

# SAN FRANCISCO FIRE COMMISSION

## Fire Commission Regular Meeting Wednesday, August 9, 2017 – 9:00 a.m. – 12:00 p.m.

City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416 ■ San Francisco ■ California ■ 94102

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### AGENDA

*Item No.*

#### 1. ROLL CALL

President	Ken Cleaveland
Vice President	Stephen A. Nakajo
Commissioner	Michael Hardeman
Commissioner	Francee Covington
Commissioner	Joe Alioto Veronese
Chief of Department	Joanne Hayes-White

#### 2. GENERAL PUBLIC COMMENT

Members of the public may address the Commission for up to three minutes on any matter within the Commission's jurisdiction and does not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Commissioners are not to enter into debate or discussion with a speaker. The lack of a response by the Commissioners or Department personnel does not necessarily constitute agreement with or support of statements made during 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 26, 2017.

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

REPORT FROM CHIEF OF DEPARTMENT, JOANNE HAYES-WHITE

Report on current issues, activities and events within the Department since the Fire Commission meeting on July 26, 2017, including budget, academies, special events, communications and outreach to other government agencies and the public.

REPORT FROM OPERATIONS, DEPUTY CHIEF MARK GONZALES

Report on overall field operations, including greater alarm fires, Emergency Medical Services, Bureau of Fire Prevention & Investigation, Airport and status on the H-23 classification..

#### 5. AGENDA FOR NEXT FIRE COMMISSION MEETING *[Discussion]*

Discussion regarding agenda for the August 23, 2017 regular meeting.

#### 6. PUBLIC COMMENT ON ITEM 7

Public comment on all matters pertaining to Item 7 below, including public comment on whether to hold Items 7 (b), (c), and (d) in closed session.

**7. POSSIBLE CLOSED SESSION REGARDING EXISTING LITIGATION AND PERSONNEL MATTERS**

**a. VOTE ON WHETHER TO CONDUCT ITEMS 7(b), (c) AND (d) IN CLOSED SESSION [Action]**

The Commission may hear Item 7(b) regarding existing litigation in closed session if it votes to invoke the attorney-client privilege (Government Code § 54956.9; Administrative Code § 67.10(d)). The Commission may hear Items 7(c) and (d) regarding personnel matters in closed session pursuant to Government Code Section 54957(b) and Administrative Code Section 67.10(b).

**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. *[Action item]*

Existing Litigation:

*Price v. City and County of San Francisco*  
*San Francisco Superior Court No. CGC-14-543349*

**c. CASE NO. 2016-04: COMMISSION DELIBERATIONS ON PROPOSED FINDINGS OF FACT, AND POSSIBLE APPROVAL OF FINDINGS OF FACT REGARDING COMMISSION’S DECISION ON EMPLOYEE DISCIPLINE CONCERNING VERIFIED COMPLAINT FILED BY CHIEF OF DEPARTMENT AGAINST MEMBER, DATED SEPTEMBER 20, 2016, FOR VIOLATIONS AS FOLLOWS:**

Section 2004 – Restricted Passengers  
Section 3905 – Familiarity with the Rules  
Section 3907 – Safety Rules  
Section 3909 – False Reports  
Section 3921 – Inattention to Duty  
Section 3923 – Acts Detrimental to Welfare of Department  
Section 3941 – Use of Vehicles  
Section 4003 – Duty to Report Breach of Duty or Misconduct.

