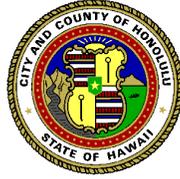


HONOLULU FIRE COMMISSION
CITY AND COUNTY OF HONOLULU

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DENNIS MORTON

CRAIG NAGAMINE

Minutes of Regular Public Meeting
Honolulu Fire Department Headquarters
Honolulu Fire Department Auditorium
Tuesday, July 31, 2018

CALL TO ORDER: Vice Chair Lee called the regular meeting to order at 2:01p.m.

MEMBERS PRESENT: Stefanie Lee, Max Hannemann, Charlotte Nekota, William Hong, Dennis Morton, and Craig Nagamine.

MEMBER EXCUSED: James Wataru.

IN ATTENDANCE: Fire Chief Manuel Neves (HFD), Deputy Fire Chief Lionel Camara Jr. (HFD), Chief Scott Lawton (HFD), Assistant Fire Chief Ron Rico (HFD), Assistant Fire Chief Socrates Bratakos (HFD), Battalion Chief Joseph Kostiha (HFD), Battalion Chief Sheldon Hao (HFD), Battalion Chief Damien Kahaulelio (HFD), Battalion Chief Jeffrey Roache (HFD), Battalion Chief Brent Dillabaugh (HFD), Battalion Chief Paul Miguel (HFD), Battalion Chief Keith Yasui (HFD), Robert Lee (HFFA), Jolyn Garidan Prieto (HFFA), Daisy Canite-Miyashiro (HFFA), Brian Ancheta (Corporation Counsel) and Nadine Murata.

II. SWEARING IN CEREMONY FOR FIRE COMMISSIONER, CRAIG NAGAMINE.

Newly appointed Fire Commissioner Craig Nagamine was sworn into the Fire Commission by Fire Chief Neves at 2:02 p.m. in the HFD auditorium.

Representatives from the Managing Directors office were in attendance and congratulated Fire Commissioner Nagamine on his appointment.

III. PUBLIC TESTIMONY

IV. COMMENTS FROM HFFA REGARDING CONCERNS AND ISSUES RELATING TO THE JULY 14, 2017 MARCO POLO HIGH RISE FIRE; CONCERNS AND ISSUES RAISED BY FIRE CHIEF NEVES DURING THE MAY 30, 2018 FIRE COMMISSION MEETING.

Vice Chair Lee asked if there was anyone from the public who wished to give public testimony. Mr. Robert Lee (HFFA) said his testimony would include Agenda Item IV. He introduced himself and handouts were passed out to the Commission by Ms. Jolyn Garidan Prieto (HFFA).

Mr. Lee congratulated and welcomed Commissioner Nagamine into the Commission.

Mr. Lee indicated that it's been a year since the Marco Polo fire and HFFA is still waiting for the After Action Report from HFD.

Mr. Lee mentioned that a letter dated April 20, 2018, was sent to Fire Chief Neves requesting an After Action Review (AAR) Report Relating to the July 14, 2017 fire at the Marco Polo High-Rise. He pointed to a timeline handout on the status of the AAR and noted that there's been no update since May 4, 2018.

Mr. Lee read a quote from the response letter dated May 4, 2018, from Chief Camara "The HFD continues to follow procedures outlined in the AAR Standard Operating Guidelines. Once the established process is completed, the report will be made available to you for review."

Mr. Lee went over a letter dated July 16, 2018, requesting a copy of the Marco Polo High Rise Fire, Prevention, Preparedness, and Response presentation on April 25, 2018. Mr. Lee mentioned that HFD has not responded to this letter.

Mr. Lee mentioned that his concern for the After Action Report has to do with fire safety and the notion that HFD could have lost firefighters in this incident. He said HFFA is hoping for a response soon.

Mr. Lee went over a letter dated July 31, 2018, regarding Agenda Item No. IV: Comments from HFFA regarding Concerns and Issues Raised by Fire Chief Neves during the May 30, 2018 Fire Commission Meeting.

