

OFFICE OF THE CITY MANAGER

November 23, 2011

To the Honorable City Council of the City of Pasadena

Mayor and Councilmembers:

WEEKLY NEWSLETTER

1. San Marino Avenue Fire Investigation Report:

On July 31, 2011 a fire in a detached garage occurred at 36 S. San Marino Avenue. Two days after the fire a deceased body was located in the debris from the fire.

The Law firm of Gutierrez, Preciado & House, LLP was retained by the City Attorney at the City Manager's request to conduct an investigation into this incident. Attached for your information is a copy of the report summary. I have asked Fire Chief Wells to review the full report and give a presentation at the upcoming Public Safety Committee meeting. If you have any questions, please feel free to contact the City Manager or the Fire Chief.

2. Rose Bowl Renovation Project Weekly Update:

Attached is the most current schedule for the Rose Bowl Renovation Project as provided by Darryl Dunn, General Manager of the Rose Bowl.

Happy Thanksgiving!

On behalf of the entire City Staff, I want to wish you and yours a wonderful Thanksgiving Holiday.

Respectfully submitted,

STEVE MERMELL

Assistant City Manager

City Hall

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November 15, 2011

Via E Mail

Michele Beal Bagneris City Attorney/City Prosecutor 100 N. Garfield Avenue Suite N-210

Pasadena, CA 91109

Dear Ms. Bagneris:

Confidential Investigation

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Morrison Am The following is a summary of the investigation referenced above.

SAN MARINO INCIDENT - INVESTIGATION OVERVIEW

On Sunday, July 31, 2011 at 2:19 a.m., Pasadena Fire Department units were dispatched to a house fire at Colorado and Oak. Arriving units located the fire at 36 S. San Marino Avenue, Pasadena. The fire was contained to a detached garage and laundry room. The fire was reported knocked down at 2:37 a.m. Units remained on scene until 5:52 a.m. At 6:47 a.m. the homeowner called 911 to report smoke coming from the garage. Upon arrival, the engine company reported smoldering material from the earlier fire. The engine company cleared the rekindle incident at 8:14 a.m. On Tuesday, August 2, 2011 at 11:52 a.m., Pasadena Fire Department was notified by Verdugo Communications Center that a private insurance investigator was at the location and had discovered a body in the debris in the laundry room.

The law firm of Gutierrez, Preciado & House LLP was retained to conduct an investigation as to why the body was not found by Pasadena Fire Department personnel although there had been two calls for service at the 36 San Marino address the morning of July 31, 2011. The law firm retained a retired fire chief, John Kabala, as a consultant. All involved personnel and witnesses were interviewed and all applicable department policies, rules and regulations, and operational directives were reviewed. At the conclusion of the investigation, the investigators submitted findings and the consultant

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made recommendations.

To better understand the findings, the following general information is provided:

- 1. When an engine company responds to a structure fire, a primary search is conducted. This is a quick search of the structure by one of the companies on scene, and its purpose is to look for fire victims either before or during the attack operation.
- 2. A secondary search is conducted after the fire is under control and is a slow, methodical search of the entire structure and the perimeter to ensure there are no remaining occupants in the structure.
- 3. Overhaul is the process of removing burned or charred material away from the structure, to ensure that the fire is fully extinguished. This is done by completely stripping away charred material.
- 4. Origin and cause determination is the process of determining the potential causes of the fire. This process is the responsibility of the first fire captain on scene. If the fire captain is unable to determine the cause and origin of the fire, then he/she must request that a fire investigator come to the scene to make such a determination. The fire scene must be secured either by yellow caution tape or fire personnel to make sure the scene is not disturbed prior to the arrival of the investigator.

Factual Findings

On the initial call for service to 36 San Marino, the primary and secondary searches of the garage structure did not include the laundry room. The laundry room was a small structure (approximately $5' \times 8'$) at the rear of the main structure, and contained a washer/dryer, folding table and shelf. There was a narrow space between the washer and dryer and the folding table. The primary and secondary searches were apparently conducted by the same crew and very close in time to each other.

Once the fire was extinguished, the fire captain in charge of the scene chose to spray the affected areas with foam as he understood that to be an acceptable form of overhaul. The foam caused the body to be further obscured.

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While the fire captains on scene at 36 San Marino suspected the cause of the fire was faulty electrical wiring, the cause and origin was not definitively determined. Also, while there was an understanding that a fire investigator would be called, no one ascertained who would make the call. Thus, the fire investigator was never called and the fire scene was left unsecured.

On the second call for service, the ceiling of the laundry room was brought down causing more debris to fall on the body which was already obscured by foam. The debris from the ceiling and other charred materials were not removed from the laundry room. Moreover, no secondary search of the laundry room was conducted on this second call for service.

Conclusions

Overall, there was a lack of communication between command personnel.

As to the primary search, it is standard operating procedure to extend a primary search to all affected areas. No primary search was conducted in the laundry room because it was small and not part of the main structure as required by Department policies.

As to the secondary search, Operation Directives indicate that secondary searches should preferably be conducted by different companies than those involved in the primary search. The secondary search was conducted by the same crew, very close in time to the primary search and again did not include the laundry room. While the space was small and presumed to be unoccupied, it still should have been searched to ascertain that no living beings (humans or pets) were inside.

