



**REGULATORY/ MEDICAL HEALTH SERVICES**  
**EMERGENCY MEDICAL SERVICES**

**RICHARD SANCHEZ**  
DIRECTOR  
**STEVE THRONSON**  
DEPUTY AGENCY DIRECTOR  
REGULATORY/MEDICAL SERVICES  
**DENISE FENNESSY**  
CHIEF OF OPERATIONS  
REGULATORY/MEDICAL SERVICES  
**TAMMI McCONNELL MSN, RN**  
EMS ADMINISTRATOR  
405 W FIFTH STREET, SUITE 301A  
SANTA ANA, CALIFORNIA 92701  
TELEPHONE: 714- 834-3500  
FAX: 714- 834-3125

April 11, 2017

To: **EMS Provider Agencies**  
**EMS ePCR Software Vendors**

From: **Laurent Repass, EMS Information Systems Chief, Emergency Medical Services**

Subject: **OC-MEDS Data Dictionary Implementation – System Change Notification**

---

On April 6, 2017, the update to OCEMS Policy 300.31 – OC-MEDS Data Dictionary was finalized. The revised data dictionary (v1.1) includes new data elements and coding additions and changes to ensure that our systems continue to meet local needs and remain compliant with Federal and State EMS data standards. The OC-MEDS Data Dictionary and all supporting documents (including a change log) are posted on the OCEMS website in the OC-MEDS Section at:

[http://healthdisasteroc.org/ems/ocmed/oc\\_meds\\_data\\_dictionary](http://healthdisasteroc.org/ems/ocmed/oc_meds_data_dictionary)

OCEMS will implement changes documented in the change log to the OC-MEDS NEMSIS v3 (Elite) system during a two (2) hour update window scheduled on **Wednesday, April 19, 2017 between 5:00am and 7:00am**. Changes will include addition of new data elements, field value coding updates, and modifications to affected validation rules.

**OC-MEDS v3 (Elite) ePCR users:**

Every effort will be made to minimize any impacts to field operations; however, it is possible that OC-MEDS v3 ePCR users may notice differences and intermittent inconsistencies with their run form templates and validation rules during and immediately after the update window. Users are encouraged to sync their devices after the update window to ensure that all updates are available.

**Third Party ePCR Software Vendors:**

Third party ePCR software vendors are encouraged to complete the updates to their systems as soon as possible and implement the changes during the update window. New incidents transmitted to OC-MEDS after the update window should include all updated data elements and field values.

Questions regarding the coding update should be directed to OC-MEDS Support at:  
[oc-meds@ochca.com](mailto:oc-meds@ochca.com).



**REGULATORY/ MEDICAL HEALTH SERVICES**  
**EMERGENCY MEDICAL SERVICES**

**RICHARD SANCHEZ**  
DIRECTOR

**STEVE THRONSON**  
DEPUTY AGENCY DIRECTOR  
REGULATORY/MEDICAL SERVICES

**DENISE FENNESSY**  
CHIEF OF OPERATIONS  
REGULATORY/MEDICAL SERVICES

**TAMMI McCONNELL MSN, RN**  
EMS ADMINISTRATOR

405 W FIFTH STREET, SUITE 301A  
SANTA ANA, CALIFORNIA 92701  
TELEPHONE: 714- 834-3500  
FAX: 714- 834-3125

April 13, 2017

TO: BASE HOSPITAL DIRECTORS  
BASE HOSPITAL COORDINATORS  
ALS PROVIDER AGENCIES (Fire Coordinators)  
BLS PROVIDER AGENCIES (Ambulance Providers)

FROM: MICHAEL DE LABY, RN, MSN *Uuo*  
EMS SYSTEMS AND STANDARDS CHIEF

SUBJECT: **DESIGNATION OF FOOTHILL REGIONAL MEDICAL CENTER  
AS AN EMERGENCY RECEIVING CENTER**

Orange County EMS is pleased to announce that Foothill Regional Medical Center has been designated as an Emergency Receiving Center. This designation is effective Friday, April 14, 2017 at 0700 hours.

Foothill Regional Medical Center Contact Information

Address: 14662 Newport Avenue, Tustin, CA 92780

Main Hospital: 714-619-7700

Red Phone: 714-619-7737

800 MHz Zone 5 Channel K (5K), ID#: 753936

ED FAX: 714-619-7724



**REGULATORY/ MEDICAL HEALTH SERVICES**  
**EMERGENCY MEDICAL SERVICES**

**MARK A. REFOWITZ**  
DIRECTOR  
**RICHARD SANCHEZ**  
ASSISTANT DIRECTOR  
**STEVE THRONSON**  
DEPUTY AGENCY DIRECTOR  
REGULATORY/MEDICAL SERVICES  
**DENISE FENNESSY**  
CHIEF OF OPERATIONS  
REGULATORY/MEDICAL SERVICES  
**TAMMI McCONNELL MSN, RN**  
EMS ADMINISTRATOR

405 W FIFTH STREET, SUITE 301A  
SANTA ANA, CALIFORNIA 92701  
TELEPHONE: 714- 834-3500  
FAX: 714- 834-3125

DATE: May 4, 2017

TO: ORANGE COUNTY ALS PROVIDERS  
ORANGE COUNTY BASE HOSPITAL PHYSICIANS  
ORANGE COUNTY BASE HOSPITAL COORDINATORS  
ORANGE COUNTY PARAMEDIC TRAINING PROGRAM

FROM: SAM J. STRATTON, MD, MPH  
MEDICAL DIRECTOR, ORANGE COUNTY EMS

SUBJECT: SODIUM BICARBONATE SHORTAGE

The Food and Drug Administration has released notification the sodium bicarbonate is in shortage for an indefinite time.

To address this issue, Orange County ALS Providers are asked to maintain current stocks of sodium bicarbonate beyond labeled expiration and continue to use that sodium bicarbonate until supplies of the medication again become available.

Orange County EMS will monitor the availability of sodium bicarbonate and provide notification when it is again generally available for resupply.

SJS/#2941





# PRESS RELEASE

---

## **OC Health Care Agency Implements Secure Electronic Patient History Sharing System that is First-of-its-Kind in the Nation**

*Innovation Recognized by the Journal of Emergency Medical Services*

**(Santa Ana, CA)** – The OC Health Care Agency's (HCA) field implementation of an electronic system that enables the instantaneous sharing of a patient's medical history from ambulance to hospital has been recognized this month by the Journal of Emergency Medical Services for its innovation.

HCA's Emergency Medical Services (EMS) division became the first in the nation to fully launch the Search, Alert, File, Reconcile (SAFR) model of health information exchange in February of this year. "This system enables emergency medical technicians and paramedics here in Orange County to immediately access a patient's past medical history when evaluating and treating in the field, including information like recent hospitalizations, past medical history, medications, allergies, preferred healthcare facilities and end-of-life decisions, which can affect initial care decisions and long-term outcomes," said Dr. Samuel Stratton, EMS Medical Director.

An alert is then created that notifies the receiving hospital of the incoming patient and provides attending medical staff there with important information including age, gender, arrival time(s), vitals and any procedures performed in route, saving time and freeing staff to focus on what matters – patient care instead of paperwork.

EMS responders are mandated by California regulations and local policy to complete a Patient Care Report (PCR) whenever they make contact with a patient to document incident demographics, assessments, and treatments. Historically, the PCR was completed on a paper form and a carbon copy was hand delivered to the receiving hospital emergency department. While the paper PCR included a significant amount of information relevant to emergency patient assessments and care, it was often illegible and it was nearly impossible to extract data for prospective or retrospective analysis of the quality of patient care.

"This new program helps the sharing of secure access of a patient's health information, from dispatch of EMS to on-scene care, transporting of patients to the emergency department, admitting them to the hospital, discharging the patient, and reporting of the patient's outcome back to the EMS provider for data review," Dr. Stratton said. "It's improving the quality of care at all levels."

To read the "Armed with History" article from the May edition of the Journal of Emergency Medical Services, please click [here](#).

###

Stephen Wontrobski  
Mission Viejo, CA 92692

May 9, 2017

Orange County Grand Jury  
700 Civic Center Drive W. #B120  
Santa Ana, CA 92701

Reference: OCFA Helicopter Operations  
Need to Revisit the Issue

Dear Grand Jury Members,

For years I have expressed the view that the greatest weapon against reform attempts the OCFA Executive Management and the firefighters union have is keeping the public uninformed. By doing so, this tactic permits them to continue to pay firefighters total average annual compensation of \$230,000 and OCFA Executive Management annual total compensation over \$300,000 for each member.

The attached May 5, 2017 Register article on OCFA helicopter operations gives further evidence to support my opinion. In order to give Grand Jury members additional information on the article, I present the following points.

I originally pointed this Helicopter Operations problem to the OCFA Board of Directors around August of last year. Why did the public have to inform Board members, including Director Spitzer, of the problem? Why didn't OCFA Executive Management address the Board on the issue, rather than have a member of the public raise the issue? In my opinion it was part of the OCFA modus operandi to keep the Board members and public uninformed of various OCFA issues in order to not jeopardize excessive wage payments. Why hasn't the OCFA still not cured the problem?

I have been against all phases of the expansion of OCFA helicopter operations that do not relate to fire suppression. OCFA helicopter operations are used for three purposes.

1. Search and Rescue Operations
2. Air Ambulance Transport of critically injured members of the public to a hospital
3. Fire Suppression Operations

#### Search and Rescue Operations

State statute entrusts the responsibility for Orange County Search and Rescue operations to the police (OCSD). Am I reading the statute incorrectly? Contrary to the Register comment, I do not believe the OCSD is doing search and rescue poaching. They are statutorily responsible for the work. However, I believe the OCFA is actually involved in search and rescue "poaching". Where does it say in the statute that the OCFA is responsible for search and rescue work? If my read of the statute is correct, the OCFA should not interfere with OCSD search and rescue operations, and not vice versa. I have previously addressed this issue with Sheriff Hutchens.

#### Air Ambulance Transport of Critically Injured Members of the Public to a Hospital

I have previously addressed this issue with the OCHCA. Mercy Air is licensed to do this work. It is their responsibility to do the air ambulance operations and not the OCFA. The OCFA will probably state that the OCFA helicopter was chosen, since it had the best ETA in getting to the accident site. How can this occur, if both the OCFA and Mercy Air helicopters are both stationed at the Fullerton Airport?

Maybe there has been past justification for the use of the OCFA helicopter rather than Mercy Air's. However, this needs to be verified. It must be determined how many Air Ambulance Transports were done by the OCFA over the last five years. Then justification must be provided why the OCFA helicopter did the work for each

transport rather than Mercy Air. There may be so-called OCFA “poaching” taking place in this area. I do not know.

How could this “poaching” take place? It needs to be verified that the OCFA helicopter crew on Air Ambulance Operations was not forewarned by OCFA field personnel and advised to warm up its helicopter engines and prepare its helicopter for liftoff, prior to an OCFA Communications Center call asking for an ETA to the accident site from it and Mercy Air. If the OCFA helicopter crew had been alerted to warm up and prepare their helicopter for liftoff, it had a guarantee of a better ETA over Mercy Air. And by OCFA Communications Center Dispatch protocol, I believe they would have to be assigned the operation.

This verification needs to be done either by the Grand Jury or the OCHCA, or both. The Grand Jury should also ask Mercy Air about this issue and determine from them, if they had ever seen the OCFA warming up its helicopter engines and preparing its helicopter for liftoff even prior to a call to Mercy Air by the OCFA Communications Center requesting their ETA information.

The existence or non-existence of this poaching issue can be easily verified by comparing OCFA helicopter logs showing engine startup times as compared to OCFA Communication Center logs showing when ETA information was requested from the OCFA helicopter crew. It should also be determined whether the Mercy Air helicopter was on the ground and available for transport operations at that time. Mercy Air should also be contacted for input on this issue. The bottom line questions are whether the OCFA is trying to add justification for its helicopter operation work, personnel costs and equipment by taking work away from Mercy Air? Is the OCFA needed to do Air Ambulance Transport work? Should they even be doing it?

#### Fire Suppression Operations

This work is the responsibility of the OCFA. However, questions with the OCFA helicopter fire suppression operations also arise with this work.

