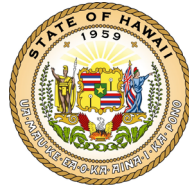


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STATE FIRE COUNCIL (SFC) FISCAL YEAR (FY) 2021-2022 THIRD QUARTER MEETING MINUTES

Date and Time: February 3, 2022, 9:00 a.m.

Place: Meeting held by audioconferencing pursuant to Governor David Y. Ige's Emergency Proclamations, which can be found at <https://governor.hawaii.gov/category/covid-19/covid-19-emergency-proclamations/>, and Mayor Rick Blangiardi's Emergency Proclamations and Orders, which can be found at <https://www.honolulu.gov/mayor/proclamations-orders-and-rules.html>.

Present:

Steven Goble	SFC Vice Chair Fire Chief, Kauai Fire Department (KFD), Kauai County
Kazuo Todd	SFC Member Fire Chief, Hawaii County Fire Department (HCFD) Hawaii County
Bradford Ventura	SFC Member Fire Chief, Maui Department of Fire and Public Safety (MFD) Maui County
Sheldon "Kalani" Hao	SFC Member Fire Chief, Honolulu Fire Department (HFD) City and County of Honolulu
Adam Rosenberg	Deputy Attorney General (AG) Department of the Attorney General, State of Hawaii
Gary Lum	SFC Administrative Specialist III
Carol Suzuki	SFC Secretary

Guests:

Jason Samala	Deputy Chief, HFD, City and County of Honolulu
Eric Moller	Deputy Chief, (HCFD), Hawaii County
Noble Crowell	Deputy AG, Department of the Attorney General State of Hawaii
Dale Fujimoto	Deputy AG, Department of the Attorney General State of Hawaii
Celeste Nip,	Director, Labor Relations & Government Affairs Hawaii Fire Fighters Association (HFFA)
Gary Honold	Regional Director, Northwest Field Office National Fire Protection Association (NFPA), Missoula, Montana

I. Introduction

- A. Vice Chair Goble called the meeting to order at 9:01 a.m. Hawaii Standard Time (HST). This meeting was recorded.

Vice Chair Goble welcomed everyone. Attendees introduced themselves. There were no public comments or attendees.

- B. Approval of the SFC FY 2021-2022 Second Quarter Meeting Minutes of November 17, 2021 (9:05 a.m. on the recording)

Correction: Chief Moller is from the Hawaii County Fire Department.

Correction on page 3, item 2. Promotions and transfers resulted in transition in fire inspector roles, no vacancies were created.

Motion: Member Ventura made a motion to approve the minutes with corrections as shown above, and Member Todd seconded the motion.

Record of Votes: Vice Chair Goble - Aye
Member Todd - Aye
Member Ventura - Aye
Member Hao – Aye

C. Approval of the Agenda (9:07 a.m. on the recording)

Motion: Ventura made a motion to accept the agenda, and Member Hao seconded the motion.

Record of Votes: Vice Chair Goble - Aye
Member Todd - Aye
Member Ventura - Aye
Member Hao - Aye

II. Member Reports

A. Vice Chair Steven Goble, Fire Chief, KFD (9:08 a.m. on the recording)

1. Grants.

- a) KFD took delivery and put into service a Rosenbauer Initial Attack Pumper in December which was funded by an Assistance to Firefighters Grant (AFG).
- b) An AFG grant application was submitted for a replacement Fire Engine for the West side, and for a Fire Fighter Wellness program, which focuses on peer support, behavioral health, an exposure reporting tool, and cancer screenings.
- c) KFD applied for a Community Development Block Grant (CDBG) to replace a brush truck for the Kalaheo Station.
- d) The Friends of Kauai fire service partners donated eight Physio Control Lucas 3 automatic chest compression devices so that each fire station has a device. The need was recognized when a rescue at the beach was witnessed.

2. County Issues.

- a) KFD is still reviewing the "Building Reports" product, an online solution for managing contractor certifications and submittals for plan reviews.
- b) The Hawaii Information Consortium (NIC HI) agreement is being finalized for an online portal which enables Kauai to electronically collect plan review fees.
- c) KFD continues to work on the fire code amendments.

