



STATE FIRE MARSHAL
Automatic Extinguishing Systems Advisory Committee
January 30th, 2024, Meeting Minutes, 9:00 A.M. to 12:00 P.M.
Pacific Daylight Time (PDT)
Office of the State Fire Marshal
Hybrid Zoom Meeting Conference Call
Meeting ID: 828 2498 5126

MEMBERS PRESENT

Allen Quirk, National Association of Fire Equipment Distributers (NAFED)
Wayne Weisz, American Fire Sprinkler Association (AFSA)
Randy Roxson, Sprinkler Fitters of Association of California (SFAC)
David Karrick, California American Fire Sprinkler Association (CAFSA)
Vahe Zohrabian, California Fire Protection Coalition
Matthew McCarrick, California Association of Life Safety & Fire Equipment (CALSAFE)
James Knowles, Amerex
James Feld, University of California, Berkeley (retired)
Randy Dysart, Retired
Jason McBroom, Alpine Fire Protection District
Darrell Hefley, Jorgenson Company
David Lewandowski, Jorgensen Company (Alternate) – Took over for Mr. Hefley
Chip Lindley, Lindley Fire Protection
Jason Hudgins, Walschon Fire Protection, Inc.
Shelley Merrell, Integrated Fire & Safety
Todd Golden, Sprinkler Fitters and Apprentices Local 709
Amber Barrios, Associated Compliance & Training I

MEMBERS ABSENT

Ted Hakimi, California Fire Protection Coalition (Alternate)
Edie Wade, Brooks Equipment Company
Garth Embree, Amerex (Alternate)
Bryan Jonson, West Sacramento Fire Department
Patrick Chew, Amador Fire Protection District

OSFM STAFF

Greg Andersen, Committee Chairperson, OSFM
Andrew Henning, Assistant Deputy Director of Fire Engineering, OSFM
Brice Bennett, OSFM
Benji Salazar, OSFM
Cortney Walker, OSFM
Adam Stewart, OSFM
Taylor Machado, OSFM
Alexander Rapphahn, OSFM

PUBLIC GUESTS

Steve Miles, Local 483 Bay Area
John Holms, Local 709 La
Jose Colin, Suisun City Fire Department
Alicia Karrick, CASFA Greater Bay Area
David Karrick, CASFA
Paul Cogburn, Fire Guard SF Bay Area
Jeff Dixon, SFAC 483 (Alternate)
Gerald Cox, Local 669
Steven Fox, Sprinkler Fitters and Apprentices, Local 483 (Alternate)
Rigoberto Vazquez, Advanco Fire Protection
Kim Stocking, Advanco Fire Protection
Ken Kwong, Sacramento Fire
Wendy Day, Local 709

I. CALL TO ORDER

A. Welcome and Logistics Briefing

The meeting was called to order by Chairperson Greg Andersen, at 9:01 A.M. PDT on January 30th, 2024.

Attendees were informed of meeting logistics and etiquette.

B. Roll Call/Determine Quorum

Roll call was conducted by Alexander Rapphahn, and it was determined that a quorum (15 of 20) of members was present.

C. Introductions

All attendees introduced themselves.

D. Approval of Minutes for July 26th, 2023.

Chairperson Greg Andersen asked for approval for the October 25th, 2023, meeting.

Member Vahe Zohrabian Noted that he had not received the minutes of from last meeting. Benji Salazar confirmed he would send him a copy of the previous minutes.

It was moved by Member Allen Quirk to approve the minutes as amended; motion seconded by Member Shelley Merrell. Motion was approved unanimously.

E. Announcements

Chairperson Greg Andersen let the Committee Members know if they have not received their appointment letter, they will receive a time extension. OSFM legal department is reviewing some of the letters and rosters.

