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STATE FIRE COUNCIL (SFC) FISCAL YEAR (FY) 2018-2019 FOURTH QUARTER MEETING MINUTES

Date of Meeting: June 25, 2019
Time of Meeting: 9:30 a.m.
Place of Meeting: Department of Fire and Public Safety (MFD)
Fire Prevention Bureau
313 Manea Street
Wailuku, Hawaii 96793

Present:

Manuel P. Neves	SFC Chair Fire Chief, Honolulu Fire Department (HFD)
David Thyne	SFC Member Fire Chief, MFD
Darren Rosario	SFC Member Fire Chief, Hawaii Fire Department (HCFD)
Kilipaki Vaughan	Deputy Fire Chief, Kauai Fire Department (KFD)
Brad Ventura	Deputy Fire Chief, MFD
Lloyd Rogers	SFC Administrative Specialist
Adam Rosenberg	Deputy Attorney General State of Hawaii (State), Department of the General (DAG)

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Gary Honold

Regional Director
National Fire Protection Association (NFPA)

I. Introduction

A. Chair Neves called the meeting to order at 9:38 a.m.

B Chair Neves welcomed everyone, and the introduction of attendees followed.

C. Approval of the SFC FY 2018-2019 Third Quarter Meeting Minutes

Motion: Member Rosario motioned to approve the SFC FY 2018-2019 Third Quarter Meeting Minutes. Member Thyne seconded the motion. The motion passed.

Record of Votes: Chair Neves -Aye
Member Rosario -Aye
Member Thyne - Aye

D. Approval of Agenda

Motion: Member Rosario motioned to approve the agenda. Member Thyne seconded the motion. The motion passed.

Record of Votes: Chair Neves -Aye
Member Rosario -Aye
Member Thyne - Aye

II. Unfinished Business and General Orders

A. SFC County/State Issues

1. Report of Member Rosario

a. Grants

- (1) The HCFD was awarded an FY18 Community Development Block Grant (CDBG), which will be used to purchase a \$270,000 wildland brush truck for Paradise Park. Final inspection of the truck was completed, and a delivery date is expected by the end of July 2019.
- (2) The HCFD is awaiting notification for an FY19 Assistance to Firefighter Grant (AFG), which will be used to purchase automatic compression devices, and an FY19 AFG Fire Prevention and Safety Grant, which will be used to expand smoke alarm installations.
- (3) The HCFD was awarded a matching \$50,000 U.S Department of Agriculture Wildland Grant, which will be used for equipment and training.

b. County Issues

- (1) The HCFD's FY20 budget was finalized without the Mayor's signature. The budget included a new brush truck for Laupahoehoe, a pumper for Hawaiian Ocean View Estates, new positions funded by the State, and funding for station equipment. Overtime funding was not included in the budget.
- (2) An advanced life support unit for Puna opened with funding from the Governor's legislative package only for FY20. Several agencies presented justification testimonies for FY21 to the Governor.

c. Other Matters

- (1) On June 8, 2019, the HCFD graduated 19 recruits. There are presently 51 vacancies with 17 personnel entering the next recruit class and 21 entering the following class.
- (2) There are 23 personnel who are eligible to retire in 2019.

2. Report of Member Thyne

a. Grants

- (1) The MFD applied for an FY20 AFG grant to purchase flash hoods that was not approved. However, funds were approved in the FY20 county budget.
- (2) The MFD received \$40,000 from the National Development Research Institute (NDRI) for a peer fitness program and equipment. The NDRI is also in the process of purchasing three rescue watercrafts, three all-terrain vehicles, and other rescue equipment through a \$125,000 grant from the Hawaii Tourism Authority.

b. County Issues

- (1) The Maui County has been experiencing extremely dry urban interface conditions, which may lead to a challenging wildland fire season.
- (2) The MFD's proposed FY20 budget is approximately \$44,349,938. Approval is expected by June 28, 2019.

c. Other Matters

- (1) The MFD's apparatus team will attend preconstruction meetings on July 15-19, 2019, for five apparatuses, including two pumpers, one ladder, and two brush trucks.
- (2) There are currently 18 vacancies with a recruit class of 20 personnel starting on August 1, 2019.
- (3) The MFD anticipates 10 vacancies by the end of 2019.