1. This operation was expanded by Fire Chief Bowman to a nighttime 24/7 operation. A former OCFA Board of Director member openly objected to the expansion of OCFA helicopter fire suppression operations into night service over a year ago based on safety concerns. However, his view and safety concern was rejected by the OCFA.
2. Why does the OCFA need 24/7 helicopter operations to fight wildfires in the non-fire season period? If needed, not in fire season, couldn't an expedited callout during daylight hours be sufficient?
3. The OCFA added a 24/7 paramedic to its helicopter crew. This individual is not needed for fire suppression activity. If the OCFA is not needed for Search and Rescue and Air Ambulance Transport Operations, does the OCFA even need to spend about a million dollars each year for the 24/7 paramedic, which it did not have on board in the past?
4. I believe the real issue for a 24/7 helicopter operation is the OCFA's attempt to justify its:
  - a) Expansion of labor hours, firefighters and costs of needed OCFA union personnel.
  - b) Spending of hundreds of thousands of dollars to provide sleeping quarters at its Fullerton helicopter base.
  - c) Multi-million dollar helicopter leases.

I believe the time is right to re-investigate the OCFA helicopter operations in light of the Register article on the subject.

Sincerely,

Stephen Wontrobski

OCFAHelicopterRegister(5-9-17)

Cc: EMCC; Sheriff Sandra Hutchens (555 N. Flower St.; Santa Ana, CA 92703)

NEWS

## Air battle being waged between Orange County sheriff

By TONY SAAVEDRA | tsaavedra@scng.com and ERIKA I. RITCHIE | eritchie@scng.com  
| Orange County Register

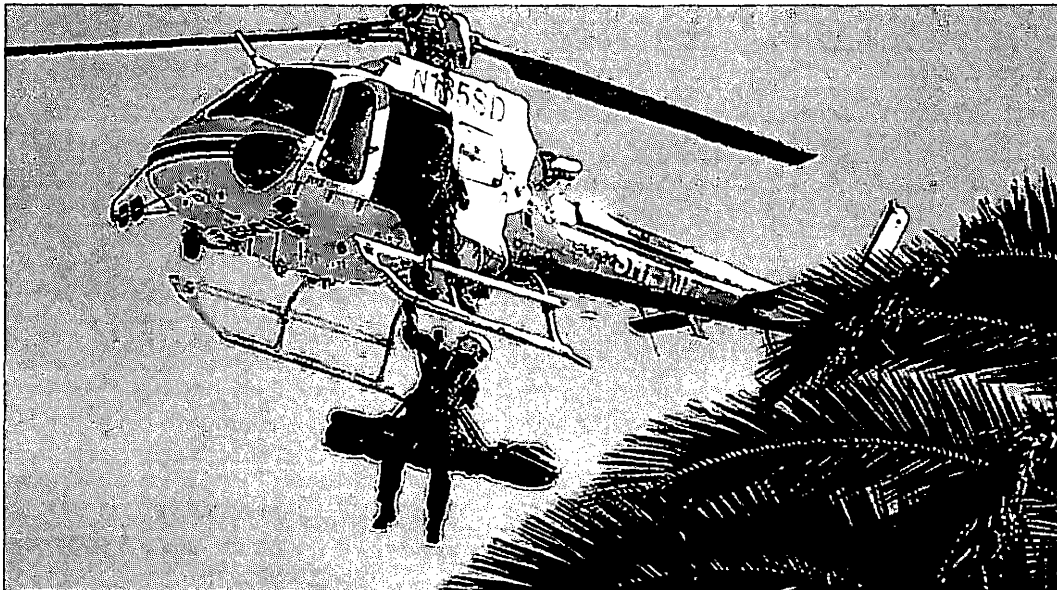
73 COMMENTS

PUBLISHED: May 5, 2017 at 5:16 pm | UPDATED: May 6, 2017 at 11:37 am

Emergency radio recordings show that helicopter pilots with the Orange County Sheriff's Department and the Orange County Fire Authority bickered, and that sheriff pilots ignored a direct order to "stand down," during a pair of rescues in Laguna Beach and Orange on Saturday, April 29, revealing an escalating battle between the two agencies over helicopter-related emergencies and who responds to them.

For several months, Sheriff's Department pilots have poached rescue calls sent to the OCFA, with helicopters from both agencies often racing to the scenes at the same time, county officials said Friday. Such dual-action responses are costly and potentially dangerous for the pilots and people on the ground. In 1987, helicopters from Costa Mesa and Newport Beach police departments collided while responding to the same police chase, killing two Costa Mesa officers and a civilian who was in the aircraft.

The arguments that played out over radio on Saturday took place while helicopters from both agencies were flying over crowded beaches and a park.



-35-

"It has to be resolved before there's a terrible incident," said County Supervisor Todd Spitzer.

"It's so tense between the two agencies," Spitzer added. "But we are aware of it and asking the agencies to work it out."

Spitzer said he has met several times this year to discuss the friction with Sheriff Sandra Hutchens and Fire Chief Jeff Bowman, but the tug-of-war continues.

Sheriff's spokesman Lt. Lane Lagaret said Friday that Internal Affairs is investigating the Laguna Beach incident, but he could not provide details because of state law protecting the privacy of officers. He also declined comment about why sheriff pilots are responding to calls made to the OCFA.

Recordings from radio chatter on Saturday show sheriff pilots ignoring direct orders from local commanders.

In Orange, the commander on the ground told the sheriff pilot, "You will abide by what the ground (Incident Commander) is asking you to do."

The sheriff helicopter completed the medical assistance call anyway.

"My concern is if you have four aircraft in the air, and the sheriff refuses to communicate, who will get hurt if there is an air accident?" said Orange City Fire Dept. Deputy Chief Robert Stefano.

In Laguna Beach, where an intoxicated 17-year-old was pulled from a beach cove, the commander told the Sheriff's pilot, "You are not requested." The Laguna official also declared that the Sheriff's pilot was creating "an unsafe air operation" by not answering direct orders.

In another recording of the same incident, a Laguna Beach dispatcher told a fire official "It sounds like the sheriffs have gone rogue. They're not listening to the (Incident Commander)."

The sheriff pilot eventually responded: "I understand you're not comfortable ... but we're going to do whatever is best to not delay patient care."

It's unclear if the same pilot was involved in both incidents. The boy in the cove was airlifted with non-life-threatening injuries.

It is unclear what is motivating the aggressive tactics.

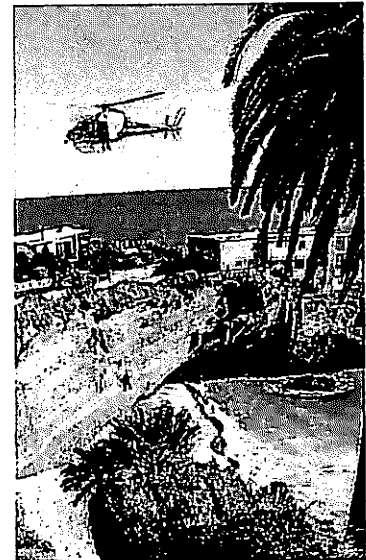
For years, sheriff helicopter crews — which typically fly on non-rescue patrols for most of any 24-hour period — have responded to search requests in and near Orange County, usually looking for lost hikers. Fire helicopters have handled rescues, touching ground in hard-to-land places or using hoists to extract people from emergency situations.

But recently, the Sheriff's Department trained its helicopter crews to offer medical aid in addition to search and rescues. The training has come during a time when the department has purchased a new Airbus AS350. Lagaret could not say how much the department spent, but a new helicopter typically costs about \$2 million.

The roles for sheriff and fire helicopters also have merged, according to fire officials.

"We are the primary rescue aircraft. They are the primary search aircraft," said OCFA Battalion Chief Dave Spencer. "(But) in our collaboration agreement, we can do either or they can, if need be."

Spencer added that the Saturday incident in Laguna Beach was a direct request for an OCFA helicopter. "I don't know why (Sheriff helicopters) responded."



An Orange County Sheriff's helicopter hovers over Table Rock beach Saturday, April 29 during the rescue of an intoxicated and unresponsive 17-year-old from a sea cave. (Photo courtesy of John Thomas)



-36-

With the new helicopter, the Sheriff's Department is the county's biggest helicopter crew, with five aircraft. The OCFA has four helicopters and other police agencies in the county, including departments in Anaheim and Huntington Beach, have a total of at least six.

Though some helicopters have been donated, most are purchased by county taxpayers. The county Board of Supervisors controls the Sheriff Department's budget and approved the recent helicopter purchase. The OCFA is a distinct district that can raise money through taxes. That spending is overseen by a board that includes county officials and representatives from member cities.

Demand for helicopters in the county is unclear.

In 2010, a Grand Jury report faulted the sheriff's aviation division for not having enough helicopters — two at that time — to adequately cover the county. That report also noted that helicopter use is expensive, estimated at the time at \$700 an hour to operate and maintain for the Sheriff's Department, \$3,400 an hour for the OCFA, which then had the newer equipment.

Spitzer said Sheriff Sandra Hutchens believes her crews respond faster than the OCFA. In both incidents Saturday, sheriff helicopters were first to the scene by a few minutes. Sheriff helicopters are housed at John Wayne Airport, while OCFA aircraft launch from Fullerton.

Tags: echo code, fire, Laguna Beach, OCR Newsletter, orange, Police, public safety, Top Stories OCR



## Tony Saavedra

Tony Saavedra is an investigative reporter specializing in legal affairs for the Orange County Register. His work has been recognized

by the National Headliner Club, the Associated Press Sports Editors, the California Newspaper Publishers Association, the Orange County Trial Lawyers Association and the Orange County Press Club. His stories have led to the closure of a chain of badly-run group homes, the end of a state program that placed criminals in inappropriate public jobs and the creation of a civilian oversight office for the Orange County Sheriff's Department, among other things. Saavedra has covered the Los Angeles riots, the O.J. Simpson case, the downfall of Orange County Sheriff-turned felon Michael S. Carona and the use of unauthorized drugs by Olympian Carl Lewis. Saavedra has worked as a journalist since 1979 and has held positions at several Southern California newspapers before arriving at the Orange County Register in 1990. He graduated from California State University, Fullerton, in 1981 with a bachelor of arts in communication.

Follow Tony Saavedra @tonysaavedra2



## Erika I. Ritchie

Erika Ritchie reports on South Orange County coastal communities, military issues and Camp Pendleton for the OC Register. She explores

everything from coastal access, environmental issues and marine life to city government, animal welfare and quality of life. She's won many awards including first place in news (2016) by the Orange County Press Club for her coverage of record numbers of whale entanglements off the California coast. Erika's covered military change of command and seen military affairs firsthand from the sea aboard a battleship, air from a MV-22 Osprey, and land including Pendleton's International

Stephen Wontrobski  
Mission Viejo, CA

May 23 2017

Orange County Fire Authority Board of Directors  
1 Fire Authority Road  
Irvine, CA 92602

Reference: OCFA "Rigged" UAAL Cost Information Request to OCERS

Dear Board of Directors,

I believe the OCFA Ad Hoc Pension Committee is engaged in a practice of "rigging" the OCFA UAAL Cost Information Request to OCERS against the interests of the OCFA member city councils and their residents.

Background Information

The following information will prove helpful to the new OCFA Board of Directors members.

