

SAN FRANCISCO FIRE COMMISSION

MINUTES OF FIRE COMMISSION SPECIAL MEETING

June 11, 2015 – 2:00 PM

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

President Evans called the meeting to order at 2:07 PM.

Item No.

1. ROLL CALL

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

Also Present:

Zachary Porianda, Deputy City Attorney, Government Team – Counsel to the Commission
Maureen Conefrey, Commission Secretary

2. CASE NO. 2014-05: COMMISSION DELIBERATIONS AND POSSIBLE ACTION ON EMPLOYEE SUSPENSION APPEAL [*Action item*]

In accordance with Article 40, Section 4005 of the Rules and Regulations, employee has appealed a 4-day suspension for violation of the Rules and Regulations as follows:

- Section 3919 – Proper Behavior
- Section 3924 – Disobedience
- Section 3925 – Insubordination

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**]

Commissioner Cleaveland Moved for a motion to hold deliberations in Closed Session. Commissioner Nakajo seconded, and the motion was unanimously approved. (5-0; Evans, Covington, Nakajo, Hardeman, Cleaveland)

b. Deliberations/Possible Action, Open or Closed Session

The Commission held deliberations in Closed Session at 2:09 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 3:01 p.m.

The Commission upheld the charges of violating Section 3919 – Proper Behavior; Section 3924 – Disobedience; and Section 3925 – Insubordination in a unanimous vote. (5-0; Evans, Covington, Nakajo, Hardeman, Cleaveland))

The Commission voted to uphold the Chief’s penalty of a 4-day suspension by a vote of 5 - 0 (Evans, Covington, Nakajo, Hardeman, Cleaveland)).

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**]

Commissioner Cleaveland moved to not disclose discussions held in Closed Session. Commissioner Hardeman seconded. The motion was unanimously approved. (Evans Covington, Nakajo, Hardeman, Cleaveland.)

There was no public comment

3. ADJOURNMENT

President Evans adjourned the meeting at 3:02 p.m.