



**State Board of Fire Services  
MINUTES  
Thursday, May 23, 2013  
Office of the State Fire Marshal  
Sacramento, California**



Chair/Ex-Officio  
**Tonya L. Hoover**  
State Fire Marshal

Vice Chair  
**Mike Esparza**  
California State  
Firefighters Association

Members:  
**Steve Brown**  
California Fire Chiefs  
Association

**Jerry Davies**  
Insurance Industry

**David Gillotte**  
International Association  
of Fire Fighters

**Robert Magee**  
City Government

**Patrick McOsker**  
California Labor  
Federation

**Lou Paulson**  
California Professional  
Firefighters

**Michael S. Williams**  
California State  
Firefighters Association

**Glenn Ziemer**  
Fire Districts Association  
of California

**California Metropolitan  
Fire Chiefs Association**  
(vacant)

**CDF Firefighters** (vacant)

**County Government**  
(vacant)

**Fire District** (vacant)

Ex-Officios:

**Janet Barentson**  
CAL FIRE

**Mark Ghilarducci**  
California Emergency  
Management Agency

**Dan Terry**  
California Fire Fighter  
Joint Apprenticeship  
Committee

**MEMBERS PRESENT:**

Tonya Hoover, Office of the State Fire Marshal  
Mike Esparza, California State Firefighters Association  
Janet Barentson, CAL FIRE  
Steve Brown, California Fire Chiefs Association  
Mark Ghilarducci, California Emergency Management Agency  
David Gillotte, International Association of Fire Fighters\*  
Robert Magee, City Government\*  
Dan Terry, California Fire Fighter Joint Apprenticeship Committee\*  
Michael S. Williams, California State Firefighters Association  
Glenn Ziemer, Fire Districts Association of California\*

\* attended via conference call

**MEMBERS ABSENT:**

Jerry Davies, Insurance Industry  
Patrick McOsker, California Labor Association  
Lou Paulson, California Professional Firefighters

**STAFF:**

Jim Eastman, RA, State Fire Training  
Sherry Habon, Administrative Assistant  
Ben Ho, Division Chief, Fire Engineering  
James Parsegian, Deputy State Fire Marshal III, Supervising, Fire Engineering  
Mike Richwine, Division Chief, State Fire Training  
Ramiro, Rodriguez, Deputy State Fire Marshal III Specialist, State Fire Training  
Rodney Slaughter, Deputy State Fire Marshal, State Fire Training  
Bill Vandevort, State Fire Training  
Ken Wagner, State Fire Training

**GUESTS:**

Christy Carroll, Department of Insurance  
James J. Carver, El Segundo Fire Department, SoCal Fire Prevention Officers Association  
Christopher Citko, Department of Insurance  
Julie Frasure, Rancho Cucamonga Fire Protection District, SoCal Fire Prevention Officers Association  
Gene Gant, California State Firefighters Association, Executive Director CEO  
Sam Hoffman, California State Firefighters Association, Education Committee  
Scott Vail, California Emergency Management Agency (Cal EMA)  
Kim Zagaris, California Emergency Management Agency (Cal EMA)

**I. CALL TO ORDER**

Tonya Hoover, State Fire Marshall, called the meeting to order at **10:02 AM** at the Office of the State Fire Marshal, 1131 S Street, Sacramento, CA 95811.

**• ROLL Call/Determine Quorum**

Roll call of the State Board of Fire Service was conducted. Introductions were made, including over the phone. A quorum was established.

Tonya Hoover provided a list of contact information to those present and said it will be e-mailed to those participating by conference call.

- **Approval of Minutes from January 17, 2013 Meeting**  
**Motion – Steve Brown moved to approve the January 17, 2013 minutes; motion was seconded by Michael Williams. Robert Magee abstained as he did not participate in the January 17, 2013 meeting.**

## II. PROGRAM and ADVISORY COMMITTEE REPORTS

### A. State Fire Training Division

Mike Richwine

#### 1. Mission Alignment Objectives

##### a. Achieving National Recognition, SFT Reconfiguration, and Cross Generational Marketing (*Information/Discussion*)

**Mike Richwine** - As announced at the previous meeting, we have reorganized State Fire Training's (SFT) section of the agenda to reflect the four strategic directives of our Mission Alignment Program: National Recognition, Curricula and Standards, State Fire Training Reconfiguration, and Cross Generational Marketing. We are moving forward in those areas. I expect we will have updates at future meetings regarding our National Accreditation process but today we're going to focus on curriculum, and course development and standards. We have the update on our curriculum development from the project lead Bill Vandervort.

##### b. Curriculum Development and Delivery

#### I. Curriculum Development Task Force Update

Bill Vandervort

(*Information/Discussion*) [*Attachment 2*]

Update on Meeting/training and a number of projects launched in February.

**Bill Vandervort** –Attachment 2 gives an update on what our curriculum projects are. Mentioned at our last meeting, we were getting ready to launch a number of programs. Seven were launched and are moving forward under a new curriculum development guideline process designed to streamline and stay current. The Fire Fighter I Curriculum Development project is in process.

This is what the new system is allowing us to do. A cadre got together, met for four days and completed a draft of the certification training standards and the course plan for Fire Fighter I. Fire Fighter I is being spearheaded to get to our National Accreditation. All other development work has to wait until after July 1. Also, we have made an internal decision in SFT that, in the future, our curriculum projects for certifications, were going to follow NFPA to the letter. This has not been the case since the initially creation of the certification program. As we look at curriculum and we make changes to the certification system, which is going to be coming; it's all going to be tied directly to NFPA. The only time we're going to deviate at all, and I want to call it deviate, is when we don't meet or go beyond NFPA, will be for State mandated requirements. By aligning our curriculum with meeting the job performance requirements of the NFPA standards, we're also in line with what the publishers are doing when they write their manuals and textbooks to the NFPA standards. We can get a book that works for us and we don't have to write our own.

Some of our curriculum will move out of certification to non-certification and vice versa. This will occur on the FSTEP side when we start to address the 1006 Standard which is the Technical Rescue standard. As an example, a lot of our rescue systems, including rope rescue, will move into certification. There will be adjustments as we go through. I see some of our certification requirements, or the course content, shrinking in some areas and expanding in others, as we meet the standard. For the most part, NFPA revises their standards on a five-year revision cycle. We feel we can also keep our courses, course plans, and the standards revised on a five-year cycle.

Mike Esparza –Are we precluded from adding things to curriculum that we think appropriate for the State of California?

Bill Vandervort – Yes and no. We have in the past and we have been the only ones doing that. It's an NFPA requirement to maintain currency. We envision a continuing education component to our certification program. Our supplemental training will be on our FSTEP side—or non-certification side—for now. It won't be what it takes to meet the NFPA standard. We will teach to the list of job performance requirements, skills and knowledge you need to know and be able to do to perform on the job, to meet certification. On another topic, we have curriculum cadres—a development cadre of 3-5 people and a validation cadre of 10-12 people that comes in later. The development cadre is kept small with the best attempts to get the best representation we can for a small group. The group develops the certification training standards,

course plans, and the task book. Those are the three documents that we produce now. Once this group gets its work completed, then we bring in a validation group, with a broad-based representation of the California Fire Service, to look over and make sure everything is complete, accurate, up to date, and meets the needs. You can apply to get on our cadres by going to the SFT website and completing the on-line application. We have about 75 names on it so far and we continue to look for more people. We are currently working on seven projects and have about 67 projects ahead of us. We want to get the Fire Service involved so they can understand how we operate and we want to get their input so we are meeting the needs. The more diverse the group the better to meet all needs.

