

CITY OF LOS ANGELES
BOARD OF FIRE COMMISSIONERS
MINUTES
TUESDAY, MAY 20, 2008

The Regular Meeting of the Board of Fire Commissioners convened at 9:07 a.m. in the Fire Commission Meeting Room, City Hall East, 200 N. Main Street, Los Angeles.

Present: President Genethia Hudley-Hayes, Vice President Casimiro Tolentino, Commissioners Andrew Friedman and Jill Furillo. Fire Chief Douglas Barry and Deputy City Attorney Janet Jackson. Absent: Commissioner Diana Bontá

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

1. PUBLIC COMMENT

None.

2. COMMISSION BUSINESS

A. Approval of the Minutes of the Regular Meeting of April 15, 2008.

Recommendation: Approve the minutes.

MOTION (Tolentino/Friedman): That the Board approves the minutes as submitted.

ADOPTED: AYES - 4 NAYS – 0 (Absent: Bontá)

3. GENERAL MANAGER'S REPORT

A. Events/Meetings/Announcements:

1. [BFC 08-071] – Calendar of Events.

Fire Chief Barry reported on the recent Department events that he attended and the Department activities scheduled for the remainder of the month. He and Commissioner Friedman provided information on the Fire Service Day events, which were very successful.

B. Significant Incidents/Activities:

1. Verbal report - Significant Incidents/Activities for the period of May 17 through May 20, 2008.

Assistant Chief Fulmus, Bureau of Emergency Services, provided a summary of the recent Griffith Park brush fire and the Israeli Festival.

2. [BFC 08-070] - Significant Incident Summary report for the period of April 28 through May 5, 2008.

Recommendation: Receive and File

The report was received and filed.

3. [BFC 08-078] - Significant Incident Summary report for the period of May 5 through May 12, 2008.

Recommendation: Receive and File

The report was received and filed.

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- C. Verbal report on the disposition of LAFD matters considered by or referred to City Council/Committees during the period of May 7 through May 20, 2008.
Recommendation: That the Board provides instruction to staff and adopts any necessary action relative to the LAFD matters considered by or referred to City Council/Committee during the reporting period.

Assistant Chief Yamahata, Chief of Staff, reported that Council is moving forward with a Motion to draft an ordinance that would allow the Fire Chief to continue employment beyond his Deferred Retirement Option Program (DROP) end-date of July 12, 2008. He reported that Council would be considering a change to the Municipal Code making it a misdemeanor for health facilities to transport patients to locations (other than the patient's residence) without a written consent. It was reported that Commissioner Tolentino's reappointment is pending Council confirmation.

4. OLD BUSINESS

- A. [BFC 08-043-R1] – Transmittal dated May 13, 2008, from Bea Lopez, Commission Office, requesting approval of the revised Book 90 - Discrimination Prevention Policy Handbook.
Recommendation: That the Board approves the report and recommendations.

MOTION (Friedman/Tolentino): That the Board defers that matter until staff can resolve the issues that have developed. **ADOPTED:** AYES - 4 NAYS – 0 (Absent – Bontá)

- B. Verbal status report and consideration on the disposition of the Fire Department Budget:

1. Fiscal Year 2007-08 Budget
2. Mayor's Proposed Fiscal Year 2008-09 Budget

Recommendation: That the Board provides instruction to staff and adopts any necessary action relative to the Fire Department budget.

Georgia Mattera, Fire Administrator, reported that Council agreed to restore the projected 1.2 million short fall in the FY 2008-09 Budget salary account. The Community Service Unit captain position, the 18 captain resolution authorities and the ITA staff positions will also be restored. Chief Yamahata reported that the 18 captain position authorities are under the managed hiring process; hiring will be made upon the Fire Department identifying funding. He said that Councilmember Alarcon introduced a Motion for an additional trash fee that would redirect funds to continue staffing the 18 captain positions. The matter was opened for discussion and questions from the Board. Ms. Mattera reported that the FY 2007-08 year-end report is being prepared and it is estimated that the Department will need \$6.8 million to balance the constant staffing account. No action taken.

- C. Verbal status report and consideration of the Department's strategic implementation plan - indicators of progress/measures of success and reforms.
Recommendation: That the Board provides instruction to staff and adopts any necessary action relative to the Department's plan for reform.

Chief Barry indicated that the quarterly report would be submitted for review at the June 17th Board meeting and that the Stakeholder Group is scheduled to meet tomorrow. No action taken.

