, 2013, Special (A), March 28, 2013, Regular (B), and April 25, 2013, Special (C) Meetings of the Board of Directors (F: 11.06)

On motion of Vice Chair Weinberg and second by Director McCullough, the Board voted to approve the Minutes from the March 14, 2013, Special meeting, March 28, 2013, Regular meeting, and April 25, 2013, Special meeting of the Board of Directors with an amendment to the April 25, 2013, Special meeting, noting an abstention for Director Barnett on the second vote for Agenda Item No. 1, OCERS' Proposed Actuarial Funding Policy.

Minutes

OCFA Board of Directors Regular Meeting

May 23, 2013 Page - 3

CONSENT CALENDAR

3. FY 2012/13 Quarter Progress Report on Planning and Development Services Activity (F: 18.03A)

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

4. Hazardous Materials Emergency Response Subscription Service (F: 18.11F)

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

1. Approve and authorize the implementation of a Hazardous Materials Emergency Response subscription service for non-OCFA cities within the Orange County Operational Area, using the “fair-share” subscription cost methodology based on population and assessed value.
2. Approve the submitted Subscriber Contract as to form, and authorize the Fire Chief to execute these contracts with any non-OCFA cities that choose to subscribe for Hazardous Materials Emergency Response Services from OCFA.

5. Adoption of Resolution Extending Benefits and Compensation for Activated Military Reservists (F: 17.19)

On motion of Director Murray and second by Vice Chair Weinberg, the Board voted unanimously to approve Resolution No. 2013-10, extending benefits and compensation for activated Military Reservists.

RESOLUTION NO. 2013-10
A RESOLUTION OF THE ORANGE COUNTY FIRE AUTHORITY
BOARD OF DIRECTORS EXTENDING BENEFITS AND
COMPENSATION FOR ACTIVATED MILITARY RESERVISTS

6. Approve the Appointment of the Fire Chief to the Fire Agencies Insurance Risk Authority (FAIRA) Governing Board and Designate the Risk Manager as the Alternate OCFA Representative (F: 18.10A4b)

On motion of Director Murray and second by Vice Chair Weinberg, the Board voted unanimously to approve Resolution No. 2013-11, appointing the OCFA Fire Chief to the FAIRA Governing Board and designating the OCFA Risk Manager as the alternate OCFA representative.

RESOLUTION NO. 2013-11
A RESOLUTION OF THE ORANGE COUNTY FIRE AUTHORITY (OCFA)
BOARD OF DIRECTORS APPOINTING THE FIRE CHIEF AS THE OCFA
REPRESENTATIVE TO THE FIRE AGENCIES INSURANCE RISK
AUTHORITY AND DESIGNATING THE OCFA RISK MANAGER AS THE
ALTERNATE OCFA REPRESENTATIVE

PUBLIC HEARINGS

7. Adoption of the 2013/14 Proposed Budget (F: 15.04 FY 2013/14)

Assistant Chief Lori Zeller provided an overview of the 2013/14 Proposed Budget and introduced Treasurer Tricia Jakubiak who provided a comprehensive PowerPoint presentation.

Chair Kelley opened the Public Hearing for comments.

Stephen Wontrobski, Mission Viejo resident, provided public comments in opposition to the adoption of the 2013/14 Proposed Budget.

Chair Kelley closed the Public Hearing.

A lengthy discussion ensued.

On motion of Vice Chair Weinberg and second by Director Murray, the Board, by roll call vote, voted to:

1. Adopt the submitted 2013/14 Proposed Budget.
2. Approve and authorize the temporary transfer from the following funds totaling \$41.0 million to Fund 121 (General Fund) to cover a projected cash flow timing deficit for 2013/14:
 - a) \$2.5 million from Fund 122 (Facilities Maintenance and Improvement Fund)
 - b) \$8.5 million from Fund 123 (Facilities Replacement Fund)
 - c) \$8.0 million from Fund 124 (Communications/Information Systems Replacement Fund)
 - d) \$22.0 million from Fund 133 (Vehicle Replacement Fund)
3. Approve and authorize the repayment of \$41.0 million in borrowed funds from Fund 121 to Funds 122, 123, 124 and 133 along with interest, when General Fund revenues become available.
4. Authorize an additional 2012/13 mid-year budget adjustment to decrease appropriations in Fund 124 by \$5,231,152.
5. Direct staff to delete the non-safety position of WEFIT Program Coordinator.

