



# ORANGE COUNTY FIRE AUTHORITY AGENDA

**Claims Settlement Committee Meeting  
Thursday, October 24, 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 2<sup>nd</sup> 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 September 26, 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: Jerry Shacklett v. OCFA

Case No. WCAB: ADJ8421824

Authority: Government Code Section 54956.9(a)

**CS2. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**

Name of Claim: Steve Shomber v. OCFA

Case No. WCAB: ADJ 558776; ADJ 758792; ADJ 6714990 and ADJ1293437

Authority: Government Code Section 54956.9(a)

**CS3. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**

Name of Claim: William Diebold v. OCFA

Claim No.: OCFH 003305

Authority: Government Code Section 54956.9(a)

**CLOSED SESSION REPORT**

**ADJOURNMENT** – The next regular meeting of the Claims Settlement Committee is scheduled for Thursday, November 21, 2013, at 6:00 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 17<sup>th</sup> day of October 2013.

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

**UPCOMING MEETINGS:**

Budget and Finance Committee Meeting	Wednesday, November 6*, 2013, 12 noon
Claims Settlement Committee Meeting	Thursday, November 21*, 2013, 5:30 p.m.
Executive Committee Meeting	Thursday, November 21*, 2013, 6:00 p.m.
Board of Directors Meeting	Thursday, November 21*, 2013, 6:30 p.m.

\*Date moved forward by a week, due to Thanksgiving Holiday

# MINUTES

## ORANGE COUNTY FIRE AUTHORITY

### Claims Settlement Committee Meeting

Thursday, September 26, 2013

5:30 P.M.

### Regional Fire Operations and Training Center

Room AE117

1 Fire Authority Road

Irvine, CA 92602

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#### CALL TO ORDER

Chair Weinberg called a regular meeting of the Orange County Fire Authority Claims Settlement Committee to order at 5:30 p.m. on September 26, 2013.

#### PLEDGE OF ALLEGIANCE

Fire Chief Richter led the assembly in the Pledge of Allegiance to our Flag.

#### ROLL CALL

**Present:** Steven Weinberg, Board Chair, Dana Point  
Al Murray, Board Vice Chair, Tustin  
Elizabeth Swift, Budget and Finance Committee Chair, Buena Park  
Keith Richter, Fire Chief  
Jonathan Wilby, Risk Manager, Alternate

**Absent:** Janet Wells, Interim Human Resources Director

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

#### PUBLIC COMMENTS (F: 12.02C3)

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

#### MINUTES (F: 12.02C2)

##### 1. Minutes for the August 22, 2013, Claims Settlement Committee Meeting

On motion of Vice Chair Murray, and second by Fire Chief Richter, the Committee voted unanimously to approve the minutes of the August 22, 2013, Claims Settlement Committee meeting.

## **CONSENT CALENDAR**

No items.

## **DISCUSSION CALENDAR**

No items.

## **REPORTS**

No items.

## **COMMITTEE MEMBER COMMENTS**

The Committee members had 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 and CS2, 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: Robert Feldtz v. OCFA

Case No. WCAB: ADJ7541347 and ADJ8086865

Authority: Government Code Section 54956.9(a)

### **CS2. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**

Name of Claim: Craig Casey v. OCFA

Case No. WCAB: ADJ1759486; ADJ1357345; ADJ1409452; ADJ729537; ADJ2754664

Authority: Government Code Section 54956.9(a)

The Claims Settlement Committee reconvened for regular business at 5:44 p.m., with all Members present.

## **CLOSED SESSION REPORT (F: 12.02C5)**

General Counsel David Kendig announced the Claims Settlement Committee considered and unanimously authorized offers of settlement on Worker's Compensation claims CS1 and CS2, the substance of which, upon acceptance by the parties will be disclosed after the agreements have been fully executed.

**ADJOURNMENT** – Chair Weinberg adjourned the meeting at 5:46 p.m. The next regular meeting of the Claims Settlement Committee is scheduled for Thursday, October 24, 2013, at 5:30 p.m.

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