

SAN FRANCISCO FIRE COMMISSION

Fire Commission Regular Meeting
Wednesday, June 8, 2016 - 9:00 a.m. – 12:00 p.m.

City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416 ■ San Francisco ■ California ■ 94102

AGENDA

Item No.

1. ROLL CALL

President	Francee Covington
Vice President	Ken Cleaveland
Commissioner	Stephen A. Nakajo
Commissioner	Michael Hardeman
Chief of Department	Joanne Hayes-White

2. GENERAL PUBLIC COMMENT

Members of the public may address the Commission for up to three minutes on any matter within the Commission's jurisdiction and does not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Commissioners are not to enter into debate or discussion with a speaker. The lack of a response by the Commissioners or Department personnel does not necessarily constitute agreement with or support of statements made during public comment.

3. PROPOSED LEGISLATION FROM THE BOARD OF SUPERVISORS' PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE *[Discussion and possible action]*

File No.: 160422 Ordinance amending the Fire Code and the Housing Code to require building owners provide tenants with an annual written notice of smoke alarm requirements and require building owners file a statement of compliance with annual fire alarm testing and inspection requirements every two years; amending the Fire Code and Building Code to require building owners to upgrade existing fire alarm systems by July 1, 2021, or upon completion of \$50,000 or more of construction work, whichever occurs earlier; amending the Building Code to require owners of Apartment Houses damaged by fire to submit an Action Plan to the City within 30 days of the fire and requiring owners of buildings in Group R occupancies with six or more units to install fire blocks in open accessible attics when performing \$50,000 or more of construction work; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage as required by State law.

4. ACKNOWLEDGEMENT OF APPRECIATION *[Discussion]*

Presentation of Award from the State of California in recognition of the NERT Program.

5. APPROVAL OF THE MINUTES *[Discussion and possible action]*

Discussion and possible action to approve meeting minutes.

- Minutes from Regular Meeting on May 11, 2016

6. OVERVIEW ON AIRPORT DIVISION [Discussion]

Overview and update from Assistant Deputy Chief Rudy Castellanos on the current developments at the Airport Division

7. CHIEF OF DEPARTMENT'S REPORT [Discussion]

REPORT FROM CHIEF OF DEPARTMENT

Report on current issues, activities and events within the Department since the Fire Commission meeting of May 25, 2016, including academies, strategic planning, 150th Anniversary update, special events, communications and outreach to other government agencies and the public.

REPORT FROM OPERATIONS

Report on overall field operations, including greater alarm fires, Emergency Medical Services, the Bureau of Fire Prevention & Investigation, and the Airport Division.

8. OVERVIEW OF FIRE DEPARTMENT BUDGET [Discussion]

Update and overview from Mark Corso on the current budget

9. SUPERVISORY MODEL FOR STATION 49 UPDATE [Discussion]

Update and discussion on Supervisory Model for Station 49

10. AGENDA FOR NEXT FIRE COMMISSION MEETING [Discussion]

Discussion regarding agenda for the June 22, 2016 regular meeting.

11. Case No. 2015-05: COMMISSION DELIBERATIONS ON PROPOSED FINDINGS OF FACT, AND POSSIBLE APPROVAL OF FINDINGS OF FACT REGARDING COMMISSION'S DECISION ON EMPLOYEE SUSPENSION APPEAL [Action item]

In accordance with Article 40, Section 4005 of the Rules and Regulations the employee has appealed a six-day suspension for violation of the Rules and Regulations as follows:

- Section 3909 – False Reports
- Section 3919 – Proper Behavior
- Section 3923 – Acts Detrimental to the Welfare of the Department
- Section 3924 – Disobedience
- Section 3925 – Insubordination

At a Special Meeting of the Fire Commission on April 25, 2016, the Commission deliberated and decided member's appeal of a six-day suspension previously imposed by the Chief of Department in the above-noted matter.

Member pled not guilty to the charges of violating San Francisco Fire Department Rules and Regulations Section 3909 – False Reports; Section 3919 – Proper Behavior; Section 3923 – Acts Detrimental to the Welfare of the Department; Section 3924 – Disobedience; and Section 3925 – Insubordination.

By a vote of 3 to 1, the Commission voted to uphold all of the charges against member and to uphold the penalty of a 6-day suspension imposed by Chief of Department. (Ayes: Cleaveland, Nakajo, Hardeman; No: Covington.)

The Commission is now considering proposed Findings of Fact in relation to that decision.

This case may be heard in Closed Session pursuant to Government Code Section 54957(b) and San Francisco Administrative Code Section 67.10(b).

A. Public Comment on Special Meeting Agenda Item; Possible Closed Session

Members of the public may comment on Agenda items No. 2, including the proposed Findings of Fact and whether to consider the matter in Closed Session. [Government Code §54954.3(a), Administrative Code §67.15(b)]

B. Vote on Closed Session:

1. Vote on whether to conduct deliberations on proposed Findings of Fact in Closed Session. *[Action]*

C. Deliberations and Possible Action

1. Deliberations and possible action on proposed Findings of Fact (in Open or Closed Session, per the Commission's vote). *[Action]*

D. If Closed Session is held, reconvene in Open Session

1. Report on any action taken in Closed Session as specified in California Government Code Section 54957.1(a)(5) and San Francisco Administrative Code section 67.12(b)(4).
2. Vote to elect whether to disclose any or all discussions held in Closed Session, as specified in San Francisco Administrative Code Section 67.12(a). *[Action]*

12. ADJOURNMENT

MINUTES FOR ADOPTION

SAN FRANCISCO FIRE COMMISSION
DRAFT Fire Commission Regular Meeting
Minutes

Wednesday, May 11, 2016 - 9:00 a.m. – 12:00 p.m.

City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416 ■ San Francisco ■ California ■ 94102

The Video can be viewed by clicking this link:
http://sanfrancisco.granicus.com/MediaPlayer.php?view_id=180&clip_id=25353

President Covington called the meeting to order at 9:03 AM.

1. ROLL CALL

Commission President	Francee Covington	Present
Commission Vice President	Ken Cleaveland	Present
Commissioner	Stephen Nakajo	Present
Commissioner	Michael Hardeman	Present
Chief of Department	Joanne Hayes-White	Present
Mark Gonzales	Deputy Chief – Operations	
Raemona Williams	Deputy Chief – Administration	
Ken Lombardi	Support Services	
Dan DeCossio	Bureau of Fire Prevention	
Jeff Myers	EMS	
Richard Brown	Bureau of Fire Prevention	
Jeff Columbini	Division of Training	
Rudy Castellanos	Airport	
Assistant Chiefs		
Kevin Burke	Division 2	
Kirk Richardson	Division 3	
Staff		
Mark Corso	CFO	
Olivia Scanlon	Communication and Outreach Coordinator	

2. GENERAL PUBLIC COMMENT

Lisa Phyllis, Paramedic Captain stated that now that the economy is turning around it's time to improve the paramedic supervision and put RC-4 back to the filed. She added that the issues of supervision at Station 49 and returned RC-4 to the filed are separate issues.

Tom O'Connor, President of the San Francisco Firefighters stated it's time to end this game where the Department is holding jobs hostage and not opening the rescue captain

position in the southernmost part of the City in order to get a change of shift at another location. He added that not only have the jobs have been funded to deliver these services to the San Franciscans that depend on them for public safety, but also there are promotions that are being held up for the men and women of the Department and that they deserve and have earned these jobs. He wants RC-4 back in the field and to sit at the table and talk about the length of shift later and urged the Commission to act upon this and compel the Department to staff these positions.

