



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: March 2, 2021
TO: Christine Daniel, City Manager
FROM: William McDonald, Alameda County Fire Department Fire Chief
SUBJECT: **Resolution Of The City Council Of The City Of Emeryville Acknowledging Receipt Of The Report From The Alameda County Fire Department Of Fire Inspections For The Fiscal Year 2019-2020**

RECOMMENDATION

Staff recommends the City Council adopt the above-entitled Resolution acknowledging receipt of the report from the Alameda County Fire Department of fire inspections for the fiscal year 2019-2020.

BACKGROUND

SB1205, signed by the Governor in September 2018, amended the Health and Safety Code to add Section 13146.4 which requires an annual report of fire inspections. Section 13146.4 reads as follows:

- (a) Every city or county fire department, city and county fire department, or district required to perform an annual inspection pursuant to Sections 13146.2 and 13146.3 shall report annually to its administering authority on its compliance with Sections 13146.2 and 13146.3.
- (b) The report made pursuant to subdivision (a) shall occur when the administering authority discusses its annual budget, or at another time determined by the administering authority.
- (c) The administering authority shall acknowledge receipt of the report made pursuant to subdivision (a) in a resolution or a similar formal document.
- (d) For purposes of this section, "administering authority" means a city council, county board of supervisors, or district board, as the case may be.

Health and Safety Code section 13146.2(a) states:

Every city or county fire department or district providing fire protection services required by Sections 13145 and 13146 to enforce building standards adopted by the State Fire Marshal and other regulations of the State Fire Marshal shall, annually, inspect all structures subject to subdivision (b) of Section 17921, except dwellings, for compliance with building standards and other regulations of the State Fire Marshal.

Health and Safety Code section 13146.3 provides:

The chief of any city or county fire department or district providing fire protection services and his or her authorized representatives shall inspect every building used as a public or private school within his or her jurisdiction, for the purpose of enforcing regulations promulgated pursuant to Section 13143, not less than once each year. The State Fire Marshal and his or her authorized representatives shall make these inspections not less than once each year in areas outside of corporate cities and districts providing fire protection services.

DISCUSSION

The Alameda County Fire Department (ACFD) provided the attached report (see Exhibit A to the resolution), stating that ACFD personnel completed 9 inspections of educational group E occupancies and 55 inspections of residential Group R occupancies for the Fiscal Year 2019-2020 reporting period. This represented 100% compliance for inspections of known occupancies for the reporting period.

FISCAL IMPACT

The City of Emeryville contracts with ACFD for fire prevention services, including the inspections described in this report. There is no fiscal impact from receiving this report.

STAFF COMMUNICATION WITH THE PUBLIC

This report was presented to the Public Safety Committee at its February 11, 2021 meeting and the Committee voted unanimously to recommend that the City Council adopt the attached Resolution.

CONFLICT OF INTEREST

There are no conflicts of interest related to this report.

CONCLUSION

Staff recommends the City Council adopt the attached Resolution acknowledging receipt of the report from the Alameda County Fire Department of fire inspections for the fiscal year 2019-2020

PREPARED BY: David Yoder, Alameda County Fire Department

**APPROVED AND FORWARDED TO THE
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



Christine Daniel, City Manager

ATTACHMENTS

- Attachment A – SB 1205 Report From Alameda County Fire Department
- Draft Resolution