

**CITY OF LOS ANGELES
BOARD OF FIRE COMMISSIONERS
MINUTES
TUESDAY, OCTOBER 19, 2010**

The Regular Meeting of the Board of Fire Commissioners convened at 9:08 a.m. in the Fire Commission Meeting Room, City Hall East, 200 N. Main Street, Room 1820, Los Angeles.

▪ **ROLL CALL**

Present: President Genethia Hudley-Hayes
Vice President Casimiro Tolentino
Commissioner Diana Bontá
Commissioner Andrew Friedman
Fire Chief Millage Peaks
Deputy City Attorney Carlos De La Guerra

Absent: Commissioner Jill Furillo
Deputy City Attorney Janet Jackson

▪ **FLAG SALUTE AND MOMENT OF SILENCE**

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**

Dr. Clyde Williams commented he has asked repeatedly if there is a report of the Modified Coverage Plan. It's not online and should be generally available to the public. Will be submitting a public records request if he does not get it this week. Regarding the brush fire seasonal variations of the modified coverage plan, how are resources allocated during the brush fire season. Basically, where is the plan and where is the modification of the plan for the brush fire season?

Mr. Bill Horn commented he has been here before for the issue of non-payment. Regarding brush clearance has four lots that will be auctioned because of fees. He would like someone to contact him.

2. **COMMISSION BUSINESS**

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

B. [BFC 10-113] - Approval of Meeting Minutes for September 21, 2010
MOTION (Friedman/Bontá): That the Board approves the minutes as submitted. **ADOPTED:**
AYES – 4 (Absent: Furillo)

3. **GENERAL MANAGER'S REPORT**

A. Announcements/Meetings/Events
Items 2.A. and 3.A. considered jointly. Fire Chief Peaks reported on past and future events: including the 30 Year Memorial Ceremony on September 27th at Frank Hotchkiss Memorial Training Center; October 1st Funeral Service for Active Duty Battalion Chief Gary Clark; October 5th Welcoming Reception for the new Archbishop Jose Gomez; October 8th celebrated Honorary Fire Chief Ray Rojo; October 9th Fallen Fire Fighter Memorial; and October 13th Annual Inspector Awards Ceremony. Upcoming events; on October 22nd Protest to Stop Police Brutality and on October 23rd Monster Massive (Rave). This evening California Wellness Foundation will honor Fire Department member, Inspector Aquil Basheer, in recognition of his efforts to prevent violence and promote peace. He will receive a cash award of \$25,000.

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Commissioner Andrew Friedman commented Councilmember Tom LaBonge attended the September 27, 2010 Frank Hotchkin Memorial event and asked the Councilmember be sent a thank you for attending the Memorial. Fire Chief Peaks agreed.

B. Significant Incidents/Activities:

1. [BFC 10-116] – Significant Incident Summary report for the period of September 13 through September 20, 2010.
Recommendation: Receive and file.
The report was received and filed.
2. [BFC 10-117] – Significant Incident Summary report for the period of September 20 through September 27, 2010.
Recommendation: Receive and file.
The report was received and filed.

4. OLD BUSINESS

- A. [BFC 10-045] – Fire Department response to the Assessment of the Department Disciplinary Process and Professional Standards Division conducted by the Office of the Independent Assessor [BFC 10-027]

Chief Cummings reported regarding Action Items 1 and 2 of the report, to establish the Disciplinary Guidelines that held sworn to higher standard than non-sworn members and to consistently apply them, Chief Spence will be meeting with Stakeholders on October 25. Action Item 3, discussing the staffing for Professional Standards Division (PSD) will be addressed in BFC 10-103. Action Item 4 and 6, Chief Hill is establishing the process for documenting agreements between labor and management and keeping the Board informed as they transpire, has had a lot of progress to this point, and is drafting a recommendation to establish an indexing system to identify the party/parties responsible for documenting and archiving agreements. Has met with Department, ERO, COA and UFLAC and will be meeting with Fire Commission to discuss possibly setting up an department-wide indexing system and document control. Action Item 5, Skelly process, headed by Chief Cummings, has documented a formalized training for all Skelly Officers. Process is being drafted to be included in the manual, which will be prepared for the PSD. Action Item 7, creating the manual for Professional Standards Division, being handled by Chief Biggs and Chief Potter, met with PSD and working with Chief Everett regarding the manual that has been under development for the last two years, and monitor progress and proceed.

