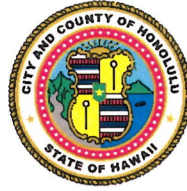


HONOLULU FIRE DEPARTMENT
CITY AND COUNTY OF HONOLULU

636 South Street
Honolulu, Hawaii 96813-5007
Phone: 808-723-7139 Fax: 808-723-7111 Internet: www.honolulu.gov/hfd

RICK BLANGIARDI
MAYOR



SHELDON K. HAO
FIRE CHIEF

JASON SAMALA
DEPUTY FIRE CHIEF

March 2, 2022

The Honorable Carol Fukunaga, Chair
and Members
Committee on Public Infrastructure
and Technology
Honolulu City Council
530 South King Street, Room 202
Honolulu, Hawaii 96813

Dear Chair Fukunaga and Councilmembers:

SUBJECT: Follow-up Questions Relating to the Implementation of
Ordinance 19-4 - Public Infrastructure Technology (PIT)
Committee Meeting - February 24, 2022

In response to your memorandum dated February 25, 2022, regarding the
abovementioned subject, we offer the following:

1. Resolution 18-157 and CR-262 (2018) requires the Honolulu Fire Department (HFD) to conduct outreach, education and training for condo associations, property owners and Licensed Design Professionals (LDP) to assist in compliance with Ordinance 18-14, superseded by 19-4. As noted by Battalion Chief Yoshida during the PIT meeting, HFD has conducted numerous outreach/training efforts involving the Life Safety Evaluation (LSE) process.

a. Please provide the following information relating to HFD's outreach efforts:

- i. Please identify dates of meetings and identify whether meeting was in-person or virtual.*

Please refer to the attached LSE Informational Sessions Tracking Sheet.

- ii. Please quantify the number of attendees at each of the meetings, and the composition of the participants (e.g., design professionals, AOAO management company representatives, AOAO board members and AOAO associations, AOAO insurance and legal representatives, etc.).*

DEPT. COM. 146

PIT

Please refer to the attached LSE Informational Sessions Tracking Sheet.

- iii. *Please outline the main concerns and issues raised by stakeholders, owners, condo associations, property owners, insurance companies and design professionals at these meetings.*

The following concerns and issues were raised:

1. Will the May 3, 2033, deadline to comply be extended?

The National Fire Protection Association 1, 2021 Edition states that existing apartments without a previously approved engineered life safety system must be sprinklered by January 1, 2033, which will eventually be adopted with amendments, as the Hawaii State Fire Code and the Fire Code of the City and County of Honolulu (City). The HFD will continue to work collaboratively with the Honolulu City Council, building management, property owners, LDPs, other stakeholders, and the community.

2. Will an extension be granted by the authority having jurisdiction?
What is the criteria?

The Fire Chief will take several factors into consideration on a case-by-case basis. These factors may include, but are not limited to:

- Building permit status
- Contractor status
- Current job progress
- Supply chain issues

3. Will there be financial assistance in the form of tax breaks or rebates?

This is not the HFD's area of expertise, and we would need to defer to the City's Department of Budget and Fiscal Services.

4. Will insurance rates go up for those who choose not to sprinkler?

This is not the HFD's area of expertise, and we would need to defer to insurance professionals.

- iv. Was feedback and information on the issues, questions and concerns that were brought up shared with each of the stakeholder groups?*

Answers were provided to those attendees who were present.

- b. As of January 31, 2022, approximately 145 buildings have not submitted their LSE, please outline HFD's plans to assist those buildings needing comply with Ordinance 19-4? What new outreach efforts have been planned? How will information be shared and disseminated?*

The HFD has and will continue to meet with LDP stakeholders. The HFD also plans to develop public service announcements, continue to provide outreach and meetings, and are open to requests for educational presentations.

Reminder cards were mailed to properties at the 11- and 5-month due dates.