1. For years I had been warning member city councils of the potential disastrous impact to their city reserves caused by the OCFA pension UAAL at OCERS.
2. In September 2014 the OCFA issued a legal opinion response to my written concern stating that no OCFA member city (contract or SFF member) had any legal exposure to the OCFA UAAL. This opinion was based entirely on Contract/JPA law.
3. I voiced concern that the legal opinion lacked merit since it never addressed the overriding issues based in Bankruptcy and Pension law. It also failed to address the California Constitution mandate to guarantee payment of pensions.
4. The OCFA legal counsel refused to address these concerns and continued to maintain that all member cities and the County had no legal liability for the OCFA UAAL.
5. In January 2016 OCERS stated in a written report to its own Board of Directors that both OCFA contract and SFF member cities had a legal liability for the OCFA's UAAL at OCERS.
6. In 2017 the OCFA Board of Directors determined that their prior OCFA UAAL liability attorney opinion was devoid of legal merit and authorized \$100,000 to obtain a non-binding second legal opinion on the issue from an outside law firm.
7. The firefighters union has previously threatened to seek legislation holding the OCFA member cities liable for the OCFA UAAL. This legislation would render the second OCFA legal opinion virtually meaningless.
8. I requested that the new legal opinion be made available to member city councils and the public. This request was denied and the OCFA Board directed that the opinion be kept confidential and not made available to member city councils or the public. However, the law firm entrusted with the second legal opinion recommended to the OCFA that their attorney opinion be made public.
9. In September 2016 former Villa Park Director, Rick Barnett, requested that the OCFA gather pension information from OCERS that could be presented to the Stanford University Pension Study Group. Four Stanford University Graduate School professors (including a Nobel Laureate in Economics) have offered as a public service to provide an independent and cost free opinion as to a reasonable estimate of the amount of the OCFA's UAAL pension deficit.
10. I have previously expressed concern that OCFA member liability may actually be over \$2 billion, if an actual cash out attempt was undertaken. This liability would jeopardize member city reserves and could actually force some cities into bankruptcy.
11. Originally, a non-reform minded OCFA director made a motion to simply receive and file the OCERS pension UAAL data request, which would be sent to the Stanford University Study Group. However, one reform minded director opposed the motion stating that a "receive and file" motion on this matter with the

OCFA is really a “receive and die” recommendation. Those immortal “receive and die” words applicable to OCFA issues live on today. The OCFA then decided to do a follow-up study on the issue by appointing an Ad Hoc Pension Committee.

12. The Ad Hoc Pension Committee has voiced the concern that the cost of obtaining the OCERS database for the Stanford analysis may be cost prohibitive.
13. I requested to attend the Ad Hoc Pension Committee meetings strictly as an observer. My request was denied on the grounds that the meetings were not regularly scheduled meetings and therefore not subject to the Brown Act. The real reason in my opinion for denying me access to the meetings was the fear that I would report to member city councils what actually took place in the meetings.
14. On December 8, 2016 Director Barnett received the “John F. Kennedy Profiles in Courage Award” as described in my attached letter. This award was given for his pension reform efforts against the established OCFA “rigged system”.
15. The OCFA refused to disclose to me the status of the cost estimate request from itself to OCERS to assemble the Stanford University needed pension information. Accordingly, I issued a Public Records Request to OCERS in January 2017 requesting information on the OCFA request. OCERS responded by stating the OCFA had never even issued a cost estimate request.
16. In the April 27, 2017 OCFA Executive Committee meeting, I requested information regarding the status of the cost of the OCFA UAAL Information Request to OCERS, which data would then be transmitted to the Stanford University UAAL Study Group.
17. Director Eugene Hernandez stated that the data information would not be requested from OCERS, since it would be costly to do so. However, he never stated how much OCERS was going to charge for the compilation of the needed information. So just how much did OCERS estimate would be the cost to assemble the needed information?
18. I have maintained for years that the OCFA is a “rigged system” against the interests of the taxpayers, which is propagated by keeping the public and member city councils uninformed. This OCFA action in refusing to forward needed UAAL pension information is simply a continuation of this practice of non-transparency. It certainly protects the \$230,000 average firefighter annual compensation and does not alert member city councils of their massive potential exposure to OCFA pension UAAL.
19. Are there any OCFA directors, who do not want to have the Stanford University evaluation be made available to their City Council members and their residents? Let them publicly say so.
20. Are there any OCFA directors, who do not want to have the OCFA second legal opinion made available to their City Council members and their residents? Again, let them publicly say so.

It is requested that the Board of Directors:

- a) State the amount of money that OCERS has estimated it will charge for assembling the Stanford University data.
- b) Give OCERS a written directive to compile the pension UAAL data and send it to the Stanford University Pension Study Group.
- c) Direct the OCFA to immediately issue the second legal opinion regarding member city UAAL liability upon its receipt from the new outside legal counsel to all OCFA members.

Your assistance in releasing the above requested information would be a notable first step in providing true OCFA transparency and a start of restoring a sense of integrity in the OCFA.

Sincerely,

Stephen Wontrobski

e:OCFARiggedUAALStanfordInformation(5-23-17)

Cc: OCERS; Orange County Board of Supervisors; EMCC

Attachment to Letter to OCFA Board of Directors dated 5/23/17

Stephen M. Wontrobski  
27132 Sombras  
Mission Viejo, CA 92692

December 8, 2016

Mr. Rick Barnett  
City of Villa Park  
17855 Santiago Blvd.  
Villa Park, CA 92861

Reference: John F. Kennedy Profiles in Courage Award

Dear Mr. Barnett:

This letter is to inform you that at the recent November 17, 2016 OCFA Board of Directors meeting, I advised the Board that I had granted a commendation award to you. I called it my "John F. Kennedy Profiles in Courage Award".

In the meeting I stated that in my previous letters to the Board, I agreed with the growing public conviction that the OCFA is a "rigged system", which works first and foremost for the financial interests of the firefighters union, OCFA managerial and executive staffs, and the Board members themselves.

For the 2016 firefighter union contract, you were the only Director on the final vote that objected to the proposed contract. You based your objection on the lack of needed pension reform measures in the contract. Not one other OCFA Director voiced concern or objection to the contract. Board Directors appeared to lack the courage to demand major compensation, benefit and pension reform measures in the firefighters union contracts to benefit the public they were elected to serve.

In San Francisco at the Moscone Convention Center Yerba Buena Gardens site is the memorial to Rev. Martin Luther King. One of his famous quotes depicted there reads to the effect that, it does not matter how much in riches one accumulates in life, if he loses his own self respect. As Rev. King stated, "The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy". Director Barnett, you displayed that type of stand and courage in your representation of the residents of Villa Park against overwhelming OCFA Board and union opposition.

Accordingly, I and other taxpayers would like to say thanks for a job well done in representing the interests of your residents. You placed their interests above any personal interests of your own. May your display of courage serve as an example for other OCFA Board members to follow.

Once again, thanks. Job well done.

Sincerely,

Stephen M. Wontrobski

E:ocfaprofilesincourage12-8-16

CC: OCFA Board of Directors; Orange County Board of Supervisors; Orange County Register; Villa Park City Council Members

Stephen Wontrobski  
Mission Viejo, CA 92692

June 8, 2017

Westminster City Council Members  
8200 Westminster Blvd.  
Westminster, CA 92683

Reference: OCFA Failure to Respond to Westminster's "Cash Strapped" City Financial Needs

Dear Board of Directors,

I thank you and your residents for the respect, attention and warm feeling afforded to me at my May 24, 2017 Westminster City Council meeting presentation regarding OCFA excessive charges to your city for Fire and EMS services. I felt very comfortable in your Council chambers and enjoyed the interaction with you and your residents. I was very heartened by the positive response I received from various residents after my presentation.

In previous presentations to the OCFA Board of Directors, I pledged to work to lower excessive OCFA Fire/EMS charges to overcharged OCFA member cities and "cash strapped" cities, like Westminster and Seal Beach. I have continually questioned the legitimacy of excessive payroll compensation of the OCFA "privileged few" at the expense of cash strapped city residents. However, the OCFA Board of Directors, Fire Chief and Executive Management all have refused to address this glaring cost inequity.

Since the OCFA Board, Fire Chief and Executive Management have all refused to address this problem, I decided to bring this matter directly to the attention of your city council and residents. That is also the purpose of this letter to you. You yourselves need to investigate this matter. The excessive OCFA charges are inequitable and need to stop.

I have made similar presentations regarding this issue to the following other city councils, who I will also copy on this letter:

Aliso Viejo  
San Clemente  
Irvine  
Lake Forest

Rancho Santa Margarita  
Dana Point  
San Juan Capistrano

#### Background

- a) I am a retired attorney/CPA and a former financial and operations auditor.
- b) I have conducted my own cost study reports regarding OCFA labor costs and overcharges to member cities. The OCFA has never responded to any of these reports or criticized them for any inaccuracies.
- c) I conducted my own investigation and reported back to the OCFA Board of Directors on the issue of excessive OCFA labor compensation. The OCFA Board seems unconcerned that the average firefighter makes about \$230,000 in total annual compensation, and numerous individuals are making over \$300,000 in total yearly compensation, including every member of OCFA Executive Management.
- d) I believe the greatest weapon the firefighters union and OCFA Executive Management employ to maintaining excessive compensation for both of themselves is keeping the public uninformed. Transparency, truthfulness and full disclosure are organizational traits that are often very hard to find at the OCFA. I have issued countless letters on these issues. However, the OCFA refuses to respond to those letters. There is a definite need for the OCFA to improve its organizational transparency, truthfulness and full disclosure.

#### My Prior Reform Efforts

Over the last five years, I have attended over 150 OCFA Budget & Finance Committee, Executive Committee and Board of Directors meetings. In fact, I have probably attended more OCFA meetings than almost any member of the OCFA Board of Directors. In addition, I have made over 200 public comment presentations at these meetings. They have concerned such matters as:

1. Exposing internal OCFA scandals and operations irregularities.



2. Revealing Procurement Department deficiencies later confirmed by the OCFA's own CPA.
3. Calling for an investigation of the abnormal number of workers compensation claims, as compared to private industry.
4. Requesting major monetary and wasteful work rule reforms of the firefighter's union contract.
5. Calling for reform of the costly OCFA pension system.
6. Recommending cost saving staffing changes and bringing to light excessive salary, pension and benefit compensation.
7. Exposing the injustice of the City of Irvine sponsored past equitable adjustment amendment to the OCFA JPA. This proposed amendment not only disadvantaged the City of Irvine itself, but would have resulted in major monetary inequity through 2030 to Dana Point, Villa Park, Aliso Viejo, Laguna Niguel and the County. This proposed equitable adjustment amendment was subsequently rejected by the Superior Court and Court of Appeals.
8. Transferring control of the ambulance transport RFP from the OCFA back to the Orange County Health Care Agency, where it legally was required to be handled to eliminate an atmosphere of OCFA retaliation.
9. Bringing the problem of OCFA retaliation against ambulance company operators to the attention of the State EMSA Director and the Orange County Health Care Agency.
10. Fighting to obtain the OCFA's CPA Procurement Department audit records (work papers and other related documents) under Public Records Act requests. These documents are still illegally being denied by the OCFA not only to me, but also to a concerned former managing OCFA Director, who also requested to review them.

Question: Under what basis can the OCFA deny a business records review by its own managing director? The Orange County Grand Jury should look into this matter and the Procurement Department audit itself. I am willing to share all of my own documents with the Grand Jury, if they desire to investigate this audit and the willful denial of public records review associated with the audit.

11. Objecting to ambulance company ALS/BLS rebates back to the OCFA (called kickbacks by some), which work to the major detriment of seniors, the working poor and other County residents for EMS services they have already paid the OCFA by way of their property tax.
12. Obtaining Irvine Police presence at OCFA Board of Directors meetings to stop harassment of me at those meetings by senior officials of the firefighters union.
13. Warning OCFA member cities of their possible ultimate liability for the pension UAAL of the OCFA. This could occur, if the OCFA collapses due to OCFA member cities like Irvine, "cash strapped" cities, and "fiscally responsible" cities leaving the OCFA. These member cities would leave the OCFA in order to obtain millions in cost savings and more cost efficient fire and EMS services from other sources, or by employing a more cost efficient public/private Fire/EMS model.
14. Unsuccessfully working for complete openness, honesty and transparency at the OCFA. This has been a notable major failure despite my unceasing efforts in this regard.
15. Exposing misleading statements issued by OCFA management personnel to various OCFA member city councils, the OCFA Board of Directors, and to members of the Orange County Board of Supervisors.
16. Following up oral OCFA meeting presentations with over 200 letters documenting OCFA issues and problems to the OCFA Board of Directors, Orange County Board of Supervisors, the Orange County Health Care Agency, the State EMSA Director, and various OCFA member City Councils.

#### My Prior Reform Effort Results

My efforts to institute needed reforms over the years at the OCFA have basically been a failure. In my opinion, the OCFA itself appears to be closely aligned with the firefighters union and together they perpetuate a very costly Fire/EMS model. It works to their wage, pension and benefit compensation advantage to continue with this costly

model to the complete detriment of the interests of the residents they are supposed to serve. Then the OCFA Board of Directors effectively “rubber stamps” all of their costly self-serving monetary proposals.

