



CITY OF SALINAS

COUNCIL STAFF REPORT

DATE: **OCTOBER 8, 2019**

DEPARTMENT: **POLICE DEPARTMENT**

FROM: **ADELE FRESE, CHIEF OF POLICE**

BY: **DALE FORS, SERGEANT**

TITLE: **DIRECT PURCHASE OF PERSONAL PROTECTIVE RESPIRATORS FOR POLICE PERSONNEL**

RECOMMENDED MOTION:

It is recommended that City Council approve a resolution authorizing the direct purchase of 149-Avon C-50 personal protective gas mask kits for police personnel from Curtis Blue Line Co. at a total cost of \$84,269.08 and 26-Avon FM53 personal protective gas mask kits for SWAT police personnel from Curtis Blue Line Co. at a total cost of \$37,656.08. The total cost of these purchases is \$121,925.16

RECOMMENDATION:

It is recommended that City Council approve the recommended motion to purchase this equipment in order to adhere to OSHA and California POST requirements. It is required for each officer that has the potential to be exposed to chemical agents or industrial chemicals such as spills on emergency calls be provided personal protective equipment in the form of gas masks.

DISCUSSION:

In 2004, California POST along with Cal/OSHA developed the framework for the “Model Respiratory Protection Program for Law Enforcement.” This program set out to develop and regulate standards for police departments requiring implementation of a respirator program to aid in the protection of its personnel. The model is an example of a respiratory program and can be modified by the agency. This model was recently updated in 2018 and is attached to this report. The following are the outcomes of the project:

California Code of Regulations, Title 8, Section 5144 requires employers to develop and implement a written respiratory protection program that includes worksite procedures and elements for required respirator use. The regulation also specifies the minimum medical evaluation requirements determining an employee’s ability to use a respirator.

California Code of Regulations, Title 8, Section 5199 requires employers to develop a program to protect their workers from Aerosol Transmissible Disease (ATD). Regulation 5199 also specifies the vaccines and/or titers required to be provided to their workers and the minimum medical evaluation requirements determining an employee's ability to use a respirator specifically for protection against ATDs.

The scope outlined by the model program and the regulations set forth in the California Code of Regulations states the agency is responsible for compliance regarding required screening/titers and vaccinations, equipment selection, medical screening, fit testing, training, use and maintenance of respirators. The model also identifies the following personnel to be equipped with respirators and be covered under the agencies program developed:

- 1) Individuals who are issued respirators to be used for escape from hazardous atmospheres.
- 2) Individuals who are issued respirators to be used while maintaining perimeters at hazardous materials incidents.
- 3) Individuals who are issued respirators for use in maintaining perimeters in crowd control situations where chemical agents are used.
- 4) Individuals who, in exigent or emergency situations, are required to enter an area where OC, CS, CN, CBRN, or other tearing agents have been expelled.

State regulation requires agencies to identify and designate a respiratory protection program and exposure control plan administrator to oversee the program. The person shall be identified by name, rank and location. The program administrator is responsible for ensuring that law enforcement personnel whose assignments could include contact with, or response to, hazardous materials or ATD are included in the program and that the program is implemented in a consistent manner throughout the agency.

Both the State regulation and the model state the following process is necessary:

- 1) Proper respirator is identified and provided
- 2) Medical evaluation is conducted with individual employee
- 3) Fit Testing to ensure proper fit initially and annually
- 4) Training on use and maintenance provided
- 5) Inspections conducted monthly by employee
- 6) Proper documentation and records keeping

In order to meet these requirements, purchasing the personal protective respirators is the first step for compliance. After acquisition, medical evaluations and fit testing will be conducted with a contacted and certified company.

Informal proposals were obtained from different providers of the required equipment. One, Curtis Blue Line, has the masks immediately available and at a discounted price, with Curtis Blue Line's proposal being over \$18,000 lower than the other companies. The City Council has the authority to approve this purchase pursuant to Salinas Municipal code Sections 12-27 because pursuing a formal competitive bidding process will not likely result in a better price or a cost-savings to the

City. Curtis Blue Line also has the equipment available which will mean there will not be a delay in obtaining and outfitting City personnel. Likewise, the City Council can approve this purchase without application of the local purchasing preference pursuant to Salinas Municipal Code section 12-28.080. There are no local providers of this equipment, let alone a local provider with the equipment in stock, ready for delivery.

This report has not been viewed by any Committee.

CEQA CONSIDERATION:

The City of Salinas has determined that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA) (CEQA Guidelines Section 15378).

STRATEGIC PLAN INITIATIVE:

1. Economic Diversity and Prosperity: This item does not specifically relate to one of the Council's Strategic Plans or Goals.
2. Safe, Livable Community: Relates specifically under the objective "Update Technology in Public Safety."
3. Effective, Sustainable Government: This item does not specifically relate to one of the Council's Strategic Plans or Goals.
4. Well Planned City and Excellent Infrastructure: This item does not specifically relate to one of the Council's Strategic Plans or Goals.
5. Quality of Life: This item does not specifically relate to one of the Council's Strategic Plans or Goals.

FISCAL AND SUSTAINABILITY IMPACT:

There are funds available in the current 2019-2020 fiscal year budget. Account 1000.40.4220-62.5120 has funding available for the purchase of the equipment at a total cost of \$121,925.16

ATTACHMENTS:

Council Resolution
CA POST Model Respiratory Program Guide
Respiratory Mask Quotes