

SAN FRANCISCO FIRE COMMISSION

FIRE COMMISSION REGULAR MEETING
MINUTES

Wednesday, June 22, 2016 – 5:00 p.m.

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

The video recording has been at:

http://sanfrancisco.granicus.com/MediaPlayer.php?view_id=180&clip_id=25655

President Covington called the meeting to order at 5:01 PM.

1. ROLL CALL

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| Commission President | Francee Covington | Present |
| Commission Vice President | Ken Cleaveland | Present |
| Commissioner | Stephen Nakajo | Present |
| Commissioner | Michael Hardeman | Present |
| Acting Chief of Department | Mark Gonzales | Present |
| Raemona Williams | Deputy Chief – Administration | |
| Tony Molloy | EMS | |
| Dan DeCossio | Bureau of Fire Prevention | |
| Jeff Columbini | Division of Training | |
| Ken Lombardi | Staff Services | |
| Shane Francisco | Homeland Security | |
| Rudy Castellanos | Airport Division | |
| Assistant Chiefs | | |
| Robert Postel | Division 2 | |
| Tom Siragusa | Division 3 | |
| Staff | | |
| Mark Corso | CFO | |
| Jesusa Bushong | Personnel Officer | |
| Olivia Scanlon | Communication and Outreach Coordinator | |

2. PUBLIC COMMENT

There was no public comment.

3. PROPOSED LEGISLATION FROM THE BOARD OF SUPERVISORS [Discussion and possible action]

[Fire Code - Disclosure of Fire Safety Information]

File No.: 150792 Ordinance amending the San Francisco Fire Code to require building owners and homeowners' associations to provide fire safety information to residents in buildings with three or more dwelling units, and annual fire safety information and training to residents in buildings with 16 or more units; making findings as to local conditions pursuant to the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to transmit the ordinance to appropriate State officials.

(Taken out of order)

President Covington welcomed Supervisor Tang. Supervisor Tang thanked the Commission for taking the item so quickly and explained in detail the meaning behind her proposed legislation. She mentioned that there are three components to it, one is that buildings with three units or more, they would require that in the common areas there be a posting regarding fire safety information. The second component is that buildings with 26 or more units, it would require that there be a resident manager living on site and the third component would be that building owners or managers will be required each year to provide a disclosure to each of the tenants about fire safety and prevention.

President Covington thanked Supervisor Tang for being so diligent in introducing the legislation after her NERT training. She added that she thinks the legislation is good and wants to make sure that there is funding in place to be able to fulfill the Department's obligations. It was determined that the language of the legislation can be amended to accommodate the Department's inspection schedule if necessary.

Vice President Cleaveland thanked the Supervisor for introducing the legislation and stated he is sure everyone is keenly aware of the deficiency in building inspections, particularly the residential buildings. He confirmed that the legislation pertained to residential buildings only. There was brief discussion on if there might be an additional costs to the Department to implement the legislation.

Commissioner Nakajo thanked Supervisor Tang for presenting on the legislation. He reiterated the requirements needed to support the legislation and he appreciated that the concept is city wide preparedness in trying to get tenants of buildings to join in on the education that is pertinent to advance their safety.

Chief DeCossio and CFO Mark Corso spoke about the financial and employee time impact the legislation may present.

Commissioner Hardeman thanked Supervisor Tang for taking the challenge of this legislation on and for her nice demeanor and as far as the legislation, he supports it because the intentions are meant to help people.

Friendly amendments were suggested including adding the word residential before buildings, inserting a phase out timeline for completion and making sure there is adequate funding for implementing the requirements.

Commissioner Nakajo Moved to approve the legislation as amended. Vice President Cleaveland Seconded. Motion to approve above legislation as amended was unanimous.

There was no public comment.

4. APPROVAL OF THE MINUTES *[Discussion and possible action]*

Discussion and possible action to approve meeting minutes.

- Minutes from Regular Meeting on May 25, 2016

Commissioner Hardeman Moved to approve the May 25, 2016 regular meeting Minutes. Vice President Cleaveland Seconded. Motion to approve above Minutes was unanimous.

