



Santa Cruz County
Civil Grand Jury

Grand Jury <grandjury@scgrandjury.org>

8a - Fire and Safety Inspections in Santa Cruz County Response Packet - IMMEDIATE RESPONSE NEEDED!

Robert Gray <rgray@feltonfire.com>
To: grandjury@scgrandjury.org

Wed, Feb 10, 2021 at 4:41 PM

Good Afternoon,

Please find attached the updated response including the narrative for R1 and R2 that had been overlooked. Please let me know if you have any questions or concerns.

Regards,

[Quoted text hidden]

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Robert Gray

Fire Chief

Felton Fire Protection District

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FireInspection-Revised Feb 21.docx
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**The 2019–2020 Santa Cruz County Civil Grand Jury
Requires that the
Felton Fire Protection District Board of Directors
Respond to the Findings and Recommendations
Specified in the Report Titled
Fire and Safety Inspections in Santa Cruz County
by September 23, 2020**

When the response is complete, please

1. Email the completed Response Packet as a file attachment to grandjury@scgrandjury.org, and
2. Print and send a hard copy of the completed Response Packet to

The Honorable Judge John Gallagher
Santa Cruz Courthouse
701 Ocean St.
Santa Cruz, CA 95060

Instructions for Respondents

California law PC §933.05 (included [below](#)) requires the respondent to a Grand Jury report to comment on each finding and recommendation within a report. Explanations for disagreements and timeframes for further implementation or analysis must be provided. Please follow the format below when preparing the responses.

Response Format

1. For the Findings included in this Response Packet, select one of the following responses and provide the required additional information:
 - a. **AGREE** with the Finding, or
 - b. **PARTIALLY DISAGREE** with the Finding and specify the portion of the Finding that is disputed and include an explanation of the reasons therefor, or
 - c. **DISAGREE** with the Finding and provide an explanation of the reasons therefor.
2. For the Recommendations included in this Response Packet, select one of the following actions and provide the required additional information:
 - a. **HAS BEEN IMPLEMENTED**, with a summary regarding the implemented action, or
 - b. **HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE**, with a timeframe or expected date for implementation, or
 - c. **REQUIRES FURTHER ANALYSIS**, with an explanation and the scope and parameters of an analysis or study, and a timeframe for that analysis or study; this timeframe shall not exceed six months from the date of publication of the grand jury report, or
 - d. **WILL NOT BE IMPLEMENTED** because it is not warranted or is not reasonable, with an explanation therefor.

Validation

Date of governing body's response approval: September 14, 2020

If you have questions about this response form, please contact the Grand Jury by calling 831-454-2099 or by sending an email to grandjury@scgrandjury.org.

Findings

F3. The Felton Fire District has not adequately accounted for the inspection of 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**):

We are currently in the middle of a complete overhaul of our fire prevention program and are currently working to update our data bases on the different occupancies, transfer of paper records to electronic searchable documents, and have begun consistently documenting all inspection as of January 2020.

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**):

The fire prevention officers section of the Santa Cruz Fire Chiefs Association meets every other month to share information, explore new training topics, discuss new legislation, and manage county wide issues as they apply to fire code and standards. This group was formed to create a forum for information sharing. Most agencies fire prevention staff are struggling to complete their own inspections in a timely manner there for leaving no time to assist other agencies with inspection staff.

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, F2, F3, 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:

Felton Fire has Hired an inspector to meet the required mandate. With the Covid-19 restrictions this process has been slow, however we hope to have all occupancies inspected by July 1 2021.

R2. Fire agencies serving the incorporated and unincorporated areas of Santa Cruz County should, as soon as possible, ensure inspection plans reflect all facilities that fall under California Health and Safety Code sections 13146.2, 13156.3, and 171921(b). (F1, F2, F3, F4, 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:

Felton Fire has Hired an inspector to meet the required mandate. With the Covid-19 restrictions this process has been slow, however we hope to have all occupancies inspected by July 1 2021.

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, F2, F3, F4, 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:

Due to the COVID 19 pandemic, the inspections for 2020 have been difficult to complete as many of the occupancies are closed at this point. We will be reviewing fire inspection records and performance for 2020 as it applies to H&S 13146.2 through 13146.4 at the June 2021 Board Of Directors Meeting. Following the adoption of the resolution, we will make it available to the public on our website

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:

The sharing of inspection services would be better managed through a joint powers agreement, if agencies were to have the staff to share resources. Mutual aid agreements are traditionally for emergency response assistance.

Penal Code §933.05

1. For Purposes of subdivision (b) of §933, as to each Grand Jury finding, the responding person or entity shall indicate one of the following:
 - a. the respondent agrees with the finding,
 - b. the respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
2. For purpose of subdivision (b) of §933, as to each Grand Jury recommendation, the responding person shall report one of the following actions:
 - a. the recommendation has been implemented, with a summary regarding the implemented action,
 - b. the recommendation has not yet been implemented but will be implemented in the future, with a timeframe for implementation,
 - c. the recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of the publication of the Grand Jury report, or
 - d. the recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
3. However, if a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a County department headed by an elected officer, both the department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected department head shall address all aspects of the findings or recommendations affecting his or her department.
4. A Grand Jury may request a subject person or entity to come before the Grand Jury for the purpose of reading and discussing the findings of the Grand Jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
5. During an investigation, the Grand Jury shall meet with the subject of that investigation regarding that investigation unless the court, either on its own determination or upon request of the foreperson of the Grand Jury, determines that such a meeting would be detrimental.
6. A Grand Jury shall provide to the affected agency a copy of the portion of the Grand Jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. **No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.**