



# AGENDA REPORT

**TO:** Edward D. Reiskin  
City Administrator

**FROM:** Dr. Reginald D. Freeman  
Chief, Oakland Fire Dept.

**SUBJECT:** Informational Report on The Status of  
the City of Oakland's Fire Prevention  
Bureau

**DATE:** September 1, 2022

City Administrator Approval

Date: Sep 1, 2022

## **RECOMMENDATION**

**Staff Recommends The Oakland City Council Receive An Informational Report From The City Of Oakland's Fire Prevention Bureau Regarding The Status Of The Following; 1) Required State Mandated Inspections Of High Rise Buildings, Schools, Places Of Assembly, Hospitals, and Multi-Family Residential Properties 2) Inspections Of Commercial Live-Work Properties And Cannabis Businesses, 3) Vegetation Management Compliance, 4) Staffing in Fire Prevention Bureau, And 5) Coordination With The Oakland Unified School District (OUSD) to Ensure Fire Safety at K-12 School Sites [22-0550]**

## **EXECUTIVE SUMMARY**

Under the direction of the Fire Marshal, the Fire Prevention Bureau (FPB) provides overall fire code regulatory compliance functions for the City of Oakland. This report aims to provide the City Council and the public with updates on key components of Fire Prevention operations and efforts to ensure the Bureau is achieving its mission.

## **BACKGROUND / LEGISLATIVE HISTORY**

On June 23, 2022, Council Member Treva Reid and Council Member Dan Kalb made a request during Rules Committee to have an informational report presented to the Public Safety Committee on September 13, 2022, on a range of components pertaining to the Fire Prevention Bureau.

## **ANALYSIS AND POLICY ALTERNATIVES**

The Fire Prevention Bureau serves to directly benefit life safety and property conservation of the entire community, through comprehensive fire protection engineering review and approval of new construction and tenant improvement plans, for fire and life safety comportment, and through comprehensive inspection and enforcement of the California Fire Code.

Public Safety Committee  
September 13, 2022

The mission of Oakland's Fire Prevention Bureau, a division of the Oakland Fire Department, is to reduce the risks of fire throughout the community. The Bureau conducts fire safety inspections of the City's buildings, structures, and vacant lots. The Bureau also performs, what are termed state-mandated inspections, which include buildings used for public assemblies, educational purposes, institutional facilities, multi-family residential dwellings, and high-rise structures.

The Bureau also:

- Oversees the City's Commercial Inspection Program in which fire suppression staff (the engine companies) conduct fire safety inspections of smaller apartment buildings and retail businesses throughout Oakland.
- Inspects the various cannabis operations located in Oakland for Fire Code violations and investigates non-permitted operations.
- Reviews building plans and plans for tenant improvements to ensure new construction includes all required fire safety components, such as proper signage, fire alarms, and fire sprinkler systems.
- Is responsible for fire safety in the high danger zone of the Oakland hills.