At a Special Meeting of the Fire Commission on May 25, 2017, the Commission found member guilty of violating the rules mentioned above, except Section 3909, and Commission imposed a penalty. The Commission is now considering proposed Findings of Fact in relation to that decision. *[Action item]*

**d. CASE NO.: 2016-07 COMMISSION DELIBERATIONS ON PROPOSED FINDINGS OF FACT, AND POSSIBLE APPROVAL OF FINDINGS OF FACT REGARDING COMMISSION’S DECISION ON EMPLOYEE DISCIPLINE CONCERNING MEMBER’S APPEAL OF 10-SUSPENSION FOR VIOLATION AS FOLLOWS:**

Section 1501 – Vehicle Operations Manual  
Section 3905 – Familiarity with the Rules  
Section 3923 – Acts Detrimental to the Welfare of the Department  
Section 3924—Disobedience  
Section 3925 – Insubordination  
Section 3939 – Loss or Damage of Tools and/or Equipment

At the Fire Commission meeting on July 12, 2017, the Commission deliberated on member's appeal of a 10-day suspension imposed by the Chief of Department and decided to sustain the charges against member and the penalty of a 10-day suspension. The Commission is now considering proposed Findings of Fact in relation to that decision. *[Action item]*

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

**9. 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]*

**10. ADJOURNMENT**

**SAN FRANCISCO FIRE COMMISSION**  
**NOTICE OF COMMISSION PROCEDURES**

**Commission Meeting Schedule and Location**

The Fire Commission will meet regularly on the 2<sup>nd</sup> and 4<sup>th</sup> Wednesday of each month at San Francisco City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. The second Wednesday in Room 416 at 9:00 a.m. and the fourth Wednesday in Room 400 at 5:00 p.m.

**Commission Office**

The Fire Commission Office is located at 698 Second Street, Room 220, San Francisco, CA 94107. The Fire Commission telephone number is (415) 558-3451; the fax number is (415) 558-3413. The web address is <http://sf-fire.org/fire-commission-home>. Office hours are from 7:30 a.m. to 4:00 p.m., Monday through Friday.

**Language Access**

Per the Language Access Ordinance (Chapter 91 of the San Francisco Administrative Code), Chinese, Spanish and or Filipino (Tagalog) interpreters will be available upon requests. Meeting Minutes may be translated, if requested, after they have been adopted by the Commission. Assistance in additional languages may be honored whenever possible. To request assistance with these services please contact the Commission Secretary at (415) 558-3451, or [fire.commission@sfgov.org](mailto:fire.commission@sfgov.org) at least 48 hours in advance of the hearing. Late requests will be honored if possible.

**Information on Disability Access**

The hearing rooms in City Hall are wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations at Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6142. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the vicinity of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex. For more information about MUNI accessible services, call (415) 701-4485.

To obtain a disability-related modification or accommodation, including auxiliary aids or services, to participate in the meeting, please contact the Commission Secretary at least two business days before the meeting at (415) 558-3451 to make arrangements. Late requests will be honored, if possible.

To assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

## **Policy on use of Cell Phones, Pagers and Similar Sound-Producing Electronic Devices at and During Public Meetings**

The ringing and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at Fire Commission meetings. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic device.

### **Documents for Public Inspection**

Documents referred to in this agenda, if not otherwise exempt from disclosure, are available for public inspection and copying at the Fire Commission Office. If any materials related to an item on this agenda are distributed to the Fire Commission after distribution of the agenda packet, those materials, if not otherwise exempt from disclosure, are also available for public inspection at the Fire Commission Office, 698 Second Street, room 220, San Francisco, during normal office hours.

### **Know Your Rights under the Sunshine Ordinance** (Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the sunshine ordinance or to report a violation of the ordinance, contact the sunshine ordinance task force. You may contact the Sunshine Ordinance Task Force Administrator, as follows: Sunshine Ordinance Task Force, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4689, Phone: (415) 554-7724, Fax: (415) 554-5784, E-mail: [soft@sfgov.org](mailto:soft@sfgov.org). Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's Web site at <http://www.sfgov.org>.

### **San Francisco Lobbyist Ordinance**

Individuals and entities that influence or attempt to influence local policy or administrative action may be required by the San Francisco Lobbyist Ordinance (San Francisco Campaign and Governmental Conduct Code sections 2.100 – 2.160) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102, telephone (415) 581-2300, fax (415) 581-2317 and Web site: <http://www.sfgov.org/ethics/>.