Mr. Lee read a quote made by Fire Chief Neves at the Fire Commission's May 30, 2018 meeting. "Still talking about Marco Polo and the lack of leadership at the Marco Polo. Just want to set the record straight that most of our fires are run by Battalion Chiefs (BC). If it's a large fire, then there's a second Battalion Chief that comes from another battalion to assist. The Marco Polo had nine (9) chief officers at that fire. Four (4) executive chiefs were at that fire. We had nine (9) chief officers, four (4) of which were executive chiefs. So, to make a statement that there wasn't executive leadership there that is totally not true."

Mr. Lee distinguished between “executive leaders” and “executive leadership” with the Commission. Mr. Lee stated that executive leadership is leading during an incident and commented that this was not seen at the Marco Polo incident. Mr. Lee stated that this fire was abnormal, and it made national headlines and that Mayor Caldwell had responded to the scene.

Mr. Lee went over “Monthly Meetings, Labor-Management Relationship and Role of the Fire Commission”, starting on page 2 of the Agenda Item No. IV letter.

Mr. Lee mentioned that the role of the Fire Commission is to oversee the Fire Chief and provide evaluations.

Mr. Lee clarified the petition and mentioned that HFFA was simply asking for recommendations on bettering the relationship between HFFA and HFD and not getting involved.

Mr. Lee explained the chart on pages 2 - 3 of the letter, commenting on what HFFA has gone through with HFD from 2016 to 2018, with respect to HFFA’s requests for inclusion in HFD recruit class presentations, promotion orientations and other activities. Mr. Lee said he can provide HFD’s denial letters upon request.

Mr. Lee went over “Directive by Commissioner Nekota and Involvement of Fire Commissioner Hong” on page 4 of the letter. Mr. Lee referred to emails regarding the setting up a possible meeting with Commissioner Hong and Fire Chief Neves and indicated that this meeting was unexpectedly cancelled with no explanation.

Commissioner Hong explained that his involvement was to find a solution to mend the relationship between HFD and HFFA. He stated that he has been involved in many labor-management relationship issues and said he had learned that information that HFFA had requested from HFD was never received and meetings with the HFFA were never scheduled. Commissioner Hong indicated that if HFD and HFFA want to meet, he wants to help and would make himself available to help resolve any disputes.

Mr. Lee indicated that he was not criticizing Commissioner Hong’s involvement but, simply questioning the cancellation email from HFD as it was confusing.

Chief Camara stated that he wanted to work directly within Commissioner Hong’s structure as far as setting up the meeting between HFD and HFFA.

Mr. Lee stated that his confusion stems from no indication as to why the meeting was cancelled plus a comment made by Fire Chief Neves at the May 30th Commission meeting not wanting to explain what took place with the possible meeting and having Commissioner Hong explain.

Mr. Lee went over a letter dated July 16, 2018, Position of Authority of the Honolulu Fire Commission with respect to the Honolulu Fire Chief.

Mr. Lee asked for clarification on the role of the Fire Commission regarding its powers, duties and functions under the City Charter. Mr. Lee stated that under the City Charter the Commission

hires and fires the Fire Chief and the Managing Director is directed to supervise the department heads.

Mr. Lee questioned a statement made by Fire Chief Neves indicating that the Managing Director is his immediate supervisor.

Mr. Lee asked the Commission why Fire Chief Neves is reporting to the Managing Director if the Fire Commission is the one he should be reporting to.

Commissioner Hong voiced his concern to both HFD and HFFA indicating that it's the members who are going to suffer if differences are not put aside.

Chief Camara concurred that HFD and HFFA should get together and try to resolve their differences.

Commissioner Hong indicated that the Commission feels for its members and is willing to advise HFD and HFFA, but it is not the Commission's job to interfere with administrative duties.

Mr. Lee explained that HFFA has been trying to resolve differences for years, but that HFD controls the process and is the side that needs to be fixed. He noted that HFFA isn't the side sending out meeting denial letters.

Commissioner Hannemann asked if HFFA participates in the fire fighter recruit class presentations and fire captain orientations on the islands of Maui, Kauai, and Big Island.

Mr. Lee mentioned that the Hawaii Chairman is involved with some of the committees, but doesn't know the details.