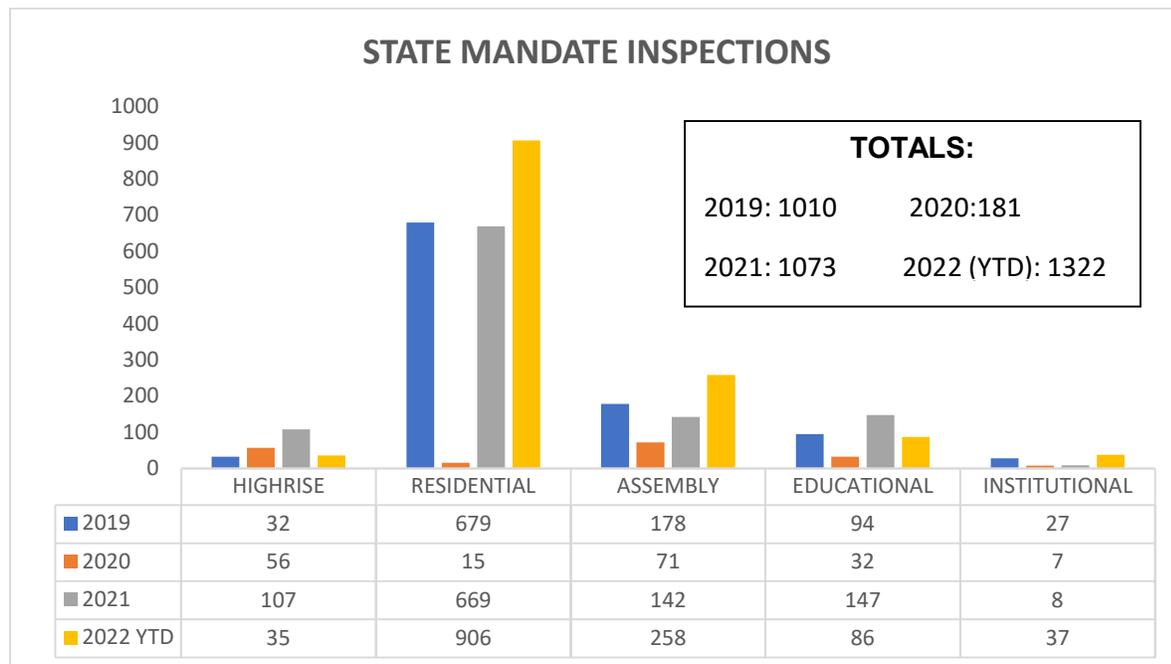
Annual inspection programs include State-mandated and operational permit inspections conducted by FPB code inspectors, with non-permitted and multi-unit residential inspections performed by engine company personnel. Vegetation Management inspections in the Very High Fire Danger zones of Oakland Hills are conducted by FPB suppression district inspectors, with residential lots inspected by engine company personnel. The FPB also directly manages hazardous building referrals from engine companies for a thorough compliance enforcement follow-up; and coordinates fire cause investigations with three sworn investigators. The FPB has a very robust Public Fire Education Program (ages pre-school to seniors) that reaches thousands of citizens annually.

### ***2022 Inspection Numbers:***

Fire inspections fall into several different categories. There are specialized inspections for flammable vegetation (such as in the East Bay hills), the cannabis industry, and buildings with hazardous materials. The Grand Jury focused on state-mandated inspections, which include mixed occupancy buildings, high-rises, multi-unit residential buildings, as well as assembly, educational, and institutional buildings.

### ***State Mandated Inspections***

The Fire Prevention Bureau completed a high of 38% of state-mandated inspections in 2019, to a disturbingly low rate of 14% in 2020. Based on current data for 2021, the inspection rate, annualized, is still only 41% which the department recognizes is unacceptable. Fire Chief Freeman is aware of this issue and has improved performance in 2022, with a goal of meeting the state-mandated inspection requirements with 100% compliance by the end of 2022. As of September 1, 2022, the bureau had completed 1322 of the required state mandated inspections for the calendar year.



**Commercial Live Work and Cannabis Businesses**

In Spring 2017, the City began permitting cannabis facilities to regulate all categories of cannabis operators, including distribution, cultivation, distillation, and transport. The inspection of cannabis operations can be a complex process since cannabis facilities present a variety of safety risks depending on the type of facility being inspected. In growing and processing operations, for example, inspectors must consider a variety of hazards unique to these operations, such as the presence of fertilizers in the building, the high electrical loads needed for major growing operations and the presence of highly flammable materials used during the extraction process. Also, the tarps that are often used to separate various parts of the building can be flammable and must be inspected. All of this is in addition to the basic fire safety factors that are inspected in all facilities, such as the presence of proper egress, fire alarms, sprinkler systems, and illuminated exit signs.

The City has issued over 400 licenses for cannabis operations and has another approximately 300 applications pending with the city Bureaus of Building and Fire Prevention that are in various stages of gaining compliance.

The Fire Prevention Bureau has two inspectors who are trained and assigned to this specialized area. However, this is not their only scope of work and thus are not able to focus 100% of their time on these inspections. There is also one Inspection Supervisor who is primarily responsible for scheduling and overseeing inspections of this type.

Since January 1, 2022, the Prevention Bureau has conducted 162 cannabis related inspections.

