

MINUTES OF THE FIRE COMMISSION SPECIAL MEETING
March 16, 2022 – 10:00 AM

President Feinstein called the meeting to order at 10:03 a.m.

Item No.

1. ROLL CALL

President	Katherine Feinstein
Vice President	Stephen A. Nakajo
Commissioner	Armie Morgan

Also present: Court Reporter Kathryn Swank
Member
Deputy City Attorney Jennifer Stoughton
Deputy City Attorney Matthew Yan
Chief Jeanine Nicholson
Attorney Heather Gibson
Deputy City Attorney Brad Russ
Fire Commission Secretary Maureen Conefrey

2. CASE NO. 2021-19: HEARING AND DELIBERATIONS ON VERIFIED COMPLAINT FILED WITH THE COMMISSION BY CHIEF OF DEPARTMENT
[Discussion and possible action]

On November 3, 2021, Chief of Department Jeanine Nicholson filed a Verified Complaint with the Fire Commission against member for a non-disciplinary separation

This case may be heard in Closed Session pursuant to Government Code Section 54957(b) and San Francisco Administrative Code Section 67.10(b).

A. Public Comment on Special Meeting Agenda Item; Possible Closed Session

Members of the public may comment on all matters pertaining to Agenda Item 2 and whether to consider the matter in closed session. [Government Code §54954.3(a), Administrative Code §67.15(b)]

MR. ARATA: Okay. Thank you. First and foremost, thank you for allowing me to provide public comment. This is only my second time ever providing public comment to the City of San Francisco and the San Francisco Fire Board of Commissioners. The timer stopped. It's on zero. COMMISSION SECRETARY CONEFREY: Okay. Your time starts. MR. ARATA: All right. I can take it from the top. I want to acknowledge quite a few things in a small amount of time. As you continue through these proceedings with firefighters in San Francisco, some of which have already been recommended for termination. That's a complete dishonor to the fire service. Over the course of the last two years with COVID-19, locally, regionally, statewide, and nationally, there have been firefighters in these same situations. I myself am one of them. My family was three generations San Francisco, and in the '80s, moved down to the San Jose/Cupertino area in Santa Clara County, where I was born and raised. I've been a firefighter in the City of San Jose for coming up on 16 years. And I'm in the same boat as Mike Kricken and the rest of the San Francisco fire family. I didn't know any of them leading up until six, seven, eight months ago, when certain cities in California and across the nation decided they were going to jeopardize the lives and the careers of firefighters alike. So I ask you to think about a few things: Down in

Santa Clara County, which you guys are very familiar with, Dr. Sara Cody, our public health official, James Williams, Jeff Smith, executives, the legal team, decided a week ago to roll back this mandate and allow hundreds of firefighters within Santa Clara County, myself included, to get back to work. There's a lot of staffing crisis on our hands down here as well as up in San Francisco. It's unfortunate that you guys can't align yourselves with one of the regional leaders here in the public health space and allow your firefighters, sheriffs, cops get back to work. I have known Mike Kricken for about seven months. He's a good man. He's got a good family and a good heart. Everybody else who is going to provide comments is going to speak to that as well. So please rescind your mandate and get your firefighters back to work

UNIDENTIFIED SPEAKER: Hi there. I'm a fire captain from a neighboring department, major city across the Bay. What we're seeing right now is -- disgraces the fire service. I commend Firefighter Kricken for his stance and not bending a knee to everything that is going on right now. It's difficult to see, from your optics, how this affects fire service. As a leader and holding a rank within the fire department, seeing the trickle-down effect of certain decisions that need to be made on a daily basis and how the effects bore out. And what this does -- holds ultimately to the entire fire service in general, nationwide, is disgusting. It's frustrating to watch, because morale nationwide in the fire service is getting completely destroyed. The decisions you are making and the lives that you are crushing by making these decisions when there's other options, like testing. It makes no sense. It's not following science because science says we can take a test. I'm not vaccinated. I'm able to take a test. Fortunately, that's what our department decided to do and our city decided to do. San Francisco is one of the most so-called "progressive," inclusive, and accepting cities in the entire country. And the fact that you are voluntarily dismantling these people's lives, their children's lives, and their future is -- it's shameful. I hope every single one of you understands that it doesn't just affect checking a box and saying you did your part to keep the city safe. You are actively crushing these people's lives and their futures and the fire service in general. So, Firefighter Kricken, I commend you. Your brothers across the Bay are rooting for you. And we hope that you can come out on top of this and everybody who has gone before you and follows you. We hope that you continue to stand strong, because once we're eliminated, they are coming after the children to be able to go to school -- COMMISSION SECRETARY CONEFREY: Time is up. UNIDENTIFIED SPEAKER: -- be able to play sports. Thank you. COMMISSION SECRETARY CONEFREY: Would you like to make public comment? Hello? MR. HERRERA: Yes, hello. COMMISSION SECRETARY CONEFREY: Would you like to make public comment? MR. HERRERA: Yes, ma'am. My name is Amador Herrera. I'm a firefighter in San Francisco, and I work at the same station as Michael. I have known Mike for over 20 years. And he is such a professional firefighter, a great father. It would be such a disservice to the citizens of San Francisco for this to happen to Mike and the department. I beg and plead that you rescind this mandate and have Mike come back to work. He's got five children, and he's an honorable, honorable man. Please rescind this. Thank you.

