



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Kimberly Shunk

**SUBJECT:** SEE BELOW

**DATE:** July 23, 2007

Approved

Date

7/25/07

**COUNCIL DISTRICT:** City-Wide  
**SNI AREA:** N/A

**SUBJECT: REVIEW AND APPROVE THE CITY'S RESPONSE TO THE CIVIL GRAND JURY'S FINAL REPORT, "DISASTER PREPAREDNESS IN THE COUNTY: IMPROVEMENTS NEEDED"**

## RECOMMENDATION

Staff recommends the City Council review and approve the City's response to the 2006-2007 Santa Clara County Civil Grand Jury's report entitled, "Disaster Preparedness in the County: Improvements Needed" issued on May 22, 2007.

## OUTCOME

Approval of this memorandum enables the City to respond to the Civil Grand Jury and satisfies the requirements of California Penal Code Section 933 (c), which requires a response no later than Monday, August 20, 2007.

## BACKGROUND

On May 22, 2007, the Santa Clara County Civil Grand Jury published a report entitled, "Disaster Preparedness in the County: Improvements Needed." Noting that disaster events that have occurred in Santa Clara County have heightened interest in emergency preparedness, the Grand Jury interviewed the County's director of the Office of Emergency Services (OES), as well as OES directors from five cities: San José, Sunnyvale, Santa Clara, Morgan Hill, and Gilroy. The interviews focused on three areas of emergency preparedness: personnel callback ability, equipment availability, and seismic security of communications equipment.

The Grand Jury provided positive comments that all Emergency Operations Centers had equipment listings, knew how to acquire (purchase) additional equipment from the local area, knew how to acquire needed equipment through mutual aid from surrounding jurisdictions, had Emergency Operations Plans, an Emergency Operations Center, and a designated Emergency Operations Coordinator or the equivalent. The Grand Jury also noted that all jurisdictions had thoroughly considered and clearly defined the potential emergency needs for their jurisdictions.

However, the Grand Jury found a lack of consistency in the attention given to two of the three areas of focus and made recommendations to improve emergency preparedness in these areas: personnel callback, and seismic security of communications equipment.

## **ANALYSIS**

The Civil Grand Jury issued the following findings and recommendations that apply to the City of San Jose. For ease of use, the City's response appears directly underneath the Grand Jury's finding and its associated recommendation.

### **Ability to Call Back Personnel for an Emergency**

**F1:** Emergency Operations Centers of San José, Santa Clara, Sunnyvale, and the County have personnel availability listings where their personnel currently live. The City of San José has printed cards with the information needed to manually call back their personnel. They maintain a list of "the line of succession" for key staff, along with all contact information for these employees. This list is updated on a regular basis. Some departments of the City have automated systems of callback.

**R1:** No recommendation for the City of San José.

**City response:** San José appreciates the Grand Jury's observation that recall procedures are in place and updated regularly, and will continue to work hard to ensure that recall procedures meet operational needs and conform to any changes required by the state and/or federal government.

**F2:** The City of Sunnyvale Department of Public Safety and some departments of the City of San José have automated means of summoning their workers in the event of an emergency.

**R2:** The Emergency Operations Centers for the Cities of Gilroy, Morgan Hill, San José, Santa Clara, and the County should consider developing automated or other rapid means of summoning their employees.

**City response:** Agreed. The San Francisco Bay Area's Super Urban Area Security Initiative (SUASI), of which the City of San José is a member, is currently investigating alerting and warning systems through the Public Information and Warning working group. This is one of twelve working groups that meet monthly to identify and prioritize regional emergency management needs. In the near future, the SUASI Management Team anticipates that the technology piece (as contrasted with the Public Information Officer piece) of the Public Information and Warning project will transition to the Interoperable Communications working group as part of an effort to integrate communications systems. As one of six voting members of the SUASI Approval Authority that allocates funds for projects, the City of San José will continue to monitor the progress of this initiative.

### **Equipment Availability**

**F3:** The emergency operations centers of all the jurisdictions surveyed have listings of equipment within their control and are aware of the methods needed to obtain additional emergency equipment.

**R3:** No recommendation.

**City response:** The City of San José appreciates the Grand Jury’s observation and will continue to maintain current listings of equipment and update mutual aid agreements and procurement procedures as necessary.