Chief Cummings stated progress is being made on all action items and plan to present a written progress report for the next Commission meeting.

President Hudley-Hayes asked how Mr. Stephen Miller, Independent Assessor, is kept informed regarding the progress to ensure things are unfolding in accordance with the report recommendations. Chief Cummings commented as any portion is completed, or comes forth with recommendations, they meet with Mr. Miller to ensure the intent of the correction is met.

1. [BFC 10-091] – LAFD Implementation Action Plan (IAP) – Department's response to the 2010 Independent Assessor Audit (Revised 08/31/2010; Supersedes BFC 10-085)
Recommendation: Receive and file.
The report was received and filed.

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2. [BFC 10-118] – Approval of the Recommendations for the Staffing Plan of the Professional Standards Division (PSD)
Recommendation: That the Board approves the report and recommendations.

Chief Bercik stated the staffing plan for PSD has been submitted given monies that are in the Unappropriated Balance. She also commended PSD staff for their dedication, commitment and work ethic.

Chief Special Investigator Paul Hayashida provided a PowerPoint presentation highlighting the staffing plan details. In 2006 the Controller and Personnel Department made findings through a series of audits about the disciplinary process, which led the Department to move forward with the creation of PSD. Working with Stakeholders in 2007 and presenting a plan to the Mayor's Office which convened a working group, PSD was established January 1, 2008. From that Personnel Department came up with a proposed staffing plan which was predicated on 1) there would be 100 complaints annually handled Department-wide, 2) staffing plan did not account for the Board of Rights function which is an integral part of what PSD does, and 3) Stakeholders also envisioned an investigative team consisting of a sworn member with historical knowledge of the Department, familiarity with procedures with the civilian staff member with the training in how to do investigations. Additional presentation highlights included; the number of actual reported complaints far exceeded the 100; an increase in the number of internal complaints in 2008 was 41% and in 2009 was 69%. In its first full year of operation (2009), the Complaint Tracking System (CTS) received 1,230 complaints resulting in 1,165 investigations being opened of which included 340 investigation involving driver license issues.

Chief Special Investigator Hayashida stated that as of yesterday, their numbers are on-track to be very close to the 2009 numbers. The significance of the driver license issues is that with a recent change in policy, someone that cannot retain a valid license is deemed to have not met a condition of employment, which means a potential Board of Rights Hearing.

Chief Special Investigator Hayashida referred to Attachment A of the Board Report, which he stated were the five identifiable issues believed to be critical to the progress of PSD. He further commented on the numerous responsibilities of the Moderator position, Ms. Betty Bonada, and that the Investigations Section Commander, Graham Everett, being overloaded is another issue and provided detailed examples.

Chief Special Investigator Hayashida stated another issue identified is that their caseload far exceeds available personnel and resources. The average primary caseload for PSD exceeds 10 cases per investigator. With the attempt to pair a civilian investigator and a sworn advocate through an investigative team process, that 10 caseload does not take into account where the advocate/investigator is a secondary investigator. Department-wide there are 395 open cases of which 144 are assigned to PSD. LAPD limits their cases load to 6-8 as a primary case load and do not have a secondary caseload issue and their staff is trained and experienced in doing investigations.

Chief Special Investigator Hayashida stated ultimately they have a timeliness issue, and they come up on statute on a number of cases. The fourth issue noted is the support and feedback for open field cases. The last issue is the Board of Rights Hearings; the component in the original plan was that there was no staffing. In 2008-2009 there were

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two Board of Rights Hearings, this year there have been 17 requested. With no permanent staffing for Board of Rights they have a backlog of hearings. Chief Special Investigator Hayashida summarized the Conclusion: section of the Board report.

Commissioner Andrew Friedman asked if when the Division was created, were additional funds budgeted or was there a separate earmarked budget for PSD. Chief Roxanne Bercik stated when the Division was created there was a \$4 million plan; Council approved less than \$1 million to fund the Division. Commissioner Friedman suggested today's presentation be used for future City Council or Budget and Finance Committee. Discussion was held regarding how costs are tracked for staff detailed to PSD, funds used for those positions, and funds used for positions, which must be backfilled as staff is detailed to PSD. President Hudley-Hayes stated since PSD began the number of lawsuits have decreased significantly. Chief Peaks stated for next budget season, the Department would attempt to get more funding into next year's budget.