Dan Casey, Firefighter Paramedic stated he thinks it is critical that RC-4 be restored to the Field. He added that he is on the current promotional list and he feels that his opportunities to promote are being limited by what appears to be a political situation.

Mike Whooley, President of the San Francisco EMS Officers Association talked about the immediacy related to 12 hour shifts. He gave examples of when members call in sick and how hard it is to fill the positions. He stated that he will be retiring in June and he was hoping something would have been done about putting RC-4 back in the field before he retired. He concluded by stating the games that are being played by the administration are unconscionable, and he wants no more part of it.

3. APPROVAL OF THE MINUTES *[Discussion and possible action]*

Discussion and possible action to approve meeting minutes.

- Minutes from Regular Meeting on April 13, 2016

President Covington asked to continue the approval of the April 13, 2016 minutes as the packets were delivered late. Commission Hardeman so Moved to continue the approval of the April 13, 2016 minutes. Vice President Cleaveland Seconded. The motion to continue was unanimous.

- Minutes from Special Meeting on April 25, 2016

Commissioner Hardeman Moved to approve the February 24, 2016 regular meeting Minutes. Vice President Cleaveland Seconded. Motion to approve above Minutes was unanimous.

There was no public comment:

4. CERTIFICATES AND ACKNOWLEDGEMENT OF APPRECIATION

Certificates and acknowledgement of appreciation to members of the Academy of Art University for the outstanding artwork they provided in support of the Department's 150th Anniversary Events.

Chief Hayes-White stated how proud she was to acknowledge the great work and partnership they have developed with the Academy of Art University and how much she appreciates them stepping up to help with the 150th Anniversary and designing the logo. She invited Susan Toland, Phil Hamlett and Tom McNulty to approach the podium and she presented them with their certificates as well as the two certificates for the members of the Academy of Art University that could not make the meeting, which included Elisa Stephens and Mary Scott.

Vice President Cleaveland acknowledged the wonderful students that are in the Academy that do wonderful work and produce wonderful art for the City, country and world.

Commissioner Nakajo stated his appreciation in the community environment of both the Academy of Arts and the San Francisco Fire Department on the historical prestigious events of the 150th Anniversary.

Commissioner Hardeman thanked the Academy of Art for the work done on the logo.

President Covington stated it was a wonderful learning experience for the students because they were able to form two teams and come up with ideas, execute those ideas and present them before the SFFD. She added that she was excited to see the advertisement that read "party like it's 1866" on MUNI.

5. CHIEF OF DEPARTMENT'S REPORT [Discussion]

REPORT FROM CHIEF OF DEPARTMENT

Report on current issues, activities and events within the Department since the Fire Commission meeting of April 27, 2016, including Fiscal Year 2015-2016 budget, academies, strategic planning, 150th Anniversary update, special events, communications and outreach to other government agencies and the public.

Chief Hayes-White report covered events since the last meeting on April 27, 2016. She stated that in regards to the Budget, on April 19, 2016 they met with Supervisor Farrell, who is the chair of the Budget Committee and had a productive discussion and on April 20, 2016 she presented before the Budget and Finance Committee and acknowledged that Commissioner Hardeman was in attendance at that meeting. She added that they are working closely with the Mayor's Budget Office and they have presented all of the Department's priorities and specifically the need for a fleet replacement plan. The goal would be, not just for next year but to have a fleet replacement plan that would somewhat mirror what is currently being done with the hiring plan.

She mentioned that although she was not at the April 27, 2016 meeting in the Mission, she wanted to assure the commission that she is working very closely with the Department of Building Inspection, in order to be more responsive to the community and the need for additional resources.

Chief Hayes-White touched on the academies, stating that the 119th Academy is in their 16th week and should be graduating June 9, 2016, the H-3 Level 1 Academy which will be graduating June 3, 2016 and that they are hoping to start the 120th Academy on June 20, 2016 with 54 recruits, 12 from Station 49 and 42 from the eligible list.

Chief Hayes-White announced that the Strategic Planning Committee met on May 2, 2016 and discussed formatting and they agreed that the subcommittees would reconvene and resubmit for further discussion on May 21, 2016 and by then they should be very close to having a final draft.

Chief Hayes-White gave a brief overview of the events for the 150th Anniversary, including the well-attended kick off at Union Square, the Chief's panel at the Main Library, which included five former fire chiefs, Commissioner Nakajo, retired Commission Secretary Ray Connors and Moderator of the panel, the iconic Belva Davis and the lunch that followed. She acknowledged Assistant Chief Dave Franklin who chaired the event for the great job he did. She added that the next 150th Anniversary meeting is scheduled for May 26, 2016 and they will highlight EMS Week in conjunction with the 150th Anniversary, and they will be donating an out of service Ambulance to Galileo High School for their medical academy.

Chief Hayes-White mentioned that she attended an event hosted by Riordan High School honoring fallen SFFD firefighter Vince Perez. She also attended the Merced Extension Triangle Neighborhood Association community meeting, met with Mr. Tom Hui from Department of Building Inspection pertaining to Supervisor Campos' proposed legislation and she is scheduled to meet with Supervisor Campos, as well as stakeholders in the Mission on May 18th at 1:00 a.m. to talk about after action items resulting from the Commission's Meeting in the Mission.

Public Comment: Captain Phyllis commented on her assignment at Station 49 and how it's always a busy place and although they have gotten more staff she disagrees on what the shift length should be. She added that they need at least two captains on duty at a time and they should be 24 hour shifts.

Vice President Cleaveland asked Chief Hayes-White if she could talk about what she learned at the Visioning Summit she attended in Newport, Oregon. Chief Hayes-White gave a brief overview of the conference and stated they talked a lot about the future of fire service and relying on data to be more efficient. She added that she thought it was very valuable and she came back with a refreshed perspective.

Vice President Cleaveland stated he thinks after listening to public comment on the RC-4 issue at Station 49 that the Commission, the Chief, Local 798 and perhaps somebody from the Mayor's office sit down and resolve the problem. He added that he is tired of hearing the comments from the public and the rank and file and there is no excuse for not coming to some resolution on this problem.

Commissioner Hardeman thanked Chief Hayes-White for her excellent report and is very supportive of members going to training and conferences. He also mentioned how he enjoyed the 150th Anniversary event at the main library with the Chief's panel and he thought it was very educational and wanted to congratulate everybody involved in that event. He also volunteered to participate in the Strategic Planning Committee.

Commissioner Nakajo thanked the Chief for her report and talked about his ride along with Captain Whooley and how it reinforced the education of his comprehension. It amazed him how professional the members are, both from fire suppression and EMS. His goal was to understand how the rescue captains and the supervision at Station 49 are related. He suggested that the administration and labor forces, should resolve this issue as appropriately and as soon as possible as we have a responsibility to the citizens of San Francisco and the neighborhood RC-4 affects.

President Covington stated that on the matter of RC-4, she thinks it is something that is going to require some Commission oversight and assistance in order to get a resolution.

REPORT FROM OPERATIONS

Report on overall field operations, including greater alarm fires, Emergency Medical Services, the Bureau of Fire Prevention & Investigation, and the Airport Division.