### **Seismic Security of Communications Equipment**

**F4:** There was no consistency among the jurisdictions surveyed as to the codes to which their communications equipment was installed. In response to questions regarding seismic audits to ensure survivability, most of the jurisdictions identified some code(s) to which their equipment was installed. The Grand Jury cannot determine if the codes cited by the jurisdictions provide the equivalent level of protection for the communications equipment as specified in California Building Code Chapter 16, Section 1632. The City of San José states that the City, “does adhere to all State seismic retrofit requirements for buildings at that time of construction” and “newer facilities are designed and constructed to meet or exceed seismic safety standards as public safety facilities...” They did not specify the standards to which they comply.

**R4:** The County and all of the surveyed cities should assure that they meet California Building Code Chapter 16, especially Section 1632 relating to the physical security of nonstructural equipment.

**City response:** Agreed. All radio, telephone, and Computer Aided Dispatch (CAD) equipment in the Public Safety Access Point (PSAP) is seismically mounted both on the floor and with upper bracing.

All new construction for nonstructural equipment conforms to the California Building Code, 2001 edition (Title 24, Part 2, Volume 2) Section 1632 entitled, “Lateral forces on elements of structures, nonstructural components and equipment supported by structures.” This section includes equations for the total design lateral seismic force and includes an Importance Factor,  $I_p$ , that will determine the increases required in essential facilities. The Importance Factor is defined in Table 16K entitled, “Occupancy Category.” The table defines a 50% increase to the above factor over standard occupancy structures for nonstructural equipment.

In addition, procurement procedures reinforce seismic requirements. Item 12 on the City’s Service Order states, “Compliance with Law: Contractor shall in the performance of this Service Order comply with all applicable Federal, State and local laws and regulations.” As a result, it is incumbent on the contractor to ensure that equipment is installed in accordance with the Building Code.

**F5:** All of the emergency operations centers surveyed have an Emergency Operations Plan and a designated Emergency Operations Coordinator or equivalent.

**R5:** No recommendation.

**City response:** The City of San José remains committed to regularly updating its Emergency Operations Plan and funding a full-time Emergency Manager.

July 23, 2007

**Subject: Civil Grand Jury Report – Disaster Preparedness**

Page 4 of 5

**F6:** Five cities and the County were surveyed. There were ten cities within the County that were not surveyed, and the preparedness levels of these cities as related to the major areas of focus are unknown.

**R6:** No recommendation for the City of San José.

**City response:** No response, because neither the finding nor the recommendation is applicable to the City of San Jose.

### **EVALUATION AND FOLLOW-UP**

As a voting member of the SUASI Approval Authority, OES will follow the progress of the SUASI Public Information and Warning working group as it reviews and evaluates automated notification systems for use during emergencies.

### **PUBLIC OUTREACH/INTEREST**

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

This item does not meet any of the Public Outreach/Interest Criteria. This memorandum will be posted on the City's website for the August 14, 2007 Council agenda.

### **COORDINATION**

This memorandum was coordinated with the Public Works, Police, and Fire Departments, Purchasing Division of the Finance Department, City Attorney's Office, and Budget Office, as well as the San Francisco Bay Area's Super Urban Area Security Initiative (SUASI) Management Team.

HONORABLE MAYOR AND CITY COUNCIL  
July 23, 2007  
**Subject: Civil Grand Jury Report – Disaster Preparedness**  
Page 5 of 5

**CEQA**

CEQA: Exempt.

A handwritten signature in black ink, appearing to read 'K Shunk', written in a cursive style.

KIMBERLY SHUNK  
Emergency Preparedness Director, OES

For questions please contact Kimberly Shunk, Emergency Preparedness Director, at (408) 277-4595.



RECEIVED  
CITY MANAGER  
2007 MAY 18 P 1:22

May 16, 2007

Honorable Chuck Reed  
Mayor  
City of San Jose  
200 East Santa Clara Street  
San Jose, CA 95113

Dear Mayor Reed and Members of the City Council:

Pursuant to Penal Code § 933.05(f), the 2006-2007 Santa Clara County Civil Grand Jury is transmitting to you its Final Report, **Disaster Preparedness in the County: Improvements Needed.**

**Penal Code § 933.05(f)**

A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report. Leg. H. 1996 ch. 1170, 1997 ch. 443.

