

SAN FRANCISCO FIRE COMMISSION

MINUTES FROM FIRE COMMISSION SPECIAL MEETING

November 5, 2015 – 3:00 PM

698 Second Street, Room 221, San Francisco, CA 94107

President Evans called the meeting to order at 3:05 PM.

Item No.

1. ROLL CALL

Commission Vice President Francee Covington, Hearing Officer
President Andrea Evans
Commissioner Stephen Nakajo
Commissioner Michael Hardeman

Also Present:

Brad Russi, Deputy City Attorney, Government Team – Counsel to the Commission
Maureen Conefrey, Commission Secretary

2. CASE NO. 2015-02: COMMISSION DELIBERATIONS AND POSSIBLE ACTION ON EMPLOYEE SUSPENSION APPEAL [*Action item*]

In accordance with Article 40, Section 4005 of the Rules and Regulations the employee has appealed a ten-day suspension for violation of the Rules and Regulations as follows:

- Section 3905 – Familiarity with the Rules
- Section 3907 – Safety Rules
- Section 3919 – Proper Behavior
- Section 3923 – Acts Detrimental to the Welfare of the Department
- Section 3940 – Unauthorized Use or Disposition of Property
- Section 3941 – Use of Department Vehicles
- Section 4002 – Off Duty Conduct

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 Agenda items that are scheduled for discussion or action. [Government Code §54954.3(a), Administrative Code §67.15(b)]

1. Public Comment on Agenda Item No. 2, including [*if there is a motion or request to go into Closed Session*] public comment on whether to go into Closed Session.

President Evans called for public comment. No member of the public came forward and President Evans closed public comment.

2. *If there has been a motion or request to go into Closed Session:* Vote on whether to hold Closed Session. [**Action Item**]

Vice President Covington Moved for a motion to hold deliberations in Closed Session. Commissioner Hardeman seconded, and the motion was unanimously approved. (4-0; Evans, Covington, Nakajo, Hardeman,)

B. Deliberations/Possible Action, Open or Closed Session

The Commission held deliberations in Closed Session at 3:06 p.m.

1. Deliberations, and possible action on Suspension Appeal [**Action Item**]

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

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).

The Commission reconvened in Open Session to report action taken at 3:58 p.m.

Member pled guilty to the charges of violating San Francisco Fire Department Rules and Regulations Section 3905 – Familiarity with the Rules; Section 3907 – Safety Rules; Section 3919 – Proper Behavior; Section 3923 – Acts Detrimental to the Welfare of the Department; Section 3940 – Unauthorized Use or Disposition of Property; Section 3941 – Use of Department Vehicles; and Section 4002 – Off Duty Conduct. By unanimous vote of members present, the Commission voted to impose discipline on the violations of Sections 3923, 3940, 3941, and 4002 only. (Ayes: Evans, Covington, Nakajo, Hardeman)

Accordingly, the Commission voted to reduce the Chief's recommended penalty to a 2-day suspension, by a unanimous vote of members present. (Ayes: Evans, Covington, Nakajo, Hardeman).

Counsel for Commission will prepare the Findings of Fact.

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**]

There was no public comment

3. ADJOURNMENT

President Evans adjourned the meeting at 3:58 p.m.