Bill Vandervort – Change is coming to the certification program, labor contracts, hiring requirements, promotional requirements. As an example, currently you get certified by completing the course work, securing the position, obtaining a task book and then completing the task book. You match up the task book with the course completion and possibly a few other additional requirements and that's how you become certified. In the future, if you want someone to take a promotional exam and you say you need to be a certified fire officer--that won't work because you can't get certified unless you are in the position. But you can complete all the course work and I think that's what the intent is all along. That warning is out there—chiefs and labor, and anyone else, needs to hear this—that the language needs to be addressed to line up with all of this. You can't be saying something in your hiring promotional requirements and labor contracts that you can't get. The announcement is out. However, it will take a while to get all of this developed and approved by STEAC and State Board. Both of these entities meet quarterly. Then approval by the State Fire Marshal would be required. Lastly, we will have a transition time frame that will go for a minimum of 1-1/2 years; maybe longer. The end result will be in 2-1/2 or 3 years from now but we have to start working on it now.

Tonya Hoover – I'm assuming, Bill, that you will be back to remind us.

Bill Vandervort – We will constantly remind you. It's also important to go to the State Fire Training website. We are constantly putting up new and current information on the website and using it more and more.

Mike Richwine – Can you talk a little bit about what the preview of the Fire Fighter I is going to be about.

Bill Vandervort – First of all, we are going to meet NFPA 1001 for Fire Fighter I. There will be, in one way, less in the future than what is in there today, but a lot of the content is going to go into Fire Fighter II. I think it will make Fire Fighter I more easily obtainable by the volunteer community because it could be less than to meet our requirements. That doesn't mean that a local academy or local area can't put in hundreds and hundreds of hours. But to meet the State Fire Marshal requirements, it will be whatever the NFPA says. What we are putting in Fire Fighter I is the Haz Mat First Responder Awareness Operational and NFPA 1051 which the Wildland Fire Fighter Standards. Job Performance Requirements will also be in Fire Fighter I. We have been in contact with community college directors, sharing the same information with them, because they are a huge part of our delivery arm.

Steve Brown – Does Fire Fighter I have a task book that they carry to their employment?

Bill Vandervort – Yes. It's a little different in Fire Fighter I. The students will be able to get the task books at their academies. They can fill out what they can at the academy but then they are going to have to take it with them when they get employed to fill out the rest.

Steve Brown – So what they would bring to an employing department could vary depending on which academy they went through.

Bill Vandervort – Yes, it could. Then it would be up to the hiring entity to fill in the blanks which would be normal anyway. Also, when it comes to the position, the position task book will not have an expiration date, if it's as good as the standard. If the standard changes, then there will be additions that will have to be made and the student would have to meet in the task book. If they want to hold on to the task book for a long time, then they are subject to whatever happens in the revisions.

Mike Esparza – I just want to make sure I catch regional. When you talk about a task book, are you talking about the Wildland proponent of the task book or are you just talking about the State of California Fire Fighter I.

Bill Vandervort – I'm talking about for our State certification. The task book I'm talking about is way different than CICCIS or NWCG. It's going to be basically a restatement of the NFPA CCR JPR for a particular level of certification. That's what has to be met. You have to be able to demonstrate that you can do those in addition to the course book. That's how you get certified.

Mike Esparza – And the CICCIS Taskbook for Fire Fighter I will be the same so the firefighters have one taskbook, because it will have NFPA, ISOI integrated into the State Board's Fire Marshal Fire Fighter I.

Bill Vandervort – That's our intent. Wherever we can crosswalk things, we want to do that. As we look forward to revising certification, we want to recognize other training entities as well. We want to make it as reasonable as possible for the person going through it to get the training. We want to recognize reputable training that meets our needs and move on.

Steve Brown - Definitely a huge cost component to doing that; and that being the very thorough was done with CICCIS where that was one of the mandates from the very beginning that there be as much cross utilization of training as possible rather than having people just go through class after class, after class. Finances right now across the board are not in any shape to have people do things over and over and over.

Bill Vandervort – We recognize that and that is our intent as well.

Mike Richwine –If I could add that with all this change, especially in the way we're developing curriculum, we had an obligation to train our instructors in the new processes, so for the past year and a half we have delivered 35 Instructor Update classes to close to 2,000 instructors throughout the State. Reception has been very positive and it seems like a lot of the good instructors were already doing what we are rolling out. They were taking the old lesson plans and more often putting in the topics that were current and specific to their area and to their discipline. So the team is doing a great job in the last 18 months of getting our instructor base up to speed with all the changes.

Bill Vandervort – Yes, those classes are going well. They are called the Instructor Update class that all our registered instructors are required to go to. The reaction we get from the students in the classes is excellent. They like what we're saying. The challenge now is to produce what we say. That's a big challenge but we're up to it.

Dan Terry – I think it's important as you go forward, to have a clear understanding of what I heard two or three times during Chief Vanderort's presentation about how many standards in California are greater than they are in the rest of the country. It's important for me, to be comfortable with the fact that if we are going to degrade or have degradation in some forms of our training and our training requirement, we know where we are backing up on those requirements so we know what we are voting on.

Bill Vandervort – Excellent point. We will do that. We are going to make sure that we meet the NFPA standard. We will meet any mandates, regulations and laws that pertain to California. We are not going to lose any of that. If we do move things around in the system, we will be very clear on where they go and how they can be accessed.

Dan Terry – And we will know for a fact that if something used to require 100 hours and it goes to 50 hours, you will identify that for us.

Bill Vandervort – Absolutely.

Tonya Hoover – Thank you very much, Bill, and, again, outstanding job.

**II. Advanced All-Hazards Incident Management (AAIM)**

**Rodney Slaughter**

**Course Approval (Discussion/Action) [Attachment 3]**

**Request approval for the AAIM course as a FSTEP training program.**

Rodney Slaughter – We actually have three things on this morning's agenda. Not in the order of priorities, but AAIM is a program that has been recommended for approval by the Statewide Training Education Advisory Committee (STEAC). We've been working on this for a number of years. This program is funded by grants through Cal EMA, a partnership. We just did a second pilot. The AAIM Program essentially provides training for Type I Incident Managers. We've had a number of retirees hitting us in California. This helps us increase our capacity, provides training in California; being it's all hazardous incident management system, will allow us to maintain our level of capability in California. You have an attachment, Attachment 3. The training program provides disaster inputs via video. We have put together a website; the web information is in the first paragraph of Attachment 3, [www.californiafiretraining.org](http://www.californiafiretraining.org), which provides information for students. They can download the student manual from the public side and instructors can go onto a log-in site and download all of the disasters. There's quite a bit of material there. We have three disaster scenarios built into the program right now with hopes of adding a couple more so that we will have a lot of variation in the program. Part of Attachment 3 includes a course plan (third page in attachment). The course plan identifies the field's operation guides. There are a number of hours of pre-course work that has to be accomplished by students who participate in the program. This last class that we conducted had four Incident Management Teams. The program is also designed for industry, getting industry folks involved so they understand their role on an incident as well. This program will also be submitted to the Department of Homeland Security for approval. Your course plan is included here as well as the instructor requirements for new instructors coming into the program.

Rodney Slaughter – Any questions about the AAIM Program? You can go to the website and get a lot of background information. We have a little video. You can't watch it here in a CAL FIRE office but if you're outside our system you can probably see what it's all about.

**III. Advanced Rope Rescue Technician Course Approval**

**Rodney Slaughter**

**(Discussion/Action) [Attachment 4]**

**Request approval for the Advanced Rope Rescue Technician Class as a FSTEP training Program**

Mike Richwine – Talk a little bit about how regional teams can access this and, going forward, if this is approved as an FSTEP course.

Rodney Slaughter – This is approved an FSTEP course. I envision the way this is going to work is someone who would like to host this class would contact one of the four registered instructors that we currently have which would be part of the core group. That instructor would then bring together the team to put this class on. We have been able to get the cost of doing this program down, but it takes a lot of resources. We have a simulation team that is providing the input to the classroom. We have coaches, instructors, evaluators and role-players. So the resources involved in putting this program together are pretty long. We can do this one team at a time and reduce the number of resources that are necessary. We have videotaped a lot of our subject matter experts. So if anyone were to teach this class, they can pull subject matter expertise from the video tapes instead of bringing in role players.

Mike Esparza – Is this to maintain skills or is this to train folks up to a Level 3 management team?

Rodney Slaughter – Type 1.

