



**State Board of Fire Services
MINUTES
Wednesday, September 10, 2008
Office of the State Fire Marshal, Sacramento, California**



Chair/Ex-Officio
Kate Dargan
State Fire Marshal

Co-Chair
Mike Esparza
California State Firefighters
Association

Members:

Richard Blanco
Fire District

Steve Brown
California Fire Chiefs
Association

Jerry Davies
Insurance Industry

P. Michael Freeman
California Metropolitan
Fire Chiefs Association

David Gillotte
International Association
of Fire Fighters

Robert Magee
City Government

Michael Nelson
County Government

Lou Paulson
California Professional
Firefighters

Michael S. Williams
California State
Firefighters Association

John Winder
CDF Firefighters

Glenn Ziemer
Fire Districts Association
of California

Fire Service Labor (vacant)
California Labor
Federation

Ex-Officios:

Ken McLean
CAL FIRE

Henry Renteria
Governor's Office of
Emergency Services

Dan Terry
California Fire Fighter
Joint Apprenticeship
Committee

MEMBERS PRESENT:

Kate Dargan, State Fire Marshal
Mike Esparza, California State Firefighters Association
Richard Blanco, Fire District
Steve Brown, California Fire Chiefs Association
Jerry Davies, Insurance Industry
P. Michael Freeman, California Metropolitan Fire Chiefs Association
David Gillotte, International Association of Fire Fighters**
Ken McLean, Deputy Director of Fire Protection, CAL FIRE*
Michael Nelson, County Government*
Lou Paulson, California Professional Firefighters
Mike S. Williams, California State Firefighters Association
Glenn Ziemer, Fire Districts Association of California

* attended via telephone conference call

**joined the meeting at 10:15

MEMBERS ABSENT:

Robert Magee, City Government
Henry Renteria, Governor's Office of Emergency Services
Dan Terry, Chair of the California Fire Fighters Joint Apprenticeship Committee
John Winder, California Department of Forestry Firefighters

STAFF:

Tonya Hoover, Assistant State Fire Marshal (Executive Director)
Dave Hillman, Chief, Prevention and Law Enforcement
Janet Upton, Deputy Director of Communications, Director's Office
Tom Hoffman, Staff Chief, Law Enforcement
James Parsegian, Supervising Deputy State Fire Marshal, Fire Engineering
Kevin Reinertson, Supervising Deputy State Fire Marshal, Code Development & Analysis
Christy Owen, Staff Services Manager I, State Fire Training
Rodney Slaughter, Deputy State Fire Marshal III, State Fire Training
Diane Arend, Deputy State Fire Marshal III, Code Development & Analysis
Alicia Hamilton, Fire Service Training Specialist, State Fire Training
Judy Bankert, Office Technician, Support Services

GUESTS:

Jim Beery, Chico Fire Department
Dale Evenson, Riverside County Fire Department
Kevin Nida, California State Firefighters Association
Stephen Sellers, Governor's Office of Emergency Services
Tennis Tollefson, Sierra College
Kim Zagaris, Governor's Office of Emergency Services

1. CALL TO ORDER

Chief Kate Dargan, State Fire Marshal (SFM), called the meeting to order at 1004 hours at the Office of the State Fire Marshal (OSFM) Headquarters, 1131 S Street, Sacramento, California.

2. SWEARING IN AND ADMINISTERING OATH

Chief Dargan administered the oath of office to Michael S. Williams (new member), and Michael Esparza (returning member)--both from California State Firefighters Association.

3. ROLL CALL

Roll call of the SBFS was conducted, and a quorum was established.

4. INTRODUCTIONS

Self introductions were made by the board members, staff, and guests.

5. APPROVAL OF MINUTES

Chief Dargan asked for any changes or a motion to approve the minutes.

A motion was made by Richard Blanco, Fire District, to approve the minutes and was seconded by Steve Brown, California Fire Chiefs Association. The motion passed unanimously.

6. ANNOUNCEMENTS

There were no announcements.

7. PROGRAM PRESENTATION

A. Department of Insurance/CAL FIRE MOU (Information)

Chief Dargan told the group that in building relationships between the fire service and the insurance industry, the time was right to develop specific initiatives to link insurance and fire. One of those initiatives is a Memorandum of Understanding (MOU) between the Department of Insurance and CAL FIRE to form a partnership in the prevention and mitigation of fire losses in California.

