

Stephen M. Wontrobski
Mission Viejo, CA 92692

October 30, 2018

Santa Ana City Council and City Manager
Westminster City Council and City Manager

San Clemente City Council and City Manager
Seal Beach City Council and City Manager

Reference: A Tale of Two Cities?
No, a Tale of Four OCFA Contract Cities Raising Taxes

Dear City Council Members and City Managers,

Background

Over the years I have befriended residents of the cities of Santa Ana, San Clemente, Seal Beach and Westminster through my efforts to save them millions of dollars annually in excessive OCFA Fire/EMS service costs. In this letter I put forth additional cost saving recommendations for your City Council Members and City Managers to consider, study and evaluate.

Each of the cities above are contract OCFA members. Each of them have raised or are in the process of raising taxes in order to offset the financial impact of various cost items, including out sized OCFA wages, benefits, and pensions.

Seal Beach – Proposed sales tax increase of 1%
San Clemente – Increase in the hotel tax from 10% to 12.5%
Westminster – 1% increase in the sales tax
Santa Ana – Proposed 1.5% increase in the sales tax

The one factor common to these cities is that they all have failed to meaningfully study the implementation of the use of private paramedic ambulance companies to dramatically reduce their OCFA EMS costs. This simple change would for the most part in many cases eliminate all or a major part of the need for a tax increase.

This City inaction is directly opposed to the City of Placentia and Irvine, which decided to withdraw from the OCFA in order to study and implement a new Fire/EMS model to save millions of dollars in annual public safety Fire/EMS costs.

Seal Beach

In my opinion the past efforts of Seal Beach to study a new non-OCFA model for Fire/EMS services were biased, not independent and incomplete. In fact, they appear to have been orchestrated in order to maintain the Seal Beach high cost OCFA model. I welcome the Mayor's written response to the above comments to disprove the impression of myself and various residents of Seal Beach.

What did Seal Beach do to offset rising OCFA costs as an alternate to raising taxes? Seal Beach formed a Citizen's Advisory Committee to explore options for reducing excessive OCFA costs. The results and findings of this so-called independent Committee were in my opinion basically "rigged" against any Fire/EMS model that ruled out any reduction to out sized OCFA firefighter wages, pensions and benefits.

Why do I say that?

The Committee direction was indirectly controlled by the OCFA. The Seal Beach Committee effort was directed by the Seal Beach City Manager, Jill Ingram. Ms. Ingram was the former Clerk of the OCFA. She continues to have a very close relationship and loyalty to the OCFA. Ms. Ingram then appointed a "Coordinator" to the Committee. The coordinator was also a former employee of the OCFA. Hence, from

the outset the expected Advisory Committee recommendation had all of the appearances of being “rigged” to produce no change to the OCFA model.

The bulk of OCFA Fire/EMS costs are concentrated in EMS services. National averages, which people are stunned to find out, show that less than 1% of Fire Department call outs are for actual structure fires. To determine its own actual past experience, Seal Beach should have obtained from the OCFA the number and addresses of Seal Beach structure fires for the last five years. It failed to do so.

There are many call outs the OCFA will say are “fire” call outs. However, Seal Beach should have determined the number of actual structure fires that occurred over the last five years. Seal Beach would then have quickly learned that the bulk of its OCFA costs truly lie in EMS services. And, that is where Seal Beach should have concentrated its Fire/EMS cost saving study.

The overwhelming largest part of OCFA EMS costs are dominated by high labor costs. OCFA EMS labor costs for their “sworn” paramedics are over three times higher than equally trained private ambulance company paramedics. OCFA paramedics on average are paid over \$230,000 in total yearly compensation. Private ambulance company paramedics receive about \$75,000 in total annual compensation for the same job requirements. In addition, OCFA paramedics have UAAL pension liability costs that private ambulance company paramedics do not have. Consequently, an Operations/Performance Auditor would have concentrated study efforts on the potential usage of “non-sworn” private ambulance company paramedics. Seal Beach failed to undertake this best practices approach.

So What Did Seal Beach Do? It invited the high cost Long Beach and Huntington Beach Fire Departments to discuss providing Fire/EMS services with their own sworn personnel. These groups also receive out sized labor and pension benefits similar to the OCFA. The result was as expected, no major cost saving ideas could be found by the Committee from them.

So What Did Seal Beach Fail to Do? It failed to entertain the idea of separating Fire and EMS service providers, namely the OCFA for Fire services and using private ambulance companies, who are already certified and doing paramedic work in Orange County, for EMS services.

Questions

How many private ambulance paramedic companies were invited by Seal Beach to discuss cost saving and improved EMS service ideas? How many meetings were held with the City Managers of Placentia and Irvine to discuss their cost saving models they were studying? The Mayor of Seal Beach needs to confirm whether the answer to both questions is “None”.