Chief Henning added that the OSFM is reviewing all committee charters as they dictate how the meeting processes are conducted. After 2 years of virtual meetings, legal representatives are reviewing requirements to follow Bagley-Keene. They are reviewing which meetings and committees must follow Bagley-Keene. OSFM wants to allow virtual meeting options while following the best principles and practices for open meetings. The goal of the review is to follow Bagley-Keene except for a few items, requiring a 51% in-person quorum, publicly noticing each virtual members location, and identifying it as meeting location. The review will match the charters to new standard of OSFM format, advisory committees and rosters will also be reviewed. Appointments from 2023 will be temporarily extended to 2024. More information to follow at the next meeting.

Chairperson Greg Andersen addressed a comment that some people were under the impression that OSFM no longer tested for multi-family residential and confirmed that information is incorrect. OSFM multi-family residential test are live and asked the committee if anyone had heard that information. No information or comments from the committee members.

Chairperson Greg Andersen moved to discussing AES numbers for OSFM. Currently the program has 3,674 sprinkler fitters, 918 apprentices, and 84 trainees. Total of 4,676.

II. OLD BUSINESS

A. Fee Package

Chairperson Greg Andersen noted that the after being rejected by the Office of Administrative Law (OAL). The package is being reworked to address questions from OAL, budget issues, and more information will be coming soon. If the package completed before the next committee meeting, then a special meeting to review the package may be needed.

Member Vahe Zohrabian asked what was the budget that was offered and why was it rejected. Chairperson Greg Andersen explained that it rejected for several reasons, citing the main points of the package not balancing the budget and the ISAW required more language clarification for better

justification. There was a large amount of write ups on the package, some of which have already been corrected.

Chief Henning added that we will be working with Department of Finance (DOF) on the budget because the program was designed for 8,000 certifications and staff to support that number. The program is at about 5,000 of the 8,000 it was designed for. The program will start to look at hiring additional employees as the certification numbers rise and are working it DOF to have the justification ready.

Vahe Zohrabian remarked that the issue seemed to be more with the lack of numbers than reworking language in the package. What can the committee do to assist in solving the problem for the next meeting.

B. AES Regulations update

Chairperson Greg Andersen stated that the committee has given their recommendations but there is still a lot of work to do on the ISOR. The OAL has become more thorough in their reviews and the staff are working on the project. When it is ready it will move on to code development for review and then be put out for public review.

C. Budget Information

Chairperson Greg Andersen informed the committee that the program is continuing to work on the budget and that it is in a better position than at this time last year due assistance from other programs and funding. The Budget Office has sent a letter regarding the programs that use general fund, this is a special funded program, but it still will still be affected. The letter is restricting travel and training without justification and possibly other things to help manage the states deficit. Vacancies in the program which are being used to keep the budget balanced.

Chief Henning added that despite the restrictions the office will continue to carry out its core capabilities and mission critical functions. Engaging with stakeholders is a mission critical function. The office will still be able to perform inspections and attend events important to the industry. The stakeholders should not see an impact based on the budgeting restrictions. Chairperson Greg Andersen agreed that the program will continue to perform core mission functions. He noted that there may be few in-person numbers at the next meeting, but those not in person will attend virtually. This is because interacting with stakeholder is a mission critical function.

Member Vahe Zohrabian asked about other sources of revenue, besides renewals, does the state budget allocate to the program? Chairperson Greg Andersen answered that renewals are the primary source of income for the program. Vahe Zohrabian expressed his concerns that if the renewals were the primary source of income with no support from the state, then the program was reliant on the industry. The industry could

fluctuate and devastate the program. The future of the industry dictates the entire administration program, which didn't make sense in his opinion.

Chairperson Greg Andersen answered most of the programs in Fire Engineering are specially funded, they collect funds for the services they provide to fund the program. Some general fund money is set aside for the Fireworks program to dispose of the fireworks. Fire Engineering has 9 programs providing many different funds and the office is also using vacancies to help balance the budget.

Member Chip Lindley reminded the committee that they are there to advise on fire sprinklers and licensing not on administrative or budgeting issues. The committee consults from a contractor or association standpoint.