- d) KFD was asked to keep their budget requests for fiscal year 2022-2023 flat.
- e) KFD's initiative to create wildland interface is focused on fuel management. Fire Prevention Captain Makepa joined MFD in a joint education session on Wildland Fire Management. KFD is also working on public and private partnerships in an effort to manage fuel.

3. Other Matters

- a) KFD's eight fire fighters in recruit Class 31 will be graduating in May. There are seven vacant fire fighter positions and a vacant Assistant Fire Chief position.
- b) A strain was felt by all employees during the pandemic, but there seemed to be limited impact; KFD plans to maintain current protocol in order to keep workforce healthy and safe.
- c) KFD's plans for a modular building and a helicopter hanger are in the design phase.
- d) The installation of a system on apparatus to capture exhaust emissions is 90% complete and is effective 100% of the time.
- e) An additional attack apparatus will be delivered soon. KFD plans to stage this apparatus in a location to serve isolated areas on the island.

B. Member Bradford Ventura, Fire Chief, MFD (9:17 a.m. on the recording)

1. Grants.

- a) CDBG grants are being spent on the purchase of two pumpers, two engine and 2 wildland vehicles, which are in various phases of production.
- b) Department of Transportation Grant. MFD was awarded appropriations for battery powered extrication tools, which is pending the Mayor's approval before an order can be placed.

2. County Issues.

- a) Capital Improvement Projects (CIP): Construction is in progress for a 3,000 square foot apparatus shelter at the Kahului Fire Station. Second bays are being added to the Polehua and Makawao Fire Stations. MFD's fire stations are being expanded to house additional apparatus and vehicles, i.e., pickup trucks and battalion vehicles.

3. Other Matters

- a) MFD's 37th recruit class consisting of fifteen county fire fighters and four state fire fighters graduated on January 7, 2022. In late spring MFD will start a new recruit class.
- b) Sixteen personnel retired in the Fall. Even with the newly graduated class, MFD still needs to fill about fifteen vacant positions.
- c) Effective February 1 Hanale Lindo, was selected for the Assistant Chief of Operations position, Jeffrey Giese was selected for the Assistant Chief of Support Services position, and three Captains were promoted to Battalion Chief positions effective January 1, 2022.

C. Member Kazuo Todd, Fire Chief, HCFD (9:24 a.m. on the recording, no written report submitted)

Member Todd recently returned from the National Fire Academy. He congratulated Honolulu Fire Chief Hao and Deputy Chief Samala on their promotions.

1. Grants.

- a) The HCFD received approval of \$1.8 million from a Community Development Block Grant Mitigation (CDBG-MIT). The funds will be used to pick up a command post system or vehicle, a couple of brush trucks and trailer with equipment.
- b) Working on spending \$500K in post grant funds received from the Hawaii Fire Fighter organization. Will be using funds via the Hawaii Wildfire Management organization to do a better job in addressing reducing fuels in the wildland and urban interface.
- c) HCFD estimates to receive \$8 million in donations from the Staffing for Adequate Fire and Emergency Response (SAFER) Foundation. They plan to spend the money on an Airbus H125 to replace Chopper 2, a 28 year old helicopter. The new helicopter is currently being assembled.
- d) HCFD has received one big dog and is expecting delivery of a second one. They've also received one brush truck and is expecting delivery of one more.
- e) The SAFER grant received two days ago enables HCFD to fill two captain positions (times three shifts equals a total of six captains), and one fire fighter position (times three shifts equals a total of three fire fighters).

- f) Continuing to spend the \$200K National Forest Service grant.
- g) The Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) Covid-19 grant was extended. HCFD applied for a AFG grant again this year in an effort to acquire extractors for each fire station.

2. County Issues.

HCFD is working on reforming its budget and financial structure by creating new line items; totals will remain the same.

3. Other Matters

- a) On February 1 HCFD started a recruit class of 14.
- b) HCFD is working with the State of Hawaii to acquire four acres of land up the road to a higher elevation on which to build a new Central fire station to replace the oldest station on Hawaii island built in the 1930's. There are issues with the building--walls are like putty and the station is in a tsunami inundation zone.
- b) HCFD initiated a Fire Fighter for the Day program to give local political officials a better understanding and a first-hand look at how and what kind of work the HCFD performs. Recently the Managing Director participated in the program.
- c) HCFD's accountant will be attending the National Fire Academy's Administration of Public Service class that teaches how to complete federal forms for reimbursement after major disasters. They still have openings in the March class. Good class for accountants.