Commissioner Hannemann asked Fire Chief Neves why is HFFA being denied participation.

Fire Chief Neves asked participation in which area. Commissioner Hannemann stated the fire fighter recruit class.

Fire Chief Neves answered that the department gives HFFA 5 hours. One hour in the beginning with extended time if needed and another 4 hours at the end of the recruit class.

Fire Chief Neves indicated that HFFA has full access to the new recruits during orientation.

Commissioner Nekota questioned Fire Chief Neves and asked him why HFFA was denied.

Fire Chief Neves answered that HFFA cannot be denied as it is part of the bargaining contract.

Commissioner Hannemann asked about the July 31, 2018 Agenda Item No. IV letter, regarding the chart on HFFA's requests for inclusion in activities.

Mr. Lee asked if it was in regard to the recruit class.

Commissioner Hannemann answered, "Yes".

Mr. Lee went over with the Commission on how the recruit class orientation is conducted.

Mr. Lee questioned why HFFA is being pushed back 2 day later when HFFA follows HFD. Mr. Lee stated that HFFA has not received any respect from Fire Chief Neves.

Fire Chief Neves answered that the statement that Mr. Lee's statement is untrue.

Fire Chief Neves explained how orientation is conducted and mentioned that the new recruits are introduced to the Chief so they may recognize who they are for about 5 – 10 minutes, then assignment of equipment and lockers are given out.

Fire Chief Neves mentioned that HFFA is supposed to come in a day before any other organization (e.g. credit union).

Fire Chief Neves mentioned that it is an administrative decision that recruits' gear is fitted properly. Fire Chief Neves noted that there have been occasions where gears have not fit properly, and they had to go back to the store room.

Mr. Lee answered that Fire Chief Neves' statement is not true.

Mr. Lee mentioned that the recruits get their gear the Saturday before and indicated whether the recruits are given it an hour early or an hour later it doesn't make any difference as the gear is not going anywhere.

Mr. Lee stated that the bargaining contract indicates that HFFA comes in during the orientation process.

Mr. Lee mentioned that HFD is conducting business when they administer their gear, equipment, teaching them things which is before the orientation process.

Mr. Lee feels that HFD has violated the contract.

Mr. Lee mentioned that the orientation process should be where the Fire Chief comes in, then the union. Mr. Lee indicated when Fire Chief Neves mentioned conduct business it is not an orientation process anymore.

Fire Chief Neves disagreed.

Mr. Lee expressed his frustration with the Commission.

Commissioner Hannemann advised HFFA and HFD that this is one of those issues that should be resolved behind closed doors.

Vice Chair Lee asked if a copy of the contract can be given to the Commission as it may be reviewed.

Fire Chief Neves answered, “Yes” and it will be sent via e-mail.

Fire Chief Neves asked Vice Chair Lee if he could respond to statements made by Mr. Lee.

Vice Chair Lee answered, “Yes”.

Fire Chief Neves mentioned that the department brought everyone who attended the Marco Polo fire together and conducted an after action meeting.

Fire Chief Neves indicated that comments, thoughts, and suggestions for improvement were collected.

Fire Chief Neves mentioned that the department has a procedure where an Assistant Chief (Chief Rico) reviews the after action report.

Fire Chief Neves mentioned that the executive staff reviewed the after action report and a lot of research was conducted.

Fire Chief Neves mentioned that necessary changes to policy, procedure, standards, guidelines, equipment were identified. Discussions on the after action report were conducted.

Fire Chief Neves mentioned that the after action report needs to be redacted and that Chief Lawton would be involved. Fire Chief Neves noted that the report will be released soon.

Fire Chief Neves mentioned that other fire investigations are pending and have contributed to the delay in the Marco Polo after action report.

Fire Chief Neves turned the discussion over to Chief Lawton.

Chief Lawton indicated that the after action review was conducted by the department’s incident commander Chief Lee and at the time 2 members of HFFA, including Mr. Lee, were in attendance.

Mr. Lee mentioned that it would have been nice to have received an answer like that instead of the letter that was given.

Commissioner Hannemann asked for the date of release.

Chief Lawton mentioned that redaction is conducted by support services.