- 2. The Permitted Interaction Group established by the Committee of Public Infrastructure and Technology received feedback from condo associations and property management companies regarding the inconsistent application of the evaluation criteria of the LSE by LDP and the inability to get clarity on what needs to be completed and how best a building can achieve a pass score.*

- a. With the receipt of 178 LSE of which only 12 buildings receiving a passing score, has the department reviewed and evaluated the 'non-passing' 166 properties to determine how best to address their common factors and challenges?*

The HFD receives, verifies completion, and records each LSE upon its completion.

It is the responsibility of the individual property to work with their LDP to mitigate and plan their course of action.

- b. After an LSE is received by HFD, what does the department do with each LSE evaluation? If areas in the LSE are identified that warrant inspection by HFD inspectors (e.g., storage in stairwells and other Fire Code violations), what actions does HFD pursue?*

The HFD files the hard copy and/or electronic copy.

The LSE does not independently identify fire code violations, and the HFD regularly conducts fire inspections of all buildings in the City.

- c. *Does HFD initiate dialogue with individual condo associations, building managers and their design professionals to provide guidance on those categories in which the low scores were identified?*

The HFD has not initiated dialogue with individual condo associations regarding LSEs that have been submitted.

It is the responsibility of the LDP to provide an explanation of their findings on the LSE to the property that is hiring them.

- d. *Does HFD assign staff or have a specific process that is used to assist the condo association and building owners to achieve a passing score?*

The HFD has not initiated dialogue with individual condominium associations regarding LSEs that have been submitted.

It is the responsibility of the LDP to provide an explanation of their findings on the LSE to the property that is hiring them.

- e. *How does the department address buildings that have not passed LSE?*

At this time, the HFD only verifies the submittal of completed LSEs which were recorded and filed.

It is the responsibility of the LDP to provide an explanation of their findings on the LSE to the property that is hiring them.

3. *In addition to concerns raised about inconsistent application of the LSE evaluation criteria, the PIG group received feedback regarding the interpretations of how two categories of the LSE criteria are used in the evaluation process which have contributed to a large number of buildings receiving with low scores: 1) vertical openings; and 2) upgraded fire alarm systems, specifically the ability for residents to hear alarms in their bedrooms/interior spaces.*

- a. *Does the department support facilitating discussions between design professionals, building owners and property management companies to ensure that LSE criteria for the fire alarm system category is applied in a consistent manner?*

Yes, the HFD is open to meeting with all parties involved in the LSE process.

The HFD supports actions that encourage a fair and safe process to comply with any fire code.

- b. Is HFD willing to meet with PIT Committee members, design professionals, property management companies and high-rise legal/insurance stakeholders to develop a consensus on how criteria on the vertical openings and fire alarm system categories are applied?*

Yes, the HFD is open to meeting with all stakeholders as was initially done by the Residential Fire Safety Advisory Committee to create the LSE by bringing together representatives. The HFD recommends including the City's Department of Planning and Permitting and the Society of Fire Protection Engineers, Hawaii Chapter.

- c. It appears from feedback and comments received from high-rise unit owners and property management companies that conflict of interests are inherent in the LSE process, because the design professionals affiliated with specific engineering specialties invariably encourage upgrades in their areas of specialization. Would the department support an advisory group that can monitor potential areas of abuse and report such areas to appropriate state regulatory authorities?*

The HFD supports fair and honest practices by LDPs. A determination would be made after discussion with stakeholders. The HFD would advise if minimum fire code standards have been met by the LSE.

The HFD recommends property owners solicit a second opinion if the property owner disagrees with the initial LDP findings and the initial LDP is unable to give satisfactory cost-savings options.

- d. Is HFD the appropriate entity to resolve potential conflicts involving different ratings obtained from two Life Safety Evaluations conducted by two sets of design professionals? More specifically, is an appeal of an LSE to the HFD an appropriate means of challenging an LSE when the department's position is that the design professionals are the experts, and HFD will defer to their areas of expertise?*

The HFD is able to determine the minimum fire code requirements and give feedback to property owners in that capacity. If there is a conflict with the fire code, the Board of Appeals process is written in the ordinance.