This report will be made public and released to the media on **Tuesday, May 22, 2007 at noon.** If you have any questions please contact Gloria Alicia Chacón, Executive Assistant, at 408-882-2721.

Sincerely,

RONALD R. LAYMAN  
Foreperson  
2006-2007 Civil Grand Jury

RRL:dsa  
Enclosure

C: Lee Price  
Les White  
Rich Daugh  
Dete Furrer



## 2006-2007 SANTA CLARA COUNTY CIVIL GRAND JURY REPORT

### **DISASTER PREPAREDNESS IN THE COUNTY: IMPROVEMENTS NEEDED**

#### **Summary**

Disaster events that have occurred in Santa Clara County (County) have heightened interest in emergency preparedness. The umbrella organization for emergency services in the County is the Santa Clara County Office of Emergency Services (Emergency Services). This organization is augmented by the emergency services organizations of each of its fifteen cities.

The 2006-2007 Santa Clara County Civil Grand Jury (Grand Jury) interviewed the director of Emergency Services for the County and the directors of a sampling of five cities within the County. The organizations reviewed are the County, the City of San Jose, the City of Sunnyvale, the City of Santa Clara, the City of Morgan Hill, and the City of Gilroy. These interviews, and review of pertinent documents, focused on three areas of emergency preparedness: personnel callback ability, equipment availability, and seismic security of communications equipment.

The personnel callback ability refers to the ability of an agency to locate, contact, and advise employees of the type of emergency and to request their return to the workplace. Equipment availability refers to the availability of types of equipment lists, such as dozers, buses or water purification systems, knowledge of where the equipment is located, and knowledge of how to request and obtain the equipment. Seismic security of communications equipment refers to the presence of physical restraints to minimize damage to communications components during an earthquake.

The Grand Jury found a lack of consistency in the attention given to two of the three areas of focus by the agencies reviewed. The Grand Jury made recommendations to improve emergency preparedness in these areas of focus: personnel callback, and seismic security of communications equipment.

#### **Discussion**

The 1.7 million residents of the County are susceptible to significant emergency events. These events could include earthquakes, weather extremes, floods, transportation accidents, toxic substance spills, terrorist attacks, and utility interruptions. The city and county governments have the responsibility to prepare for these events. They also have the responsibility to provide for various populations within the County that have limited mobility in the event of an emergency, including the sick and injured, the elderly, and those lacking transportation.

Major areas of focus in this report are: (1) ability to call back personnel in the event of a major emergency, (2) equipment availability in the event of a major emergency, and (3) seismic security of communications equipment.

The Grand Jury reviewed the County and five of its fifteen cities to determine their preparedness in the three major areas of focus. It is the intent of this report that pertinent information be used by the other ten cities to evaluate their own emergency preparedness. Government entities and their Emergency Operations Centers reviewed were:

- City of Gilroy Emergency Operations Center
- City of Morgan Hill Emergency Operations Center
- City of San Jose Emergency Operations Center
- City of Santa Clara Emergency Operations Center
- City of Sunnyvale Department of Public Safety
- Santa Clara County Emergency Operations Center

Agencies whose staff members were interviewed can be found in the Interviews and Observations section of this report.

Documents secured from each agency include: (1) Emergency Operations Plan, (2) personnel callback listings, (3) equipment availability lists, and (4) documents related to seismic security of communications equipment. Not all the agencies reviewed had current listings.

Tours were made of all six of the emergency operations centers. The information gathered and the documents received are the bases for the Conclusions, Findings, and Recommendations below.

The standards to which the seismic security of communications equipment is measured are listed in the California Building Code, Chapter 16. Section 1632 of this Chapter refers to nonstructural components supported by structures.

## **Conclusions**

### **Ability to Call Back Personnel for Emergencies**

Not all government emergency operations centers surveyed have up-to-date, available information as to where their personnel live or how to contact them. Not all have a rapid means of summoning their workers in the event of an emergency.

## **Equipment Availability**

All emergency operations centers have listings of equipment and how to acquire additional equipment from the local area. All emergency operations centers are aware of the procedures available to acquire needed equipment through mutual aid from surrounding jurisdictions or through the County. Mutual aid is the response to one agency's request for needed services or supplies by another agency, either by another agency within the County or by one from outside the County.