There are less than a handful of reform minded Directors on the Board of Directors at the OCFA. However, this small group is vastly outnumbered by the majority of the other OCFA Directors. Hence, no major reforms have been enacted. These other directors appear first and foremost interested in the firefighter’s union political monetary and campaign support to advance their own personal political and financial interests and future careers. These interests are completely opposed to the interests of their residents, who they were elected to serve.

This is why a growing number of the public have called the OCFA a “rigged” system. In my opinion, their conclusion of a “rigged” system is accurate based on my observation and study of all the past actions and inactions of the OCFA Board of Directors.

With this conclusion now firmly affixed in my mind, I decided in late 2016 to take my reform efforts directly to the people, in order to bypass the anti-reform efforts of the union, the OCFA Board of Directors and OCFA Executive Management. Accordingly, that is why I am addressing this written presentation to you and your city residents and other disadvantaged OCFA member city councils and their residents.

In making past presentations to various OCFA member city councils, I would stress the following:

- a) Most city council members are completely unaware of the major reforms that are needed at the OCFA. And the public is truly unaware of matters at the OCFA. They are shocked to learn how much the firefighters are being paid. The average firefighter’s total wage compensation is about \$230,000 per year. They work a 24 hour shift. And they get paid for non-work activities, such as shopping for groceries, eating meals, watching TV, and sleeping.
- b) An untold number of fire captains, battalion chiefs, and division chiefs make over \$300,000 in total yearly compensation. These are members of the OCFA \$300,000 Club.
- c) All members of OCFA Executive Management make over \$300,000 in total yearly compensation. They also are OCFA \$300,000 Club members.
- d) Superior Court Judge Claster in the failed City of Irvine/OCFA Equitable Adjustment Amendment lawsuit told the OCFA in court, “Obviously, you are being paid too much”.
- e) Former OCFA Board of Directors Chairman Steven Weinberg from Dana Point stated that in the competitive corporate world, if a corporation were forced to pay the OCFA 90% markup on wages to cover fringes, benefits, pensions, etc., it would be bankrupt within six months.
- f) In August 2016 the Firefighters Local 3631 President complained to the OCFA Board of Directors that its firefighters, who were making about \$230,000 in annual compensation, had suffered long enough without a wage increase. Can any “cash strapped” resident of Westminster feel their “pain and suffering”?

#### The Need to Go Your Own New Way

The findings and conclusions reached in my prior labor reports and cost studies have never been addressed or even discussed by the OCFA or its Board of Directors. And I do not expect them to be in the future, since to do so would force major cost reform discussion at the OCFA. However, I am willing to review and discuss my findings with the staff and any city council member(s) of any overcharged OCFA member city.

I list below my recommendations to bring equity and fairness to the residents of Westminster.

- a) Since the OCFA has consistently refused to offer meaningful compensation, benefit and pension reform, take steps to study with neighboring OCFA member cities of the opportunities available in non-OCFA provided Fire/EMS private/public models. (A member city must give notice by July 2018 under the current OCFA JPA Agreement of its intent to withdraw from the OCFA, or else it is locked into the high cost OCFA model for another 10 years.)
- b) In all likelihood, the OCFA will offer token crumbs of compensation reform. Do not buy into their offers of reform crumbs. They may even profess to you such statements, such as the firefighters are now paying their “fair share” of pension contributions. Your residents should ask:

1. Why haven't they been paying their fair share of pension contributions for all the years until now?
  2. Weren't they just granted a wage increase of over 4% by the OCFA specifically to pay for these increased pension contributions? That answer is "Yes".
  3. Who has really "suffered long enough"? The residents of Westminster or the \$230,000 firefighters?
- c) Never accept the OCFA argument that the current OCFA JPA Agreement will not allow the needed reforms to take place. Always remember that the JPA Agreement can be amended to achieve any desired result by a change order to the Agreement.
- d) Never accept the OCFA/union argument that the recently agreed to OCFA firefighter contract will not allow needed wage, work rules, benefits, pension and discretionary overtime reforms to take place. Always remember that the firefighter contract can always be reopened for renegotiation and changed to achieve any desired reform result.
- e) Go your own way and study private/public models to divorce your city from the costly OCFA model. Work with neighboring cities to study ways to save countless millions each year. You will quickly learn that a better and more cost efficient model does exist.

#### Where Are Those OCFA Cost Saving Ideas to "Cash Strapped" Member Cities?

In the OCFA March 23, 2017 Board of Directors meeting, I made an oral presentation regarding the need for the OCFA to reduce the high cost to member cities for fire suppression and EMS services. In response, OCFA Board Director David Shawver made a rebutting oral reply to my presentation. Both my presentation and his response can be viewed on the OCFA website.

Director Shawver's response was the exact same one he had issued in two other Board meetings after my presentations objecting to the high cost of OCFA services. In each of his three replies, Director Shawver responded in the same manner. Namely, he would ask the OCFA Assistant Chief of Business Services, Ms. Lori Zeller, this same question, "Isn't it true that a member city can save money by simply reducing the amount of OCFA services it wants for its city?"

And in all three cases, Ms. Zeller responded by saying nothing. Let me repeat that, nothing. In addition, neither Chief Bowman nor any other senior OCFA Executive employee said anything to the contrary. Again, they also said nothing. Hence, Board members were left to assume that since no senior OCFA official contradicted Director Shawver's assertion, that his erroneous statement was actually correct. This OCFA lack of response in my opinion is a roundabout way of issuing more OCFA "Fake News".

Board members and their city councils and concerned residents are owed an answer to Director Shawver's assertion. In my opinion it is entirely false. If I am wrong, the OCFA should respond to me in writing, indicating just where I am wrong.

OCFA labor costs, which are about 90% of the OCFA's budget, are determined by the union agreement. The hourly rates, benefits and pension costs are all memorialized in the union agreement and can only be revised by a change order. Next, the staffing levels and required backfill/overtime staffing are also mandated by the union contract work rules, and they also can only be revised by a change order.

However, for the sake of discussion to address Director Shawver's assertion, I ask for an OCFA response that includes answers to the following sample member city questions. All of them revolve around Director Shawver's assertion that member cities can simply ask for a reduction in services in order to save money.

#### Sample Member City Cost Saving Questions

If an OCFA "cash strapped" member city, like Westminster or Seal Beach, desires to save money and reduce OCFA costs, can it:

1. Assign Reserve Firefighters to fill in on two 12 hour shifts making \$20.00/hour without benefits for an absent 24 hour shift firefighter whose absence was caused by sickness, vacation or paid leave of any sort? (This would not apply to absent EMS workers.)

2. Employ discretionary overtime during graveyard shifts or any other designated work period? The private ambulance transport companies do just that without any impact on public safety or emergency response times.
3. Establish that OCFA firefighters for their city work on a twelve hour shift for four days per week basis for their city's own justified and resident accepted reasons, rather than the current 24 hour shift, that pays for sleeping time?
4. Abolish the mandatory overtime/backfill requirement and replace it with discretionary overtime/backfill?
5. Establish a new one year entry level apprentice grade of \$20.00/hour and require that some of these apprentices be assigned to work in Westminster or Seal Beach to save their cities money?

What the member cities need from the OCFA is a simple "Yes" or "No" answer to each question above. What the cities do not need or want at this stage is an OCFA oral justification for not employing each and every one of them. That OCFA justification should come in a separate written OCFA response. The OCFA should also address in this response letter what other cost saving ideas cities can actually evaluate and implement to save money. It would be very helpful to them.

Next, the OCFA should then answer, if the SFF member cities (non-contract member cities) determined it was in their best interests to implement any of the above measures or other OCFA proposed cost savings measures, would any of the savings accrue to their city coffers or to the County's coffers? In my opinion without any new equitable adjustment/cost saving arrangement currently being formulated by Director Bartlett and then approved by the Board of Supervisors, all the savings would go to the County. This would be in accordance with the Court of Appeals City of Irvine Equitable Adjustment decision.

I find it interesting that OCFA legal counsel, like the OCFA Executive Management, never spoke up to address Director Shawver's assertion on this issue and the implications of the Court of Appeals decision on SFF member cities. Finally, isn't it also interesting that not one Board Director even voiced objection to Director Shawver's assertion? Could many of them be unaware of the firefighter contract terms and union work rules?

Your city residents deserve an OCFA response to possible cost savings measures they may wish to evaluate and implement.

#### Beware of Expected OCFA Misleading Responses ("Fake News")

I warn you to always question the legitimacy and accuracy of any OCFA off the cuff responses that lack written supporting documentation. Do not accept OCFA EMS cost studies that do not compare costs to private industry paramedic wages and benefits. The past OCFA cost studies without comparisons to private industry paramedic EMS companies are self-serving, and in my opinion, meaningless cost comparisons. Then too, where are the OCFA cost studies comparing its administrative and executive salaries to those staff salaries of member cities like yours?

#### Immediate Cost Relief for Westminster

For immediate cost relief, I recommend the following cost saving measures.

- a) Have all mandatory fire suppression backfill overtime costs be satisfied by using equally trained Reserve Firefighters and pay them an all-inclusive rate of \$20.00 per hour rather than paying overtime to the costly \$235,000 firefighter. This will dramatically reduce your OCFA labor costs.
- b) Change the mandatory backfill/overtime union contract provision to a discretionary overtime provision, just as it is done in private industry and city government. This also will dramatically reduce your OCFA labor costs.
- c) Reduce the current four member BLS fire engine back to a three member response unit by requiring that the two required engine paramedics be comprised of a fire captain/paramedic and a regular paramedic, rather than two paramedics and a fire captain, in addition to the driver/operating engineer firefighter. This is another major cost saving. One firefighter reduction on a BLS fire engine from four to three on a 24/7 basis equates to about \$700,000 per year.
- d) Do not accept the contention that the recommendation in Item C above cannot be implemented because fire captain/paramedics are not acquainted with the latest paramedic procedures and do not customarily do paramedic work. If this is really the case:

1. Why are we still paying premium paramedic pay to them, if they are unequipped or do not do paramedic work?
2. Shouldn't they take a short refresher course to enable them to work as a paramedic, rather than having to hire another \$230,000 firefighter/paramedic?

#### What Has the OCFA Done for Westminster?

Westminster is a "cash strapped" city and cannot afford to pay the out-sized salary compensation and UAAL pension costs of the OCFA firefighters. My heart goes out to the residents of your city.

The OCFA knows Westminster is in dire need of financial relief. What has it done? Nothing. I have requested that the OCFA provide cash strapped cities like Westminster and Seal Beach concrete suggestions and recommendations to reduce their Fire/EMS costs. What has the OCFA done? Nothing. It has not offered even one recommendation to Westminster or Seal Beach to reduce OCFA costs. Isn't it time for Westminster, Seal Beach and other cash strapped cities to take action on their own?

The OCFA should put forth to Westminster, Seal Beach and other cash strapped member cities written cost saving suggestions and recommendations for their city councils' consideration. More than likely, the OCFA will follow its normal course of conduct and just ignore the concerns of these cities by failing to provide them the cost saving ideas for their city councils to evaluate. So consequently, what should Westminster, Seal Beach and other cash strapped cities, as well as, fiscally responsible cities do to save on the budget crippling cost of OCFA Fire/EMS services?

#### Westminster's Need to Study and Adopt a New Fire/EMS Model Independent of the OCFA

It is safe to say that based on past experience, the OCFA will never implement truly meaningful wage, pension, benefit and work rule reforms. Hence, Westminster should not waste its time attempting to get the OCFA to negotiate meaningful reforms with the firefighters union. Instead, it should simply:

- a) Study the feasibility of a plan to exit the OCFA and seek a new private/public Fire/EMS model in order to save millions in Fire/EMS costs each year.
- b) Consider obtaining fire suppression services from a neighboring city fire department such as Garden Grove or Fountain Valley.
- c) Go out for bid for EMS paramedic services to private ambulance companies that employ equally trained paramedics. Remember the highly acclaimed San Bernardino EMS response to its terrorist incident? Those ambulances and paramedics were private ambulance company supplied. Private company paramedics make about \$75,000 in total wage compensation, a fraction of the OCFA's \$230,000 charge. Millions of dollars each year would be saved by this simple model switch to lower wage cost private paramedics. And there would be no future UAAL pension liability issues with these private paramedics. The private ambulance company is responsible for these UAAL issues.
- d) Meet and confer with other "cash strapped" cities like Seal Beach. In the last OCFA Board of Director meeting, the Director from Seal Beach stated that Seal Beach is severely cash strapped and cannot afford to pay even a dime more for OCFA service costs.

