

**CITY OF LOS ANGELES
BOARD OF FIRE COMMISSIONERS
MINUTES
TUESDAY, FEBRUARY 5, 2013**

The Regular Meeting of the Board of Fire Commissioners convened at 9:15 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 Steven Fazio
Commissioner Andrew Friedman
Commissioner Alan Skobin
Fire Chief Brian Cummings
Assistant City Attorney Carlos De La Guerra

- **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.

- 1. **COMMISSION COMMENTS**

President Hudley-Hayes thanked Deputy Chief Roxanne Bercik and Battalion Chief Steve Hissong for all of the work done in terms of recruitment efforts; the percentages of people of color and of women are up from three years ago. President Hudley-Hayes requested that the remaining Commissioners receive the information she was provided by Chief Steve Hissong. Chief Bercik confirmed the information would be sent following confirmation by the Personnel Department regarding final numbers. Fire Chief Cummings stated those numbers are a result of a lot of staff working very hard; the recruitment cadre put in a lot of hours.

Commissioner Friedman suggested that the Fire Chief do a press release when the final numbers are confirmed; Chief Cummings agreed.

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

- A. Announcements/Meetings/Events

Fire Chief Cummings referenced the Calendar of Events provided, and highlighted the following events: today is the fourth Battle of the Badges Blood Drive (two additional drives: 2/18 at FS 89 & at FS 87); February is Flood Control/Water Safety Awareness Month and National Burn Awareness Month; February 10 – Chinese New Year and 55th Annual Grammy Awards, LAFD will have on-duty resources and inspectors at the event; February 13 – Ash Wednesday; February 16 – 114th Annual Golden Dragon Parade; February 24 – Purim and 85th Annual Academy Awards; March – Operation Pull to the Right, March of Dimes, L.A. Marathon, St. Patrick's Day Parade, St. Baldrick's Celebration and African American History Month.

- B. Significant Incidents/Activities

- 1. [BFC 13-006] – Significant Incident Summary report for the period of January 7 through January 13, 2013.

ACTION: RECEIVED AND FILED.

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2. [BFC 13-011] – Significant Incident Summary report for the period of January 14 through January 20, 2013.

ACTION: RECEIVED AND FILED.

Deputy Chief Mario Rueda, Emergency Services Bureau, reported on a major emergency structure fire which occurred in San Pedro and was highly publicized by the media. He highlighted the following items:

- Treated and transported 12 people to area hospitals.
- Had over 30 occupants of a two-story apartment that were displaced.
- Fire ravaged the entire building.
- First unit on-scene was Engine 112 which was waved down returning from an EMS call.
- Fire had already extended up into the second floor.
- Numerous people were hanging out of second floor windows; one jumped before firefighters could get a ladder to her and she sustained a serious fracture to a leg.
- For the others, LAFD were able to raise ladders quickly, ventilate the roof and perform rescues.
- One fatality as a result of the fire.

Chief Rueda stated in regard to our deployment, just this one fire used up about 20% of our on-duty resources (of our daily deployment). Commissioner Skobin asked for clarification regarding the 20% of resources – is that citywide, or is it a different measure? Chief Rueda stated about 20%, we actually used 150 firefighters and that combines both firefighters coming on fire engines and about 12 rescue ambulances that were called to the scene to deal with the injuries; a little under 20% of our on-duty resources, our on-duty staffing. The cause of the fire is believed to be criminal in nature.

MOTION (Skobin/Tolentino): That the Board receive and file 2.B.1. and 2.B.2

ADOPTED: AYES – 5

3. PRESENTATIONS

Battalion Chief Allen Norman, 45-year City Service Pin presentation.

Chief Cummings thanked Chief Norman for the dedication and drive he has demonstrated in his many years of service in various City departments. He began with LAFD in 1974 and has continued until the present time. Chief Cummings presented Chief Norman with his 45-year City Service Pin and the LAFD's newest challenge coin.

