

SAN FRANCISCO FIRE COMMISSION

**FIRE COMMISSION REGULAR MEETING
MINUTES**

Wednesday, November 14, 2018

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

The Video can be viewed by clicking this link:

http://sanfrancisco.granicus.com/MediaPlayer.php?view_id=180&clip_id=31796

Vice President Nakajo called the meeting to order at 9:03 a.m.

1. ROLL CALL

Commission President	Ken Cleaveland	Present
Commission Vice President	Stephen Nakajo	Present
Commissioner	Michael Hardeman	Present
Commissioner	Francee Covington	Present
Commissioner	Joe Alioto Veronese	Present
Chief of Department	Joanne Hayes-White	Present
Jeanine Nicholson	Deputy Chief --Administration	
Dan DeCossio	Bureau of Fire Prevention	
Andy Zanoft	EMS	
Tony Rivera	Support Services	
Michael Cochran	Homeland Security	
Khai Ali	Airport	
Joel Sato	Training Division	
Assistant Chiefs		
Robert Postel	Division 2	
Bill Storti	Division 3	
Staff		
Mark Corso	Deputy Director of Finance	
Olivia Scanlon	Communications and Outreach	
Tony Boone	Director of Occupational Environmental Health and Safety	

President Cleaveland called for a moment of silence for the people affected by the ongoing wildland fires throughout California and the recent mass shooting in Southern California.

2. PUBLIC COMMENT

Tatjana Eggert-Reich President of Golden Gateway Tenants Association; Bill Hannan, Vice President, and Desa Belyea all spoke in support of the great work that the SFFD did in responding to the October 22, 2018 fire at the Golden Gateway's Vista South Building at 405 Davis Court and they came to show their support and thanks to the SFFD for the quick response in putting the fire out. They added that it reflected the great credit on the training and

professionalism and courage of the Fire Department and wanted to extend their appreciation to all the members of the force. Martin Hardee sang a thank you song he wrote for the great work of all the firefighters involved in responding to the fire.

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

Discussion and possible action to approve meeting minutes.

- Minutes from Regular Meeting on October 24, 2018.

Commissioner Covington added the word “didn’t” to her response on page 3, paragraph 3.

Commissioner Hardeman Moved to approve the above meeting Minutes as amended. Commissioner Alioto-Veronese Seconded. Motion to approve above Minutes was unanimous.

There was no public comment.

4. RECOGNITION OF SAN FRANCISCO POLICE OFFICER NICOLSA WISE AND OFFICER BRIAN CAREW

SFFD to acknowledge the heroic work performed during a call for service on a person who overdosed from narcotics and Officers Wise and Carew performed CPR on the unconscious person.

Chief Hayes-White introduced the officers and thanked them for their partnership and their great work on September 19th, 2018 where they responded to a well-being check on a reported suicidal person and the officers found an unconscious male patient inside the residence who was experiencing an Opioid-induced respiratory arrest and they provided rescue breathing through a CPR mask and after receiving Narcan from the responding firefighters and paramedics, he regained consciousness and was able to converse with the responders. She added that because of their rapid actions at this medical emergency, they saved a man's life. Chief Hayes-White read the certificates and presented them to the officers.

5. AMBULANCE DEPLOYMENT FACILITY UPDATE [Discussion]

Assistant Deputy Chief Anthony Rivera and Kathleen O'Day of San Francisco Public Works to present on the progress being made with the construction of the new Ambulance Deployment Facility and overview from San Francisco Arts Commission on artist's concept design.

Chief Rivera introduced Kathleen O'Day from Public Works and acknowledged that the Department has been working very closely with them on the Ambulance Deployment Facility. He also mentioned that Chief Zanoloff and his team have been an integral part of the ADF team.