Chief Bratakos mentioned that it shouldn’t take too long.

Vice Chair asked whether the report would be done by the next Commission meeting, in August.

Chief Bratakos answered, “I’m pretty sure”.

Chief Camara mentioned that now that the after action report is almost done, he is working on the budget with assistant chiefs to purchase equipment for areas that need to be improved on. Purchases of new hoses, nozzles, high-rise nozzles, and experimenting with thermal vision camera.

Chief Camara mentioned that a lot of these things take time and money.

Chief Bratakos mentioned that the survival ground intervention training must be continued, as many of the fire fighters indicated that it is this kind of training that kept them intact.

Chief Bratakos mentioned that focusing on fire prevention, law and ordinance safety is a priority.

Chief Camara gave an insight to the budget and mentioned that \$2 million for facilities, \$1.7 million for Rescue Company were recently added and Chief Camara stated that HFD would like to move forward to implement these things with the help of HFFA.

Commissioner Nekota asked if HFD is asking for HFFA's help.

Chief Camara mentioned that the department needs to work together on all issues and indicated that he is willing to meet with HFFA after this meeting.

Commissioner Nagamine asked Vice Chair Lee if the Commission would like to give Mr. Lee an opportunity to speak on what was proposed by Chief Camara.

Mr. Lee indicated that HFFA is concerned about its fire fighters and a status update would be appreciated.

Commissioner Hong mentioned "this takes time" is something that he hears all the time and everything takes months, but the next big incident could happen in the meantime.

Commissioner Hong voiced his concern and stressed the importance of attention to situations and indicated that there are sensitive issues that are limited to the union or management.

Commissioner Hong mentioned if there is information that can be useful to help the union and fire fighters at the stations, it should be presented so it can be a learning tool.

Fire Chief Neves mentioned that decontamination, keeping fire fighters safe, extra equipment, and the changing of operations simply do take time.

Fire Chief Neves indicated that the department conducted a debriefing at the training center.

Commissioner Hong asked if HFFA was included.

Fire Chief Neves answered, "Yes".

Fire Chief Neves went over a copy of presentation of the Fire Chief made at a fire protection engineer gathering.

Fire Chief Neves indicated that a copy was sent over to HFFA.

Fire Chief Neves mentioned executive leadership at the Marco Polo. Fire Chief Neves indicated that leadership doesn't occur at the fire, it starts before the fire.

Fire Chief Neves stated making sure there are enough resources within the budget is executive leadership. Fire Chief Neves noted within the last 5 years there was an increase of 44%.

Second, 46 new fire trucks within the past 5 years and 27 more trucks on order.

Third, fire fighters through the fire ground survival training in 2015.

Fourth, 2016 rapid intervention training.

Fifth, 2017 blue court command class.

Fire Chief Neves mentioned command and control at the incident as described by Mr. Lee is the old-school way, and those days are gone. Fire Chief Neves stated that investing in people is the current model through training, support and development.

Fire Chief Neves mentioned that the department has spent a lot of money investing in its fire fighters with training in all hazardous incident management.

Fire Chief Neves mentioned that fire fighters all the way up to chief officers have been trained and mentioned that these fire fighters were the ones who went to Kauai and the Big Island to help with the brush fires.

Fire Chief Neves mentioned that when you invest in your people, the leadership is where you support and develop those men/women.

Fire Chief Neves explained that the Battalion Chiefs who were at the Marco Polo all have 20 – 30 years of experience, and under the current model, it is not the executive chief's job to take over. The line guys are now fully capable of handling the situation.

Commissioner Hannemann commented and asked Fire Chief Neves about HFD procedures and mentioned that chief of operations (No. 3) was supposed to be dispatched during the Marco Polo incident.

Commissioner Hannemann asked if that policy has been revised and mentioned that it was an issue at the time.

Commissioner Hannemann asked if this is part of the old system.

Fire Chief Neves said it is part of the old system and that the department is currently revising its procedures.

Fire Chief Neves noted that the department is moving away from “automatic response” and is currently using an “as needed response”.

Chief Rico mentioned that the department is still in the process of revising its procedures.