SUPPORT (20)

Joseph Aguirre, Placentia
Angelica Amezcua, Alternate, Santa Ana
Rick Barnett, Villa Park
Noel Hatch, Laguna Woods
Robert Johnson, Cypress
Warren Kusumoto, Los Alamitos
Kathryn McCullough, Lake Forest
Gordon Shanks, Alternate, Seal Beach
Elizabeth Swift, Buena Park
Phillip Tsunoda, Aliso Viejo

John Taylor, Alternate, San Juan Capistrano
Bob Baker, San Clemente
Dore Gilbert, Alternate, Laguna Hills
Eugene Hernandez, Yorba Linda
Trish Kelley, Mission Viejo
Jerry McCloskey, Laguna Niguel
Al Murray, Tustin
David Shawver, Stanton
Tri Ta, Westminster
Steven Weinberg, Dana Point

OPPOSED (2)

Gerard Goedhart, La Palma

Todd Spitzer, County of Orange

ABSTAINED (0)

None

ABSENT (7)

Sam Allevato, San Juan Capistrano
Randal Bressette, Laguna Hills
Jeffrey Lalloway, Irvine
Sal Tinajero, Santa Ana

Pat Bates, County of Orange
Carol Gamble, Rancho Santa Margarita
David Sloan, Seal Beach

Director Ta left at this point (9:12 p.m.)

8. Updated Cost Reimbursement Rates and Methodologies (F: 15.12)

Assistant Chief Lori Zeller introduced Finance Manager/Auditor Jim Ruane who provided an overview of the updated cost reimbursement rates and methodologies.

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

On motion of Vice Chair Weinberg and second by Director Amezcua, the Board, by roll call vote, voted to adopt the proposed Cost Reimbursement Rate schedules effective July 1, 2013.

SUPPORT (20)

Joseph Aguirre, Placentia
Angelica Amezcua, Alternate, Santa Ana
Dore Gilbert, Alternate, Laguna Hills
Noel Hatch, Laguna Woods
Robert Johnson, Cypress
Warren Kusumoto, Los Alamitos
Kathryn McCullough, Lake Forest
Gordon Shanks, Alternate, Seal Beach
Elizabeth Swift, Buena Park
Phillip Tsunoda, Aliso Viejo

John Taylor, Alternate, San Juan Capistrano
Bob Baker, San Clemente
Gerard Goedhart, La Palma
Eugene Hernandez, Yorba Linda
Trish Kelley, Mission Viejo
Jerry McCloskey, Laguna Niguel
Al Murray, Tustin
David Shawver, Stanton
Todd Spitzer, County of Orange
Steven Weinberg, Dana Point

Minutes

OCFA Board of Directors Regular Meeting

May 23, 2013 Page - 6

OPPOSED (0)

None

ABSTAINED (1)

Rick Barnett, Villa Park

ABSENT (8)

Sam Allevato, San Juan Capistrano
Randal Bressette, Laguna Hills
Jeffrey Lalloway, Irvine
Tri Ta, Westminster

Pat Bates, County of Orange
Carol Gamble, Rancho Santa Margarita
David Sloan, Seal Beach
Sal Tinajero, Santa Ana

9. 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 Manager/Auditor Jim Ruane who provided an overview of the updated OCFA Advanced Life Support (ALS) Paramedic and Basic Life Support (BLS) Medical Supplies Reimbursement Rates.

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

On motion of Director Shawver and second by Vice Chair Weinberg, the Board, by roll call vote, voted to authorize staff to increase OCFA's Advanced Life Support (ALS) and Basic Life Support (BLS) Medical Supply reimbursement rates by the same percentage increase effective on or after May 24, 2013, upon approval of the proposed increase to the maximum BLS emergency 9-1-1 transportation billing rate by the Orange County Board of Supervisors.

SUPPORT (16)

Joseph Aguirre, Placentia
Bob Baker, San Clemente
Dore Gilbert, Alternate, Laguna Hills
Robert Johnson, Cypress
Warren Kusumoto, Los Alamitos
Kathryn McCullough, Lake Forest
Gordon Shanks, Alternate, Seal Beach
Elizabeth Swift, Buena Park

Angelica Amezcua, Alternate, Santa Ana
Rick Barnett, Villa Park
Noel Hatch, Laguna Woods
Trish Kelley, Mission Viejo
Jerry McCloskey, Laguna Niguel
Al Murray, Tustin
David Shawver, Stanton
Steven Weinberg, Dana Point

OPPOSED (5)

Gerard Goedhart, La Palma
Todd Spitzer, County of Orange
Phillip Tsunoda, Aliso Viejo

Eugene Hernandez, Yorba Linda
John Taylor, Alternate, San Juan Capistrano

ABSTAINED (0)

None

ABSENT (8)

Sam Allevato, San Juan Capistrano
Randal Bressette, Laguna Hills
Jeffrey Lalloway, Irvine
Tri Ta, Westminster

Pat Bates, County of Orange
Carol Gamble, Rancho Santa Margarita
David Sloan, Seal Beach
Sal Tinajero, Santa Ana

DISCUSSION CALENDAR

10. Review of Proposed Emergency Services Consulting, Inc. (ESCi) Scope of Work for the City of Irvine (F: 18.13A)

Assistant Chief Lori Zeller provided an overview of the proposed Emergency Services Consulting, Inc. (ESCi) Scope of Work for the City of Irvine.

