

CITY OF LOS ANGELES  
BOARD OF FIRE COMMISSIONERS  
MINUTES  
TUESDAY, JUNE 17, 2008

The Regular Meeting of the Board of Fire Commissioners convened at 9:04 a.m. in the Fire Commission Meeting Room, City Hall East, 200 N. Main Street, Los Angeles.

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

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**

Mr. Carl Olson comment on the brush clearance assessment process.

**2. COMMISSION BUSINESS**

A. Approval of the Minutes of the Special Meeting of April 23, 2008.

Recommendation: That the Board approves the minutes.

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

**ADOPTED**: AYES - 4 NAYS – 0 (Absent: Tolentino)

B. Verbal report from the Fire Commission Personnel/Employee Relations Committee [Tolentino/Hudley-Hayes]

Recommendation: That the Board provides instruction to staff and adopts the necessary action relative to the Committees' assignments or verbal report.

Commissioner Hudley-Hayes provided a status of the Committee's work, including a review of the Professional Standards Division development, the Inspector General position and the revision of Department's DUI policy.

**3. GENERAL MANAGER'S REPORT**

A. Events/Meetings/Announcements:

1. [BFC 08-089] – Calendar of Events.

Recommendation: Receive and File

Fire Chief Barry reported on recent events, including the Civilian Employee of the Year Awards Ceremony, a meeting with FEMA officials to discuss the USAR Task Force, the firework safety press conference and Drill Tower Graduation. Chief Barry said that he is nearing completion of the Fire Station visits; there are only six remaining.

2. Significant Incidents/Activities:

a. Verbal report - Significant Incidents/Activities for the period of June 13 through June 17, 2008.

Deputy Chief Rueda, Bureau of Emergency Services, provided an update of the Universal Studios fire and incidents that occurred over the Memorial Day weekend.

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- b. [BFC 08-082] - Significant Incident Summary report for the period of May 20 through May 27, 2008.

Recommendation: Receive and File

The report was received and filed.

- c. [BFC 08-084] - Significant Incident Summary report for the period of May 27 through June 2, 2008.

Recommendation: Receive and File

The report was received and filed.

- d. [BFC 08-088] - Significant Incident Summary report for the period of June 3 through June 9, 2008.

Recommendation: Receive and File

The report was received and filed.

- B. 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.

Chief of Staff Yamahata provided an overview of items going before Council, including the administrative code change to extend the Fire Chief's employment beyond the Deferred Retirement Option Program end-date; confirmation of Commissioner Tolentino to serve a second term on the Board; approval of the CUPA and Cost of Special Service fee increases. Discussion ensued regarding the Fire Chief's extension of employment.

**MOTION** (Friedman/Furillo): That the Board instructs commission staff to work in conjunction with Chief Yamahata to draft a letter if necessary, supporting the Council Motion that would extend the Fire Chief's employment beyond the DROP termination date. **ADOPTED:** AYES - 4 NAYS - 0 (Absent: Tolentino)

#### 4. OLD BUSINESS

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

1. Fiscal Year 2007-08 Budget

2. Fiscal Year 2008-09 Budget

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

President Hudley-Hayes requested details on budget adjustments that are a direct result of unplanned expenses, such as additional closure of hospitals, increase in fuel, etc. Georgia Mattera, Fire Administrator, provided an overview of monthly account projections, mid-year adjustments and how the City's reserve economic fund is used to handle unplanned expenses. Discussion ensued on the budget impacts of economic triggers and State budget cuts. The Board requested that an overview of the Budget process be provided at a future meeting, including the impact from State budget cuts, Medicaid, CUPA and the year-end budget reconciliation report.

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- B. 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 the necessary action relative to the Department's plan for reform.

