
Grand Jury Responses for APT & CTL re: Mandated Annual Fire Inspections- ACTION DUE by SEP 23

1 message

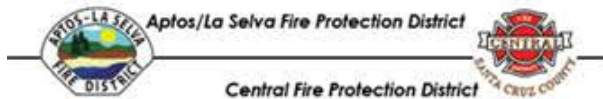
Sarah Melton <SarahM@aptosfire.com>
To: "grandjury@scgrandjury.org" <grandjury@scgrandjury.org>

Mon, Sep 21, 2020 at 12:39 PM

Good afternoon! Attached are the responses from both Aptos/La Selva FPD and Central FPD regarding the Grand Jury report on Fire & Safety Inspections. Hard copies are in the mail today, and should arrive at your office by the September 23rd deadline. If you have any questions regarding the content of these responses, please feel free to contact either of our Interim Fire Chief's at the contact info below:

Aptos/La Selva FPD Interim Chief Don Jarvis: donj@aptosfire.com, Direct line 316-3489

Central FPD Interim Chief John Walbridge: johnw@centralfpd.com, Direct line 831-316-3776



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2 attachments

 **2020-09 APT BoD Response to Grand Jury-Fire and Safety Inspections.pdf**
175K

 **2020-09 CTL BoD Response to Grand Jury-Fire and Safety Inspections.pdf**
174K



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

**Aptos-La Selva 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:

*Approved by Motion of the Board on **September 10, 2020** – Agenda Item 10.1*

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

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.

X **AGREE**

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.

X **AGREE**

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, F2, F3, F4, F8)

X **HAS BEEN IMPLEMENTED** – summarize what has been done

Response explanation, summary, and timeframe:

The 2019 annual fire inspections required for Residential Occupancies and Schools were completed by April 2020.

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)

X HAS BEEN IMPLEMENTED – summarize what has been done

Response explanation, summary, and timeframe:

Aptos/La Selva Fire Protection District has initiated a process during 2020 to verify the accuracy of our inspection data base to account for all multi-family residential occupancies (R1, R2, R2.1, and R4) and public and private schools.

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)

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

Response explanation, summary, and timeframe:

By January 2021, and each following year, the Aptos/La Selva Fire Protection District will post the summary of required annual fire inspections, including all multi-family residential occupancies and public/private schools.

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)

X WILL NOT BE IMPLEMENTED – explain why

Response explanation, summary, and timeframe:

Will not be implemented because it is not warranted. An analysis of the need for agencies to share technology and inspection resources has identified that mutual aid agreements are not the appropriate means to share technology and inspection resources. The Santa Cruz County Fire Chief's Association has established the Fire Prevention Officer's Committee which meets every month and resources are already being shared between agencies. If one agency should lose its inspection capability or find that a current concern is beyond its technical capability, the Fire Prevention Officer's Committee routinely provides intermittent assistance and sharing between agencies. Where an agency should need a longer term of assistance to fill an open position or to provide for increased technical capability, fire agencies may contract with private services or establish an agreement with neighboring agencies. In Santa Cruz County, the Aptos/La Selva and the Central Fire Protection Districts are currently sharing fire inspection resources through a shared services agreement.

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.**