Ms. O'Day presented the attached PowerPoint: <https://sf-fire.org/sites/default/files/COMMISSION/Fire%20Commission%20Support%20Documents%202015/ADF%20Project%20Update%202011-14-2018REV3.pdf>

Ms. O'Day explained that the building will be a four-story steel framed building with deep piling foundations and the area of land is 48,000 square feet and will have an ambulance lot yard for 49 ambulances. She added that the first floor is the warehouse, the second floor will have the EMS offices, as well as the biomedical and gurney repair, the third floor will have locker rooms, showers and a break room and the fourth floor will also have offices and a conference room. She mentioned that there will be two pumps, one for gas and one for diesel and will be able to fill up four ambulances at a time, which will expedite response times. She added that the contract was awarded to SJ Amoroso and the total construction budget is 38.1 million, but the total project, including art and technology, is 50.1 million. The project is

scheduled for completion in the fall of 2020. She touched on the risks and challenges including contaminated and corrosive soil. She then turned the presentation over to the artist, Michael Bartalos who presented the attached PowerPoint: https://sf-fire.org/sites/default/files/COMMISSION/Fire%20Commission%20Support%20Documents%202015/2018-07-17%20Bartalos%20ADF%20presentation_edit_MB.pdf Mr. Bartalos gave an overview of the artwork that has been commissioned for the fence and gates at the proposed Ambulance Deployment Facility. He added that the artwork's imagery speaks to the history and visual vernacular of the San Francisco Fire Department and the Emergency Medical Services. He stated that he will be using two types of steel, brushed stainless steel, which is silver in color and painted black steel.

Commissioner Covington stated that it is wonderful to see everything coming along so well and asked for clarification on some of the icon images such as the crown and coat of arms. Mr. Bartalos responded that he was borrowing from heraldry and coats of arms and they are symbols which are supposed to represent courage, commitment, and pride and other images are playing off the iconography and the emblems of the Fire Department, the EMS and various city agencies that also have to do with similar type of work. She also expressed her concern with the image of the eagle and since the emblem of the SFFD is a phoenix, perhaps the eagle can be replaced with a phoenix. Mr. Bartalos assured the commission that the eagle image will be changed and will not be in any future presentations. Commissioner Covington also expressed her concern with the razor wire that is placed at the top of the gates and asked if another more artistic deterrent could be used. Ms. O'Day responded that the razor wire is currently how they are showing it basically defend the site, but they are also open to looking at other alternatives that will keep people from climbing over the fence.

Commissioner Veronese also expressed his concerns with some of the images portraying Nazi symbology. He was assured by Ms. O'Day that the artist is very willing to modify his design to meet the concerns of the Commission. Commissioner Veronese was also concerned that there was no mention of Station 9 in any of the art images. Chief Rivera responded that they have been very sensitive to the needs of Station 9 to ensure that any response is not hampered by any of the construction that is going on and they have kept them in the loop to ensure that they are aware of all the different stages of construction.

Chief Hayes-White thanked Kathleen, as well as Sam, the developers, and the architects as well as Susan Pontious from the Arts Commission stated that she thinks the SFFD is a good client, but at times, a demanding client because of all the redos they have asked for over and over for, and that they have been very responsive to the Department's requests and needs and she really appreciates it. She also stated that the artist has been very diligent in responding to the department's feedback. With regard to the razor wire, she thinks there could be other solutions keeping in mind that security is a number one concern.

President Cleaveland stated he appreciated the presentation and thought it would be a good idea to have a Phoenix rising from the ashes. He confirmed that the pilings would go down 135 feet. He asked if there were any penalties for not completing the project on time or a bonus for completing the project ahead of schedule. Ms. O'Day responded that there is no bonus for completing ahead of schedule and liquidated damages if they go over.

Vice President Nakajo commented that he appreciates the Art Commission, Architects, and contractors who were in attendance and that the Fire Commissioners are very engaged in the project as it has been a long time coming dream.

Commissioner Hardeman thanked them all for their presentation and for the patience of the members of Station 49, particularly over the years for a very rundown facility and will soon have a better run ambulance system. He also thanked the taxpayers of San Francisco that love their Fire Department and have shown it their brilliance in voting to support the Fire Department like they usually do.

There was no public comment.

6. FIRE CHIEF RECRUITMENT *[Discussion and possible action]*

Review the Department of Human Resources (DHR) draft timeline and plan for recruitment and review of candidates for Chief of Department. Discussion and possible action to authorize DHR to administer the process under the direction of the Fire Commission, or to take other action regarding the recruitment and selection process and approval of the job announcement.

