

**FIRE COMMISSION REGULAR MEETING
MINUTES**

**Wednesday, June 10, 2020 – 9:00 a.m
This meeting was held remotely on Webex**

The Video can be viewed by clicking this link:
https://sanfrancisco.granicus.com/MediaPlayer.php?view_id=180&clip_id=35913

President Covington called the meeting to order at 9:06 a.m.

Commission President	Francee Covington	Present
Commission Vice President	Katherine Feinstein	Present
Commissioner	Stephen Nakajo	Present
Commissioner	Ken Cleaveland	Present
Commissioner	Tony Rodriguez	Present

Victor Wyrsh	Deputy Chief -- Operations
Jose Velo	Deputy Chief --Administration

Staff	
Mark Corso	Deputy Director of Finance
Olivia Scanlon	Communications and Outreach

2. PUBLIC COMMENT

Nick stated that he appreciates the commission putting the meeting together during these difficult times and he appreciates what the commission is doing for the Fire Department.

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

Discussion and possible action to approve meeting minutes.

- Minutes from Regular Meeting on February 26, 2020.

Commissioner Cleaveland moved to approve and VICE PRESIDENT Feinstein Seconded. The motion was unanimous. There was no public comment.

- Minutes from Special Meeting on March 3, 2020.

Commissioner Cleaveland moved to approve and VICE PRESIDENT Feinstein 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 February 26, 2020, including budget, academies, special events, communications and outreach to other government agencies and the public.

Chief Nicholson reported on activities since late February. She mentioned that she is extremely proud of the Department and that they not only showed the City and County of San Francisco, but the country and world what they are made of from the Corona virus to the Pier 45 fire and everything else that has been going on through this pandemic.

She gave an update on Covid 19, which she said has been a priority for them and the Department has set up an Incident Management Team at Fire Department Operations Center at Headquarters where they work on weekly incident action plans. She added that they also have members assigned to the city's Emergency Operations Center. She confirmed that at the moment, no members have tested positive for Covid 19. She touched on the decon procedures that were set in place early on, the possibility of telecommuting for the next year, department head meetings with the Mayor and daily Covid meetings, involving issues with the homeless and how it has impacted the Department from Narcan administration to fires. Chief Nicholson stated that she went on a ride along with Rescue Captain 1 to the Tenderloin to see what was going on with the tent situation which was helpful to her. She mentioned the civil unrest which started May 29, 2020 and how busy the department was responding to high call volume over several days.

She announced that during May, there was EMS week where members of Station 49 were honored, and several members received awards. She mentioned that she did a walk through at Pier 45 with the Mayor and Head of the Port, Elaine Forbes. Regarding the budget, she mentioned that they have been having internal discussions as well as with the Mayor's budget office to do the best they can for the Department and for the city as it is facing challenging times. She announced the retirement of Lt. Rob Neuneker from the Assignment Office which will be in late June. Also, Chief Khai Ali from the Airport retired on May 29, 2020. She mentioned that Mark Johnson has taken over her position as Assistant Deputy Chief at the Airport.

Commissioner Rodriguez was thankful no one died at the Pier 45 fire and was concerned about the loss of the building and the fishermen's' equipment as well as the cost facing the city. He also mentioned that if the building had fire sprinklers, none of this would have happened. Chief Nicholson explained that the Department does work with the Port in making recommendations regarding fire safety and life safety.

Vice President Feinstein commended Chief Nicholson, Deputy Chief Velo and Wyrsh and the whole command staff that during this very strange time, when they have not all been together and had a normal meeting, that the Department has extended itself to the commissioners to answer questions, to be briefed and to stay as much on top of things as possible and that she really appreciates that they have continued to reach out to the commission.

Commissioner Cleaveland echoed the comments of Vice President Feinstein and commended the Chief and command staff for continuing to stay on top of it all. He also mentioned that he was surprised that the Port Authority has not implemented sprinklers into its own properties.

Commissioner Nakajo also echoed what his fellow commissioners commented in terms of command staff, membership and the fireboats that were involved at the Pier fire and basically taking care of business with no lives lost.

President Covington thanked the Chief for keeping them apprised of what has been going on in the Department even though they have not been meeting formally. She confirmed that no members have tested positive for Covid 19. She added that it highlights the amount of effort that has been put into sanitizing at least 3 times a day in the firehouses and that she appreciates the leadership and every member of the Department for keeping everyone healthy.

