



**STAFF REPORT
CITY COUNCIL REGULAR MEETING AGENDA
MEETING DATE: DECEMBER 4, 2023**

SUBMITTED: November 20, 2023
DEPARTMENT: Fire
DEPARTMENT HEAD: Rodney Dover, Interim Fire Chief
SPONSOR(S): Perez

TITLE OF ITEM: RESOLUTION NO. 2023-244, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ACKNOWLEDGING HOLLISTER FIRE DEPARTMENT HAS PERFORMED THE INSPECTIONS OF CERTAIN OCCUPANCIES REQUIRED ANNUALLY PURSUANT TO SECTION 13146.4 OF THE CALIFORNIA HEALTH AND SAFETY CODE AND ACCEPT THE COMPLIANCE REPORTING FOR STATE-MANDATED LOCAL PROGRAMS FOR SENATE BILL NO. 1205

BRIEF DESCRIPTION: A resolution of the City Council of the City of Hollister to acknowledge receipt of a report made by the Fire Chief of the Hollister Fire Department regarding the 2023 inspections of certain occupancies required annually pursuant to Section 13146.4 of the California Health and Safety Code.

RECOMMENDATION: Adopt a resolution authorizing the compliance reporting for state-mandated local programs for Senate Bill No. 1205 pursuant to Section 13146.4 of the Health and Safety Code, relating to fire protection regarding certain occupancies annual inspections.

DEPARTMENT SUMMARY: California Health & Safety Code Section 13146.4 was added in 2018 and became effective on September 27, 2018. California Health & Safety Code Sections 13146.2 and 13146.3 requires all fire departments, including the Hollister Fire Department, that provide fire protection services to perform annual inspections in every building used as a public or private school, hotel, motel, lodging house, apartment house, and certain residential care facilities for compliance with building standards, as provided. California Health & Safety Code Section 13146.2 requires all fire departments, including the Hollister Fire Department, that provide fire protection services to report annually to its administering authority on its compliance with Sections 13146.2 and 13146.3.

The City Council of the City of Hollister intends this resolution to fulfill the requirements of the California Health & Safety Code regarding acknowledgment of the Hollister Fire Department's compliance with California Health & Safety Code Sections 13146.2 and 13146.3.

The City Council of the City of Hollister expressly acknowledges the measure of compliance of the Hollister Fire Department with California Health and Safety Code Sections 13146.2 and 13146.3 in the encompassed areas as follows:

A. EDUCATIONAL GROUP E OCCUPANCIES:

Educational Group E occupancies are generally those public and private schools, used by more than six persons at any one time for educational purposes through the 12th grade.

During calendar year 2023, the Hollister Fire Department completed the annual inspection of seventeen (17) Group E occupancies, buildings, structures and/or facilities. This is a compliance rate of 100% for this reporting period.

B. RESIDENTIAL GROUP R OCCUPANCIES:

Residential Group R occupancies, for the purposes of this resolution, are generally those occupancies containing sleeping units, and include hotels, motels, apartments (two units or more), etc. as well as other residential occupancies (including a number of residential care facilities). These residential care facilities have a number of different sub-classifications, and they may contain residents or clients that have a range of needs, including those related to custodial care, mobility impairments, cognitive disabilities, etc. The residents may also be non-ambulatory or bedridden.

During calendar year 2023, the Hollister Fire Department completed the annual inspection of three hundred and eighty-three (383) Group R occupancies, buildings, structures and/or facilities. This is a compliance rate of 100% for this reporting period.

C. INSTITUTIONAL GROUP I OCCUPANCIES:

Institutional Group I occupancy includes, among others, for the purposes of this resolution, the use of a building or structure, or a portion thereof, in which people are cared for or live in a supervised environment or in which people are detained for penal or correctional purposes or in which the liberty of the occupants is restricted.

During calendar year 2023, the Hollister Fire Department completed the annual inspection of three (3) Group I occupancies, buildings, structures and/or facilities. This is a compliance rate of 100% for this reporting period.

FINANCIAL IMPACT: N/A

CEQA: N/A

ATTACHMENTS:

1. 2023 - City of Hollister Inspections

THIS REPORT WAS REVIEWED BY THE CITY MANAGER WHO CONCURS WITH THE STAFF RECOMMENDATION



David Mirrione, City Manager

RESOLUTION NO. 2023-244

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER
ACKNOWLEDGING HOLLISTER FIRE DEPARTMENT HAS PERFORMED THE
INSPECTIONS OF CERTAIN OCCUPANCIES REQUIRED ANNUALLY PURSUANT
TO SECTION 13146.4 OF THE CALIFORNIA HEALTH AND SAFETY CODE AND
ACCEPT THE COMPLIANCE REPORTING FOR STATE-MANDATED LOCAL
PROGRAMS FOR SENATE BILL NO. 1205**

WHEREAS, on September 27, 2018, the State of California passed Senate Bill 1205 (SB 1205) adding a new section to the California Health and Safety Code Section 13146.4 which affects every fire department or fire district in the State; and

WHEREAS, the existing law, California Health & Safety Code Sections 13146.2 and 13146.3, requires every fire department or fire district to inspect every building used as a public or private school, hotels, motels, lodging houses, apartment complexes and institutions annually; and

WHEREAS, this bill requires every fire department or fire district to report annually to its administering authority their compliance with the annual inspection requirements of the California Health and Safety Code. The bill also requires the administering authority to formally acknowledge receipt of the compliance report in a resolution or a similar formal document; and

WHEREAS, the Hollister Fire Department has performed calendar year 2023 inspections for compliance reporting with SB 1205; and

WHEREAS, the City Council of the City of Hollister has reviewed the report from the Fire Chief related to compliance with SB 1205.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hollister has received this report by the Hollister Fire Department for compliance reporting with Senate Bill 1205 for calendar year 2023 inspections.

PASSED AND ADOPTED, by the City Council of the City of Hollister at a Regular Meeting held this 4th day of December, 2023, by the following vote:

Mia Casey, Mayor

ATTEST:

Jennifer Woodworth, MMC, City Clerk

APPROVED AS TO FORM:

Lozano Smith Attorneys at Law

Mary F. Lerner, City Attorney

I, JENNIFER WOODWORTH, MMC, City Clerk of the City of Hollister, do hereby certify that the attached Resolution No. 2023-244, is an original Resolution, or true and correct copy of a City Resolution, duly adopted by the Council of the City of Hollister at a regular meeting of said Council held on the 4th day of December, 2023, at which meeting a quorum was present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Hollister this City Council day of December, 2023.

Jennifer Woodworth, MMC

City Clerk of the City of Hollister