



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: William L. McDonald

SUBJECT: RESPONSE TO GRAND JURY
REPORT – DISASTER
PREPAREDNESS

DATE: 08-09-10

Approved

Deanna Johnson

Date

8/17/10

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

RECOMMENDATION

It is recommended that the City Council review and accept the staff response to the Civil Grand Jury Report entitled, "Disaster Preparedness in our County and Cities".

OUTCOME

Approval of this report satisfies the requirements of Penal Code Section 933.05(f), which require the City Council to respond to the Civil Grand Jury report no later than 90 days after the Grand Jury submits its final report to the Presiding Judge of the Superior Court.

EXECUTIVE SUMMARY

The Grand Jury observed the current state of emergency preparedness and emergency management within the County of Santa Clara. On June 17, 2010, the Grand Jury released a report entitled "Disaster Preparedness in our County and Cities" (Attachment A: Grand Jury Report). The report makes no specific observations regarding the City of San José emergency management organization but does make specific recommendations for all residents to be prepared. (As the Grand Jury made no findings or recommendations specific to the City of San José emergency management organization, the Fire Department concurs with the Grand Jury's conclusion) The following is the City's response to the Grand Jury's report for Council approval.

BACKGROUND

On June 17, 2010, the Civil Grand Jury released a report entitled "Disaster Preparedness in our County and Cities". The purpose of the inquiry was to observe the current state of emergency

preparedness and emergency management within the County of Santa Clara. The Grand Jury interviewed 10 city emergency managers, the Director of the County Office of Emergency Services, and the President of the Santa Clara County Emergency Managers Association (SCCEMA).

Members also visited the County Emergency Operations Center as well as attending SCCEMA meetings.

ANALYSIS

California Penal Code Section 933c requires that a governing body of the public agency, which has been subject to a Grand Jury final report, shall respond within 90 days to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under control of the governing body. California Penal Code Section 933.05 provides that the responding public agency must state one of the following in response to the Grand Jury findings:

- It agrees with the finding.
- It disagrees partially with the finding and provides explanation.
- It disagrees wholly with the finding and provides explanation.

In addition, for each Grand Jury recommendation, the City is required to report one of the following actions:

- Recommendation has been implemented, with a summary heading the implemented action.
- Recommendation has not yet been implemented, but will be implemented in the future, with an implementation timeframe.
- Recommendation requires further analysis, with an explanation and the scope of the parameters of analysis or study, and a timeframe for the matter to be prepared for discussion, which shall not exceed six months from the date of publication of the Grand Jury report.
- Recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation.

GRAND JURY FINDINGS, RECOMMENDATIONS AND CITY'S RESPONSE

The Grand Jury made no findings or recommendations in this report, with regard to the City of San José emergency management organization.

The report makes no specific observations regarding the City of San José. In summarizing a review of emergency management programs in Santa Clara County, the Grand Jury concluded that all cities have emergency operations plans, cooperate with each other and have public information programs. The Grand Jury recommends that all residents register their contact

information in the AlertSCC system and participate in local Community Emergency Response Team (CERT) programs.

City Response:

The City of San José commends the Grand Jury for highlighting the disaster threats facing the residents of Santa Clara County as well as two basic steps residents can take to prepare themselves, their families and their communities for emergencies. The Fire Department's Office of Emergency Services manages the "San José Prepared!" training, which provides both a two-hour disaster preparedness course as well as a 20-hour CERT training option. The two-hour class is available free of charge to City residents. The City of San José is also participating in the County AlertSCC Notification system public awareness campaign to enhance citizen awareness and encourage the public to register their phone numbers and e-mail addresses on the website. These existing efforts support the Grand Jury's two recommendations that all residents participate in their local CERT program and register their emergency contact information at www.alertSCC.com.

EVALUATION AND FOLLOW-UP

Staff will continue to maintain and refine the City's emergency management organization to ensure the City continues to prepare its residents and its communities to respond to and recover from major emergencies and disasters. Subsequent to the Grand Jury's investigation and prior to the release of the Grand Jury Final Report, the City recruited and hired an experienced, full-time Director of Emergency Services to lead these efforts. The Office of Emergency Services staff continues to deliver targeted disaster preparedness training to City residents via the San Jose Prepared! program. Staff is actively supporting the current County-wide effort to encourage residents to subscribe to the AlertSCC system.

POLICY ALTERNATIVES

The City is required to respond to the Grand Jury; therefore, there are no policy alternatives.

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: Email and Website Posting)

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- **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: Email, Website Posting, Community Meetings, Notice in appropriate newspapers)

This item does not meet any of the Criteria. This memorandum will be on the City's website for the August 31, 2010 Council agenda.

COORDINATION

This memorandum was coordinated with the City Attorney's Office.

