



# **California Fire & Rescue Training Authority. Sacramento**

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Governing Council

Fire Chief Brian  
Marshall Deputy Chief  
Niko King Fire Chief  
Todd Harms

California Governor's Office of Emergency Services  
Sacramento Fire Department  
Sacramento Metropolitan Fire District

*Asst. Chief Joe Gear  
Executive Director*

## **CALIFORNIA FIRE AND RESCUE TRAINING AUTHORITY AT SACRAMENTO GOVERNING COUNCIL**

**February 17, 2022 at 10:00 AM**

### **CALL TO ORDER**

Council Chair, Fire Chief Brian Marshall called the meeting to order at 10:03 AM

### **PLEDGE TO THE FLAG**

### **ROLL CALL**

Roll call was taken, all present: Fire Chief Brian Marshall, Deputy Chief Niko King, Fire Chief Todd Harms. Staff: Executive Director Assistant Chief Joe Gear, Council Clerk Lana Nielsen, and an audience of 7 attending via Zoom video conference.

### **PUBLIC COMMENT ON AGENDA/NON-AGENDA ITEMS**

None

### **COUNCIL MEMBER ANNOUNCEMENTS**

None

### **CONSENT AGENDA**

1. Declaration to continue Remote Meetings:  
Action: To make findings declaring the intent to continue remote teleconference meetings pursuant to Government Code section 54953(e)
2. Approval of Action Summary:  
January 19, 2022  
Action: Motion to approve Consent Agenda

The staff report indicates the Sacramento County Health Officers order was in place mandating virtual meetings for public entities. That order was rescinded February 16, 2022 so there is no longer a health officer order mandating virtual meetings. However, there remains Cal OSHA regulations recommending social distancing, which is a regulation that supports the Brown Act findings to continue to hold virtual meetings. As this meeting was noticed as a virtual meeting, with the councils' findings that you've considered the pandemic and meeting remotely and it's still recommended for this meeting to do, we can continue to hold that as noticed today despite the health officer's order. The staff report includes information and needs to be approved with the Consent Calendar so that we are in compliance with the Brown Act.

Council Action: Harms/King: Move to approve consent agenda  
(Ayes: King, Harms, Marshall) – Roll call vote taken  
Motion Passed

## **EXECUTIVE DIRECTOR REPORT (Gear)**

The Executive Director has selected a vendor for the digitizing and shredding of the CFRTA records. Those records will be digital copies and made available to CSTI and the agency that is designated as the keeper of records.

Currently working on the inventory of assets, furniture, electronics, vehicles, office equipment, and storage containers. Some people have been trying to jump the gun on wanting to take possession of items, such as Conex boxes that are full of equipment. There should be an equitable division amongst the three agencies, so I'll be creating a list of items so the three agencies and decide what items they would like. Working through the Assistant Chiefs from Sac City and Sac Metro we will work out a way to divide this up as equitably as possible. For the boards knowledge we will report back on how the items were divided up.

Sacramento City College still wants to bring out some of their aviation students to harvest some of the useful parts from the 727 for training and then Schnitzer Steel will come in and have their subcontractor come in and haul it away. However, Sacramento City College Risk Management has some concerns having students climbing all over a Boeing 727 and removing parts. We are still working our way through that and any documentation we receive will be forwarded to our attorneys for review and approval.

Working with Command Sergeant Major Cabasa who is the Superintendent of CSTI, he has asked for some of his people to come in and start shadowing CFRTA staff. We will be working with the superintendent and his personnel to assist with the transition and there may be things they need as they will be continuing our fire ground training, as well as our US&R training. However, when we do the US&R training that is usually done in conjunction with one of the great 8 Task Forces, where we use their training grounds and equipment. We need to get with the great 8 to make sure we don't have any of their equipment, other than Task Force 7 HERS equipment, which I believe they would want to move forward in being the keeper of that equipment because all the task forces statewide benefit from that training.

Council Action: Harms/King: Move to file Executive Director report  
(Ayes: King, Harms, Marshall) – Roll call vote taken  
Motion Passed

## **BUDGET STATUS REPORT (Gear)**

Cal OES has been concerned with the remaining funds at the end of this fiscal year, wanting to know if we will be in the black or red. We will be in the black and have dollars left over at the end of the fiscal year, how that is divided up will be determined by the three agencies. We are financially stable and not have to come back to the three agencies for additional funding.

Chief King: Are we anticipating all the bills, such as legal fees for the assistance with the dissolution?

Lana Nielsen: Yes, all the bills were included in the financial projection report I presented at the last meeting, it covers all our bills through and past June, such as legal fees and

auditor fees. We should still be in the black after all the bills are paid, unless something shows up out of the blue, we shouldn't have any unexpected costs. At this point I haven't seen anything that would cause the agency to go into the red.