Chief Rico mentioned during a 3rd alarm he will call the Battalion Chief and asked if he needs any assistance and most of the time they will say no.

For clarification purposes, Vice Chair Lee asked if the department’s policy has been revised.

Chief Rico answered, “No, it’s currently in the process”. But following the current policy language, he did call and ask if help was needed.

Chief Bratakos mentioned that incident command isn’t automatically assumed by the executive chiefs. He said that that the chiefs evaluate the situation and sometimes take on incident command, but most of the time remain as an advisory or support group.

Commissioner Nekota mentioned that the department did have its procedures in place and they were not followed.

Commissioner Nekota indicated that the Mobile Command Center (MCC) should have been dispatched whether it was needed or not.

Fire Chief Neves mentioned that the Marco Polo incident was not an ordinary fire.

Commissioner Nekota agreed and noted that the MCC should have been dispatched.

Fire Chief Neves noted that decisions made should reflect HFD’s mission to protect the entire island and indicated that Chief Rico’s job as assistant chief to operations is to make sure the whole island is protected.

Commissioner Nekota acknowledged Fire Chief Neves but mentioned that procedures should be followed.

Fire Chief Neves indicated that adjustments can be made as Chief Rico’s role is to protect the entire island. The decision on the MCC was made on the fly, which sometimes has to be done even if contrary to policy.

Chief Rico addressed Commissioner Nekota and indicated that this wasn’t the first time he had made a decision like this.

Chief Rico mentioned that he has been operating like this since he became the assistant chief of operations.

Chief Rico admitted that MCC procedures were not followed in this case.

Commissioner Hong commended the department on its leadership at the Marco Polo incident and agreed that leadership starts before the incident.

Commissioner Hong asked if the MCC is currently up to date.

Chief Rico apologized. Commissioner Hong stated that he is not looking for fault but merely asking if it has been upgraded.

Fire Chief Neves answered, "Yes".

Vice Chair Lee asked the department to provide the Commission with its updated procedures.

V. APPROVAL OF THE MINUTES OF MAY 7, 2018. Vice Chair Lee called for any comments or corrections to the minutes of the regular public meeting of May 7, 2018. Commissioner Nekota moved and Commissioner Hong seconded, there being no further comments or corrections the minutes were approved as circulated.

VI. APPROVAL OF THE EXECUTIVE SESSION MINUTES OF MAY 7, 2018. Vice Chair Lee called for any comments or corrections to the executive session minutes of May 7, 2018. Commissioner Nekota moved and Commissioner Nagamine seconded, there being no further comments or corrections the minutes were approved as circulated.

VII. APPROVAL OF THE MINUTES OF MAY 30, 2018. Vice Chair Lee called for any comments or corrections to the minutes of the regular public meeting of May 30, 2018. Commissioner Nekota moved and Commissioner Nagamine seconded, there being no further comments or corrections the minutes were approved as circulated.

VIII. APPROVAL OF THE EXECUTIVE SESSION MINUTES OF MAY 30, 2018. Vice Chair Lee called for any comments or corrections to the executive session minutes of May 30, 2018. Commissioner Nekota moved and Commissioner Nagamine seconded, there being no further comments or corrections the minutes were approved as circulated.

IX. APPROVAL OF THE MINUTES OF JUNE 13, 2018. Vice Chair Lee called for any comments or corrections to the minutes of the regular public meeting of June 13, 2018. Commissioner Nekota moved and Commissioner Nagamine seconded, there being no further comments or corrections the minutes were approved as circulated.

X. APPROVAL OF THE EXECUTIVE SESSION MINUTES OF JUNE 13, 2018. Vice Chair Lee called for comments or corrections to the executive session minutes of June 13, 2018. Commissioner Nekota moved and Commissioner Nagamine seconded, there being no further comments or corrections the minutes were approved as circulated.

