

CITY OF LOS ANGELES
BOARD OF FIRE COMMISSIONERS
MINUTES
TUESDAY, FEBRUARY 17, 2009

The Regular Meeting of the Board of Fire Commissioners convened at 11:07 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, Commissioner Diana Bontá, Fire Chief Douglas Barry and Deputy City Attorney Janet Jackson.

Absent: Commissioners Andrew Friedman and Jill Furillo.

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. ITEMS NOTICED FOR PUBLIC HEARING

A. PUBLIC COMMENT

None.

B. [BFC 09-004] – Asbestos Abatement Permit Fees - proposed modification of fees:

1. Amendment to the Los Angeles Municipal Code, Section 57.10:
 - a. Increase Asbestos Abatement Permit fee to a minimum of two hours Average Inspector's Hourly Rate or \$300, plus 9 cents per sq. ft. of asbestos containing material over 1,000 sq. ft.
 - b. Include the approved fees in the cost-recovery schedule updated under provision of the Los Angeles Municipal Code, Section 57.04.12.C.

(Please refer to report for complete details.)

Recommendation: That the Board approves the report and recommendations.

MOTION (Bonta/Tolentino): That the Board approves the report and recommendations.

ADOPTED: AYES - 3 (Absent: Friedman and Furillo).

2. PUBLIC COMMENT

None.

3. COMMISSION BUSINESS

A. Approval of the Minutes:

1. [BFC 09-025] – Regular Meeting of January 22, 2009.

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

ADOPTED: AYES – 5 (Absent: Friedman and Furillo).

B. Update from Fire Commission Human Relations Development (HRDC)/Personnel Committee.

Recommendation: That the Board provides instruction to staff and adopts any necessary action relative to matters considered by or referred to the Committee.

Vice President Tolentino reported on business considered at the Committee's January 26th meeting and invited Deputy Chief Fox to provide an overview of the presentation he gave the

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Committee. Commissioner Tolentino requested that Chief Fox provide the complete presentation at subsequent Board meetings. He also requested that Chief Fox submit a Committee report on the budget deficit impacts on recruitment.

PUBLIC COMMENT: Chris Mattson commented on the Department's substance abuse policy.
DISCUSSION CONT'D: Vice President Tolentino indicated that on June 20, 2006, the Board adopted a Motion directing corrective action and discipline reports be transmitted to the Fire Commission's Employee Relation/Personnel Committee for consideration. The reports became a standing item on the Committee's meeting agendas. He said that in September 2008, the Board consolidated the Employee Relations/Personnel and HRDC Committees. However, the committee is now meeting every 6 to 8 weeks due to staffing consideration and corrective action/discipline reports must be considered on a monthly basis. He noted that staffing shortages and time constraints have made monthly committee meetings impracticable and untimely for monthly consideration of the reports and therefore, recommended a process change. The matter was opened for discussion and questions from the Board.

MOTION (Tolentino/Hudley-Hayes): That the Board directs the corrective action and discipline reports be transmitted back to the Fire Commission for its consideration. Compliant with legal counsel analysis, that such reports become a standing item on the Fire Commission agenda with closed session considerations. And that the Board of Fire Commissioners' Standing Rules, Section 15.E.2 Commission Committees, which states as part of the duties "Corrective action and discipline reports shall be transmitted to the Human Relations Development Committee/Personnel; and, that such report become a standing item on the Committee's Agenda." be eliminated. **ADOPTED:** AYES – 3 (Absent: Friedman and Furillo).

C. Announcements/Meetings/Events.
Considered jointly with Item 3.B.

4. GENERAL MANAGER'S REPORT

A. Announcements/Meetings/Events.
Considered jointly with Item 3.B.

B. [BFC 09-026] – Calendar of Events.
Recommendation: Receive and File

Items 2.C., 3.A. and 3.B. considered jointly. Fire Chief Barry reported having attended numerous budget hearings to discuss funding reductions, including EMS Captain positions and ambulances. Committee will recommend to Council that both items be preserved for the remainder of the 2008-09 fiscal year. He said that as a result of the Australia fires, area Fire Chiefs' meetings have been scheduled to discuss wild land responsibility and evacuation policies.

C. Significant Incidents/Activities:

1. Verbal report - Significant Incidents/Activities for the period of February 13 through February 17, 2009.

Deputy Chief Rueda, Bureau of Emergency Services, reported on a February 4th greater alarm structure fire and deployment preparation to handle rain and potential mudslides. In response to questions from Commissioner Bontá, Fire Chief Barry indicated that he is in the process of implementing fire fatality reduction education programs.

2. [BFC 09-022] - Significant Incident Summary report for the period of January 12 through February 9, 2009.
Recommendation: Receive and File

The report was received and filed.

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- D. Verbal report on the disposition of LAFD matters considered by or referred to City Council/Committees during the period of January 23 through February 17, 2009.
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 Barry reiterated that Council would consider the EMS Captain positions and variable staffing ambulance reduction issues. He said that the April recruit class was canceled and the cost savings would help retain the EMS Captain positions for the remainder of the 2008-09 fiscal year; fiscal year 2009-10 CAO budget meetings will begin next week. Discussion ensued on the need to maintain the level of firefighter hiring to backfill vacancies.