Micki Callahan, Director of Department of Human Resources introduced herself and her principal analysts, Scott DeWolfe. She mentioned that the goal was to ensure that the Fire Commission has a group of well-qualified candidates from whom to select either up to three candidates to send to the mayor for consideration and appointment in light of the announced retirement of Chief Hayes-White. She explained how the process would work, including posting the announcement and job application, setting a deadline for submittal of applications and sorting them into groups of qualified candidates, such as “good, better and best” so that the commission could decide in a closed session meeting who they wanted to interview. She also explained what the role of the commission will be during closed session interviews, including preparing interview questions and deciding who will ask the questions and things of that sort. She also described the brochure in detail that her department put together, along with the job announcement and supplemental questions. She added that there is a strong belief, and the mayor shares that belief, that there is good local talent to choose from

Commissioner Hardeman thanked Ms. Callahan and stated that he thought the brochure was extremely well done and he confirmed that the application and interview process will be confidential, and they should engage in any conversations where confidentiality could be jeopardized.

Commissioner Covington stated she thinks the brochure looks good and she likes the way it is laid out and thinks it is very clear. She asked for clarification under the minimum qualifications where it says “10 years of work experience as a uniformed member of the fire department at the sworn rank of captain or higher” and that someplace else it says that you should have been a battalion chief. Ms. Callahan explained that the minimum is what it takes to get qualified and the desirable characteristics are those which would elevate an individual. Commissioner Covington suggested that it would be helpful for someone to come in with the nomenclature and the vocabulary of how to interact with the people who are on the medical side as well and Ms. Callahan confirmed that if the commission would like a more explicit reference in the minimum qualifications or the desirables, they can absolutely do that. They discussed the implementation of the Supervisory Management Test Battery. Commissioner Covington suggested adding the organizational chart of the Department as part of the online

posting so that people have a much better idea of all the different branches of the SFFD as well as holding a special meeting so that members of the public and department have an opportunity to express what they would like to see in the next chief of the Department.

Commissioner Veronese asked how many people in the Department have 10 years at rank as Captain Chief Hayes-White responded that there are a number of very talented members in the Department that have risen through the ranks quickly and as Chief for almost 15 years, she has hired and promoted to lieutenant, captain, and battalion chief all within 15 years, and to Commissioner Veronese's point, there are some people that may not have had a full 10 years at captain or higher that would be excluded from consideration. Commissioner Veronese let Ms. Callahan know that she's a great service to the City.

Vice President Nakajo confirmed that the Recruitment Brochure was being adopted by the Commission at today's meeting and once adopted would be sent out to the rank and file through a general order by the Chief of Department and will be posted on the City website as it is an open recruitment. He added that he appreciates the formalization and concepts of Commissioner Veronese's concerns and that it's better than off the cuff, but he still needs to process all the information as well and suggested possible postponing the vote, but if the Commission in its flavor and its wisdom wishes to accept it as presented, and he knows that as commissioners they can't abstain on a vote. He added "I guess somewhere along the line, does it change things much if we take it back and get it a little more refined? Or again, to you, colleagues, if you wish to vote for it, I could support it, I guess. Thank you." He confirmed that the Mayor can accept, reject, or ask the Commission to go back and select other candidates. Commissioner Covington had Deputy City Attorney Brad Russi confirm that Commissioners are required to vote on every matter that comes before the Commission unless they have a legal conflict of interest. Mr. Russi also mentioned that the Commission should always take public comment before they vote on any matters.

Commissioner Hardeman stated that he is very much in support of having earned rank and maintaining rank. He also thinks it is extremely important to have leadership qualities.

The changes that were made to the Recruitment Brochure are as follows: Adding the organizational chart for information; adding a specific reference, in desirable qualification to oversight of emergency medical services; available residence for Chief of Department and adding to the minimum qualifications section "or appointment to the rank of Battalion Chief or higher in the San Francisco Fire Department". They also agreed to hold a closed session meeting on 12/19/18 to vet the applications and decide whom to interview and prepare interview questions and to schedule the interviews for January 4, 2019, and January 8, 2019, at Department of Human Resources located at 1 S. Van Ness Avenue.