There was no public comment.

REPORT FROM OPERATIONS, DEPUTY CHIEF VICTOR WYRSCH

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

Chief Wyrsh's Operation report for the month of May 2020 included the Pier 45 Greater alarm fire as well as 24 other fires. He stated there were two surf rescues, and two cliff rescues. He mentioned that every division stepped up, above and beyond with Covid 19 and the current changes in the emergency response. He added that the members have handled with the stresses and workload like true professionals' worthy to wear the badge. He announced that Captain Jess Barton and members of the Incident Command Team and Fire Department Operations Center put out a new training bulletin in a very timely manner to responses to civil unrest which was studied and drilled on before the civil unrest started.

Chief Wyrsh mentioned that to date, Suppression and EMS have responded to 5,538 Covid 19 related calls, resulting in zero positive members in quarantine now. He touched on a policy and procedure committee in the works, EMS week celebrations, the 125th anniversary of ambulance service in San Francisco, Bureau of Prevention and Investigation, slow streets, Airport Division, Homeland Security led by Assistant Deputy Chief Mike Cochrane who is still working on the drone program where they have seven pilots that were in training, until Covid 19 hit and the training had to stop. He thanked PIO Lt. Baxter who has been working tirelessly getting the Department's message out to all the civilians and community members.

Commissioner Cleaveland confirmed that the Drone video of the Pier 45 fire was taken by a member of the public. He also confirmed that about 1/3 of the medical calls are to people without identifiable addresses and it is taking a huge bite out of the EMS budget. Commissioner Cleaveland also acknowledged Stations 1, 3 and 36 get the lion's share of calls and he thinks they should be paid a little extra money.

Commissioner Rodriguez thought Chief Wyrsh's report was very precise and good.

President Covington thanked him for his report and for keeping the commission abreast of what has been going on and sending his reports for the months they didn't meet.

Commissioner Nakajo thanked him for his report and asked that on the night where there was quite a bit of activity near Westfield shopping center if Department members got caught up in that trying to fight spot fires. Chief Wyrsh responded that he gives a lot of credit into getting the civil response training bulletin out and everyone was ordered to drill on it in the morning they were better prepared. He mentioned that he will go over it in more detail in his June report next month. Commissioner Nakajo stated his appreciation for all the great work by members of the department.

There was no public comment.

REPORT FROM ADMINISTRATION, DEPUTY CHIEF JOSE VELO

Report on the Administrative Divisions, Fleet and Facility status and updates, Finance, Support Services, and Training within the Department.

Chief Velo gave a summary of his three previous reports from February, March and April. He mentioned that the incident action plans show the amount of personnel that are dedicated to the Covid 19 team and it has been a very successful plan. He mentioned that Covid has put a halt on the Training division. He announced that they had members that attended drone school pilot on Treasure Island on February 11, 2020, the 126th Academy Class graduated on February 28, 2020, an H-8 academy on April 20, 2020 and on April 22nd, Chief Wyrsh lifted the restrictions for companies to go back to DOT, with safety precautions put in place. He touched on NERT, who has been helping at all facets of the response of Covid and that they have been an incredible resource for the city. He mentioned that the Health and Safety and Wellness Chief, Chief Parks, has been extremely busy and every incident action plan has some message from the chief regarding disinfecting, cleaning, protecting equipment and she is very involved in these processes. He also touched on the following items:

- Cordico Wellness app for members that are dealing with mental health and stress issues,
- The Physician's Office under the guidance of Dr. Brokaw who has been very active in recommending procedures, safety precautions and communication with the Department along with a newsletter she and her staff have been putting out and sharing with members of the Department,
- The Investigative Service Bureau where Captain Jose Zalba has resumed random and post-accident testing,
- Research and Planning,
- Support Services where they continue to work on the construction of the Ambulance Deployment Facility and Stations 35 among many other projects.

Commissioner Cleaveland thanked Chief Velo for his report and confirmed that Station 7 is still waiting for a new kitchen and apparatus bay doors and that due to funding these projects have been delayed and they are hoping that ESER bond 2020 will pass so they will have funding.