Chief Gonzales reported on the Month of April 2016. He started by describing the two greater alarms. The first was a third alarm on April 21, 2016 at 3515/3517 17th Street, Assistant Chief Siragusa commanded this incident. Everyone performed to the highest standards of the Department. There were no injuries. The second was a second alarm on April 22, 2016 at 143-147 San Jose Avenue, and again, Assistant Chief Siragusa commanded this incident. All interior units did an outstanding job in keeping the heavy fire conditions from doing extensive damage to the flats and there were two minor firefighter injuries at this fire. He also mentioned that Battalion Chief Hayes did an

excellent job notifying members of the condition of the floor that burnt through the third and top floor. He also touched on other incidents, including a bay rescue at Pier 35, a bay rescue at the Gold Gate Bridge, a high angle rescue at Fort Funston, and the rescue attempt at Ocean Beach for two teenage boys that were swept out to sea and the fatal car collision at Bryant and Embarcadero.

He touched on Community outreach and how they continue with weekly public service announcements regarding surf rescue safety, fire prevention tips regarding electrical heating, cooking and child safety and putting it on social media. He mentioned that yearly wildland training is in progress along with yearly surf rescue training.

He mentioned that proposed legislation from Supervisor Wiener and Supervisor Cohen passed and that the Department is going to need additional resources to implement and enforce what is required. He also talked about the MTA projects in the works, including the Taraval project, Geary corridor project, Masonic Streetscape project and the lane reduction of Stockton Street as well as all the other street design projects in the works. He also clarified the information from Fire Investigations that there are currently 145 open investigations, not 307, with 16 awaiting final review and signature by the supervisor.

Public Comment: Captain Phyllis talked about her history as a firefighter and stated she truly feels blessed to have this job. She added that they can't work without the proper resources and that they need more paramedic supervision and urged the Department to get RC-4 back in the field. She stated in the end, they serve the citizens and they need the resources to that, but she needs support to do her job.

Firefighter Casey spoke on behalf of Local 798 as President O'Connor was unable to stay and he wanted the Commission and the Chief to know that speaking for the Executive Board of Local 798, they are gratified by the attention to the RC-4 matter and they stand ready to continue working in the process to restore RC-4 to the field.

Vice President Cleaveland wanted more clarification as to why fires occur and where they occur and to find out if there is a program that will get this information out to the public as he thinks it important that there be more public access to fire reports. Chief Gonzales suggested that they work with the Fire Marshal to develop a program that would provide the information once the investigation is complete. Vice President Cleaveland also suggested that the Fire Commission be provided more details when there are situations and street design changes that may compromise the ability to respond to an emergency. Vice President Cleaveland also stated his concern that the Fire Commission was not given the opportunity to review and respond to the fire code violation changes that have recently occurred. Chief Gonzales stated that it was brought up at a prior meeting and the Fire Marshal was directly involved as well as Chief of Department.

Commissioner Nakajo expressed his confusion with reference to the recent legislations that have an effect on the Department and agrees that there should be a way to peruse it if there is something in terms of a red flag that might come up with coordination between the Chief's office and the Commission. He also asked about the ambulance unloading bays with curb heights too high and facility protection pillars too close to the ambulance loading area at the new SFGH. Chief Gonzales explained that the hospital is not open yet and they are working with other city agencies to mitigate the problem before it opens.

Commissioner Hardeman thanked Chief Gonzales for his great report and acknowledged Chief Siragusa for the great job in handling the 2nd and 3rd alarm that was described in the report. He also mentioned he was disappointed that at the Commission meeting in the

Mission, he was surprised that very few people took advantage of the new free smoke alarms that were being distributed. He also mentioned locations where smoke detectors should be placed in the house. He also asked about the new station at the Airport. Chief Castellanos expressed they are progressing quite well and the projected move in date is going to be January 2017. Chief Castellanos spoke briefly regarding other updates at the Airport, including paramedic on bicycles and underground hydrants. Chief Castellanos reminded the Commission that he was preparing a comprehensive complete report and PowerPoint presentation to bring them up to date of everything that is going on at the airport for the June 8, 2016 Commission meeting.

President Covington asked for more information about the Transportation Advisory Staff Committee. Chief DeCossio stated that the TASC consists of two members from the Department, and is headed by Captain Balmy, along with MTA, and other city jurisdictions, however, all fire issues do come before the Fire Department and they weigh in on every single proposal that may affect the Department.

6. 2016 HEALTH BOND [Discussion]

Update outlining the scope of the 2016 Health Bond.

Chief Lombardi introduced Brian Strong, Director of Capital Planning and Gabriella Judd Cirelli, DPW Project Manager for ESER. Mr. Strong gave an update on the general obligation bonds and how that system works. He explained that the plan was passed in 2006 and is required by the admin code, to prioritize all debt financing that come before the City. He discussed the differences between general obligation bonds, revenue bonds and Earthquake Safety and Emergency Response Bonds. Commissioner Hardeman asked what the City rating currently was. Mr. Strong responded that the City has the highest bond rating at least in the past 20 to 30 years and it's currently at double plus A.

Commissioner Nakajo asked for clarification on how the ESER bonds are funded. Mr. Strong explained that ESER program is almost exclusively funded by general obligation bonds and the voters are told what that money is going to be used for. The funds are set aside for earthquake safety emergency response which includes fire and police facilities. Commissioner Nakajo asked Ms. Cirelli if she could explain how ESER Bonds get formalized. She stated that she's been managing the portfolio projects also known as Earthquake Safety Emergency Response and the Neighborhood Fire Station's portfolio. The 2010 and 2014 bonds passed with very strong support among San Francisco voters. The 2010 bond included \$65,000,000 earmarked for fire stations, and subsequent to the passage of the bond, there were also funds identified by the controller's office of proceeds and interest earned on unexpended funds from previous bond funds, completely unrelated to the ESER and the voter approved general obligation bond in the amount of about 7.3 million. That increased the amount that they had to work with for the neighborhood fire stations portfolio. She mentioned that subsequent to that, the ESER 2014 bond passed in June of 2014 and \$85,000,000 was earmarked for neighborhood fire stations. She added that the Health Bond includes \$14,000,000 for neighborhood fire station, and if it passes, it is not ESER money, it would be Public Health Bond Emergency Response money.

Chief Lombardi continued by showing the attached PowerPoint Presentation: http://sf-fire.org/sites/default/files/COMMISSION/Fire%20Commission%20Support%20Documents%202015/Public%20Health%20and%20Safety%20Bond%20PP_1.pdf

Chief Lombardi explained that the Public Health and Safety Bond is a \$350,000,000 bond and covers five projects which includes SFGH seismic improvements for \$220,000,000, the Southeast Center expansion for \$30,000,000, the Community Health

Center for \$20,000,000, Homeless Service site for \$20,000,000 and San Francisco Fire Department for \$58,000,00. Of that \$58,000,000, 44 million will go towards building a new ambulance deployment center, aka Station 49 and 14 million would go towards bringing firehouses up to modern day technology.

Vice President Cleaveland thanked Chief Lombardi for his presentation and asked if there was room for growth at the new Station 49. Chief Lombardi explained that during planning, they took into account and decided the actual growth on the site will be maxed out once the property is built and the actual growth within the building is accounted for. He also suggested that the Commission be kept apprised on how exactly the bond money is spent, if passed by the voters.