Commissioner Veronese Moved to amend the Recruitment Brochure with the above changes. Commissioner Covington Seconded. The motion to approve the amended Recruitment Brochure was unanimous.

There was no public comment.

7. DRAFT CHANGES TO THE PROCEDURAL RULES GOVERNING TRIAL OF DISCIPLINARY CASES [Discussion and possible action]

Discussion and possible action to adopt changes to the Procedural Rules Governing Trial of Disciplinary cases added under Section IV. PROCEDURES FOR SETTING A DISCIPLINARY CASE FOR HEARING.

Brad Russi from the City Attorney's Office explained the changes that the Commission would like to incorporate into the procedural rules governing trial of disciplinary cases. He added that for some time, the Commission has been offering in disciplinary cases the possibility of an early case resolution conference to members to try to move along the process and see if the Department and the member can come to some sort of resolution short of an expensive and unfortunate sort of trial that would have to occur, but the rules haven't reflected that procedure. The changes would be reflected in Section IV of the Rules where two main changes are being made. In all cases, there will be an initial case management conference by telephone with the commissioner who is sitting as the hearing officer, to come to an agreement on dates and to discuss the possibility of an early case resolution conference, which would be voluntary where both the Department and the member would have to agree to. He added that this would not be available in termination cases because that is the decision that the Commission as a whole needs to make.

Commissioner Covington Moved to accept the changes. Commissioner Hardeman Seconded. The motion passed unanimously.

There was no public comment.

**8 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 October 24, 2018, including budget, academies, special events, communications and outreach to other government agencies and the public.

Chief Hayes-White reported on events since the last meeting on October 24, 2018. She thanked President Cleaveland for the moment of silence for those suffering great losses from what's happening in Northern California, as well as Southern California. She added that she is very proud of the members that have been deployed, both to the Camp Fire in Butte County and the Hill fire in Southern California. She added that they are working hard, all are safe and that she really appreciates their hard work.

Chief Hayes-White stated that she appreciates all the efforts of the staff, the command staff as well as operations at a safe Halloween was enjoyed by many and was uneventful for the most part in terms of any major injuries or incidents. She attended, along with Chief Zanoft, the Healthy Streets Committee where they partnered with other departments related to some of the street behavior that they've experienced, and she attended in a career day at Mercy High School. Other events she attended included SFFD Toy Program, the Phoenix Society dinner, and the celebration of life for Willie McCovey. She stated that she hosted the Orange County Fire Authority who were interested in the SFFD's recruitment and retention efforts, as well as in conjunction with the diversity of our department. She also attended the SF Youth Academy graduation led by the Black Firefighters Association. She acknowledged and thanked the command staff for attending the Veterans' Day parade with her. She also attended the World

War I Armistice Centennial Celebration which was hosted by George Schultz and Chief of Protocol Charlotte Schultz to acknowledge the ending of World War I. She also acknowledged Jesusa Bushong of HR who worked on securing the bronze award for the Healthy Mothers Workplace award. She mentioned that the budget is on track, that they have an H-3 Level 1 class graduating November 30th and they are beginning the selection process for the 125th class. She asked that the meeting be adjourned in the memory of Firefighter Lynette Dryer, Sid Taylor, and retired Captain Matt Plescia.

There was no public comment.

REPORT FROM OPERATIONS, DEPUTY CHIEF MARK GONZALES

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

Chief Gonzales reported on activities for the month of October. He stated that there was n greater alarms, a third alarm at 405 Davis Court and that Assistant Chief Post was the incident commander and he did a great job, he led it with a very calm demeanor and a precise methodical manner. He also acknowledged the fantastic job done by the members of the department who responded to that fire. He also thanked the strike teams that were out on deployment. He touched on other notable incidents during the reporting period including a baby that was delivered by field personnel.

There was no public comment.

9. COMMISSION REPORT [Discussion]

Report on Commission activities since last meeting on October 24, 2018.