UNIDENTIFIED SPEAKER: I want to make a public comment on this matter as a member of the public. I think it's ridiculous that you are going to be terminating people over a vaccine mandate for a vaccine that clearly does not stop the spread of the virus. There's no research supporting any data with spread from firefighters to the public. We wear a large amount of PPE. We wear masks; we wear gloves. Most of us have already had the virus which has been proven to provide greater immunity than the vaccine itself. There's a new study in the UK coming out that says nine out of ten deaths in that country are in vaccinated individuals. Also, religious exemptions. You know it's federal law. They are not being honored. You guys are just opening the city up to more lawsuits after termination. Additionally, medical exemptions. You know, your vaccination rates are extremely high in the City of San Francisco. A lot of us have got this vaccine also. We got two shots. We sustained side effects that were undesirable. Sick leave is not provided for these side effects. We have to use our own leave for a vaccine that's mandated by your city. And we have no recourse for any serious side effects. And now, you know, they are requiring booster shots. And maybe a fourth shot. And, you know, you can get a medical

exemption. And for all the other people out there that are being terminated, even though they have a legitimate medical exemption, it's completely immoral and unacceptable. Lastly, other fire departments, other cities, other employers, have testing options, which has been proven to be highly effective in keeping COVID out of the workplace. All employees should be tested if you are truly not

UNIDENTIFIED SPEAKER: Good morning. Thank you for the time. I just want to give a call in here and explain who Michael Kricken is. He's a solid, professional fireman, extraordinarily gifted. He's an artist. He's kind. He's strong. He will show up on your worst day and do the absolute best he can to change your day, change your life for the better. And he is willing to work. The Fire Commission has fired multiple people at this point while cracking jokes and talking about the weather. I say shame on you. By taking away these -- the livelihood from these firefighters, it may seem easy and Commissioner Armie Morgan has said before, oh, we don't take some kind of sick pleasure in doing this. And then he will continue to crack jokes after firing somebody. It's disgusting. So I'm here to give you your daily reminder. People are still praying for you. We're hoping that you find some common sense or even some scientific sense. And you discontinue what you are doing to these people. One thing the Fire Commission and the fire chief has relinquished is the ability to say, I just didn't know. Or I never really agreed with it. So every night that you go to bed, you need to think hard about the future because you have many more people who are in line to be terminated, and I ask that you pray and you talk to yourself, and you are able to make the right decision.

MR. VISHNICK: Okay. Okay. My name is Carl Vishnick (phonetic). I have also known Mike Kricken a long, long time. We went to paramedic school together. He was one of the best students in that class. He's one of the most personable people I know. I know his family also. His wife and kids. They are a class act. You are making a big mistake. Firing Mike Kricken or any of these people is a big mistake. Like one of the previous callers said, you know, I wonder how you guys sleep at night. I really do. I just hope that, you know, you guys reverse this -- this horrible decision because it's unbelievable. But that's all I have to say. That's it.

UNIDENTIFIED SPEAKER: Good morning. I would like to suggest that the members of this committee -- commission familiar yourself with the Nuremberg Code. Do a little bit more research. Read the transcripts of the Nuremberg trial. It might wake you up to what you are doing. The evidence is out that this virus was created by Moderna in a lab and what you are doing with the evidence is mainstream -- it's not conspiracy theory any longer -- is you are fully participating and engaging with the maiming, taking away people's rights, but the maiming of their bodies. You are violating "religious" in our Constitution. You can't say that you didn't know. The reporters who participated in the genocide in Nazi Germany were not allowed to say we're just following orders. The military soldiers who carried out what they did were not allowed to say we were just following orders. Look at what happened to the reporters and the people in the military that followed those orders. You won't be exempt. You are participating in a mass genocide. The blood of the people who you force to take this vaccine is on your hands. What you are doing right now will be held accountable. That is all.