- (4) The MFD plans to replace the aerial ladder climb with a pipe crawl for its fire fighter physical agility test.

3. Report of Acting Fire Chief Vaughan

a. Grants

- (1) The KFD applied for an FY18 Staffing for Adequate Fire and Emergency Response grant that would add 12 personnel to a second rescue company at the Hanalei Fire Station. The floods in April 2018 revealed the need for this additional company.
- (2) The KFD applied for an FY18 AFG grant for an initial attack mini-rescue pumper for the Haena-Waniha area.
- (3) A Homeland Security Grant for \$750,000 will be used for a training facility.
- (4) The KFD did not receive CDBG or AFG for Fire Prevention and Safety grants.
- (5) The Friends of the KFD will donate a low-altitude, rapid-opening device and a helicopter short-haul line.
- (6) The Kauai Lifeguard Association held a beach bash fundraiser on June 1, 2019.

b. County Issues

- (1) The Kauai Fire Commission initiated a new search to fill the vacant Fire Chief's position.
- (2) In May 2019, the KFD began restricting earned compensatory time to eliminate the associated long-term liabilities.

- (3) The KFD used the National Association of State Procurement Officers to procure a new engine for Lihue and a new water tender.
- (4) The KFD will have an FY19 budget of \$33.8 million and \$130,000 for a KFD utilization study.
- (5) The KFD is finalizing its procurement process and piggy-backing on pilot funds.
- (6) The KFD is considering utilizing paramedicine and the possibility of merging with the Emergency Medical Services (EMS) department.
- (7) The KFD is expecting between two and eight retirements by the end of 2019, including the Assistant Chief of Operations. A class of nine recruits is currently undergoing training.

4. Report of Chair Neves

a. Grants

Chair Neves reviewed the information contained in the HFD Grant report that was distributed to SFC members.

b. County Issues

- (1) Ongoing training includes low-angle rescue, 2½-inch hose-handling techniques, high-rise operations, and Honolulu Incident Command, which is a modification of the Blue Card Command.
- (2) The new Hauula Fire Station was operational as of June 18, 2019.

- (3) The Joint Traffic Management Center, which will house all first responder and transportation dispatchers, will open later this year.
- (4) The HFD's FY20 budget was approved for \$139 million and includes \$3 million for station improvements and repairs, \$6.3 million for apparatus and equipment, \$3.2 million for new portable radios, and a new rescue company on the Windward side.
- (5) There are currently 33 vacancies (3%). A Fire Fighter Recruit class of 17 graduated, and 46 personnel commenced recruit training on June 3, 2019. Promotions for Battalion Chiefs, Captains, and Fire Fighter IIIs were completed.
- (6) The HFD is in discussions with the City's Ocean Safety Division regarding efficiency opportunities. They are also evaluating different models to reduce the ten watercrafts that are currently in service.

Motion: Member Rosario motioned to recess the meeting at 11:45 a.m. The motion passed.

Record of Votes: Chair Neves - Aye
Member Rosario - Aye
Member Thyne - Aye

The meeting reconvened at 1:15 p.m.

B. SFC Update

1. Status of the State Fire Code

- a. The amendment package for the NFPA 1 Fire Code, 2015 edition is still under review by the DAG.

b. The Fire Prevention Committee met on April 23-24, 2019, and reviewed the draft amendment package to the NFPA 1 Fire Code, 2018 edition. The meeting was very productive and included several clarifying language revisions. The finalized draft is scheduled for approval by the SFC. Once approved it will be forwarded to the DAG for form/legality review and then to the Legislative Reference Bureau for formatting comments.