ACTION: MOTION: (Tolentino/Bontá): That the Board approves the report and recommendations. **ADOPTED:** AYES – 4 (Absent: Furillo)

B. [BFC 10-046] – Fire Department response on Disciplinary Guideline Comparison

Chief Cummings stated a meeting of the Stakeholders would be held on October 25, 2010. President Hudley-Hayes confirmed this item would be brought back after Stakeholders. Fire Chief Peaks confirmed Chief Yamahata would be participating as requested.

C. Verbal report on HR Value Contract (C-116124/BFC 09-001)

Chief Cummings introduced Dr. Pat Lynch to speak to the Commission regarding the HR Value Contract. Dr. Lynch stated in HR Value's latest scope of work, the two performance-based objectives were; 1) to develop and design a viable succession plan for the sworn members of the Department, and 2) to develop options and recommendations that result in a plan for the effective deployment of staff. This was after ERIP, furloughs were in place and budget cuts. Both objectives were completed.

Dr. Lynch addressed the succession planning first and described the blue print developed for the department in terms of a succession plan. A succession plan is a long-term, systematic process for ensuring the talent needed is at the appropriate place. There is no Fire Department in the Country that has implemented a fully functioning succession planning process.

Dr. Lynch stated they also developed a replacement plan process, as in the next five years 20-50% of the members will be leaving. Therefore, there is an immediate need that cannot be filled by the succession planning process. Dr. Lynch recognized Firefighter Michelle Banks as she worked closely with her on this project for Fire Chief Peaks.

Dr. Lynch stated, regarding the second project, to address the chaotic environment, they provided a framework within which the Department could evaluate what deployment of staff, similar to a Triage Plan during an incident. Critical, very important, and important jobs and functions were identified throughout the Department. Dr. Lynch commended Norma Gutierrez and Rachawn Baker as they took the information, trained civilian members and every job was categorized in terms of its importance to the Department. This framework is now available for use and has been shared with other City Departments. The Fire Department is leading the way in this area in the City.

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President Hudley-Hayes requested the Commission be provided hard copies of the blue print and the plan referred to as the triage plan. She noted the importance of items like this being discussed in public as it raises the awareness of the comprehensive approach being taken by the Department even in these lean times. She requested a comprehensive presentation by Dr. Lynch at the next Commission meeting. Dr. Lynch agreed.

Vice President Tolentino asked if the succession plan and the replacement plan interfaced or are they distinctive plans. Dr. Lynch confirmed the plans interface. She provided some examples.

D. Verbal report on LAFD Partnership with MySafe:LA (BFC 09-141)

Fire Chief Peaks introduced Mr. David Barrett to update the progress MySafe:LA has made and everything they are doing for the City and the Department.

Mr. Barrett stated he last visited in December 2009 as they began this endeavor. The objective was to make certain the education process related to fire and life safety was not curtailed due to budgetary issues and there would be an independent methodology for ensuring that children, families and those at risk had an opportunity to be better prepared to survive disasters. The last year has been successful.

Since beginning school visitations, MySafe:LA has visited 187 schools, focusing on fourth and fifth graders. Presentations included both family escape planning, i.e. Stop, Drop & Roll, with video and technology and with fire companies. A one-hour presentation includes the first-in resource for the school, MySafe:LA presenters, logistics, execution and follow-up. The first-in response company participates as a presenting entity. He invited the Commission to attend one of their presentations, which are done almost daily.

Currently, they receive a minimum of one request a day for a presentation. There are more than 600 schools in Los Angeles of which more than 200 have fourth and fifth graders, and they have reached more than 23,000 students this year. The series of programs available include FireSmart:LA, Ready-Set-Go and Pet Safety. An assessment process occurs 3, 6 and 12 months following a school visit. All education programming material comes from established entities or their Board, which is made up of active and retired Chief Officers from the LAFD. They have an advisory board, which includes physicians, educators, media people, PR people - all with the right input and expertise. They use technology, i.e. website. Most interactive educational games for kids are in four languages; English, Spanish, Korean and Chinese and they use video extensively. Mr. Barrett commented on the first of four educational videos, *Earthquakes:LA*, an example of a Readiness Kit, distribution of kits and DVDs, and ten online courses related to fire and life safety in two versions, and all courses fit into existing curriculum.