Commissioner Hardeman thanked Chief Lombardi for his presentation and stated he loved the pictures much more than the words and he appreciated how important Chief Lombardi is to the Department.

Commissioner Nakajo thanked Chief Lombardi for his comprehensive report. He thought it was good to educate the community in terms of the importance of this Bond as it's not just the Fire Department, there are other very worthy issues that are attached to it. He also mentioned that it was probably a good time to start looking at ESER 2020, particularly since the Training Facility on TI not being available to the Department in the coming years.

President Covington acknowledged that with the upcoming bond measure, she feels it's an indication of not only the needs of the department but also how other members of the City Family have come together to help ensure that we get monies that we need for the new ambulance deployment facility.

There was no public comment.

7. AGENDA FOR NEXT FIRE COMMISSION MEETING *[Discussion]*
Discussion regarding agenda for the May 25, 2016 regular meeting.

- Possible action item for paramedic supervisor position
- Discussion and graphics of the 150th commemorative badge
- 150 Anniversary update
- Airport update
- Supervisor Campos' legislation
- Presentation on inspection process
- Presentation and update on street changes
- SFFD infrastructure needs

8. ADJOURNMENT

CC'S TO THE COMMISSION

THOMAS P. O'CONNOR JR.
PRESIDENT

DANIEL A. GRACIA
VICE PRESIDENT

FLOYD K. ROLLINS II
SECRETARY

SHON M. BUFORD
TREASURER



DIRECTORS
STEPHEN V. GIACALONE
THOMAS A. FOGLE
ADAM H. WOOD
ADRIENNE R. SIMS
DANIEL V. CASEY

SAN FRANCISCO FIRE FIGHTERS
- Local 798 -

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June 1, 2016

Ms. Micki Callahan
Director, Department of Human Resources
CITY AND COUNTY OF SAN FRANCISCO
One South Van Ness, 4th Floor
San Francisco CA 94103

Dear Ms. Callahan,

We have received your notice to H-50 Division Chief candidates that a portion of the test will be redone due to "inconsistencies in the distribution of the narration document". Local 798 appreciates your efforts to administer a fair and impartial exam, however we have great concerns regarding the timeline for the administration of the exam.

Our chief concern is the delay until August for the test to be re-administered. Currently, we have an active H-40 Battalion Chief promotional list that is set to expire on February 12, 2017. Any delays in the promotion of H-50's directly impacts this lower rank. These men and women have dedicated their careers to this City and it would be extremely harmful if their promotions were denied due to technical errors in the administration of another exam and then a subsequent delay in the re-administration of that exam.

Local 798 urges you to allow the candidates to retake the exam as soon as possible. This is a top priority to our members waiting for much deserved promotions. Please contact our offices at your earliest convenience.

Thank you.

Sincerely,


Thomas P. O'Connor, Jr.

cc: Fire Commission, CCSF
Joanne Hayes-White, Chief, SFFD, CCSF



FOR IMMEDIATE RELEASE:

Friday, May 27, 2016

Contact: Mayor's Office of Communications, 415-554-6131

San Francisco Fire Department, 415-515-7420

***** PRESS RELEASE *****

**MAYOR LEE ANNOUNCES HISTORIC \$14 MILLION INVESTMENT IN
CRITICAL FIRST RESPONDER EQUIPMENT FOR FIRE DEPARTMENT**
*Increased Hiring along with Purchase of New Technology, Equipment & Vehicles to Meet Demands of Growing
San Francisco to Keep Residents Safe*

San Francisco, CA— Mayor Edwin M. Lee today announced the City's commitment to improving fire and emergency medical response by announcing a long term five year apparatus replacement plan and by investing heavily in the first two years of the plan. The long term apparatus replacement plan, similar to the five year hiring plan for the Fire Department, proposes that the City make an on-going commitment to fund equipment to ensure it is replaced in a timely manner and on a more regular basis.

Over the next two years, Mayor Lee proposes to invest \$14.3 million, which includes the acquisition of 13 fire engines, 4 aerial ladder trucks, and 8 ambulances. For the following three years the proposal calls for a minimum \$4 million per year. The historic investment ensures that the Fire Department's first responders have the necessary rescue tools and personal protective equipment to address emergency incidents to meet the demands of a growing San Francisco and to keep residents safe.

"The dedicated men and women of the Fire Department represent the best of our City, and investing in our City's public safety is critical to providing unparalleled services to residents and visitors, 24 hours per day," said Mayor Lee. "The five year apparatus replacement plan will ensure that our first responders have the 21st Century equipment and tools to do their job to protect our City."

"Our Fire Department badly needs to overhaul its aging fleet. I'm glad that the Mayor's Office and the Fire Department are making progress in renewing the fleet and moving toward smaller and more agile fire trucks that can better maneuver San Francisco's neighborhood streets," said Supervisor Scott Wiener. "We need a more modern fleet so that the men and women of our Fire Department can do what they do best – keep our City and our neighborhoods safe."

"By funding an emergency response fleet plan, we will put our firefighters and EMT/paramedics in the best possible position to do their jobs so they can continue to effectively serve the people of San Francisco," said Fire Chief Joanne Hayes White. "This means providing the equipment that a modern, state-of-the-art, 21st Century department needs."

"Replacing our fleet, modernizing our department and hiring more first responders are all critical to helping firefighters and paramedics keep our growing City safe," said San Francisco Firefighters Union Local 798 President Tom O'Connor. "I thank Mayor Lee for working in partnership with the Department and Local 798 to

provide these additional resources to the San Francisco Fire Department so that we can continue to serve and protect our residents.”

Mayor Lee’s proposed two year budget makes an \$11.8 million investment in accelerated emergency response vehicle replacement that will have lasting public safety benefits, and modern, more reliable vehicles will make the City’s emergency apparatus fleet more resilient during critical times. The City has invested in Fire Department fleet and budgeted \$6.6 million – averaging \$1.1 million per year – from FY 2010-11 to FY 2015-16. The upcoming investment increases annual funding by over 600 percent, takes advantage of one time revenues for one time prudent uses with long term benefits, and increases the resiliency of a growing, dynamic City.

Fire engines are staffed at each of the City’s 44 fire stations spread throughout all neighborhoods in the City and are generally the first unit arriving on the scene of a 9-1-1 incident for fire suppression, rescue, and emergency medical service calls. The Department also staffs 20 aerial ladder trucks on a daily basis, which carry specialized equipment, including “jaws of life” as well as other extrication and rescue tools. The City’s 54 ambulances respond to over 100,000 medical calls per year, and are responsible for safely transporting patients to hospitals.

San Francisco has some of the busiest fire stations in the United States. The apparatus replacement plan will be implemented to prioritize service and response times citywide, including the busiest stations and highest need communities. The three busiest stations in the City are:

- Fire Station 3 serving Downtown, Nob Hill, and the Tenderloin, which responded to 15,248 calls in 2015, or 42 calls per day;
- Fire Station 1 serving South of Market, which responded to 13,075 calls in 2015, or 36 calls per day; and
- Fire Station 36 serving Hayes Valley, which responded to 8,830 calls in 2015, or 24 calls per day.

The Department will reduce maintenance costs of its current fleet, while increasing the time each vehicle spends in service and in the field. In addition, newer apparatus are smaller and more maneuverable which improves access to narrow streets, features greater visibility for drivers, and more closely aligns with the City’s Vision Zero Policy. Improved emissions will reduce environmental impacts.