c. Status of the County Fire Codes

Honolulu: Effective November 19, 2015

Kauai: Effective May 9, 2016

Maui: Effective July 1, 2015

Hawaii: Under review by the Mayor's office

2. State Building Code Council (SBCC)

a. The SBCC is comprised of 11 voluntary representatives from county, State, and private industry and administratively attached to the Department of Accounting and General Services. It is responsible for reviewing the national building codes and standards related to building, residential, energy, fire, plumbing, elevator, etc., and adopting statewide building codes within two years of the publication date, which then becomes the basis of county building codes. It has never been provided funding for staff or other expenses since its formation in 2007. The SFC is a voting member.

b. The Investigative Committee continues their review of the provisions for the International Building Code, International Residential Codes, Uniform Plumbing Code (UPC), International Energy Conservation Code, International Existing Building Code (IEBC), International/Uniform Swimming Pool and Spa Code, 2018 editions.

- c. There is renewed interest in the IEBC to encourage the use and reuse of existing buildings that adequately protect public health, safety, and welfare without unnecessarily increasing construction costs and restricting the use of new construction materials, products, or methods. The IEBC has three alternative compliance methods: prescriptive (most conservative), work area (only where renovations are involved), and performance (points-based evaluation). Factors contributing to more requirements include change of occupancy, structural conditions, hazard levels, etc.

- d. There were two submitted amendment package proposals for the UPC, 2018 edition. The first, which was made by the Investigative Committee, reduced the number of amendments from the adopted 2012 edition. The most significant revision was the elimination of the use of the International Plumbing Code in lieu of the UPC with approval by the administrative authority. In a split vote, the four members of the building officials subcommittee did not accept this package. The other amendment package proposal was submitted by a voting SBCC member and proposed to adopt the UPC and the International Plumbing Code as the next State plumbing code. Numerous arguments were presented for and against this proposal. The subcommittee voted unanimously against this proposal and it will not be considered further. The subcommittee will meet before the next meeting to discuss and decide what provisions must be revised or added to the proposal from the UPC Investigative Committee

- e. The SFC continues its support of the SBCC by attending monthly meetings, providing draft agenda/minutes, advising on producing uniform statewide building code amendments for county adoption, and creating administrative rules for the state fire code.

3. Statewide Training and Education

a. FY 2019 Two-Day Off-Campus Classes

Four of the nine classes were delivered, and two Honolulu classes were cancelled.

b. FY 2020 Two-Day Off-Campus Classes

Seven of our nine classes were approved. Two more course selections, one for Hawaii and one for Maui, will be available when the second course call period opens on September 1-30, 2019.

4. Reduced Ignition Propensity Cigarette (RIPC) Program

a. Awaiting the RIPC Administrative Rules draft, which was forwarded to the DAG in December 2018 and January 2019 for review, at which time the finalization process will begin

b. See Table 1 for an overview of RIPC statistics during FYs 2010 to 2014

c. See Table 2 for an overview of RIPC statistics during FYs 2015 to 2019

d. See Tables 3, 4, and 5 for a three-year (2019-2021) proposed annual income/expense estimate approved by the SFC Chair.

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Table 1: RIPC Statistics (FY2010 to FY2014)

	FY2010	FY2011	FY2012	FY2013	FY2014
Beginning Balance	0	\$367,500	\$401,625	\$503,625	\$664,500
RIPC Specialist Salary	\$0	\$0	\$0	\$0	\$16,221
Office Expenses	\$0	\$0	\$0	\$0	\$0
Outreach Expenses	\$0	\$0	\$0	\$0	\$0
Honolulu Inspections	0	0	0	0	0
Outer-Island Inspections	\$0	\$0	\$0	\$0	\$0
Honolulu/Outer Islands/Mainland Travel Costs	0	0	0	0	0
Cigarette Samples Purchased for Testing	0	0	0	0	0
Cigarette Purchasing, Shipping and Testing Costs	\$0	\$0	\$0	\$0	\$0
Subtotal	\$0	\$367,500	\$401,625	\$503,625	\$648,279
Plus Fees Collected	\$367,500	\$34,125	\$102,000	\$160,875	\$33,750
Ending Balance	\$367,500	\$401,625	\$503,625	\$664,500	\$682,029

