

# MINUTES

## ORANGE COUNTY FIRE AUTHORITY

**Board of Directors Regular and Special Meetings**  
**Thursday, April 24, 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 and special meeting of the Orange County Fire Authority Board of Directors was called to order on April 24, 2014, at 7:41 p.m. by Chair Steven Weinberg.

### INVOCATION

Chaplain Jeff Hetschel offered the invocation.

### PLEDGE OF ALLEGIANCE

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

### ROLL CALL

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

**Absent:** Noel Hatch, Laguna Woods

Chad Wanke, Placentia

### Also present were:

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

## **PRESENTATIONS**

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

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

Chair Weinberg and Fire Chief Richter recognized OCFA Length of Service recipient, Heavy Fire Equipment Operator Mark Sturdivant, for his 30 years of service. (F: 11.09D)

Chair Weinberg and Fire Chief Richter presented the Government Finance Officers Association of the United States and Canada Distinguished Budget Presentation Award to Accounting Manager Debbie Gunderson for OCFA's high principles in governmental budgeting. (F: 11.09B)

### **2. Trauma Intervention Program Presentation (F: 23.05)**

This agenda item will be presented at a future meeting.

## **PUBLIC COMMENTS (F: 11.11)**

Chair Weinberg opened the Public Comments portion of the meeting.

Stephen Wontrobski, Mission Viejo resident, commented on his concerns regarding the Workers' Compensation report provided at the April 9, 2014, Budget and Finance Committee meeting, and requested modifications to the format of future reports. He provided a letter, which is on file in the Office of the Clerk.

President David Rose, Business Agent John Latta, and Representatives Tim Steging, Baryic Hunter, and Matt Schuetz of the Orange County Professional Firefighters Association, Local 3631, provided public comments expressing dissatisfaction with the Fire Chief. They provided supportive materials, which are on file in the Office of the Clerk.

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 Chair Beth Swift indicated she had no report.

## **MINUTES**

### **3. Minutes from March 27, 2014, Regular Board of Directors Meeting (F: 11.06)**

On motion of Director Spitzer and second by Director Bressette, the Board voted to approve the Minutes from the March 27, 2014, Board of Directors meeting. Directors Connors and Hernandez noted abstentions.

## **CONSENT CALENDAR**

No items.

## **DISCUSSION CALENDAR**

### **4. Approval of Amendments to Personnel and Salary Resolution – Administrative Managers (F: 17.02)**

On motion of Director Spitzer and second by Director Kelley, the Board voted unanimously to approve the proposed Personnel and Salary Resolution amendments.

### **5. Public Relations Consulting Services – Clarification of Scope of Work (F: 17.10C1)**

Fire Chief Richter provided an overview on the clarification and amendment of the scope of work by Communications LAB, as recommended by the Executive Committee.

A lengthy discussion ensued.

On motion of Director Goedhart and second by Director McCullough, the Board voted to approve the revised Scope of Work with Communications LAB, with an amendment to the first paragraph to omit the reference to the Executive Committee and read “At the Direction of the Fire Chief, or their designee, the Consultant will provide the following services to support OCFA Executive Management.” Director Hernandez registered in opposition.

## **PUBLIC HEARING(S)**

No items.

## **REPORTS**

### **6. Chief’s Report (F: 11.14)**

Fire Chief Richter indicated the recruitment of the Director of Communications was in progress and he anticipated having the position filled by July 2014. He noted that a Communications Directory is being prepared that will include specific instructions for Director communication notification preferences. Fire Chief Richter reported the recruitment process for the Fire Marshal was underway, and he hoped to have the position filled by the third quarter of this year.

## **BOARD MEMBER COMMENTS (F: 11.13)**

Director McCullough expressed her concern regarding the delay in starting Board meetings on time, due to Executive Committee business. She requested staff members seek a solution to resolving this conflict.

Director Bressette indicated the Executive Committee was charged with important tasks that were thoroughly vetted prior to being presented to the Board, which caused the delay in convening the Board meeting on time.

Director McCullough thanked Director Bressette, and indicated she was seeking a solution to the conflict.

Director Bates suggested the Executive Committee consider meeting on a separate day prior to the Board of Directors meeting.

## **CLOSED SESSION**

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 Legal Counsel-Existing Litigation, CS2, Conference with Legal Counsel-Existing Litigation, CS3, Conference with Labor Negotiator, CS4, Conference with Legal Counsel–Anticipated Litigation, CS5, Public Employee Performance Evaluation, and CS6, Public Employee Discipline/Dismissal/Release

Chair Weinberg recessed the meeting to Closed Session at 8:30 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-EXISTING LITIGATION**

Name of Case: Orange County Fire Authority V. California Department of Industrial Relations, e.t. al.

Case No.: OC Superior Court Case No. 30-2013-00628178

Authority: Government Code Section 54956.9(a)

### **CS3. CONFERENCE WITH LABOR NEGOTIATOR**

Agency Designated Representative: Peter Brown, Liebert Cassidy Whitmore  
Employee Organizations: Orange County Professional Firefighters' Association,  
Local 3631

Authority: Government Code Section 54957.6

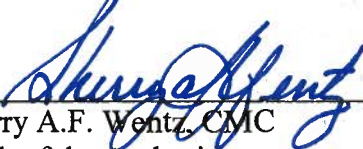
- CS4. CONFERENCE WITH LEGAL COUNSEL–ANTICIPATED LITIGATION**  
Authority: Government Code Section 54956.9(b) – Significant Exposure to Litigation (2 cases)
- CS5. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**  
Position: Fire Chief  
Authority: Government Code Section 54957
- CS6. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**  
Authority: Government Code Section 54957

Chair Weinberg reconvened the meeting at 11:20 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 regular and special meetings at 11:21 p.m. The next regular meeting of the Orange County Fire Authority Board of Directors is scheduled for May 22, 2014, at 6:30 p.m.

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