Chief Hoover informed the group of the four important goals CAL FIRE and the Department of Insurance agreed upon:

- Reduce the risk that wildfires will cause in the loss of life or large-scale property damage/loss.
- Increase awareness of fire officials, the insurance industry and the public on methods and ways to prevent and mitigate fire losses.
- Increase incentive for homeowners, businesses, and insurance companies to actively prevent and mitigate fire risks.
- The Department of Insurance will facilitate obtaining comments/suggestions on the concepts contained herein, from representatives of the California insurance industry with the end goal of receiving their endorsement on this collaborative venture.

Both departments agreed to collaborate on five projects:

- Public Awareness Campaign – Prevention and Mitigation
- Insurance Company Education – Wildfire Risk and Mitigation Courses
- Review of Fire Insurance Risk Models
- The California Fire Plan
- Damage Assessment

Chief Hoover expanded on the second project, Insurance Company Education – Wildfire Risk and Mitigation Courses, and fielded questions from the members. Chief Dargan also provided some background on the subject and mentioned one of the driving forces of this whole discussion was the Fair Plan. The Fair Plan inspectors were giving home owners wildly different requirements for Fair Plan coverage than the fire service was requiring for defensible space guidelines which resulted in some insurance policies being exorbitantly raised. Chief Dargan also spoke about analyzing risk from an insurance perspective versus a fire service perspective. The fire service, in partnership with the insurance commissioner's office, is asking—are we both on the same page as the risk model companies in analyzing that risk? If we are, great; if not, we need to figure out why.

Chief Dargan and Chief Hoover answered some questions from Chief Freeman regarding the MOU. Chief Dargan also informed the group that the Institute for Business & Home Safety (IBHS) has collected about two-thirds of the money necessary to break ground on a testing facility in Florida that will be a wind, hail, and wildfire testing facility. The facility will be large enough to hold a couple structures and subject them to wind, hail, and fire damages. It will be the first of its kind in this country and the only ember-testing facility available nationally. IBHS is interested in hosting an invitational discussion on November 10, 2008, to discuss how these things can be done nationally in a coordinated fashion.

Chief Hoover said help developing and moving this second project forward would be welcome from fire marshals, fire prevention officers, operations chiefs, and public educators. Lou Paulson remarked that Fire Safe Councils are excellent avenues for building collaboration and getting the word out on the street. Jerry Davies suggested that top level insurance underwriting and claims people be strongly encouraged to be a part of this process and help to spread the word throughout the insurance industry. Glenn Ziemer expressed his concern regarding some insurance companies using data acquisition and satellite imagery programs that analyze property to determine insurability based entirely on the computer program analysis of that satellite imagery. One consequence of this is that it takes the underwriting agent's opinion completely out of the picture and, consequently, those agents lose their impact and influence.

Chief Dargan asked that if anyone was interested in actively participating in these discussions, which will lead to recommendations to the insurance commissioner or in developing how to bring fire service input to this action plan, please let Chief Hoover know. Also, if the board is interested, Chief Dargan said this item can be put on the agenda for the next meeting. There was general assent to that suggestion.

Chief Esparza commented he thought it would be a very positive thing to show partnership between fire organizations, the insurance industry, and the State Fire Marshal's Office through state-wide public service announcements. Janet Upton said CAL FIRE does have a mechanism for doing just that, but she was not certain it could be used for this year—but certainly could for next year.

B. Code Development and Analysis (Information)

Kevin Reinertson presented the group with a brief overview of Code Development and Analysis (CDA) and its responsibility for developing, proposing, and promulgating regulations that are processed in accordance with the Administrative Procedures Act and/or California Building Standards Law. CDA regularly reviews Title 19, California Code of Regulations (CCR), for relevancy, necessity, conflict, duplication, and overlap. CDA also implements legislative mandates to develop regulations relating to fire and life safety involving various occupancy classifications under the authority of the SFM. Title 19 regulations are processed in accordance with the Administrative Procedures Act which promotes public participation in the development of regulations. CDA works in conjunction with the State Office of Administrative Law for these rulemaking packages and also coordinates with fire service organizations, SFM advisory committees, local fire and building officials, other state agencies, and numerous professional and advocacy organizations.