A Strategic Plan and Business Plan for 2011-2012 will be prepared by December 1st. Their work is designed to be collaborative; they are trying to pick up the piece where money first disappears which is education and are also trying to make the job of firefighters easier. Mr. Barrett thanked retired Fire Chief Barry, Fire Chief Peaks, Chief Frazier, Battalion Chief Villanueva, Captain Ruda and Captain Haro for their support.

Discussion was held regarding funding for the non-profit and interaction with Neighborhood Councils. Commissioners Bontá and Tolentino commended Mr. Barrett on the program.

Commissioner Tolentino asked if the document provided was already vetted by the City Attorney's Office. City Attorney Carlos De La Guerra confirmed the item is on for verbal

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presentation only, and the document provided was only for information. Commissioner Tolentino raised his concerns: a contract dated 12-1-08 involving XYZ Inc. and the Fire Foundation. He is not sure what all the relationships are and wants to feel better informed. Mr. Barrett stated an MOU and a Trademark agreement were executed in February and approved by Council. Fire Chief Peaks confirmed the presentation was only an update. Commissioner Tolentino requested a copy of the approved documents. President Hudley-Hayes confirmed the item would be agendaized for the next meeting and commended Mr. Barrett on the program.

Also present was retired Assistant Chief Cathy, a member of the MySafe:LA Board of Directors, who spent 34 years with LAFD. Mr. Cathy said he is honored to work on a project that gives back to the Community and encouraged Commissioners to attend a presentation.

5. NEW BUSINESS

- A. Verbal report on Cost Recovery: Services provided to preplanned (not 1st amendment) events i.e. "Rave Parties"

Chief Bowman provided a brief overview regarding Raves, specifically the Rave Taskforce that the Department has significant representation in, and status of cost recovery components. After the June event at the L.A. Memorial Coliseum, the Coliseum Commission hired an outside law firm to make recommendations for future events in the Coliseum specifically for Electronic Music Festivals. In addition, the County Board of Supervisors directed the formation of a Rave Task Force, chaired by Director of Public Health, Dr. Jonathan Fielding, consisting of four sub-committees. The LAFD has significant representation on all four. Event safety recommendations were created, i.e. no minors, DMV ID checks, Drug Education Program, drug identification canines, amnesty boxes, occupancy loads, specialized fencing, and an on-site medical physician.

Chief Bowman stated that regarding the cost recovery components, the Emergency Services Bureau, along with other City Departments, does not have an actual avenue for cost recovery. This item is before the Public Works Commission, as Departments do not have the ability. The Bureau of Fire Prevention & Public Safety, through their Film Unit, is evaluating the ability to recover costs for the assignment of inspectors and personnel in the Bureau of Fire Prevention. For the Emergency Services Bureau they take overhead, management, bike medics, paramedics assigned, and seek a voluntary reimbursement of costs for the promoters. On each occasion so far, they have received total cost recovery back to the City.

President Hudley-Hayes asked if thereafter the funds came back to the Fire Department. Georgia Mattera, Fire Administrator, stated no, the funds go to the General Fund. Commissioner Bontá confirmed the promoters choose to reimburse the Department on a voluntary basis. She would like revising the fees high enough to recover all costs. An exceptional job is being done by bringing together Fire Department resources with the producer for life safety. Essentially, work is being provided free as there is no mechanism to recover all of the costs. As a second step, that there also be a mechanism that recovers beyond the inspection fee, the cost of staffing provided for event; such that the producer must pay.

Fire Chief Peaks commented it would require a creation of a new ordinance. Chief Rueda stated staff is in the process of writing a new ordinance that would formally permit emergency services to bill-back. The Fire Code currently provides the Department the ability to bill for Fire Safety Officers; they want to mirror this function. Commissioner Tolentino stated illegal events

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should also be covered in the fee recovery ordinance. Commissioner Bontá added a fine should be imposed for illegal activities.

President Hudley-Hayes stated as staff assists in drafting a new ordinance, it should be drafted so costs recovered should come back to the Fire Department because the function is unique to LAFD.

Fire Chief Peaks stated in last year's budget the Department was successful in establishing a baseline for all of the revenue generated by LAFD that would allow anything above the baseline to come back into the LAFD budget. There is no other general funded City department that has that agreement. The baseline for this fiscal year is \$141 million.

President Hudley-Hayes requested the Commission be appropriately updated in order for the Commission to publicly support the Department.