Chief Norman thanked everyone present: 1966 was the opening day at the L.A. Zoo and the opening day of his City service; he has worked for the City all of his life. He thanked Chief Cummings for bringing him to work in the Fire Chief's Office. He introduced his daughter, Collette Norman. She said she was so proud of her dad for everything he has done for the City and for her family. Chief Norman bid everyone a fond farewell. President Hudley-Hayes commended Chief Norman for his many years of service, the knowledge that he provided her regarding HIPAA, and his expertise in personally assisting her involving his EMS skills. Chief Cummings stated that Chief Norman also participated in the succession planning process.

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4. CONSENT AGENDA ITEMS

- A. [BFC 13-005] – Meeting Minutes for January 15, 2013
ACTION: APPROVED.
- B. [BFC 12-047] – Meeting Minutes for March 6, 2012
ACTION: APPROVED.
- C. [BFC 12-048] – Special Meeting Minutes for March 6, 2012
ACTION: APPROVED.
- D. [BFC 13-004] – Meeting Minutes for September 4, 2012
ACTION: APPROVED.

MOTION (Skobin/Tolentino): That the Board approve Items 4.A. through 4.D.
ADOPTED: AYES – 5

- E. [BFC 13-007] – In-Kind Donation for Fire Station 33 for a Life Fitness Treadmill, valued at \$2,718.75, from the LAFD Foundation
ACTION: APPROVED.

MOTION (Fazio/Friedman): That the Board approve the report and accept the donation.
ADOPTED: AYES – 5

- F. [BFC 13-010] – Quarterly Report – Forecast Exits of DROP Enrollees
ACTION: RECEIVED AND FILED.

MOTION (Skobin/Tolentino): That the Board receive and file the report.
ADOPTED: AYES – 5

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 January 16, 2013 through February 5, 2013.

Chief of Staff John Vidovich reported on the following matters:

At the January 22 City Council meeting, the Council approved the exemption of one Risk Manager II and directed the Department to provide quarterly progress reports [on risk management items] to both the Public Safety and Personnel Committees.

On January 23, the Department, in cooperation with the Department of Recreation and Parks and Department of Transportation, reported to the Jobs & Business Development Committee on the status of all fees charged for film and television productions, the impact of waiving all City fees for television pilots and films substantially in the City, and the status of the fees charged to the film and television production industry.

At the January 25 Public Safety Committee meeting, the Committee approved reappropriation of the 2010 Homeland Security Grant Program funds in the amount of \$319,418.10 to the LAFD and to reimburse the Emergency Management Department. This will be voted on today at City Council for final approval. Additionally, the Committee approved the CAO's report relative to

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\$1,096,000 for the Fire Facilities Phase II Renovation Program to be funded by Proposition F; this will also be voted on today at City Council.

At the January 28 Budget & Finance Committee meeting, the Department provided an update on the status of the FY 2012-13 budget.

At the January 29 City Council meeting, the Council approved and authorized the Department to accept the grant award from FEMA for a USAR Task Force and execute a no-match cooperative agreement in the amount of \$1,276,608 for the term August 1, 2012, through January 31, 2014. Additionally, the Council approved a generous donation from Councilmember Zine, in the amount of \$197,244, for funding to purchase equipment for fire stations in Council District 3. On January 29, the Council also heard a proposal for adding Section 57.09.12 to the LAMC to establish fees to recover the LAFD's costs for providing research, inspections, testing, plan approvals, environmental impact reports related services to fire hydrants, fire flow and access requirements; this is pending approval from the Mayor's office.

At the January 25 Public Safety Committee meeting, the committee approved the 2011 State Homeland Security Program grant award to be used by the Emergency Management Department, LAFD, and LAPD for training; the amount is \$521,483 for the performance period of November 18, 2011 through April 30, 2014.

On January 23, Councilmember Englander introduced a motion instructing that the Fire Department and Personnel Department report on the feasibility of establishing a Reserve Firefighter program to utilize the services of retired firefighters, and potentially other qualified individuals, who are willing to volunteer and contribute to LAFD.

Vice President Tolentino asked what the impact on our budget would be in regard to waiving the fees for film and production. Chief Stormes stated the pilot program appears to be about 10% of the current production. Ms. Eva Bitar, the CAO Analyst, was at the committee meeting and estimates between \$40,000 and \$80,000 depending on the annual impact to the departments.