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Table 2: RIPC Statistics (FY2015 to FY2019)

	FY2015	FY2016	FY2017	FY2018	FY2019
Beginning Balance	\$682,029	\$727,287	\$740,361	\$631,725	\$781,539
RIPC Specialist Salary	\$28,215	\$29,277	\$34,505	\$39,926	\$41,536
Office Expenses	\$1,111	\$3,676	\$1,799	\$4,569	\$2,982
Outreach Expenses	\$0	\$230	\$0	\$0	\$1,032
Honolulu Inspections	19	505	525	141	402
Outer-Island Inspections	0	148	281	54	0
Honolulu/Outer Islands/Mainland Travel Costs	\$0	\$3,011	\$10,205	\$4,793	\$773
Cigarette Samples Purchased for Testing	70	218	172	92	198
Cigarette Purchasing, Shipping and Testing Costs	\$27,041	\$86,857	\$105,627	\$34,523	\$63,365
Subtotal	\$625,662	\$604,236	\$588,225	\$547,914	\$671,851
Plus Fees Collected	\$101,625	\$136,125	\$43,500	\$233,625	\$15,750
Ending Balance	\$727,287	\$740,361	\$631,725	\$781,539	\$687,601

Table 3: 2019 RIPC Annual Expense Estimates

	Jan.-March	April-June	July-August	Sept.-Dec.	Totals
Beginning Balance					\$781,539
RIPC Specialist Salary	\$10,000	\$10,000	\$10,000	\$10,000	\$40,000
Office Expenses	\$1,000	\$1,000	\$1,000	\$1,000	\$4,000
Outreach Expenses	\$0	\$0	\$1,000	\$0	\$1,000
Honolulu Inspections	50	60	165	165	440
Outer-Island Inspections			70	70	140
Honolulu/Outer Islands/Mainland Travel Costs	\$0	\$0	\$2,000	\$2,000	\$4,000
Cigarette Samples Purchased for Testing	40	40	40	40	160
Cigarette Purchasing, Shipping and Testing Costs	\$18,960	\$20,000	\$20,000	\$20,000	\$78,960
Subtotal	\$29,960	\$31,000	\$34,000	\$33,000	\$653,579
Plus Fees Collected					\$20,000
Ending Balance					\$673,579

Table 4: 2020 RIPIC Annual Expense Estimate

	Jan.-March	April-June	July-August	Sept.-Dec.	Totals
Beginning Balance					\$673,579
RIPIC Specialist Salary	\$10,000	\$10,000	\$10,000	\$10,000	\$40,000
Office Expenses	\$1,000	\$1,000	\$1,000	\$1,000	\$4,000
Outreach Expenses	\$0	\$0	\$1,000	\$0	\$1,000
Honolulu Inspections	165	165	165	165	660
Outer-Island Inspections	0		70	70	140
Honolulu/Outer Islands/Mainland Travel Costs	\$0	\$0	\$2,000	\$2,000	\$4,000
Cigarette Samples Purchased for Testing	40	40	40	40	160
Cigarette Purchasing, Shipping and Testing Costs	\$20,000	\$20,000	\$20,000	\$20,000	\$80,000
Subtotal	\$31,000	\$31,000	\$34,000	\$33,000	\$544,579
Plus Fees Collected					\$167,000
Ending Balance					\$711,579

Table 5: 2021 RIPC Annual Expense Estimates

	Jan.-March	April-June	July-August	Sept.-Dec.	Totals
Beginning Balance					\$711,579
RIPC Specialist Salary	\$10,000	\$10,000	\$10,000	\$10,000	\$40,000
Office Expenses	\$1,000	\$1,000	\$1,000	\$1,000	\$4,000
Outreach Expenses	\$0	\$0	\$1,000	\$0	\$1,000
Honolulu Inspections	165	165	165	165	660
Outer-Island Inspections	0	0	0	0	0
Honolulu/Outer Islands/Mainland Travel Costs	\$0	\$0	\$8,500	0	\$8,500
Cigarette Samples Purchased for Testing	40	40	40	40	160
Cigarette Purchasing, Shipping and Testing Costs	\$18,960	\$20,000	\$20,000	\$20,000	\$78,960
Subtotal	\$29,960	\$31,000	\$40,500	\$31,000	\$579,119
Plus Fees Collected					\$155,000
Ending Balance					\$734,119