I once again thank you for the opportunity to present OCFA cost saving ideas to you and your residents.

Sincerely,

Stephen Wontrobski

e:WestminsterCCMeeting(6-8-17)

Cc: Orange County Board of Supervisors; OCERS; EMCC; Orange County Grand Jury; State EMSA Director; Governor Jerry Brown; City Councils of: Aliso Viejo, San Clemente, Irvine, Rancho Santa Margarita, Dana Point, San Juan Capistrano, Seal Beach and Lake Forest



Stephen M. Wontrobski  
Mission Viejo, CA 92692

June 12, 2017

Villa Park City Council Members and Concerned City Residents  
17855 Santiago Blvd.  
Villa Park, CA 92861

Reference: Recommendations to Reduce Millions of Dollars of Future OCFA Overcharges

Dear City Council Members and Concerned City Residents,

I have previously brought the matter of high OCFA charges to Villa Park on multiple occasions to the attention of the OCFA Board of Directors. This same matter is also addressed in my attached June 8, 2017 letter to the City of Westminster. I have repeatedly stated in OCFA Board meetings that I would work to stop OCFA overcharges to Villa Park. Villa Park, along with Irvine and Dana Point are some of the most overcharged of all OCFA cities.

In my attached letter I gave the City of Westminster various recommendations to lower its OCFA charges. Some of those recommendations are also applicable to your city and they should be studied. In addition, due to your own individual city circumstances, I put forth the following additional recommendations for your consideration. The time has come to study ways to save millions for your residents.

Recommendations

1. Instruct your City Manager to provide you and your residents an actual cost study to determine if the OCFA has been overcharging Villa Park for its past services. If it has, Villa Park should request that the OCFA return the overcharges, which Villa Park has paid over the last five year period.
2. Instruct the OCFA to provide in writing the reasons why you are paying so much more for OCFA services on a per resident basis as compared to other SFF member cities. This written justification should include the OCFA's supporting actual cost documentation that can be verified by a CPA. Remember your OCFA costs are so high even without an OCFA fire station in your city.
3. Study how much money would be saved by switching OCFA services to a new public/private Fire/EMS model. The public part of the model could use the City of Orange Fire Department for fire suppression services and a competitively bid private ambulance company for Paramedic/EMS services.

In my opinion, Villa Park is very fortunate to have simple options to study to reduce Fire/EMS costs. I am sure your residents would appreciate being made aware of:

1. These and other cost savings options open to you; and
2. Your efforts to save them millions of dollars over the upcoming years for Fire/EMS services.

Remember, your OCFA overcharges are what help to permit paying firefighters about \$230,000 on average and every member of the OCFA Executive Management Group over \$300,000 in total annual compensation, rather than having that money going to the needs of your community.

Sincerely,

Stephen M. Wontrobski

E:villaparkrecom6-12-17

cc:Westminster, Dana Point, Irvine, Laguna Niguel, Aliso Viejo, San Clemente, San Juan Capistrano and Seal Beach City Council Members; OCERS; Orange County Board of Supervisors

## Attachment to letter of 6-12-17 to City of Villa Park

Stephen Wontrobski  
Mission Viejo, CA 92692

June 8, 2017

Westminster City Council Members  
8200 Westminster Blvd.  
Westminster, CA 92683

Reference: OCFA Failure to Respond to Westminster's "Cash Strapped" City Financial Needs

Dear Board of Directors,

I thank you and your residents for the respect, attention and warm feeling afforded to me at my May 24, 2017 Westminster City Council meeting presentation regarding OCFA excessive charges to your city for Fire and EMS services. I felt very comfortable in your Council chambers and enjoyed the interaction with you and your residents. I was very heartened by the positive response I received from various residents after my presentation.

In previous presentations to the OCFA Board of Directors, I pledged to work to lower excessive OCFA Fire/EMS charges to overcharged OCFA member cities and "cash strapped" cities, like Westminster and Seal Beach. I have continually questioned the legitimacy of excessive payroll compensation of the OCFA "privileged few" at the expense of cash strapped city residents. However, the OCFA Board of Directors, Fire Chief and Executive Management all have refused to address this glaring cost inequity.

Since the OCFA Board, Fire Chief and Executive Management have all refused to address this problem, I decided to bring this matter directly to the attention of your city council and residents. That is also the purpose of this letter to you. You yourselves need to investigate this matter. The excessive OCFA charges are inequitable and need to stop.

I have made similar presentations regarding this issue to the following other city councils, who I will also copy on this letter:

Aliso Viejo  
San Clemente  
Irvine  
Lake Forest

Rancho Santa Margarita  
Dana Point  
San Juan Capistrano

### Background

4. I am a retired attorney/CPA and a former financial and operations auditor.
5. I have conducted my own cost study reports regarding OCFA labor costs and overcharges to member cities. The OCFA has never responded to any of these reports or criticized them for any inaccuracies.
6. I conducted my own investigation and reported back to the OCFA Board of Directors on the issue of excessive OCFA labor compensation. The OCFA Board seems unconcerned that the average firefighter makes about \$230,000 in total annual compensation, and numerous individuals are making over \$300,000 in total yearly compensation, including every member of OCFA Executive Management.
7. I believe the greatest weapon the firefighters union and OCFA Executive Management employ to maintaining excessive compensation for both of themselves is keeping the public uninformed. Transparency, truthfulness and full disclosure are organizational traits that are often very hard to find at the OCFA. I have issued countless letters on these issues. However, the OCFA refuses to respond to those letters. There is a definite need for the OCFA to improve its organizational transparency, truthfulness and full disclosure.

### My Prior Reform Efforts

Over the last five years, I have attended over 150 OCFA Budget & Finance Committee, Executive Committee and Board of Directors meetings. In fact, I have probably attended more OCFA meetings than almost any member of the

OCFA Board of Directors. In addition, I have made over 200 public comment presentations at these meetings. They have concerned such matters as:

Exposing internal OCFA scandals and operations irregularities.

Revealing Procurement Department deficiencies later confirmed by the OCFA's own CPA.

Calling for an investigation of the abnormal number of workers compensation claims, as compared to private industry.

Requesting major monetary and wasteful work rule reforms of the firefighter's union contract.

Calling for reform of the costly OCFA pension system.

Recommending cost saving staffing changes and bringing to light excessive salary, pension and benefit compensation.

Exposing the injustice of the City of Irvine sponsored past equitable adjustment amendment to the OCFA JPA. This proposed amendment not only disadvantaged the City of Irvine itself, but would have resulted in major monetary inequity through 2030 to Dana Point, Villa Park, Aliso Viejo, Laguna Niguel and the County. This proposed equitable adjustment amendment was subsequently rejected by the Superior Court and Court of Appeals.

Transferring control of the ambulance transport RFP from the OCFA back to the Orange County Health Care Agency, where it legally was required to be handled to eliminate an atmosphere of OCFA retaliation.

Bringing the problem of OCFA retaliation against ambulance company operators to the attention of the State EMSA Director and the Orange County Health Care Agency.

Fighting to obtain the OCFA's CPA Procurement Department audit records (work papers and other related documents) under Public Records Act requests. These documents are still illegally being denied by the OCFA not only to me, but also to a concerned former managing OCFA Director, who also requested to review them.

Question: Under what basis can the OCFA deny a business records review by its own managing director? The Orange County Grand Jury should look into this matter and the Procurement Department audit itself. I am willing to share all of my own documents with the Grand Jury, if they desire to investigate this audit and the willful denial of public records review associated with the audit.

Objecting to ambulance company ALS/BLS rebates back to the OCFA (called kickbacks by some), which work to the major detriment of seniors, the working poor and other County residents for EMS services they have already paid the OCFA by way of their property tax.

Obtaining Irvine Police presence at OCFA Board of Directors meetings to stop harassment of me at those meetings by senior officials of the firefighters union.

Warning OCFA member cities of their possible ultimate liability for the pension UAAL of the OCFA. This could occur, if the OCFA collapses due to OCFA member cities like Irvine, "cash strapped" cities, and "fiscally responsible" cities leaving the OCFA. These member cities would leave the OCFA in order to obtain millions in cost savings and more cost efficient fire and EMS services from other sources, or by employing a more cost efficient public/private Fire/EMS model.

Unsuccessfully working for complete openness, honesty and transparency at the OCFA. This has been a notable major failure despite my unceasing efforts in this regard.

Exposing misleading statements issued by OCFA management personnel to various OCFA member city councils, the OCFA Board of Directors, and to members of the Orange County Board of Supervisors.

Following up oral OCFA meeting presentations with over 200 letters documenting OCFA issues and problems to the OCFA Board of Directors, Orange County Board of Supervisors, the Orange County Health Care Agency, the State EMSA Director, and various OCFA member City Councils.

#### My Prior Reform Effort Results

My efforts to institute needed reforms over the years at the OCFA have basically been a failure. In my opinion, the OCFA itself appears to be closely aligned with the firefighters union and together they perpetuate a very costly

Fire/EMS model. It works to their wage, pension and benefit compensation advantage to continue with this costly model to the complete detriment of the interests of the residents they are supposed to serve. Then the OCFA Board of Directors effectively “rubber stamps” all of their costly self-serving monetary proposals.

There are less than a handful of reform minded Directors on the Board of Directors at the OCFA. However, this small group is vastly outnumbered by the majority of the other OCFA Directors. Hence, no major reforms have been enacted. These other directors appear first and foremost interested in the firefighter’s union political monetary and campaign support to advance their own personal political and financial interests and future careers. These interests are completely opposed to the interests of their residents, who they were elected to serve.

This is why a growing number of the public have called the OCFA a “rigged” system. In my opinion, their conclusion of a “rigged” system is accurate based on my observation and study of all the past actions and inactions of the OCFA Board of Directors.

With this conclusion now firmly affixed in my mind, I decided in late 2016 to take my reform efforts directly to the people, in order to bypass the anti-reform efforts of the union, the OCFA Board of Directors and OCFA Executive Management. Accordingly, that is why I am addressing this written presentation to you and your city residents and other disadvantaged OCFA member city councils and their residents.

In making past presentations to various OCFA member city councils, I would stress the following:

- a) Most city council members are completely unaware of the major reforms that are needed at the OCFA. And the public is truly unaware of matters at the OCFA. They are shocked to learn how much the firefighters are being paid. The average firefighter’s total wage compensation is about \$230,000 per year. They work a 24 hour shift. And they get paid for non-work activities, such as shopping for groceries, eating meals, watching TV, and sleeping.
- b) An untold number of fire captains, battalion chiefs, and division chiefs make over \$300,000 in total yearly compensation. These are members of the OCFA \$300,000 Club.
- c) All members of OCFA Executive Management make over \$300,000 in total yearly compensation. They also are OCFA \$300,000 Club members.
- d) Superior Court Judge Claster in the failed City of Irvine/OCFA Equitable Adjustment Amendment lawsuit told the OCFA in court, “Obviously, you are being paid too much”.
- e) Former OCFA Board of Directors Chairman Steven Weinberg from Dana Point stated that in the competitive corporate world, if a corporation were forced to pay the OCFA 90% markup on wages to cover fringes, benefits, pensions, etc., it would be bankrupt within six months.
- f) In August 2016 the Firefighters Local 3631 President complained to the OCFA Board of Directors that its firefighters, who were making about \$230,000 in annual compensation, had suffered long enough without a wage increase. Can any “cash strapped” resident of Westminster feel their “pain and suffering”?

#### The Need to Go Your Own New Way

The findings and conclusions reached in my prior labor reports and cost studies have never been addressed or even discussed by the OCFA or its Board of Directors. And I do not expect them to be in the future, since to do so would force major cost reform discussion at the OCFA. However, I am willing to review and discuss my findings with the staff and any city council member(s) of any overcharged OCFA member city.

I list below my recommendations to bring equity and fairness to the residents of Westminster.