UNIDENTIFIED SPEAKER: It has -- it has become abundantly clear that firing these firefighters has become a political agenda. Many departments who are in the same situation have gone back to work with little to no restrictions. Firefighters who work for the state do not have a vaccine mandate. Firefighters who work in neighboring counties can be unvaccinated and be accommodated with testing. Does the virus only spread in San Francisco County? Please make this make sense. We know these decisions being made are no longer based on health-related issues. We know these decisions being made are not rooted in science. And it has become obvious that this is all political theater being perpetrated by tyrannical individuals who are drunk on power, who have no brakes, and are going full throttle. This will go down as one of the greatest human civil rights violations to ever occur, and you will be part of that history. You will

cringe when looking back at these past two years, and you will wish that you had done better to protect these innocent individuals who have caused no harm. As citizen volunteers, you are making decisions that make zero sense, and you are agreeing to unlawfully terminate firefighters based off of politics. Shame on you. Mike, we're your back-up line

MR. SALAS: Yes, I would. Where is the chief? She disappeared from the screen. Can she still hear? MS. NICHOLSON: Yes, I can hear you. MR. SALAS: Christopher Salas. Retired under duress, San Francisco Fire Department, for a pandemic where .3 percent of the population passed the mortality. Greetings, brothers and sisters. There's a citation Chief Nicholson uses on the memos and announcements to the fire department. For the life of me, I cannot understand how Chief Nicholson would recommend terminating or firing her brothers and sisters from the San Francisco Fire Department after working diligently and honorably during the so-called pandemic. I cannot believe Chief Nicholson went above and beyond the emergency health order and general order to terminate her brothers and sisters, her family, with children to support. Testing and masking is what all the other departments do in our state and country, except for a couple of other tyrannical ones like San Francisco Fire Department. That is how -- this is not how you treat your brothers and sisters that risk their lives for the City and County of San Francisco. Once Chief Nicholson caught COVID after being fully vaccinated, the Department had an outbreak of over 140 firefighters that were vaccinated also, then decided to test the vaccinated firefighters. The whole charade should have been over at that point. Every prematurely fired or retired or unpaid firefighter on unpaid leave, every brother or sister, should be brought back to work immediately for the unconstitutional way they were treated so that we can truly be brothers and sisters once again in the San Francisco Fire Department. It is the right and compassion --

MR. McCUE: Yes. Thank you. Sorry. I'm not prepared, but I'll try to talk. Contra Costa, I think, has over 200 firefighters working with religious exemptions. Alameda has no mandate. San Mateo County has no mandate. Santa Clara County just went back to work. All the unvaccinated are back. They might not even do their booster or testing. So the question the commissions should be asking is: How come San Francisco can't do this? In the health order, Section 6, 1 and 2, Roman Numeral IV, it says we can work with masks and testing. In previous hearings, the chief is on record. The evidence she has to make the decision that she could not accommodate any unvaccinated firefighters, when she had multiple conversations with the city attorney and human resources. For the case Sturgill versus United Parcel Service, 2008, an employer must establish that the hardship is real rather than speculative, merely conceivable, or hypothetical. Section 6 of the health order, subsection (d) and (c), is for testing and for masking. I can't believe I had to hear the city attorney again, last commission hearing, talking about how -- masking in the shower. If you turn to the Appendix A, it says unvaccinated showers. So, really, the entire chief or the city or whatever it is, their entire case of subsections (a) and (d), which is basically saying that we're causing an undue hardship or we're an immediate threat. So the commissioners should be asking, how are we a threat, but no one else, 99 percent of fire departments -- there is doctors and nurses working in emergency rooms right now in San Francisco that are unvaccinated. These are the questions you should be asking. Not being happy that you are firing firefighters