D. Member Sheldon "Kalani" Hao, Fire Chief, HFD (9:31 a.m. on the recording, no written report submitted)

1. Grants.

- a) HFD applied for a Homeland Security grant for a helicopter backup tender refueler. Earlier this year, because of supply chain issues, HFD waited weeks for a part to be flown in to repair the helicopter tender. HFD is also looking at acquiring a refueling trailer so that in the interim HFD will have an alternative ability to refuel its helicopters.
- b) HFD is applying for an AFG to seek funding for a second round of health and wellness screening, a continuation of what HFD was awarded last year.

- c) Department of Transportation (DOT). HFD was awarded two automatic extrication tool sets. This award completes the goal of 33 automatic battery operated tool sets, which are in service at fire stations throughout Oahu.

2. County Issues

- a) CIP requests include building an aircraft hangar. The existing hanger is rusty and on one occasion pieces of rust fell from the roof into the helicopter intake, which could have been catastrophic. Also a top priority is the relocation of the Waiialua and the Pearl City fire stations.
- b) Equipment requests include purchase of a twin engine helicopter to replace the 20-year old single engine helicopter.

3. Other Matters

- a) HFD has 122 vacancies of which sixteen are at the Chief level. HFD is now in the process of conducting interviews to fill twelve Battalion Chief and four Assistant Chief positions, which represents fifty percent of our command staff. There are 42 applicants for the promotional positions which we anticipate filling by the end of March.
- b) There are two recruit classes—34 recruits in one, and 17 recruits in the other class. The first class will be graduating in March. HFD's goal is to have 60 vacancies or less.
- c) HFD has been affected by Covid and the Omicron virus with almost 100 employees in isolation or in quarantine. However, the ability to service the community was not impaired albeit the HFD was staffed below where it should be—at best 275 staff and at worst 240 staff on any given day. Staffing is almost back to normal.

III. SFC Quarterly Update by AS Gary Lum (9:37 a.m. on the recording)

The NFPA 2021 fire code amendments are still being reviewed by each county's representative on the SFC's Fire Prevention Committee (FPC). Once a consensus amongst FPC members is reached, the amendments package will be voted on by SFC members, then submitted to the State Building Code Council for review and approval.

- A. Nomination and vote to fill the SFC vacant chair position.
(10:12 a.m. on the recording)

The chair solicited nominations from amongst the SFC members for the Chair position. He prefaced that historically it has been the City and County of

Honolulu Fire Chief to chair the SFC. While HFD's Chief Hao acknowledged the past practice of HFD's Fire Chief serving as the SFC Chair, he would like time to adjust, but will do what is needed if no one is willing to accept nomination. Goble acknowledged the administrative concern behind the practice of selecting the Honolulu Fire Chief. So far, legislative testimony has been successfully submitted with the Vice Chair signing testimony. Attorney Rosenberg's agreed that while the HFD Chief has usually been the Chair, the Vice Chair may be nominated to Chair.

Motion: Member Todd nominated Kauai Fire Chief Steven Goble to be the SFC Chair. Member Hao seconded the motion.

Record of Votes: Vice Chair Goble - Aye
 Member Todd - Aye
 Member Ventura - Aye
 Member Hao – Aye

Vice Chair Goble was unanimously voted in to serve as Chair of the SFC.

B. Attorney Rosenberg advised the SFC to amend the agenda to allow for a SFC Vice Chair to be nominated and voted on to fill the vacancy left by Vice Chair Goble.

Motion: Member Hao moved to amend the agenda to add the voting of a SFC Vice Chair. Member Ventura seconded the motion.

Record of Votes: Vice Chair Goble - Aye
 Member Todd - Aye
 Member Ventura - Aye
 Member Hao - Aye

Member Ventura left the meeting at 10:00 a.m.. Member Hao nominated Member Todd as Todd has tenure over Member Ventura. Goble seconded the nomination.