Hence, the required area of study, where the greatest cost savings could be realized, was effectively ruled out for review. That is why I maintain that the Seal Beach study was “rigged” and should not be used by any other OCFA City Manager. It is incomplete and hence contains false and misleading conclusions.

So What Should Seal Beach Do Now? It should resurrect the Citizen Advisory Committee and have it set up as a truly independent panel reporting directly to the City Council without any control or direction from the ex-OCFA employee City Manager or former OCFA employee “Coordinator”. The Committee should then look into a public/private Fire/EMS model, sworn OCFA firefighters for Fire services and private ambulance company paramedics for EMS services. It is a virtual surefire guarantee that under such a model, millions of dollars could be saved each year without any loss of quality EMS services. The Committee should also spend time discussing and working with the City Managers of Placentia, Santa Ana, Westminster, San Clemente and Irvine reviewing their ideas to cut OCFA costs.

Next, the City Attorney should prepare a written report to address whether: a) the current Seal Beach/OCFA contract requires only the payment of OCFA services used by Seal Beach; and b) whether the City can elect to have EMS paramedic services subcontracted out to private ambulance companies at a dramatically reduced cost.

San Clemente

San Clemente can save millions of dollars for its residents by changing its own hybrid OCFA Fire/EMS model. What should San Clemente do? It is already on the right path. It simply needs to do the following:

1. Staff San Clemente ambulances with CARE paramedics instead of CARE EMT's.
2. Have the OCFA provide sworn firefighters only for Fire Services.
3. For all four firefighter OCFA staffed fire engines, have two of the firefighters staffed as Fire Academy trained Reserve Firefighters making \$20.00/hour with health care benefits for all hours worked. After they graduate over time into the ranks of sworn OCFA firefighters, grant them full firefighter wages, pensions and benefits.
4. Have all 911 EMS calls handled by CARE Ambulance as a first responder, as is done in countless communities and counties across the United States and California. Hence, there will no longer be a need for the OCFA to respond with a fire engine to an EMS call. If CARE Ambulance needs additional support on an emergency, such as the jaws of life, CARE Ambulance can then request assistance from one of the idle OCFA Fire service engines. These engines would be readily available for backup assistance call out due to the minimal number of Fire service calls in San Clemente.
5. Obtain private paramedic ambulance company recommendations on how to improve EMS patient care and lower EMS costs. These private companies know this field, and San Clemente should entertain their ideas. Do not rely on the OCFA assertion that their "EMS Gold Standard" ideas are the best. They are not. The OCFA model is actually the "Gold Standard" for paying exorbitant firefighter wages, overtime, pensions and benefits.
6. Switch to 12 hour work shifts and use "dynamic scheduling" for the OCFA firefighters providing Fire services.
7. Have the San Clemente City Manager meet and work with the City Managers of Placentia, Seal Beach, Santa Ana, Westminster and Irvine to study ideas to dramatically reduce OCFA EMS costs.
9. Have your City Attorney verify that by the OCFA/San Clemente contract, San Clemente is only obligated to pay for OCFA services it uses. Have him verify that if San Clemente can obtain EMS services from a private ambulance company at greatly reduced costs, it is not required to pay the OCFA for EMS services.

With this simple tweaking of the OCFA Fire/EMS model, millions of dollars in savings could be achieved for the residents of San Clemente. And fire engines will not be showing up and parked in front of a residence along with an ambulance for EMS calls. There would only be one ambulance showing up for an EMS 911 emergency call.

City of Westminster

Westminster by all newspaper accounts is in need of major cost saving reform measures in order to avoid future financial problems. My recommendations to Westminster are similar in many respects to those recommended for San Clemente.

1. Have a private ambulance paramedic company serve as the 911 first responder for EMS calls.
2. Have the OCFA provide sworn firefighters only for Fire Services.
3. Consider shutting down one or two of the three Westminster fire stations, since there would no longer be a need to house all the excess and non-needed fire equipment and firefighters.

4. For all four firefighter staffed fire engines, have two of the firefighters staffed as Fire Academy trained Reserve Firefighters making \$20.00/hour with health care benefits for all hours worked. After they graduate over time into the ranks of sworn OCFA firefighters, grant them full firefighter wages, pensions and benefits.
5. Have all 911 EMS calls handled on a first responder basis by private ambulance company paramedics as is done in countless communities and counties across the United States and California. If the ambulance company needs additional support on an emergency, such as the jaws of life, it can then request assistance from the one of OCFA Fire service engines, which will be available for backup assistance call out due to the minimal number of actual structure fire service calls in Westminster.
6. Ask private paramedic companies for their own recommendations on how to improve EMS patient care and response times. These companies know this field, and you should entertain their ideas.
7. Have the Westminster City Manager meet and work with the City Managers of Placentia, Santa Ana, San Clemente, Seal Beach and Irvine to share ideas to dramatically cut OCFA EMS costs.

If these simple steps are employed, Westminster will be a long way down the path of major annual cost savings in the millions of dollars and financial stability for years to come.