MR. SAVIN: My name is Greg Savin. I was a second-generation firefighter for the city all through the pandemic up until October 12th. On October 13th, I was deemed unsafe by the powers that be and forced to retire prematurely. I proudly and honorably served the citizens of the city for 29 years. I loved my job and having to leave on those terms was a terrible feeling, but it pales in comparison to what you are putting these firefighters through. I have sat and listened to these entire commission meetings in disgust as it is clear that these hearings are all predetermined and this commission is far from unbiased. We were on the front lines of the pandemic while you had the luxury of working safely from your homes. Now you are terminating the brave people that served your citizens. On numerous occasions President

Feinstein stated that it was shameful that there were unvaccinated firefighters and that she did not want any in her house, choosing to rather drive herself to the hospital. And yet you still want to terminate people for not wanting to take a vaccine that you clearly don't have faith in, believing that you yourself being a vaccinated person can catch COVID from an unvaccinated person when likewise you can catch it from a vaccinated person just the same. Commissioner Morgan called us selfish after proposing a ridiculous scenario about being confronted with the choice of taking a shot or risking the life of a civilian with a gun to their head. At least Commissioner Covington has asked questions relating to trying to accommodate the firefighters. I commend her for that. I also commend Commissioner Cleaveland for asking real questions like why is masking and testing an option for vaccinated firefighters but not the unvaccinated, and why are we offering medical and religious exemptions if none of them are being accepted or accommodated. Not surprisingly, he was forced to step down from his position or retire. We were never told, so we're not sure how that happened. Either way these hearings are biased and unjust. Most of the world and the cities around are removing their mandates. At this stage in the game it is time for San Francisco to do the same.

MS. O'NEILL: Thank you. So I'm seeing these young men and women being torn from their jobs. And the caller earlier spoke. The code is very significant. It is not a conspiracy theory. It's a real document. And we're gonna use that real document to get you. The entire commission, all the nurses and doctors, who have given these injections. And guess what? They are in on a local level or a state level -- COMMISSION SECRETARY CONEFREY: Your connection is -- your connection is not coming through very good. MS. O'NEILL: -- with that. Okay. Well, I don't know how to change that, COMMISSION SECRETARY CONEFREY: I can hear you MS. O'NEILL: Okay. So the authority to -- that you rely on to coerce into taking poison into their systems is not valid. You need to show clear and convincing evidence that an emergency exists. And you have not done that. You refuse to do that. Your arrogance is beyond belief, and we're coming after you. You will pay the price for hurting these young people. COMMISSION SECRETARY CONEFREY: Thank you. MS. O'NEILL: You should be ashamed of yourselves.

MR. KARBO: Thank you. Casimir Karbo, Fire Captain for Contra Costa Fire. What we should actually be doing in this meeting is thanking Mike Kricken and anybody else who was on the front lines responding to these COVID calls before we had zero information on it. You didn't have a mass exodus of firefighters that refused to respond to these calls until we learned about COVID. And, yet, we were all out there on the front lines responding to these calls, scared if we would bring it home and give it to our wives and children and scared of what we might encounter out there, because we had no information. But now we have information. And we're finding out that more firefighters are being damaged from these vaccines than were actually helping. And we have asked time and time again, we have asked multiple, multiple health officers if they can show us one case where a firefighter transmitted this virus to the general public. And no one has been able to show us that documentation. We have asked for metrics for you guys to show us how we have affected the public and how we get out of this, and we have -- we have received zero metrics on how to get out of this from you. We keep meeting numbers for vaccination. Not good enough. We keep doing things -- all these jumping through hoops that you keep asking, and it's all been done, and nothing has come of it. And we're still not backing off of this so-called emergency mandate. We have got more people damaged from vaccines than have been helped by these vaccines. So, Mike, we're with you. Your brothers and sisters across the water are here for you. I really hope that this board comes to resolution today and rescinds this mandate. It's not because they can't

MR. BOLING: Yes. And thank you. I'm not going to rehash what's been said. The vaccine needs to end for everybody. I started my career in the Bay Area with Mike Kricken as a paramedic. And I will say that, you know, just an immensely honorable guy, you know, and San Francisco Fire would be at a loss to lose him. But also I want to point out that in the fire service in California, we are at a critical staffing level. My own department in the Bay Area regularly

"mandatories" people. The loss of even one person affects the staffing going forward and our ability to serve. To get rid of anybody at this point, and especially someone as good as Mike, is irresponsible and, you know, should not happen. You know, Mike, we stand with you. You know, to the board and the mandate, let them go back to work. Make them -- I don't know we're all good with testing. You know, end the mandate. Thanks.