Motion: Member Hao nominated Member Kazuo Todd for the SFC Vice Chair position and Member Goble seconded the motion.

Record of Votes: Vice Chair Goble - Aye
 Member Todd - Aye
 Member Hao - Aye

For the record, Vice Chair Goble accepted the Chair position for a period of one year, although Attorney Rosenberg pointed out the by-laws stipulate that the term is two years until a successor is found and a special election is held.

C. 2022 Legislative Bill Update (9:37 a.m. on the recording)

AS Lum asked Chiefs to render their opinion on support or opposition on any of the bills at this meeting as there won't be enough time to comply with the Sunshine law and hold a meeting that is open to the public in order to get consensus by the SFC members. As a bill moves through the legislature, the SFC is usually notified of bills scheduled for hearings on very short notice. In general SFC will support any bill that will improve fire safety and prevent property damage.

Newly appointed Chair Goble acknowledged time constraints in drafting and submitting testimonies, and recognized the reality that there is no time to gain consensus.

At the time of this meeting, a few bills have passed through committee hearings.

1. **Repeal County Prohibition of Residential Sprinklers.** Senate Bill (SB) 448 State prohibits adopting fire code requiring residents of one and two-story dwelling buildings to have fire sprinklers. Bill proposes a home-rule law where counties can choose to require or not. So far bill has passed.
2. **Smoke Alarms.** SB 2011 proposes to require sellers of residential property and structures to verify that it has working smoke alarms on the property before the property is sold or turned over to the buyer. So far bill has passed.
3. **Fireworks Task Force.** House Bill (HB) 1604 proposes establishment of an illegal fireworks task force. While it is not a bill that the SFC introduced, we do support the intent. AS Lum suggested that Chiefs write letters of support on their letterheads. The bill is scheduled to be heard this Friday afternoon.
4. **Search and Rescue.** SB 2616 and SB 2209 are similar bills that proposes imposing a mandatory charge for people who go around the "trail closed" signs. AS Lum clarified that hikers need to stay on sanctioned trails. Discussion was on whether to oppose the legislation. While fire chiefs supports the additional deterrent to help people make good decisions on whether to go down a trail or not, there is a concern about whether a sign would stop someone from calling because of the cost. Chiefs think that the mandate is going too far and that each county should be allowed to decide what makes the most sense for their county.

For SB 2616 the SFC will support the proposed bill as long as each county is enabled rather than mandated to charge for rescues. For SB 2209 the SFC will not be supporting the bill.

Celeste Nip of the HFFA has discussed this bill with Representative Tarnas who will hear the bill only to vet out the concerns. Tarnas is considering introducing a resolution to name stakeholders to have discussion on an administrative set up, how to determine criteria, determine a fee schedule, etc. The HFFA's concern is the safety and welfare of fire fighting teams and wants a bill that deters people from compromising the safety of rescuers. (9:45 a.m. on the recording)

5. **EMS Licensure to All Four Counties.** SB 2017 proposes expansion to recognize EMTs not working on an ambulance to be certified by the State. In the last legislative session, there was a similar bill requiring State to certify non EMTs such as firefighters and lifeguards. The proposed bill was signed off by Governor Act 119 which was restricted to populations of less than 500,000. This bill SFC is proposing amends language to allow County firefighters to be included in the State certification. The State has yet to establish a position to run the program.
6. **Interstate Mutual Aid System (HB 1587).** Concept is good, but several members expressed that more information is needed before SFC supports the bill. SFC Board consensus is to take no position at this time.
7. **Smoke Detectors.** In regards to SB 449, the SFC consensus was that county fire departments would not have the ability to enforce the law as they are not notified when a house is sold. In order to enforce the law that smoke detectors be installed, it was suggested that the law should fall under the law for realtors and add it to realtors' check off list of things to do, and they could submit a form to the Fire Department to certify that they've done their due diligence to fulfill the law. Also, if house sold is to be demolished, will owners still be mandated to install that smoke detectors?

AS Lum will revisit wording of the bill to address concerns expressed above.