There was no public comment:

5 CHIEF OF DEPARTMENT'S REPORT [Discussion]

REPORT FROM ACTING CHIEF OF DEPARTMENT, MARK GONZALES

Report on current issues, activities and events within the Department since the Fire Commission meeting of June 8, 2016, including Fiscal Year 2015-2016 budget, academies, 150th Anniversary update, special events, communications and outreach to other government agencies and the public.

Acting Chief Gonzales' report covered the period following the Commission meeting on June 8, 2016.

He started by asking Assistant Chief Siragusa to address the 5th alarm fire that occurred at 3300 Mission Street in Bernal Heights on Saturday which was a very challenging fire. Assistant Chief Siragusa gave a preliminary factual report limited in nature based on what was known at the time. He mentioned that there was property loss in the amount of approximately \$9,000,000 and approximately 60 displaced occupants and two minor injuries. Commissioner Nakajo thanked Chief Siragusa for the update on this fire and acknowledged all of the men and women in the Department that responded to the fire. Commissioner Nakajo also asked what information is being provided to the tenants and property owners. Chief Siragusa explained that once the Fire Department has deemed the fire completely extinguished and safe, they turn the building back to the building owner. The problem is that the tenants are looking for additional information and he suggested it would be a good idea and in the best interest of the City if somebody remained on site in a city vehicle to provide information to people that were displaced. President Covington witnessed the lack of forthcoming information when she visited the site with Chief Siragusa the night following the destructive fire. Vice President Cleaveland also commended everyone involved in the fighting of the fire and putting it out as soon as possible. Commissioner Hardeman also thanked Chief Siragusa for a job well done and also stated that the wisdom he brings to the table is appreciated. President Covington stated that there's a lot to be said for the amount of experience that's needed to coordinate the kind of effort when you have six building that are engulfed in fire and acknowledged how cool headed and efficient the members of the Department are during times like this. She also agreed with Commissioner Nakajo's suggestion of coordinating a point of contact for the tenants to reach out to so they can access information.

Chief Gonzales continued with the Chief's report and gave an update on the budget and how that process is moving along. He touched on the academies, stating that the 119th class graduated on June 9th, the 120th class began on June 20th, with 42 recruits and will be joined by 12 Station 49 members on July 6th. He mentioned that on June 26th, the 46th annual Pride Parade will be taking place, and the Department's lineup location is 105 and they will stage at Spear Street between Howard and Folsom at 10:30 a.m. He respectfully asked that the meeting be adjourned in memory of retired senior physician specialist, Dr. Ira Lubell and retired Lieutenant Ricard Pogre.

There was no public comment.

REPORT FROM ADMINISTRATION

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

Chief Williams' report covered the Month of June. She started by stating that some of the members of the 119th Academy class were active at the 5th alarm fire and they got a very wide eyed welcome into the Fire Department. She touched on Homeland Security, under the direction of Chief Francisco and described various exercises and workshops he has participated in, including working with the SFPD and Port regarding the 4th of July celebrations and the pride parade. She acknowledged the work being done by the Investigative Services Bureau, the Physician's Office and Support Services. She mentioned that Chief Lombardi is working with developers on finalizing the new lease between the Fire Department and TIDA and he continues to negotiate with developers and city agencies regarding the Oak and Market Street project and the Candlestick Development project. With regard to the fleet, the Department is currently working with OCA on a bid for a new fire engine contract and the bid closes next month and she hopes to have a contract in place to purchase by the end of July and the Department will be

ordering eight engines at that time. They are working on new specifications for the aerial ladder truck with the allocation to purchase two in the fiscal year 16-17. She touched on in service training where they continue to conduct below grade training on Yerba Buena Island, EMS where they continue to provide ongoing station based online EMS training as well as BLS and ALS training to all the members. She concluded by stating that the Fireboat delivery date has been delayed due to the discovery of faulty valves and the new delivery date is anticipated around July 15, 2016.

Vice President Cleaveland thanked Chief Williams for her comprehensive report and asked now that prop 8 passed, how quick the EMS headquarters can be built. Chief Lombardi answered about 3 years, and that the Chief is committed to getting it done as soon as possible. He acknowledged the smart move by Mr. Corso by putting a cash advance to keep the process going into the budget. There was brief discussion on the Treasure Island lease negotiations.