UNIDENTIFIED SPEAKER: Can you hear me? COMMISSION SECRETARY CONEFREY: Yes. UNIDENTIFIED SPEAKER: I'm a firefighter in the Bay Area, and I just want to say that, like, firemen, they definitely don't quit. We don't quit. The only reason you ever see people leave the job is for retiring or a funeral because they died in the line of duty. The way everybody is speaking about Kricken, it starts -- he's just a valuable person to the entire City of San Francisco and it's starting to sound like a funeral. If this was a true funeral, you guys would be speaking, this whole entire commission, would be speaking about Kricken and the hero that he truly is. You would be thanking him for his service throughout his entire career. Instead, by forcing him to quit, because your termination and un-Constitutional mandate, you are telling him that his service throughout his entire career is no longer worthy and he's not needed. And that's incredibly wrong. And that's all I have to say. Thank you

UNIDENTIFIED SPEAKER: Yes, good morning. I would like to, first, state off that the commissioners keep stating, in the last unjust firing to these firefighters, that they cannot amend or change the health order. That is a lie. Stop lying to yourselves. Stop being misled by the City and County's attorneys. You and your commissioners are in your full capability to rescind the chief's recommendation. You are in your full capability to reinstate and exonerate Michael Kricken. That is your checks and balances, that the powers are bestowed upon you guys to do that. Stop lying to yourself, and that's the truth. You are allowed to do that while staying in full compliance with the health order. It clearly states that. So I'm also confused and wondering if any of you guys even read the health order. You can fully reinstate Mike. You can fully exonerate him, put him back to work safely while being in full compliance of the health order. This state of emergency is so bogus that now the mayor is going to Europe and he is drumming up to have tours come from around the world to the city. Are we in a state of emergency or not? Let's just focus on what what's really going on here. Dr. Marie Raben from UC Parnassus said that the documents between patients and first responders transmission is zero to minuscule at most. It's pretty much nothing. So look it up. Follow the science. Read the information that's out there. And the doctor at UC Parnassus is also allowing doctors, nurses, and staff, and janitory helpers to work, who have COVID. So to continue this joke and to continue firing people is now becoming, clearly, that there's some sort of agenda being pushed or some political motives behind it because nobody is following the science. Nobody 3 is --

UNIDENTIFIED SPEAKER: Yes. First, I'm not sure what the number is I need to push to lower my hand once this is over. But I want to speak to the issue regarding the mandate, and you letting me -- this firefighter go. The -- there is no crisis. There is no emergency pandemic. There never has been. They have changed the wording. It's really disappointing to see the great city that I was born and raised in, my whole life, and my family's life, go down this sewer hole, rat hole, of this tyranny, and it's just really disappointing that you do have the control and the ability to rescind the recommendation and reinstate this firefighter, and you are choosing not to. Thank you very much

UNIDENTIFIED SPEAKER: So I'm talking specifically to Commissioner Stephen Nakajo. I was a student sitting in your masters of social work class at San Francisco State when you were talking a lot about community social action and change. And I was really inspired by your teaching and lectures on when government and systems get really tight and really rigid and they restrict people's individual freedom, justice, autonomy, and sovereignty. So I'm wondering how you are going about this particular situation and how you are thinking about all of these families and these individuals and their freedom and their sovereignty. And it's really disappointing how

we can be spending all this time, all of these resources, all of this money, doing things like this, putting these families and firefighters through so much distress, when we could be focusing on uplifting them and providing services for them. Thank you.

MR. RICE: Good morning. Thank you. First of all, I don't know what happened to the three minutes public comment noticed on the agenda. It seems it's gone to two now. I don't know Mr. Kricken. I'm hoping that he knows and exerts his right to have this hearing in open session, as per 54957(b)(2) of the Brown Act, which I think this hearing should be accomplished in open session for all to see. I don't know what's happened to the City of San Francisco that was such a beacon of personal liberty in the '60s and has now just turned into an oppressive city, full of tyrants, racism, and hate. It's really disgusting. In fact, it's so much so that San Francisco -- I won't even travel within the city limits. I avoid it. I go around it. Each of you should consider if you are a tyrant, because I think you are. Webster defines it as "oppressive power exerted by government," and here you are crushing people with your government force that you are so empowered with. You don't represent the people. And it just disgusts me. I don't know what to say. I can't help Mr. Kricken. The things I have to say would probably actually hurt him. But, Mr. Kricken, please consider exerting your right to have your hearing in open session so we can all see what transpires today. And I can't say thank you.