Member Vahe Zohrabian stated that he was trying to gain a better understanding of topic for when it comes up in the next session. Chairperson Greg Andersen added that the budget was added to the agenda to give the committee an update on it.

D. ITM Licensing Taskforce Update

Chairperson Greg Andersen was pleased with the progress made last meeting. The workgroup is charged with coming up with appropriate certification or requirements for the certification. Many comments were made that this is an important phase of the licensing program. They are looking at issues related to testing and maintenance and how to ensure the inspected apparatus is still operable and functioning 20 years later. Using national testing accreditations and training standards may be a way to evaluate what the minimum standards should be. There will be a lot of discussions and opinions in the workgroup but whatever the workgroup decides will come back to the committee. The workgroup will do the planning, express terms justification or ISOR, look at fiscal impact, and put it together to make a packet. It will be a long process because input from all the affected stakeholders is required.

E. Sprinkler Fitter Programs Numbers

Chairperson Greg Andersen noted the total numbers were 4,676 with 3,674 fitters, 918 apprentices, and 84 trainees.

III. NEW BUSINESS

Chairperson Greg Andersen asked Benji Salazar if he received any comments for New Business. Benji Salazar responded that he did not receive any comments.

IV. OPEN FORUM

Chairperson Greg Andersen opened the floor for open forum.

Member Chip Lindley inquired about what to do with an apprentice that came to his program from a different organization that could not pass the Sprinkler Fitter Test. Chairperson Greg Andersen stated that he would still see the person as an apprentice that is need of more training to pass the examination. He opened the floor for comments.

Public Guest John Holms ask if the person was taking the exam Spanish. Chip Lindley confirmed that the person was taking the test in Spanish, the program is taught in Spanish, and that he may just be a bad test taker. John Holms added that he has 4 people in the same situation with apprentices who speak and test in Spanish.

Alternate David Lewandowski asked John Holms what he classified the 4 people who couldn't past the test as and he replied that they are in transition. Public Guest Kim Stocking stated that they would not allow someone to take the test if they did not believe they were ready to take it and a person not ready to test should be reenrolled in the apprenticeship program. Some people need extra time in the program or one on one training. Chip Lindley agreed, adding they would reenroll the person until they were ready to test and that he was looking for guidance on this situation.

Chief Henning asked if better guidance through regulation or informational bulletin from the OSFM was needed after a person fails the Sprinkler Fitter Test three times. Chip Lindley responded that the issue was poor training in some programs. Kim Stocking added that there is already oversight from the Department of Labor and more oversight from Cal Fire would not help. Member Vahe Zohrabian commented that common denominator was Spanish and the language barrier. If trend continues then it is not about the program but the language and understanding of the testing materials.

Chairperson Greg Andersen brought up that OFSM is looking at the exam. They have been in contact with their testing service, a 3rd party to evaluate the exam, and translation services. The goal is to evaluate and validate each question on the exam then bring the reevaluated exam for committee review.

Chief Henning added that OSFM has a contract with Sacramento State University to evaluate how the test is performing. Looking at medium/mean scores, is the test and individual questions performing as designed. This check will be done for both commercial and multi-family tests in both English and Spanish editions. Flagged test questions will be sent back to Fire Engineering leadership for evaluation. Chief Henning went over the different ways that questions are evaluated. No value questions can be added to the Pearson Vue test to get statistics on how they perform. If the Spanish test translation is not performing well then it will be looked at with a translation service. To ensure that the test uses industry terminology, Spanish speaking industry reps and subject matter experts will be brought in to ensure the appropriate terminology is used.

Chip Lindley asked if the test in Spanish was performing worse than the test in English. Chief Henning replied that they met with Pearson Vue and are in the process of polling how the exams are performing. There are 3 types of tests offered, English, Spanish, and the option to toggle back and forth between English and Spanish. The toggle test does not show which side of the test is not performing and the Sac State experts will recommend whether to keep the toggle or just use English and Spanish exams. Public Guest Jose Colin commented that English and Spanish speakers that may need verbal assistance in taking the test. Chief Henning responded that reasonable accommodations are met for applicants who meet the requirements.