Kim Zagaris – I think as State Fire Training brings this up from on-line, crucial issues are going to get to bring in additional folks for instructors so we can broaden out the number of folks who are qualified to deliver it. I think as more and more come on line, the risks and definite advantages for Type 3 teams just to see some of what's out here and be able to share it. But like you said, right now let's develop a critical need for Type 1's. I also think that as we develop more of the Type 3 capability, there may be some good spinoffs that staff should help that down the road. That may require some additional collaboration between us and State Fire Training to see how we can help them as well.

Rodney Slaughter –A lot of the students coming to the program have taken the online prerequisite courses. I think one of the other advantages to this program is in putting it together, we are able to identify a number of resources incident managers might need. So it's listed on the web page; there are just pages of the actual incident management plans, regional incident management plans, and state management plans. There are a lot of resources available from our website that actually would benefit incident managers to begin with.

Mike Esparza – This is an excellent program. When we started developing CICCIS, one of our concerns was that to come up to a Level 2 or to a Level 1 incident management team, you had to travel out of state which involved a lot of expenses and effort—and it's difficult to get in. So what I'm seeing now is we have our California plan, essentially, where we can keep it within the state and get there.

Rodney Slaughter – By getting the program approved by DHS this is essentially at that point a national program. It will allow us to use Homeland Security funds to put the class on regionally.

Mike Esparza – I heard something recently where there nationally may be some idea of no longer having Type 2 teams. I don't know if that's going to come to fruition or not.

Kim Zagaris – NWCG has a program out there right now. Realistically, they can shrink probably the number of teams nationally. They are really moving towards one type of team. Today in the national system, all the Type 1's are eaten up at the national level. Maybe you get a Type 2; maybe the Type 2 ends up on an incident that really should be a Type 1, but no one else is available so they've got to move to the hope of idea that everyone else is on the same page. I think at the national level, that we are really looking for CAL FIRE to assist with their teams and we're trying to move in that direction.

Mike Esparza –That was my other concern, because I think that if were locally working on our Type 3 teams, now we have a plan for Type 1 teams, do we need to address Type 2? But if they are getting rid of that standard, at some point, or looking to get rid of that standard, then it's not an issue.

Kim Zagaris – Type 3 teams that folks are developing need, I think, to continue down there and that's an immediate need so you don't have to wait for folks to get in there. In fact, as CAL FIRE's gone down from ten teams to six, CAL FIRE is working very closely with several locals to get some of their people involved so they will be able to assist and help CAL FIRE with some resources until they can get a team. I think what the locals are doing, what CAL FIRE is doing in providing a lot of leadership and mentoring with some of our Type 3 teams. I think it's all going to come together very well.

Rodney Slaughter –I would like to request a recommendation for approval of the AAIM Course as an FSTEP program.

**Motion – Kim Zagaris moved to approve the AAIM Course as an FSTEP program; motion was seconded by Michael S. Williams. Tonya Hoover had the motion tabled until a quorum was re-established.**

Steve Brown – What is the DHS? What kind of a time frame is there for getting that approved in the system?

Kim Zagaris – DHS is very interested, in fact, on the FEMA side of the house, both the National Fire Academy and EMI, Bob Ridgeway. Mike Richwine and I met with Bob Ridgeway several months ago. They're very anxious to get a hold of this to get it out nationally and be able to use.

Mike Richwine – What has been our experience with DHS approvals in the past?

Rodney Slaughter – About six to nine months. The process, once I turn it over to CAL EMA, is they log it in and send it to the Department of Homeland Security. It is then farmed out to a consultant for another fire department. They review it and call the instructor cadres and ask questions. It takes six to nine months to get approval on most courses. It sounds like this one would be fast-tracked so that's good. It's not a quick process but I think they are pretty thorough, from my experience.

Kim Zagaris – I think the big ratio will be as Fire Academy and EMI fight to see where it's going to reside.

Tonya Hoover – Rodney, were going to hold this open until we get to the end of your action items and then we're going to check again for a quorum for everyone.

Mike Richwine – The Advanced Rope Rescue Technician course is another action item, Chief Slaughter.

Rodney Slaughter - This is your Attachment Number 4. And, again, this is going to be an action item STEAC had approved at our last meeting: The Advanced Rope Rescue Technician class. This is the final rescue class in a series beginning with low-angle rescue, RS1, RS2, confined space trench rescue. It provides the skill set for people who are in a high-angle environment; high rises, off bridges, that kind of thing. This program, again, was funded by CAL EMA through the fire and rescue branch. It was put together fairly quickly. I have an attachment here which is the course plan for the program. We have put together a thumb drive with all the information for the course work and the training resources. Again, we used the DHS template in terms of terminal enabling objectives for the course. The program has been tested and there are a couple of prerequisites: Low-angle rope rescue and RS1 before you can take this class. Basically, this is a high-level rope rescue skills program. Any questions about the program?

I recommend approval of the Advanced Rope Rescue Technician course as an FSTEP course once we have a quorum.

Mark Ghilarducci – Within previous high-angle rope rescue courses, are there rescue series that are not FSTEP?

Rodney Slaughter – Yes. The previous high-angle rope rescue classes have not been part of the FSTEP training program. They have just been programs that individual departments developed and used in their own individual departments.

Kim Zagaris – Actually they are also tied into several of the national USAR teams and what we are doing regionally with the teams. So it breaks up some of those requirements but they need to get done in the segments to get this down. Folks are looking to eventually create a certification tract for the whole operation at some point. We are trying to deal with that as we work through State Fire training realignment.

Rodney Slaughter – For example, Bill Vandervort was just talking about the certification system that he's working on. Rescue systems, a couple of programs we have that requires rescue, are fairly low on the list of priorities. You know our priorities right now are Fire Fighter I and II, the Fire Marshal series, and the instructor series. But at some point, in the future, and Chief Zagaris and I have talked about this extensively over the years, we need to go back and do a certification training standard for the rescue discipline just as Bill is doing for all of these other programs. A lot of the programs which were funded through CAL EMA originally, such as low-angle rope rescue, RS1 and RS2, need to be re-evaluated. Those programs are now seven to eight years old. The standards have changed so we need to go back and looking at that again. At some point in the very near future, we are going to have to start looking at certification training standards, re-evaluating all of those programs and making sure everything lines up with that.

Tonya Hoover - Rodney, were going to hold this open until we get a quorum for everyone. Any more discussion on this one?

**Motion – Steve Brown moved to approve the Advanced Rope Rescue Technician Course as an FSTP program; motion was seconded by Michael S. Williams. Tonya Hoover had the motion tabled until a quorum was re-established.**

\* **Quorum was re-established** by the return of both Dan Terry and Robert Magee to the Conference Call.

Tonya Hoover – We have two items that need approval. We have motions and seconds: the first one being Attachment 3 which was the AIIIM Class, and the second being Attachment 4.

Tonya Hoover moved to approve the tabled SFT items listed below:

- Advanced All-Hazards Incident Management (AAIM) Course. **Members unanimously approved.**
- Advanced Rope Rescue Technician Course. **Members unanimously approved.**

Kim Zagaris – For those on the phone, I probably need to remind that the next two at class are going to be action items as well.

Tonya Hoover – We purposely put all the action items at the front of the agenda because I know that folks have a busy day and we want to make sure that we can move a lot of the State Fire Training items forward.

#### **IV. Fire Fighter Survival Equivalency**

**Ken Wagner**

*(Discussion) [Attachment 5]*

**Update on Evaluating the IAFF Fire Ground Survival Program for Equivalency with the SFT Fire Fighter survival FSTEP Course**

Mike Richwine – The next agenda item is not an action item. It's the Fire Fighter Survival Equivalency with the International Fire Fighter Program and the State Fire Marshal FSTEP program and Ken Wagner will explain why it is not an action item.