Going forward, the Fire Department will be better positioned to replace its equipment in accordance with the National Fire Protection Association’s (NFPA) best practices guidelines. The budget includes \$2.5 million in other life-saving equipment funding for the City’s first responders, which includes \$1.0 million of medical, rescue, safety, and protective equipment.

The Fire Department will graduate five firefighter academy classes over the next two years, equating to over 250 new hires to help prepare the Department for upcoming retirements and reduce reliance on overtime. The Department also plans to hold multiple EMT/Paramedic academies in the upcoming years, in order to support, maintain, and enhance ambulance service staffing levels in the City. The equipment and hiring plans are in line with the Fire Department’s long-term strategic planning efforts for the Department and the City.

In addition, Mayor Lee announced a number of other initiatives for the Fire Department, including a collaborative program with the Department of Building Inspection (DBI) to improve the outreach and education surrounding fire safety, and increase fire inspection and building data available to the public.

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PROPOSED LEGISLATION

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Maureen Conefrey, Fire Commission

FROM: Erica Major, Assistant Committee Clerk, Public Safety and Neighborhood Services Committee, Board of Supervisors

DATE: May 2, 2016

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Public Safety and Neighborhood Services Committee has received the following proposed legislation introduced by Supervisor Campos on April 26, 2016:

File No. 160422

Ordinance amending the Fire Code and the Housing Code to require building owners provide tenants with an annual written notice of smoke alarm requirements and require building owners file a statement of compliance with annual fire alarm testing and inspection requirements every two years; amending the Fire Code and Building Code to require building owners to upgrade existing fire alarm systems by July 1, 2021, or upon completion of \$50,000 or more of construction work, whichever occurs earlier; amending the Building Code to require owners of Apartment Houses damaged by fire to submit an Action Plan to the City within 30 days of the fire and requiring owners of buildings in Group R occupancies with six or more units to install fire blocks in open accessible attics when performing \$50,000 or more of construction work; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage as required by State law.

The proposed ordinance is being transmitted pursuant to the attached legislation, Board of Supervisors File No. 160422, for public hearing and consideration. It is pending before the Public Safety and Neighborhood Services Committee and will be scheduled for hearing upon receipt of your response.

Please forward me the Commission's recommendation and reports at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

1 [Fire, Housing, Building Codes - Fire Safety Requirements for Existing Buildings]

2
3 Ordinance amending the Fire Code and the Housing Code to require building owners
4 provide tenants with an annual written notice of smoke alarm requirements and require
5 building owners file a statement of compliance with annual fire alarm testing and
6 inspection requirements every two years; amending the Fire Code and Building Code
7 to require building owners to upgrade existing fire alarm systems by July 1, 2021, or
8 upon completion of \$50,000 or more of construction work, whichever occurs earlier;
9 amending the Building Code to require owners of Apartment Houses damaged by fire
10 to submit an Action Plan to the City within 30 days of the fire and requiring owners of
11 buildings in Group R occupancies with six or more units to install fire blocks in open
12 accessible attics when performing \$50,000 or more of construction work; affirming the
13 Planning Department's determination under the California Environmental Quality Act;
14 making findings under the California Health and Safety Code; and directing the Clerk of
15 the Board of Supervisors to forward this ordinance to the California Building Standards
16 Commission upon final passage as required by State law.

17 NOTE: Unchanged Code text and uncodified text are in plain Arial font.
18 Additions to Codes are in single-underline italics Times New Roman font.
19 Deletions to Codes are in ~~strikethrough italics Times New Roman font~~.
20 Board amendment additions are in double-underlined Arial font.
21 Board amendment deletions are in ~~strikethrough Arial font~~.
22 Asterisks (* * * *) indicate the omission of unchanged Code
23 subsections or parts of tables.

24 Be it ordained by the People of the City and County of San Francisco:

25 Section 1. Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources

1 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
2 Supervisors in File No. _____ and is incorporated herein by reference. The Board
3 affirms this determination.

4 (b) On _____, the Building Inspection Commission considered this ordinance
5 at a duly noticed public hearing pursuant to Charter Section D3.750.5.

6 (c) On _____, the Fire Commission considered this ordinance at a duly
7 noticed public hearing.

8
9 Section 2. Findings under California Health and Safety Code. The Board of
10 Supervisors hereby finds that the following local conditions apply to the amendments to the
11 Fire, Building, and Housing Codes enacted by this ordinance:

12 (1) The City and County of San Francisco is unique among California communities
13 with respect to the possible causes and effects of fires, including fires in residential multi-unit
14 buildings. Among other things, San Francisco is located on an active seismic zone; certain
15 buildings in San Francisco are at an increased risk for earthquake-induced failure and
16 consequent fire because of local hazardous microzones, slide areas, and local liquefaction
17 hazards; enhanced fire, structural, and other protections are required due to high building
18 density and high occupancy in many buildings.

19 (2) San Francisco has narrow and crowded sidewalks due to building and
20 population density and unusual topography; and San Francisco has numerous high-rise
21 buildings, including residential buildings with large numbers of people living therein. For these
22 reasons, fires in San Francisco can be especially devastating, and the need for extra
23 measures to prepare for and cope with fires is especially pressing, particularly regarding
24 people who live in multi-unit residential buildings, and who may face fire dangers any day of
25 the week and any hour of the day or night.

1 (3) California Health and Safety Code Sections 17958 and 17958.5 allow the City to
2 make changes or modifications in the requirements contained in the provisions published by
3 the California Building Standards Commission, including the California Fire Code, when those
4 changes or modifications are reasonably necessary because of local climatic, geological, or
5 topographical conditions. California Health and Safety Code Section 17958.7 provides that
6 before making any such changes or modifications, the governing body must make express
7 findings that such changes or modifications are reasonably necessary because of the
8 specified local conditions, and those findings shall be filed with the California Building
9 Standards Commission.

10 (4) Pursuant to the applicable California Health and Safety Code sections, the
11 Board of Supervisors finds and determines that the conditions described above constitute a
12 general summary of the most significant local conditions giving rise to the need for variance
13 from the California Fire and Building Codes and any other applicable provisions published by
14 the California Building Standards Commission. Further, the Board of Supervisors finds and
15 determines that the proposed variances are reasonably necessary based on these local
16 conditions, and that these conditions justify more restrictive standards applicable to the
17 provision of fire safety information to persons living in multi-unit residential buildings in San
18 Francisco.

19
20 Section 3. The Fire Code is hereby amended by adding Sections 907.2.11.6 and
21 1103.7.6.1, and revising Section 907.8.5, to read as follows:

22 **907.2.11.6. [For SF] Smoke Alarm Information Disclosure.**

23 **(a) Annual Smoke Alarm Information Notice. On or before January 1, 2017, and on or**
24 **before January 1 of each year thereafter, owners of a dwelling unit intended for human occupancy in**
25 **which one or more units is rented or leased shall provide each tenant with a written notice regarding**

1 smoke alarm requirements on a form provided by the Fire Department. The Fire Department shall
2 develop the notice in consultation with the Department of Building Inspection and shall make the notice
3 available on its website in English, Spanish, and Chinese. The Fire Department shall update the notice
4 as necessary from time to time to reflect changes in the law, and the owner shall provide the most
5 recent notice to tenants. The notice shall include, but not be limited to, the following information:

6 (1) information regarding the importance of maintaining smoke alarms in working
7 condition for life safety;

8 (2) a brief summary of legal requirements for smoke alarms in dwelling units;

9 (3) a statement that the landlord is obligated to provide operable smoke alarms in good
10 working condition in the dwelling unit in accordance with the Housing Code and Fire Code and the
11 landlord must promptly repair or replace inoperable smoke alarms upon request; and

12 (4) attached as a separate appendix to the notice, a list, to be prepared by the Rent
13 Board, of tenants' rights organizations that provide counseling to tenants on issues related to fires, and
14 contact information for those organizations.