Kim Stocking ask what languages all the exams are offered in. Chief Henning responded that commercial and multi-family are offered in English and Spanish and the rest of the F.E.I. exams are in English only. Kim Stocking stated that she has applicants who speak more than just English or Spanish and that people who came into an industry to work with their hands and may have issues understanding questions designed for academic learning. Spanish Fitter speak or language is different than test question language the test that is translated should reflect that. Not offering more languages greatly increases the time in training. Kim stocking asked if verbal exams given by fire departments was already implemented or was possible.

Chief Henning responded that it was not and F.E.I. exams will continue to be proctored through Pearson Vue in a controlled environment. Chief Henning added that they will be consulting with other state agencies and apprenticeship programs who have exams to determine the best practices for this type of state certification exam and how to import our system to align with standards for these types of exams. The best practices for Spanish language terminology will again be considered when creating or changing questions on the test.

Vahe Zohrabian stated that in the past the program was trying to translate the exam into other languages and that non-industry translators were allowed to assist in testing by Pearson Vue. Chairperson Greg Andersen stated that he would follow up with Pearson Vue on this topic. Vahe Zohrabian added that asking industry workers to take tests designed for people with higher level education or English comprehension is not fair. Chairperson Greg Andersen responded that the experts and colleges were only part of the process of developing the test and industry experts would be brought in to ensure the test reflects the industry standards.

Public Guest David Karrick commented that there are many fitters passing this exam and this conversation was start about a small group who cannot pass it. He suggested that the issue lies not with the test but with the level of training required from the apprenticeship programs. He asked if the exam was still open book. Chairperson Greg Andersen confirmed that the exam is still open book and

that they want to validate the test currently in use to see how it is performing, remove the bad question and keep the good, they are not making a whole new test. David Karrick stated that a person taught in Mandarin still needs to meet the standards of the apprenticeship program and the industry.

Chairperson Greg Andersen called a break at 10:13AM and break ended at 10:28AM

Kim Stocking asked what is the process to get a translator to assist with the Pearson Vue testing? Chairperson Greg Andersen and Cortney Walker confirmed that they are currently not allowed. Kim Stocking asked the process to go through for a person to get a waiver for a translator. Chief Henning replied that there is not process within F.E.I. for a translator because it is a high stakes exam and translators would have to be provided by a different entity to ensure they are impartial. The whole exam review process will not be completed in the new few months. Kim Stocking will contact the AES program coordinator to talk about specific students.

Vahe Zohrabian expressed his disappointment in the translators not being able to assist in the testing process after it being worked towards by the committee in the past, but he noted that the agreement was verbal. Chairperson Greg Andersen reaffirmed that no changes were made to the agreements with Pearson Vue but said he would follow up on this issue.

Rigoberto Vazquez commented that a committee like the CSLB does to review tests to ensure that they are meeting the current industry technology standard using terminology that people in the industry use and can understand. Is it possible to set up a committee to review the test and open it up to new languages. Allen Quirk asked if the OSFM is reaching out to the CSLB to determine valid testing. Chairperson Greg Andersen replied that they will be reaching out to multiple state agencies for assistance. Chip Lindley added that Sammy Yang is the person to contact at CSLB. No other comments were added on this topic.

David Karrick wanted to know if the committee was interested changing CEU requirements to 10 hours (1 unit) each year. Kim Stocking liked the idea so that fitters don't forget about it until the last minute, and they are turned in every year with the renewal. Steve Miles stated many of their classes are different amounts of hours that do not equal out to 10 and people would end up taking only the short classes and possibly take more classes than needed. Chairperson Greg Andersen added that a suggestion had been made to only have Sprinkler Fitters renew every 3 years when their CEUs were required.

