



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: MARCH 6, 2007

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:
NEW BILL

Bill No. 2007-8 Eliminates certain information-gathering and reporting requirements for the Department of Fire and Rescue regarding the transportation of hazardous materials within the City. Proposed by Steven D. Washington, Chief, Department of Fire and Rescue

Fiscal Impact

No Impact

Augmentation Required

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Section 9.36.050 of the Municipal Code imposes certain information-gathering and reporting requirements on the Department of Fire and Rescue regarding the transportation of hazardous materials within the City. It has been determined that these requirements are out-of-date, and they are proposed to be eliminated by means of this bill.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

1. Bill No. 2007-8
2. Business Impact Statement

Motion made by STEVEN D. ROSS to Hold in Abeyance to 3/20/2007

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED indicated that the subject requirements were required years ago when local governments had more jurisdiction. The proposed ordinance would remove those requirements, and that is because many times the information is not

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available. COUNCILMAN ROSS was disappointed that no one from Fire and Rescue was present to answer his questions. Hence, he opted to trail this matter until the arrival of someone from staff that could answer questions.

When DEPUTY CITY MANAGER ELIZABETH FRETWELL arrived, she explained that, in reviewing some of the City ordinances, staff found that annual reports were not being provided as required, mainly due to the inability to obtain the information from the Federal Government, who will not provide the information any earlier than necessary. This prompted an evaluation of the need for such a report and whether the information could be provided in a timelier manner. She added that the intent of the original ordinance was probably to enable staff to provide the Council with risk assessments regarding the transportation of hazardous materials. She recommended attainable information be provided on an as-needed basis to the Council.

COUNCILMAN ROSS asked how the frequency of the reports would be determined if not required by ordinance, especially as the number of hazardous materials shipments increase. CITY MANAGER FRETWELL indicated that reports are made regularly as part of the strategic sessions, which includes goals for community risk reduction. Perhaps topics of interest or concern might better be reported quarterly during Council sessions. Regular reports to the Council might include information regarding at-risk businesses that house chemicals. However, if the members of this Committee feel that annual reporting is necessary, then maybe the ordinance should be changed to require the report to go to the Emergency Operations Committee, which is a sub-committee of the City Council.

COUNCILMAN ROSS commented that his primary concern is keeping the lines of communication open, regardless of the method. COUNCILWOMAN TARKANIAN agreed, adding that the Council members have a responsibility to stay informed in order to take action accordingly. Perhaps language revisions would be necessary. DEPUTY CITY MANAGER FRETWELL suggested holding this matter in abeyance to allow staff to work on an amendment with broader language. COUNCILMAN ROSS concurred, noting that the City should be concerned about all issues related to safety.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.