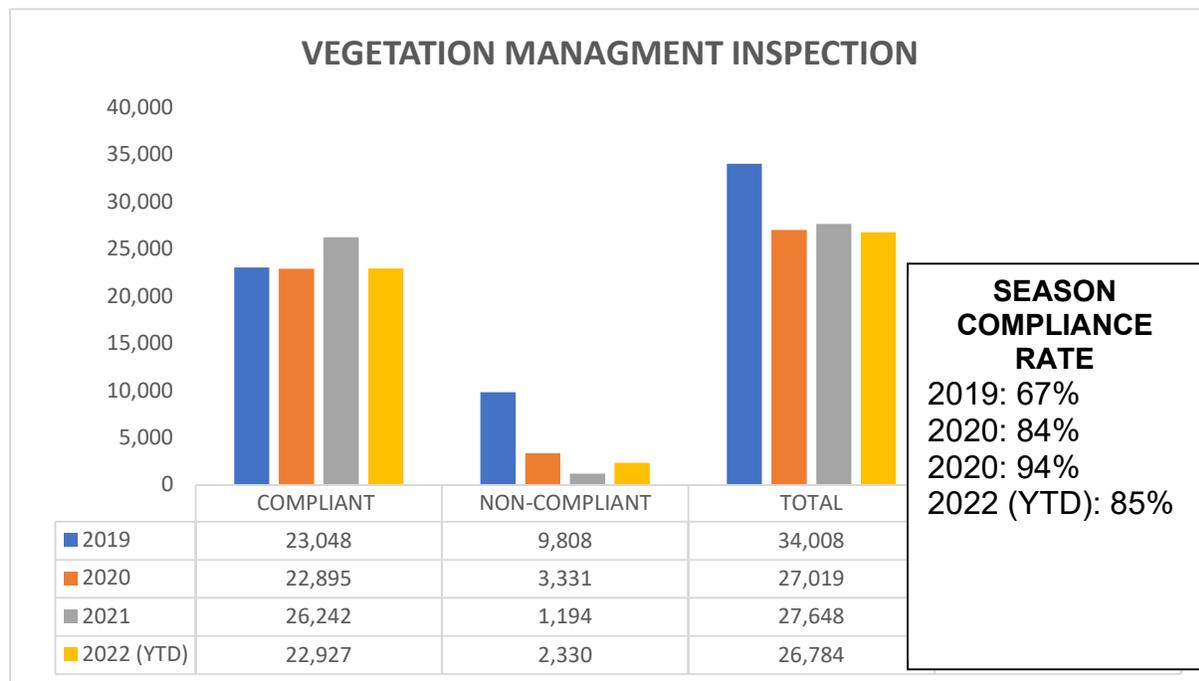
**Vegetation Management**

The Vegetation Management Unit (VMU) serves to inspect properties in the Oakland Hills, much of which is designated as a Very High Fire Hazard Severity Zone (VHFHSZ). The VMU works under the Oakland Fire Department’s Fire Prevention Bureau. The VMU is responsible for the inspections of over 20,000 private properties, city owned and vacant parcels in the VHFHSZ. The purpose of these inspections is to identify and mitigate hazards that could contribute to the spread, growth, and intensity of wildfire. Inspections are done annually, and property owners are required to actively maintain their parcels in a fire-safe condition year-round.

For a link to see a map of the Oakland and East Bay Very High Fire Hazard Severity Zone: <https://eqjis.fire.ca.gov/FHSZ/>.

Through the diligence of residents and inspectors alike, the compliance rate for these properties has steadily climbed over the last several years, reaching over 95% in 2021.

The vegetation management inspections customarily start in May and personnel conclude final re-inspections for non-compliant properties by the end of October.



OFD has one of the most comprehensive fire prevention programs in the state. We directly inspect over 25,000 private and city owned parcels, do year-round fuel mitigation on thousands of acres in the hills, execute many miles of roadside clearing projects, and deploy the largest herd of goats in the state to mitigate and remove hard to reach combustible fuels across over 1000 acres of hillside. Year after year the department sees the benefit of this consistent prevention program.

**Staffing:**

OFD has over 530 employees organized into six major divisions. Fire Chief Freeman has held this leadership position since May 17, 2021. Most of Oakland's fire department personnel and resources reside in the fire-suppression divisions of the Field Operations Bureau and Support Services. These divisions include firefighters, emergency medical services, firefighting equipment, and communications.

Following a national search, Felicia Bryant, was sworn in as the Fire Marshal in July 2022.

The FPB is much smaller than the fire-suppression divisions. Fire protection engineers and fire code inspectors are assigned to this division. The FPB is solely responsible for conducting state-mandated inspections and as of March 2022, had six fire inspectors and one supervisor dedicated to this work.

