



# Memorandum

**To:** CITY COUNCIL

**From:** Mayor Sam Liccardo

**Subject:** SEE BELOW

**Date:** October 21, 2019

**Approved:**

10-21-2019

**SUBJECT: 2019 CALIFORNIA BUILDING STANDARDS CODE ADOPTION**

## RECOMMENDATION

1. Approve the Staff Recommendation, and adopt the proposed building standards.
2. Direct the City Manager to engage with the Fire Chief and Fire Department to analyze whether an alternative to FBAR's—such as fire-rated elevators—will provide at least equal or better safety to firefighters and residents in high-rise buildings. The City Manager is further directed to hear any concerns by Local 230 and incorporate those in any response to Council, and in its consideration of any changes in the building code, Fire policies and procedures, and Fire equipment. The safety of firefighters and occupants shall be the primary and overriding consideration of any assessment, but cost may be considered as well.

## BACKGROUND

In 2014, the Council voted to require “FBAR’s” (or FARS), or Firefighter Breathing Air Replenishment System in the building code for high-rise buildings (75 feet or higher). The system provides permanently installed air-delivery system via standpipes to firefighters in high stories, but other cities provide safety to their firefighters through fire-rated elevators. FBAR’s technology is solely provided and patented by a single company in San Carlos, Air Systems Inc, so any requirement in a building code necessarily requires all builders to use Air Systems’ proprietary product.

The Council made that decision in 2014 despite a recommendation from then-San Jose Fire Chief Willie McDonald to drop the requirement, after two successive San Jose Fire Marshalls opined that it was not necessary. The prior year, in 2013, [San Francisco Board of Supervisors dropped mandating FBAR’s in its building code for buildings with fire-rated elevators](#), finding that a fire service access elevator to be a superior substitute for safety.

With high rise construction already facing significant hurdles, the additional cost to install an FBAR system warrants additional investigation, especially as high rise construction improves its overall fire safety ratings.