MR. SABLAN: Thank you. Mr. Kricken, thank you for your service. I can't imagine what's going on in your mind right now. It's pretty surreal. I can't imagine that that is actually happening. To the commission, make no mistake that this isn't about Mr. Kricken at this point. This is about all of you. It's never too late to make the right choice. It's never too late to change course. I understand that you guys are deep into this, and it's hard to reverse course. There's so much momentum going this way. But the science no longer supports this. You have a fully-vaccinated city staff, people who are triple boosted, still getting coronavirus, still being able to transmit it and spread it. You are calling the unvaccinated first responders, city workers, a threat because they can catch it and spread it. And, yet, you still have testing required for the fully vaccinated staff. None of that makes any sense. It defies logic, reason, and common sense. So this is about you guys having the opportunity to right this wrong. Right? Look at the trends. United Airlines, major corporation, has welcomed back its unvaccinated staff. JPMorgan Chase and the financial industry, welcoming back its unvaccinated staff. Right? The trend is going one way and you are doubling down the other way by including an actual booster mandate. And there's more city employees who are refusing to comply, which is why you had several heads have to make an amendment to the health order for the booster, because it's really not going well. So make the right choice. Find courage to do the right thing. It will be okay. We'll all get through this. But the sooner you act now, the better it will be for all of you.

MR. THOMAS: Thank you. The spike protein of the SARS-CoV-2 virus, or vaccine, seems to have patents issued prior to the release or prior to its being out, which indicates that it was actually developed. There is racial specificity of the SARS-CoV-2 spike protein, and it actively repels certain races. There is evidence that this is a bioterror weapon that affects some races more than others. Because of this, the ACE2 receptor binding domain is critical in finding out whether a person will be harmed by this or not harmed by the spike protein. The spike protein was researched by a doctor named Ralph Baric at the University of North Carolina, Chapel Hill, and, as we know, was transferred to the Wuhan labs. This may be a bioterror weapon and, depending upon this firefighter's race, could harm him. The vaccine is the same spike protein. And the spike protein could harm certain races more than others, and spare certain races. It is unfair to give everyone this spike protein -- this vaccine -- that generates the bioterror weapon inside the human body without first testing them to see if they will be immune. Because that spike protein actually may trigger other damage, including T-cell damage through the gp41 spike that attacks T cells, as well as BRCA damage and p53 damage that may cause increased risk of cancers. The documentation from Pfizer now out to the FDA shows that this is -- that they have been

UNIDENTIFIED SPEAKER: So I also don't know brother Michael Kricken personally, but I wish to speak on his behalf and on behalf of all of those who uphold freedom of medical choice. I'm asking this Fire Commission to please make informed decisions to protect the livelihoods of our public service workers so that we can continue to protect our communities. Firefighters are trained to navigate and mitigate risk. We utilize this training to make informed, autonomous risk assessments every day for our personal health and safety and the health and safety of others. Trust the training and allow our brother to continue to make informed decisions according to his personal beliefs without threat of termination. San Francisco Fire Department upholds, in its mission statement, intent to, quote, provide a work environment that is free from harassment and discrimination and values health, wellness, cultural diversity, and equity. The fact that we are calling into question brother Michael Kricken's ability to keep his position, let's force him to vaccinate, is a blatant display of harassment, discrimination, and inequity, and has no place in your work environment, according to your own mission statement. Thank you.

UNIDENTIFIED SPEAKER: Good morning. I'm not going to touch more on the science or the legal matters of what's going on here with Kricken and the other firefighters that you are terminating. I would just like to say, as far as the safety of the City of San Francisco goes, terminating experienced employees for such an invalid reason is a real shame. Firefighting is a job that is heavily dependent on learning through experience and the experience of those that come before you. In forcing these people out, either through early retirement or by firing them, it severs that link, and the firefighters coming in after them don't have the opportunity to learn the right way to do this job and to learn from experiences that someone like Firefighter Kricken has had and he learned from the people before him. So when it comes to the safety of the city, I think you are doing a huge disservice on the firefighting side by forcing these people out, and with that taking all their knowledge and experience and preventing it from being passed on. Thank you.