Commissioner Rodriguez thanked Chief Velo for his report and thought it was nice to hear that NERT is being well utilized with all the different emergencies and services that are needed. He was also happy to hear that everyone is happy with Dr. Brokaw.

President Covington thanked Chief Velo for his report and is pleased with everything that is going on and she is also happy that Dr. Brokaw is settling in well and that everyone is appreciative of her efforts. She also acknowledged the great work of Firefighter Arlene Nunez who worked for the CDC and has helped set up many of the protocols in place.

There was no public comment.

5. REPORT ON MAY 23, 2020 FIRE AT PIER 45 [Discussion]

Chief Wyrsh gave an in-depth overview of the Fire at Pier 45. He said that the San Francisco Fire Department's hearts go out to everybody affected by the events that occurred on the morning of May 23, 2020 where they received a report of smoke coming from the end of Pier 45. He stated that Engine 2 was first on scene and their initial actions were an aggressive interior attack and a search for victims on the Bravo Charlie entrance of shed C. Companies were able to get water on the fire quickly, but conditions worsened rapidly. He went on to say that Battalion 1 ordered companies out of the building and switched over to a defensive attack and requested a 2nd alarm. Water supply became an issue, and a third alarm was struck. And subsequently, this rose to a 4th alarm. It brought over 135 firefighters and 50 pieces of apparatus to the scene.

He added that the Department faced many obstacles such as a very large building with limited access, lots of combustible material which allows the fire to grow rapidly causing immense heat. This resulted in roof and wall collapses and possible pier collapses they thought at the time. He stated that special praise needs to be given to the crews of the fire boats and the Moose boat. The fireboat is directly responsible for saving our Jeremiah O'Brien. Fireboat 3, the St. Francis pumps 18,000 gallons per minute. Its initial attack was on the bow of the ship and our pilots came in fast and perfectly. He stated that the engineer and the rest of the crews and members of 35 put a massive deluge of water and made a water curtain protecting our country's beloved ship. He concluded that the fire is under investigation and that they do know the area of origin due to the many witness reports. Repopulating the businesses occurred as early as Sunday afternoon, as well as the continued efforts to allow tenants to recover salvaged fishing and crabbing items located inside the building. He announced that PIO, Lieutenant Baxter, did a phenomenal job, established a line of communication as to the public, the media, and our city leaders. He also established a social media post via Citizen App that went to over 225,000 viewers.

His PowerPoint is attached. https://sf-fire.org/sites/default/files/COMMISSION/Fire%20Commission%20Support%20Documents%202015/Pier%2045%281%29_0.pptx

Vice President Feinstein thanked Chief Wyrsh for his report and stated that she had an opportunity to go out to Pier 45 a couple of hours after it was contained, and it is a something she won't soon forget. She confirmed that a multiversal is a master stream that they take off the top of the engine and it supplies three large hose lines and it's basically a water monitor that's placed on the ground and puts out a tremendous volume of water.

Commissioner Cleaveland thanked Chief Wyrsh and commended all the responders that were at that fire and their heroic effort to contain the fire and saving the Jeremiah O'Brien.

President Covington thanked him for his report and thanked all the members of the Department who work tirelessly to bring everything under control. She also thought it was wonderful to see the footage of the St. Francis in action after waiting so long for it as well as seeing the other fireboat.

There was no public comment.

6. BUDGET OVERVIEW [Discussion]

Mark Corso, Deputy Director of Finance and Planning on the Fire Department's budget for Commission review and discussion.

Deputy Director Corso presented the following PowerPoint: https://sf-fire.org/sites/default/files/COMMISSION/Fire%20Commission%20Support%20Documents%202015/6-10%20budget_1.pdf

He touched on the new timelines, the fiscal impacts, and the changes from the last time he presented in February. He mentioned that since the shelter in place was ordered in March with the very significant public health impacts of the Covid Pandemic, there is also on the economic side when talking about recovery and things like that are still ongoing and they are still in the emergency mode both from operational as well as public health. He added that back in February there was a 420-million-dollar deficit projected for the budget period and that has been increased to about 1.7 billion dollars and it also includes a shortfall in the current fiscal year.

Vice President Feinstein commended Mr. Corso on his flexibility and going down one path and making a 45-degree turn and a 90 degree turn and doing it over and over again. She added it is going to be a tough couple of months.