On January 11, Councilmember Buscaino introduced a motion requesting that the Department report back to the Public Safety Committee regarding the circumstances surrounding an extensive response time in the harbor area and determine future steps to prevent a similar delay.

Commissioner Fazio encouraged the Department regarding the establishment of the Reserve Firefighter program discussed in Councilmember Englander's motion. President Hudley-Hayes asked that the Commission be kept informed on this issue. Chief Cummings stated the Department has already started working on this item and will develop a comprehensive report, with a timeline, and report back to the Commission as soon as possible.

B. [BFC 13-008] – Final Proposed Budget for Fiscal Year 2013-2014
ACTION: RECEIVED AND FILED.

Mr. Sal Martinez, Financial Services Division, Administrative Services Bureau, stated today's report was the packet that was our final submittal to the Mayor's Office. He highlighted the following items:

- On December 4, the Fire Commission approved the 2013-14 Proposed Budget.

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- On December 7, the Department submitted its mandatory data, in terms of the detail required by the Mayor's Office, on our final proposed budget to the Mayor's Office, the CAO, the Budget & Finance Committee members, the Office of the Chief Legislative Analyst and the City Clerk. No changes were made from what the Commission previously approved.
- Budget highlights: approximately \$27.3 million in obligatory budget packets and another \$22.7 million in priority budget packets; as well as a request for \$27.2 million in MICLA requests for fleet replacement. Contained in our new priority packets was about \$7 million for recruitment, and additional funding for our dispatch center as well as our dispatch quality improvement unit. Also included for the restoration of fire services was approximately \$10 million, and \$2.8 million for an International USAR Team.

Commissioner Skobin acknowledged there are a lot of very tough decisions that have to be made in putting together a budget, particularly in very, very difficult financial times, and that first and foremost the Fire Department does do a great job of service to the public. While he believes that we need to add field resources to the field even beyond what we previously had, and without diminishing the importance of that need, the area he is most concerned about in the proposed budget is the civilian support, the field, and other functions of the Department. As such, he asked for clarification of the revenue that will offset the \$3.1 million from the civilian salary account.

Mr. Martinez stated that the \$3.1 million represented our portion of the reduction in civilian staff salaries that we were requested to absorb. Our counter to that was that the Department has been working diligently on increasing our revenue collections from a variety of sources. The \$3.1 million would be a combination of additional revenue anticipated from DWP and increases in other revenue sources from special services and fees; plus we were reviewing taking a reduction at certain expense accounts to accommodate that \$3.1 million. Our intent was to keep our civilian workforce intact to support our sworn operations; the cut would equate to 41 positions which would devastate a lot of our operations, i.e., administrative, fleet operations, mechanics, staff that maintain our fleet.

Discussion was held regarding the concern of what the appropriate staffing levels should be to function in a manner to offer the proper level of service. Mr. Martinez stated in the past we used a workload indicator which lists all the activities of our units. The Mayor's office is transitioning to do a different review of that, but in terms of documenting the amount of work that is done by various units within the administrative series, we can document the number of invoices processed, number of cases handled to provide a number of personnel required to provide support staffing. We have not achieved the level of staffing needed to support the numbers produced; that has been impacted in the last few years by ERIP and the current budget climate, which has prevented us from filling all vacant positions.

Commissioner Skobin stated in terms of trying to deliver the best services to the public and to our members of the Department, it would be helpful to understand what we think the appropriate staffing level is; if it is a big project, we could take it in pieces. Also look at what vacant positions we have that are authorized, i.e., PSD, Fire Prevention Bureau. President Hudley-Hayes confirmed a workload study is needed and it does not need to come by the next Commission meeting. Commissioner Fazio will also be looking at the functions and overlaps in staffing, and those impacts in the Budget Committee. Chief Cummings stated Chief John Drake is working on our 1-, 3- and 5-year plan for building the Department, and included in the plan is minimum administrative staffing levels in each of the Bureaus and how they interrelate. Commissioner Friedman asked if the proposed budget is adopted what type of effect it will have on response times. Chief Cummings stated it is adding some emergency resources so there

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will be some improvement where the resources are placed. Discussion was held regarding LAFD being a business, and a phase of FIRESTAT which will be developed involving measurement of other items. The Department is waiting for a budget meeting with the Mayor's budget staff and the CAO.