CEQA

Not a Project, File No. PP10-069 (a), City Organizational & Administrative Activities

/s/
WILLIAM L. MCDONALD
Fire Chief

For questions, please contact Christopher Godley, Director of Emergency Services, at (408) 277-4595.



COPY

Sept 7

June 10, 2010

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 2009-2010 Santa Clara County Civil Grand Jury is transmitting to you its Final Report, **Disaster Preparedness in Our County and Cities**.

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 **Thursday, June 17, 2010 at 1 P.M.** If you have any questions please contact Gloria Alicia Chacón at 408-882-2721.

Sincerely,

A handwritten signature in cursive script, appearing to read "Angie M. Cardoza". The signature is enclosed within a large, loopy oval shape.

ANGIE M. CARDOZA
Foreperson
2009-2010 Civil Grand Jury

AMC:dsa
Enclosure

cc: Ms. Debra Figone, City Manager, City of San Jose



2009-2010 SANTA CLARA COUNTY CIVIL GRAND JURY REPORT

DISASTER PREPAREDNESS IN OUR COUNTY AND CITIES

Introduction

Santa Clara County (County) is vulnerable to a number of potential catastrophic events. At any given time, earthquakes, fires, floods, landslides, public health crises, hazardous material spills or even terrorist acts can occur. As for a major earthquake, everyone agrees that it is just a matter of time. The 2009-2010 Santa Clara County Civil Grand Jury (Grand Jury) conducted an inquiry into emergency preparedness of the cities within the County and the Santa Clara County Office of Emergency Services (County OES).

Background

While emergency preparedness begins at the local level, emergency management starts at the national level with a program called the National Incident Management System (NIMS). NIMS is directed and administered by the Department of Homeland Security. Compliance with NIMS is coordinated in California by the State Office of Emergency Services, through the Standardized Emergency Management System (SEMS). SEMS was developed in compliance with California Government Code §8607. County OES and its city emergency managers implement NIMS and SEMS through a) the established Incident Command system whereby police and fire work together using established protocols, and b) mutual aid requests where each city can call on its neighbors for equipment and personnel as needed.

The Grand Jury's inquiry consisted of interviews with 10 city emergency managers, the president of the 15-city Santa Clara County Emergency Managers Association (SCCEMA), and the director of the County OES, as well as attendance at SCCEMA meetings and visits to the County OES command center. The purpose of this inquiry was to observe the state of emergency preparedness and emergency management throughout the County.

Observations

The Local Level

Most cities have a designated emergency response manager (Emergency Manager), though there are instances where a particular city has gone without anyone in this position for several years. These individuals have senior positions within city management and generally report to the city manager, or to the fire or police chief, who

reports to the city manager or to the city council. The Emergency Manager is responsible for creating, updating and implementing the city's emergency plans. The plans typically have five elements:

- Hazard Analysis
- Prevention
- Preparedness
- Response
- Recovery

These plans are reviewed annually by each city and submitted to the County OES, but are not reviewed by this agency. Emergency Managers share details of their plans with other cities when requested, but are not required to review or coordinate their plans with neighbor cities. Emergency managers interviewed believed this was appropriate, as each city is unique geographically, demographically, and in terms of its resources and needs. One standardized plan would not "fit all."

Each city is responsible for its own emergency services and has its own emergency operations center (EOC). Generally, a city activates its EOC by direction from the city manager. Should the need arise, a city may request aid from neighbor cities and/or the County and/or the state. A city does not have to request support from the County.

In an emergency, fire, police and other related personnel employ the Incident Command system: depending on the nature of the problem, the commanding officer can take control of response efforts. If the emergency involves wildfire, for example, the fire chief would order and control necessary personnel and equipment. If the problem involves more than one discipline, fire and police for example, the fire and police chiefs would work in tandem, each controlling his or her own staff to handle all aspects of the emergency.

Each city's Emergency Manager belongs to SCCEMA. Voting members consist of all Emergency Managers and directors. SCCEMA holds monthly meetings and invites non-voting participants from other agencies and organizations that include but are not limited to the Red Cross, Santa Clara Valley Transit Authority, local universities, PG&E, Santa Clara Valley Water District, Mineta San Jose International Airport, California Air National Guard, NASA/AMES and Lockheed Martin. Meeting attendance is not mandatory. The meetings provide the opportunity for emergency personnel to network, address common issues and to hear presentations from consultants. There has been a recent effort to expand membership to include non-profits and businesses.

The Community Level

Most cities have community outreach programs to help provide residents with the decision-making and physical skills necessary to assist families and neighbors in an emergency. These programs can be accessed through the individual city's website. The most common program name is Community Emergency Response Team (CERT). All cities maintain web sites with varying levels of useful information about their CERT programs. CERT program participants gain a much better perspective of emergency preparedness.

The County Level

The County provides a modern EOC in San Jose. The County OES is operated by a director who reports to the county executive. The County is responsible for providing emergency management services to those residents of the county who do not live within city limits.