Chief Stormes added staff does have a model to follow regarding how they can recover legal costs for the Housing Taskforce, and those monies do come back to the Department.

Chief Bowman stated the City Council has also directed the Fire Department to report on its recommendations in approximately 50 days, through City Attorney and Chief Legislative Analyst (CLA), for managing and having a City policy concerning electronic music festivals.

Commissioner Bontá asked if the report would include information for the potential Ordinance. Chief Bowman stated he could include a broad statement saying that full cost recovery via an Ordinance is in progress, but the Ordinance must go through the entire legal process. City Attorney Carlos De La Guerra confirmed City Council would have to approve any ordinance that would allow cost recovery going back directly to the Department, but it could certainly be a direct recommendation. There currently exists some Administrative Code provision that allows for specific fund sources, i.e. training recovery, to be directed back to the department that actually provides the service.

B. Verbal report on feasibility of charging response fee for non-transport service by the LAFD

Georgia Mattera, Fire Administrator, reported in June 2010 *Matrix Consulting* was hired as it has done work for other City departments and successfully implemented new fees. For LAFD the company is working on validating current ambulance fees, a voluntary subscription fee, and also looking at the feasibility of a treatment/no-transport fee. *Matrix Consulting* is in the process of finalizing their recommendations to LAFD; their report is expected within the next couple of weeks. Upon receipt, staff will review the report with the Fire Chief Peaks, and bring it to the Commission for full review.

Commissioner Friedman requested a written report from staff be provided 30 days after receipt of the report. Ms. Mattera concurred the report would be brought to Commission with full recommendations, and if approved the remainder of the process could continue, including City Council approval. Ms. Mattera confirmed she needed to obtain a firmer timeframe from *Matrix Consulting*.

C. Verbal report on impact of ending the Modified Coverage Plan (MCP) and elimination of 51 Staff Assistant Positions from the Department and possible Board action including discussion of seasonal variances and temporary suspensions based on departmental needs.

Chief Brian Cummings stated his report would cover where the Department started this fiscal year, changes to date and budget implication for suspending the Modified Coverage Plan and

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the elimination of Staff Assistant Positions. The Department started Fiscal Year 2010-2011 with a balanced budget plan which included continuation of the modified coverage plan which included deleting a Battalion Command Team and a Division Command Team for \$41.29 million in savings; the redeployment of 27 EMS District Captains to backfill vacancies for a savings of \$6.4 million and the redeployment of the staffing on two Hazardous Materials Squads to also backfill vacancies for a savings of \$7.2 million. At the direction of the Mayor's Office, several of the approved closures did not take place. Specifically, the EMS Captains have not been redeployed. There was an attempt made on September 5 and September 26 to re-deploy them and the Mayor's Office directed both times for that not to occur. Additionally, the staffing on Squad 48 has not been redeployed.

Suspension of the MCP through December 31st will cost the Department approximately \$13.5 million. If maintained throughout the entire fiscal year will result in a \$24.5 million budget deficit. The elimination of the staff assistants effective October 24, 2010 will save the Department approximately \$5.2 million for the balance of the fiscal year. If MCP is in effect January 1, 2011 through the end of the fiscal year, the Department will have a \$21.7 million deficit. If the Department does not resume the MCP, the fiscal year will end with a \$32.7 million deficit.

President Hudley-Hayes asked if there is work on a plan to address the \$32.7 million deficit, and will this amount be on top of additional deficit. Chief Cummings stated the \$32.7 million takes into account the \$13.4 million included in the Department's first financial status report. President Hudley-Hayes confirmed the amount could increase. Ms. Mattera concurred; other factors are the potential for lawsuits. Lawsuits pending payment are not reflected in the current deficit amount. President Hudley-Hayes asked if the City Council and the Mayor are aware of the situation. Fire Chief Peaks stated yes, negotiations are occurring between UFLAC, CAO and the Mayor's Office. The Department has been directed to stay the course in hope some of the loss will be recaptured through concessions, givebacks and a ratified contract.

Commissioner Friedman stated the Department was not working under the Modified Coverage Plan by choice, but because of the budgetary problem. Issues previously raised by the Commission included safety and response time consequences. He does not understand the Mayor's Office eliminating the Modified Coverage Plan while also stating they are not going to provide more funding. The Commission must emphasize and make the Mayor aware of the situation as Fire Chief Peaks is doing, and he is confident that somehow they will replenish the money to eliminate the deficit.