Santa Ana

I have long maintained that Santa Ana does not really have the “friend” it thought it had with the OCFA. This was evidenced again by the OCFA Board of Directors not supporting Santa Ana's request for Santa Ana to decide who will be their own Division Chief (Fire Chief) for Santa Ana. My support for this simple Santa Ana proposal in the OCFA Board of Directors meeting was summarily rejected by the OCFA Board.

Next, has the following ever been brought up by other OCFA Board of Director members regarding Santa Ana's own OCFA firefighters' UAAL pension liability?

For years I advised the OCFA Board members that the OCFA Attorney's legal reasoning, that OCFA member cities could not be held liable for the pension UAAL of OCFA firefighters, was incorrect. Why then did the OCFA Attorney include in the Santa Ana/OCFA contract in 2012 that Santa Ana would in fact be liable for the pension UAAL of the OCFA firefighters? The residents of Santa Ana and other OCFA member cities are owed an explanation of this question.

Santa Ana is the only contract city that has this provision in its service contract with the OCFA. Why didn't the OCFA amend the contracts of other contract cities, such as Tustin and Stanton, to also include this same provision in their contracts? They are truly “friends” of the OCFA. In my mind Santa Ana does not have the OCFA “friend” it presumed it had. However, Santa Ana is learning this fact very fast.

So What Should Santa Ana Do?

Santa Ana should simply follow the past spoken advice in July of its Mayor. In light of the budget crisis this year, he stated that Santa Ana should explore ways to save money. To me it means to explore all ways to save money. And I believe Santa Ana should do just that. It should study the feasibility of having 911 EMS first responder calls answered by private ambulance company paramedics without an additional non-needed OCFA response. It should go down a new Fire/EMS path, if it benefits its residents.

The simple obvious way for Santa Ana to save anywhere from \$15-20 million in cost savings each year is to have a private ambulance paramedic company serve as the 911 EMS first responder, and the OCFA serve as the first responder for 911 fire calls. The above \$15-20 million ball park savings estimate could even be higher, since OCFA paramedics are paid more than three times what private paramedics are paid. In addition, OCFA paramedics have UAAL pension cost liability associated with their wages. There is no UAAL pension liability with private paramedics. Have your City Manager submit a study report that

details the amount of yearly savings that Santa Ana would realize by switching to private ambulance company paramedics for EMS services.

In addition, the same advice given to Westminster applies to Santa Ana.

1. Have a private ambulance paramedic company be the first 911 responder for EMS calls as is done in countless communities across the United States and California. There is no need for an OCFA response for 911 EMS calls unless backup special assistance is required. If the ambulance company needs additional support on an EMS emergency, such as the jaws of life, it can then request assistance from the one of OCFA Fire service engines.
2. Have the OCFA only provide sworn firefighters for Fire Services. Consider shutting down many of Santa Ana's fire stations, since there would no longer be a need to house all the excess, non-needed fire equipment and firefighters.
3. For all four firefighter staffed fire engines, have two of the firefighters be staffed as Fire Academy trained Reserve Firefighters making \$20.00/hour with health care benefits for all hours worked. After they graduate over time into the ranks of sworn OCFA firefighters, grant them full firefighter wages, pensions and benefits.
4. Seek from private paramedic ambulance companies their own recommendations on how to improve EMS patient care and response times at a lower cost. These companies know this field, and you should entertain their ideas. Do not rely on the OCFA assertion that their "Gold Standard" model ideas are the best for your residents.
5. The Santa Ana City Manager should also spend time discussing and working with the City Managers of Placentia, Westminster, Seal Beach, San Clemente and Irvine reviewing their ideas to dramatically cut OCFA costs.

If these simple above steps are employed, Santa Ana also will also be a long way on a path of major annual cost savings in the multi millions of dollars range and financial stability for years to come.

Additional Information

I have previously stated that the greatest weapon that the OCFA Executive Staff and the OCFA unions have to thwart any cost reform measures is: Keep the public uninformed of high OCFA labor costs and what is really going on at the OCFA. With this in mind, I again present the following points in order to make your residents more knowledgeable about high cost OCFA operations and to clear up many misunderstandings perpetuated by the OCFA.

1. About 90% of the annual cost of operating the OCFA is centered in worker labor cost, which comprises straight time, overtime pay, pensions and benefits.
2. There is an approximate 90% markup on OCFA wage costs to cover employee benefits, taxes and pensions. The same markup in the private sector is about +/- 35%. Former OCFA Chairman, Steven Weinberg from Dana Point, remarked in an OCFA Board meeting, that if the 90% markup were paid by a company in private industry, that company would be bankrupt in six months. This fact and costly union rules will send various OCFA member cities down a potential path of city bankruptcy.
3. EMS response calls constitute about 80-90% of OCFA call outs. Actual fire responses are a relatively small part of OCFA work. Actual structure fire call outs are even less. From an operations/performance audit cost saving aspect, EMS costs are where annual major multi million dollar cost savings can be realized.

