

**CITY OF LOS ANGELES
BOARD OF FIRE COMMISSIONERS
MINUTES
TUESDAY, DECEMBER 18, 2012**

The Regular Meeting of the Board of Fire Commissioners convened at 9:10 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
Commissioner Steven Fazio
Commissioner Andrew Friedman
Commissioner Alan Skobin
Fire Chief Brian Cummings
Assistant City Attorney Debra Gonzales

Absent: Vice President Casimiro Tolentino

- **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, the fire service, law enforcement, EMS and the military who devote their lives to the protection of the community and of our country; and for the loss of life in Newtown, Connecticut, and for the passing of Ms. Olivia Tolentino, Vice President Tolentino's sister.

- 1. **COMMISSION COMMENTS**

President Genethia Hudley-Hayes requested to set aside the first meeting in February to be a meeting where there are no reports agendized, unless they are reports that absolutely have a deadline. It will be a meeting where the Commission and Fire Chief Cummings review setting our calendar for the entire year; the work, initiatives and figuring out how that will be delivered to the Commission. President Hudley-Hayes confirmed February 5, 2013, for this item as it is important that all Commissioners are able to attend.

Commissioner Skobin asked if that meeting would also include the Department's Strategic Plan. President Hudley-Hayes stated yes and the Commission would review it and decide reports going forward.

Fire Chief Cummings confirmed the Commission would receive the Strategic Plan in advance to provide review time.

Commissioner Skobin commented that there are things in the Department we should cherish and things we should change, as in any organization. He had an opportunity to participate in a thing we should cherish. He was informed there is a tradition in the Department at certain milestones, i.e. at 25 years of service, the member cooks a meal at a fire station. Commissioner Skobin and his wife were invited to attend that meal, along with the member's family, and others attended. They shared how the Department has changed over the years and the progress made in the Department. It was a special opportunity to participate and get that insight into the Department. [Comments originally made during Item 2.A.]

- 2. **REPORT OF THE FIRE CHIEF**

- A. Announcements/Meetings/Events

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Fire Chief Cummings referenced the Calendar of Events provided, and highlighted the following events: Holiday Safety Press Conferences, Stuff-A-Bus Event. Next month we will be focusing on Fire Safety in the Home.

Commissioner Skobin requested returning to Item 1. [See his comments under Commission Comments.]

Fire Chief Cummings introduced members of the new UFLAC Executive Board: President Frank Lima, First Vice President Tony Gamboa and Secretary Freddy Escobar. Fire Chief stated their first Labor-Management meeting occurred that morning.

B. Significant Incidents/Activities

1. [BFC 12-203] – Significant Incident Summary report for the period of November 19 through November 25, 2012.
Recommendation: Receive and file.
ACTION: RECEIVED AND FILED.
2. [BFC 12-205] – Significant Incident Summary report for the period of November 26 through December 2, 2012.
Recommendation: Receive and file.
ACTION: RECEIVED AND FILED.

3. **PRESENTATIONS**

None.

4. **CONSENT AGENDA ITEMS**

- A. [BFC 12-206] – Approval of Meeting Minutes for October 16, 2012.
Recommendation: That the Board approve the minutes as submitted.
ACTION: APPROVED.
- B. [BFC 12-207] – Approval of Meeting Minutes for December 4, 2012.
Recommendation: That the Board approve the minutes as submitted.
ACTION: APPROVED.
- C. [BFC 12-210] – Grant Donation for LAFD Recruitment Unit Vans, vehicle wrapping, valued at \$4,763.00, from the LAFD Foundation.
Recommendation: That the Board approve the report and accept the donation.
ACTION: APPROVED.
- D. [BFC 12-204] – Corrective Action Summary – Notice of Discharge, Suspension, or Probationary Termination reports filed with the Board of Fire Commissioners for the period of November 17 through December 7, 2012.
Recommendation: Receive and file.
ACTION: RECEIVED AND FILED.

MOTION (Skobin/Fazio): That the Board approve the consent agenda items.

ADOPTED: AYES – 4

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5. REGULAR AGENDA ITEMS

- A. Verbal report by Department on the disposition of LAFD matters considered by or referred to City Council/Committees during the period of December 5 through December 18, 2012.

Chief of Staff, John Vidovich, thanked Fire Chief Cummings, the Commission, President Hudley-Hayes and Commissioner Skobin for their support at the December 4 City Council meeting.

Chief Vidovich reported on the following matters:

At the December 10 Budget & Finance meeting, the Committee considered the City Attorney's report relative to a settlement discussion in an EEOC Claim. This claim was filed in January 2006, and alleged gender discrimination, harassment and retaliation. On December 12, Councilmember Krekorian introduced a motion to have the Council adopt the recommendations to settle the EEOC claim in an amount not to exceed \$350,000 pursuant to the conciliation agreement.

At the December 11 Audits & Governmental Efficiency meeting, the Committee considered the Controller's report relative to the analysis of the LAFD's Response Times. Representatives from the Controller's Office and Chief Deputy Yamahata provided an overview of the audit findings and associated follow-ups, and answered questions from the Committee. On December 12, Councilmember Koretz introduced a motion requesting that the Fire Department report back to the Public Safety Committee within 45 days on the process for reviewing requests for deviations from the Municipal and Fire Codes, including providing copies of all written policies governing such requests. The motion also requested the Department to report on all deviations requested and granted within the past three years. The Fire Prevention Bureau is taking the lead on this item.

At the December 14 Public Safety meeting, the Committee approved the following items: 1) BFC and CAO reports relative to the acceptance of a Federal Emergency Management Agency grant, in the amount of \$1.2 million, to continue the development and maintenance of the LAFD's Urban Search and Rescue Response System; and 2) BFC report relative to a donation from the LAFD Foundation for equipment, valued at \$10,860, for use by the Fire Department's Fire Cadet Crew 3 staffed at Fire Station 88. Finally, the Committee was also provided an update on the Los Angeles Regional Interoperability Communication Systems (LA-RICS) by the Mayor's Office, CAO, CLA and the Department.

