



Legislation Text

File #: 20-0182, **Version:** 1

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Daryn Drum, Fire Chief

Tim O'Brien, Fire Marshal

Walberto Martin, Senior Management Analyst

SUBJECT:

Consider Adopting a Resolution Acknowledging Compliance with Senate Bill 1205 and California Health & Safety Code Section 13146.4 - Mandated Fire Inspections of Apartments, Hotels, Motels, Day Cares and Schools (Fire Chief Drum).

ADOPT RESOLUTION NO. 20-0052

RECOMMENDATION:

Staff recommends that City Council:

1. Adopt Resolution No. 20-0052 acknowledging receipt of a report made by the Fire Chief of the Manhattan Beach Fire Department regarding compliance with the annual inspection of certain identified occupancies pursuant to sections 13146.2, 13146.3 of the California Health and Safety Code.

FISCAL IMPLICATIONS:

There are no fiscal implications in receiving this report.

BACKGROUND:

Senate Bill (SB) 1205 was approved on September 27, 2018, and requires annual reporting by the Fire Department to City Council on compliance with certain State-mandated inspections in accordance with California Health and Safety Code Sections 13146.2 and 13146.3.

The purpose of SB 1205 is to ensure that fire departments are communicating with their governing authority regarding compliance with state mandated safety inspections that the Fire Department is required to conduct on schools, apartments, and hotels. This dialogue is meant to ensure that fire departments are complying with their inspection mandates and demonstrates the need of the department to appropriately staff and carry out the inspections.

On December 2, 2016, a fire broke out in a warehouse, known as Ghost Ship that had been converted into an artist collective, including dwelling units, in the Fruitvale neighborhood of Oakland. A total of 36 people were killed in the fire, and it became the deadliest in the history of the city. It was

also the deadliest building fire in the United States since The Station nightclub fire in 2003, and the deadliest in California since the 1906 San Francisco earthquake. The tragedy at Ghost Ship brought national attention and put a spotlight on fire safety laws and inspection in California. It is from this tragedy that SB 1205 was born.

DISCUSSION:

Manhattan Beach Fire Department's Fire Prevention Division is comprised of a Fire Marshal, a full-time Fire Inspector whose time is substantially impacted by the Manhattan Beach Studios, and four part-time Fire Inspectors. The Fire Prevention Division completed the majority of the inspections described above, and would have been fully compliant were it not for the Covid-19 crisis.

The following is a breakdown of relevant occupancies and the number of completed inspections:

E Occupancies:

Public schools, private schools, and daycares - 27 occupancies, 21 inspected, 78%

Incomplete inspections (six total) were scheduled for the months of April, May, and June of 2020 and will not be inspected this fiscal year. All efforts will be made to complete these inspections upon re-opening of the schools.

R Occupancies

R-1 Hotels and motels - 12 occupancies, 10 inspected, 91%

R-2 Apartments, condominiums - 317 occupancies, 317 inspected, 100%

R-2.1 Residential care facilities - 1 occupancy, 0 inspected, 0%

Inspections not completed for R-Occupancies are the following: Manhattan Beach Motel, Shade Hotel, and Mansel Home Care; these were scheduled for June of 2020 but will not be inspected this fiscal year due to COVID-19. All efforts will be made to complete these inspections in compliance with COVID 19 best practices.

PUBLIC OUTREACH:

Resolution No. 19-0094 was adopted November 2019 updating the Manhattan Beach Municipal Code (MBMC) Section 3.16. A public notice was circulated and public comment was allowed prior to full adoption of the 2019 Fire Code. The Fire Code elaborates in great detail how occupancies are categorized (Educational, Residential, Business), in accordance to the California Health and Safety Code section 13143.5; After analysis, staff determined no further public outreach is required for this issue.

ENVIRONMENTAL REVIEW

The City has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is necessary.

LEGAL REVIEW

The City Attorney has reviewed this report and determined that there is no need for further legal review.

ATTACHMENTS:

1. Resolution No. 20-0052
2. Senate Bill 1205