



# Agenda Report

June 08, 2020

**TO:** Honorable Mayor and City Council

**THROUGH:** Public Safety Committee (June 04, 2020)

**FROM:** Fire Department

**SUBJECT: ADOPT THE RESOLUTION RECOGNIZING THE PASADENA FIRE DEPARTMENT'S PERFORMANCE OF ANNUAL INSPECTIONS PURSUANT TO SECTIONS 13146.2 AND 13146.3 OF THE CALIFORNIA HEALTH AND SAFETY CODE**

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Find that the proposed action is not a project subject to the California Environmental Quality Act (CEQA) pursuant to Section 21065 of CEQA and Sections 15060(c)(2), 15060(c)(3), and 15378 of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required; and
2. Adopt the resolution recognizing the Pasadena Fire Department's level of compliance with California Health and Safety Code Sections 13146.2 and 13146.3.

## **BACKGROUND:**

California Senate Bill 1205 (SB 1205) was signed into law on September 27, 2018, after the tragic Ghost Ship Fire (December 2016) brought national attention to California and put a spotlight on fire safety laws as well as the performance of fire inspections. This law amends preceding law such that an annual report on state mandated inspections is now required to be submitted to the governing body of each jurisdiction having authority for inspections. The law also requires the report to be given when the administering authority discusses its annual budget. The receipt of the report must be acknowledged in a resolution or similar formal document.

State mandated inspections were enacted by the California Health & Safety Code Sections 13146.2 and 13146.3 and requires all fire departments that provide fire protection services to perform annual inspections in every building used as a public or

private school, hotel, motel, lodging house, apartment house, and certain residential care facilities for compliance with building standards. Sections 13146.2 and 13146.3 did not require fire departments to report or demonstrate compliance as the new law (SB 1205) does. Although there are no penalties identified in the law, adoption of the resolution will establish the City of Pasadena's intent to fulfill the requirements of the California Health & Safety Code regarding acknowledgment of the Pasadena Fire Department's compliance with Sections 13146.2 and 13146.3, which identifies the state mandated inspections described.

Public and private schools are generally classified as Educational Group E occupancies. They are schools used by more than six persons at any one time, for educational purposes through the 12th grade. Within the City of Pasadena, there are 96 Group E occupancies, buildings, structures and facilities.

During fiscal year (FY) 2019, the Pasadena Fire Department completed the annual inspection of 96 Group E occupancies, buildings, structures and facilities. This represents a compliance rate of 100%. There is one dedicated fire inspector assigned to these occupancy types. The performance for FY 2019 is a 23% increase from 77% of the required inspections reported in the previous cycle. The increase in performance is attributed to improved coordination and cooperation with school maintenance staff and a reduction in violations which would require re-inspection.

Hotels, motels, apartments (three units or more), and other residential occupancies that contain sleeping units (including some residential care facilities) are generally classified as Residential Group R occupancies. The residential care facilities have various sub-classifications and may contain residents or clients that have a range of needs, such as, custodial care, mobility impairments, cognitive disabilities, and more. The residents may also be non-ambulatory. Within the City of Pasadena, there are 2,348 Group R (and their associated sub-categories) occupancies.

In FY 2019, the Department completed the annual inspection of 1,046 Group R occupancies, buildings, structures and facilities. This is a compliance rate of 45%. The performance for FY 2019 is a 6% decrease from 51% of the required inspections reported in the previous cycle. Residential occupancy inspections are primarily assigned to the Operations Bureau as our largest labor pool, with a small percentage assigned to the Fire Prevention Bureau. Calls for service, training, public education and other responsibilities impact available time for the Operations Bureau to complete these. In an effort to increase overall performance and compliance with the State mandate, the Department has hired one city temporary worker (one day a week) and also assigned modified duty firefighters to conduct residential fire inspections. Daily fire inspections have also been made a priority in the Operations Bureau. Combined effort is trending to increase the Department's compliance rate of mandated inspections for FY 2020.

**ENVIRONMENTAL ANALYSIS:**

The action proposed herein is not a project subject to the California Environmental Quality Act (CEQA) in accordance with Section 21065 of CEQA and State CEQA Guidelines Sections 15060(c)(2), 15060(c)(3), and 15378. The resolution recognizing the Pasadena Fire Department's level of compliance with California Health and Safety Code Sections 13146.2 and 13146.3 is an administrative action that would not cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. Therefore, the proposed action is not a "project" subject to CEQA, as defined in Section 21065 of CEQA and Section 15378 of the State CEQA Guidelines and no environmental document is required.

**COUNCIL POLICY CONSIDERATION:**

This action supports the City Council's strategic goal to ensure public safety.

**FISCAL IMPACT:**

There is no fiscal impact as a result of acknowledging the Fire Department's compliance with certain State mandated fire inspections. The report seeks to communicate with the governing authority about the level of compliance with state mandated safety inspections. This report should assist the Fire Department and its governing authority in planning and prioritizing available resources to appropriately staff and carry out state mandated inspections.

Respectfully submitted,

  
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Fire Department

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Approved by:

  
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STEVE MERMELL  
City Manager

Attachment A – Resolution Acknowledging the Measure of Compliance with California Health and Safety Code Sections 13146.2 and 13146.3

Attachment B – Pasadena Fire Department FY19 Fire Prevention Inspection Summary Performance Report