

SAN FRANCISCO FIRE COMMISSION

MINUTES OF FIRE COMMISSION SPECIAL MEETING

September 10, 2015 – 2:30 PM

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

President Evans called the meeting to order at 3:10 PM.

Item No.

1. ROLL CALL

Commissioner Michael Hardeman, Hearing Officer

President Andrea Evans

Vice President Francee Covington

Commissioner Stephen Nakajo

Commissioner Ken Cleaveland

Also Present:

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

Maureen Conefrey, Commission Secretary

2. CASE NO. 2015-01: COMMISSION DELIBERATIONS ON PROPOSED FINDINGS OF FACT, AND POSSIBLE APPROVAL OF FINDINGS OF FACT REGARDING COMMISSION'S DECISION 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 2817 – Reports
- Section 3919 – Proper Behavior
- Section 3920 – Unacceptable Language

At a Special Meeting of the Fire Commission on July 23, 2015, regarding the above-noted matter, following the evidentiary hearing, the Commission deliberated and decided the member's appeal of a four-day suspension previously imposed by the Chief of Department in the above-noted matter.

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

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).

A. Public Comment on Special Meeting Agenda Item; Possible Closed Session

Members of the public may comment on Agenda items No. 2, including the proposed Findings of Fact and whether to consider the matter in Closed Session. [Government Code §54954.3(a), Administrative Code §67.15(b)]

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

B. Vote on Closed Session:

1. Vote on whether to conduct deliberations on proposed Findings of Fact in Closed Session. [**Action**]

Vice President Covington 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)

The Commission held deliberations in Closed Session at 3:12 p.m.

C. Deliberations and Possible Action

1. Deliberations and possible action on proposed Findings of Fact (in Open or Closed Session, per the Commission's vote). [**Action**]

The Commission reconvened in Open Session to report action taken at 3:20 p.m.

Action Taken:

By unanimous vote of 5-0, 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. The Commission is also requesting that the Chief report back in two months with an update on Item 19 in the Findings of Fact.

There was no public comment.

D. 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).

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**]

Vice President Covington Moved for a motion to not disclose discussions held in Closed Session. Commissioner Cleaveland seconded, and the motion was unanimously approved. (5-0; Evans, Covington, Nakajo, Hardeman Cleaveland)

There was no public comment

3. ADJOURNMENT

President Evans adjourned the meeting at 3:20 p.m.