Ken Wagner – I'm pleased to be back here to bring you some good news on this item that we talked about in January. As you recall, we talked about the on-going work that State Fire Training was doing with IAFF and their cadre in regards to the Fire Fighter Survival curriculum. Our ultimate goal was to be in a position where we could accept the IAFF Fire Ground Survival curriculum as meeting the prerequisite for participants to move forward to the State Fire Training RIC Operations class. Prior to this request for equivalency, the only prerequisite that was accepted was the State Fire Training Fire Fighter Survival course. We want to have the IAFF course which is an excellent course that many departments have selected to use. We wanted that to also meet the equivalency requirements so students could get into RIC Operations by attending either one of those two courses.

When we last met with you in January, we had some challenges we were still working through; trying to get items to match up in the curriculum and to make sure we had a true equivalency. I'm happy to say we have been able to work through those items. You have a couple of different communications attached to Attachment 5. The one I think is the most important is a letter dated April 11, 2013, addressed to Chief Richwine from Mr. Brinkley of the IAFF. What we have is clarification addressing the items we ask them to look at. So we are on a roll now to get this equivalency satisfied. We are going to do that at the staff level. The very last item you will see on this attachment is titled the IAFF Ground Survival Equivalency Implementation Plan. This is a draft document. It is an agreement between Chief Derek Alkonis from the LA County Fire Department, who is representing IAFF on this agreement, that he and I reached on various tasks that needed to be completed to satisfy this equivalency. These were things that we needed to do at the staff level. You see this is listed as a draft document based on a telephone discussion that he and I had. We've been trading phone calls and trying to confirm that we are okay with this but, in the spirit of moving forward, we've been working to satisfy these various items that are listed here. The implementation plan takes into consideration the fact that the IAFF has agreed to take the State Fire Training SCBA Emergency's curriculum and infuse it into their package. They will do the same with the hose slide curriculum that we have in the State Fire Training package. That will be included in theirs, as well, when they teach the program in California. So those are very important items to us. One of the things, I am sorry to say, that we all missed along the way of the evaluation is they had the "Hook-two, Slide-to-four" skill in their curriculum, as we have had it in the State Fire Training curriculum, and we seemed to be somewhat at odds on that. We sorted it out; it was a misunderstanding. That one actually was able to be taken off the table.

We do have some work that we need to do, in so far as the IAFF updating all of their instructors with these changes. That is included in this implementation plan. We need to go back to the State Fire Training instructors and update them on everything that is included in this implementation plan. We even have to get down to the point where we look at the certificate that the IAFF issues, because the instructors in the field, when doing the course registrations and taking the students in, have to know they have met the



standards in order to get them into the course. We are working through that. The good news is we're on track now to have this resolved. The work we need to do is at the staff level and everyone's goal is to have that completed so this equivalency can be in place and workable by the end of this year. I know there was some concern at the last meeting. Thank you for giving us a little more time. We worked through the challenges that we had and this is now moving ahead for full implementation.

Mike Esparza – With the changes, the Board's not going to approve the reports? Didn't it come to us before for approving the course and then we said let's get more information. I think Dan Terry raised some issues and concerns about making sure they are compatible. I'm just wondering why we are not going to approve the course.

Ken Wagner – Actually, it came to you as an information item before.

Ken Wagner – STEAC has the authority to grant us the authority to deal with an equivalency and STEAC gave us that authority when we originally took this to STEAC. They basically said fine, grant the equivalency, once you get the details, and if you can get the details worked out. So we are on track to implement in that fashion. We don't believe it takes action by the State Board to do this implementation. We have granted numerous other course equivalencies without bringing the item forward to the State Board.

Mike Richwine – I believe the State Board requested previously, about a year and a half ago, that we receive equivalency for these two courses.

Mike Richwine – I think that was Dan. I believe that was his motion. So is the Board satisfied with that? Do you want to take action on this?

Mike Esparza – My memory is fuzzy, but I was thinking the meeting you were talking about was over a year ago that we were going to approve the curriculum but we had some questions and, again, if they provide Dan had brought up some issues about that. I see no harm in approving curriculum but if we have already approved the course and you're just making adjustments, equivalencies, there's no need for us to vote on it.

Tonya Hoover – Dan, did you have anything you wanted to add?

Dan Terry – No.

Tonya Hoover – Thank you for your work, Ken

## **V. Imperial Valley College Accreditation**

**Rodney Slaughter**

*(Information/Action) [Attachment 6]*

**Request approval for the Imperial Valley College to become an Accredited Regional Training Program (ARTP) in the State Fire Training System.**

Mike Richwine – We have a request from Imperial Valley College seeking accreditation.

Rodney Slaughter – This is an action item. This was approved at STEAC at the last meeting. I went down to Imperial Valley College with my site team in January. Imperial Valley College is unique in that it serves a quarter of the State that is not served by any other college. They are doing a fire fighter training program there. The site team noted a couple of things; there wasn't a lot of PP&E for the students. This was immediately corrected. They went out and bought wild life gear and came up with a plan to replace equipment costs of their purchasing equipment. It was satisfactory to the site team. What's interesting about this facility—I always like to look for best practices—in this particular case, is that the college president, when we were asking him how he supports this program, is on the Board of Directors for the San Diego Burn Foundation. This particular college president, unlike many others, comes from the vocational education side; he doesn't come from the academic side. He strongly supports fire fighter training and law enforcement training for Imperial Valley College. It was pretty evident that the young people who are in charge of the academy are very enthusiastic. They are reaching out to other academies to find out what

best practices are going on. I think that this is going to be quite an improvement to our system; it can help bring Imperial Valley College into a regional accreditation. So my request is for approval.

**Motion - Steve Brown moved to approve the Imperial Valley College to become an Accredited Regional Training Program (ARTP), Mike Esparza seconded the motion.**

Tonya Hoover – Discussion? Ok, we will get who is on the phone. We will take a roll call real quick to make sure we didn't lose anybody.

Sherry Habon – David Gillotte (here); Robert Magee (here); Dan Terry (here); Glenn Ziemer (here).

Tonya Hoover – Okay, we have a motion, a second, no discussion. **Motion was unanimously approved by members.**

## **B. Fire Engineering Division**

### **1. Fireworks Disposal Update - (Information/Discussion) [Attachment 7] Information on the disposal/destruction of seized dangerous and illegal fireworks**

**Ben Ho**

Mike Richwine – Chief Ho has been working hard on a number of fronts and he is here to present some issues and to inform the Board of some recent changes and proposals in his division.

Ben Ho – Good Morning. I have a couple of items. The first one is Fireworks Disposal. At the last meeting I discussed the dilemma and the issue that the State has with the Fireworks Disposal process. Today I want to give you an update of what is going on with that process. In the last meeting, I mentioned that we, the State, have 90,000 lbs. of illegal fireworks in our inventory. As of today, we have 172,000 lbs. in our inventory; 82,000 lbs. have come in within the last couple of months. So, this is far more than what we expected; up 40,000 lbs. a year. So, this is unexpected additional work. And the fireworks season has not started yet. To give you the picture, in the past year, year and a half, the Office of the State Fire Marshal, CAL FIRE, DTSC, the Governor's office, the industry, CalChiefs FPOs, and the Fire Services have been working together to try to come up with a long-term solution. One of the solutions was to raise the retailer license fee to fund the private program. However, doing that will have a major impact on the non-profit. The Governor's office and the industry could not come to an agreement with the fee structure. That left the CAL FIRE Office of the State Fire Marshal no alternative but to ask for a general fund. So we did that. We submitted a BCP for \$678,000 to fund the program. We spent a lot of time; a lot of people got involved. It looked like we were going to get the approval, but receive \$500,000 for one year. When we get the \$500,000 we are going to it to pack and ship the fireworks to Louisiana to burn. We anticipate probably getting rid of roughly 75,000 lbs. So that is the plan.

Tonya Hoover – if I could just add on to Ben, we made it very clear when we were moving our BCP over to subcommittees that, without sustainable funding, it was going have a dramatic impact on local government. Without funding, starting July 1, local government was going to be left holding their fireworks that they had confiscated and the fireworks that come across the border. We would not have the financial ability to move fireworks, collect, package and dispose of it. We are moving through the process for the limited funding of \$500,000 to get us through the packing of this season. Based on the 172,000 lbs. plus, I would bet my career we will see more. Frankly, we will blow through that one in two shipments. So we will be working through our process. We will be putting this in front of some policy committees and we are always looking for support to help us move the issue forward and get it on people's radar as a statewide problem—not just the Office of the State Fire Marshal; not just a CAL FIRE problem. Any questions for Ben?