SFM is responsible for promulgating regulations that promote fire and life safety for inclusion into the California Building Standards Codes which include the California Building Code, California Fire Code, California Electrical Code, California Mechanical Code, California Plumbing Code, and the California Historical Building Code—all of which collectively are referred to as California Code of Regulations, Title 24. The process involved incorporates a great deal of public participation and is administered by the State Building Standards Law. The SFM received many compliments on the codes developed for construction of new buildings which involved over 10,000 personnel hours from the fire service and SFM staff over the past 2 years. The new codes have been in effect for about 9 months, and there have been very few complaints, errors, or problems created.

Chief Dargan commented that Chief Hoover and Chief Sakamoto (Fire & Life Safety) just finished putting together a guideline for a solar photovoltaic training program. It is a guideline for both installation and plan review, and it is a guideline and training manual for the fire service as they deal with photovoltaic incidents.

Chief Dargan also stated the biotech industry has a lot of development plans for California, and that particular industry is projected to be one of the main economic engines for California in the future. Looking forward to that biotech buildup in California, it became apparent that the SFM should be able to regulate a minimum set of standards for the biotech industry, and local jurisdictions could increase those standards if necessary.

Nationally, there is one code that drives building and fire codes, and the SFM has to engage at the national level of code development in order not to be surprised at what industry has or has not done with that code. Chief Dargan is committed to engaging in the national model and welcomes any support from the fire service—chiefs' organizations, fire prevention organizations, labor organizations, or anyone who has a stake in both community and firefighter safety. It is much easier to be in on the process for developing the codes than to try and change them after they come to your state. If you are not engaged in code development hearings and final action hearings, you will most likely be unable to influence the outcome when it comes to a local or state jurisdiction process. Chief Dargan informed the group she would be going to the final action hearings in Minnesota and would be speaking specifically to some wildland urban interface code issues, residential sprinkler adoption in the international residential code (as a supporter), and in some of the building height and area issues she has been involved with the last few years.

8. PROGRAM AND ADVISORY COMMITTEE REPORTS

A. State Fire Training (SFT)

1. SFT Regulations (Information)

Rodney Slaughter advised the group that in September 2007 Chief Richwine, Christy Owen, and Diane Arend met with attorneys at the Office of Administrative Law (OAL) to review the *SFT Procedures Manual* and began making plans to submit a rule-making package to place the specific training requirements into regulation. After following the normal rule-making process, those regulations became effective on September 6, 2008. Adopted references included the *SFT Procedures Manual*, *Course Information and Required Materials Manual*, and the *Curriculum Development Guidelines*. Rodney Slaughter then answered a few questions from the board.

2. Statewide Training and Education Advisory Committee Update

a. Curriculum Update

(1) Training Instructor Task Force: Presentation of Proposed Course of Instruction (Discussion/Action)

Alicia Hamilton gave a brief overview regarding information and required materials for Training Instructor 1A, 1B, and 1C.

Chief Brown moved to approve the Training Instructor 1A, 1B, and 1C information and required materials for adoption. Chief Freeman seconded the motion. The motion passed unanimously.

(2) Community Risk Officer Update (Course Outlines) (Discussion)

Alicia Hamilton informed the group regarding the three proposed levels of the Community Risk Officer Curriculum Training Standards (CTS). The Community Risk Officer certification track will replace the Public Education Officer certification track which had not been updated in years. The group was presented with the certification policies for the three levels:

- Community Risk Educator (Teach)
- Community Risk Specialist (Supervise)
- Community Risk Officer (Manage)

Chief Hoover commended the workgroup that worked to bring the CTS forward. The group included SFT staff Alicia Hamilton and Ramiro Rodriguez, Ken Shockley of Fresno Fire Department, Penny Overstreet-Murphy of San Bernardino County Fire Department, Brenda Emrick of Costa Mesa Fire Department, Brenda Briggs of Sacramento Metropolitan Fire Department, and Steve Knuckler of Morro Bay Fire Department. The CTS for the Community Risk Officer is on the CAL FIRE website, and comments and input are welcome.

Michael Williams asked that volunteers with at least five years of appropriate training and experience be considered at the Community Risk Educator level. It was agreed this suggestion would be considered.

The Community Risk Officer CTS will be brought before the board for approval at the next meeting.