4. On average, OCFA paramedics are paid more than three times what is paid to equally accredited private ambulance company paramedics. This equates to over \$230,000 for an OCFA paramedic vs. \$75,000 in total yearly compensation for private ambulance company paramedics.
5. OCFA firefighters get paid on a 24 hour shift basis for all hours worked, including eating, sleeping, watching TV, etc. This 24 hour shift is a large source of extra compensation to them. They will vigorously oppose switching to a non-24 hour shift and dynamic scheduling, even if the changes benefit the health and safety of the public.
6. The past union opposition to dynamic scheduling and a switch away from a 24 hour shift to better serve the public was vividly demonstrated after former Fire Chief Richter tried to implement shift changes. These recommendations are found in the outside expert consultant report of Management Partners. This report, paid for by the OCFA Board of Directors, recommended the switch for various workers to a 12 hour shift and the use of "dynamic scheduling" to improve public safety.
7. The firefighters union strongly opposed revising the lucrative 24 hour shift. It proceeded with a 90% no-confidence vote for former Fire Chief Richter, and he was forced to hastily retire. The recommendation for improved public safety by switching to a 12 hour shift and dynamic scheduling was then quickly dropped by the OCFA Board of Directors. And it has never been brought up again in public discussion by either of the following two OCFA Fire Chiefs. It now appears that every Board member also knows to never bring this recommendation up again, if you are looking for continued union political campaign support and contributions. And in fact, it has never been brought up again by anyone, except me, in any subsequent OCFA Board of Directors meeting.
8. The 24 hour OCFA "Gold Standard" shift model for EMS personnel is completely opposite to the private sector model, where private EMS paramedic companies routinely employ 12 hour and other non-24 hour work shifts and "dynamic scheduling" to maximize company employee effectiveness and public safety.
9. Private paramedic companies have on average about a 6% workers compensation experience rate. The overall rate for the OCFA for fire and EMS is about 30%. This high experience rate was justified in the past by the OCFA with the statement that the OCFA was way better off with this excessive 30% factor than San Bernardino, which had a 90% workers compensation experience factor.
10. New York City Fire Department switched from a 24 hour shift to a 12 hour shift to reduce workmen compensation claims.
11. Many of the public believe that in a major fire, such as the recent Canyon Fire II, that all the responding firefighters and equipment are from the OCFA. That is not the case as evidenced by responding Fire Engines with non-OCFA logos on their doors. Also members of the public believe all the air support equipment is from the OCFA. That is also a misconception. The OCFA only has helicopter air support. All the fixed wing air support and fire retardant dropping aircraft are not owned by the OCFA.
12. California has "mutual aid" requirements. That is, if any fire department, no matter how small or large it may be, needs help to put out a fire, surrounding fire departments respond with their own manpower and equipment (mutual aid) to assist in the fire suppression efforts.
13. On an EMS call out, the OCFA dispatches a four person fire engine to respond to the paramedic assessment needs of the individual. Simultaneously, a two person private ambulance company unit is dispatched to the scene to transport the patient to a hospital, after the patient's paramedic needs have been addressed by the OCFA. So six people are now on the scene, four from the OCFA and two from an ambulance company, such as CARE Ambulance.
14. The six person call out model is not used in most jurisdictions across California or the United States. Instead, only a two person paramedic private ambulance is often dispatched in many jurisdictions to attend to the patient's paramedic needs and the transport to a hospital.

15. If the non-OCFA EMS response model were employed in an OCFA contract city, the EMS labor, pension and benefit costs to that city would be dramatically reduced. That is why the OCFA unions will always object to having private paramedics in Orange County, even though their use would benefit the public and the cities they are supposed to serve.

16. The Orange County Health Care Agency has for years approved the use of private ambulance company paramedics in Orange County. This approval has proven to be a resounding success for the Inter Facility Transport Program (IFT Program) from one hospital to another that required paramedic accompaniment.

17. The Orange County Health Care Medical Director took strong criticism against the plan. However to his credit and the benefit of the public, he successfully implemented the IFT Program. For once, an EMS plan revision that benefited the public and not the wallets of the firefighters was finally implemented.

18. The use of private ambulance company paramedics has proven to be a resounding success for the public good. One should just compare EMS performance reports of the use of Orange County private ambulance company paramedics to EMS performance reports of the OCFA. Dr. Samuel Stratton, the Orange County Medical Director, should be given much needed praise for his implementation of this program that benefits the public good.

19. It is my firm conviction that the OCFA firefighter union will absolutely never endorse any EMS program revision, if it lowers the amount of money the firefighters make in any meaningful fashion. This conviction is supported by my observations at over six years attendance at OCFA Board of Directors meetings. Has anyone seen anything different in the last six years?