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5. NEW BUSINESS

- A. [BFC 08-072] - Fire Chief's transmittal dated May 9, 2008, requesting authorization to contract with Erickson Air-Crane Inc. for helitanker services in the amount not to exceed Two Million Four Hundred Eighty Two Thousand Dollars (\$2,482,000.00) for a performance period of 170-days. The agreement term is one-year with a one-year amendment option.

Recommendation: That the Board approves the report and recommendations.

Fire Chief Barry and Assistant Chief Varela, Bureau of Emergency Services, discussed the specifics of the contract with the Board. City Attorney Jackson clarified that on the advice of the City Attorney's office, a new agreement had been submitted rather than an amendment to the prior contract. **MOTION** (Friedman/Tolentino): That the Board approves the report and recommendations. **ADOPTED:** AYES - 4 NAYS - 0 (Absent: Bontá)

- B. [BFC 08-074] - Correspondence dated May 6, 2008 from Laura Chick, City Controller, submitting the Review of Internal Controls of the Los Angeles Fire Department.

Recommendation: That the Board provides instruction to staff and adopts any necessary action relative to the Controller's report.

Salvador Martinez, Chief Management Analyst, Bureau of Administrative Services, provided an overview of the Controller's findings and recommendations. He indicated that measures of compliance are underway; the majority of issues relate to position vacancies of key personnel and lack of resources. It was reported that the Department is in the process of drafting an audit response. The matter was opened for discussion and questions from the Board. President Hudley-Hayes expressed concern that staffing shortages and lack of funding are the primary reasons for the issues identified in the audit. At the conclusion of discussion, there was consensus that a correlation exists between the audit findings and lack of funding and resources within the Department; that the Department cannot continue to be under-funded and be expected to stretch resources while maintaining the same level of service. The Board would like the funding issues brought to the Controller's attention for consideration; they instructed that the audit response be forwarded for their review prior to transmitting it to the Controller.

6. CONSENT ITEMS

Items A, B, C and D were considered jointly.

MOTION (Furillo/Tolentino): That the Board adopts the consent items as recommended.

ADOPTED: AYES - 4 NAYS - 0 (Absent: Bonta)

- A. [BFC 08-073] - Fire Chief's transmittal dated May 9, 2008 requesting approval of the Fourth Amendment to Contract No. C-108389 with the Los Angeles Community College District on behalf of East Los Angeles College for Vocational Education Training (VET). Subject to State funding, compensation to the Fire Department is estimated at Two Million Two Hundred Thousand Dollars (\$2,200,000.00). The term of the agreement is one-year with a one-year amendment option.

Recommendation: That the Board approves the report and recommendations.

ACTION: Approved

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- B. [BFC 08-075] - Fire Chief's transmittal dated May 12, 2008 requesting authorization to write off uncollectible Department charges for services of inspection restitution. Invoice #FR000000001, billed to John D. Smithers on June 13, 1997 in the amount of \$105,272.00.

Recommendation: That the Board approves the report and recommendations.

ACTION: Approved

- C. [BFC 08-076] - Fire Chief's transmittal dated May 12, 2008 requesting authorization to write off uncollectible Department charges for Fire Safety Officers and CUPA services:

- 1) Invoice FS 000001826, billed to Capitol Tent. Inc. on May 29, 1998 in the amount of \$1,480.50.
- 2) Invoice IN0114428, billed to Fastires on August 27, 2005 in the amount of \$1,158.00.

Recommendation: That the Board approves the report and recommendations.

ACTION: Approved

- D. [BFC 08-077] - Fire Chief's transmittal dated May 12, 2008 requesting authorization to write off uncollectible Department charges for Fire Safety Officer services. Invoice 960500, billed to Barbara Silverberg on January 6, 1996 in the amount of \$360.00.

Recommendation: That the Board approves the report and recommendations.

ACTION: Approved

7. ITEMS CALLED SPECIAL

None

8. REQUEST FOR FUTURE AGENDA ITEMS

- Update and review of the Department's budgetary funding needs (Tolentino).
- City Attorney opinion on the Learning for Life/Explorer Program issue (Friedman)

9. ADJOURNMENT

The meeting was adjourned at 10:16 a.m. (Friedman/Tolentino)

ATTEST BY:

GENETHIA HUDLEY-HAYES
President

BLANCA GOMEZ-REVELLES
Commission Executive Assistant II

Date: August 5, 2008

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.