## **Seismic Security of Communications Equipment**

None of the sampled government emergency operations centers has been evaluated for the safety and survivability of their communications equipment during an earthquake. Few could even accurately define the applicable seismic standards to which their communications equipment installations were supposed to be measured. All of the communications equipment inspected had some means of securing it to the floor, a wall, and/or the ceiling. However, some equipment inspected had individual components that were unsecured.

## **General**

All of the government entities reviewed had an Emergency Operations Plan, an Emergency Operations Center, and a designated Emergency Operations Coordinator or equivalent. In addition, all had thoroughly considered and clearly defined the potential emergency needs for their jurisdictions.

## Findings

The following findings were reviewed with the subject agencies:

### Ability to Call Back Personnel for an Emergency

- F1** Emergency Operations Centers of San Jose, Santa Clara, Sunnyvale and the County have personnel availability listings that record where their personnel currently live. The City of Gilroy has records that are not current.
- The City of Gilroy has contact information. The information is not current, and callback is through a manual system. They also have a text-paging system that can be used when personnel can be reached by email.
  - The City of Morgan Hill's records are current. Callback is a manual system.
  - The City of Santa Clara has current information, but it is a manual system relying on a phone tree system.
  - The City of San Jose has printed cards with the information needed to manually call back their personnel. They maintain a list of "the line of succession" for key staff, along with all contact information for these employees. This list is updated on a regular basis. Some departments of the City have automated systems of callback.
  - The City of Sunnyvale has an automated system that can call a large group of employees simultaneously. The system automatically distinguishes whom to call, based on the type of incident and the size of response required. Personnel are required to update contact information regularly, which they can do on the City's website.
  - The County has the necessary records. Their callback system is a manual system.
- F2** The City of Sunnyvale Department of Public Safety and some departments of the City of San Jose have automated means of summoning their workers in the event of an emergency. However, the Emergency Operations Centers for the County and for the Cities of Gilroy, Morgan Hill, San Jose, and Santa Clara do not have automated means.

### Equipment Availability

- F3** The emergency operations centers of all the jurisdictions surveyed have listings of equipment within their control and are aware of the methods needed to obtain additional emergency equipment.

## **Seismic Security of Communications Equipment**

- F4** There was no consistency among the jurisdictions surveyed as to the codes to which their communications equipment was installed. In response to questions regarding seismic audits to ensure survivability, most of the jurisdictions identified some code(s) to which their equipment was installed. The Grand Jury cannot determine if the codes cited by the jurisdictions provide the equivalent level of protection for the communications equipment as specified in California Building Code Chapter 16, Section 1632.
- The City of Gilroy states that they comply with Section 1605.2 of Chapter 16, California Building Code. In addition, the City refers to Table 16K of the same chapter, which provides data on Occupancy Category/Essential Facilities, and Table 16S, which deals with Near Source Factor/Seismic Source Factor.
  - The City of San Jose states that the City “does adhere to all State seismic retrofit requirements for buildings at the time of construction” and “newer facilities are designed and constructed to meet or exceed seismic safety standards as public safety facilities...” They did not specify the standards to which they comply.
  - The City of Santa Clara states that they comply with Section 1632 of the California Building Code for seismic security of equipment. They further state that they use “industry standard” racks and mounting standards that secure the equipment to walls and/or ceilings. Internal audits and safety inspections of communications equipment are regularly conducted.
  - The City of Sunnyvale states that their facilities conform to the Uniform Building Code, 1991, including the seismic requirements of Section 2312 for Earthquake Zone 4. They also state that they comply with the seismic requirements of SB 239, Chapter 1521. Contracts with their communications equipment suppliers reference the above codes, plus a lengthy list of other building codes, National Fire Protection Administration technical requirements, Occupational and Safety Administration standards, and other standards.
  - The City of Morgan Hill states that their facility meets the California Building Code standards as an essential facility. They further state that the seismic requirements for essential facilities were incorporated in the facility during reconstruction.
  - The County states that they know the standards and are in compliance.
- F5** All of the emergency operations centers surveyed have an Emergency Operations Plan and a designated Emergency Operations Coordinator or equivalent.
- F6** Five cities and the County were surveyed. There were ten cities within the County that were not surveyed, and the preparedness levels of these cities as related to the major areas of focus are unknown.

