

RESPONSE TO GRAND JURY REPORT FORM

Report Title: MARIN ON FIRE! Not if, but when.

Report Date: April 1, 2008

Response by: LARKSPUR CITY COUNCIL
~~Governing Board, Larkspur Fire Department~~

By: SEE ATTACHED

FINDINGS

- I (we) agree with the findings numbered: F1-9, F-12
 - I (we) disagree wholly or partially with the findings numbered: 0
- (Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefore.)

RECOMMENDATIONS

- Recommendations numbered _____ have been implemented.
(Attach a summary describing the implemented actions.)
- Recommendations numbered 1 have not yet been implemented, but will be implemented in the future.
(Attach a timeframe for the implementation.)
- Recommendations numbered _____ require further analysis.
(Attach 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 publication of the grand jury report.)
- Recommendations numbered 2 will not be implemented because they are not warranted or are not reasonable.
(Attach an explanation.)

Date: 7/7/08 Signed: John A. Bonander, City Manager

Number of pages attached 4

Administration 415/927-5110
Fire
Public Works
Recreation
Customer Service

Library 415/927-5005



Planning 415/927-5038
Community Development
Building Permits/Inspection

Twin Cities Police 415/927-5150

Fax 415/927-5022
Web: www.ci.larkspur.ca.us

CITY OF LARKSPUR

July 7, 2008

Roberta Robinson, Foreperson
Marin County Grand Jury
3501 Civic Center Drive, Room 275
San Rafael, CA 94903

The Honorable Verna Adams
Marin County Superior Court
P. O. Box 4988
San Rafael, CA 94913-4988

RE: MARIN ON FIRE! Not if, but when

Dear Foreperson Robinson and the Honorable Judge Adams:

The Larkspur City Council appreciates the work of the Grand Jury members on this report regarding fire related issues in Marin County. The Council reviewed the report and the recommended responses from City staff at its regularly scheduled May 21, 2008 City Council meeting. Council directed that staff respond as follows.

As required by Sections 933 (c), 933.05 (a) and 933.05 (b) of the California Penal Code, this letter acknowledges receipt of and responds to the 2008 Marin County Grand Jury Report, MARIN ON FIRE! Not if, but when. The Larkspur City Council has been requested to respond to 10 findings and two recommendations. The responses requested are listed below.

Finding F1. Compliance with vegetation management codes and the threat of wildland fires in Marin are not top of mind public concerns.

Response: Larkspur City Council agrees with this finding. Although most residents seem concerned, the Larkspur Fire staff observation is that very little active voluntary or significant vegetation management occurs. Based on this, each year the Fire staff keep stressing the basics, so that the practice of vegetation management doesn't seem too overwhelming.

Finding F2. Easily identifiable egregious vegetation management code violations exist throughout Marin County.

Response: The Larkspur City Council agrees with this finding, although the statement is overly broad and general. It is difficult for Larkspur city officials to comment on conditions in other jurisdictions. However, vegetation codes like building codes can be interpreted several ways. Therefore, Larkspur Fire staff seek a reasonable degree of compliance rather than to the strict letter, often using the 30-foot rule for clearing flammable vegetation.

Finding F3. Homeowners can decrease fire risk by increasing defensible space, which reduces fuel.

Response: Larkspur City Council agrees with this finding. Again, Larkspur Fire staff seek a reasonable level of compliance based on a reasonable degree of maintenance and clearing.

Finding F4. A number of municipalities in Marin have made significant changes in building codes for new construction and major remodels. These new Wildland Urban Interface codes have little impact on the vast majority of Marin Homeowners.

Response: Larkspur City Council agrees with this finding, although the statement is overly broad and general. It is difficult for Larkspur city officials to substantiate such statements. Larkspur has not as yet adopted WUI. Historically, our strategy has been to follow the larger agencies in Marin when adopting new codes. However, Larkspur has several comprehensive local codes that in many cases mirror WUI. The Master Fire Safety Ordinance, Hillside Restricted Parking Program, and Larkspur City Council Resolution 05/04 are three examples of comprehensive and specific hillside fire codes programs in place in our community

Finding F5. There is inconsistency in various vegetation management codes throughout the County.

Response: Larkspur City Council agrees with this finding, although the statement is overly broad and general. It is difficult for Larkspur city officials to comment on conditions in other jurisdictions. Along with an inconsistency in hillside fire codes, inconsistency occurs in staffing and budget allocation for these programs. Code enforcement takes significant and specialized staff allocation and clerical support. Many communities simply cannot afford to allocate sufficient resources towards these functions.

