

**FIRE COMMISSION REGULAR MEETING  
MINUTES**

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**Wednesday, August 11, 2021  
This meeting was held remotely on WebEx**

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The Video can be viewed by clicking this link:

[https://sanfrancisco.granicus.com/MediaPlayer.php?view\\_id=180&clip\\_id=39167](https://sanfrancisco.granicus.com/MediaPlayer.php?view_id=180&clip_id=39167)

President Feinstein called the meeting to order at 9:01 a.m.

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|----------------------|-------------------------------|----------|
| Commission President | Katherine Feinstein           | Present  |
| Vice President       | Stephen Nakajo                | Present  |
| Commissioner         | Francee Covington             | Present  |
| Commissioner         | Ken Cleaveland                | Present  |
| Chief of Department  | Jeanine Nicholson             | Present. |
| Bryan Rubenstein     | Deputy Chief -- Operations    |          |
| Jose Velo            | Deputy Chief --Administration |          |
| Shaine Kaialoa       | Division of Training          |          |
| Sandy Tong           | EMS                           |          |
| David Brown          | Airport Division              |          |
| Ken Cofflin          | Bureau of Fire Prevention     |          |
| Dawn DeWitt          | Support Services              |          |
| Erica Arteseros      | Homeland Security             |          |
| Natasha Parks        | Health and Wellness           |          |
| Tom O'Connor         | AWSS                          |          |
| Staff                |                               |          |
| Mark Corso           | Deputy Director of Finance    |          |

**2. PUBLIC COMMENT**

There was no public comment.

**3. APPROVAL OF THE MINUTES [Discussion and possible action]**

Discussion and possible action to approve meeting minutes.

- Minutes from Regular Meeting on July 28, 2021.

Commissioner Covington asked that I add to page three under her comments that she commended all the members who participated in the AWSS demonstration although she didn't specifically mention Chief O'Connor by name.

Commissioner Covington Moved to approve the minutes as amended and Commissioner Cleaveland Seconded. The motion was unanimous.

There was no public comment.

**4. CHIEF OF DEPARTMENT'S REPORT [Discussion]**

## REPORT FROM CHIEF OF DEPARTMENT, JEANINE NICHOLSON

Report on current issues, activities, and events within the Department since the Fire Commission meeting on July 28, 2021, including budget, academies, special events, communications, and outreach to other government agencies and the public.

Chief Nicholson reported on activities since the last meeting on July 28, 2021. She mentioned that there are ongoing discussions regarding the Delta variant, and they are doing everything they can as an administration to get all the members vaccinated. She added that they currently have 29 members off work with COVID or quarantining with a COVID exposure, which she mentioned was concerning. She stated that they are working closely with the Department of Human Resources to institute the process that the city is putting in place to ensure member get vaccinated as soon as possible. She provided a brief update on the wildland fires where they have units at both the Dixie Fire and the Monument Fire, with a total of six engines, six SUVs and 24 personnel. She added that the entire state is seeing a shortage of wildland firefighters and she has been attending meetings with Cal OES where they have been discussing COVID, staffing and wildfires. She touched on the challenges in the EMS system Chief Tong is facing and invited Chief Tong to speak. Chief Tong expanded on the challenges by stating: "So probably over a month and a half ago, we started meeting with first, the DEM leadership to discuss the transition of the local EMSA to the DEM. We had some meetings over here with Director Smith, and then also Executive Director Mary Ellen Carroll, just to discuss some of the concerns that we've had over the last few years around the relationship with the LEMSA. We were able to come to some really -- had some really nice dialogue around us being able to be transparent around some of the concerns and the challenges that we had and what we would like to see in the future. We had some that we initially were meeting with independently of the other private providers, but we've had since then two and another one scheduled with the other two 9-1-1 providers. We all are pretty much on the same page around what it is that we're hoping for in the relationship, what we'd like to see moving forward in terms of how to better work together. And we are going to be looking at creating, you know, these opportunities in these meetings to meet with the providers, as well as the EMSA, to discuss, you know, the issues that are challenging, the ways that we can better problem-solve together. So far, so good. We have something coming up, I believe, next week, and we look forward to just being able to move forward and to be really more collaborative in our approach and how we address some of the concerns and some of the challenges that are in the system right now.": Chief Nicholson thanked Chief Tong for her briefing. Chief Nicholson stated that their first street Opioid Response Team has been deployed and that they have an H-3 Level 1 EMT class graduating on August 20, 2021, and an H-2 class of 42 which started August 2, 2021, due to graduate in late December. She mentioned that the mayor signed the budget and wished Mayor Breed a happy birthday. She asked Mr. Corso to provide an update on the budget. Mr. Corso mentioned that they are currently working with the Controller's Office to get all the funding loaded in the budget and in the system so that new initiatives can begin, and they can move forward on several things that were included in the budget, which he would deem an extremely successful budget for the Department. He added that they are looking at approximately 23 million dollars in new initiatives overall and approximately 50 new FTEs. He added that the first major investment was in community paramedicine and ambulance staffing and an H-2 academy later in the year. He concluded by stating that the Chief did a great job advocating for the Department and he thanked the Commission for their continued support. Chief Nicholson also thanked Local 798 for pushing for the additional FTEs for the ambulances.