5. Fire Protection Systems Administrative Rules

SFC staff has fielded several questions on the new administrative rules. To date, 24 applications have been submitted, and 22 were recommended for approval to the HFD. The SFC is communicating with the county Fire Prevention Bureaus on implementation and approval procedures. Counties must also incorporate license fees in their respective county fire codes.

6. Youth Fire Prevention and Intervention Program

Members discussed the final draft of the Memorandum of Understanding (MOU) that was signed by the City and County of Honolulu's Department of the Corporation Counsel and distributed for review by each county. The MOU involves a mutual agreement between county fire departments, the State Department of Education, and the State Department of Health and addresses youth involvement in fire-setting behavior. Since each county must approve this document, it was decided that more time is needed.

7. Hawaii Licensing of Emergency Medical Technicians (EMT)

An e-mail update was provided by Dr. Elizabeth Char. The issue of whether fire fighters are eligible for National Registry certification is no longer an issue. Dr. Bronstein of the State EMS office seems to support fire fighters and others holding national registry certification. The DAG has still not rendered an opinion regarding who is eligible to hold a State EMT license. In the 2019 Legislative Session, Senate Concurrent Resolution 52 requested the usage and validity of a State EMT license. Senate committee chair, Rosalyn Baker, stated that the administrative rules were under the purview of the Department of Commerce and Consumer Affairs (DCCA) and extracted a promise from their department representative to discuss the issue in a future DCCA Hawaii Medical Board meeting. There have been no meetings between the time that committee hearing was held on March 20, 2019, and the next scheduled DCCA meeting on July 17, 2019. To date, no agenda has been set.

8. NFPA Codes and Standards Update

Mr. Honold provided updates to several codes, standards, and new projects, including minimum requirements for the effective contamination control of personal protective equipment, spaceports, fire investigation units, and fire service support personnel. NFPA 30A, 2018 edition now addresses on-demand mobile fueling of private passenger vehicles. NFPA 403 added requirements for different types of fire fighting foams. NFPA 855 establishes criteria for minimizing the hazards associated with energy storage systems. The NFPA will be consolidating 114 emergency response and responder safety standards, guides, and recommended practices into 38 overarching standards. The five-year project will not only provide easier access to important safety information, but also improve the standards development process for more than 2,000 NFPA technical committee members.

C. Conferences and Meetings

Members reviewed upcoming conferences, including the annual National Association of State Fire Marshals, Fire-Rescue International, and the Hawaii Fire Chiefs Association conferences.

III. New Business

Discussion on Hawaii Revised Statutes (HRS) 88-100 Excess Pension Costs

Chief Vaughan reviewed HRS 88-100, which requires an employer to pay nonbase pay increases when those increases are greater than 10 percent and the employee's average final compensation nonbase pay ratio divided by the comparison period nonbase ratio is greater than or equal to 120 percent. The intent of the law was to minimize the practice of employees spiking their pay in the final years of employment to increase their retirement pensions. The issue for fire personnel is with collective bargaining contracts

that include holiday, recall, and other overtime pay opportunities whereby employees earn well above the ten percent maximum. This places a postretirement financial burden on the employer for every retired person. Chief Vaughan requested consideration from the SFC for a statute revision proposal to address this issue at the next legislative session.

IV. Adjournment

Motion: Member Rosario motioned to adjourn the meeting at 3 p.m.
Member Thyne seconded the motion. The motion passed.

Record of Votes: Chair Neves – Aye
Member Rosario - Aye
Member Thyne - .Aye

A handwritten signature in blue ink, appearing to read 'M. Neves', with a stylized flourish at the end.

MANUEL P. NEVES
Chair