

# SAN FRANCISCO FIRE COMMISSION

## MINUTES FOR FIRE COMMISSION SPECIAL MEETING

August 27, 2015 – 2:30 PM

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

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*President Evans called the meeting to order at 2:31 PM.*

Item No.

### 1. ROLL CALL

President Andrea Evans  
Vice President Francee Covington  
Commissioner Stephen Nakajo  
Commissioner Michael Hardeman  
Commissioner Ken Cleaveland

Also Present:

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

### 2. CASE NO. 2014-10: HEARING ON EMPLOYEE DISCIPLINE, INCLUDING COMMISSION DELIBERATIONS OR OTHER ACTION CONCERNING CHARGES FILED BY CHIEF OF DEPARTMENT AGAINST MEMBER, DATED NOVEMBER 12, 2014, FOR VIOLATIONS AS FOLLOWS:

- Section 3909 – False Reports
- Section 3919 – Proper Behavior
- Section 3921 – Inattention to Duty
- Section 3923 – Acts Detrimental to the Welfare of the Department

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 Hardeman 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 2:33 p.m.*

1. Deliberations, and possible action on Verified Complaint [**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.*

*The Commission upheld the charges of violating San Francisco Fire Department Rules and Regulations Section 3909 – False Reports; Section 3919 – Proper Behavior; Section 3921 – Inattention to Duty; and Section 3923 – Acts Detrimental to the Welfare of the Department; by unanimous vote (Ayes: Evans, Covington, Nakajo, Hardeman, Cleaveland)*

*Accordingly, the Commission voted to reduce the Chief's recommendation to a 15 day suspension, by a vote of 4-1 (Ayes: Evans, Covington, Nakajo, Cleaveland, Nays: Hardeman).*

*The Commission also recommends the Chief of Department instruct that Paramedic Soriano attend 16 hours of community service and 8 hours of retraining, to include EMS ethics, patient assessment and customer service and non-transport policy documentation.*

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**]

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

*There was no public comment*

**3. CONFERENCE WITH LEGAL COUNSEL**

Pursuant to Government Code Section 54956.9 and Sections 67.8 and 67.10 of the Administrative Code, the commission will discuss with legal counsel anticipated litigation as defendant/respondent, involving Fire Commission Case No. 2014-09. This item may be heard in Closed Session pursuant to Government Code Section 54956.9 and San Francisco Administrative Code Section 67.10. [**Discussion/Action Item**]

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

*The Commission went into Closed Session at 4:01 p.m.*

**b. 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) and San Francisco Administrative Code section 67.12(b).

*The Commission reconvened in Open Session at 4:07 p.m.*

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**]

*Vice President Covington 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*

**4. ADJOURNMENT**

*President Evans adjourned the meeting at 4:07 p.m.*