Commissioner Nakajo thanked Chief Nicholson for her report and confirmed that the Training Center is moving forward on getting it taken care of at the state level so they can purchase the piece of port property, that they have an agreement with the State Lands Commission, and they are moving forward with Public Works in terms of getting subject matter experts together to prepare the RFP on fire training centers.

Commissioner Cleaveland congratulated Mr. Corso, the Chief of Department and Local 798 for getting the budget pushed through and getting additions to the budget in these trying times. He acknowledged how important it is having these Street Crisis Response Teams of various types and that they are only going to be more important in the future as they assume more responsibilities for protecting the citizens in the City.

Commissioner Covington echoed the compliments of her fellow commissioners and everyone who worked tirelessly on the budget and added they can breathe a sigh of relief from a 10 percent reduction to now being able to have so many different needs met for the next fiscal year. She acknowledged the mayor for seeing that the Department's needs were credible needs and that certain parts of the Department are growing in responsibility. She asked Chief Tong to speak about LEMSA and the discussions they are having regarding more collaboration. Chief Tong stated that one of the things they are looking at is the process of how they are able to address different changes that need to occur in regard to protocol and policies and having pre-discussions prior to actually having them go through a more formalized process with the different committees that are within the EMSA and they want to be a part of the problem solving discussions. Commissioner Covington thinks earlier input is critical and she is glad to see this happening and confirmed that the transition from EMSA to the DEM started in July and right now they have been meeting with DEM, AMR and King American leadership. The next meeting will include the EMS Agency. Commissioner Covington also confirmed that the new ambulance facility has been a morale booster for the members of Station 49, and she announced the full support of the commissioners and that they appreciate all Chief Tong's efforts. She asked Chief Nicholson to talk about the numbers of unvaccinated members of the Department and how things are going to be approached. Chief Nicholson responded that they currently have 29 members off either with COVID or COVID exposure and that the City DHR has come up with the same policy for all city workers with a few caveats and they are requiring all employees to register their vaccine status on the Employee Portal by close of business Thursday and if they do not, there may be some disciplinary action taken against them. She added that all members currently working out in the field in some capacity or other must be vaccinated by October 13, 2021 and if members decide not to get vaccinated and don't have a valid religious or medical exemption, the city will move to separate people. She stated that she believes they have over 90 percent of members that have reported their vaccination status. Commissioner Covington responded: "I really encourage everyone to be vaccinated. And I know for 99 percent of the people who work for the Department, especially as paramedics and firefighters, that this is their dream job. They have wanted to be a firefighter, paramedic for most of their lives. And you're with the Department because the Chief believes in you. And to not be able to do the work that you feel you were born to do would be a tremendous loss, I think. So please, please get vaccinated."