Janet Barentson – Part of our budget committee yesterday, which was the Assembly Natural Resources and Transportation budget subcommittee, is that they are going to push it before policy committees. They have, what I consider, an unrealistic idea that they can fix this in the next four months before session ends in September. Even though we have told them we have been working with the group from the Governor's office for the last eight months and got nowhere. Part of the funding that was authorized is to fill one of the two positions that are supposed to work on education, but I think it is unrealistic that we will be able to fill the position on a limited term basis with the funding expiring at the end of next year. So, I think Ben's plan to strictly focus the money on shipment seems to be the most valid use of the money. The legislative analyst in their analysis is pushing for an increase to be on the retailers.

Glenn Ziemer – Can you tell us how many retail licenses there are in California.

Ben Ho – 3,200.

Glenn Ziemer – I am just trying to get a sense of the metrics of what kind of percentage increase would be required if you were to try to transfer the cost to the retail licensees; how much per license would you be talking about.

Ben Ho – We are probably going to raise the retail license by \$250. Right now, every retailer pays \$50 per license. If we are going to send this through, in order to come up with the funding, they are going to pay \$300 each.

Tonya Hoover – Glenn, the consternation is the retailer license; which is the biggest piece, which is the safe and sane folks, raising their licensing for an amount that is less than ten percent of what we end up disposing of.

Glenn Ziemer – I was just curious because we did a survey of the licensee's in Eureka area, and those who would disclose, indicated that, on average, their booth averaged about \$4,200 net profit a year. So the \$300 fee would not make it an upside-down sort of situation. Obviously, it's an impact on these nonprofits if you want to believe that that's whose really selling most of them. But, \$300 against, say, a \$4,000 average profit isn't totally out of the ball park.

Ben Ho – Yes, we understand that. That is why we decided not to raise the fee but asking for a general fund. But now the direction is we have to raise the fee.

Mike Esparza – I have to call on Janet or Ben: How are we doing on restitution. Is there an effort to get restitution from these folks that have the illegal fireworks?

Janet Barentson – That is the law of the land now and we are not getting in enough money—what is there, \$10,000 in the account now?

Mike Richwine – So a lot of those cases plead out or the district attorney, you know, with their case load, they can't pursue fireworks... That is their attitude and they have told us that themselves; it is not a priority compared to their other prosecutions.

Mike Esparza – Well, like every agency, they are overloaded and have their high priorities, but I feel like I have a strong relationship with Riverside County DA's office where these things end. But, even so, you don't get restitution from everybody. But I was curious about how are we doing on the state plead out on the requirement for them to pay for disposal and so forth.

Mike Esparza – I'm just wondering if local agencies are even pursuing a restitution for disposal. I don't know if fire agencies know to ask for that to benefit everybody to help you with your cause.

Mike Richwine – That was part of the responsibility of the new positions; continue to educate the Fire Services. There is a model ordinance that's on the website that they can adopt. It's going to be important to do that because that outage is not going to occur now because we don't have the funding for the positions.

Glenn Zeimer – Has the concept of a surcharge or surtax on the actual dollar sale of the safe and sane been explored? Similar to the deposit you pay on a Coke bottle or plastic bottle nowadays?

Tonya Hoover – Those discussions have taken place at DTSC; that would be under DTSC's review/regulation. Then, discussions about taxes require two-thirds vote.

Mike Williams – Are there any civil remedies that could be explored either utilizing something within the Environmental Protection Agency Acts or some other venue that you could come after and instead of looking at it as fireworks, per se, but look at them as hazardous material or environmental issues and do it on a civil level?

Mike Richwine – We have DTSC at the table and the end user fees responsibilities. The challenge is you have legal sales of fireworks—safe and sane. You have illegal fireworks that are coming in from Nevada. They are being sold legally there, transported here and so there is no way for us to tax or assign a fee to that. The safe and

sane, as Chief Hoover was mentioning, is ten percent of the total quantity. So the big issue is the import of illegal fireworks out of Nevada.

Mike Williams – I'm wondering if there are Department of Transportation violations or something like that.

Mike Richwine – It's Commerce.

Tonya Hoover – And when they cross the line, that's the interdiction work, CHP and local government picks them up, holds them in trust for the State Fire Marshal's office.

Mike Williams – So it doesn't solve your problem.

Mike Richwine – No. We get a call from the CHP to say they just stopped a truck with 50,000 lbs. of fireworks and they want us to come get it.

Mike Williams – You mentioned a model code for restitution. Has it been explored to put that in the new Fire Code? Or is there a benefit to that or may help?

Janet Barentson – I don't know that to put the restitution piece in the Fire Code is actually an appropriate avenue. It would have to be adopted by ordinance by each individual local jurisdiction and could choose restitution.

Tonya Hoover - Which they could make it part of their adoption process.

Steve Brown – That's where a lot of the local fines exist.

Mike Esparza – We are going to do what we can do locally for my agency to get restitution, but I don't know that even I would be thinking about okay, I'm going to give you those fireworks, do you need money for restitution also. That's where I am kind of going with this; if we are going to recoup our costs through the court systems or our own fines or whatever locally.

Mike Richwine – That has been a proposal; some kind of local buy-back program. What we are hearing from the locals is unknown liability questions. Can't guarantee what's in that sealed box is what it says is in there and most any attorneys are not willing to go there; why would they do that.

Janet Barentson – Well, if someone gets hurt based on a product that was bought back from a local jurisdiction, or the State or whatever, something that was confiscated at one point in time hosts the liability.

Tonya Hoover – Down that road, having to meet the requirements or sell that product back, or do they have environmental issues or hazardous waste laws...

Mike Richwine – If it's deemed destruction then it is waste. But then if you're going to then set up some kind of retail business where you are selling it, then it is hazardous materials and you have to comply with all hazardous materials regulations for retail sales of explosives.

Tonya Hoover – So you can see how complicated something is that seems so simple. Which is why Chief Richwine, Chief Ho, Tony Guevara and the rest of the Engineering staff has been working on this for about fifteen years.

Mike Esparza – I was going to say the same thing. You mention the strong effort the last eight months but it's not a new thing.

Tonya Hoover – No, it is not. That was just the moment in the Governor's office.

Janet Barentson – Yes.

Mike Richwine – It's a complex issue.

Tonya Hoover – It's trying to get folks attention now so that we can hopefully instill it and then move forward. We are going to keep trying and bring it up to public policy. We will be able to run a disposal operation but all of the other important components are going to be difficult and, I don't mind saying this, as the State Board of Fire Services, if you find this is an issue that you take to heart, I encourage you to support the effort of trying to come up with a plan for California's fireworks disposal. It will affect every one of us.

Mike Esparza – Absolutely, this fire season is lining up to be looking really bad and, if we have illegal fireworks and you say we are confiscating more now--which is amazing because our enforcement ability is much less now given everyone's budgets, it's very interesting and that makes me nervous given that conditions are out there this year.

Mike Esparza – It is interesting how the State is willing to spend tens of millions out of the Emergency Fund to put out the fires caused by fireworks but not spend any more than that to help deal with it. That's a constant thing that you go around with; the money's here, but the money's not over there.

Steve Brown – How secure is this stuff? Maybe you don't want to say it. How secure, not only what the Fire Marshal's office holds but what local government holds. I mean you just had the Boston Marathon blown up by people taking stuff out of fireworks. The issue isn't just that we injure thousands of people. More people are injured by fireworks in California, including safe and sane, then there were injured in Moore, Oklahoma, now not deaths, obviously, but in terms of just serious injuries. So it is one of those things where it's kind of incomprehensible. It would almost be cheaper to give all of the nonprofits—just give them that money. Safe and sane, as we know, is a term made up by the industry, fire service and the general public. It is a term given to something by the industry itself to get it out there. It doesn't seem like we take something that causes major fires, injures people that could be used for terrorist acts, and all these things. We just don't take it very seriously. It can be done. That doesn't mean there aren't any fireworks because until you get the bug inspectors' fireworks dogs you probably are not going to stop that coming across the border. It's very frustrating because it is a very costly, very injurious, very much something that could be used from a terroristic standpoint.

