



County of Santa Cruz

Civil Grand Jury
701 Ocean Street, Room 318-I
Santa Cruz, Ca 95060
(831) 454-2099

Wed, Dec 16, 2020 at 12:45 PM

The Santa Cruz City Manager left a voicemail message on the above date confirming that the Santa Cruz City Council approved its response to the Fire Inspection Report on 9/8/2020.

The Grand Jury mislabeled the Fire Inspection Report's packet of Findings and Recommendations assigned to the Santa Cruz City Council as a Requested Response. Their response is required under Penal Code §933(c).

The Correspondence Committee on behalf of

Richard H. Goldberg

Richard H. Goldberg, Foreperson
2020–2021 Santa Cruz County Civil Grand Jury



Santa Cruz County
Civil Grand Jury

Grand Jury <grandjury@scgrandjury.org>

Santa Cruz City Council Response Packets for "Fire Inspections in Santa Cruz County" and "Ready Aim Fire"

1 message

Ralph Dimarucut <rdimarucut@cityofsantacruz.com>
To: "grandjury@scgrandjury.org" <grandjury@scgrandjury.org>
Cc: Suzanne Haberman <shaberman@cityofsantacruz.com>

Wed, Sep 23, 2020 at 3:58 PM

Hello,

Attached please find the Santa Cruz City Council Response Packets for "Fire and Safety Inspections in Santa Cruz County" and "Ready, Aim, Fire."

Thank you,

Ralph Dimarucut

Principal Management Analyst
City Managers Office

City of Santa Cruz

831.420.5017

2 attachments

 **Fire and Safety Inspections in Santa Cruz County - City Council of Santa Cruz - Response Packet (002).pdf**
241K

 **Ready Aim Fire - City Council of Santa Cruz - Response Packet (003).pdf**
250K



**The 2019–2020 Santa Cruz County Civil Grand Jury
Requests that the**

City of Santa Cruz City Council

**Respond to the Findings and Recommendations
Specified in the Report Titled**

Fire and Safety Inspections in Santa Cruz County

by September 23, 2020

Findings

F1. The City of Santa Cruz Fire Department has not adequately inspected all schools, hotels, apartments, and licensed residential care facilities for fire and safety per California Health and Safety Code Sections 13146.2, 13146.3, 13146.4, and 171921(b).

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The City of Santa Cruz Fire Department has made inspections of its highest risk occupancies a priority. However due to the overwhelming number of occupancies within or jurisdiction we have had to adjust our time frames for inspection making us non-compliant with California Health and Safety Code Sections 13146.2, 13146.3, 13146.4, and 171921(b). These Health and Safety Codes call for annual inspections which we have not achieved. As detailed in the Grand Jury interview Santa Cruz Fire prioritizes the highest life safety occupancies (residential care) and focuses on completing these annually with other occupancies (apartments) completed on a rolling basis.

Of particular concern is the misrepresentation by the Grand Jury report for inspections completed by Santa Cruz Fire. For example in 2018 Santa Cruz Fire completed 70 life safety inspections for the 50 identified hotels in Santa Cruz. The Grand Jury report has 24 inspections listed in 2018 which does not match any information it was given. The higher number of inspections (70) than the number of hotels (50) is due to re-inspections and follow up corrective actions that were taken in 2018. Because of these corrective actions a smaller number of hotels were inspected in 2019. A similar error can be seen within our residential care inspections for 2019. There were a total of 9 inspections in 2019 for re-inspections and corrective actions taken. In 2018 all 36 schools were inspected but the Grand Jury reports has 5 inspections being completed.

The Santa Cruz City Fire Department agrees that it has not fully complied with Health and Safety Code Sections 13146.2, 13146.3, 13146.4, and 171921(b) for annual inspections. However we disagree that we have not adequately performed inspections to ensure life safety to meet the intent of the Health and Safety codes.

F5. Fire agencies serving the incorporated and unincorporated areas of Santa Cruz County have not adequately reported inspection performance and the inherent risk associated with a performance gap to residents and leadership external to the governing body.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F6. Fire agencies serving the incorporated and unincorporated areas of Santa Cruz County would benefit by sharing technology and processes and, at times, personnel in fulfilling fire inspection requirements.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

Departments already share process and technology. Meetings occur monthly as part of the Santa Cruz County Fire Association and the sub-group of the Fire Prevention Officers. Where possible alignment in policy and process is enacted.

Santa Cruz City Fire disagrees with the statement that sharing personnel is an answer to meeting inspection requirements. No single agency is able to complete required inspections on an annual basis with their current staffing.

- F7.** Reporting gaps in fire inspection performance to a governing body annually at a time when that governing body is completing its budgeting process makes making budget adjustments prior to budget adoption unnecessarily challenging and my result in delay.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

Recommendations

R1. Fire agencies serving the incorporated and unincorporated areas of Santa Cruz County should comply, as soon as possible, with State health codes for fire and safety inspections and reporting. Specifically, California Health and Safety Code Sections 13146.2, 13146.3, 13146.4, and 171921(b). (F1–F4, F8)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe

Fire agencies should comply with Health and Safety Code Sections 13146.2, 13146.3, 13146.4, and 171921(b). However this is balanced against the available resources and prioritizing funding for life safety inspections as well as funding for suppression response. The City of Santa Cruz, similar to all municipalities, is facing unprecedented financial challenges. Further analysis will need to be done to see what gaps in inspections can be competed with existing staff. Santa Cruz Fire will be implementing an engine base inspections program for apartments in fall of 2020. Based on the effectiveness of this program we will make recommendations to the City Council for changes during mid-year budget adjustments for fiscal year 20/21.

R2. Fire agencies serving the incorporated and unincorporated areas of Santa Cruz County should, as soon as possible, ensure that inspection plans reflect all facilities that fall under California Health and Safety Code Sections 13146.2, 13146.3, and 171921(b). (F1–F5, F8)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

Santa Cruz Fire has updated its data base for what occupancies are required to be inspected on an annual basis. This was done as part of a report to the State Fire Marshall Office in which we determined that a number of apartment facilities previously listed as requiring inspections were in fact tri-plex units that did not require inspection. All new construction and re-model permits are put into our data base not ensure that we are accurately capturing occupancies that require inspection.

R3. Fire agencies serving the incorporated and unincorporated areas of Santa Cruz County should, by January 2021, publish a summary of annual inspection findings on their websites. (F1–F5, F7, F8)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain scope and timeframe (not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Response explanation, summary, and timeframe:

Santa Cruz Fire plans to publish the inspection data on our website. This is planned to be completed no later than January 2021.

R4. The County of Santa Cruz and the City Fire Departments in the County should notify appropriate County or City leadership of the resources necessary to be compliant with inspection requirements early enough to be addressed during the agency’s annual budgeting process. (F7)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

Santa Cruz fire will present to City Council what staffing and resource needs are needed to meet Health and Safety Code Sections 13146.2, 13146.3, 13146.4, and 171921(b).

R5. The County and City fire agencies should amend their mutual aid agreements to provide for sharing of technology and inspection resources by June 30, 2021.
(F6)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

As noted in a previous reply no single agency is able to fulfill the unfunded inspection mandates as outlined in Health and Safety Code Sections 13146.2, 13146.3, 13146.4, and 171921(b). To amend mutual aid agreements to share resources that are already inadequate will not fix the underlying problem of a lack of personnel. Mutual aid agreements are designed for episodic events that overwhelm the local agencies ability to fulfill its mission without temporary or specialized assistance. This requires adequate funding, resources, and personnel within the local jurisdictions before sharing resources with other agencies.