

**REQUEST FOR COUNCIL ACTION**  
CITY OF SAN DIEGO

1. CERTIFICATE NUMBER (FOR AUDITOR'S USE) **331**  
12/02

**002125**

TO: CITY ATTORNEY

2. FROM (ORIGINATING DEPARTMENT): ENGINEERING & CAPITAL PROJECTS

3. DATE: 11/18/2008

4. SUBJECT: FIRE SPRINKLER RETROFITTING FOR HIGH RISE BUILDINGS

5. PRIMARY CONTACT (NAME, PHONE & MAIL STA.)  
Darren Greenhalgh, (619) 533-6600, MS 908A

6. SECONDARY CONTACT (NAME, PHONE & MAIL STA.)  
Afshin Oskoui, (619) 533-5110, MS 908A

7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED

**8. COMPLETE FOR ACCOUNTING PURPOSES**

FUND			
DEPT.			
ORGANIZATION			
OBJECT ACCOUNT			
JOB ORDER			
C.I.P. NUMBER	37-9000.0		
AMOUNT			

9. ADDITIONAL INFORMATION / ESTIMATED COST:  
None by this action

**10. ROUTING AND APPROVALS**

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIGINATING DEPARTMENT	<i>[Signature]</i>	11/18/08	8	DEPUTY CHIEF	<i>[Signature]</i>	11/19/08
2	EAS	<i>[Signature]</i>	11/18/08	9	COO	<i>[Signature]</i>	
3				10	CITY ATTORNEY		
4				11	ORIGINATING DEPARTMENT	<i>[Signature]</i>	11/19/08
5				DOCKET COORD: _____ COUNCIL LIAISON: <i>SC</i>			11/19/08
6				<input checked="" type="checkbox"/> COUNCIL PRESIDENT <input type="checkbox"/> SPOB <input type="checkbox"/> CONSENT <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> REFER TO: _____			
7	E&CP DEPARTMENT				COUNCIL DATE: 12/2/08		

11. PREPARATION OF:  RESOLUTION(S)  ORDINANCE(S)  AGREEMENT(S)  DEED(S)

1. Introduction and adoption of an Ordinance amending Chapter V of the San Diego Municipal Code by amending Article 55.1003.2.11.8 pertaining to Fire protection and prevention, to extend the required compliance date for sprinkler retrofits of high rise buildings to January 1, 2011.

11A. STAFF RECOMMENDATIONS:  
Adopt the Ordinance.

12. SPECIAL CONDITIONS:

**COUNCIL DISTRICT(S):** 2(Faulconer)

**COMMUNITY AREA(S):** (6) Centre City

**ENVIRONMENTAL IMPACT:** This activity is categorically Exempt from CEQA pursuant to State CEQA Guildlines, Section 15301

**HOUSING IMPACT:** None.

**OTHER ISSUES:** None.

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EXECUTIVE SUMMARY SHEET  
CITY OF SAN DIEGO

DATE ISSUED: REPORT NO:  
ATTENTION: Council President and City Council  
ORIGINATING DEPARTMENT: Engineering and Capital Projects Department  
SUBJECT: Fire Sprinkler Retrofitting for High Rise Buildings  
COUNCIL DISTRICT(S): 2 (Faulconer)  
CONTACT/PHONE NUMBER: Darren Greenhalgh, (858) 573-5019

REQUESTED ACTION:

Introduction of an Ordinance amending Chapter V of the San Diego Municipal Code by amending Article 55.1003.2.11.8 pertaining to Fire Protection and Prevention, to extend the required compliance date for sprinkler retrofits of high rise buildings to January 1, 2011.

STAFF RECOMMENDATION:

Approve the Ordinance.

EXECUTIVE SUMMARY:

In 1986, the Mayor and City council passed Ordinance Number O-17172 requiring fire sprinkler retrofitting for high rise buildings. Specific exemptions were granted including all Government buildings except for those owned by the City of San Diego. In 1991 the Council extended the deadline for compliance from 1996 to 1999, unless the owner declared their intent to demolish the building by January 1, 2000. In 1995 the City passed resolution number R-286760 declaring the City's intent to demolish the City Administration Building (CAB) prior to January 1, 2000.

On June 5, 2001 Ordinance Number O-18946 was adopted extending the deadline for compliance with the Fire Sprinkler Retrofit Ordinance until January 1, 2004. In addition, the City Council authorized a phase funded design build contract to continue with the installation of a fire sprinkler system.

On January 13, 2004 Ordinance Number O-19254 was adopted extending the deadline for compliance with the Fire Sprinkler Retrofitting Ordinance until January 1, 2008.

On January 8, 2008 Ordinance Number O-19696 was adopted extending the deadline for compliance with the Fire Sprinkler Retrofitting Ordinance until January 1, 2009.