David Karrick stated his team doesn't have issues tracking CEUs but other people across the state seem to. Many people seem to be falling out compliance due to a lack of understanding of the regulations. The easier it is to understand

regulations the easier it is to comply to them. Member Randy Roxson added that if the CEUs are required once a year or every three years people will still wait until the last minute to do them even though it is their responsibility by regulation. Making them every year would only increase the administrative upkeep of the program. Chairperson Greg Andersen agreed that CEUs every year would increase the workload for the program and Sprinkler Fitters renewing every 3 years would decrease the workload. John Holms added that they thought every 3 years was fine and they have people assigned to track CEUs. No other comments were added on this topic.

Chairperson Andersen had one more item to discuss. Last year they had 46 total investigations, this year they have 4 currently ongoing. To inform anyone who may have received letters from the CSLB. We are filling complaints with CSLB, and they are following up on them to ensure that everyone is in compliance. Another letter will be sent out to C-16 contractors to remind them of the requirements. A process has been set up on how they are being filed.

Kim Stocking asked if companies receiving complaints were being reached out to first or if they complaint was going straight to the CSLB? Chairperson Greg Andersen responded that yes, complaints investigated before filing with the CSLB unless a local authority has completed the preliminary investigation. No other comments were added on this topic.

Shelley Merrell asked the status of the forms and if they were being reviewed. Benji Salazar confirmed that the forms were finalized as part of the package. Chairperson Greg Andersen added that they were checked for ADA compliant and that they still need to go up to the executive floor. John Holms asked if that package included the complete NFPA 25 and the timeframe on it. Chairperson Greg Andersen confirmed that it was part of the package, but the other package was taking priority due to its rejection from OAL. Cortney Walker explained the staffing changes and additions to the different F.E.I programs. Member Randy Dysart asked if the forms were submitted as a different packet from the NFPS 25 update. Chairperson Greg Andersen confirmed that it was part of the package and that they are working on 3 packages. Jason Mcbroom summarized that the AES regulations package and the actions that needed to be taken before submitting it to OAL. John Holms asked how long the process would take, a year or two? Chairperson Greg Andersen responded that they are working to make it quicker than that but the whole process has taken an extended amount of time.

V. PUBLIC COMMENT

Public Guest Wendy Day asked why AES draft applications were being automatically cancelled after 60 days. Cortney Walker responded that GovMotus only allows one active application at a time and people were create draft applications and then forgetting about them. This blocked them from renewing or submitting an upgrade application and the decision was made to have the

program automatically reject application left in draft or rejection status for 60 days. This was done to assist the stakeholders using GovMotus.

Wendy Day asked if the auto rejection was part of the regulations. Cortney Walker responded that this was applied to the all the F.E.I. programs using GovMotus and doesn't have to do with regulations. Not starting applications until all documentation is collected is recommended. Wendy Day stated that she didn't know this was going into effect and draft application were being deleted without notice. Cortney Walker agreed and prosed to send out an email notifying all the stakeholders for the different F.E.I. departments about this change. Wendy Day noted that changes in the information given to her by the A.E.S. department recently were very different than how thing has been done in the past.

Chairperson Greg Andersen asked Wendy Day how many applications she has had canceled. Wendy Day responded 5 or 6 this week and 30 at the time she initially found out about it. Chief Henning committed to doing a better job of communication and look into some sort of division newsletter regarding business process changes.

Member Randy Dysart commented that there have been huge improvements to the program over the past 4 or 5 years and he wanted to make sure that that was understood by those that only recently became part of the process and the changes are appreciated.

VI. ADJOURNMENT

Chairperson Greg Andersen thanked everyone for their participation and asked for a motion to adjourn the meeting.

It was moved by Member Randy Dysart to adjourn the meeting, motion seconded by Member Allen Quirk; all in favor of adjournment. Chairperson Greg Andersen adjourned the meeting at 10:39 A.M. PDT.