15 (b) Posting Requirement. For all Apartment Houses as defined in the Housing Code, the
16 building owner shall post the notice referenced in subsection (a) in at least one conspicuous location in
17 a common area of each floor of the building.

18 * * * *

19 **907.8.5. [For SF] Maintenance, Inspection, and Testing.**

20 (a) Testing, Inspection and Filing Requirements. The building owner is responsible to
21 maintain the fire and life safety systems in an operable condition at all times. The building
22 owner must have the system(s) tested and inspected every year by ~~S~~service personnel ~~shall~~ who meet
23 the qualification requirements of NFPA 72, as amended from time to time, for maintaining,
24 inspecting, and testing of the systems. With regard to fire alarm systems, the building owner shall
25 file a Statement of Compliance with this annual testing and inspection requirement with the

1 Department of Building Inspection, on a form provided by the Department of Building Inspection, in
2 accordance with the following schedule: (1) for buildings with nine or more units, on or before
3 January 1, 2017, and thereafter on or before January 1 of each odd-numbered year, and (2) for
4 buildings with less than nine units, on or before January 1, 2018, and thereafter on or before January 1
5 of each even-numbered year. The Department of Building Inspection shall consult with the Fire
6 Department in developing the Statement of Compliance form. The Department of Building Inspection
7 shall post all Statements of Compliance it receives on a City website maintained by the Department of
8 Building Inspection no later than 60 days from the date of receipt of the Statement of Compliance as
9 provided in subsection (c) of Section 908 of the Housing Code. For purposes of enforcement of this
10 subsection (a), the Department of Building Inspection shall be responsible only for posting the
11 Statement of Compliance forms on the City website, and the Fire Department and/or the Department of
12 Building Inspection shall respond to any complaint received by the respective department pertaining to
13 compliance with this subsection. The Departments may also enforce this subsection pursuant to
14 periodic health and safety inspections required by code.

15 (b) Recordkeeping. The building owner shall maintain ~~W~~written records of inspection and
16 testing, as specified in NFPA 72, , as amended from time to time, shall be provided to the fire code
17 official upon request. Records shall be maintained until the next test and for ~~one~~ year thereafter.

18 (c) Sticker. The building owner shall place, or shall cause ~~S~~service personnel shall to place,
19 a sticker on the fire alarm control panel cover that includes the company name, phone
20 number, and the date of the last inspection or testing.

21 * * * *

22 1103.7.6.1. [For SF] Sleeping Area Requirements.

23 For all buildings that are required to have a fire alarm system under this Code, the Building
24 Code, the Housing Code or any other law, the building owner shall upgrade the fire alarm system, if
25 necessary, to comply with the sound level requirement for sleeping areas set forth in Section 18.4.5.1 of

1 NFPA 72, as amended from time to time, upon either (a) completion of work under a building permit
2 with a cost of construction of \$50,000 or more or (b) July 1, 2021, whichever occurs first.

3
4 Section 4. The Building Code is hereby amended by adding Sections 106A.1.14
5 (including Sections 106A.1.14.1, 106A.1.14.2, 106A.1.14.3, and 106A.1.14.4), 3401.8.2, and
6 3401.8.3, to read as follows:

7 **106A.1.14. Damaged apartment houses where residential occupants have been displaced:**
8 **preliminary information and Action Plan required. Whenever an Apartment House, as defined in the**
9 **Housing Code, has been damaged by fire or other emergency that results in the displacement of**
10 **residential occupants, the property owner shall submit to the Department's Building Inspection**
11 **Division, with a copy to the Housing Inspection Division, the following information and an Action Plan**
12 **within the timeframe specified. The Department shall include a statement in all applicable Notices of**
13 **Violation issued pursuant to this Section that allowing the residential occupants to retrieve their**
14 **personal property in a safe manner through a visit supervised by the property owner's engineer,**
15 **general contractor, or other industry professional for a short duration is not in conflict with the issued**
16 **Notice of Violation.**

17 **106A.1.14.1. Information submittal. Within 72 hours of the posting of a Notice of**
18 **Violation on the subject site, the property owner shall provide the following information in writing:**

19 **(a) a description of the steps taken and the methods used to stabilize and secure the subject**
20 **building and premises, including but not limited to the following, as appropriate: (1) fencing the**
21 **building perimeter, (2) securely barricading all windows, openings, and other points of entry to the**
22 **building from the outside, (3) assessing the property at least weekly to ensure that no unauthorized**
23 **entry is occurring and that any fencing and barricades are secure and remain in place, and (4)**
24 **providing 24-hour security.**

1 **(b) if the City has determined that the subject building, or portions thereof, is unsafe for**
2 **occupancy, a description of the steps taken and the methods used to either secure the personal property**
3 **of the residential occupants or allow them to retrieve their personal property, including but not limited**
4 **to the following: (1) fencing the building perimeter, barricading all points of entry, or taking the other**
5 **steps listed in Section 106A.1.14.1(a) above, and (2) obtaining the recommendations of a structural**
6 **engineer or other appropriate consultant for allowing the residential occupants access to the building**
7 **or undamaged portions thereof for the purpose of obtaining their personal belongings; and**

8 **(c) the name and contact information of the owner or an agent of the owner who is able to**
9 **respond to questions and concerns from the residential occupants and others.**

10 **106A.1.14.2. Action Plan submittal. Within 30 days from release of the scene by the**
11 **Fire Department and other emergency responders, the property owner shall submit an Action Plan in**
12 **the form required by the Department that contains the following elements:**

13 **(a) a description of the steps taken and the methods used to stabilize and secure the subject**
14 **building and premises, including supporting documentation by a structural engineer or other industry**
15 **professional as specified in the Notice of Violation, including but not limited to the following, as**
16 **appropriate: (1) fencing the building perimeter, (2) securely barricading all windows, openings, and**
17 **other points of entry to the building from the outside, (3) assessing the property at least weekly to**
18 **ensure that no unauthorized entry is occurring and that any fencing and barricades are secure and**
19 **remain in place, and (4) providing 24-hour security;**

20 **(b) a summary of the extent of fire or water damage to the building, describing with**
21 **specificity the damage to individual dwelling units that were occupied prior to the damage by fire or**
22 **other emergency;**

23 **(c) a description of the repairs necessary to bring the building into compliance with any**
24 **Notices of Violation issued by the Department of Building Inspection, Fire Department, or Health**
25 **Department;**

1 (d) a general schedule and description of the permits that will be filed to comply with (3)
2 above;

3 (e) the contact information of the individuals who will perform the work under (3) above,
4 which information shall be updated as necessary and kept current;

5 (f) an estimated date (month and year) when the displaced residential occupants can
6 reoccupy the building. The estimated date shall be within a time reasonably necessary to accomplish
7 the required repairs;

8 (g) proof that the owner has complied with the notice requirements of Section 106A.1.14.3;
9 and

10 (h) information about prior complaints, notices of violation, and the status of their
11 abatement or compliance with code requirements.