President Hudley-Hayes commented she is not confident the deficit funding will be replenished, and expressed serious concern regarding the \$32.7 million deficit that could grow. Especially in terms of public safety, employee safety, ability to respond to the saving of life, property in the City. Commissioner Bontá confirmed the EMS Captains have not been redeployed, and the 51 Staff Assistant Positions would be transferred to field assignments to cover vacancies as firefighters.

President Hudley-Hayes stated the Commission should continue to be appraised of this item as budget probabilities continue. She requested this be a standing agenda item.

PUBLIC COMMENT: Troy Westbrook, Stentorians President, opposed removal of 51 Staff Assistants. This seems to be a cost-saving measure, but is minuscule compared to the danger it will bring to citizens and fellow firefighters. Positions removed are never returned to LAFD organizational structure. He described the numerous responsibilities of the staff assistant, and the importance of the position for upward mobility, i.e. promoting to the rank of Fire Captain I.

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The Stentorians are troubled by the loss of this opportunity for its members. Mr. Westbrook stated he would provide Commissioners and Fire Chief Peaks with a copy of an analysis done. Commissioner Friedman suggested that as the directive came from the Mayor's Office, a copy of the analysis should be sent to the Mayor's Office as well.

Phillip J. Weireter, Firefighter Staff Assistant, departmental member for 33 years, currently assigned to Division 3, A Platoon, Chief Officers Aide, Adjunct, Staff Assistant, assigned to all 3 Divisions twice, and worked in all 16 battalions assigned to 8 of them. A staff assistant's number one goal is the responsibility of public safety and firefighter safety. Staff assistant responsibilities have grown tremendously. The Division 3 Staff Assistant alone calculates the fire danger weather each day and monitors conditions. Weather forecast by LAFD is the official weather for the City of Los Angeles. Emergency Operations Command Team incident responsibilities were described and examples of incidents were given, i.e. Metrolink crash. In closing, the staff assistant position has been an excellent tool in the mentoring of new officers for LAFD.

President Hudley-Hayes indicated that the remainder of the speaker cards would be logged with the Board Secretary.

John Miller, Chief Officers Association President, stated there are misconceptions about the staff assistants. LAFD command and control operational mode concept is based on decades of experience of a staff assistant and a chief officer. In 1998, a budget saving measure eliminated division staff assistants and in March 1998 Captain Joe Dupee died at a fire after which it was determined command and control was a contributing factor in the loss of Captain Dupee. Immediately after, the City Council re-instituted the division staff assistants. The Federal Government is investigating the Station Fire and it has been reported that there has been concern for budget savings, which played a major role in the incident commander not calling for adequate resources and a factor in the death of two County firefighters. There have been numerous incidents where a command team, consisting of a battalion chief or assistant chief and a staff assistant has played a role in managing fire suppression activities and concurrently managing emergency firefighter rescues. The day-to-day administration of a battalion (50-70 personnel), or a division (up to 300 personnel) is managed by one person, and it cannot be done alone. Chief Miller thanked Commission for their support, hopes Mayor re-institutes the staff assistant positions.

Pat McOsker, United Firefighters President, stated if he called the shots on Fire Department staffing, there would not be an MCP for the past 14 months, would not have had 15 fire companies closed, would still not have ambulances closed, and a Hazmat Squad out of operation in the valley. Fought against MCP from the beginning, and fought to restore the service and make the public safer. The Mayor's decision to re-open 15 fire companies and also redeployed staff assistants made the Fire Department and City of Los Angeles safer. Mr. McOsker said, regarding the budget, it will be funded in the end; end the MCP, the City Council will fund the budget just as the Police Department was funded last year.

6. NEW BUSINESS – CONSENT ITEMS

President Hudley-Hayes stated she was informed Item 6.A. needed to be called Special, and needed City Attorney Office's review. Georgia Mattera, Fire Administrator, clarified the item had been reviewed by the City Attorney's Office and obtained their signature. Mr. De La Guerra confirmed if the item had been reviewed and signed, there is no issue. Mr. Salvador Martinez, Chief Management Analyst, confirmed Laurel Lightner signed the item.

MOTION (Friedman/Bontá): That the Board approve Items 6.A. thru 6.F.

