

TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer, Robert Moore, at 9:00 a.m. called the July 18, 2019 meeting of the Texas Commission on Fire Protection to order at 1701 N. Congress Avenue, Room 1-104, Austin, Texas.

Attending	Tommy Anderson Mike Jones Mala Sharma	Carlos Cortez* John McMakin* J. P. Steelman	Kelly Doster Robert Moore Steve Tull	Arminda Garza Bob Morgan	Joseph Gonzalez Leonardo Perez
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*absent entire meeting
**absent part of meeting

Staff	Tim Rutland Servando Sanchez	Deborah Cowan Grace Wilson	Sylvia Miller Andrew Lutostanski, Assistant Attorney General	Paul Maldonado	Joyce Guinn
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Guests	Danny Kistner John Weda Chris Barron Michael Thomson Daniel Baum Evan Mann Ray Isom	John Overstreet Tom Dolan Daniel DeYear Mike Wisko Ryan Sullivan Roy Rubio Dave Williams	Greg Stockton Doug Boeker Burt Heddles Sean Fay Bob Sullivan Eduardo Alvarez	Cary Roccaforte Shehzad Ali Dan Bodin Mike Richardson Tim Gardner Lee Sulecki	Juan Gloria J. Pete Laney Pat McAuliff Leonard Chan Glenn DeShields Randy McGregor
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1. Invocation
Presentation of Colors and Pledge of Allegiance
The invocation was given by Jeff English and the Pledge of Allegiance was given by Assistant Presiding Officer Joseph Gonzalez. There was no presentation of colors.
 2. Roll call
Commission Secretary, Lenny Perez called roll and a quorum was present.
 3. Adoption of Minutes
A motion to approve the minutes of the April 25, 2019 commission meeting was made by Steve Tull and seconded by J.P. Steelman. The motion carried.
 4. Report from the Budget and Strategic Plan Subcommittee
Nothing to report.
 5. Reports from Interest Groups
A brief report was given by the Texas Fire Chief's Association, Texas State Association of Fire Fighters, State Firemen and Fire Marshals' Association, National Fire Protection Association and the Center for Public Safety Excellence.
 6. Report from Tx. Fire School Advisory Board & TEEEX
Commission Representative Juan Gloria gave a brief update on activities to date.
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7. Report from Homeland Security Representative
Commission representative, Joseph Gonzalez gave a brief update on topics of last meeting.
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8. Report from Health & Wellness Ad Hoc Committee
Committee members gave a presentation on their review of Injury Report data .
A motion was made by Mala Sharma and seconded by Steve Tull to adopt the report and post on the agency's website. The motion carried.
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9. New matters
Nothing identified
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10. Future meeting dates
The next scheduled meeting date already set for October 24, 2019 beginning at 10:00 a.m.
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11. Matters from Fire Fighter Advisory Committee
- A. 1. A motion to approve for final adoption 37 TAC, Chapter 429, §429.201 with changes as recommended by the fighter advisory committee was made by Steve Tull and seconded by Leonardo Perez. The motion carried.
2. A motion to approve for final adoption 37 TAC, Chapter 439, §439.19 as discussed was made by Steve Tull and seconded by Joseph Gonzalez. The motion carried.
3. A motion to approve for final adoption 37 TAC, Chapter 459, §459.1, §459.7 and §459.207 as discussed was made by J. P. Steelman and seconded by Steve Tull. The motion carried.
- B. A motion to approve an immediate effective date for the updated reference lists for Hazardous Materials Awareness Curriculum was made by Leonardo Perez and seconded by Bob Morgan. The motion carried.
- A motion to approve an immediate effective date for the updated reference lists for Hazardous Materials Incident Commander Curriculum, and Hazardous Materials Operation – Mission Specific Competencies Curriculum was made by Leonardo Perez and seconded by Bob Morgan. The motion carried.
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12. Report from Curriculum & Testing Committee
Chairman, Pat McAuliff gave a brief report on the committee's review and evaluation of the International Code Council Inspector Certification Program.
A motion was made by Steve Tull and seconded by Bob Morgan to accept the report from the Curriculum and Testing Committee on their evaluation and not accept the International Code Council Inspector Certification Program proposal. The motion carried.
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13. Request from Dan Bodin, P, M & R Specialists of Texas, LLC
After presentation and discussion, the commission directed that the company work with the commission's Health & Wellness Ad-Hoc Committee on the request.
