

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 every year 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 the City Council 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.

EDUCATIONAL GROUP E OCCUPANCIES: Within the City of Sunnyvale, there are 32 Group E occupancies, buildings structures and/or facilities. These are generally described as public and private schools used by more than six persons at any one time for educational purposes through grade 12. During fiscal year 2021/22, 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.

RESIDENTIAL GROUP R Occupancies: Within the City of Sunnyvale, there are 1,185 Group R-1 & R-2 occupancies, buildings, structures and/or facilities. These are generally described as hotels, motels, lodging houses and apartment houses within the jurisdictional limits of the city. During fiscal year 2021/22, DPS completed annual inspections at all 1,185 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.

FISCAL IMPACT

There is no 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, at the Sunnyvale Public Library, Senior Center, Community Center and in the Department of Public Safety Lobby. In addition, the agenda and report are available at the Sunnyvale Public Library, 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.

Prepared by: Stephanie Huang, Acting Fire Marshal
Reviewed by: Phan S. Ngo, Director, Public Safety
Reviewed by: Jaqui Guzmán, Deputy City Manager
Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Resolution