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ADOPTED: AYES – 4 (Absent: Furillo)

- A. [BFC 10-119] – Professional Services Contract – Howroyd-Wright Employment Agency, Inc. DBA Apple One
Recommendation: That the Board approves the report and recommendations.
ACTION: APPROVED.
- B. [BFC 10-111] – In-Kind Donation for Landscaping Articles
Recommendation: That the Board approves the report and recommendations.
ACTION: APPROVED.
- C. [BFC 10-112] – In-Kind Donation for Exercise Equipment
Recommendation: That the Board approves the report and recommendations.
ACTION: APPROVED.
- D. [BFC 10-114] – In-Kind Donation for Equipment
Recommendation: That the Board approves the report and recommendations.
ACTION: CONSIDERED SPECIAL.
- E. [BFC 10-115] – In-Kind Donation for Equipment
Recommendation: That the Board approves the report and recommendations.
ACTION: CONSIDERED SPECIAL.
- F. [BFC 10-120] – Corrective Action Summary – Notice of Discharge, Suspension, or Probationary Termination reports filed with the Board of Fire Commissioners – September 10 through September 30, 2010
Recommendation: Receive and file.
ACTION: RECEIVED AND FILED.

7. ITEMS CALLED SPECIAL

[BFC 10-114] – In-Kind Donation for Equipment
Recommendation: That the Board approves the report and recommendations.

[BFC 10-115] – In-Kind Donation for Equipment
Recommendation: That the Board approves the report and recommendations.

Vice President Tolentino stated that as these donations are for software and equipment used for strategic planning, and for mission critical support services, these are basic resources that the Department ought to be covering.

Chief Cummings stated the Plotter/Printer is above-and-beyond what would be within the department budget. Regarding the laptop computer, the department computer replacement cycle is on going, but the Network Staffing System supports all payroll for sworn members as well as tracking training and information about members, and is above-and-beyond departmental normal computer capacity.

Commissioner Bontá commented that if staff has a legitimate need for this equipment, which does not fit in with the City cycle, is there a way it could? Commissioners are hesitant to see the Department reliant upon the good will of a separate foundation to fund what are basic needs, especially when the write-up says the equipment is needed to support a critical mission. The concern is could there be other opportunities when staff has critical mission and because it does not fit exactly with the City process, staff does not have the ability to fulfill that work obligation. When does the process occur that

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staff requests extra ordinary funding within the City and does staff go to the Foundation for external support that would not be the obligation of the City to provide.

Chief Cummings stated mission critical is important, but when facing staffing shortages in both civilian and sworn members, and looking at the budget situation for the City and for LAFD, it is difficult to go through that entire process to justify purchasing a printer or computer when looking at staffing on for staff assistants, fire resources, a 50% vacancy rate in the accounting section, and looking at 59 civilian vacancies. If times were normal, staff would go through the longer City process.

Vice President Tolentino commented it is important Commissioners raise these issues as these are basic resources, which should be provided by an employer. President Hudley-Hayes directed Mr. Stephen Miller, Independent Assessor, to meet with the City Attorney's Office, and report back to the Commission on how all of these things get integrated; XYZ, Inc., the Foundation, MySafe:LA. The Commission needs to know how these items fit into each other. Mr. Miller stated he would gather information for more informed decision-making. Mr. De La Guerra agreed to meet with Mr. Miller, and stated the process is set forth in the Administrative Code as to how donations are accepted.

8. REQUEST FOR FUTURE AGENDA ITEMS

- Comprehensive Presentation of Blue Print and Triage Plan Developed by Dr. Lynch for the HR Value Contract
- LAFD Partnership with MySafe:LA – Executed MOU and Trademark Agreement
- Update on full Cost Recovery Mechanism for resources utilized, i.e. "Rave Parties"
- Written Report on *Matrix Consulting*
- MCP, Agenda Item 5. C. – Standing agenda item
- Stephen Miller, Independent Assessor, meet with City Attorney's Office
- PSD - Identified trends in regard to Disciplinary Infractions
- PSD - Case Load, Best Practices Standard, in terms of caseload per inspector, and case credibility

9. ADJOURNMENT

Fire Chief Peaks announced the new Chief Deputy for Emergency Operations is Chief Donald Frazier. The meeting was adjourned at 11:27 a.m. (Bontá/Tolentino)

ATTEST BY:

GENETHIA HUDLEY-HAYES
President

LETICIA GOMEZ
Commission Executive Assistant

Date: December 7, 2010

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.