Mark Ghilarducci – I think that context though has not been framed for a legislator. I think, post-Boston, we may have an opportunity to reframe that and make a more comprehensive package moving forward. The other thing is that we proposed a lesser general fund and a lesser fee to the industry so that everybody has a little skin to gain but it is not so much that it was \$300 more; maybe it is half that much and then it's half that much General Fund. Have you guys talked about that in your negotiations?

Janet Barentson – Yes.

Ben Ho – That's what we have. It says one year and then we are going to regroup

Janet Barentson –The amount we actually needed was \$678.

Ben Ho – So our hope was if we have the \$500,000 then we can raise the fee to make up the other \$178,000. Then the fee increase to the nonprofits is going to be minimal; \$50.00. But unfortunately, we didn't get that \$500,000 from the General Fund so we go back to square one after next year.

Kim Zagaris –On the other side of the house is there are actually more nonprofits because more cities are allowing them out there. With nonprofits increasing, it's would be nice to get the flat \$250 out of them but we would be better off to go on a percentage of what they made.

Steve Brown – With all these fireworks around and in fire department vehicles, for which they weren't designed; you have a bunch of stuff strapped on the tailboard of a fire engine or something, bringing it back to a room at the fire station.

Mike Esparza – Disaster waiting to happen on a different level. You know, I'm a fire fighter and I like doing my job but we are putting fire fighters at risk in various ways—not just fighting fires, putting our public at risk, but you mentioned terrorism. I encourage our organizations to take this issue to heart and see where we can support the Fire Marshal in getting some attention from the legislative folks and corporates.

Tonya Hoover /Mike Richwine – We appreciate that.

**2. Smoke Alarms - Senate Bill 1394 Implementation**

**Ben Ho**

*(Information/Discussion) [Attachment 8]*

Information regarding pending legislation related to the implementation of SB 1394

Ben Ho – Good. Let's move on to the second item. I want to give you an update on the implementation of SB 1394. Part of this implementation is the regulation. So in the last six months since the law passed, the CAL FIRE – OSFM has been working with CSFA, the industry and Fire Services to try to come up with the regulation and we are in almost the final phase of that regulation package. We identified some challenges with that bill and we have been working with the sponsor on the clean-up of the bill. It is on its way right now which is SB 745. There is a backup bill for that which is AB 645. Hopefully, we can get this and move forward. Our plan is to have another meeting with the smoke alarm industry on July 10 to go over the final package of the regulation and then implement.

Are there any questions? Next, I will turn that over to James; we have two more items.

**3. Aboveground Petroleum Storage Tank Program Update**

**James Parsegian**

*(Information/Discussion)[Attachment 9]*

Update on Assembly Bill 1566 transferring the oversight of this program to the CAL FIRE – Office of the State Fire Marshal, effective January 1, 2013

Tonya Hoover – Next up we have the Aboveground Petroleum Storage Tank Program, James do you want to give us a run down on this particular item?

James Parsegian – Yes, I am here to give you an update on AB 1566. It's a bill that moved the oversight responsibility from CAL EPA to the State Fire Marshal. It is a portion of the CUPA program and we are the State agency that has oversight and the OSFM has to develop the regulations. We have already put together an advisory committee that is actually required in the law. We had our first meeting. It was a really good meeting; attended by almost everyone. We adopted a couple of work groups and they are going to be working on regulations which we will bring forth to the Board when they are completed. The proposed regulation will apply to above ground storage tanks above 1,320 gallons. It is just part of the fire code and the hazardous material section.

**4. Title 19, CA Code of Regulations Report (Information/Discussion) [Attachment 10]**

**James Parsegian**

Update on proposed regulations regarding the portable fire extinguisher

James Parsegian – I came to the Board on a couple of times and I've talked about regulations on the fire extinguisher program. Health and Safety Code 1360 says we have to write regulations and in there we are going to look at the NFPA requirements. We have two packages which actually you have seen early last year. The first package is on a correlation with NFPA 10, we bring in NFPA because all fire extinguishers are tested and enforced by NFPA 10. They are not tested within the State standards so we use basically the same standards as NFPA 10. Also, we have a couple of things on new technology. There is going to be an adoption of 711A and 299E which allows for—and there is already one on the market—a residential kitchen extinguisher. It's a new type of extinguisher. It's good for a kitchen fire. That is something we have been lacking and now that technology is available. The proposed regulations have been updated that package is moving on to the Office of Administrative Law.

The next package we have is the enforcement package which some of you might know about. We know we have some fraud issues throughout the State and basically what that is, is the last of the implementation of AB 1773. That was where we could actually issue a fine to a company in lieu of a suspension. Before suspensions, if we wanted to give a person a suspension, they had the right to go to a hearing. There was no other option. Now they have the option to go a hearing or receive a fine. The regulations actually break it down and we have, basically, it's a penalty schedule. So you will see that package going out to public comment hopefully within the next month. That's about it, but it is there to address the fraud issues. There are also a couple of things in there for the local fire prevention folks. And, of course, these regulations have all gone through the State Fire Marshal's Fire Extinguisher Advisory Group. Are there any questions?

Mike Esparza – So if we catch somebody doing fraudulent work, which we have in my jurisdiction, we take him to court, evict and fine--and we notify you, your office. So, on top of that, you have the ability to disclose that you have the ability to fine the company on top of that.

James Parsegian – Actually, we've got a legal opinion on that and, no, if you have already fined him for the deal, we can't go forward on that case. But, at the end of the year, when they are doing the renewal and the law specifically says that you have been convicted, we can deny your license. At that time, we can deal with that.

Mike Esparza – That's one way of doing it.

James Parsegian –Actually we have done one of those cases where the locals convicted somebody. We denied their license and we reduced the deal to a suspension and gave them a fine. Basically, we're trying to get in their pockets because that's the only way to stop them and get their attention.

Mike Esparza – This is a big issue. I don't care where you work, in the State of California, this is happening, you just don't know it.

James Parsegian – Just to let you know though, it's not the State of California, it's the United States. In talking to other jurisdictions, it's a national problem.

Mike Esparza – I do have a question. Quite some time ago, you drew up some potential changes in the industry requirements from companies like putting signage on their vehicles and such. Is that moving forward?

James Parsegian – That actually is in timeline. It's already been approved and is in regulation. Each fire extinguisher service vehicle, which is also defined and approved what tools they have to have in there, must have a sign. When we went forward with the regulations, we required every company to have a permanent sign. But the comments we got back—we had to kind of step back from that and put allow a magnetic type of sign because some people do it out of their own personal vehicle. A company doesn't want to paint on somebody else's personal vehicle and then they fire them and they are still driving around with their company logo.

Tonya Hoover – Thank you very much. Good work.

### III. OLD BUSINESS

Tonya Hoover –Next up on our agenda is old business. We didn't have any old business; does anyone have anything that got missed?

Glenn Zeimer – We had talked a little bit about our difficulties with quorums, and so on, and the ongoing vacancies that exist currently and I guess there are three as I read the agenda as far as personnel positions being vacant. I had contacted the Office of Appointments, just trying to clarify my own status and so on. The most polite thing I can say about that is that it's not a confidence building experience. Even if you have an application number, which they assign to you when you do your electronic application, they seem unable to even locate those documents or acknowledge their existence. In my case, I had to do it again even though I could give them the number that they assigned to me. I talked to a gentleman appropriately named Will Robinson, who apparently is kind of their intake person and so on. Through a series of conversations, the sense I got, and I'm not quoting him and I want to be careful not to sound like I'm quoting him, but he conveyed to me pretty clearly that there is no work plan for this appointment process; that largely whatever pressure they are feeling on a given day determines what their work product is and what they are working on it, and it might be months or years before we would even have a response as far as the positions like the State Board where there is no ratification requirement in the legislature. And I know, Tonya, you said you were going to see if you could develop a little bit of interest over there, potentially moving these applications forward. I guess my first question is do we have applicants currently filed for the three vacant positions and were you successful in gingering any sort of help or assistance in trying to move this forward?