3. Since the OCFA has consistently refused to offer meaningful compensation, benefit and pension reform, take steps to study with neighboring OCFA member cities of the opportunities available in non-OCFA provided Fire/EMS private/public models. (A member city must give notice by July 2018 under the current OCFA JPA Agreement of its intent to withdraw from the OCFA, or else it is locked into the high cost OCFA model for another 10 years.)
4. In all likelihood, the OCFA will offer token crumbs of compensation reform. Do not buy into their offers of reform crumbs. They may even profess to you such statements, such as the firefighters are now paying their “fair share” of pension contributions. Your residents should ask:

1. Why haven't they been paying their fair share of pension contributions for all the years until now?
2. Weren't they just granted a wage increase of over 4% by the OCFA specifically to pay for these increased pension contributions? That answer is "Yes".
3. Who has really "suffered long enough"? The residents of Westminster or the \$230,000 firefighters?
5. Never accept the OCFA argument that the current OCFA JPA Agreement will not allow the needed reforms to take place. Always remember that the JPA Agreement can be amended to achieve any desired result by a change order to the Agreement.
6. Never accept the OCFA/union argument that the recently agreed to OCFA firefighter contract will not allow needed wage, work rules, benefits, pension and discretionary overtime reforms to take place. Always remember that the firefighter contract can always be reopened for renegotiation and changed to achieve any desired reform result.
7. Go your own way and study private/public models to divorce your city from the costly OCFA model. Work with neighboring cities to study ways to save countless millions each year. You will quickly learn that a better and more cost efficient model does exist.

#### Where Are Those OCFA Cost Saving Ideas to "Cash Strapped" Member Cities?

In the OCFA March 23, 2017 Board of Directors meeting, I made an oral presentation regarding the need for the OCFA to reduce the high cost to member cities for fire suppression and EMS services. In response, OCFA Board Director David Shawver made a rebutting oral reply to my presentation. Both my presentation and his response can be viewed on the OCFA website.

Director Shawver's response was the exact same one he had issued in two other Board meetings after my presentations objecting to the high cost of OCFA services. In each of his three replies, Director Shawver responded in the same manner. Namely, he would ask the OCFA Assistant Chief of Business Services, Ms. Lori Zeller, this same question, "Isn't it true that a member city can save money by simply reducing the amount of OCFA services it wants for its city?"

And in all three cases, Ms. Zeller responded by saying nothing. Let me repeat that, nothing. In addition, neither Chief Bowman nor any other senior OCFA Executive employee said anything to the contrary. Again, they also said nothing. Hence, Board members were left to assume that since no senior OCFA official contradicted Director Shawver's assertion, that his erroneous statement was actually correct. This OCFA lack of response in my opinion is a roundabout way of issuing more OCFA "Fake News".

Board members and their city councils and concerned residents are owed an answer to Director Shawver's assertion. In my opinion it is entirely false. If I am wrong, the OCFA should respond to me in writing, indicating just where I am wrong.

OCFA labor costs, which are about 90% of the OCFA's budget, are determined by the union agreement. The hourly rates, benefits and pension costs are all memorialized in the union agreement and can only be revised by a change order. Next, the staffing levels and required backfill/overtime staffing are also mandated by the union contract work rules, and they also can only be revised by a change order.

However, for the sake of discussion to address Director Shawver's assertion, I ask for an OCFA response that includes answers to the following sample member city questions. All of them revolve around Director Shawver's assertion that member cities can simply ask for a reduction in services in order to save money.

#### Sample Member City Cost Saving Questions

If an OCFA "cash strapped" member city, like Westminster or Seal Beach, desires to save money and reduce OCFA costs, can it:

1. Assign Reserve Firefighters to fill in on two 12 hour shifts making \$20.00/hour without benefits for an absent 24 hour shift firefighter whose absence was caused by sickness, vacation or paid leave of any sort? (This would not apply to absent EMS workers.)



2. Employ discretionary overtime during graveyard shifts or any other designated work period? The private ambulance transport companies do just that without any impact on public safety or emergency response times.
3. Establish that OCFA firefighters for their city work on a twelve hour shift for four days per week basis for their city's own justified and resident accepted reasons, rather than the current 24 hour shift, that pays for sleeping time?
4. Abolish the mandatory overtime/backfill requirement and replace it with discretionary overtime/backfill?
5. Establish a new one year entry level apprentice grade of \$20.00/hour and require that some of these apprentices be assigned to work in Westminster or Seal Beach to save their cities money?

What the member cities need from the OCFA is a simple "Yes" or "No" answer to each question above. What the cities do not need or want at this stage is an OCFA oral justification for not employing each and every one of them. That OCFA justification should come in a separate written OCFA response. The OCFA should also address in this response letter what other cost saving ideas cities can actually evaluate and implement to save money. It would be very helpful to them.

Next, the OCFA should then answer, if the SFF member cities (non-contract member cities) determined it was in their best interests to implement any of the above measures or other OCFA proposed cost savings measures, would any of the savings accrue to their city coffers or to the County's coffers? In my opinion without any new equitable adjustment/cost saving arrangement currently being formulated by Director Bartlett and then approved by the Board of Supervisors, all the savings would go to the County. This would be in accordance with the Court of Appeals City of Irvine Equitable Adjustment decision.

I find it interesting that OCFA legal counsel, like the OCFA Executive Management, never spoke up to address Director Shawver's assertion on this issue and the implications of the Court of Appeals decision on SFF member cities. Finally, isn't it also interesting that not one Board Director even voiced objection to Director Shawver's assertion? Could many of them be unaware of the firefighter contract terms and union work rules?

Your city residents deserve an OCFA response to possible cost savings measures they may wish to evaluate and implement.

#### Beware of Expected OCFA Misleading Responses ("Fake News")

I warn you to always question the legitimacy and accuracy of any OCFA off the cuff responses that lack written supporting documentation. Do not accept OCFA EMS cost studies that do not compare costs to private industry paramedic wages and benefits. The past OCFA cost studies without comparisons to private industry paramedic EMS companies are self-serving, and in my opinion, meaningless cost comparisons. Then too, where are the OCFA cost studies comparing its administrative and executive salaries to those staff salaries of member cities like yours?

#### Immediate Cost Relief for Westminster

For immediate cost relief, I recommend the following cost saving measures.

- a) Have all mandatory fire suppression backfill overtime costs be satisfied by using equally trained Reserve Firefighters and pay them an all-inclusive rate of \$20.00 per hour rather than paying overtime to the costly \$235,000 firefighter. This will dramatically reduce your OCFA labor costs.
- b) Change the mandatory backfill/overtime union contract provision to a discretionary overtime provision, just as it is done in private industry and city government. This also will dramatically reduce your OCFA labor costs.
- c) Reduce the current four member BLS fire engine back to a three member response unit by requiring that the two required engine paramedics be comprised of a fire captain/paramedic and a regular paramedic, rather than two paramedics and a fire captain, in addition to the driver/operating engineer firefighter. This is another major cost saving. One firefighter reduction on a BLS fire engine from four to three on a 24/7 basis equates to about \$700,000 per year.
- d) Do not accept the contention that the recommendation in Item C above cannot be implemented because fire captain/paramedics are not acquainted with the latest paramedic procedures and do not customarily do paramedic work. If this is really the case:

1. Why are we still paying premium paramedic pay to them, if they are unequipped or do not do paramedic work?
2. Shouldn't they take a short refresher course to enable them to work as a paramedic, rather than having to hire another \$230,000 firefighter/paramedic?

#### What Has the OCFA Done for Westminster?

Westminster is a "cash strapped" city and cannot afford to pay the out-sized salary compensation and UAAL pension costs of the OCFA firefighters. My heart goes out to the residents of your city.

The OCFA knows Westminster is in dire need of financial relief. What has it done? Nothing. I have requested that the OCFA provide cash strapped cities like Westminster and Seal Beach concrete suggestions and recommendations to reduce their Fire/EMS costs. What has the OCFA done? Nothing. It has not offered even one recommendation to Westminster or Seal Beach to reduce OCFA costs. Isn't it time for Westminster, Seal Beach and other cash strapped cities to take action on their own?

The OCFA should put forth to Westminster, Seal Beach and other cash strapped member cities written cost saving suggestions and recommendations for their city councils' consideration. More than likely, the OCFA will follow its normal course of conduct and just ignore the concerns of these cities by failing to provide them the cost saving ideas for their city councils to evaluate. So consequently, what should Westminster, Seal Beach and other cash strapped cities, as well as, fiscally responsible cities do to save on the budget crippling cost of OCFA Fire/EMS services?

#### Westminster's Need to Study and Adopt a New Fire/EMS Model Independent of the OCFA

It is safe to say that based on past experience, the OCFA will never implement truly meaningful wage, pension, benefit and work rule reforms. Hence, Westminster should not waste its time attempting to get the OCFA to negotiate meaningful reforms with the firefighters union. Instead, it should simply:

- a) Study the feasibility of a plan to exit the OCFA and seek a new private/public Fire/EMS model in order to save millions in Fire/EMS costs each year.
- b) Consider obtaining fire suppression services from a neighboring city fire department such as Garden Grove or Fountain Valley.
- c) Go out for bid for EMS paramedic services to private ambulance companies that employ equally trained paramedics. Remember the highly acclaimed San Bernardino EMS response to its terrorist incident? Those ambulances and paramedics were private ambulance company supplied. Private company paramedics make about \$75,000 in total wage compensation, a fraction of the OCFA's \$230,000 charge. Millions of dollars each year would be saved by this simple model switch to lower wage cost private paramedics. And there would be no future UAAL pension liability issues with these private paramedics. The private ambulance company is responsible for these UAAL issues.
- d) Meet and confer with other "cash strapped" cities like Seal Beach. In the last OCFA Board of Director meeting, the Director from Seal Beach stated that Seal Beach is severely cash strapped and cannot afford to pay even a dime more for OCFA service costs.

I once again thank you for the opportunity to present OCFA cost saving ideas to you and your residents.

Sincerely,

Stephen Wontrobski

e:WestminsterCCMeeting(6-8-17)

Cc: Orange County Board of Supervisors; OCERS; EMCC; Orange County Grand Jury; State EMSA Director; Governor Jerry Brown; City Councils of: Aliso Viejo, San Clemente, Irvine, Rancho Santa Margarita, Dana Point, San Juan Capistrano, Seal Beach and Lake Forest



**REGULATORY/ MEDICAL HEALTH SERVICES**  
**EMERGENCY MEDICAL SERVICES**

**RICHARD SANCHEZ**  
DIRECTOR

**STEVE THRONSON**  
DEPUTY AGENCY DIRECTOR  
REGULATORY/MEDICAL SERVICES

**DENISE FENNESSY**  
CHIEF OF OPERATIONS  
REGULATORY/MEDICAL SERVICES

**TAMMI McCONNELL MSN, RN**  
EMS ADMINISTRATOR

405 W FIFTH STREET, SUITE 301A  
SANTA ANA, CALIFORNIA 92701  
TELEPHONE: 714- 834-3500  
FAX: 714- 834-3125

DATE: June 14, 2017

TO: ORANGE COUNTY ALS PROVIDERS  
ORANGE COUNTY BASE HOSPITAL PHYSICIANS  
ORANGE COUNTY BASE HOSPITAL COORDINATORS  
ORANGE COUNTY PARAMEDIC TRAINING PROGRAM

FROM: SAM J. STRATTON, MD, MPH  
MEDICAL DIRECTOR, ORANGE COUNTY EMS

SUBJECT: MEDICATION SHORTAGES

The Food and Drug Administration has released notification of the following nationwide medication shortages:

Atropine injection  
Epinephrine preloaded syringes and ampules  
Fentanyl injection  
Sodium Bicarbonate injection

To address these shortage issues, Orange County ALS Providers are asked to maintain current stocks of medications that cannot be restocked beyond labeled expiration dates and to continue to use that medication up to six months past the expiration date or until supplies of the medication again become available. When expired medication is used, please notify Orange County EMS ([ssratton@ochca.com](mailto:ssratton@ochca.com) or [vsweet@ochca.com](mailto:vsweet@ochca.com)) so that patients can be notified and explanation made for the use of an expired medication.

With respect to the shortage of epinephrine, if 1 mg/10 ml preloaded syringes or carpulets are not obtainable from your medical supplier, please instruct field personnel to dilute 1 mg/1 ml of epinephrine from a vial or ampule in a syringe containing 9 ml of normal saline to form 1 mg epinephrine in 10 ml solution for administration in cardiac arrest as needed.

Orange County EMS will monitor the availability of ALS medications on a regular basis and provide system notification and follow-up.