Chief Harms: Looking at the balance sheet, what is the estimate that would be the additional funds that would be available at the end of the fiscal year?

Lana Nielsen: Based on the projections that I presented at the last meeting we are going to be about \$11,000 in the black. If you would like, I can update the numbers in my projections to show a better picture of what those remaining funds will look like and bring that to our next meeting, instead of just showing the status of our budget.

Chief Harms: I think having that, even if it's just a separate box on the balance sheet, on what we think those funds are tracking, as far as the additional funds at the end of the fiscal year. It would be helpful to me to be able to go through the report and look at that.

Chief Marshall: Classes, revenue, expenditures – are we still tracking the same number of classes, same number of seats, same revenue, are we anticipating any changes between now and the end of April?

Chief Gear: At this point we don't anticipate any changes and are conducting business as usual with a drop-dead date of April 30<sup>th</sup>.

Chief Marshall: What I see in here is the variable of legal expenses, this may be a question for the attorneys and Lana. On the projections of our expenses for the attorneys to dissolve the JPA, are we pretty firm with that projection do we anticipate any other legal expenses that may affect us being in the black at the end of the fiscal year?

DeeAnne Gillick: With Lana and Os Mufti we looked at what our expenses had been and projected what it would be and have a robust budget to dissolve the agency. Based on past practices and the items remaining we believe we have a conservative budget, and we should not go over budget.

Lana Nielsen: Chief Marshall one thing to keep in mind is we have funding for personnel costs, such as full vacation pay outs for all staff, all staff working through the end of June, that provides us with a cushion. As well as other expenses that are coming in, such as the expense of the audits, we now have a firm number on that. I believe there is enough of a cushion that even with unexpected expenses there will be balance in the overall expenses that would continue to keep us in the black at the end of the fiscal year.

Council Action: Harms/King: Move to file the Budget Status report  
(Ayes: King, Harms, Marshall) – Roll call vote taken  
Motion Passed

### **CFRTA DISSOLUTION AGREEMENT (Gear)**

DeeAnne Gillick: Just as a reminder the Dissolution Agreement does provide that Cal OES will be the custodian of records moving forward, and Cal OES has agreed to doing this. We did have a meeting with the agency attorneys to discuss the final item, which was that in the event if we were in the red at the end of the fiscal year, was that Mobex reserve funds could be used for operating costs of the JPA. We as the JPA attorneys had proposed that the Mobex reserve funds could be used for operating costs and Cal OES position was that the

Mobex funds should be returned to Cal OES, and Sac Metro's position was that Mobex funds would be returned to Cal OES minus an administrative fee to the JPA to cover administrative costs for administering that program. All the attorneys had a lengthy discussion to understand the funding sources for the JPA and the use of the existing Mobex funds. At the time Osman Mufti and I did not have a solid understanding of the revenue sources and how the Mobex program was funded, and we were going to gather more information to better frame that discussion with the attorneys. We were able to gather additional information from staff and have not yet reconvened the attorney group but wanted to at least give an oral report to the board. I wanted to summarize the funding of the JPA, Sac Metro and Sac City provide a member contribution of \$45,000 a year and Cal OES does provide \$350,000 a year towards the administrative costs of the JPA. Separate and in addition to that, Cal OES provides \$100,000 for US&R training and that is used for the JPA to program US&R trainings throughout the year and it goes towards the hard costs associated with that training. There are no admin fees that are charged to or go to the JPA. In addition, Cal OES provides the agency \$260,000 a year for Mobex trainings. That comes from legislation and funding goes to Cal OES and is passed to the JPA to program those trainings. Historically and traditionally, the JPA provides and programs two Mobex trainings a year. With that \$260,000, \$100,000 goes to each task force to help supplement the task force costs associated with the training and \$30,000 for each task force is used by the JPA to cover the hard costs of programming that training. The Mobex reserve amount is made up of funding that was not programmed or remaining funds from the \$30,000 after a Mobex training was held. This information will be distributed to the agency attorneys to help understand the revenue the JPA receives. In addition, the JPA does conduct US&R contracted trainings and does receive an admin fee which fluctuates between 10 – 20% based on the actual cost associated with the training. This is reflected in the budget to show that revenue is used to support the admin costs. Cal OES has provided a substantial amount to the JPA for admin costs to support those programming of those trainings. We will distribute a revised agreement and get the attorneys back together and would appreciate thoughtful comments from the board members as well as the agency reps to help resolve this.