Commissioner Nakajo thanked Chief Williams for her report and commented that it wouldn't be a regular commission meeting if we didn't have Chief Lombardi providing all the information. He asked how many members are currently part of the 120th academy. Chief Williams stated that there are 42 members off the eligibility list and 12 members from station 49 will join them in two weeks. She added that the 121st academy is scheduled to start on November 7th with the same makeup.

Commissioner Hardeman thanked Chief Williams for her lengthy report and acknowledged how hard people are working. He commented on how nice it was to attend the H-2 academy graduation and to see all the smiles of the recruits and their family members. He announced his disappointment with the delay of the fireboat. There was discussion on the anticipated delivery dates of the new apparatus and ambulances.

President Covington asked for more information regarding the open Market Street construction and how it is going to impact Truck 36. Chief Lombardi stated that after many meetings with the developer and other city departments, it was voiced that the contra flow lane would not be acceptable to the Department and they are now trying to come up with an alternative.

8. AGENDA FOR NEXT FIRE COMMISSION MEETING [Discussion]

Discussion regarding agenda for the July 13, 2016 regular meeting.

- Update on Street design changes and challenges they cause to SFFD
- RC-4/Station 49
- Budget update
- Strategic plan

9. PUBLIC COMMENT ON ITEM 11

Public comment on all matters pertaining to Item 11 below, including public comment on whether to hold Item 11 in closed session.

There was no public comment.

10. VOTES ON CLOSED SESSION [Action]

- a. Vote on whether to invoke the attorney client privilege and hold Item 11(a) in closed session (Admin. Code § 67.10).
- b. Vote on whether to hold Item 11(b) in closed session (Admin Code § 67.10).

Vice President Cleaveland made a motion to hold items 11 (a) and (b) in Closed Session. Commissioner Hardeman seconded, and the motion was unanimously approved. (4-0; Covington, Cleaveland, Nakajo, Hardeman,)

The Commission held deliberations in Closed Session at 6:45 p.m.

11. CLOSED SESSION

- a. **CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION.** Conference with legal counsel to discuss existing litigation pursuant to California Government Code Section 54956.9(a) and San Francisco 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:

Jack K. Frazier v. City and County of San Francisco

San Francisco Superior Court Case No. 13-535089

Date Filed: October 28, 2013

- b. **Case No. 2015-06: COMMISSION DELIBERATIONS ON PROPOSED FINDINGS OF FACT, AND POSSIBLE APPROVAL OF FINDINGS OF FACT REGARDING VERIFIED COMPLAINT FILED WITH THE COMMISSION BY CHIEF OF DEPARTMENT** *[Action item]*

On December 9, 2015, Chief of Department Joanne Hayes-White filed a verified complaint with the Commission against member for a non-punitive medical separation.

The Commission conducted an evidentiary hearing in the above case on March 1, 2016. By a unanimous vote of Commissioners present (4-0: Commissioners Covington, Cleaveland, Nakajo, Hardeman), the Commission accepted the Chief of Department's recommendation of a non-punitive medical separation of the member from the department.

The Commission is now considering proposed Findings of Fact in relation to that decision.

This case may be heard in Closed Session pursuant to Government Code Section 54957(b) and San Francisco Administrative Code Section 67.10(b).

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

Commission reconvened in Open Session at 7:08 p.m.

Action Taken:

Item 11(a): By unanimous vote of 4-0, the Commission voted unanimously to accept the terms of the settlement and makes a recommendation to the Board of Supervisors for settlement approval. There was no public comment.

Item 11(b): By unanimous vote of 4-0, the Commission adopted the proposed Findings of Fact as presented by Counsel for the Department. The Findings will be finalized by Counsel for the Commission, working with the Commission Secretary, and issued to the parties. There was no public comment.

13. 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]*

Vice President Cleaveland made a motion to not disclose discussions held in Closed Session. Commissioner Hardeman seconded, and the motion was unanimously approved. (4-0; Covington, Cleaveland, Nakajo, Hardeman)

There was no public comment

14. ADJOURNMENT

President Covington adjourned the meeting in memory of retired senior physician specialist Dr. Lubell and retired Lieutenant Richard Pogue 7:10 p.m.