Finding F6. Most vegetation management codes and homeowner educational materials are difficult to interpret and confusing to the layman.

Response: Larkspur City Council partially with this finding. The statement is overly broad and general. It is difficult for Larkspur city officials to substantiate such statements. Codes can be very difficult to understand and interpret. However most informational literature is easy to understand. In regard to vegetation management, most pamphlets contain property diagrams that provide details on how to effectively clear yard areas. Finally, the City's efforts to achieve compliance with the use of information materials and by providing specific direction to local property owners are generally positive and responsive.

Finding F7. “Best practice” vegetation management policies require fire department access to the whole property in the company of the owner. No jurisdiction has a plan for this.

Response: Larkspur City Council agrees with this finding, although this statement is overly broad and general. Most surveys involve driving or walking neighborhoods. There are insufficient staffing resources available to conduct door-to-door thorough inspections. Additionally, fire department staff would be unable to enter private property without owner permission. Therefore, some sort of an elaborate advance notification combined with homeowner presence would be needed. This is impractical and unrealistic.

Finding F8. Not all Marin County fire jurisdictions proactively inspect for vegetation management code compliance without a complaint or owner request.

Response: Larkspur City Council agrees with this finding, although the statement is overly broad and general. It is difficult for Larkspur city officials to comment on conditions in other jurisdictions. Most of Larkspur’s fire related investigations are complaint driven. The exceptions are vacant parcels or known problem areas that we target each year for specific enforcement action.

Finding F9. Resources for fire jurisdiction inspection and enforcement are limited, and homeowner costs for compliance can be extremely high.

Response: Larkspur City Council agrees with this finding. . See F5 above. Most fire agencies have a minimal fire prevention division that must focus on many areas besides hillside vegetation management. Recently, disaster preparedness activities have diverted time and resources away from other programs such as vegetation management. Unfortunately, the City of Larkspur employs no full time fire prevention or clerical staff. Therefore, all non-emergency related activities such as hillside code enforcement receive less attention compared to emergency programs such as firefighting, EMS, hazardous materials, and rescue practices.

Finding F12. Significant progress in enforcing vegetation management and defensible space codes will require additional resources and/or a change in direction by governing boards.

Response: Larkspur City Council agrees with this finding.

Recommendation R1. Governing board of all fire jurisdictions in Marin County review and update current vegetation management and defensible space codes and homeowner educational materials to be certain they are realistic, achievable, enforceable and easily understood by the public at large. The board should target completion by June 30, 2009.

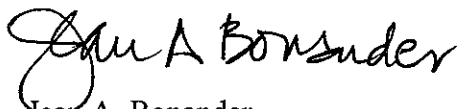
Response: The Larkspur City Council will implement this recommendation.

Recommendation R2. All fire jurisdictions develop plans with specific goals for compliance and enforcement of vegetation management and defensible space codes by June 30, 2009.

Response: The Larkspur City Council will not implement this recommendation. Larkspur's existing high fire hazard ordinance and practices are already in place, and are reviewed annually and updated as necessary by Larkspur fire personnel. If ordinance changes are needed, staff makes recommendations to the Larkspur City Council for consideration and possible adoption.

Thank you for the opportunity to comment on these issues.

Respectfully submitted,



Jean A. Bonander
City Manager
On behalf of the Larkspur City Council

C: Larkspur City Council
City Clerk

City Administration 415-927-5110
Larkspur Fire Dept. 415-927-5110
Twin Cities Police 415-927-5150
Customer Service 415-927-5110
Recreation 415-927-6746
Library 415-927-5005



Planning Dept. 415-927-5038
Building Permits 415-927-5038
Public Works 415-927-5017
Building Inspections 415-927-5033
Main FAX line 415-927-5022

September 13, 2008

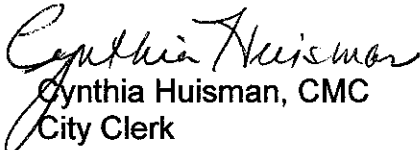
Patty Basehart
Aide to the Grand Jury
Marin County Grand Jury
3501 Civic Center Drive, Room 275
San Rafael, CA 94903

Dear Patty,

Please accept my apologies and convey them to the Grand Jury regarding the late delivery of this report. I was under the impression that it had been sent to you on the 7th of July. I located another blue ink copy in my file and enclose it.

Again, my apologies for any delay this may have caused in processing your information.

Yours truly,


Cynthia Huisman, CMC
City Clerk
City of Larkspur