

MINUTES

ORANGE COUNTY FIRE AUTHORITY

Board of Directors Regular Meeting
Thursday, October 23, 2014
6:00 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 October 23, 2014, at 6:04 p.m. by Chair Al Murray.

INVOCATION

Chaplain Bob George offered the invocation.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Present: Joseph Aguirre, Placentia
Bob Baker, San Clemente
Gerard Goedhart, La Palma
Gene Hernandez, Yorba Linda
Warren Kusumoto, Los Alamitos
Jerry McCloskey, Laguna Niguel
Brad Reese, Alternate, Villa Park
David Shawver, Stanton
Elizabeth Swift, Buena Park
Philip Tsunoda, Aliso Viejo
Sam Allevato, San Juan Capistrano
Randal Bressette, Laguna Hills
Noel Hatch, Laguna Woods
Robert Johnson, Cypress
Dave Leckness, Alternate, Mission Viejo
Al Murray, Tustin
Dwight Robinson, Alternate, Lake Forest
Todd Spitzer, County of Orange
Tri Ta, Westminster
Steven Weinberg, Dana Point

Absent: Rick Barnett, Villa Park
Carol Gamble, Rancho Santa Margarita
Jeffrey Lalloway, Irvine
David Sloan, Seal Beach
Patricia Bates, County of Orange
Trish Kelley, Mission Viejo
Roman Reyna, Santa Ana

Also present were:

Fire Chief Jeff Bowman
Assistant Chief Brian Stephens
Assistant Chief Dave Thomas
General Counsel Dave Kendig
Clerk of the Authority Sherry Wentz
Assistant Chief Craig Kinoshita
Assistant Chief Lori Zeller
Assistant Chief Lori Smith
Communications Director Sandy Cooney
Human Resources Director Jeremy Hammond

PRESENTATIONS

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

A. Length of Service Recognitions (F: 11.09D)

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

Chair Murray and Fire Chief Bowman presented proclamations and awards for 30 years of service to: Fire Apparatus Engineer Daniel Goodwin, and Fire Captain Kenneth Tarbutton. Proclamations and awards for 35 years of service were presented to: Firefighter/Paramedic Gordon Levine, Captain/Paramedic Timothy McGowen, and Assistant Chief of Support Services, Regional Fire Operations Training Center Brian R. Stephens.

PUBLIC COMMENTS (X: 11.11)

Chair Murray opened the Public Comments portion of the meeting.

Stephen Wontrobski, Mission Viejo resident, addressed his concerns for contract cities liability with the OCFA Unfunded Actuarial Accrued Liabilities (UAAL). (F: 17.06)

REORDERING OF AGENDA

By the Chair's discretion, the Board Chair Goals and Initiatives were moved forward on the agenda.

7. BOARD CHAIR GOALS AND INITIATIVES (F: 11.02B)

Chair Murray provided a Power Point presentation of his goals and longer-term initiatives during his term as Chair.

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

Budget and Finance Committee Chair Bressette presented from the October 8, 2014, Committee meeting a status update on the Orange County Employees Retirement System. He noted the Committee voted unanimously to send the monthly investment report and the internal control review on the request for proposal process to the executive committee for approval, and the 2014, long-term liability study to the Board of Directors for approval.

REPORT FROM THE HUMAN RESOURCES COMMITTEE CHAIR (F: 11.12)

Human Resources Committee Chair Shawver reported on the October 7, 2014, Committee meeting. He stated Members received an overview of the Orange County Fire Authority's Worker's Compensation Claims process and its occupational and safety program.

Director Tsunoda joined the meeting at 6:32 p.m.

REPORT FROM FIRE CHIEF (F: 11.14)

Chief Bowman commented on the Orange County Fire Authority Open House event and thanked staff for its success. He also addressed an update provided by Dr. Ken Miller, Medical Director, Orange County Fire Authority on the Ebola virus concerns and the OCFA's preparedness and response plan that is underway. He reported on the positive turnout and response to the "All Hands" meeting and provided an update for the Fire Chief's 120-day Plan addressing accountability and goals.

MINUTES (F: 11.06)

2. Minutes from September 25, 2014, Regular Board of Directors Meeting

On motion of Director McCloskey and second by Director Johnson, the Board voted unanimously to approve the Minutes from the regular Board of Directors meeting of September 25, 2014. Directors Baker, McCloskey, and Reese noted abstentions due to their absence from the meeting.

Director Ta arrived at this point (7:22 p.m.)

CONSENT CALENDAR (Agenda Item Nos. 3 and 4 were pulled for separate consideration.)

3. 2014 Long Term Liability Study (F: 17.06A)

Director Spitzer requested this item be pulled for separate consideration for clarification regarding the increase cost of the long-term unfunded liabilities.

Stephen Wontrobski, Mission Viejo resident, applauded the efforts by the OCFA to pay down the UAAL and expressed his continued concern with Workers' Compensation fraud.

Assistant Chief Zeller reported the pension portion of the overall liabilities growth is attributed to two significant factors, the significant investment loss in 2008 combined with changes in the interest earning assumption. This also caused the book value of the pension liability to increase assuming much less earnings to pay for that, which grew the unfunded portion of the liabilities.

On motion of Vice Chair Gene Hernandez and second by Director Johnson, the Board voted unanimously to:

1. Receive and file the report as submitted.
2. Direct staff to continue the Expedited Pension Unfunded Actuarial Accrued Liability (UAAL) Payment Plan to achieve long-term savings in pension costs.
3. Direct staff to evaluate potential cost saving options for OCFA healthcare plans offered to retirees in an effort to lower Retiree Medical costs.
4. Direct staff to continue seeking cost saving options related to Workers' Compensation, including the recently implemented Alternative Dispute Resolution Program.