Chief Barry indicated that the Controller's follow up audit provided a good sense of the Department's progress and that quarterly reports would outline the specifics. Commissioner Friedman reported having met with Deputy Mayor Arif Alikhan and Paul Hernandez of the Mayor's Office regarding the inspector general position and the Professional Standards Division (PSD). He explained that there is potential conflict of duties between the moderator and inspector general positions; he will continue to work on this matter and report back to the Board. Commissioner Bontá requested that an in-dept report on the hiring levels of the PSD and the relation to the inspector general position be provided at a subsequent meeting. Commissioner Friedman indicated that Commission staff had developed an excellent draft class specification for the inspection general position and requested that it be provided to the Board for review and discussion at the next meeting. President Hudley-Hayes requested that an overview of the PSD be provided at the next meeting.

- C. [BFC 08-043-R2] – Transmittal dated May 27, 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.

Bea Lopez provided an overview of the document changes. The matter was opened for discussions and questions from the Board. Commissioner Friedman requested clarification on the definition of "reasonable accommodation," specifically, if it only pertained to disability or did it extend to other accommodations such as religion or other categories. Discussion ensued on the matter with the following motions made: **MOTION** (Bonta/Furillo): That the Board approves the report and recommendations as submitted. **ADOPTED:** AYES - 4 NAYS – 0 (Absent: Tolentino) **MOTION** (Friedman/Furillo) That the Board instructs Commission staff to revise the reasonable accommodation language so that it includes other related matters besides disability; that the revised language be forwarded to the Board for approval after City Attorney review. Discussion ensued; Commissioner Bontá requested that the document also provide clarification of the word "accommodation" which is referenced throughout the document. **ADOPTED:** AYES - 4 NAYS – 0 (Absent: Tolentino)

- D. [BFC 08-074-S1] - Fire Chief's transmittal dated June 10, 2008 submitting LAFD's response to the Office of the Controller's Audit - Review of Internal Controls of the Los Angeles Fire Department dated May 6, 2008.

Recommendation: That the Board approves the report and recommendations.

Fire Administrator Mattera provided an overview of the Department's audit response. President Hudley-Hayes addressed the reasons for wanting the response to include a clearer view of budget constraints impacting the Department. Discussion ensued, followed by direction from the Board that a transmittal outlining their concerns is forwarded to the Controller along with the Department's response. **MOTION** (Friedman/Tolentino): That the Board approves the report and recommendations. **ADOPTED:** AYES - 4 NAYS – 0 (Absent: Tolentino)

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**5. NEW BUSINESS**

- A. [BFC 08-093] - Transmittal dated June 12, 2008 submitting the Hearing Officers' Proposed Decisions and Recommendations for the 2007 Brush Clearance Assessment Appeals.  
Recommendation: That the Board approves the report and recommendations.  
PUBLIC COMMENT: Carl Olson, Assessor's ID No. 2075010006, commented on the brush clearance process.
- B. [BFC 08-092] - Transmittal dated June 12, 2008 submitting the Hearing Officers' Proposed Decisions and Recommendations for the 2007 Brush Clearance Noncompliance Inspection Fee Appeals.  
Recommendation: That the Board approves the report and recommendations.  
PUBLIC COMMENT: Carl Olson, Assessor's ID No. 2075010006, commented on the brush clearance process.

Item 5.A. and 5 B. were considered jointly.

PUBLIC COMMENT: Carl Olson provided comment relative to the assessment he received for non-compliance of brush clearance and the appeal hearing process. DISCUSSION: Janet Jackson, Deputy City Attorney indicated that as a result of Mr. Olson's May 30<sup>th</sup> letter, she had reviewed the applicable brush clearance procedures, codes, applicability of fees and the appeal hearing process. She provided an overview of the citation and brush hearing process provided to Mr. Olson. It was Attorney Jackson's opinion, that the applicable laws were compliant and legal; that the assessment was appropriate. Captain Knight, Brush Clearance Unit provided information on the assessment notification process. The matter was opened for discussions and questions from the Board. **MOTION** (Bontá/Furillo): That the Board adopts the two reports and the Hearing Officer recommendations as submitted. **ADOPTED:** AYES - 4 NAYS – 0 (Absent: Tolentino)

- C. [BFC 08-087] – Correspondence dated May 30, 2008 from Laura Chick, City Controller, submitting the Follow-up Audit of Los Angeles Fire Department's Management Practices.  
Recommendation: That the Board provides instruction to staff and adopts the necessary action relative to the Controller's report.