SJS/#2970

Stephen Wontrobski  
Mission Viejo, CA 92692

June 21, 2017

Orange County Board of Supervisors  
333 W. Santa Ana Blvd.  
Santa Ana, CA 92701

Ref: Aircraft Rescue Fire Fighting Services at John Wayne Airport  
Competitively Bid the Work to Public and Private Organizations

Dear Board of Supervisors:

I am writing this letter to ask you to consider a recommendation to competitively bid the "Aircraft Rescue Fire Fighting Services at John Wayne Airport". I recommend that you reject the OCFA's request to have you execute Amendment No. 7 to the Aircraft Rescue Fire Fighting Services Agreement. This amendment would simply extend the current high cost agreement for another five years. I believe the agreement should only be extended six months or so to allow a competitive bidding and award of the work.

I address many of the points below also for the benefit of County residents, including those OCFA member city council members and residents, who are themselves investigating different models to lower their own OCFA Fire/EMS costs.

1. This contract extension is only for runway emergency response. It is only for aircraft rescue. Any emergency response to the JWA Terminal Building, Parking Structures, and other facilities is not part of this work scope.
2. JWA does not allow aircraft landings after 10:00pm. In addition, it does not allow aircraft takeoffs before 7:00am.
3. The Amendment is for five years for \$26,489,760 or an average yearly cost of \$5,297,952 for a 24/7 six member work crew.
4. Three six member work crews (18 members in total) are required to staff a 24/7 shift schedule. This equates to an average yearly individual worker cost of \$294,330 ( $\$5,297,952/18 \text{ workers} = \$294,330$ ) or roughly \$300,000 per worker. When is the Board of Supervisors going to say enough is enough and \$300,000 per worker is just too much to pay?
5. I have long emphasized that OCFA worker compensation is very excessive with the average firefighter making about \$230,000 and every member of the OCFA Executive staff making over \$300,000 in total annual compensation. Added to these costly salary amounts is knowledge that scores of Division Chiefs, Battalion Chiefs and Fire Captains are also making over \$300,000 in total annual compensation. These are all OCFA \$300,000 Club members.
6. I am not the only one who considers that the OCFA members are being paid too much. Judge Claster in the County vs. City of Irvine Equitable Adjustment lawsuit remarked to the OCFA, "Obviously you are being paid too much". It is the excessive charges by the OCFA to member cities, the County JWA contract reimbursement, and ALS/BLS rebates from ambulance companies to the OCFA that allows these outsized OCFA wages to continue. All of these items need to stop.
7. Steven Weinberg, former OCFA Board of Director Chairman from Dana Point, remarked about the OCFA 90% markup on labor costs to cover vacations, sick pay, benefits, payroll taxes, etc. as compared to a private industry markup of about 35%. He said that if a private industry company were forced to pay a 90% markup on labor costs, it would be bankrupt within six months. And again that statement was made by the former Chairman of the OCFA Board of Directors, Steven Weinberg from Dana Point, and no one on the OCFA Board of Directors even seems to care.

8. In August of 2016 the President of the Local 3631 Firefighters Union, when addressing the salary concerns of its \$230,000 average worker, stated to the OCFA Board of Directors -- We have suffered long enough without a pay increase. Can the residents of cash strapped Westminster and other OCFA cash strapped member cities feel their pain of only making \$230,000 in total annual compensation?

8. In a prior bidding of this work, the OCFA costs were approximately double what the OCFA bid. Yet the work was awarded to the OCFA. This decision reinforced in the public's mind just how powerful the union is in continuing to obtain outsized compensation for its workers.

Recommendations for Consideration.

1. Extend the current contract 3 to 6 months to allow a competitive bid issuance, evaluation and contract award for the work.
2. Invite four private companies and four public agency fire departments an opportunity to bid on the work. Some consideration ideas for the public agency fire companies are the OCFA, Costa Mesa Fire Department, Anaheim Fire Department, CAL FIRE, Newport Beach Fire Department, Fullerton/Brea Fire Department, etc.
3. Provide set requirements for all bidders to quote a price on. Then give all bidders an "Option A Section", wherein they could present their own modified requirements and the associated cost saving by item, which would save the County money without any reduction to public safety. A wealth of operational cost saving ideas can be obtained by simply adding this one paragraph "Option A Section". Some ideas might entail shift schedules, discretionary overtime, modified staffing levels in the midnight shift etc. Regardless, let the bidders contribute their know-how to obtain the maximum level of cost and service effectiveness for the public.
4. Implement cost saving ideas for the public's benefit. Demonstrate that you really are aware of their monetary concerns. I refer you to the attached June 8, 2017 letter to the residents of Westminster regarding their own attempts to reign in their OCFA costs. I request that the Board of Supervisors really feel the pain of the Westminster residents and not the pain of the \$230,000 firefighters. In the current case, this would equate to agreeing to pay the OCFA almost \$300,000 per worker for the JWA services.

I am sure competitive bidding will allow other fire departments and private companies to compete for the work and lower the costs to the County and its residents.

Sincerely,

Stephen M. Wontrobski

E:ocbosjwarfp6-21-17

Cc: EMCC; OCERS; City Councils of Westminster, Villa Park, Lake Forest, Irvine, Dana Point, San Clemente, San Juan Capistrano, Laguna Niguel, Costa Mesa and Aliso Viejo



Attachment to Board of Supervisors letter of 6/21/17

Stephen Wontrobski  
Mission Viejo, CA 92692

June 8, 2017

Westminster City Council Members  
8200 Westminster Blvd.  
Westminster, CA 92683

Reference: OCFA Failure to Respond to Westminster's "Cash Strapped" City Financial Needs

Dear Board of Directors,

I thank you and your residents for the respect, attention and warm feeling afforded to me at my May 24, 2017 Westminster City Council meeting presentation regarding OCFA excessive charges to your city for Fire and EMS services. I felt very comfortable in your Council chambers and enjoyed the interaction with you and your residents. I was very heartened by the positive response I received from various residents after my presentation.

In previous presentations to the OCFA Board of Directors, I pledged to work to lower excessive OCFA Fire/EMS charges to overcharged OCFA member cities and "cash strapped" cities, like Westminster and Seal Beach. I have continually questioned the legitimacy of excessive payroll compensation of the OCFA "privileged few" at the expense of cash strapped city residents. However, the OCFA Board of Directors, Fire Chief and Executive Management all have refused to address this glaring cost inequity.

Since the OCFA Board, Fire Chief and Executive Management have all refused to address this problem, I decided to bring this matter directly to the attention of your city council and residents. That is also the purpose of this letter to you. You yourselves need to investigate this matter. The excessive OCFA charges are inequitable and need to stop.

I have made similar presentations regarding this issue to the following other city councils, who I will also copy on this letter:

Aliso Viejo  
San Clemente  
Irvine  
Lake Forest

Rancho Santa Margarita  
Dana Point  
San Juan Capistrano

Background

- a) I am a retired attorney/CPA and a former financial and operations auditor.
- b) I have conducted my own cost study reports regarding OCFA labor costs and overcharges to member cities. The OCFA has never responded to any of these reports or criticized them for any inaccuracies.
- c) I conducted my own investigation and reported back to the OCFA Board of Directors on the issue of excessive OCFA labor compensation. The OCFA Board seems unconcerned that the average firefighter makes about \$230,000 in total annual compensation, and numerous individuals are making over \$300,000 in total yearly compensation, including every member of OCFA Executive Management.
- d) I believe the greatest weapon the firefighters union and OCFA Executive Management employ to maintaining excessive compensation for both of themselves is keeping the public uninformed. Transparency, truthfulness and full disclosure are organizational traits that are often very hard to find at the OCFA. I have issued countless letters on these issues. However, the OCFA refuses to respond to those letters. There is a definite need for the OCFA to improve its organizational transparency, truthfulness and full disclosure.

My Prior Reform Efforts

Over the last five years, I have attended over 150 OCFA Budget & Finance Committee, Executive Committee and Board of Directors meetings. In fact, I have probably attended more OCFA meetings than almost any member of the OCFA Board of Directors. In addition, I have made over 200 public comment presentations at these meetings. They have concerned such matters as:

1. Exposing internal OCFA scandals and operations irregularities.
2. Revealing Procurement Department deficiencies later confirmed by the OCFA's own CPA.
3. Calling for an investigation of the abnormal number of workers compensation claims, as compared to private industry.
4. Requesting major monetary and wasteful work rule reforms of the firefighter's union contract.
5. Calling for reform of the costly OCFA pension system.
6. Recommending cost saving staffing changes and bringing to light excessive salary, pension and benefit compensation.
7. Exposing the injustice of the City of Irvine sponsored past equitable adjustment amendment to the OCFA JPA. This proposed amendment not only disadvantaged the City of Irvine itself, but would have resulted in major monetary inequity through 2030 to Dana Point, Villa Park, Aliso Viejo, Laguna Niguel and the County. This proposed equitable adjustment amendment was subsequently rejected by the Superior Court and Court of Appeals.
8. Transferring control of the ambulance transport RFP from the OCFA back to the Orange County Health Care Agency, where it legally was required to be handled to eliminate an atmosphere of OCFA retaliation.
9. Bringing the problem of OCFA retaliation against ambulance company operators to the attention of the State EMSA Director and the Orange County Health Care Agency.
10. Fighting to obtain the OCFA's CPA Procurement Department audit records (work papers and other related documents) under Public Records Act requests. These documents are still illegally being denied by the OCFA not only to me, but also to a concerned former managing OCFA Director, who also requested to review them.

Question: Under what basis can the OCFA deny a business records review by its own managing director? The Orange County Grand Jury should look into this matter and the Procurement Department audit itself. I am willing to share all of my own documents with the Grand Jury, if they desire to investigate this audit and the willful denial of public records review associated with the audit.

11. Objecting to ambulance company ALS/BLS rebates back to the OCFA (called kickbacks by some), which work to the major detriment of seniors, the working poor and other County residents for EMS services they have already paid the OCFA by way of their property tax.
12. Obtaining Irvine Police presence at OCFA Board of Directors meetings to stop harassment of me at those meetings by senior officials of the firefighters union.
13. Warning OCFA member cities of their possible ultimate liability for the pension UAAL of the OCFA. This could occur, if the OCFA collapses due to OCFA member cities like Irvine, "cash strapped" cities, and "fiscally responsible" cities leaving the OCFA. These member cities would leave the OCFA in order to obtain millions in cost savings and more cost efficient fire and EMS services from other sources, or by employing a more cost efficient public/private Fire/EMS model.
14. Unsuccessfully working for complete openness, honesty and transparency at the OCFA. This has been a notable major failure despite my unceasing efforts in this regard.
15. Exposing misleading statements issued by OCFA management personnel to various OCFA member city councils, the OCFA Board of Directors, and to members of the Orange County Board of Supervisors.
16. Following up oral OCFA meeting presentations with over 200 letters documenting OCFA issues and problems to the OCFA Board of Directors, Orange County Board of Supervisors, the Orange County Health Care Agency, the State EMSA Director, and various OCFA member City Councils.

#### My Prior Reform Effort Results

My efforts to institute needed reforms over the years at the OCFA have basically been a failure. In my opinion, the OCFA itself appears to be closely aligned with the firefighters union and together they perpetuate a very costly

Fire/EMS model. It works to their wage, pension and benefit compensation advantage to continue with this costly model to the complete detriment of the interests of the residents they are supposed to serve. Then the OCFA Board of Directors effectively “rubber stamps” all of their costly self-serving monetary proposals.

There are less than a handful of reform minded Directors on the Board of Directors at the OCFA. However, this small group is vastly outnumbered by the majority of the other OCFA Directors. Hence, no major reforms have been enacted. These other directors appear first and foremost interested in the firefighter’s union political monetary and campaign support to advance their own personal political and financial interests and future careers. These interests are completely opposed to the interests of their residents, who they were elected to serve.

This is why a growing number of the public have called the OCFA a “rigged” system. In my opinion, their conclusion of a “rigged” system is accurate based on my observation and study of all the past actions and inactions of the OCFA Board of Directors.

With this conclusion now firmly affixed in my mind, I decided in late 2016 to take my reform efforts directly to the people, in order to bypass the anti-reform efforts of the union, the OCFA Board of Directors and OCFA Executive Management. Accordingly, that is why I am addressing this written presentation to you and your city residents and other disadvantaged OCFA member city councils and their residents.