Tonya Hoover – Yes. I actually, as recently as two weeks ago, I had a conversation with the Governor's staff in Appointments. There are two openings that currently exist and I believe it's in County Government and Fire Districts that they were looking for applicants. Those were that the County and Fire Districts were the folks that they were waiting for applicants to come in because I had tapped those respective organizations. Other organizations such as Metro Chiefs, CDF Fire Fighters and some of the other vacancies, I do know that there are applications in because I had gotten word from the Governor's office that they had received applications. So, they

may not have “a formal work plan” but I do know that an individual over there above Will is working on it and so is a number of other things. Like I said, it’s been two weeks since I spoke with her and I can always check back in and see if I can assist in any way. Does that help in all this?

Glenn Zeimer – It just strikes me that with our quorum problem, obviously having a full roster to start with would be beneficial. I guess enough said.

Tonya Hoover – I appreciate you bringing it up again, Glenn. Okay, anything else for old business?

Dan Terry – I’d like to mention, doesn’t current law allow for members with expired terms to serve until replaced

Tonya Hoover – Yes, sir.

Dan Terry – So, in reality, the fact that you say there are vacancies, but they are really not because they can serve if they choose to, is that correct?

Tonya Hoover – True, but the vacancies that we have are individuals that have chosen not to continue to serve.

Dave Gillotte – If you haven’t elected not to serve, then you remain in service until you elect otherwise, correct?

Tonya Hoover – Yes.

Dan Terry – The other thing I think that would help with the quorum situation is all of the positions on the board that are designated by my position, like mine, like OES, and those positions; in the past, they have always been able to proxy them and I could support fifteen years they were always able to proxy them. At some place along the line, that changed and I don’t know if it changed statutorily or if it changed because of policy or what, but that exacerbates the problem of getting quorums when they are designated to an individual who is busy and not able to get there.

Tonya Hoover – That’s a good point Dan; I have gone back and pulled some information and Kim was so kind to send something that he had found from another appointed board. I’m in the process of pulling all that together so that I can get clarification because as we read the law, even for ex officio, there is no proxy as the current law is written.

#### **IV. NEW BUSINESS**

##### **A. Insurance Services Organization (ISO) / Department of Insurance**

**Christopher Citko**

*(Information/Discussion) Brief discussion concerning the new proposed ISO rating schedule*

Tonya Hoover – Next up is new business. With that I would like to introduce from the Department of Insurance, Christopher Citko. He is here to update the Board on the Department of Insurance and the ISO’s new rating schedule: What does it mean and what doesn’t it mean to the State and to the Fire Service. So, with that, Chris—it is all yours.

Christopher Citko – Thank you for inviting me here. Just to introduce myself, I am a Senior Attorney at the Department of Insurance working with the State Fire Marshal and CAL FIRE for a number of years now. We have a Memorandum of Understanding between our agencies. We’re together on common interests and issues concerning wildfire and insurance; trying to get the industry, the insurance industry, to work together with the various fire agencies and fire services to see where we can get some synergy going. Certainly, the Insurance Commissioner had quite a bit of interest in getting the public to prepare for tragedies that may occur. But also, especially with fire insurance, to make sure that people prepare and be ready around their homes, their properties, and businesses. I am going to talk briefly on the topic at hand which is Advisory Organizations, as we call them, in particular ISO—which some of you are familiar with. They are a registered advisory organization with the Department of Insurance here in California. Of interest, is the Fire Suppression Rating Schedule which they submitted to the Insurance Commissioner for approval, which they are required to do. I want to give some background on what an advisory organization is as well as what is the rating schedule and let you know how we handle that. So, an advisory organization is any type of group or association that comes together that for insurance companies develops or prepares policy forms—you know, like your insurance policies that you see; they are standard throughout insurers and through the country because of these organizations.



But they also use and develop manuals and rating schedules that are based on data collected on losses and other information. Basically, what an advisor organization is, it's a way that the insurance industry can come together and as long as they do it under the control and oversight of a regulator, they are not breaking the law. As long as they are not doing it to fix prices, it's okay. It's really getting the loss data together to understand what potential losses are to people who rate them for insurance rating purposes to develop premiums to charge so that insurance companies will understand how much they need to charge, have the funds available as the losses accrue they can pay the balance so insurance companies remain solvent. So, with that, what the advisor organization is required to do is when they develop these schedules they are to submit them to the Insurance Commissioner for the Commissioner's approval. And what do we look for? Well, what we look for is to make sure that these manuals are fair and reasonable. That they do not violate any provisions in any insurance code, and in particular, there is one provision in the insurance code in how insurance companies will submit rate filings to us, what the rate structure is going to be, what they are going to charge. These manuals need to comply with that; that means there can't be a schedule that would affect rates to be excessive, inadequate, unfairly discriminatory, or otherwise violate any of our other insurance laws. Unfairly discriminatory seems like an odd term, but in insurances it is a way of discriminating between various risks and how to price them. So there's lots of discrimination in insurance but they can't be unfair discrimination. There's a lot involved with this.

Steve Brown – Is that defined in any case law?

Christopher Citko – Yes. There's a lot of law and background on what that is. I mean one of the clearest ones is you look at some of the classifications for unfair discrimination of people or groups and some of the same things can apply with insurance; we can't have insurers discriminate because of somebody's social situation or because they live in a certain area unless they can define that there is some difference in the way a loss is going to occur because of the area. So, that may be true that insurance is readily available to everyone, but that when there is a differentiation between the risks that it's based on the potential for loss that's going to occur. So, rather than other factors like something people arbitrarily make up so they don't have to write some insurance group and individual. Now, the schedules submitted to us, and ISO is one of those advisory organizations that submits these, there's others, these schedules are fees by the members of that advisory organization. The insurance company can decide I want to be a member of ISO and I want to use the information that they are going to develop. I'm going to share with them the data that we have on losses with--other insurance companies are going to share that data and they will then develop that.

The ISO also does other things and I think fire suppression rating is one of those. They will go out and they will create standards for rating various fire agencies to see how effective or potentially effective they are in dealing with fire suppression grading scale. And that's used by insurance companies to decide when they are going to write-in an area. If we have a very efficient, well-run fire agency, we can grade them higher and, therefore, hopefully the insurance company will and when it comes down to somebody's premium that they are going to have to pay less. If the agency has some deficiencies or inadequate equipment or things of that nature, they will get a lower grade. It may require to be priced higher because of the potential for losses there. Mostly they look at facilities and you are probably more well aware of this than I am, because you have to deal with this.

Steve Brown – In the filing, when ISO submits that, do they have to tell you who the members are--which insurance companies? And when those insurance companies are in there, do you know which ones are members?

Christopher Citko – Yes--

Steve Brown – and is that public information?

Christopher Citko – Yes, it is. They register with us and that is public information. Actually, the schedules themselves are public information. They are available for anyone to review. However, of the given county on that, you can't copy, you have to come to the department and look at them. They are not available on line. These are proprietary; copy-written, so they are public but they are not disseminate, only available, really, to copy by the members who pay for this. But they have to be submitted to us and they are a public record still. The point of this is that despite the fact that there is a schedule out there, an insurer can decide not to use it, use part of it or use the entire thing. But, if they are going to use it in part or use the entire schedule, they're going to have to re-file their rates with us and that's a lot of work for insurance companies to do. So, just the fact that it's out there, and has been updated doesn't mean insurance companies are going to use it. So it will be up to the insurance company to then come and make a rate filing which is

subject to the Commissioner's fire approval and also subject to public hearing that the insurance companies then would adopt that to be able to use it. So, I don't know if anyone has any questions, at this point, concerning this?

Tonya Hoover – So, just because there is a new schedule, it doesn't necessarily mean that it's being used by insurance companies that are members of ISO.