Summary of OCFA Contract City Recommendations – EMS Services

Since the bulk of potential cost savings occur in the EMS area, concentrate your cost saving efforts there. Put out a competitively bid RFP for private ambulance company paramedic EMS 911 first responder service work. This RFP would cover both: a) the 911 EMS paramedic response work with equally accredited private paramedics, and b) the follow-up ambulance transport to the hospital.

I strongly recommend that you consider the above non-OCFA two person private paramedic response for 911 EMS call outs. But please understand that, if this model were even considered by a City for implementation, it would be condemned by the OCFA Firefighters Union, even though it has been effectively used for years in other jurisdictions. Hence, you should require the OCFA and its Firefighters Union to put their objections to such a plan in writing. These objections can then be independently reviewed by your own independent industry experts.

The bottom line is by switching to an approved two person 911 EMS private paramedic response model, millions of dollars in annual OCFA public safety cost savings would go to your residents. Your fears of ever increasing OCFA EMS paramedic pension UAAL liability exposure will also end. If your EMS services are provided by private paramedic ambulance companies, you will finally be free of continually escalating high cost OCFA wages and associated future potential pension UAAL liability for those services.

Sincerely,

Stephen M. Wontrobski

:ocfa-Taleof2Cities-ContractCitiesRecommendations-10-30-18

cc: Orange County Board of Supervisors; Orange County Health Care Agency (EMCC); OCERS; State of California EMSA Director; City Councils of Lake Forest, Rancho Santa Margarita, San Juan Capistrano, Laguna Hills, Dana Point, Aliso Viejo, Laguna Niguel, Villa Park, Costa Mesa, Mission Viejo, Garden Grove, Fullerton, Anaheim, and Irvine



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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: November 2, 2018

TO: ORANGE COUNTY EMS DISTRIBUTION LIST

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

SUBJECT: DIPHENHYDRAMINE (BENADRYL®) INJECTABLE SHORTAGE

There is currently a national shortage of diphenhydramine solution for intravenous and intramuscular injection. When supply issues for diphenhydramine will be resolved is not currently known.

EMS providers should continue to use current supplies of diphenhydramine based on standing orders and base hospital direction until current supplies are exhausted. Expired diphenhydramine doses should not be used and rather managed as usual for expired medications.

Orange County EMS is working with state authorities to determine if other available antihistamines similar to diphenhydramine can be added to the State Paramedic Scope of Practice.

SJS/#3355

Stephen M. Wontrobski
Mission Viejo, CA 92692

November 12, 2018

Aliso Viejo City Council	Irvine City Council
Dana Point City Council	Villa Park City Council
Laguna Niguel City Council	Orange County Board of Supervisors
Santa Ana City Council	Westminster City Council
San Clemente City Council	Lake Forest City Council
San Juan Capistrano City Council	Laguna Hills City Council

Reference: Red Flag Contract Alert - Proposed OCFA JPA Amendment No. 4
Duty Owed to City and County Residents to Reject Proposed Amendment

Dear City Council Members and Members of the Orange County Board of Supervisors,

The OCFA JPA previously allowed member cities and the County to withdraw from the OCFA by giving a one year notice of withdrawal. In other words, each JPA member was locked into the OCFA for a one year period. The JPA was subsequently amended, as it currently exists, to lock in member cities for ten year periods. There is a need to amend the JPA and have a member locked into the OCFA for only a one year period. The proposed Amendment No. 4 only addresses the OCFA firefighter pension UAAL "snowball" plan. It is completely silent on the pressing need to amend the JPA to go back to the previous one year member city "lockup".

Current Proposed Amendment No.4

I previously reported on countless occasions the problem of the OCFA firefighters pension UAAL at OCERS. The proposed amendment attempts to partially address this problem. For years I advised various OCFA member cities, both Structural Fire Fund (SFF) and Contract City members, that they were all potentially liable for the firefighters UAAL pension costs at OCERS. And for years the OCFA attorney continually advised those member cities that they could not be held liable for those costs. I also advised fiscally responsible member cities to withdraw from the OCFA, while the going was good, to minimize their potential UAAL pension liability exposure down the road. The City of Irvine and Placentia bravely placed their residents interests above those of the OCFA by giving their withdrawal notices to the OCFA.

OCFA UAAL Pension Liability Update

The OCFA May 24, 2018 Executive Committee Agenda Item 4A, dealt with the then proposed AB 1912 (Rodriguez) bill to impose OCFA UAAL pension liability on all OCFA member cities. This was a union sponsored bill, which directly worked against the interest of your residents, whom the OCFA is supposed to serve.

Some of my past comments on AB 1912 are as follows:

1. I strongly objected to this bill at the OCFA Executive Committee and Board of Directors meetings.
2. The OCFA proposed to support the bill with union sponsored amendments. This was an absurd recommendation that supported the firefighters union and not your residents and the financial stability of your city. Who is the OCFA supposed to serve, your city residents or the OCFA firefighters union wages and pensions?
3. Whatever happened to that prior OCFA Attorney guarantee that you and your residents could not be held liable for the firefighters' UAAL pension liability? That guarantee has since been thrown out the window.