XI. REPORT OF THE FIRE CHIEF. Fire Chief Neves passed out copies of his monthly report for July 2018 and highlighted the following:

1. Arson Detection Canine Media Event. Fire Chief Neves indicated a \$100,000 grant was received from State Farm Insurance for training, transportation, and housing cost for an arson detection canine. Fire Chief Neves mentioned that she is trained daily and resides on the second floor of HFD Headquarters. Currently the canine is on Kauai.
2. Follow-up with KITV4. Fire Chief Neves mentioned that the department was interviewed regarding the Marco Polo incident.
3. Hawaii State Fire Council 4th Quarter Meeting. Fire Chief Neves mentioned that this meeting is equivalent to the State Fire Marshall and it is made up of the four county chiefs. Fire Chief Neves noted that during this past legislative session the department got its cancer presumption bill passed. This bill was introduced 5 years ago and it will cover present and retired fire fighters who develop cancer.
4. HFD Station Visitations (26/1,084). Fire Chief Neves mentioned that feedback has been positive.
5. Promotion Ceremony. Fire Chief Neves thanked Vice Chair Lee, Commissioner Nekota, and former Commissioner Young for attending.

The Fire Chief also reported on the following:

1. During the month of July, HFD received 7 pieces of complimentary correspondence, and 1 complaint that was responded to. Details are in the monthly report.
2. Fire Chief Neves mentioned that there will be a promotional ceremony for Captains at 5 p.m. on August 8, 2018 at the Punahou School's Dillingham Hall.
3. Fire Chief Neves had each member of the executive staff give a brief description of their section's recent activities.

Deputy Fire Chief Lionel Camara Jr.- Chief Camara highlighted on the Koko Head hiking trail and mentioned that the walking path has been slowly deteriorating over the years. Chief Camara noted that hanging wires along the trail have been a challenge as far as HFD rescuing hikers in distress, and HFD is currently working Kevin Saito with Hawaiian Electric in taking down those wires.

Chief Camara informed the Commission that the department found out that those wires do not belong to Hawaiian Electric and now are in the process of contacting the City's Department of Parks and Recreation.

Assistant Fire Chief Scott Lawton- Administrative Services. Chief Lawton highlighted safety. Chief Lawton mentioned that the National Incident Management System (NIMS) is the command system that is used nationwide.

Chief Lawton mentioned that for this type of training HFD provides the all hazardous incident management training which consist of insist operations command level, operations, and many different positions.

Chief Lawton mentioned that the National Fire Academy (NFA) provides a safety training officer course.

Chief Lawton informed the Commission that the department would like to bring down training for everyday fires, and the HFD safety fire officers association offers 2 classes, the first one being a health and safety officer program. Chief Lawton mentioned that the department sends 4 people to the classes, which cover safety in day-to-day life at stations rather than emergency situations. Second is the incident safety officer program, which will take place in October at HFD. The department will be bringing down instructors and will be training 35 personnel and adding an additional day for a "train the trainer" component.

Chief Lawton mentioned that there will be an annual recertification (refresher training class) and Chief Hooker will be in charge.

Assistant Fire Chief Nathan Ramos- Planning and Development. Acting Assistant Fire Chief Joseph Kostiha informed the Commission that the accreditation team has completed 5 months of work, and the annual response and compliance reports have been submitted to the Commission of Fire Accreditation International.

Commissioner Hong commended the department on the navigation of its Rapid Response Vehicle in traffic.

Commissioner Hannemann asked Fire Chief Neves if anyone from the department has been sent to assist with the California fire.

Fire Chief Neves answered, "No".

XII. Annual Evaluation of the Fire Chief. Vice Chair Lee mentioned that the evaluation has been completed and asked the new Commissioners if they would like to be involved with the process. Both Commissioners commented that they will abstain from doing so. Commissioner Nekota moved and Commissioner Nagamine seconded, and there being no further comment, the 2018 annual evaluation of the Fire Chief was approved and accepted.

Vice Chair Lee informed Fire Chief Neves that a copy will be forthcoming before the next Commission meeting.

XIII. ANNOUNCEMENT: The next Commission meeting will be TBA.

XIV. ADJOURNMENT: There being no other business Commissioner Nekota moved and Commissioner Nagamine seconded that the Commission end its meeting. It was adjourned at 3:13 p.m.

Respectfully submitted by: Nadine Murata, Secretary.

APPROVED:

JAMES WATARU, Chair