

REPORT TO COUNCIL

SUBJECT

Adopt a Resolution Acknowledging Receipt of a Report From the Department of Public Safety Regarding Annual Fire and Life Safety Inspections Pursuant to Sections 13146.2 Through 13146.4 of the California Health and Safety Code

BACKGROUND

California Senate Bill 1205 (SB 1205) provides that fire departments must report to their city council yearly demonstrating compliance with the mandatory annual inspections of all public and private schools, hotels, motels, lodging houses and apartment houses. The law also provides that city councils must acknowledge receipt of the information by resolution or another similar formal document.

EXISTING POLICY

- Council Policy Goal 4.2C: Reduce the demand for fire suppression and hazardous materials response, reduce the severity of the incents and provide protection for the lives, welfare, and environment of people within the community.
- California Health and Safety Code Section 13146.2 requires all fire departments providing fire protection services to inspect annually all hotels, motels, lodging houses and apartment houses.
- California Health and Safety Code Section 13146.3 requires all fire departments providing fire protection services to inspect every building used as a public or private school within its jurisdiction no less than once each year.
- California Health and Safety Code Section 13146.4 requires every fire department that performs annual public and private school, hotel, motel, lodging house and apartment house inspections to report annually to the city council on its compliance with such annual inspections. The annual report to the council shall be acknowledged in a resolution or other similar formal document.

ENVIRONMENTAL REVIEW

The action under consideration does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to section 15378(a) as it has no potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect change in the environment.

DISCUSSION

The law requires the Department of Public Safety (DPS) to submit annually to the City Council its rate of compliance with inspections performed for public and private schools, hotels, motels, lodging houses and apartment houses. Adoption of the Resolution (Attachment 1) indicates the City Council’s

acknowledgment of receipt of the Department of Public Safety's report as set forth in California Health and Safety Code Section 13146.4.

The attached Resolution provides DPS' rate of compliance for mandatory fire inspections for public and private schools, hotels, motels, lodging houses and apartment houses. In Sunnyvale, there are 32 public and private schools. During fiscal year 2020/21, DPS completed annual inspections at all 32 public and private schools, a compliance rate of 100%. DPS attributes the rate of performance to strong collaboration with Sunnyvale schools and administrators.

There are 1,193 hotels, motels, lodging houses and apartment houses within the jurisdictional limits of the City. During fiscal year 2020/21, DPS completed annual inspections at all 1,193 hotels, motels, lodging houses and apartment houses, a compliance rate of 100%. DPS believes its high rate of compliance is due to significant education and outreach with property owners and managers.

The Council may note that for fiscal year 2020/21, the number of state-mandated apartment inspections (1,160) is lower than the previous fiscal year. This reflects the implementation of a new database that counts the number of inspections by overall site or complex (the previous system counted by each building).

FISCAL IMPACT

There is no additional fiscal impact associated with adoption of this Resolution. The Resolution seeks to communicate and acknowledge compliance rates with inspections previously mandated by state law and not obligate DPS to any additional programs or inspections.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report are available at the Office of the City Clerk and on the City's website.

RECOMMENDATION

Adopt a Resolution acknowledging receipt of a report from the Department of Public Safety regarding annual Fire and Life Safety Inspections pursuant to Sections 13146.2 through 13146.4 of the California Health and Safety Code.

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Reviewed by: Phan S. Ngo, Director, Public Safety
Reviewed by: Jaqui Guzmán, Deputy City Manager
Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Resolution
2. Full text of Senate Bill No. 1205