MS. WEAVER: I'm just commenting as a concerned citizen. I know that last summer when the CDC stopped tracking unvaccinated breakthrough cases, I became concerned. I'm not sure why you would stop tracking unvaccinated breakthrough cases, because that data is information that should be used to make decisions. So that, last summer, made me concerned. I would also like to say that when something is used under an emergency use, it doesn't seem like that should be mandated. That's - you know, there's some ethical things going on there. If it's an emergency use, you cannot mandate it. You can suggest it but not mandate it. I know transmission has not stopped, so, again, why mandate it when transmission has not stopped? I would also like to say that censorship, when doctors are censored for - doctors and people are censored for stating their concerns, everyone should be worried. Censorship is not okay. And you are a committee that the public is trusting you to know all of this information and to make the best decisions for everyone and thinking of everything that I have just said to you. Please consider that the public is trusting you. And that's all I would like to say.

MS. TAYLOR: Thank you. I would just like to implore the commission to use logic and go up against the policies that are clearly not working. I think that the gentleman that's up for termination and everyone else - it doesn't make any sense when we are going to have a rally because we have a staff shortage. I think that the terminations are putting the public at risk. And you are throwing away our tax dollars. We should be able to work without being forced to get something in our bodies that has nothing to do with our jobs. Clearly, the science has not worked and I'm just -- please, stand up against the policies that are not working. If you have the power, utilize it. Why should this person that, you know, worked hard and jumped through all the hoops that he needed to jump through to work and be proud as a city employee, why should he just be thrown away? You should reinstate all of the firefighters who put their lives on the line during COVID and even before. So, please, again, stand up if you can. Stand up. Thank you.

MS. LIRA: Thank you. My father is a current firefighter in San Francisco and during the pandemic, before the mask and vaccine mandates, my father was risking his life to respond to your family and friends who live in the city. I'm asking you to change your decision that you most likely have already made to stop the firing of these respective firefighters in our community. Thank you.

UNIDENTIFIED SPEAKER: Okay. Thank you. Listening to the previous callers is something that kind of - you know, make me some - or do a little research here. And I looked up the charter for the Fire Commission. And by definition, the San Francisco Fire Commission is the policy body for the San Francisco Fire Department, and, therefore, you do have the power to change policy and make policy and rule on policy that 18 may be wrong. That's all I have to say. Thank you.

UNIDENTIFIED SPEAKER: Thank you. I would like to comment on the fact that, number one, I have been a firefighter in the San Francisco Bay area for seven years. EMS fire. All of you people making these decisions sat in offices while we were out there dealing with stuff that was unknown. Captain Kricken went out and served the citizens of San Francisco without care, you know, to what would happen to him and his family. I had a child during the pandemic, and I had to worry about bringing that home every day, while you people making decisions sat in offices. So reconsider your decision because these are the people that stood up for your city and fought for what was right.

B. Votes on Closed Session

Member requested an open session.

1. Whether to hold the hearing on the verified complaint in closed session [Action]
2. Whether to conduct deliberations in closed session [Action]

Commissioner Morgan Moved to hold deliberations in closed session. Vice President Nakajo Seconded. The motion was approved unanimously.

Convened in closed session at 4:08 p.m.

Also in closed session was Deputy City Attorney Brad Russi and Fire Commission Secretary Maureen Conefrey.

C. Hearing and Deliberations

1. Hearing on verified complaint (in open or closed session, per the Commission's vote)
2. Deliberations and possible action on charges (in open or closed session, per the Commission's vote) [Discussion and Possible Action]

Vice President Nakajo moved to find the Department proved by a preponderance of the evidence that member failed to comply with the City Health Order and the Department General Order and to uphold the Chief's recommendation for a non-disciplinary separation. Commissioner Morgan Seconded. The Motion was unanimously approved. (Ayes: Feinstein, Nakajo, Morgan)

D. If Closed Session is held, reconvene in Open Session

Reconvened in open session at 4:36 p.m.

1. Report on any action taken in Closed Session as specified in California Government Code Section 54957.1(a)(5) and San Francisco Administrative Code section 67.12(b)(4).

2. Vote to elect whether to disclose any or all discussions held in Closed Session, as specified in San Francisco Administrative Code Section 67.12(a). ***[Action Item]***

Commissioner Morgan moved to not disclose discussions held in Closed Session. President Feinstein Seconded. The motion was unanimous.

3. ADJOURNMENT: President Feinstein adjourned the meeting at 4:38 p.m.