Christopher Citko – Correct. This just got approved, I don't think any rate filings have come in to adopt it yet. I think it's very new to the insurance industry and it takes a lot then also for them to decide that they are going to rework their rates.

Steve Brown – I don't think they have started doing any of the evaluations. I think the fact that the schedule itself was just adopted, their people that go out and do the actual evaluations and put the numbers into the system haven't done any of those yet, they are just now available to go out and do those. So that it isn't just your local insurance agent sitting at a computer and entering in how far away the fire hydrant is, it is much more predictive, I mean, just a common sense; you look at it, it's way more predictive than the old one was which was not too predictive.

Christopher Citko – Well, that's good to hear.

Steve Brown – Yeah, it's a much more effective tool, I think, for the insurance industry to use.

Christopher Citko – There's good and bad with getting more predictive schedules out there. You know, instead of the broad stroke, we're getting down to finer detail and it's going to affect properties differently. What's going to happen to them and their expectations is going to be different than what it has been in the past. So, this technology and information gets better.

Kim Zagaris – I would be interested only from the standpoint in the wild lands and the flood prone areas and the earthquakes zone they could run down or a period of high storm accidents I mean they could run down any number or issues. Of course we know the industry doesn't like too many switches and adjustments because we know that when the insurers rates go up, they immediately start shopping which creates issues for the companies who hold.

Mike Esparza – The new scale, if I understood you right, they give it to you and you're not actually approving it, but you've agreed to allow them to use it?

Christopher Citko – No, we have to approve it and we did approve it. We look at it on the basis of does it meet the criteria that I mentioned and our actuaries look at it, our rate analysts look at it. Ours is more of a technical insurance view of it and it is open for public comment. I'm not sure if we received any public comments, I wasn't able to determine whether we had or hadn't. But I know that ISO had gone out there and discussed with a lot of groups what they were doing and how it's going to affect it. And I still think now they're open.

Tonya Hoover – In a prevention mode, the new draft schedule got a lot of hype because it recognized the new ICC codes, it recognized the provisions as far as natural sprinklers and actually gave communities points for that versus in the past not recognizing the use of new codes, the most recent addition of a national code.

Christopher Citko – Yeah, and there are other schedules that ISO and other advisory organizations have and various ones that we have include, I have a list of some of them here—personal, fire, homeowners, inland marines, commercial fire, commercial farm owners, multi-peril. So they do all sorts of rating schedules and the fire suppression rate schedule is just one of many that they put together based on the database.

Tonya Hoover – Chris, thanks so much. Any other questions for Chris? Thank you very much.

## V. ROUNDTABLE DISCUSSION

Tonya Hoover – Next up is a roundtable discussion and I'd like to go ahead and move to my left, with roundtable discussion, because rumor has it that our Vice Chair has something for the roundtable.

Mike Esparza – Yeah, I do. I had a recent need to hire folks and I've noticed that on some fire academy credentials they didn't have some information I thought would be there. I would like the State Fire Marshal's office to entertain the

idea of having some minimum requirements that would be on a fire academy certificate; maybe the hours, or recognition that it meets the standards of that year, or whatever standard that we have in place at the time; maybe include a clear designation that meets the State Board of Fire Services/Office of the State Fire Marshal's requirements or something like that. That's what I wanted to share and see if there was any interest or maybe some comments from the Fire Marshal's office; how that can be addressed.

Mike Richwine – Well, we don't issue a certificate, other than certification, so academy course completion certificates are generated at the academy. I think it's a good idea that we have at least the minimum hours and maybe even, if we move into accreditation that will be a requirement of all of our accredited academies because of the need for us to be insync with the NFPA standards. But I'll take this back to STEAC and we'll look it up there and see if there are some recommendations that we can make to our regulations that would require some minimum information on a firefighter academy certificate.

Mike Esparza – Thank you very much. A couple of other comments that may be of interest; I recently attended the C-PAT orientation in the City of Orange. It was my first opportunity to go to see that program there where they introduce C-PAT test to candidates. It was very well run and two of those folks made the effort to introduce the young men and women who want to get into the Fire Service. I thought that was a well-run program and was glad to see it out there. I think it's particularly good to outreach some of the folks that maybe don't have that opportunity to get acquainted with Fire Service, particularly minorities and women. Today is a good day for the City of Riverside; got to go to CAL EMA's Service's office today and was able to receive OES 369.

I think the tie-in here is this Board is unique and that it represents such a wide range of Fire Service whether you are directly in the Fire Department or not. It reminds me of the cooperation that's really what is needed to get things done in the Fire Service. This is another example of the partnership with CAL EMA. We've enjoyed that partnership. We cherish that partnership and, obviously, CAL EMA's worth to the Fire Service is to protect California so I just want to brag a little bit about that partnership and we're very happy to have that relationship. That's all I have.

Tonya Hoover - Secretary Ghilarducci, thank you so much for being here—

Mark Ghilarducci - I know; it's my first meeting. I appreciate Kim sitting in for me and I appreciate Dan's comments about a proxy so I think that will be really good. A couple of the other commissions or boards I sit on also have proxies. So not that it gets me off my responsibilities, but I think at times it would be good. I did want to just touch base--I mean there's a lot to talk about--but I'll just touch base on a couple of things that are relevant with us and have an impact on the Fire Service. And that is that come July 1, the Public Safety Communications Office, which oversees all the 911 centers, the P-Saps and the State microwave and all the communication towers, all that stuff, is being moved into CAL EMA. And, you know, it started at DGS and then it went over to CTA, the California Technology, to see both places and sort of out there and they didn't really know what to do with it and now it's going to be integrated within the public safety family, as it should be, and integrated into enhancing our statewide capabilities for a robust capability program for communications, etc. So, I just want to let you know that's going to happen July 1 and, you know, as mergers and acquisitions go, it takes roughly a year to get everything integrated and all that kind of stuff. So, that's happening and also what's old is new again; come July 1 we will be going back to the Governor's Office of Emergency Services name, so the CAL EMA will be gone and CAL OES will be back which to the Fire Service is not a big deal because everybody I heard calls it OES anyway. And most of the engines and the three-letter designators and all that are still OES. It's their responsibilities to remember that none of the authorities change, we just move back into the Office of the Governor, central agency of the Governor, checks off the box that he's been able to achieve reduction and one agency is the Government itself. Tonya, I think what we'll do on the fireworks issue, and I think there was a big/good discussion, is that we're trying to convene a meeting with the State Fire Marshal, myself, the Department of Homeland Security, and the State Threat Assessment Center to talk about fireworks as they move or become threat items. Plug that into all fusion centers statewide as far as getting intelligence and then maybe help change the mindset that issue of another terrorist threat to help the issues associated with the importance of it and the fact that it exists and it's more than just from a fire standpoint it becomes a tool for the would-be terrorists.

Gene Gant – I just want to say thank you. I've never been to a Fire Board meeting and it's very entertaining. So, I mean because you go over everything. You go over everything you do and a lot of we know about, training we don't because we are not training officers but the FPO stuff a lot of it I knew about but it's slightly different questions and answering stuff which has helped for the fireworks.

Mike Richwine – Your welcome at any of our advisory committee meetings.

**VI. PUBLIC COMMENT**

No public comment took place.

**VII. SET MEETING DATES**

**A. Proposed Dates (*Information/Discussion*)**

Reestablish the quarterly meetings on the 3rd Thursday. August 15 and November 21

Tonya Hoover – Next on our agenda is a quick discussion about setting of our next meeting dates. We have two scheduled; for August 15 and November 22. Those dates would coincide with follow-up on STEAC. We want to make sure that he's got the ability to do what they need to do, getting their documentation ready and then we would be able to meet. So, if everyone wouldn't mind taking a look at those dates and placing them in your calendars, it doesn't appear to be any conflict unless, of course, you're all going on vacation. STEAC is meeting July 19 and then again in October.

**VIII. MEETING ADJOURNMENT**

**Motion – Mike Williams moved to adjourn the meeting; motion was seconded by Steve Brown. The motion to adjournment was unanimously approved by the members.**