(3) Fire Prevention 1A and 1B Bridge (Information)

The revised curricula for the existing Fire Prevention 1A and 1B courses were discussed by Alicia Hamilton. Those courses had to be updated due to the adoption of the 2007 California Fire Code.

b. Delivery Issues

(1) Update – Online Hybrid Classes (Information)

Christy Owen presented information gathered from Alan Hancock College regarding feedback on the success of the on-line hybrid delivery beta test period. She gave the board members a handout regarding the Fire Officer Classes beta test for internet/hybrid delivery. The report is not final yet and she asked the board members to read it and to offer any comments, questions, or concerns they might have by the end of September. The plan is to have the report finalized before the next Statewide Training and Education Advisory Committee (STEAC) meeting in October.

9. OLD BUSINESS

A. California Incident Command Certification System (CICCS) Task Force Update (Information)

Mike Esparza asked that this update be deferred until the next meeting.

10. NEW BUSINESS (this portion presented out of agenda order)

A. Title 19 and Fire Code (Information)

Diane Arend updated the board on the project to reference and reprint some applicable enforcement provisions of Title 19 into the California Fire Code. This on-going, multi-year project is important to the California fire service as it will provide cohesion for enforcement provisions with a single “inspector friendly” code book.

11. OLD BUSINESS (continued)

B. OSFM Arson & Bomb Investigation and Fireworks Services (Information/Discussion)

Chief Hoffman gave a brief review of the level of service OSFM arson and bomb investigation (ABI) should provide to the fire service. He also discussed funding for enforcement of dangerous fireworks laws and the level of training needed for dangerous fireworks disposal units.

Chief Dargan advised that in the next three to six months there will be some long-term strategy decisions made about ABI concerning:

- Should there be an ABI program? Leaning toward “yes.”
- Should it have a bomb technician component? Maybe at best.
- The arson investigation component is still very valuable.
- The illegal and dangerous fireworks enforcement problem is growing substantially.

To handle fireworks disposal, you have to be a certified bomb technician. However, the OSFM doesn’t need to staff a bomb disposal unit and try to be key players in that arena, but we need to be able to participate when requested. Chief Brown interjected that the rural counties in the northern part of the state agreed with that position and have indicated illegal fireworks are their number one priority.

Glenn Ziemer commented that in the northern coastal region mid-level districts have voluntary arson investigation units who might occasionally have the need of advice from an independent, technical expert arson investigator provided by the OSFM. He felt the law enforcement agencies in his area had the resources to deal with bomb disposal.

Chief Freeman remarked that LA County has a tremendous problem with illegal fireworks and there is a great need for law enforcement in that area. He is very supportive of bomb technicians and their role in dangerous fireworks disposal. Chief Hoffman said that last year the Governor signed SB 839 which put in place a framework to develop a funding source for hiring arson and bomb investigators whose primary mission would be the enforcement regarding dangerous fireworks and fireworks disposal. SB 839 also provides for training and assistance to local governments.

Chief Dargan communicated that one of the most important messages of the fire service and law enforcement levels will be that the OSFM can’t do the illegal and dangerous fireworks seizures at the local level unless the local government is also willing to go through the fining and judicial process. The citations and fines will be the funding source for the disposal costs; therefore, education is needed so that local jurisdictions understand it is worth their time and effort to go through the ticketing, violation, and court actions.

C. Update – SB828 Task Group (Information/Discussion)

Chief Hillman related to the group that last year SB828 was vetoed by the Governor which would have required the OSFM to establish accelerant detecting K9 standards. In his veto message, the Governor more or less said to make it happen anyway, work with the appropriate groups, and come up with some standards that are acceptable. A workgroup was formed and is chaired by OSFM/ABI Marge Yarbrough and vice-chaired by Chief Esparza. The group has met, and some significant philosophical differences concerning future direction have arisen. There will be an executive level meeting today to work out those philosophical differences, make some headway, and set a focal point of (hopefully) late October to produce a draft product that can be brought back to all the interested parties.

Chief Hillman advised a more in-depth report would be forthcoming at the next SBFS meeting.

12. NEW BUSINESS (continued)

B. NFPA 25 Implementation (Information)

James Parsegian expounded on some background information regarding the adoption and implementation of NFPA 25, 2002 edition, into the Title 19, California Code of Regulation, and the printing of NFPA 25, 2006 California edition. The adoption of the standard became effective April 1, 2007, and is now the recognized standard for inspection, maintenance, and testing of water based fire protection systems. Some of the Title 19 CCR amendments include the following:

- Incorporates NFPA 25, 2002 edition, into Title 19 CCR by reference, and adds California amendments.
- Major amendments include licensing requirement, changes in inspection frequencies, requirements for inspection of all components of the system, and additional information on how a system is tested.
- Requires the use of newly designed forms for the reporting of inspections, testing, and maintenance conducted on water-based systems. Forms are to be sent to the local fire departments.

