

MINUTES OF THE FIRE COMMISSION SPECIAL MEETING
May 4, 2022 – 1:00 PM

President Feinstein called the meeting to order at 1:09 p.m.

Item No.

1. ROLL CALL

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

Also present: Court Reporter Diane Freeman
Member
Chief Jeanine Nicholson
Deputy City Attorney Matthew Yan
Deputy City Attorney Brad Russ
Attorney Heather Gibson
Fire Commission Secretary Maureen Conefrey

2. CASE NO. 2021-13: 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)]

14 members of the public spoke in support of the member and against the health order.

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]

President Feinstein Moved to hold deliberations in closed session. Commissioner Morgan Seconded. The motion passed 3-1. (Ayes: Feinstein, Nakajo, Morgan; Nays: Covington)

Convened in closed session at 5:03 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]

Commissioner Morgan Moved to find that the Chief of the Department proved by a preponderance of the evidence that Member failed to comply with the vaccination requirements of the Order of the San Francisco Health Officer No. C19-07y and the Chief of Department's General Order 21-A-70, as alleged in the Chief's Verified Complaint and to uphold the Chief's recommendation of a non-disciplinary separation. Vice President Nakajo Seconded. The Motion was unanimously approved.

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

Reconvened in open session at 5:45 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**]

Vice President Nakajo moved to not disclose discussion held in Closed Session. President Feinstein Seconded. The motion passed 3-1. (Ayes: Feinstein, Nakajo, Morgan; Nays: Covington)

3. **ADJOURNMENT:** President Feinstein adjourned the meeting at 5:47 p.m.