

# LOS ANGELES FIRE DEPARTMENT



DOUGLAS L. BARRY  
ACTING FIRE CHIEF

March 13, 2007

BOARD OF FIRE COMMISSIONERS  
FILE NO. 07-021

TO: Board of Fire Commissioners

FROM: Douglas L. Barry, Acting Fire Chief *DLB*

SUBJECT: **APPROVAL TO HIRE HEARING OFFICERS AND TO START THE  
APPEAL PROCESS**

FINAL ACTION:	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved w/Corrections	<input type="checkbox"/> Withdrawn
	<input type="checkbox"/> Denied	<input type="checkbox"/> Received & Filed	<input type="checkbox"/> Other

**Recommendations:** That the Board:

1. Approve the starting of appeal process for brush clearance in mid-April 2007.
2. Approve the appointment of Lloyd Heyne and Janice Irving as the designated Brush Clearance Appeals Hearing Officers.

**Summary.**

On January 23, 2007, the Fire Department, in accordance with Los Angeles Municipal Codes, 57.03.05 and 57.21.07, mail out two different types of invoices to re-coop the cost for brush clearance or to penalize property owners for not being in compliance at the time of their inspection. Enclosed with the invoice, is either a request form to appeal the brush clearance cost or a questionnaire to challenge the noncompliance fee.

Traditionally, the Board of Fire Commissioners has opted not to preside over the appeal process but to appoint qualified individuals as their representative during the proceedings. This practice, by the Board of Fire Commissioners, has been in place for several years now. A list of qualified individuals has been developed by the Fire Department. These qualified individuals have either current or previous experience in conducting administrative hearings. In addition, the Fire Department has complied with the City Attorney's recommendation to distribute the appeals in no set order but to keep them random and to periodically rotate out the hearing officers.

For this year's hearings, the Fire Department has selected Lloyd Heyne and Janice Santos Irving as the hearing officers. Mr. Lloyd Heyne has acted as hearing officer for the Fire Department in the past, and has proven to be highly qualified individual. He is a retired City employee who's last worked assignment was with the Los Angeles Personnel Department as the Department Budget Officer.

Janice Santos Irving could be a new hearing officer for the Fire Department. She holds a Doctorate of Business Administration/Labor Relations from the University of San Francisco and has acted as an independent arbitrator for the Los Angeles Police Commission, the Los Angeles Police Board of Rights and the National Associations of Letter Carriers.

**Conclusion:**

The Brush Clearance Unit is prepared to handle all associated administrative responsibilities necessary to complete the 2006 Brush Clearance Appeals. If the Board wishes to avail themselves of the services of Lloyd Heyne and Janice Irving as the designees, the Fire Department will proceed with the necessary arrangements to secure a contractual agreement.

Board report prepared by Robert Knight, Captain II, and Kathy Dade, Management Analyst I, Brush Clearance Unit