President Feinstein confirmed with Chief Velo that they do not accept applications for the Firefighter positions that they work off of the NTN list where there are over 3,000 eligible folks on the list and the Chief will determine what scores will start the process and they contact those individuals to be interviewed by a panel of members from the Department who they will recommend to the Chief of the Department to be interviewed by the Chief and her deputies and it takes about four months for this process to go through. The panel interviewed about 650 people for the last class. President Feinstein announced that if you are coming into her house and she needs you in a medical emergency, she doesn't want you in there if you have not been vaccinated. She added that she thinks if we all had our way, everybody would be vaccinated, but to have the number of employees they have, and not be vaccinated is shameful. She stated that she doesn't know what the Department can do to ensure safety in the community, so that they don't have unvaccinated people entering the private dwellings of those who may be very ill and could be harmed rather than helped and added that she really wants to thank those of you that that are working hard to try to get people vaccinated. She also confirmed that the city will not hire people going forward if they are not vaccinated. She thanked the command staff for everything that they are doing to make this work and get as many members vaccinated and added that she hopes that any members listening, and they know that there is great concern about unvaccinated members.

There was no public comment.

#### REPORT FROM OPERATIONS, DEPUTY CHIEF BRYAN RUBENSTEIN

Report on overall field operations, including greater alarm fires, Emergency Medical Services, Bureau of Fire Prevention & Investigation, Homeland Security and Airport Division.

Chief Rubenstein reported on Operations activities for the month of July 2021. He thanked the commissioners for their kind words and encouragement to the members and assured everyone that SFFD is the greatest job in the greatest department in the greatest city and he wants everyone to have confidence that they will be safe when they respond. He added that long before there was a vaccine, they were going into homes and treating people and through diligent personal protective equipment they can do that safely. He mentioned that July was a busy month by any standard and they had one greater alarm. He stated that there were many illegal fireworks then they have witnessed in the past during the 4<sup>th</sup> of July celebrations. He touched on other notable events and drills, including the AWSS drill, and the wildfire deployments. He commended the United Fire Service Women for their tremendous program. He mentioned the good work going on at the EMS Division, the Bureau of Fire Prevention, the Airport Division and Homeland Security where they are preparing for Fleet Week.

Vice President Nakajo thanked Chief Rubenstein for his comprehensive report and went page by page acknowledging all the information covered through his report, including the aspirations and what goes on detail wise throughout the reporting period. He confirmed with Chief Tong that the Street Crisis Response Team added its sixth team on July 26<sup>th</sup> and noted six teams is quite an accomplishment and that the Board of Supervisors has allowed SFFD paramedics to initiate 5150 holds. Chief Tong added that they are still working with DPH and the EMSA to determine what the training is going to be and what protocols are going to be used. Until it is finalized, the police will continue to perform 5150 holds. He confirmed that the Street Medicine program is under the direction of Dr. Barry Zevin, Behavioral Health and they work

with SFFD through DPH to assist with frequent flyers. He confirmed with Fire Marshall Cofflin that the committee meetings listed in his report are attended by members of his staff and not him personally. He also clarified with Chief Brown at the Airport the difference between Alert 2 and Alert 3 are, Alert 2 is when an aircraft has the potential for an emergency and an Alert 3 is a confirmed emergency on an airplane that is about to arrive or an aircraft that has already arrived.

