The Regular Meeting of the Board of Fire Commissioners convened at 3:13 p.m. in the Fire Commission Meeting Room, City Hall East, 200 N. Main Street, Los Angeles.

Present: President Dalila Sotelo, Vice President Jill Furillo, and Commissioner Casimiro U. Tolentino (3). Fire Chief William Bamattre and Deputy City Attorney Janet Jackson.
Absent: Commissioners Andrew Friedman and Genethia Hudley-Hayes (2).

The flag salute was followed by a moment of silence in honor of past and present members of the LAFD who devote their lives to the protection of the community.

PRESENTATIONS: LAFD Medical Advisor, Marc Eckstein, MD, was recognized for his accomplishments and having received the California State EMS Achievement Award.

1. PUBLIC COMMENT - Mrs. Chris Mattson commented on the LAFD audit action plan, disciplinary process, and the leadership of the Department.

2. COMMISSION BUSINESS

A. Approval of the Minutes of September 18, 2006
ACTION: Postponed to October 17, 2006

B. [BFC 06-041-S] – Continued discussion and consideration of the Board of Fire Commissioners’ Action Plan relative to the Fire Department audits.
   - Discussion and consideration of correspondence from United Firefighter Los Angeles City (UFLAC) regarding personnel and management audit issues.
   - Stakeholder Workgroup policy recommendations relative to:
     Proposed Charter Changes
     Leadership and Communication
     Complaint and Disciplinary Process
     Human Relations Issues
     Drill Tower Recruit Training Academy

Battalion Chief Yamahata provided a handout addressing the personnel and management audit issues outlined in UFLAC’s letter. Commissioner Tolentino provided a status report on the progress of Stakeholder Workgroup. The matter was opened for discussion and direction from the Board. Mr. Pat McOsker, President, UFLAC, discussed the decision to withdraw from the Stakeholder Workgroup and commented on the union’s concern relative to the drill tower and meet/confer process. Fire Chief Bamattre addressed the need for accurate representation relative to the discussion on the Stakeholders Workgroup on-going issues.
Commissioner Sotelo called for a Motion to direct the Department’s Chief of Operations Officer, to inform the EEO Officer of incidents or complaints as soon as they are received; and, that the EEO Officer evaluate them to determine whether the Commission or the Personnel Committee can see them has general complaints or in closed session. Commissioner Tolentino MOVED the Motion. Commissioner Furillo requested clarification on the tracking mechanism of the process; discussion ensued. The Motion was lost for lack of second and discussion continued.

MOTION: Commissioner Sotelo MOVED that Board direct the Fire Department to copy all complaints and incidents to the EEO Officer for a determination of an EEO assessment relative to those complaints. EEO staff will inform the Commission on a as-needed-basis relative to those assessments. SECOND: Tolentino AYES: 3 (Sotelo, Tolentino, Furillo); Absent: Friedman, Hudley-Hayes

Fire Administrator Mattera provided a status report on the hiring process of the consultant. President Sotelo directed that the resumes be forwarded to the Board and would like to conduct the interviews as soon as possible.

C. Board of Fire Commissioners Committee Reports:

1. Report from the Fire Commission EMS Committee [Furillo/Friedman]
   Vice President Furillo and Dr. Eckstein, Medical Advisor, provided a summary of the hospital closure issues discussed at the EMS meeting. Vice President Furillo indicated that the EMS Committee will continue to monitor the situation and requested the matter be placed on the Board’s next agenda.

2. Report from the Fire Commission HRDC Committee [Sotelo/Hudley-Hayes]
   None.

   None.

4. Report from the Fire Commission Technology Committee [Hudley-Hayes/Tolentino]
   None

5. Report from the Fire Commission Budget Ad Hoc Committee [Sotelo/Friedman]
   None.
3. GENERAL MANAGER'S REPORT

A. Significant Incidents/Activities
Assistant Chief Barry provided a summary report on Incident Number 0236, 9/27/06, Evacuation of 2307 W. 6th St. Fire Chief Bamattre provided information on the upcoming events.

B. Status report on assignments from the Board
Fire Chief Bamattre indicted that the assignment due dates were reflected on the Department’s tracking sheet.

C. Status report on City Council/Committee issues relative to the LAFD
Assistant Chief Bercik reported that the Homeland Security Phase II project would be considered by City Council on Tuesday. She said that the Council Personnel Committee requested a status report on a prior Motion (Zine-Perry-Miscikowski) that pertained to the Personnel Department’s audit relative to the Fire Department’s discriminatory and retaliatory practices.

D. Status report on emergency preparedness activities
Fire Chief Bamattre provided information on the Emergency Management Workshop that is scheduled for October 10-13.

E. Status report on Homeland Security issues
Fire Chief Bamattre provided a copy of the U.S. Senate Committee on Appropriations press release dated September 25, 2006 relative to the FY 2007 Homeland Security Appropriation Bill.