Fire Chief Barry provided an overview of audit findings. President Hudley-Hayes congratulated Chief Barry for moving forward with the changes and restructuring of the Department. No action taken.

- D. Verbal report on the Fire Department's investigation procedures for handling traffic accidents involving personnel.  
Recommendation: That the Board provides instruction to staff and adopts the necessary action relative to the investigative procedures.

Deputy Chief Rueda provided an overview of the policy and investigative process for handling traffic accidents. The matter was opened for discussion and questions from the Board. Discussion ensued regarding intersection crossing and private vehicles not moving to the right to allow emergency vehicle access. The Board requested that a follow up report on the Department's traffic public education campaign be provided.

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**6. CONSENT ITEMS**

Items B and D were called special. Items A and C were considered jointly.

**MOTION** (Furillo/Bontá): That the Board adopts Consent Items, A and C as recommended.

**ADOPTED:** AYES - 4 NAYS – 0 (Absent: Tolentino)

- A. [BFC 08-021-S1] - Fire Chief's transmittal dated June 3, 2008 requesting authorization to award an agreement to Equery, Inc. (Eccono Tree Care); and, add the contractor to the authorized Fiscal Year 2008-09 Weed and Refuse Abatement Contractor list.

Recommendation: That the Board approves the report and recommendations.

ACTION: Approved.

- B. [BFC 08-086] - Fire Chief's transmittal dated June 3, 2008 requesting authorization to process the Assistance to Firefighters Grant Program application to the Office of Domestic Preparedness, U.S. Department of Homeland Security. The Federal grant is in the amount of \$386,000 with a Fire Department cost share of \$77,200.

Recommendation: That the Board approves the report and recommendations.

- C. [BFC 08-090] - Fire Chief's transmittal dated June 10, 2008, requesting acceptance of two in-kind donations from the Firemen's Fund Insurance Company. The donation consists of electronic equipment and software valued at \$4,901.46; and, audio/visual communications equipment valued at \$20,098.54 for a total of \$25,000.00.

Recommendation: Approve the report and recommendations.

ACTION: Approved.

- D. [BFC 08-091] - Fire Chief's transmittal dated June 10, 2008, requesting acceptance of an in-kind donation from the Mr. Jerry Arnold, Jojo's Fitness Studio. The donation consists of fitness equipment valued under \$5,000.00.

Recommendation: Approve the report and recommendations.

**7. ITEMS CALLED SPECIAL**

**MOTION** (Furillo/Bontá): That the Board adopts Items 6.B and 6.D. as recommended.

**ADOPTED:** AYES - 4 NAYS – 0 (Absent: Tolentino)

- 6.B. [BFC 08-086] - Fire Chief's transmittal dated June 3, 2008 requesting authorization to process the Assistance to Firefighters Grant Program application to the Office of Domestic Preparedness, U.S. Department of Homeland Security. The Federal grant is in the amount of \$386,000 with a Fire Department cost share of \$77,200.

DISCUSSION: President Hudley-Hayes requested clarification on the matching of funds noted in the report. ACTION: Approved.

- 6.D. [BFC 08-091] - Fire Chief's transmittal dated June 10, 2008, requesting acceptance of an in-kind donation from the Mr. Jerry Arnold, Jojo's Fitness Studio. The donation consists of fitness equipment valued under \$5,000.00.

DISCUSSION: President Hudley-Hayes requested clarification on the liability for accepting donated equipment. ACTION: Approved.

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**8. ANNOUNCEMENTS/MEETINGS/EVENTS**

None.

**9. REQUEST FOR FUTURE AGENDA ITEMS**

None.

**10. ADJOURNMENT**

The meeting was adjourned at 11:11 a.m. (Furillo/Bonta)

ATTEST BY:

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GENETHIA HUDLEY-HAYES  
President

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BLANCA GOMEZ-REVELLES  
Commission Executive Assistant II

Date: August 19, 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.