The County OES can be activated at the national, state or local level when two or more cities activate their EOCs. When activated, the County EOC serves as a command center for managers of the County's agencies, and also as a coordinating facility for those cities who have activated their own EOCs. The County does not assume control of a specific city's resources, as it does not have jurisdiction over the cities. However, the County does help facilitate requests for mutual aid among the County and the cities, and helps prioritize the requests for resources. There is a County Communications Center that serves as back-up to the EOC as well. Mobile command vans are also available.

In the event of an emergency, County employees are directed to first care for their families and then show up at their assigned emergency locations. Personnel who are expected to staff the EOC are responsible for bringing their own provisions; the County OES does not supply any emergency provisions for its staff.

The EOC has modern communications equipment but has only one conduit for its communications cables. Although the city and county fire departments are capable of communicating amongst themselves, the city police departments and county sheriff department do not have communications interoperability. The County depends in part on trained and registered amateur radio operators to provide communications between the County OES, cities and relevant agencies in the County during an emergency. They are one of the first sources to provide a damage assessment.

County OES also coordinates and writes grant requests to state and federal government, and manages the allocation of grant money to the cities. The grant process begins when the city Emergency Manager identifies a specific need. Much of the state and federal grant money has very specific restrictions. Some cities apply for their own grants and some depend on the County. The County and the cities frequently work with consultants to implement the programs that are funded by grants.

ALERTSCC

In 2009, the County successfully launched AlertSCC, a mass communications system that can be used to send emergency information and instructions to anyone living or working in the County. It utilizes the emergency 911 and 411 directory listings. If County residents register at www.alertscc.com, they can also specify a cell phone number as their primary contact number or select notification via text messages to personal digital assistants, computers or TTY/TDD devices.

Conclusion

The Grand Jury determined that all cities and the County have emergency operations plans, cooperate with each other to varying degrees, and have programs to inform citizens about preparing for an emergency.

All Emergency Managers with whom we spoke agreed that, no matter how well-prepared each city may be, citizens must be able to "go it alone" for three to five days after an emergency. To quote one city manager, "In a major disaster, your first responder is the guy next door."

The Grand Jury recommends that all residents learn to prepare for emergencies and assume responsibility for their own welfare in the event of a major emergency or disaster. Two specific recommended actions are:

1. Register their contact information at www.alertSCC.com; and
2. Participate in their local CERT programs.

CERT contact information can be found in the appendix.

Appendix

The following CERT information was valid as of 2/25/2010:

Campbell CERT

408-866-2121

www.ci.campbell.ca.us/Police/EmergencyPreparedness.htm

Cupertino CERT

408-777-3335

www.cupertino.org/index.aspx?page=610

Gilroy CERT

408-846-0372

www.gilroycert.com

Los Altos CERT

650-947-2681

www.losaltosca.gov/police/cert/cert.html

Los Altos Hills CERT

650-947-2681

www.losaltoshills.ca.gov/neighborhood-network

Los Gatos CERT

408-354-6843

www.town.los-gatos.ca.us/index.aspx?NID=152

Milpitas SAFE (Strategic Actions For Emergencies)

408-586-2800

www.ci.milpitas.ca.gov/government/fire/oes_safe_member.asp

Monte Sereno CERT (Combined with Los Gatos)

408-354-6843

www.town.los-gatos.ca.us/index.aspx?NID=152

Morgan Hill CERT

408-776-7310

www.mhcert.com

Mountain View CERT

650-903-6825

www.mountainview.gov/city_hall/fire/programs_n_services/cert.asp

Appendix - continued

Palo Alto PANDA (Palo Alto Neighborhood Disaster Activities)

650-617-3164

www.cityofpaloalto.org/info/news/details.asp?NewsID=193&TargetID=60

San Jose CERT

408-277-4598

www.sanjoseca.gov/emergencyServices/SanJosePrepared/

Santa Clara HEAT (Home Emergency Assistance Teams)

408-615-4940

www.santaclaraca.gov/index.aspx?page=487

Saratoga CERT

408-341-4485

www.saratoga.ca.us/cityhall/cmo/emprepinfo/cert/default.asp

Sunnyvale SNAP (Sunnyvale Neighborhoods Actively Prepare)

408-730-7712

www.sunnyvale.ca.gov/Departments/Public+Safety/Office+of+Emergency

Santa Clara County CERT

408-808-7800

www.sccgov.org/portal/site/oes/ (select Volunteering and Training Opportunities from the menu on the left and it will take you to a page with a link to the CERT page)

This report was **PASSED** and **ADOPTED** with a concurrence of at least 12 grand jurors on this 27th day of May, 2010.

Angie M. Cardoza
Foreperson

Judy B. Shaw
Foreperson pro tem

Mary Nassau
Secretary