12 106A.1.14.3. Updating information. Within 90 days from the submission of the Action
13 Plan to the Department required by Section 106A.1.14.2, and every 90 days thereafter, the property
14 owner shall provide to the Department any new or corrected information concerning items (a) through
15 (h) in Section 106A.1.14.2 above, including but not limited to any change to the estimated date by
16 which the displaced residential occupants can reoccupy the building.

17 106A.1.14.4. Notice of filing of Action Plan. Within 72 hours of the filing of the
18 required Action Plan with the Department, the property owner shall (a) post a notice of the filing in a
19 prominent location at the building site and (b) mail or personally deliver a notice of the filing to each
20 displaced residential occupant at their last known location.

21
22 3401.8.2. Fire alarm systems. For all buildings that are required to have a fire alarm system
23 under this Code, the Fire Code, the Housing Code or any other law, the building owner shall upgrade
24 the fire alarm system, if necessary, to comply with the sound level requirement for sleeping areas set
25 forth in Section 18.4.5.1 of NFPA 72, as amended from time to time, upon either (a) completion of work

1 under a building permit with a cost of construction of \$50,000 or more, or (b) July 1, 2021, whichever
2 occurs first.

3
4 3401.8.3. Open, accessible attics. When performing additions, alterations, or repairs in Group
5 R occupancies of six units or more under a building permit with a cost of construction of \$50,000 or
6 more, fire blocks, draftstops, or fire safing insulation (approved noncombustible material used as a fire
7 barrier) shall be installed in open attics of 30 inches in height or greater that are accessible from other
8 than an occupied residential unit.

9
10 Section 5. The Housing Code is hereby amended by revising Sections 908 and 911 to
11 read as follows:

12 **SEC. 908. MAINTENANCE AND REPAIR.**

13 All safety systems, devices, or equipment provided for in this Chapter 9 or in the Fire
14 Code shall be maintained in good repair at all times.

15 (a) Fire escapes. Fire escapes shall be kept clear and unobstructed and be readily
16 accessible at all times. Upon inspection, the property owner, or authorized agent, shall
17 demonstrate to the Director or designated personnel, that all existing fire escapes are fully
18 operational and properly maintained. Upon completion of the inspection, all existing fire
19 escapes shall be secured pursuant to Section 1110.3.1- of the ~~San Francisco~~ Fire Code.

20 (b) Fire and life safety systems. The building owner shall maintain the fire and life safety
21 systems required by this Code, the Building Code, or the Fire Code in an operable condition at all
22 times. The building owner must meet the requirements of Section 907.8.5 of the Fire Code and have the
23 system tested and inspected every year by service personnel that meet the qualification requirements of
24 NFPA 72 for maintaining, inspecting, and testing of the systems. The building owner shall maintain

1 written records of inspection and testing, as specified in NFPA 72, until the next test and for one year
2 thereafter.

3 (c) Annual statement of compliance with the testing and inspection requirement. With
4 regard to fire alarm systems, the building owner shall file a Statement of Compliance with this annual
5 testing and inspection requirement with the Department of Building Inspection, on a form provided by
6 the Department of Building Inspection, in accordance with the following schedule: (1) for buildings
7 with nine or more units, on or before January 1, 2017, and thereafter on or before January 1 of each
8 odd-numbered year, and (2) for buildings with less than nine units, on or before January 1, 2018, and
9 thereafter on or before January 1 of each even-numbered year. The Department of Building Inspection
10 shall consult with the Fire Department in developing the Statement of Compliance form. The
11 Department of Building Inspection shall post all Statements of Compliance it receives on a City website
12 maintained by the Department of Building Inspection no later than 60 days from the date of receipt of
13 the Statement of Compliance. For purposes of enforcement of this subsection (c), the Department of
14 Building Inspection shall be responsible only for posting the Statement of Compliance forms on the City
15 website, and the Fire Department and/or the Department of Building Inspection shall respond to any
16 complaint received by the respective department pertaining to compliance with this subsection. The
17 Departments may also enforce this subsection pursuant to periodic health and safety inspections
18 required by code.

19 (d) The building owner shall place, or shall cause service personnel to place, a sticker on
20 the fire alarm control panel cover that includes the company name, phone number, and the date of the
21 last inspection or testing.

22 * * * *

23 **SEC. 911. SINGLE-STATION SMOKE DETECTOR WITH ALARM REQUIRED.**

24 * * * *

25 (d) Smoke Detector Information Disclosure.

1 **(1) Annual Smoke Detector Information Notice.** On or before January 1, 2017, and
2 on or before January 1 of each year thereafter, owners of a dwelling unit intended for human
3 occupancy in which one or more units is rented or leased shall provide each tenant with a written
4 notice regarding smoke alarm requirements on a form provided by the Fire Department as described in
5 Section 907.2.11.6 of the Fire Code.

6 **(2) Posting Requirement.** For all Apartment Houses as defined in this Code, the
7 building owner shall post the notice referenced in subsection (d)(1) in at least one conspicuous location
8 in a common area of each floor of the building.

9
10 Section 6. Effective and Operative Dates.

11 (a) Effective Date. This ordinance shall become effective 30 days after enactment.
12 Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance
13 unsigned or does not sign the ordinance within ten days of receiving it, or the Board of
14 Supervisors overrides the Mayor's veto of the ordinance.


15 (b) Operative Date. Pursuant to Section 17958.7 of the California Health and Safety
16 Code, this ordinance is not operative until the Clerk of the Board has filed it with the California
17 Building Standards Commission, as directed in Section 9.

18
19 Section 7. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
20 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
21 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
22 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
23 additions, and Board amendment deletions in accordance with the "Note" that appears under
24 the official title of the ordinance.

1 Section 8. Undertaking for the General Welfare. In enacting and implementing this
2 ordinance, the City is assuming an undertaking only to promote the general welfare. It is not
3 assuming, nor is it imposing on its officers and employees, an obligation for breach of which it
4 is liable in money damages to any person who claims that such breach proximately caused
5 injury.

6
7 Section 9. Directions to Clerk. The Clerk of the Board of Supervisors is hereby directed
8 to forward a copy of this ordinance to the California Building Standards Commission upon final
9 passage as required by State law.

10
11 APPROVED AS TO FORM:
12 DENNIS J. HERRERA, City Attorney

13 By: 
14 FRANCESCA GESSNER
15 Deputy City Attorney

16 n:\Vegana\as2016\1600380\01101443.doc

BUREAU OF FIRE PREVENTION

SAN FRANCISCO



FIRE DEPARTMENT

**DIVISION OF FIRE PREVENTION &
INVESTIGATION**

MEMORANDUM

TO: Chief of Department, Joanne Hayes-White

FROM: Fire Marshal Daniel de Cossio, DFPI

SUBJECT: Activity Report for the Division – May 2016

DATE: June 3, 2016

REFERENCE: Rules and Regulations, Section 2209

This is the activity report for the Division of Fire Prevention and Investigation for the period from May 1 thru May 31, 2016.

A handwritten signature in cursive script, reading "Daniel de Cossio", written over a horizontal line.