The current Fire Sprinkler system includes the: backflow valve, pump, transfer switches, standpipe, alarm system, and sprinklers in the basement and on the 10<sup>th</sup>, 11<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup> and 15<sup>th</sup> floors. Remaining work includes the: emergency backup generator, additional upgrades to the alarm system, and fire sprinklers in all the elevator lobbies and on the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, and 12<sup>th</sup> floors. The cost of this work is estimated to be in excess of \$5,000,000.

On July 31, 2007, CCDC issued a request for qualifications to redevelop the Civic Center Complex. The proposed redevelopment of the Civic Center Complex has proceeded with the peer review and financial analysis which is estimated to be complete in December. Presentations to the Centre City Development Board (CCDC), the Rules Committee and the City Council are anticipated in early 2009. If this project were to move forward the completion of the fire sprinkler system in CAB would not be necessary. Should the proposed redevelopment of the Civic Center Complex not take place, the completion of the final phase of the sprinkler system project would need to be completed. Extending the deadline for compliance with the Fire Protection and Prevention Ordinance to 2011 will allow time for the completion of the evaluation of the redevelopment process for Civic Center Complex..

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FISCAL CONSIDERATIONS:

No funding is currently identified

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

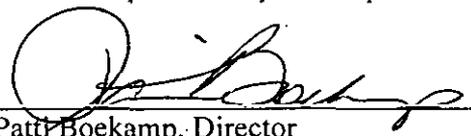
- o 1986, the Mayor and City Council passed Ordinance Number O-17172 requiring fire sprinkler retrofitting for high rise buildings .
- o 1991 the Mayor and City Council extended the deadline for compliance from 1996 to 1999\$1,200,000 appropriation for the South Course Renovation through the FY 2006 budget process.
- o 2001 Ordinance Number O-18946 was adopted extending the deadline for compliance with the Fire Sprinkler Retrofit Ordinance until January 1, 2004
- o 2004 Ordinance Number O-19254 was adopted extending the deadline for compliance with the Fire Sprinkler Retrofitting Ordinance until January 1, 2008
- o 2008 Ordinance Number O-19696 was adopted extending the deadline for compliance with the Fire Sprinkler Retrofitting Ordinance until January 1, 2009

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

None.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

The City of San Diego's City Administration Building is one of the few remaining high rise building without complete fire sprinkler protection in the City of San Diego.



Patti Boekamp, Director  
Engineering & Capital Projects Department



David Jarrell, Deputy Chief  
Public Works

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ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING CHAPTER 5, ARTICLE 5, DIVISION 10, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 55.1003, PERTAINING TO FIRE PROTECTION AND PREVENTION.

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That Chapter 5, Article 5, Division 10, of the San Diego Municipal Code is amended by amending Section 55.1003, to read as follows:

**§55.1003 Fire Extinguishing Systems**

1003.1 through 1003.2.11.7 [No change.]

1003.2.11.8 Violations

(a) [No change.]

(b) It is unlawful for any owner of a high-rise building to allow any person to occupy any portion of a high-rise building after January 1, 2011, where occupancy has been authorized pursuant to section 55.1003.2.11.8(a)(4), except where: (1) the occupant is performing minimal maintenance to prevent the high rise building from being in an unsafe condition; or (2) the occupant is performing construction or maintenance to the building related to the installation or maintenance of an automatic fire sprinkler

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system; or (3) an approved fire sprinkler system has been completely installed.

1003.3 [No change.]

Section 2. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By \_\_\_\_\_  
Nina Fain  
Deputy City Attorney

NF:mm  
11/19/08  
Or.Dept:E&CP  
O-2008-79  
MMS#7097

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I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

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**STRIKEOUT ORDINANCE**

**OLD LANGUAGE: ~~STRIKEOUT~~**  
**NEW LANGUAGE: UNDERLINE**

(O-2008-79)

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING CHAPTER 5, ARTICLE 5, DIVISION 10, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 55.1003, PERTAINING TO FIRE PROTECTION AND PREVENTION.

**§55.1003 Fire Extinguishing Systems**

1003.1 through 1003.2.11.7 [No change.]

1003.2.11.8 Violations

(a) [No change.]

(b) It is unlawful for any owner of a high-rise building to allow any person to occupy any portion of a high-rise building after January 1, ~~2008 2013, 2009~~ 2011 where occupancy has been authorized pursuant to section 55.1003.2.11.8(a)(4), except where:

(1) the occupant is performing minimal maintenance to prevent the high rise building from being in an unsafe condition; or (2) the occupant is performing construction or maintenance to the building related to the installation or maintenance of an automatic fire

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sprinkler system; or (3) an approved fire sprinkler system has been completely installed.

1003.3 [No change.]

FN:mm  
11/19/08  
Or.Dept:E&CP  
O-2008-79  
MMS#7097