MOTION (Friedman/Tolentino): That the Board receive and file the report.

ADOPTED: AYES – 5

D. Verbal report on the status of the LAFD fleet. – Taken out of turn.

Battalion Chief Wade White stated regarding our reserve fleet, we put a vehicle in service as we maintain the one that was in front-line service; he referenced a daily report that is done at the Shops:

- 132 triples (fire engines) are in service and only have 5 reserves available.
- 42 ladder trucks are in service and have 4 reserves available.
- 136 rescue ambulances in service and 13 reserves available.

Chief White stated there is one spare triple for every 26 that are in service. Previously, there was one spare for every four in service. We have one spare truck for every 10 in service. Previously, there was one spare for every three in service. For rescue ambulances, there is one spare for every eight. Previously, there was one spare for every three in service. He complimented the partnership with Mr. Mark Davis, LAFD CAO Budget Analyst and Fire Administrator June Gibson in regard to the MICLA program. They were successful in obtaining \$15 million to replace apparatus. They are discussing an order of three ladder trucks, nine engine companies and an additional 20 rescue ambulances. We are currently taking in the order placed last year for rescue ambulances (16 are at Shops, of 33 ordered). Additionally, the \$27.2 million in MICLA requests for fleet replacement requested for next fiscal year is desperately needed to assist with increasing the reserve fleet. In regard to the Managed Hiring Committee, positions will be requested for one equipment repair supervisor, one senior heavy duty equipment mechanic, two heavy duty equipment mechanics, one auto body builder and one warehouse tool room worker.

Chief White introduced Mr. Mark Clark, Shops Superintendent, to address some of the topics in regard to our current staffing. Mr. Clark stated the Department currently has 1,058 vehicles (apparatus of all kinds) that have at least one outstanding repair request, but in total we have 3,961 separate repair requests that are backlogged. The Shops focuses on mission-critical and safety-critical repairs. Of necessity, many repairs are deferred indefinitely and that creates a deficit in fleet availability and fleet functionality; that deficit is only compounded the longer the repairs are delayed. He emphasized optimally we would like to see one spare fire engine for every four engines that are in front-line service; currently we have one spare [reserve] engine for every 26 engines in front-line service. The same situation is realized in the truck fleet and the rescue ambulance fleet. The critical mass is a direct result of staffing shortages at the Shops; our current workforce can only produce 69% of the required labor to maintain our fleet. Metrics and data are available to validate the required labor for our fleet; there is hard data that tells us that we need 61,214 mechanic labor hours annually to maintain our fleet. Our current workforce can only produce 42,000 of mechanic labor. We are trying to fill 11 positions through the Managed Hiring Committee.

Discussion was held regarding authorized vacant positions and the impact it has on the ability for LAFD to function at its highest level. A request has been submitted to the CAO's office to fill all of the vacancies in Supply and Maintenance, one vacancy for Special Investigator in PSD, and one position in FPB. The analysis will be done by the Managed Hiring Committee and the

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next meeting is on February 15: provided an explanation of the hard hiring freeze, explanation of a blanket unfreeze for critical positions, the significant budget deficit due to the Department being under budgeted by \$7 million in the constant staffing overtime account, not being able to transition the dispatch center from platoon duty to a 40-hour schedule (over \$3 million savings). Due to the current fiscal crisis, all Departments had to accept some reduction. However, warranty vendors are used as an additional resource to take the load off of staff. Discussion was also held regarding the numerous negative situations created if reserves are not available; delays involved in preparing vehicles; the age of our fleet and the fact that we are off our replacement cycle for heavy apparatus; Dodge rescue ambulances are saving us a lot of money; and our inability to retain mechanics being lost to DWP due to the pay differential.