Commissioner Hardeman stated that his son, Nick Hardeman is going to be honored by the Laborer's Union to raise dollars and items for the SFFD Firefighters Toy Program.

Commissioner Veronese stated that he presided over two disciplinary hearings and appeared at two fires, one at Golden Gate Park and the Highrise fire downtown and mentioned the amazing job crews did to extinguish those fires.

10. COMMISSION RETREAT ACTION PLAN [Discussion]

Commissioner Covington and Vice President Nakajo to discuss forming sub-committee on action to be taken following the September 25, 2018 Commission Special Meeting/Retreat.

Commissioner Covington stated that she thought it would be prudent of the commission to have a subcommittee to go over a number of the items that were put forth during the retreat and to prioritize the subjects going forward and to present to the Commission those items to be voted on. She suggested that the subcommittee should include two members of the Commission, and President Cleaveland appointed Commissioner Nakajo as he served on the Public Safety Transition team and has that knowledge base. She also suggested that the two deputies who were at the retreat the entire day as well as retired Chief Columbini and Local 798, President Tom O'Connor, to be part of the subcommittee, as they were part of the Mayor's Public Safety Transition team. She added that the two commissioners on the subcommittee will be making the decisions about presenting whatever the action items are to the entire commission.

Vice President Nakajo expressed his concerns with the forming of a subcommittee. He stated that he is reluctant in terms of the commission formalizing a subcommittee, in his opinion, is

another committee that was formalized around the retreat that was supposed to have findings from the commissioners and he feels sometimes when he makes remarks, it sounds like he is criticizing the process, but he's actually voicing his opinion and his concerns and that doesn't mean that he's not supportive of the conceptual. He added that he was disappointed that the \$3,000.00 fee for the consultant at the retreat didn't at least produce a written product.

President Cleaveland relieved Vice President Nakajo of his duties on the subcommittee and asked Commissioner Veronese to serve with Commissioner Covington and to come back with a report when they are ready to come back to the commission with a report on the retreat's recommendations. Commissioner Veronese accepted as long as there is no deadline in early December because he will be out of town for the first week. He stated that he thinks it is important that in this transition to a new chief, that there is some information that is being handed off that is speaking to the priorities of the new administration with the Mayor and her office, and which is where the information is coming from. He added that he thinks this is an important time and important task. Commissioner Veronese was excused from the meeting at 11:50 a.m. to attend a court proceeding.

There was no public comment.

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

- Update on study for the training facility.

There was no public comment.

12. PUBLIC COMMENT ON ITEM 13

Public comment on all matters pertaining to Items 13(b), below, including public comment on whether to hold Items 13(b), in closed session.

There was no public comment.

13. POSSIBLE CLOSED SESSION REGARDING PERSONNEL MATTERS AND EXISTING LITIGATION

a. VOTE ON WHETHER TO CONDUCT ITEMS 13(b), IN CLOSED SESSION [Action]

The Commission may hear Item 13(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))

Commissioner Covington made a motion to conduct item 13(b), in Closed Session. Commissioner Nakajo seconded, and the motion was unanimously approved. (4-0; Cleaveland, Nakajo, Hardeman, Covington)

The Commission went into closed session at 12:01 p.m.

Also present was Deputy City Attorney, Lisa Berkowitz.

- b. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION.** Conference with legal counsel to discuss and possibly approve settlement of existing litigation pursuant to

Government Code Section 54956.9(a), (c), (d), and Administrative Code Section 67.10(d)(1).
[Action item]

Existing Litigation:

Chiles v. City and County of San Francisco

San Francisco Superior Court No.: CPF 17-515732

14. 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 Commission reconvened in Open Session at 12:09 p.m. President Cleaveland reported that the Commission unanimously agreed to approve the settlement agreement.

15 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]**

Commissioner Covington Moved to not disclose discussions held in closed session. Commissioner Hardeman Seconded. The motion was unanimously approved. (4-0; Cleaveland, Nakajo, Hardeman, Covington)

16. ADJOURNMENT

President Cleaveland adjourned the meeting in the memory of Firefighter Lynette Dryer, Sid Taylor, and retired Captain Matt Plescia. at 12:11 p.m.