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14. Request from Danny Kistner
After presentation and discussion, the commission directed staff to bring forth proposed rule amendments at its October 2019 commission meeting to incorporate the request regarding Life Safety Initiative Number Nine.
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15. Report from Chief Roy Rubio After discussion, the commission was informed that the new NFPA Standard 1851 would be coming which will have changes that may assist the Chief on his issue.
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16. Acceptance of Gifts A motion was made by Leonardo Perez and seconded by Mike Jones to accept the gifts donated to the agency by the family of former State Fire Marshal Ernest A. Emerson. The motion carried.
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17. 37 TAC, Chapter 403, Criminal Convictions and Eligibility For Certification A motion to approve for publication amendments to 37 TAC, Chapter 403, §403.3, §403.11, and §403.15 as discussed was made by Steve Tull and seconded by Kelly Doster. The motion carried.
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18. 37 TAC, Chapter 421, Standards For Certification A motion to approve for publication amendments to 37 TAC, Chapter 421, §421.11 as discussed was made by Steve Tull and seconded by Bob Morgan. The motion carried.
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19. 37 TAC, Chapter 427, Training Facility Certification A motion was made by Steve Tull and seconded by Tommy Anderson to return item to the Curriculum & Testing committee, Chapter 427, Subchapter C, for review with guidance from staff to look at language regarding lead instructor availability, guest instructor oversight, and on-line instruction regarding lead instructor. The motion carried.
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20. 37 TAC, Chapter 433, Driver/ Operator A motion to approve for publication amendments to 37 TAC, Chapter 433, §433.207 as discussed was made by J. P. Steelman and seconded by Kelly Doster. The motion carried.
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21. 37 TAC, Chapter 437, Fees A motion to approve for publication amendments to 37 TAC, Chapter 437, §437.3 to adjust the certification application processing fee from \$85 to \$55 as discussed was made by Tommy Anderson and seconded by Joseph Gonzalez. The motion carried.
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22. 37 TAC, Chapter 445, Administrative Inspections and Penalties A motion to approve for publication amendments to 37 TAC, Chapter 445, §445.1, §445.7 §445.9 and new §445.11 as discussed was made by Steve Tull and seconded by Leonardo Perez. The motion carried.
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23. 37 TAC, Chapter 453, Hazardous Materials A motion to approve for publication amendments to 37 TAC, Chapter 453, §453.207 as discussed was made by J. P. Steelman and seconded by Joseph Gonzalez. The motion carried.
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24. 37 TAC, Chapter 457, Minimum Standards for Incident Safety Officer Certification A motion to approve for publication amendments to 37 TAC, Chapter 457, §457.7 as discussed was made by Mike Jones and seconded by J. P. Steelman. The motion carried.
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25. Addition of A & B List classes/courses for higher levels
A motion to approve the additional classes/courses as discussed was made by Steve Tull and seconded by Mike Jones. The motion carried.
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26. 2018 Injury Report
A motion was made to approve the 2018 injury report and the recommendations of the Health & Wellness Committee to send to the State Fire Marshal's Office for inclusion in its annual Line of Duty Death report was made by Joseph Gonzalez and seconded by Leonardo Perez. The motion carried.
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27. Matters from Executive Director
a. Tim Rutland, Executive Director reported the agency has nothing to report.
b. Mr. Rutland provided commissioners information regarding agency division functions.
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28. Executive Session 551.074(1)
Presiding Officer, Robert Moore called for Executive Session at 11:55 a.m.
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29. Open Session
Presiding Officer, Robert Moore called the commission back to order in open session at 12:27 p.m.

A motion was made by Leonardo Perez and seconded by Kelly Doster to increase the Executive Director's annual salary by 5% effective September 1, 2019. The motion carried.
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30. Adjournment
A motion to adjourn was made by Kelly Doster and seconded by Bob Morgan. The motion carried.

Robert Moore, Presiding Officer