4. OLD BUSINESS

A. [BFC 06-044] – Continued discussion and consideration of the City Controller’s review of the LAFD Dispatch Staffing and Special Duty Assignments.
(Taken out of Order)
Vice President Furillo provided a recap of the discussion held at the Board meeting of September 19th. The matter was continued, pending a meeting between the Department and the Controller/Auditors.

B. [BFC 06-081] - Driving Policy and Employee response to the LAFD Emergency Vehicle Operating Procedures
(Taken out of Order)
Fire Chief Bamattre discussed the policy modifications with the Board.
PUBLIC COMMENT: Mr. Pat McOsker, President, UFLAC commented on the union’s concerns relative to the proposed speed changes and requested that the item not be approved.
President Sotelo called for a Motion to approve the latest modifications with a review period in three months. Vice President Furillo indicated that the EMS Committee also had relevant concerns and requested that the Department review the matter further. Commissioner Tolentino Moved to adopt the proposed driving policy as modified and that a status report be brought back to the Commission within six months. President Sotelo Seconded the Motion. Discussion ensued, followed by Commissioner Tolentino offering an Amendment to the Motion, that any problems with policy implementation be reported to the Commission. Vice President Furillo indicated that she needed further clarification on the proposed changes and called for a Substitute Motion—to table the matter until the next Board meeting for further discussion. The Substitute Motion was lost for a lack of Second. A vote was called on the Main Motion (Tolentino/Sotelo); AYES: 2 (Tolentino/Sotelo) NAYS: 1 (Furillo); the Motion was LOST (required a majority vote of the Board). The Board directed that the matter be agendized on the next agenda.

C. [BFC 06-075] – Fire Department transmittal dated August 8, 2006, submitting the written policies for Three Whole Scores interviews
ACTION: Transmitted to the Personnel Committee without discussion.

D. [BFC 06-076] – Fire Department transmittal dated August 8, 2006, submitting the results of Three Whole Scores process
ACTION: Transmitted to the Personnel Committee without discussion.

E. [BFC 06-085] - Transfers and Vacancies process
ACTION: Transmitted to the Personnel Committee without discussion.

5. CONSENT ITEMS

Item Nos. A, C, D - Motion (Furillo/Tolentino) Adopted. AYES: 3 (Furillo, Tolentino, Sotelo); Absent: 2 (Friedman/Hudley-Hayes)

Department’s Recommendation: 1) The five-year EMS Plan be approved.
2) The first year of the EMS Plan is included in the budget request for FY 2007-08.
ACTION: Adopted

B. [BFC 06-093] – Fire Department’s transmittal dated April 19, 2006, submitting Five-Year Fire and Emergency (Fire) Services Plan.
Department’s Recommendation: 1) The five-year Fire and Emergency Services Plan be approved. 2) The first year of the Fire and Emergency Services Plan is included in the budget request for FY 2007-08.
ACTION: Transmitted to the Fire Commission Budget Ad Hoc Committee.
   Department’s Recommendation: Receive and File
   ACTION: Received and Filed

   Department’s Recommendation: Receive and File
   ACTION: Received and Filed

6. ACTIVITIES/EVENTS/MEETINGS/ANNOUNCEMENTS

None.

7. REQUEST FOR FUTURE AGENDA ITEMS

None.

8. CLOSED SESSION

At 4:35 p.m., City Attorney Jackson announced that the Board would convene in closed session pursuant to Government Code Section 54956.9(a) to confer with Legal Counsel on the following matters:

A. Conference with Legal Counsel – Anticipated Litigation:

   The Board will convene in Closed Session, pursuant to Government Code Section 54956.9(b), to confer with its legal counsel relative to: one (1) case

B. The Board will convene in Closed Session Pursuant to Government Code Section 54956.9(a) to confer with Legal Counsel on the following pending litigation cases:

   Bressler, Lee, et al. vs. City of LA et al., BC 336783
   Bernal vs. City of LA., BC 340489
   Pierce vs. City of LA., BC 342845
   Lima vs. City of LA., BC 353261
   Hernandez vs. City of LA, BC 347941

At approximately 5:35 p.m. City Attorney Jackson called the meeting back in session and reported that during closed session the Board met with its legal counsel to review the matters listed on the Board’s Agenda, under item 8; and, that no formal action was taken or recommended in the closed session.
9. **ADJOURNMENT**

The meeting was adjourned at 5:36 p.m. (Furillo/Tolentino)

ATTEST BY:

_________________________  _____________________________
DALILA T. SOTELO, President  BLANCA GOMEZ-REVELLES
Commission Executive Assistant II

Date: November 7, 2006

Note: Actions of the Board shall become final at the expiration of the next five meeting days of the City Council during which the Council has convened in regular session, unless the Council acts within that time by two-thirds vote to bring the action before it or to waive review of the action.