OCFA Hypothetical Pension Liability Calculation

As reported this year by the OCFA, its OCFA Hypothetical Pension Liability determination adds further financial peril to already overcharged cities and the County. Here are the latest UAAL pension liability numbers from the OCFA for some of those cities and the County, which were continually assured in the past that they would never be liable for:

Aliso Viejo - \$6,502,760
Dana Point - \$10,404,416
Laguna Niguel - \$13,005,519
Seal Beach - \$7,803,312

Irvine - \$67,628,701
Villa Park - \$5,202,208
Orange County - \$41,617,662
Westminster - \$19,508,279

What Can an OCFA Member City and the County Currently Do?

With a current ten year lockup, what can a city and the County do when faced with the following?

- a) Continued runaway increases in already high OCFA wages, pensions and benefits.
- b) Threat to the financial integrity and stability of a member city.
- c) The desire to switch to private paramedics 911 EMS services to save member city residents and the County millions of dollars in annual OCFA EMS costs.
- d) The desire to switch to private paramedics 911 EMS services to eliminate member city and County residents liability for millions of dollars in future EMS UAAL pension costs.

Under the current ten year lockup, with exceptions for Contract Member cities, the SFF member cities and the County can do nothing. (See also my attached June 5, 2018 letter letter, which provides additional information on this subject.)

What to Do?

This is a very simple answer: Reject the proposed amendment as written, until it is revised to provide for only a one year lockup. Next, I support Supervisor Bartlett's recent OCFA Board of Director direction to have matrices attached to all proposed Board actions. This would provide Board members and their cities a complete and informed summary picture of what they are voting on. With that as a framework, I maintain that City Councils and the County cannot make an informed decision and vote on this proposed amendment until they receive the following:

1. An OCFA hybrid model cost saving study requested by the City of Laguna Hills and agreed to by the OCFA Fire Chief. Where have all the other city and County members been on this issue? Which City Council members are even aware of this study to be completed by the OCFA?
2. An OCFA study matrix that provides for SFF city councils and residents the actual "net cost" of the services the OCFA supplies to your city versus the amount of property tax it receives from the County for those services.
3. An OCFA study matrix that provides for SFF and contract member city residents the actual "net cost per resident" of the services it supplies to your city, versus the "net cost per resident" for all other OCFA members, including the County, SFF members and contract member cities. Is there any equitable reason why OCFA Contract City Tustin with the same virtual number of residents as Lake Forest is paying about half of what Lake Forest pays per resident for OCFA services?
4. To address contract member cities' concerns, have the OCFA Attorney supply a written report regarding the legal and financial aspects of a contract member city's giving notice to the OCFA of a plan to have the OCFA only supply Fire services in 2020, with private paramedic companies supplying 911 EMS first responder services at dramatically reduced costs. (It would be wise to have your own City Attorney provide you with a similar report.)

Main Summary Recommendation

Amend the OCFA JPA by change order/amendment after it has been revised to permit a member city to withdraw from the OCFA at any time after giving one year advance notice to the OCFA.

Sincerely,

Stephen M. Wontrobski

E:ocfa-Amendment4Rejection-11-14-18

CC: OCERS; OCFA Board of Directors; EMSA Director; EMCC; Anaheim City Council; Costa Mesa City Council; Garden Grove City Council; Fullerton City Council

Stephen Wontrobski
Mission Viejo, CA

December 13, 2018

City of Placentia City Council
City of Irvine City Council
City of Santa Ana City Council
City of Laguna Hills City Council
City of Villa Park City Council
Orange County Board of Supervisors

Reference: 2018 OCFA Profiles in Courage Award

Dear City Council and Board of Supervisors Members,

I previously recognized and agreed with the then growing public conviction that the OCFA is a "rigged system", which works first and foremost for: a) the out sized wages, benefits and pensions of the firefighters union, b) excessive OCFA managerial and executive wages, and c) the OCFA Board members own political and financial interests.

Over the years little, if anything, has been done by the OCFA Board to lower OCFA costs to its member cities and the County caused by the ever spiraling wage, benefits and pension costs of those working for the OCFA. Clear evidence of this fact can be found by comparing the increased OCFA wage, benefit and pension costs during any recent time period to the actual total dollar savings passed back to the member cities and the County.

How many Board Director members have publicly voiced opposition to any of the wasteful union work rules or the costly wage, pension, and benefit terms contained in their contracts? The answer is only one. That Director was Rick Barnett from Villa Park. He based his OCFA Board of Director objection on the lack of simple needed 401-K pension reform measures in the union contracts. Sadly, not one other OCFA Director voiced support for this desperately needed reform measure that affects the UAAL pension liability of its own member cities and the County.

