City of Santa Clara

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Agenda Report

20-698   **Agenda Date: 9/1/2020**

REPORT TO COUNCIL

SUBJECT
Action on a Resolution Acknowledging Receipt by City Council of a State-Mandated Compliance Report on Required Annual Fire Inspections of Certain Occupancies [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

BACKGROUND
Senate Bill (SB) 1205, which became effective in September 2018, enhanced an existing law that required every city or county fire department or district providing fire protection services to annually inspect specific residential occupancies, including hotels, motels, boarding houses, apartment houses, fraternities, sororities, congregate residences, and similar for compliance with building standards, within the jurisdiction (HSC §13146.2). Existing law also requires annual inspection of every building used as a K-12th grade public or private school within the jurisdiction (HSC §13146.3). SB 1205 creates a new mandatory process whereby fire departments present a report annually to their governing authority regarding compliance with safety inspection requirements. SB 1205 further requires the governing authority to acknowledge receipt of the report via resolution or other similar formal document. Within the city of Santa Clara, for calendar year 2019, there were a total of 1,352 occupancies required to be inspected under the current state regulations.

DISCUSSION
Senate Bill 1205 requires that an inspection status report be given to Council during its annual budget discussions (or at another time determined by Council), and that Council acknowledge receipt of the report in the manner described above.

The Fire Department is pleased to report that 100.00% of the 37 public and private schools, and 99.9% of the 1,315 residential occupancy inspections required were completed in calendar year 2019 (see table below). The 0.1% (1 occupancy) not inspected in 2019, was subsequently inspected, as of this report date.

2019 Inspection Status Report Data

Occupancy Type	Inspections Required	Inspections Performed	% Complete
Public and Private Schools	37	37	100.00%
Residential R-1, R-2, R2.1, R-4 (see Attachment Appendix A - Occupancy Type Definitions)	1,315	1,314	99.9%

ENVIRONMENTAL REVIEW
The action being considered does not constitute a "project" within the meaning of the California

Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

FISCAL IMPACT
Council has previously approved a cost recovery mechanism for the inspection mandates in the form of inspection fees as allowed by the Health and Safety Code. Revenues and related expenditures were included in FY 2018/19 and FY 2019/20 budget appropriations, with no additional impacts.

COORDINATION
This report has been coordinated with the City Attorney's Office and the City Manager's Office.

PUBLIC CONTACT
Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov>.

RECOMMENDATION
Adopt a Resolution acknowledging receipt of a report from the Fire Chief of the Santa Clara Fire Department regarding the inspection of certain occupancies requiring annual inspections pursuant to sections 13146.2 and 13146.3 of the California Health and Safety Code.

Reviewed by: Ruben Torres, Fire Chief
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS
1. SB 1205 Resolution
2. SB 1205 (HSC 13146.4)
3. Appendix A - Occupancy Type Definitions