Daniel de Cossio

1. BUREAU OF FIRE PREVENTION

a.) **Revenue Generating Programs** - The Bureau of Fire Prevention collects fees for services based on California state laws and regulations. For most of the services we provide, we are permitted to charge fees to recover costs. Table 1 outlines budgeted fees and revenues for the Division of Fire Prevention and Investigation and provides a percentage of where we are in relation to where we should be at this time.

Table 1 – Revenues for the Division of Fire Prevention and Investigation (Source—FAMIS)

Fiscal Year 2015–2016	BFP - May 2016			Projected Year-End
	As of May 31, 2016			
Revenue Program	Budgeted Amount 15–16	Actual Revenue	Percent of Budgeted Amount	
Plan Review Fees	6,099,000.00	8,103,827.00	144.95%	8,840,538.55
Fire Administrative Citation		7,480.00		7,480.00
Construction Inspection Fees	1,750,000.00	1,682,950.00	104.91%	1,835,945.45
Fire Dept. Permits	1,050,000.00	835,488.00	86.80%	911,441.45
False Alarm Fees	220,500.00	299,500.00	148.18%	326,727.27
Referral Inspections	185,175.00	187,293.00	110.34%	204,319.64
Waterflow Information	146,875.00	176,315.00	130.96%	192,343.64
Miscellaneous Fees	1,500.00	37.00	2.69%	40.36
Pre-Application Fees	141,250.00	123,545.00	95.42%	134,776.36
Re-inspection Fees	30,000.00	38,955.00	141.65%	42,496.36
Revenue Programs Subtotal	9,624,300.00	11,455,390.00	129.85%	12,496,789.09
High-Rise Annual Inspection Fees*	1,820,000.00	1,572,136.00		1,820,000.00
Annual Permit Renewal Fees*	1,795,000.00			1,795,000.00
Fire Residential Inspection Fees	627,041.00	525,020.00		627,041.00
Revenue Programs Total	13,866,341.00	13,552,546.00		16,738,830.09
Projected Surplus/Deficit			121%	2,872,489.09
	Revenue**	Expenditure	Surplus/Deficit	
Overtime Revenue/Expenditure	1,673,467.00	1,548,791.00	124,676.00	

FAMIS—June 2, 2016

* Full recovery of revenues is expected for the categories of Annual High-Rise Inspection and Annual Permit Renewal Fees. Revenues for these programs fluctuate throughout the year based on the method of collection by the Tax Collector's Office.

** Revenue shown in this column does not reflect the overtime surcharge collected by the Tax Collector for Annual Permit Renewal Fees, which covers a portion of the overtime expenditures. The estimated amount of Annual Permit Renewal Fees that should be allocated to this category is \$204,160.

Description of Revenue Programs:

1. Plan Review—The BFP's Plan Review Section is located within the Department of Building Inspection at 1660 Mission St. The Section reviews plans to verify compliance with State Building and Fire Codes.
2. High-Rise Annual Inspection Fees-All high-rise buildings in the State are required to be inspected annually, as mandated by the California State Fire Marshal. This program is designed to recover 100% of its cost, but revenues fluctuate throughout the year.

3. Construction Inspection Fees-The plans reviewed by the plan check division generate construction inspections which are carried out by the district fire inspectors.
4. Annual Permit Renewal Fees-Fire Department Permits are required by the California Fire Code for special uses, such as hazardous materials, public assemblies, etc. The fees for these permits are charged annually, and are collected by the Tax Collector's office after the initial filing fee is collected.
5. Overtime Fees-Many inspections and plan reviews are conducted on an overtime basis at the request of the applicant, who also pays for the service. Overtime for Place of Assembly Nighttime Inspection Surcharge is included in Annual Permit Renewal Fees.
6. Fire Dept. Permits-As stated above, certain uses require Fire Dept. Permits. This category is for the initial fees that are collected by the BFP when the permit is issued.
7. False Alarm Fees- The SF Fire Code requires that when the SFFD responds to excessive false alarm calls at buildings, the owners be charged a penalty fee. The BFP processes bills and payments, including the maintenance of records for such fees.
8. Referral Inspections-The BFP is responsible for inspecting occupancies requiring a fire department clearance as part of a federal, state, or local license.
9. Waterflow Request Fees- The BFP flows hydrants and performs analysis that provides fire protection contractors with the water supply information necessary to design fire protection systems. A fee is charged for this service.
10. Miscellaneous- This is a catch-all category for BFI subpoena revenue, photocopy revenues, and various consultation fees.
11. Pre-Application Fees-The plan review section meets with architects and engineers prior to the detailed design of buildings to discuss code issues specific to projects.
12. Re-Inspection Fees- During the course of the BFP's inspections, a Notice of Violation may be issued for fire hazards found. This fee is charged for each re-inspection until the condition is corrected.

b.) Non-Revenue Generating Services – Some of the services provided by the BFP are not fee generating in the same way our other programs are. These services are supposed to be paid for by local taxes, according to California law. Examples include: complaint inspections (fire hazard), public education presentations, telephone consultation, etc.

c.) San Francisco International Airport – SFFD BFP personnel provide fire prevention services to the airport, entirely under the SFO budget.

d.) Port of San Francisco – The Port Fire Marshal is the Fire Department's liaison to the Port and conducts construction and referral inspections, plan review, pier surveys, and issues permits along the Port's 7 ½ miles of waterfront jurisdiction. The Port Fire Marshal sits on the Joint Fire Operations Committee and is responsible for coordinating special events and activities of the Port with the Fire Department and other City Agencies.

2. **Bureau of Fire Investigation** – The monthly and year-to-date report for the BFI is included as an attachment.

CC: Fire Commission Secretary

San Francisco Fire Department Bureau of Fire Investigations

Summary Report From 05/01/2016 To 05/31/2016

		YTD 07/01/2015 To 05/31/2016		05/01/2016 To 05/31/2016	
		Count	Property Loss	Contents Loss	Contents Loss
STRUCTURE FIRES	ACCIDENTAL	48	\$16,739,000	\$5,030,800	\$225,000
	INCENDIARY	29	\$258,700	\$80,775	\$1,000
	UNDER INVESTIGATION	2	\$200,200	\$50,050	\$50
	UNDETERMINED	12	\$517,690	\$141,550	\$500
STRUCTURE FIRES TOTAL		91	\$17,715,590	\$5,303,175	\$776,700
VEHICLE FIRES	ACCIDENTAL	6	\$14,400		
	INCENDIARY	66	\$382,290		\$22,773
	UNDER INVESTIGATION	2			
	UNDETERMINED	6	\$37,984	\$500	
VEHICLE FIRES TOTAL		80	\$434,674	\$500	\$22,773
ATTEMPTS TO BURN		4			
OTHER INCIDENTS		114	\$390,655	\$16,531	\$66,475
STRUCTURE FIRES	COMMERCIAL	30	\$5,521,250	\$2,777,600	\$50,500
	RESIDENTIAL	61	\$12,194,340	\$2,525,575	\$726,200
STRUCTURE FIRES TOTAL		91	\$17,715,590	\$5,303,175	\$776,700
GREATER ALARMS	2ND ALARMS	14			
	3RD ALARMS	4			
	4TH ALARMS	0			
	5TH ALARMS	0			
GREATER ALARMS TOTAL		18			
OTHER	ARRESTS	38			
	DEATHS	3			
	INJURIES	21			
	JUVENILE FIRE SETTERS	0			
	SUBPOENAS REQUESTED	243			