- C. Discussion and possible action relative to the formulation of Commission/Department priorities for the next year, new report structure, and creation of calendar of Commission reports.

President Hudley-Hayes stated she and Vice President Tolentino met with Chief Cummings and staff to begin talking about the specifics of how this item will proceed. Another meeting will occur in the future. The group discussed how future reports will take into consideration functionality and the impact across Bureaus. We are looking to put together reports that will include everything that impacts the information in that report, i.e., personnel, bureaus affected, cost analysis. They will also have been reviewed by the Budget Committee, and reports will no longer be stand-alone, they will be comprehensive. President Hudley-Hayes thanked the bureau commanders for the feedback provided; hopefully, at the next Commission meeting more specificity will be brought forward.

Vice President Tolentino stated President Hudley-Hayes summarized it well. Part of what we were trying to accomplish is for there to be more strategic planning, not only being reactive but look at all the functionalities of the Department. Fire Chief will need to set priorities the beginning of each year.

Commissioner Skobin expressed concern regarding the unresolved issue of Commission access to confidential, or personnel, information; this is a significant impediment to the Commission's Charter mandate. President Hudley-Hayes stated that she has been speaking with Assistant City Attorney De La Guerra regarding resolving this issue.

Commissioner Friedman stated it has been over a year and the Commission has not received a concrete report on charging fees for non-transport. Fire Administrator Gibson stated staff would present a written report to the Commission at the next meeting. She stated that staff did do a calculation assuming that we create a treat non-transport fee. What is unique about the Fire Department is the cost of that and the staff cost associated with reporting to a 911 call – that charge is already incorporated as part of our current ambulance fees; if we end up charging a treat non-transport fee we would have to extract that portion from the fees we currently charge; the end result would be a loss of millions of dollars. Commissioner Friedman asked that the report also include information regarding how other fire departments compare. Fire Administrator Gibson stated staff has done a survey of other jurisdictions and also had discussions with our ambulance billing contractor; all of that information will be included in the report. Vice President Tolentino clarified that the report does not need to be prepared for the next meeting; maybe in April. Maybe it could incorporate all the fees that the Department should charge and background on all of them, i.e., inspector fees, non-transport fees, DWP fees are also an issue.

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- E. Discussion and possible Board action relative to the creation of an Information and Data Analysis Committee.

President Hudley-Hayes stated she would like to create an advisory Commission Committee headed by Commissioner Skobin to interface/work with the Department and the Department's IDA Taskforce to ensure that the Commission is assisting in the completion of the task force report along with other items which Commissioner Skobin may want included in that Committee structure. The work of the Committee is something that he would undertake through the end of April. Commissioner Skobin confirmed that the work being done in the Task Force would be folded into the Commission Committee. President Hudley-Hayes stated the purpose is to ensure the Fire Chief's sense of urgency is carried out and to ensure it is part of the Commission's oversight and that the Commission is driving that urgency and process along.

MOTION (Friedman/Fazio): That the Board create an Information and Data Analysis Committee.

ADOPTED: AYES – 5

6. PUBLIC COMMENT PERIOD

Mr. Lawrence Williams, Public Advocate, stated he was here to bring the Board's attention to a resolution passed last week by the City Council sponsoring legislation for a California Motor Vehicle Next of Kin Registry. The registry will enable law enforcement at the scene of a car crash to track down family members and notify them more quickly. He thanked Chief John Drake and Chief Felix Norman for appearing at the Rules Committee to support this resolution.

Commissioner Fazio commented that oftentimes when someone is involved in an accident and is not conscious, there is no way to figure out who to call.

Mr. Williams added that he lost a family member to a car crash that involved delayed notification by law enforcement because they did not have rapid access to the data. He advocates for everyone putting their emergency contact information in as many places as possible; being able to connect the vehicle identification number (VIN) to the existing law enforcement communication system so police can access that information in seconds is critical.

7. ADJOURNMENT

The meeting adjourned (Friedman/Fazio) at 11:15 a.m.

ATTEST BY:

GENETHIA HUDLEY-HAYES
President

LETICIA GOMEZ
Commission Executive Assistant II

Date: February 19, 2013

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.