5. OLD BUSINESS

- A. [BFC 09-027] - Audit Implementation Plan, Accomplishments Update Report - Fourth Quarter 2008.

Recommendation: Receive and File

Fire Chief Barry highlighted the Department's accomplishments and thanked staff for their continuous implementation efforts. PUBLIC COMMENT: Pat McOsker, President, UFLAC, Local 112, expressed concern regarding some goals. The report was received and filed.

6. NEW BUSINESS – CONSENT ITEMS

Items A and B. were called special.

MOTION (Tolentino/Bontá): That the Board adopts Consent Items 6.C. through 6.H. as recommended. **ADOPTED**: AYES - 3 (Absent: Friedman and Furillo).

- A. [BFC 09-001] – Consideration of proposed Agreement with HR VALUE for Management Consulting Services. The term of the agreement is two years at a cost not to exceed \$99,000.00 per year.

Recommendation: That the Board approves the report and recommendations.

Considered special.

- B. [BFC 09-015] – Consideration of the 2008 Brush Clearance Appeals Process and approval to hire the following hearing officers to conduct appeals on behalf of the Board of Fire Commissioners: 1) Paula Petrotta, 2) Lloyd Heyne and 3) Gary Mattingly.

Recommendation: That the Board approves the report and recommendations.

Considered special.

- C. [BFC 09-016] – Consideration of the Quarterly Report – Forecast Exits of DROP Enrollees as of December 31, 2008.

Recommendation: Receive and File

ACTION: Received and Filed.

- D. [BFC 09-017] – Acceptance of grant funds to allocate monies from the Environmental Protection Trust Fund to the Certified Unified Program Agency to implement the Above Ground Petroleum Storage Act.

Recommendation: That the Board approves the report and recommendations.

ACTION: Approved.

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- E. [BFC 09-018] – FY 2008-09 Monthly Financial Status Report for the period of July–December 2008.

Recommendation: Receive and File

ACTION: Received and Filed.

- F. [BFC 09-019] – Acceptance of donation from LASKY FAMILY to Fire Station 88. Donation consists of twenty \$10 Starbucks Coffee House gift cards totaling \$200.

Recommendation: That the Board approves the report and recommendations.

ACTION: Approved.

- G. [BFC 09-020] - Acceptance of donation from Ms. LIZ GREENWOOD to Fire Station 96. Donation consists of one Samsung DLP 56" projection television valued at \$1000.

Recommendation: That the Board approves the report and recommendations.

ACTION: Approved.

- H. [BFC 09-021] – Acceptance of donation from Grateful Hearts. Donation consists of equipment totaling \$16,885 as follows:

1. Fire Station 56 – Treadmill valued at \$8552 and television valued at \$867.
2. Drill Tower 81 - Cable machine (gym equipment) valued at \$1300, dip machine (gym equipment) valued at \$500, industrial microwave oven valued at \$400 and outdoor freestanding BBQ valued at \$1500.
3. Fire Station 87 – three computer monitors valued at \$270 each (total \$810), computer valued at \$856 and BBQ Veneer Facing valued at \$2100.

Recommendation: That the Board approves the report and recommendations.

ACTION: Approved.

7. ITEMS CALLED SPECIAL

- 6.A. [BFC 09-001] – Consideration of proposed Agreement with HR VALUE for Management Consulting Services. The term of the agreement is two years at a cost not to exceed \$99,000.00 per year.

Recommendation: That the Board approves the report and recommendations.

William Jones, Sr. Management Analyst II, Bureau of Administrative Services, discussed the payment and approval options with the Board. President Hudley-Hayes recommended language change regarding the approval process. The Board concurred and instructed revision to the Supplemental Agreement, Page 2, Paragraph 6, adding the word "**prior**" on line 1 ("...with the **prior** approval of the Board..."). **MOTION** (Hudley-Hayes/Bontá): That the Board approves the professional service contract with HR Value with the noted change. **ADOPTED**: AYES - 3 (Absent: Friedman and Furillo)

- 6.B. [BFC 09-015] – Consideration of the 2008 Brush Clearance Appeals Process and approval to hire the following hearing officers to conduct appeals on behalf of the Board of Fire Commissioners: 1) Paula Petrotta, 2) Lloyd Heyne and 3) Gary Mattingly.

Recommendation: That the Board approves the report and recommendations.

President Hudley-Hayes recalled that last year, issues were raised because the report did not delineate the hearing officer hiring process and the contracting cost; she noted that this year's report did not address the issues again. Assistant Chief Fry, Captain Knight and Deputy City Attorney Jackson provided clarification. **MOTION** (Bontá/Tolentino): That the Board approves the report and recommendations. **ADOPTED**: AYES - 3 (Absent: Friedman and Furillo)

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7. REQUEST FOR FUTURE AGENDA ITEMS

- Bureau of Training and Risk Management presentation

9. ADJOURNMENT

The meeting was adjourned at 12:14 p.m. (Tolentino/Bontá)

ATTEST BY:

GENETHIA HUDLEY-HAYES
President

BLANCA GOMEZ-REVELLES
Commission Executive Assistant II

Date: March 17, 2009

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.