## **Recommendations**

The 2006-2007 Grand Jury recommends that the agencies take the following actions:

- R1** The Emergency Operations Center for the City of Gilroy needs to prepare availability lists showing the employees' current residence. All emergency operations centers should develop a procedure for keeping their listings current.
- R2** The Emergency Operations Centers for the Cities of Gilroy, Morgan Hill, San Jose, Santa Clara, and the County should consider developing automated or other rapid means of summoning their employees.
- R3** No recommendation.
- R4** The County and all of the surveyed cities should assure that they meet California Building Code Chapter 16, especially Section 1632 relating to the physical security of nonstructural equipment.
- R5** No recommendation.
- R6** The ten cities not reviewed in this report should examine their planning for disasters and determine if the above recommendations apply to them.

## BIBLIOGRAPHY

2002-2003 Santa Clara County Civil Grand Jury. *Inquiry into Computer Information Systems Disaster Recovery Plans*.

2004-2005 Santa Clara County Civil Grand Jury. *Confirmation of Responses to 2002-2003 Santa Clara County Civil Grand Jury Recommendations*.

California Seismic Safety Commission. *The Tsunami Threat to California*.  
<http://www.seismic.ca.gov/pub/CSSC%2005-03%20Tsunami%20Findings.pdf>.  
December 2005.

California Uniform Building Code, Volume 2, Chapter 16, *Structural Design Requirements*, 2001.

Dillon, Tim. Do We Have to Wait for Another National Emergency to Get Some of These Things Done? *USA Today*. September 14, 2005.

Shunk, Kimberly. *Golden Guardian 2006 Master Scenario of Events List (MSEL) Worksheet*. November 14, 2006.

Shunk, Kimberly. Email, *San Jose Office of Emergency Services – Follow up to Golden Guardian 2006 Exercise*. January 26, 2007.

FEMA. *Information Center for Natural Disasters*. Hyperlinks to: *Prepare for a Disaster, Determine Your Risk, Plan for Emergencies, Assemble Supplies, Protect Your Property, Are you Ready?* and *What FEMA Is Doing? Mitigation Activities*: <http://www.fema.gov/plan>. November 21, 2006.

Memorandum dated October 3, 2006, from Peter Kutras, Jr. to County of Santa Clara Board of Supervisors, *Reorganization of the Office of Emergency Services in the Office of the County Executive*.

US Geological Survey. *Earthquake Hazards Program – Northern California*.  
<http://quake.usgs.gov/prepare/hazards.html>. April 21, 2003.

US Geological Survey. *Earthquake Preparedness in California*.  
<http://pubs.usgs.gov/gip/2005/15>. 2006.

## **Emergency Plans**

City of Gilroy

City of Morgan Hill

City of San Jose

City of Santa Clara

City of Sunnyvale

Santa Clara County

## **INTERVIEWS AND OBSERVATIONS**

September 6, 2006	Interviewed Staff, Santa Clara County Office of the Sheriff and Staff of the Santa Clara County Office of Emergency Services. Presentation to the 2006-2007 Grand Jury.
October 4, 2006	Observed demonstration of the San Jose Police Department's emergency equipment operational capability.
October 22, 2006	Interviewed Staff of Santa Clara Fire Department.
November 3, 2006	Interviewed Staff of the Santa Clara County Office of Emergency Services, and Staff of Telecommunications for Santa Clara County.
November 6, 2006	Interviewed Staff of the Sunnyvale Department of Public Service.
November 15, 2006	Observed the Golden Guardian Multi-Agency Exercise and Simulations at Moffett Field.
November 17, 2006	Interviewed Staff of City of San Jose Office of Emergency Services.
January 5, 2007	Interviewed Staff of Morgan Hill Police Department.
January 5, 2007	Interviewed Staff of the Gilroy Fire Department.
January 23, 2007	Interviewed Staff of Emergency Services Department, Gilroy Police Department.

**PASSED and ADOPTED** by the Santa Clara County Civil Grand Jury on this 24<sup>th</sup> day of April 2007.

---

Ronald R. Layman  
Foreperson

---

David M. Burnham  
Foreperson Pro tem

---

Kathryn C. Philp  
Secretary