As of August 15, 2022, the Fire Prevention Bureau is seeking to fill the following vacancies:

- 6 Fire Inspectors
- 1 Assistant Fire Marshal (non-sworn)
- 1 Assistant Fire Marshal (sworn)
- 3 Fire Protection Engineers
- 2 Program Analyst II
- 1 Program Analyst III
- 1 Office Assistant I
- 1 Hazardous Materials inspector

One key challenge the department faces in terms of staffing is compensation and working conditions. High turnover has hampered efforts to complete inspections. As a large city, Oakland includes a complex array of buildings which presents challenging work for fire inspectors. Smaller surrounding cities offer competitive pay and, for some, more attractive working conditions. Therefore, inspectors often leave, especially once they have a year or two of training and experience. The unfortunate combination of significant recruiting delays, inexperienced hires, compensation that often does not make up for the more challenging and more complex work compared with other nearby communities, high turnover, and unequal status within OFD make it difficult for OFD leadership to staff a quality team of fire inspectors to protect Oakland citizens.

***Coordination With The Oakland Unified School District (OUSD) to Ensure Fire Safety at K-12 School Sites***

In January of 2021, the Fire Prevention Bureau and the staff of the Oakland Unified School District entered discussion regarding the annual inspection of educational facilities as required by the California Fire Code. These inspections identify compliance with the maintenance of installed fire & life safety systems, that egress continuity has been maintained, proper emergency evacuation procedures are posted, and practice fire drills are completed.

As of August 2021, a total of 133 inspections of OUSD campuses were completed. Twenty-nine facilities passed their initial 2021 annual inspection without deficiencies or violations observed. One hundred four facilities were non-compliant with various Fire Code requirements.

At the time of inspection, the deficiencies were documented as to the type, location, severity and means of abatement or correction. We have been in direct contact with maintenance staff on an ongoing basis, addressing compliance details with the OUSD Building & Grounds Coordinator.

OFD is conducting ongoing re-inspections for those facilities which required corrections to Fire Code deficiencies. OFD has appreciated the cooperation from the school district that we have experienced in helping to complete these State mandated inspection of our city's schools.

The most frequent issues OFD has documented are in relation to the required annual maintenance of building fire alarm systems, fire sprinkler systems, kitchen fire suppression systems (where present), service and distribution of fire extinguishers, maintenance of emergency lighting and illuminated exit signage, posting of classroom evacuation maps and procedures and maintaining the continuity of exiting egress from buildings without key or special knowledge at engineered and designated exit doors and gates. Additionally, for those facilities located within the City's Designated Very High Fire Severity Zone of the Oakland Hills, removal of fire prone exterior vegetation is a critical part of keeping our schools safe.

It is OFD's intent that these inspections be informative and educate Buildings & Grounds staff as to the code required necessity for annual service by licensed C10 & C16 service providers to ensure that the fire alarm, fire sprinkler, fire suppression and fire extinguishers are properly functioning always and that should any components be damaged or malfunction, repairs be commenced forthwith.

The mutual goal is to have all previously inspected OUSD facilities pass re-inspection and be recorded as compliant for our reporting back to the State Fire Marshal's office.

### **FISCAL IMPACT**

This item is for informational purposes only and does not have a direct fiscal impact or cost.

### **PUBLIC OUTREACH / INTEREST**

No public outreach is required for the acceptance of this informational report.

### **COORDINATION**

No coordination with other departments was necessary for the completion of this report.

### **SUSTAINABLE OPPORTUNITIES**

***Economic:*** There are no economic impacts related to this report.

***Environmental:*** There are no environmental impacts related to this report.

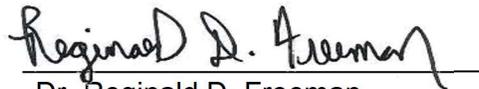
**Race & Equity:** There are no race and equity components specific to the acceptance of this report.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends the Oakland City Council accept this informational report From The City Of Oakland's Fire Prevention Bureau Regarding The Status Of The Following; 1) Required State Mandated Inspections Of High Rise Buildings, Schools, Places Of Assembly, Hospitals, and Multi-Family Residential Properties 2) Inspections Of Commercial Live-Work Properties And Cannabis Businesses, 3) Vegetation Management Compliance, 4) Staffing in Fire Prevention Bureau, And 5) Coordination With The Oakland Unified School District (OUSD) to Ensure Fire Safety at K-12 School Sites [22-0550]

For questions regarding this report, please contact Felicia Wanzo Bryant, Fire Marshal, Oakland Fire Department at 510-238-3736.

Respectfully submitted,



Dr. Reginald D. Freeman  
Chief, Oakland Fire Dept.

Prepared by:  
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Chief of Staff