4. Adoption of Revised Conflict of Interest Code (F: 20.02A1)

This item was pulled and deferred by the Clerk of the Authority to provide additional employee outreach.

5. Agreement to Transfer Property or Funds for 2013 Homeland Security Grant Program Purposes (F: 16.02A)

On motion of Director Barnett and second by Director Johnson, the Board voted unanimously to:

1. Adopt the proposed Resolution authorizing the Fire Chief, or his designee, to execute the Agreement to Transfer Property or Funds for 2013 Homeland Security Grant Program Purposes.
2. Increase revenue and appropriations in the FY 2014-15 General Fund by \$160,000 for the Fire Captain position at the Orange County Intelligence Assessment Center.

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

On motion by Director Barnett and second by Director Johnson, the Board voted unanimously to receive and file the report.

CLOSED SESSION (F: 11.15)

General Counsel David Kendig reported the Board would convene to Closed Session to consider the matters on the Agenda identified as CS1 Conference with Legal Counsel-Anticipated Litigation, CS2 Conference with Labor Negotiator, CS3 Conference with Labor Negotiator, and CS4 as it appears on the Supplemental Agenda, Conference with Legal Counsel-Anticipated Litigation.

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

CS2. CONFERENCE WITH LABOR NEGOTIATOR

Chief Negotiator: Peter Brown, Liebert Cassidy Whitmore

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

CS3. CONFERENCE WITH LABOR NEGOTIATOR

Negotiators: General Counsel David Kendig, Legal Counsel Barbara Raileanu, Fire
Chief Jeff Bowman, Deputy Chief Craig Kinoshita

Unrepresented Employees: Human Resources Director and Director of
Communications

Authority: Government Code Section 54957.6

CS4. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

Chair Murray recessed the meeting to Closed Session at 7:37 p.m.

Chair Murray reconvened the meeting at 10:20 p.m., with all members present.

CLOSED SESSION REPORT (F: 11.15)

General Counsel Kendig stated there were no reportable actions.

DISCUSSION CALENDAR

**8. Approval of 2014-2015 Memorandum of Understanding – Firefighter Unit
(F: 17.04B1)**

Stephen Wontrobski, Mission Viejo resident, requested the Board refrain from approving the Memorandum of Understanding and seek Civil Openness in Negotiations (COIN).

On motion of Director Weinberg and second by Vice Chair Hernandez, the Board voted to approve the proposed FireFighter Unit MOU between the Orange County Fire Authority and the Orange County Professional Firefighters' Association, Local 3631, for a term of November 1, 2014 to October 31, 2015. Directors Reese and Spitzer voted in opposition.

9. County 911 Emergency Ambulance Contracts – RFP Evaluations (F: 18.05B 2014)

Assistant Chief Zeller provided a staff report with recommended actions of four options.

A lengthy discussion ensued regarding the RFP Evaluation process and analysis.

On motion of Director Bressette and second by Director Lalloway, the Board voted to approve Option Two directing OCFA staff to prepare a list of questions that County staff and/or the Board of Supervisors may consider as they review the recommendations before them for proposed contract awards in each region, and Option Three recommending the County engage a third party consultant (not OCFA staff) to perform a complete analysis of the County's RFP evaluation process for the five regional EOA's. Directors Kusumoto and Weinberg voted in opposition.

PUBLIC HEARING(S)

No items.

BOARD MEMBER COMMENTS (F: 11.14)

As a cancer survivor, Director Swift thanked the firefighters for wearing the "pink" tee-shirts in support of Breast Cancer Awareness Month.

Vice Chair Hernandez challenged the Board to wear the "pink" tee-shirts to their city council meetings in support of Breast Cancer Awareness Month. He thanked Assistant Chief Thomas for the OCFA participation at the 12th Annual California Firefighters Memorial Ceremony in Sacramento.

Director McCloskey reported participating in a wild fire suppression exercise in Aliso Wood Canyon Wilderness Park; a joint effort of the OCFA, Sheriff's Department and Orange County Parks.

Director Hatch thanked the firefighters of Engines 22, and praised the OCFA's Annual Open House event.

Director Spitzer noted his vote in opposition to the Firefighter Unit MOU was due to his consistent Supervisorial votes; expecting one-hundred percent pick up of the employee share of all public employee pensions. Commenting on the need for access to the draft MOU on the OCFA website, he requested agendaizing the County of Orange's Rule 16, regarding posting requirements for approval of MOUs. He also requested the Board agendaize Civil Openness in Negotiations (COIN).

Director Bressette stated last year the City of Laguna Hills partnered with a Fire Prevention program distributing flyers to residents on prevention of kitchen fires and asked if this program could be brought back. He also commended the OCFA Honor Guard for its performance at the 12th Annual California Firefighters Memorial Ceremony in Sacramento.

Chair Murray thanked everyone involved in the negotiation process for the Firefighters' MOU. He reported attending the 12th Fire Fighters Memorial Ceremony in Sacramento and the OCFA Memorial Softball Tournament held in the City of Tustin. He announced that the Clerk of the Authority has available for purchase the Breast Cancer "pink" tee-shirts. He noted the business of the Executive Committee will be combined with the Board of Directors Meeting on Thursday, November 20, 2014, due to the upcoming holiday.

ADJOURNMENT – Chair Murray adjourned the meeting at 11:15 p.m. The next regular meeting of the Orange County Fire Authority Board of Directors is scheduled for November 20, 2014, at 6:00 p.m.


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