In making past presentations to various OCFA member city councils, I would stress the following:

- a) Most city council members are completely unaware of the major reforms that are needed at the OCFA. And the public is truly unaware of matters at the OCFA. They are shocked to learn how much the firefighters are being paid. The average firefighter’s total wage compensation is about \$230,000 per year. They work a 24 hour shift. And they get paid for non-work activities, such as shopping for groceries, eating meals, watching TV, and sleeping.
- b) An untold number of fire captains, battalion chiefs, and division chiefs make over \$300,000 in total yearly compensation. These are members of the OCFA \$300,000 Club.
- c) All members of OCFA Executive Management make over \$300,000 in total yearly compensation. They also are OCFA \$300,000 Club members.
- d) Superior Court Judge Claster in the failed City of Irvine/OCFA Equitable Adjustment Amendment lawsuit told the OCFA in court, “Obviously, you are being paid too much”.
- e) Former OCFA Board of Directors Chairman Steven Weinberg from Dana Point stated that in the competitive corporate world, if a corporation were forced to pay the OCFA 90% markup on wages to cover fringes, benefits, pensions, etc., it would be bankrupt within six months.
- f) In August 2016 the Firefighters Local 3631 President complained to the OCFA Board of Directors that its firefighters, who were making about \$230,000 in annual compensation, had suffered long enough without a wage increase. Can any “cash strapped” resident of Westminster feel their “pain and suffering”?

#### The Need to Go Your Own New Way

The findings and conclusions reached in my prior labor reports and cost studies have never been addressed or even discussed by the OCFA or its Board of Directors. And I do not expect them to be in the future, since to do so would force major cost reform discussion at the OCFA. However, I am willing to review and discuss my findings with the staff and any city council member(s) of any overcharged OCFA member city.

I list below my recommendations to bring equity and fairness to the residents of Westminster.

- a) Since the OCFA has consistently refused to offer meaningful compensation, benefit and pension reform, take steps to study with neighboring OCFA member cities of the opportunities available in non-OCFA provided Fire/EMS private/public models. (A member city must give notice by July 2018 under the current OCFA JPA Agreement of its intent to withdraw from the OCFA, or else it is locked into the high cost OCFA model for another 10 years.)

- b) In all likelihood, the OCFA will offer token crumbs of compensation reform. Do not buy into their offers of reform crumbs. They may even profess to you such statements, such as the firefighters are now paying their “fair share” of pension contributions. Your residents should ask:
  - 1. Why haven’t they been paying their fair share of pension contributions for all the years until now?
  - 2. Weren’t they just granted a wage increase of over 4% by the OCFA specifically to pay for these increased pension contributions? That answer is “Yes”.
  - 3. Who has really “suffered long enough”? The residents of Westminster or the \$230,000 firefighters?
- c) Never accept the OCFA argument that the current OCFA JPA Agreement will not allow the needed reforms to take place. Always remember that the JPA Agreement can be amended to achieve any desired result by a change order to the Agreement.
- d) Never accept the OCFA/union argument that the recently agreed to OCFA firefighter contract will not allow needed wage, work rules, benefits, pension and discretionary overtime reforms to take place. Always remember that the firefighter contract can always be reopened for renegotiation and changed to achieve any desired reform result.
- e) Go your own way and study private/public models to divorce your city from the costly OCFA model. Work with neighboring cities to study ways to save countless millions each year. You will quickly learn that a better and more cost efficient model does exist.

#### Where Are Those OCFA Cost Saving Ideas to “Cash Strapped” Member Cities?

In the OCFA March 23, 2017 Board of Directors meeting, I made an oral presentation regarding the need for the OCFA to reduce the high cost to member cities for fire suppression and EMS services. In response, OCFA Board Director David Shawver made a rebutting oral reply to my presentation. Both my presentation and his response can be viewed on the OCFA website.

Director Shawver's response was the exact same one he had issued in two other Board meetings after my presentations objecting to the high cost of OCFA services. In each of his three replies, Director Shawver responded in the same manner. Namely, he would ask the OCFA Assistant Chief of Business Services, Ms. Lori Zeller, this same question, “Isn't it true that a member city can save money by simply reducing the amount of OCFA services it wants for its city?”

And in all three cases, Ms. Zeller responded by saying nothing. Let me repeat that, nothing. In addition, neither Chief Bowman nor any other senior OCFA Executive employee said anything to the contrary. Again, they also said nothing. Hence, Board members were left to assume that since no senior OCFA official contradicted Director Shawver's assertion, that his erroneous statement was actually correct. This OCFA lack of response in my opinion is a roundabout way of issuing more OCFA “Fake News”.

Board members and their city councils and concerned residents are owed an answer to Director Shawver's assertion. In my opinion it is entirely false. If I am wrong, the OCFA should respond to me in writing, indicating just where I am wrong.

OCFA labor costs, which are about 90% of the OCFA's budget, are determined by the union agreement. The hourly rates, benefits and pension costs are all memorialized in the union agreement and can only be revised by a change order. Next, the staffing levels and required backfill/overtime staffing are also mandated by the union contract work rules, and they also can only be revised by a change order.

However, for the sake of discussion to address Director Shawver's assertion, I ask for an OCFA response that includes answers to the following sample member city questions. All of them revolve around Director Shawver's assertion that member cities can simply ask for a reduction in services in order to save money.

#### Sample Member City Cost Saving Questions

If an OCFA “cash strapped” member city, like Westminster or Seal Beach, desires to save money and reduce OCFA costs, can it:

1. Assign Reserve Firefighters to fill in on two 12 hour shifts making \$20.00/hour without benefits for an absent 24 hour shift firefighter whose absence was caused by sickness, vacation or paid leave of any sort? (This would not apply to absent EMS workers.)
2. Employ discretionary overtime during graveyard shifts or any other designated work period? The private ambulance transport companies do just that without any impact on public safety or emergency response times.
3. Establish that OCFA firefighters for their city work on a twelve hour shift for four days per week basis for their city's own justified and resident accepted reasons, rather than the current 24 hour shift, that pays for sleeping time?
4. Abolish the mandatory overtime/backfill requirement and replace it with discretionary overtime/backfill?
5. Establish a new one year entry level apprentice grade of \$20.00/hour and require that some of these apprentices be assigned to work in Westminster or Seal Beach to save their cities money?

What the member cities need from the OCFA is a simple "Yes" or "No" answer to each question above. What the cities do not need or want at this stage is an OCFA oral justification for not employing each and every one of them. That OCFA justification should come in a separate written OCFA response. The OCFA should also address in this response letter what other cost saving ideas cities can actually evaluate and implement to save money. It would be very helpful to them.

Next, the OCFA should then answer, if the SFF member cities (non-contract member cities) determined it was in their best interests to implement any of the above measures or other OCFA proposed cost savings measures, would any of the savings accrue to their city coffers or to the County's coffers? In my opinion without any new equitable adjustment/cost saving arrangement currently being formulated by Director Bartlett and then approved by the Board of Supervisors, all the savings would go to the County. This would be in accordance with the Court of Appeals City of Irvine Equitable Adjustment decision.

I find it interesting that OCFA legal counsel, like the OCFA Executive Management, never spoke up to address Director Shawver's assertion on this issue and the implications of the Court of Appeals decision on SFF member cities. Finally, isn't it also interesting that not one Board Director even voiced objection to Director Shawver's assertion? Could many of them be unaware of the firefighter contract terms and union work rules?

Your city residents deserve an OCFA response to possible cost savings measures they may wish to evaluate and implement.

#### Beware of Expected OCFA Misleading Responses ("Fake News")

I warn you to always question the legitimacy and accuracy of any OCFA off the cuff responses that lack written supporting documentation. Do not accept OCFA EMS cost studies that do not compare costs to private industry paramedic wages and benefits. The past OCFA cost studies without comparisons to private industry paramedic EMS companies are self-serving, and in my opinion, meaningless cost comparisons. Then too, where are the OCFA cost studies comparing its administrative and executive salaries to those staff salaries of member cities like yours?

#### Immediate Cost Relief for Westminster

For immediate cost relief, I recommend the following cost saving measures.

- a) Have all mandatory fire suppression backfill overtime costs be satisfied by using equally trained Reserve Firefighters and pay them an all-inclusive rate of \$20.00 per hour rather than paying overtime to the costly \$235,000 firefighter. This will dramatically reduce your OCFA labor costs.
- b) Change the mandatory backfill/overtime union contract provision to a discretionary overtime provision, just as it is done in private industry and city government. This also will dramatically reduce your OCFA labor costs.
- c) Reduce the current four member BLS fire engine back to a three member response unit by requiring that the two required engine paramedics be comprised of a fire captain/paramedic and a regular paramedic, rather than two paramedics and a fire captain, in addition to the driver/operating engineer firefighter. This is another major cost saving. One firefighter reduction on a BLS fire engine from four to three on a 24/7 basis equates to about \$700,000 per year.

- d) Do not accept the contention that the recommendation in Item C above cannot be implemented because fire captain/paramedics are not acquainted with the latest paramedic procedures and do not customarily do paramedic work. If this is really the case:
1. Why are we still paying premium paramedic pay to them, if they are unequipped or do not do paramedic work?
  2. Shouldn't they take a short refresher course to enable them to work as a paramedic, rather than having to hire another \$230,000 firefighter/paramedic?

What Has the OCFA Done for Westminster?

Westminster is a "cash strapped" city and cannot afford to pay the out-sized salary compensation and UAAL pension costs of the OCFA firefighters. My heart goes out to the residents of your city.

The OCFA knows Westminster is in dire need of financial relief. What has it done? Nothing. I have requested that the OCFA provide cash strapped cities like Westminster and Seal Beach concrete suggestions and recommendations to reduce their Fire/EMS costs. What has the OCFA done? Nothing. It has not offered even one recommendation to Westminster or Seal Beach to reduce OCFA costs. Isn't it time for Westminster, Seal Beach and other cash strapped cities to take action on their own?

The OCFA should put forth to Westminster, Seal Beach and other cash strapped member cities written cost saving suggestions and recommendations for their city councils' consideration. More than likely, the OCFA will follow its normal course of conduct and just ignore the concerns of these cities by failing to provide them the cost saving ideas for their city councils to evaluate. So consequently, what should Westminster, Seal Beach and other cash strapped cities, as well as, fiscally responsible cities do to save on the budget crippling cost of OCFA Fire/EMS services?

Westminster's Need to Study and Adopt a New Fire/EMS Model Independent of the OCFA

It is safe to say that based on past experience, the OCFA will never implement truly meaningful wage, pension, benefit and work rule reforms. Hence, Westminster should not waste its time attempting to get the OCFA to negotiate meaningful reforms with the firefighters union. Instead, it should simply:

- a) Study the feasibility of a plan to exit the OCFA and seek a new private/public Fire/EMS model in order to save millions in Fire/EMS costs each year.
- b) Consider obtaining fire suppression services from a neighboring city fire department such as Garden Grove or Fountain Valley.
- c) Go out for bid for EMS paramedic services to private ambulance companies that employ equally trained paramedics. Remember the highly acclaimed San Bernardino EMS response to its terrorist incident? Those ambulances and paramedics were private ambulance company supplied. Private company paramedics make about \$75,000 in total wage compensation, a fraction of the OCFA's \$230,000 charge. Millions of dollars each year would be saved by this simple model switch to lower wage cost private paramedics. And there would be no future UAAL pension liability issues with these private paramedics. The private ambulance company is responsible for these UAAL issues.
- d) Meet and confer with other "cash strapped" cities like Seal Beach. In the last OCFA Board of Director meeting, the Director from Seal Beach stated that Seal Beach is severely cash strapped and cannot afford to pay even a dime more for OCFA service costs.

I once again thank you for the opportunity to present OCFA cost saving ideas to you and your residents.

Sincerely,

Stephen Wontrobski

e:WestminsterCCMeeting(6-8-17)

Cc: Orange County Board of Supervisors; OCERS; EMCC; Orange County Grand Jury; State EMSA Director;  
Governor Jerry Brown; City Councils of: Aliso Viejo, San Clemente, Irvine, Rancho Santa Margarita, Dana Point, San  
Juan Capistrano, Seal Beach and Lake Forest