8. **Sprinkler Tax Credit.** HB 1476 and 2021 are carryover bills, and SB 209 is a companion bill that proposes a tax credit for the cost of installing an automatic fire sprinkler system in homes. Vice Chair Todd suggested allowing counties to choose whether sprinklers are installed and to give a 30% tax credit for new structures.

Various other bills include:

- 9. Workers Compensation.** HB1703 and companion SB 2464 is a workers compensation bill regarding volunteer fire fighters is specific to Member Todd's Hawaii island because of the injuries one of his volunteers suffered.
- 10. Ban Use of Perfluoroalkyl (PFAS).** HB 1644 proposes to ban fire fighting foams that contain perfluoroalkyl (PFAS). Counties don't use PFAS products; only airports have them because of the type of incidents they respond to. HFFA's Ms. Nip mentioned that they had submitted testimony on this bill.
- 11.** Regarding the hearing aid bill for fire fighters who have hearing lost, Ms. Nip wants to be able to call the SFC if she has questions on this bill.

Ms. Nip offered to review the SFC bills to decide on whether to support or not.

AS Lum will follow up on whether SFC members can have access to the legislature's site and add bills they are tracking.

IV. NFPA Update by Gary Honold (10:23 a.m. on the recording)

Mr. Honold expressed interest in meeting with the Fire Prevention Committee to entertain suggestions. Mr. Honold can assist in fast tracking adoption of codes. He has linked the changes between the 2018 code and the 2021 code, and offered to do post adoption training in person between March 14 to 18. He will email Chiefs individually and make his travel arrangements accordingly. Chiefs indicated their availability as follows: Member Hao March 15, Chair Goble March 16, Vice Chair Todd is flexible on three days.

Regarding adoption of the Fire Code 2021, Chair Goble looked at fee structure and considered postponing changes until 2021 code. AS Lum reiterated that per State rules, the State has two years to adopt the code after the code is published. If not amended within two years, the national code by default becomes the State code. Chair Goble will probably make changes to the 2018 code. Chair Goble has requested to see what Maui changed and plans on sharing findings with Vice Chair Todd. Chair Goble also requested Vice Chair Todd share his department's proposals. Member Hao also offered to share and send fee schedule information to all counties for their information.

V. New Business (10:36 a.m. on the recording)

A. Strategic direction for SFC

With the SFC membership being relatively new, and in view of AS Rogers' retirement, he imparted his thoughts for future goals. He had a mission to

establish a statewide standardization of fire service reporting, training, etc. SFC's budget is small and taking on a training program is a huge task. Also SFC quarterly meetings may not be the proper forum at which to share updates on what is affecting each counties' fire department. AG Rosenberg clarified

that HRS 132-16 specifies that SFC is to adopt fire code and is vague beyond that as it reads, "Advise and assist county fire departments where appropriate." It was decided that SFC members should review materials and at a future meeting make a decision on what direction SFC would like to take.

Chair Goble asked if there was a charter document or something that could further guide SFC's activities and actions. AG Rosenberg stated HRS 132 is biggest document and then there is administrative rules and by-laws but all were derived from HRS 132.

SFC takes the place of a Fire Marshal, there was a suggestion and discussion about expanding the SFC beyond Fire Chiefs, to include other fire organizations in the State and bring all stake holders together. Federal and State may not be voting members. Member Todd has experienced multiple agencies and private companies attending to extinguish one fire.

Recruit classes have worked to collaborate with the State. Member Hao said the State Fire Department had inquired to be part of the SFC. AG Rosenberg responded that HRS 132 would need to be amended and approved by the State Legislature to include State Airport Aircraft Rescue and Fire Department. This change would need to be introduced at the next legislative session as it is too late for this one. It was suggested that Airports can now participate as a member of the public, until they can be added as an SFC member. AG Rosenberg will email a copy of the by-laws and administrative rules for all to review. Member Hao will share a document of continuity details AS Rogers and Lum had drafted. Assistant Fire Chief Samala will send the document to all of the Fire Chiefs.

VI. The next quarterly meeting will be scheduled by AS Lum.

VIII. The meeting adjournment at 10:50 a.m.

These minutes were approved by the Members of the State Fire Council at their June 14, 2022, 1:00 p.m. meeting, as amended with corrections.



STEVEN GOBLE
Chair