President Hudley-Hayes asked whether when staff is in a Committee meeting and is asked to report back, i.e. 45 days, staff has an opportunity to determine if that is sufficient time to respond. Chief Vidovich stated yes, on this specific one, as he and Assistant Chief Frazeur contacted Councilmember Koretz's office.

- B. Discussion and possible Board action relative to the creation of a standing Budget Committee.

President Hudley-Hayes commented at the last Commission meeting she appointed Commissioner Fazio as the Liaison to the Department. Commissioner Fazio and she constituted an ad hoc committee. Today, by Board action, she would like to create a permanent Budget Committee and appoint Commissioner Fazio as the chair. President Hudley-Hayes confirmed she would serve with Commissioner Fazio on this Committee.

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MOTION (Friedman/Skobin): That the Board create a standing Budget Committee and appoint Commissioner Fazio as the chair and President Hudley-Hayes as the other member of the Committee.

ADOPTED: AYES – 4

C. [BFC 12-208] – Current Los Angeles Fire Department Contracts and Agreements

Recommendation: Receive and file.

ACTION: RECEIVED AND FILED.

Mr. Bill Jones, Contract and Grants Management Section, stated the report is broken down into General Fund as well as Grant Funded. One of the considerations staff will be bringing forward is a recommended formatting change to be more all-inclusive. We have a number of contracts that do not fall into either of these categories, i.e. business associate agreements. Staff would like to explore changes with the Commission and bring forward some formats that may better meet your needs, but for the time being this is the current format that will be provided until another format is approved for the future.

Commissioner Skobin commented Fire Chief Cummings had previously reported about working with Gordon Graham, a leader in development policies for public safety. He asked, would that be a General Fund contract or a different source?

Fire Chief Cummings stated Lexipol is the company and we are looking at them for our policies, our manuals – review and updating those. We have not finalized a proposal on that, but I believe that would be a General Fund contract, for which we would have to look for funding.

President Hudley-Hayes commended staff on the clarity of the report.

D. [BFC 12-209] – Emergency Medical Service Revenue Collection for Fiscal Year 2012-2013

Recommendation: Receive and file.

ACTION: RECEIVED AND FILED.

Mr. Sal Martinez, Financial Services Division, summarized the report and highlighted the following items:

- Page 2 – net revenue increase of approximately \$8.4 million.
- Components which consist of the \$8.4 million.
- Improvements to operations.
- ADPI - billing agent.
- NCO - collections vendor.

Discussion was held regarding forecasting for impacts of the Affordable Health Care Act.

Fire Chief Cummings stated that about 1.9 million people in the Los Angeles County area that are uninsured now will be eligible for insurance under the Affordable Health Care Act, which will impact our self-pays which is about 25% of our billing, that we get the least payment for and that would bump them up into the Medi-Cal rate. Additionally, with some of the penalties that are there for hospitals, i.e. 3/30 rule: if they see a patient again, seen in the ER, within 30 days there are substantial financial penalties for the hospitals. There will be some opportunities for fire-service-based EMS to provide a service to the public and also generate cost recovery. Staff is also pursuing grant funding to partner with area hospitals and the County to exchange pre-hospital care information.

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Commissioner Friedman provided an example of how a vendor is doing an excellent job in collecting payment for services rendered.

Commissioner Skobin commented on the importance of the Field Data Capture System for post-dispatch data and asked for additional information regarding the improvements the Department continues to pursue.

Mr. Martinez responded that the Department is making the improvements in the collection of data, constantly monitoring the forms submitted for completeness and providing training to staff transitioning to those areas as every complete form is a billable form.

Discussion was held regarding the correct numbers, as they relate to the total budget number, referenced in the report. Commissioner Skobin requested that future reports include information regarding all the factors considered in obtaining the correct numbers.

6. PUBLIC COMMENT PERIOD

Mr. Greg Kappy, from Tent King of Los Angeles, expressed his concerns regarding the excessive cost of a Tent Permit Fee which is \$352 per tent, the cost of a Spot-Check Fee of approximately \$100, the cost of having a Fire Safety Advisor/Officer on set at the cost of \$35-\$80 per hour, and film production is leaving [Los Angeles]. Mr. Kappy asked that the Commission consider the idea of lowering or eliminating the tent permit fee. He stated that L.A. County tent permit fees are free and that Burbank, Malibu, Long Beach and Ventura County are less than the City of L.A.

President Hudley-Hayes commented that although a dialogue is not permitted during the Public Comment Period, that does not mean Mr. Kappy has not been heard and that it will not be explored and/or looked into.

Mr. Lima, UFLAC President, commented that the money received from AB678 was a direct result of UFLAC's lobbying efforts in Sacramento. [Mr. Gamboa, UFLAC, ceded his public comment time to Mr. Lima.] Mr. Lima commented on a press release UFLAC sent out this morning regarding Apparatus Operator Thomas Taylor who died in a restaurant fire in 1981. [Mr. Lima provided a handout titled Indeterminate Sentence Parole Release Review.]

Commissioner Fazio requested, if possible, that promotions be done immediately before or after a Commission meeting so that Commissioners may partake. Fire Chief Cummings responded staff will look into doing it afterwards. It has been the practice, as required, to present all chief officers to the Board.

7. ADJOURNMENT

The meeting adjourned at 9:59 a.m.

ATTEST BY:

GENETHIA HUDLEY-HAYES
President

LETICIA GOMEZ
Commission Executive Assistant II

Date: January 15, 2013

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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.