Nicole Paskey: I would like to clarify the \$30,000 that we keep at the JPA that is not in contract with the task force, that goes to the evaluation team and not the JPA admin costs but to hire and facilitate the evaluation team. Once we have that set, with lodging and other expenses that come with the evaluation team, if we do suspect that we have money left over it does still go to the task force and the exercise. If we know we have additional funds available, we will go back to the task force that is exercising and pick up additional expenses for them. We don't keep that \$30,000 we make sure that all the funding is utilized for the exercise. I just wanted to clarify the movement with the \$30,000. Like DeeAnne said it is important to understand the US&R program itself, like Lana has mentioned many times, the Mobex's and \$100,000 is not generating revenue. The only place that US&R generates revenue is with the FEMA funded contracted training. Other than that, the US&R program that the state graciously funds, does not bring back revenue into the program.

DeeAnne Gillick: It is our hope that we will not be in the red and have the difficulty of figuring out how we make ends meet. In the dissolution agreement we are attempting to plan for that, in the alternative the JPA agreement provides that if there is a shortfall the member agencies would be contributing based on the percentages in the JPA agreement to help pay for those final costs.

At this point I recommend we reconvene the attorney group, share this funding information and hopefully before the next board meeting, we can have some recommendations hopefully a unanimous staff recommendation.

Meg Wilson: I had a question, Nicole you mentioned that \$30,000 that usually goes to evaluators, have we had any evaluators since I know a lot of the trainings have gotten postponed with Covid?

Nicole Paskey: The next exercise we have scheduled is the week of March 14<sup>th</sup> and I do have a full evaluation team set for that exercise. The ones that were postponed we were struggling to find evaluators but again the entire exercise was postponed. We did have plans to supplement the controllers that were already there to have them be controllers/evaluators that way we were still able to create the report and evaluate the exercise and to get what the state technically needs back as proof of exercise for that funding. Those that did have to postpone are still anticipating their contracted funds, as well as their evaluation support will still be there through Cal OES and CSTI.

Meg Wilson: I understand there was \$95,000 taken out of Cal OES US&R funds and did go to cover JPA admin costs, is that correct? I just wanted it noted that there was \$95,000 given already to admin costs.

Lana Nielsen: The \$95,000 was taken out of the US&R reserve funds to help cover a portion of Nicole's position. This was taken from reserves and not out of the training funds that Nicole had already scheduled courses for this fiscal year. It was funds in the US&R reserve account used to partially fund her position just this fiscal year.

Nicole Paskey: Just for clarification, the funds were taken out of the US&R reserves but there is still a small amount left in the Mobex reserve account.

#### Council Comments:

Chief Marshall: We are coming up on the first of March and getting to the end of the JPA, so we need to get this dissolution agreement completed and routed through our attorneys for the final and signatures. I'd like to see something come back in our March meeting.

Council Action: No action taken at this time, discussion item only.

#### **DISSOLUTION OF AUTHORITY (Gear)**

DeeAnne Gillick: I believe the Executive Director report and the dissolution agreement report addressed the items pending and are being worked on. I'm not aware of any other item that would need to be discussed at this time. Chief Gear concurred.

#### **RECESS TO CLOSED SESSION – 10:48 AM**

##### **CLOSED SESSION GOVERNMENT CODES:**

##### **Closed session pursuant to Government Code § 54957.6 – Conference with Labor Negotiator**

Agency Designated Representatives: Authority Chair, Executive Director, and Authority General Counsel Sloan Sakai Yeung & Wong LLP Unrepresented Employees: Administrative Officers for Finance, US&R Training, and Fire Training, and Financial Secretary

##### **Closed session pursuant to Government Code § 54957(b) – Personnel**

Related to the Executive Director performance evaluation

##### **CLOSED SESSION REPORT – Returned from close session at 11:10 AM**

No reportable action

**GOVERNING COUNCIL QUESTIONS AND COMMENTS**

Chief Harms: As we get into the middle of February, and we continue to wind things down, I just want to say thank you to everyone for being able to hold everything together. I drove by the other day and the parking lot was filled with cars of people that were here attending training. Internally, Chief Gear, Jeff Frye will be reaching out soon to begin terminating the lease, as we should probably start at the end of April for inspections and everything else that needs to happen with the building.

Chief King: Thank you for everyone's professionalism and making this a smooth transition. It definitely shows in the feedback that we get and the work that you continue to do, so thank you.

Chief Marshall: Thank you for everybody's help. I know it's difficult times, but we will get through this.

**ADJOURNMENT at 11:14 AM**

NEXT MEETING(S) - Location: California Fire & Rescue Training Authority  
3121 Gold Canal Drive, Rancho Cordova, CA 95670

**March 16, 2022 at 11:00 AM**

**April 20, 2022 at 9:00 AM**

**May 25, 2022 at 1:00 PM**

**June 15, 2022 at 10:00 AM**

**Posted on February 14, 2022 by:**



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**Lana Nielsen, Council Clerk**