Commissioner Nakajo thanked him for his comprehensive update. He confirmed that the total cut to the budget at the request of the Mayor's office is 15 percent each year. He added that we all realize the seriousness of the city budget and that we're team players as well, but we also know that we have priorities within our department in terms of services and programs which is basically serving the public of San Francisco. He stated that he appreciates all the effort of trying to work this out in a way that reflects the Department's Mission Statement.

Commissioner Rodriguez echoed the comments and stated this is a life safety issue and he does not understand how the Department would be able to make those cuts.

Commissioner Cleaveland agreed with Commissioner Rodriguez and added that it is very difficult to look at cutting a department so critical to the life and safety of the citizens of the City.

There was no public comment.

7. COMMISSION REPORT *[Discussion]*

Report on Commission activities since last meeting on February 26, 2020.

Nothing to report and there was no public comment.

8. AGENDA FOR NEXT AND FUTURE FIRE COMMISSION MEETINGS *[Discussion]*

Discussion regarding agenda for next and future Fire Commission meetings.

- Chief of Department's performance evaluation

There was no public comment.

9. PUBLIC COMMENT ON ITEM 10

Public comment on all matters pertaining to Item 10(b) and (c) below, including public comment on whether to hold Items 10(b) and (c) in closed session.

There was no public comment.

10. POSSIBLE CLOSED SESSION REGARDING EXISTING LITIGATION

- VOTE ON WHETHER TO CONDUCT ITEMS 10 (b) and (c) IN CLOSED SESSION *[Discussion and action]***

The Commission may hear Item 10(b) and (c) in closed session pursuant to Government Code Section 54956.9(a), (c), and (d), and Administrative Code Section 67.10(d)(1), and may hear Item 10(c) in closed session pursuant to Government Code Section 54957(b) and Administrative Code Section 67.10(b).

Commissioner Cleaveland moved to conduct items 10(b) and (c) in closes session. Vice President Feinstein Seconded. The motion for unanimous.

The meeting went into closed session at 11:02 This took place by conference call. Also, on the call was Deputy City Attorneys' Lisa Berkowitz, Mark Lipton, Cecilia Mangoba and Brad Russi, along with Chief Nicholson and Chief Velo.

- b. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION.** Conference with legal counsel to discuss existing litigation pursuant to Government Code Section 54956.9(a), (c), (d), and Administrative Code Section 67.10(d)(1), and possible recommendation to the Board of Supervisors for settlement approval or to take other action. *[Discussion and possible action item]*

Existing Litigation:

*Sheeran v. City and County of San Francisco
San Francisco Superior Court No.: CGC-18-568392*

Vice President Feinstein moved to accept the terms of the settlement. Commissioner Nakajo Seconded. The motion was unanimous.

*San Francisco Fire Fighters, Local 798 (Kirk, et al) v. City and County of San Francisco
Grievance
ERD No. 31-18-3429*

Vice President Feinstein moved to accept the terms of the settlement. Commissioner Cleaveland Seconded. The motion was unanimous.

- c. CONSIDERATION AND POSSIBLE APPROVAL OF SETTLEMENT AGREEMENT BETWEEN MEMBER AND DEPARTMENT** *[Discussion and possible action item]*

The San Francisco Fire Department has investigated allegations that member violated various San Francisco Fire Department Rules and Regulations in his conduct with a civilian between the dates of January 21, 2019 and May 7, 2019. After discussion, the Department and Member have agreed to a stipulated penalty of a 90-day suspension.

Vice President Feinstein moved to accept the terms of the settlement. Commissioner Nakajo Seconded. The motion was unanimous.

Commissioner Nakajo moved to accept the terms of the settlement. Vice President Feinstein Seconded. The motion was unanimous.

- 11. REPORT ON ANY ACTION TAKEN IN CLOSED SESSION** *[Discussion and possible action]* as specified in California Government Code Section 54957.1(a) and San Francisco Administrative Code section 67.12(b).

The meeting reconvened in Open Session at 11:30 a.m.

12. 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). *[Discussion and action]*

Commissioner Nakajo Moved to not disclose. Vice President Feinstein Seconded. The motion was unanimous.

13. ADJOURNMENT

President Covington adjourned the meeting at 11:39 a.m.