The members of the OCFA Board of Directors have continually appeared to lack the courage to demand major compensation, benefit and pension reform measures across the entire OCFA, including, a) the Firefighters, Administrative Managers, and Chief Officers Association union contracts; and b) the OCFA Executive Management Group and their staff members.

As a consequence, the OCFA Profiles in Courage Award was established to recognize member cities, political leaders, members of the public and OCFA Board members, who displayed courage to speak out for the financial interests of the residents, rather than for their own political and financial gain. The idea for the award was based on the concepts of two U.S. leaders: President John F. Kennedy and Dr. Rev. Martin Luther King Jr.

President Kennedy's book entitled "Profiles in Courage" was dedicated to U.S. senators, who had the courage to speak out in the face of widespread opposition on needed public policy issues. This idea was also a hallmark of Rev. Dr. Martin Luther King Jr. In San Francisco at the Moscone Convention Center Yerba Buena Gardens site is the memorial to Rev. 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".

The following nominees displayed the above type of courage against overwhelming OCFA Board, staff, and union opposition.

1. Orange County Supervisor Shawn Nelson
2. Juan Villegas, Santa Ana OCFA Board Member
3. Don Sedgwick, Laguna Hills OCFA Board Member
4. Placentia City Council
5. Irvine City Council

Orange County Supervisor Shawn Nelson

Supervisor Shawn Nelson requested that the OCFA agree not to retaliate against any employee that might speak in an honest but critical light regarding the OCFA's October 2017 Canyon Fire 2 investigation. Not one member of the OCFA Board of Directors, and no member of the OCFA Executive Staff or Firefighters Union, or the Fire Chief supported this request, when it came up for discussion at the meeting of the Board of Directors. In fact, I was the only person in attendance at that Board meeting, who supported Supervisor Nelson's written request against retaliation.

This was a sad commentary on the OCFA and its Board members, who refused to speak out against potential OCFA employee retaliation. Very troubling is the fact that the OCFA Board members, union leaders, and executive staff were all aware of a documented OCFA retaliation atmosphere, which is contained in the OCFA's own Management Partners consultant report dated May 15, 2014. One of the Consultant's survey findings is found on Page 11 of the report under "Accountability".

"Bullying, harassment and retaliation are perceived to commonly occur within the organization."

Juan Villegas, City of Santa Ana OCFA Board Member.

OCFA Director Juan Villegas displayed courage by going against the OCFA Board of Directors and requesting that the Division Chief (Fire Chief) appointment for Santa Ana be approved by the City of Santa Ana itself, and not by the OCFA Fire Chief. In an open OCFA Board meeting, it was revealed that Santa Ana had six different Fire Chiefs (Division Chiefs) over the last three years. This history was a continuing concern for the residents of Santa Ana. Nevertheless, the OCFA Board of Directors refused to approve his request.

Director Villegas displayed true concern for the Santa Ana residents. He is to be commended for that stand and for sacrificing future personal political and financial gain. Director Villegas learned from this issue and other OCFA matters affecting Santa Ana residents that the OCFA was not the friend Santa Ana thought it to be. In fact, the Santa Ana City Attorney and City Manager should review its OCFA contract to determine, if tens of millions of dollars could be saved each year by Santa Ana's implementing the following major cost saving ideas:

- a) Have the OCFA Board of Directors approve a revision to the level of service by the OCFA to Santa Ana and: a) limit such services to fire and other related services; and b) allow Santa Ana to contract out its EMS ALS 911 First Responder Services to non-sworn private paramedic companies.
- b) Have the OCFA Board of Directors approve a revision to the Santa Ana fire staffing model and require that all of its fire engines and trucks be staffed with two equally trained OCFA reserve firefighters in the four member crew at a rate of \$20.00 per hour for all hours worked.
- c) Have the OCFA Board of Directors approve a revision to the fire staffing service by the OCFA and institute 12 hour work shifts and the concept of "dynamic scheduling".

The Santa Ana City Manager should provide its City Council members a rough order of magnitude annual dollar saving estimate that could be expected to accrue without any impact to its service level, if the above three simple service revisions were implemented. Santa Ana should never forget that the OCFA Board of Directors has approved similar cost saving changes to the level of service in the past to save money for the residents of OCFA contract member cities of Placentia and Stanton.

Don Sedgwick, Laguna Hills OCFA Board Member

OCFA Director Don Sedgwick displayed courage by going against the conventional OCFA Board of Directors mentality of: a) not upsetting the apple cart of out sized OCFA wages, benefits and pensions; and b) not exploring ways to dramatically reduce OCFA costs by simple Fire/EMS service model revisions to member cities that desire them.

Director Sedgwick asked that the Fire Chief provide to each OCFA Director a study of instituting a "hybrid" OCFA Fire/EMS service model to save member cities' public safety costs. In my mind such "hybrid" model would necessarily include: a) a public/private Fire/EMS organization; b) increased usage of Reserve Firefighters; c) non-24 hour work shifts and dynamic scheduling; d) changing "mandatory overtime backfill" to "management discretionary backfill"; and a 401-K pension plan for all OCFA employees on a going forward basis.