As to the decision to overhaul the laundry room and other affected areas by applying foam, instead of removing all charred debris, such may have resulted in the body not being immediately discovered, and also possibly contributed to the fire rekindling after fire units had departed the scene. The investigation determined that the guidelines regarding overhaul may be unclear as some fire captains believed that applying foam was an acceptable form of overhaul. They also stated that, it was their understanding that the debris should be disturbed as little as possible for insurance purposes. Thus, the policy regarding overhaul appears vague and needs to be clarified.

As to the cause and origin investigation, it was not thorough and was inconclusive as fire personnel disagreed as to the cause and origin. Despite this result, no fire

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investigator was called at that time. While there was an apparent understanding that a fire investigator would be coming on Monday morning (24 hours later), the scene was returned to the home owner and left unsecured.

Recommendations by Consultant

- 1. Reinforce training to ensure that primary and secondary searches will be conducted as prescribed in Pasadena Fire Department policy. Searches will be conducted in all areas including rooms, voids, and spaces affected by fire and or smoke. The primary and secondary searches should be conducted by a different team of fire personnel if at all possible.
- 2. Modify department policy as necessary to avoid vagueness by clearly defining an effective overhaul and when foam is an appropriate alternative to removing materials to ensure the fire is completely out. Once the policy is modified, training needs to be conducted to ensure that overhaul operations will be thorough and methodical. After the fire has been extinguished, removal of fire debris should be the top priority. This practice will prevent the rekindling of the fire and decrease the potential of additional fire damage. The preservation of potential physical evidence is important and attempts should be made to preserve evidence. However, the complete extinguishment of the fire should be the priority for fire suppression personnel. This can only be accomplished by a complete and thorough overhaul of fire debris from all areas affected by fire to ensure the fire is completely extinguished and no bodies have been concealed by the debris. At the conclusion of the overhaul operation the captain and his crew should conduct a final walk through of the structure. All team members should be in agreement that the fire has been completely extinguished and all affected areas have been searched and overhauled.
- 3. Modify department policy as appropriate and reinforce training to ensure that fire investigation is conducted as soon as practical and that the procedures for requesting an investigator are uniform. If the investigator cannot arrive during the fire attack or shortly thereafter, the area must be secured until the arrival of the investigator. The Pasadena Fire Department should consider activating the Shift Fire Investigator Program. This will enable fires to be investigated in a timely manner and while fire suppression crews are still on scene.
- 4. The policies implicated in this incident should be reviewed by management and any policy developed and implemented should be reviewed with every member of

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the Department. Command staff needs to verify that each and every subordinate is familiar with the policies. Each member should sign acknowledgments of review and understanding of the policies.

If you should have any questions or require anything further, please do not hesitate to call.

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for GUTIERREZ, PRECIADO & HOUSE, LLP

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PROJECT PLANNING SCHEDULE

2011

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27	28	29	30				25	26	27	28	29	30	31	29	30	31				

•	November 21, 2011:	Core Project Planning Meeting (7:30 am/ Brookside Clubhouse)
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November 21, 2011: IMG Coordination Meeting (2:00 pm/Sales Trailer)

- November 22, 2011: Contractor Construction Progress Meeting (10:00 am/Project Trailer)
- November 22, 2011: PFBL Coordination Meeting (4:00 pm/City Hall, Green Conference Room)
 - November 22, 2011: RBOC Operations Committee Meeting (5: 00 pm/ Administration Conference Room)

• November 24, 2011: Thanksgiving (RBOC Office Closed)

- November 25, 2011: (RBOC Office Closed)
- November 28, 2011: Core Project Planning Meeting (7:30 am/ Brookside Clubhouse)
- November 28, 2011: IMG Coordination Meeting (2:00 pm/Sales Trailer)
- November 29, 2011: Legends Coordination Meeting (10:00 am/Sales Trailer)
- November 29, 2011: Contractor Construction Progress Meeting (10:00 am/Project Trailer)
- November 29, 2011: PFBL Coordination Meeting (4:00 pm/City Hall, Green Conference

Room)

- November 30, 2011: Rose Bowl Game Preparation and Coordination Planning Meeting (2:00 pm/ Project Trailer)
- December 1, 2011: Project Team Coordination Meeting (1:00pm/ Project Trailer)
- December 1, 2011: RBOC Board Meeting (6:30 pm/ Brookside Clubhouse)
- December 5, 2011: Core Project Planning Meeting (7:30 am/ Brookside Clubhouse)
- December 5, 2011: IMG Coordination Meeting (2:00 pm/Sales Trailer)

November 22, 2011: Legends Coordination Meeting (10:00 am/Sales Trailer)

December 6, 2011: Legends Coordination Meeting (10:00 am/Sales Trailer)

• December 6, 2011: Contractor Construction Progress Meeting (10:00 am/Project Trailer)

• December 6, 2011: PFBL Coordination Meeting (4:00 pm/City Hall, Green Conference

Room)

December 7, 2011: Rose Bowl Game Preparation and Coordination Planning Meeting (2:00

pm/ Project Trailer)

December 8, 2011: Neighbor/Community Meeting (7:30 am/ Brookside Clubhouse)

December 8, 2011: Phase 2A Press Box Completion Package Bids Due (11 am/

Administration Office)

December 8, 2011: Project Team Coordination Meeting (1:00 pm/ Project Trailer)

December II, 2011: Flea Market

December 12, 2011: TOR Operations Compound Move-In Begins

December 15, 2011: Tentative Special RBOC Board Meeting

(6:30 pm/ Brookside Clubhouse)