Chief Dargan summarized the reason this informational item was brought before the board was because it represents one of those pieces of work that is behind the scenes which represents a lot of work done to protect the people in the state with sprinklers. It is critically important that sprinkler systems are maintained, inspected, and tested to insure system reliability. With the new forms, the local fire agencies are better informed of possible problems.

C. Review of SBFS Scope and Strategic Direction 2009 (Information)

- **SBFS Regulations**
- **Future hosting/location of meetings**

Chief Dargan said there was a reason this board was created legislatively, and statutorily the board has responsibilities which are in the Health and Safety Code Section 13140-13147. The board needs to be relevant and effective and have a purpose and a mission. This board is a venue by which the fire service is supposed to gather together and provide input to the legislature and to the Governor's office on all the issues relative to our statutory authority. Primarily those issues are regarding:

- State Fire Training
- Prevention practices
- Codes and regulations
- Training & equipment

For the next meeting, Chief Dargan would like to hear from the members what goals they would like to bring to the table. What things would the members like to see accomplished through the SBFS? Those things need to be brought forward and organized and become part of our planning process.

Chief Dargan commented that perhaps the board would like to schedule some of the 2009 meetings at a different location. There was general agreement to that suggestion.

Chief Dargan emphasized the importance of the board members taking the information from the meetings back to the groups they represent. Chief Brown suggested it might be a good idea to post SBFS minutes—or bullet points from the meetings—on the websites of the groups represented by board members. He felt that would give the board a stronger, broader imprint, and he agreed the information needs to flow in both directions—both to the board and back to the groups represented.

Glenn Ziemer suggested the board have a future discussion regarding how the OSFM staff support the board. Chief Dargan agreed the board should have such a discussion.

Glenn Ziemer asked Chief Dargan if there was an issue the board felt was important enough that it needed to be presented to the Governor or the legislature, was there a process to do that. Chief Dargan said there was.

There was some discussion among the members regarding the board and its strength and diversity and the board's part in improving the fire service as a whole.

Chief Dargan asked for each member to bring at least one item to put on a 2-year work plan for the SBFS. That plan can be posted on the CAL FIRE web site as part of the CAL FIRE 2-year plan. The 2-year work plan will be the focus of the next SBFS meeting.

13. ROUNDTABLE DISCUSSION

There was further discussion regarding getting the word out on what the SBFS has accomplished and is currently working on. Some felt bullet points from minutes are a good idea. Other methods of networking were also mentioned. Others wondered if there was something that could be put on documents (i.e., Blueprint 20/20) to let the fire service know the SBFS role in production and approval.

Chief Brown reminded the board of the follow-up necessary regarding the Chief Fire Officer Certification Training Standards and the EMS component. He feels it is important EMS and quality care be part of the Chief Officer certification process. Those concerns were mentioned as a caveat to his seconding the motion to approve the Chief Officer Certification Training Standards at the last board meeting on June 4, 2008.

Michael Williams related his concerns that the volunteer fire service be addressed in a positive way so that it becomes an effective tool within the entire public safety community. Jerry Davies expressed his thanks to Chief Dargan for her part in helping to get the insurance industry to the SBFS and for the partnership that has developed between the fire service and the insurance industry.

Kim Zagaris suggested the SBFS use a list server that people subscribe to as a vehicle to get our information out. He felt this would be a benefit to the fire service as a whole and the 62,000 plus firefighters.

Chief Brown asked if an up to date list of the board members and a phone list for the OSFM could be provided to each board member. Chief Hoover said those lists would be produced and provided.

Chief Esparza mentioned the CSFA Valor Awards dinner will be October 17, 2008, and any board members wishing to attend would be welcome. Also, he asked the members to consider nominating civilians, law enforcement officers, or firefighters. There are different levels of awards, and you can contact him or go to the CSFA website to nominate someone. On October 18, 2008, the California Firefighters Memorial will be held, and he encouraged everyone who could to attend.

14. PUBLIC COMMENT

There was no public comment.

15. SET MEETING DATES

December 10 was set as the next meeting.

16. MEETING ADJOURNMENT

Chief Dargan adjourned the meeting at 1:55 p.m.