This request for a hybrid OCFA model study was unheard of at OCFA Board meetings. It certainly shocked everyone present in the meeting to attention. It was long overdue and took courage to put forward such a viewpoint. If implemented, these reforms would finally benefit the financial interests of someone other than those associated with the OCFA – namely, the financial interests of the OCFA member city and County residents. Ironically, this is the group that the OCFA was supposedly formed and dedicated to serve.

The City of Placentia

The City of Placentia took the courageous position to exit the OCFA. They knew there was a far better Fire/EMS model that could be implemented to save their residents millions of dollars each year in public safety costs. They informed their residents that over the past few years, police public safety costs had fallen about 9%, but the OCFA Fire/EMS costs had risen over 40%. That alone is something that other OCFA cities should recognize as a valid reason for exiting the OCFA.

I myself will never forget my appearance before the Placentia City Council recommending that they exit the OCFA and save millions for their residents. For those that might not know, in the Placentia City Council chambers in back of the Council dais is the City Council meeting emblem and motto which states, "The People are the City of Placentia".

The City Council of Placentia with a unanimous withdrawal vote put the residents, "People", ahead of their own interests and the wage, benefit and pension interests of the OCFA and its unions. That is what elected officials are supposed to do. And the Placentia City Council courageously did just that.

City of Irvine

The City of Irvine also took the courageous position to exit the OCFA with a 4-1 withdrawal vote. Irvine has been overcharged hundreds of millions of dollars over the years for Fire/EMS services. A simple comparison of what Irvine has contributed from its property taxes compared to the actual cost of those OCFA Fire/EMS services provided to Irvine is shocking evidence of this fact. Irvine is considered to be one of the top fiscally managed cities in the United States. Its decision to withdraw from the high cost OCFA model is further evidence of this fact. The Irvine City Council knew there was a more cost effective Fire/EMS model that could be implemented to save their residents tens of millions of dollars each year in Fire/EMS public safety costs. And now they are well on their way to implementing a new Fire/EMS model to save their residents hundreds of millions of dollars in the future years.

2018 OCFA F. Kennedy Profiles in Courage Award

The 2018 OCFA Profiles in Courage Award is given today as a joint award to the City Councils of Placentia and Irvine. They placed their residents' interests above any personal interests of their own or the wages, benefits and pensions of the OCFA. May their display of courage serve as an example for other OCFA Board members to follow and help them to gain the necessary courage to truly represent and fight for the financial interests of their residents.

As a start, those other overcharged OCFA member cities and the County should move to change order the OCFA JPA Agreement with Amendment No. 5 and provide that a one year notice is all that is needed to withdraw from the OCFA. This is the way the OCFA JPA Agreement read before the OCFA changed it to a ten year lockup to the detriment of the residents, who they are supposed to serve. This simple change would allow a member city to withdraw from the OCFA with a one year notice, if its residents' interests were not being properly served.

Summary

I previously reported that the 2016 OCFA Profiles in Courage Award to Villa Park OCFA Director Rick Barnett was richly deserved. I stated back then that if member cities withdrew from the OCFA, those City Council actions would really be a demonstration of "Profiles in Courage". Placentia and Irvine actually did that. Accordingly, I and other OCFA member cities and County residents would like to say thanks to the Placentia and Irvine City Councils and to the other award nominee candidates this year for a job well done.

Once again, job well done!

Sincerely,

Stephen Wontrobski

c: OCFAProfilesinCourage2018Award-12-13-18

Cc: Rick Barnett; OCERS; EMSA Director; EMCC; City Councils of Aliso Viejo, Dana Point, Laguna Niguel, San Clemente, San Juan Capistrano, Westminster, Rancho Santa Margarita, Cypress, Seal Beach, Mission Viejo, Lake Forest, Anaheim, Costa Mesa, Garden Grove and Fullerton; Orange County Register; Voice of OC



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: January 10, 2019

TO: ORANGE COUNTY EMS AGENCY DISTRIBUTION LIST

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

SUBJECT: RETIREMENT

This memorandum is to announce to the Orange County EMS Community my retirement from the Orange County Health Care Agency.

It has been an honor to serve as the Orange County EMS Medical Director. The Orange County EMS System is represented by community members with the greatest passion for the health and safety of all persons. It has been humbling to be part of such a progressive, high quality program. I appreciate the advice and support provided by all participants in the EMS System.

Dr. Carl Schultz has accepted the position as the incoming Orange County EMS Medical Director. Many of you already know Dr. Schultz from his years as a Professor of Emergency Medicine at the University of California, Irvine. He is internationally recognized as an expert in disaster health and medicine as well as having more than three decades of experience in EMS. Dr. Schultz has served this past 18 months as the Orange County EMS Agency Associate Medical Director, which will allow for a smooth transition into the Medical Director position.

CC: California EMS Authority

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