The Police Commission of the City and County of San Francisco met in Room 400, City Hall, #1 Dr. Carlton Goodlett Place, San Francisco, at 5:33 p.m., in a Regular Meeting.

PRESENT: Commissioners Marshall, Mazzucco, Onek Pan, Sparks

ABSENT: Commissioners DeJesus, Lee

(Commissioner Pan arrived at 5:40 p.m.)

ADOPTION OF MINUTES

- Regular Meeting of June 10, 2009

Motion by Commissioner Mazzucco, second by Commissioner Onek. Approved 5-0.

PUBLIC COMMENT

___None

REPORTS TO THE COMMISSION

- a. Chief's Report
- Update on significant policing efforts by Department members

Assistant Chief Lynch updated the Commission in regards to the budget and that it went before the Board yesterday with a cut of two commanders and one deputy chief position in addition to a commander's position previously cut. Additionally, \$11.9 million of the Department's budget is put on reserve. Chief Lynch stated that there will be a second reading of the budget next week.

Commissioner Sparks asked for clarification as to the Board of Supervisors having the authority to dictate how large the command staff can be or is it just an overall reduction in funding of the entire budget representing the exact amount of money for those command staff positions. Commissioner Sparks also asked, as far as the funds held in reserve, is there a specific trigger that the Board outlined upon which they would release the funds or is it just based on some arbitrary event.

b. OCC Director's Report

- Review of Recent Activities

Director Hicks reported on cases received and mediation. Director Hicks stated that the OCC opened 562 cases to date and closed 546 cases; sustained 27 cases. The OCC has 407 pending cases, 64 from 2008 and 344 from 2009. Director Hicks reported on mediation and stated the OCC mediated 4 cases this month and 43 to date.

- c. Commission Reports
- Commission President's Report
- Commissioners' Reports Status Reports:
 - Rules and procedures for Patrol Specials
 - Commission Office staffing

None

PUBLIC COMMENT

Unidentified expressed concern regarding applying for a permit for vending food license. Commissioner Sparks recommended that he goes to Supervisor Chew's office. Deputy Chief Keohane stated that he will talk to him and provide him some information.

DISCUSSION AND POSSIBLE ACTION TO APPROVE A RESOLUTION THAT THE COMMISSION WILL SET INITIAL STATUS CONFERENCES WITHIN 15 DAYS OF FILING FOR ALL NEWLY-FILED DISCIPLINARY CASES

Commissioner Mazzucco explained the purpose of this resolution and that the Commission does not have a finalized draft and asked that this be put over to the first meeting in August.

Commissioner Onek expressed his support for this resolution and commended Commissioner Mazzucco for his leadership in doing this.

PUBLIC COMMENT

None

ROUTINE ADMINISTRATIVE BUSINESS

- a. Commission Announcements
- Assignment of disciplinary charges filed against Patrol Special Hanley Chan (Case No. ALW C09-120) to an individual Commissioner for taking of evidence on a date to be determined by the Commissioner (Resolution No. 70-09, assigned to Commissioner Mazzucco)
- b. Scheduling of items identified for consideration at future Commission Meetings

The Commission will meet in the Ingleside District on the 29th of July at Paul Revere College Preparatory School, 555 Tomkins Street, San Francisco, at 6 p.m.

PUBLIC COMMENT

None

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Onek, second by Commissioner Mazzucco. Approved 5-0.

CLOSED SESSION (6:07 p.m.)

a. PERSONNEL EXCEPTION: Discussion and possible action to grant or deny motion for dismissal of disciplinary charges field in case no. ALW C07-023 (Resolution No. 71-09)

(Present: Commissioners Marshall, Mazzucco, Onek, Pan, Sparks, Mr. Lassart, Lieutenant Reilly)

b. CONFERENCE WITH LEGAL COUNSEL: Pending Litigation

John Tennison, et al., v. CCSF, et al., US District Court Northern

District of California, Case no. C04-0574 CW

Antoine Goff, et al., v. CCSF, et al., US District Court Northern District
of California, Case No. C04-1643 CW

(Present: Commissioners Marshall, Mazzucco, Onek, Pan, Sparks, City Attorney Jo Hoeper, Lieutenant Mahoney, Lieutenant Reilly)

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner Mazzucco, second by Commissioner Onek for non disclosure. Approved 5-0.

APPROVAL OF CONSENT CALENDAR

a. Recommend that the Board of Supervisors approve settlement of the following case in accordance with the advice of the City Attorney:

John Tennison, et al., v. CCSF, et al., US District Court Northern District of California, Case no. C04-0574 CW

Antoine Goff, et al., v. CCSF, et al., US District Court Northern District of California, Case No. C04-1643 CW

Motion by Commissioner Pan to recommend that the Board of Supervisors approve the settlement. No second.

(Letter sent to the City Attorney stating the following: "The San Francisco Police Commission, at its meeting of Wednesday, July 22, 2009, considered this matter in closed session.

The Commission did not vote to recommend this settlement to the Board of Supervisors."

ADJOURNMENT

Motion by Commissioner Mazzucco, second by Commissioner Onek. Approved 5-0.

Thereafter, the meeting was adjourned at 7:38 p.m.

Lieutenant Joseph Reilly Secretary

San Francisco Police Commission

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