On motion of Director Murray and second by Vice Chair Weinberg, the Board, by roll call vote, voted to approve the request for OCFA to waive conflict of interest.

SUPPORT (19)

Joseph Aguirre, Placentia
Bob Baker, San Clemente
Dore Gilbert, Alternate, Laguna Hills
Noel Hatch, Laguna Woods
Robert Johnson, Cypress
Warren Kusumoto, Los Alamitos
Kathryn McCullough, Lake Forest
Gordon Shanks, Alternate, Seal Beach
Todd Spitzer, County of Orange
Steven Weinberg, Dana Point

John Taylor, Alternate, San Juan Capistrano
Rick Barnett, Villa Park
Gerard Goedhart, La Palma
Eugene Hernandez, Yorba Linda
Trish Kelley, Mission Viejo
Jerry McCloskey, Laguna Niguel
Al Murray, Tustin
Elizabeth Swift, Buena Park
Phillip Tsunoda, Aliso Viejo

OPPOSED (1)

David Shawver, Stanton

ABSTAINED (0)

None

ABSENT (9)

Sam Allevato, San Juan Capistrano
Pat Bates, County of Orange
Carol Gamble, Rancho Santa Margarita
David Sloan, Seal Beach
Sal Tinajero, Santa Ana

Angelica Amezcua, Alternate, Santa Ana
Randal Bressette, Laguna Hills
Jeffrey Lalloway, Irvine
Tri Ta, Westminster

REPORTS

11. Chief's Report (F: 11.14) (X: 17.10F)

Chief Richter thanked Senior Accountant Dennis Sorensen for his many years service to the OCFA, and indicated he hoped Dennis would continue his work by volunteering on the OCFA Fire Corps.

BOARD MEMBER COMMENTS (F: 11.13)

Director Murray indicated the Tustin City Council presented a proclamation to Fire Chief Richter at its May 21, 2013, Council meeting recognizing his achievement of 2013 Metropolitan Fire Chief of the Year Award from the Metropolitan Fire Chief Association, and indicated the Council was very proud of him. He also thanked retiring staff member Dennis Sorensen for his many years of service.

Director Shanks indicated the City of Seal Beach honored four OCFA staff members, Seal Beach Police Officers, and lifeguards at a luncheon on May 21, 2013, to recognize their heroic actions during the Salon Montage incident. He commended the firefighters for doing a superb job during a major emergency.

Director McCullough reminded the public to please be safe during the upcoming Memorial Day holiday, and indicated it was a day for the remembrance of those deceased military members and their families. She also indicated the poppies being provided at the meeting are in remembrance of these service members, and encouraged everyone to educate their youths.

Director Hernandez reported that with the help of the Police Department and OCFA, the City of Yorba Linda was able to escort the 43rd Annual POW Vietnam caravan to the Richard Nixon Library, and indicated it was a very moving event. He encouraged everyone to attend the three-day POW event at the library.

Chair Kelley reported she, along with Assistant Chief Brian Stephens, Division Chief Bryan Brice, and Legislative Analyst/Grants Administrator Jay Barkman, travelled to Washington D.C. to meet with Legislators regarding fully funding the National Urban Search and Rescue Program. She indicated they met with fifteen Legislative offices, and commended OCFA staff for their hard work in trying to secure funding.

CONTINUED 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 Labor Negotiator and CS2, Conference with Legal Counsel-Anticipated Litigation.

Chair Kelley recessed the meeting to Closed Session at 9:50 p.m.

CS1. CONFERENCE WITH LABOR NEGOTIATOR

Chief Negotiator: Zenovy Jakymiw, Director of Human Resources

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

Authority: Government Code Section 54957.6

CS2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Authority: Exposure to Litigation pursuant to Government Code Section 54956.9(b) (2 cases)

Chair Kelley reconvened the meeting at 10:43 p.m.

CLOSED SESSION REPORT (F: 11.15)

General Counsel David Kendig indicated the Board directed legal counsel to seek restitution for emergency rescue services provided by the Orange County Fire Authority in the pending criminal proceedings against Nicolas Cendoya.

ADJOURNMENT - Chair Kelley adjourned the meeting at 10:45 p.m. The next regular meeting of the Orange County Fire Authority Board of Directors is scheduled for July 25, 2013, at 6:30 p.m.



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