

SAN FRANCISCO FIRE COMMISSION

MINUTES OF FIRE COMMISSION SPECIAL MEETING

July 23, 2015 – 3:00 PM

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

President Evans called the meeting to order at 3:00 PM.

Item No.

1. ROLL CALL

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

Also Present:

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

2. CASE NO. 2015-01: 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 four-day suspension for violation of the Rules and Regulations as follows:

Section 2817 – Reports
Section 3919 – Proper Behavior
Section 3920 – Unacceptable Language

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 3:00 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 3:20 p.m.

The member pled guilty as charged, of violating Section 3919 – Proper Behavior; Section 3921 – Inattention to Duty; and Section 3923 – Acts Detrimental to the Welfare of the Department. The Commission confirms that the Department demonstrated by a preponderance of the evidence that member violated the above Sections by a unanimous vote of Commissioners present. (4-0; Evans, Covington, Nakajo, Hardeman,).

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

Counsel for Department 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 3:23 p.m.