Commissioner Cleaveland thanked Chief Rubenstein for his report and stated how amazed at how much goes on every month in the Department and is always very impressed by the EMS Division and the daily challengers that each of those members face. He confirmed with Chief Tong that based on the data a quarter of 9-1-1 medical calls are coming from people who are experiencing homelessness. He also confirmed that the frequent callers call the system about 30 times a day which frustrates him that so many of these individuals need to be treated and yet the refuse to be treated and walk away and to watch the department spend so many hours and so much money baffles his mind. He added that he thinks it is important that the public knows how much of what the members do is really focused on a very tiny percentage of the population of the city and he complimented those members for their energy and mental stamina it takes for them to do their jobs. He confirmed that the EMT/Paramedic eligibility list is different from the H-2 list. He also confirmed with Chief Tong that when they are requested by the Conservator's office to assist with a client who needs medication, the SFFD members are there to support the social worker but not to administer the medication.

President Feinstein confirmed that the Department is working with the Department of Public Health, Behavioral Health Unit, with Dr. Angelica Almeida to plan out and create the training curriculum for the 5150 holds. President Feinstein thanked Chief Tong for including some of the stories of what her folks have been able to accomplish is quite miraculous as well as the descriptions of their successes. She commended Chief Tong for accomplishing all the things mentioned with the folks that she had. She confirmed with Chief David Brown that "aided case" on his report can mean anything from helping a patient off of the aircraft or it can be an elevator rescue. President Feinstein also confirmed that the members that are deployed to the wildland fires are supervised according to the State of California master mutual aid agreement and the system is managed through the incident command system.

Commissioner Cleaveland congratulated the United Fire Service Women for their Operation Genesis program, and he is supportive with the kinds of programs that expose the Fire Department and the rigors and challenges that the members of the fire Department face with potential new members of the department in the future.

There was no public comment.

##### **5. COMMISSION REPORT *[Discussion]***

Report on Commission activities since last meeting on June 23, 2021.

Commissioner Nakajo explained where in the process he is with conducting the commission secretary's performance evaluation. He also welcome Chief Peoples to the meeting. Chief Peoples responded that it is nice to be here.

There was no public comment.

**6. AGENDA FOR NEXT AND FUTURE FIRE COMMISSION MEETINGS [Discussion]**  
Discussion regarding agenda for next and future Fire Commission meetings.

**7. PUBLIC COMMENT ON ITEM 8**

Public comment on all matters pertaining to Item 8 below, including public comment on whether to hold Item 8 in closed session.

There was no public comment.

**8. POSSIBLE CLOSED SESSION REGARDING PERSONNEL MATTER**

**a. VOTE ON WHETHER TO CONDUCT ITEM 8 (b) IN CLOSED SESSION [Action]**

The Commission may hear Item 8 (b) in closed session pursuant to Government Code Section 54957(b) and Administrative Code Section 67.10(b).

*Commissioner Covington Moved to proceed into closed session. Commissioner Cleaveland Seconded. The motion was unanimous.*

*The commission went into closed session at 10:38 a.m.*

**b. CASE NO. 2020-03: COMMISSION DELIBERATIONS AND POSSIBLE ACTION ON EMPLOYEE SUSPENSION APPEAL [Action item]**

The appeal is from a six-calendar day suspension for violation of the Rules and Regulations as follows:

Section 3901 – Unauthorized Use of Department Name  
Section 3904 – Active Participation in Other Employment, Business, or Enterprise  
Section 2905 – Familiarity with the Rules  
Section 3909 – False Reports  
Section 3923 – Acts Detrimental to the Welfare of the Department  
San Francisco Civil Service Rule 318.2: Requiring prior approval for outside employment.

**c. IF CLOSED SESSION IS HELD, RECONVENE IN OPEN SESSION**

*Reconvened in open session at 11:14 a.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).

*By a vote of 4-0 (Ayes: Feinstein, Nakajo, Cleaveland, Covington), the Commission denied the appeal and upheld the charged rule violations and the 6-day suspension.*

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 Cleaveland Moved to not disclose discussions held in closed session. Commissioner Covington Seconded. The motion was unanimous.*

**9. ADJOURNMENT**

President Feinstein adjourned the meeting at 11:17 a.m.