The Honorable Carol Fukunaga, Chair
and Members
March 2, 2022
Page 6

- e. *Is the department willing to consider revisions to the LSE worksheet criteria in order to provide clarity as to the appropriate safety level which is being evaluated?*

The HFD does not recommend any revisions to the current LSE worksheet.

- f. *Does the department support establishing 'Standardized Report Card' that it could issue to building owners, condo associations and building management companies so that there is a clear understanding of the LSE findings?*

The HFD does not recommend establishing a standard report card.

Should you have questions, please contact Acting Assistant Chief Craig Uchimura of our Support Services division at 808-723-7105 or cuchimura@honolulu.gov.

Sincerely,

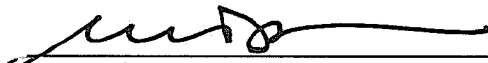
Hao,
Sheldon K

Digitally signed by
Hao, Sheldon K
Date: 2022.03.02
07:53:00 -10'00'

SHELDON K. HAO
Fire Chief

Attachment

APPROVED:



Michael D. Formby
Managing Director

LIFE SAFETY EVALUATION INFORMATIONAL SESSIONS TRACKING SHEET			
Date	In-Person / Virtual	Type of Attendees	# of Attendees
6/14/2018	In-Person	Licensed Design Professional (LDP) - Engineers and Architects	2
8/6/2018	In-Person	LDP - Engineers and Architects	19
8/8/2018	In-Person	Building and Property Managers	48
8/14/2018	In-Person	Community Members	100
8/21/2018	In-Person	Property Managers	4
8/22/2018	In-Person	Property Managers	24
9/6/2018	In-Person	Building and Property Managers	96
10/5/2018	In-Person	Engineer	1
10/13/2018	In-Person	Building and Property Managers	33
10/10/2018	In-Person	Resident Manager and Board Representatives	3
10/26/2018	In-Person	LDP - Engineers and Architects	3
11/10/18	In-Person	Residents	40
11/17/2018	In-Person	Property Managers/Residents	70
11/29/2018	In-Person	Board President and Treasurer	2
1/16/2019	In-Person	Engineers	5
1/19/2019	In-Person	Board Members	2
1/19/2019	In-Person	Resident Manager	1
2/11/2019	In-Person	Resident and Property Manager	2
2/12/2019	In-Person	Board Members and Residents	1
2/13/2019	In-Person	Property Manager	1
2/13/2019	In-Person	Property Manager	1
3/13/2019	In-Person	Property Manager	1
3/14/2019	In-Person	Property Manager	1
3/15/2019	In-Person	Property Manager	1
6/26/2019	In-Person	Building and Property Managers	74
7/29/2019	In-Person	Realtors	63
9/12/2019	In-Person	Insurance Agents	60
10/4/2019	In-Person	Insurance Agents/Underwriters	15
6/11/2020	Virtual	Residents and Property Manager	251
4/8/2021	Virtual	Association of Apartment Owners (AOAO), Insurance Companies, Residents, Property Manager	100
5/11/2021	Virtual	LDP - Engineers and Architects	14
5/20/2021	Virtual	Hawaii Council of Community Associations/HFD	104
7/27/2021	In-Person	Apartment Owners/Board Members/Associa Hawaii	15
9/14/2021	Virtual	AOAO/Insurance Agents/Residents	60
9/22/2021	Virtual	Board Members	30
10/28/2021	Virtual	Property Managers	19
1/5/2022	Virtual	Board Members/Unit Owners	30
2/16/2022	Virtual	Hawaii Chapter of the Community Associations Institute	100
Sched. 03/03/2022	Virtual	Board Members	
Sched. 03/30/2022	In-Person	Board Members	
		TOTAL	1,396