



COUNTY OF SAN MATEO

Office of the Sheriff

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June 11, 2012

Honorable Gerald J. Buchwald
Judge of the Superior Court
Hall of Justice and Records
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Re: Grand Jury: San Mateo County Office of Emergency Services: Post-San Bruno Fire Self-Evaluation

Dear Judge Buchwald,

The Sheriff's Office appreciates the 2011-2012 Grand Jury's careful study of the issues concerning the Post-San Bruno Fire Self-Evaluation. Our responses to both the findings and recommendations pertaining to our agency are as follows;

Findings

1. The AA/CA Report was due on December 7, 2010. OES requested and received a thirty-day extension from the Coastal Region Office of CAL EMA; a final AA/AC report was filed on January 7, 2011.

Agree - OES did request and receive a thirty-day extension from the Coastal Region Office of CAL EMA and the final AA/AC report for the San Mateo County Sheriff's Area Office of Emergency Services was filed on January 7, 2011. Requests for one, and in some cases more than one extension, are not unusual in large scale incidents and are allowable by CAL EMA. The San Bruno incident was the largest interagency and longest running mutual aid incident in this County's history. Law mutual aid requests alone spanned an unprecedented 13 days. Over 500 police and firefighters responded to the scene and over 400 homes were evacuated. The extension was needed to compile the necessary information to file the report.

2. OES did not follow steps in the SMC “Operational Area” Emergency Operations Plan, EOC Guidebook and Checklists such as: conducting data gathering workshops to include key representatives of involved emergency response agencies and the preparation/distribution of a draft AA/CA Report to the primary responders for review and approval.

Disagree in part - OES completed AA/CA reports for both the San Mateo County Sheriff's Area Office of Emergency Services and the City of San Bruno. The San Bruno AA report was completed by OES at the request of the city. Data related to San Mateo County Departments such as resources and personnel deployed, radio system capacity, and volunteer and paid employee hours were all examined. OES remained within the focus and scope directed by both entities and therefore data gathering workshops that would have included key representatives from the involved emergency response agencies were not feasible. These reports were reviewed by attorneys at both the city and county level. Concern regarding litigation was evident throughout this process.

3. OES conducted a debriefing session on November 23, 2010 in preparation of the AA/CA Report.

Agree - This is standard practice in completing an AA/CA Report. The intent was to identify issues from county departments and bring them to a larger countywide debriefing. There was concern among agencies and cities regarding AAR due to potential litigation. As far as we know, we were the only agency to hold an After Action Conference (or we just weren't invited to any others).

4. Representatives of San Bruno (police, fire, city management, emergency services) were neither invited nor included in the debriefing session held by OES on November 23, 2010.

Disagree in part - The debriefing session held on November 23, 2010, was held to review, focus and critique the actions taken solely by the County of San Mateo departments involved in the incident. Primary responsibility for this incident remained with the City of San Bruno, not OES or the County of San Mateo. The AA/CA report prepared by OES for the San Mateo County Sheriff's Area Office of Emergency Services did not detail areas that crossed over into actions taken by allied agencies out of consideration for litigation that would likely arise out of the incident. OES completed the AA/CA report for the San Mateo County Sheriff's Area Office of Emergency Services. Additionally, OES completed the AA/CA for the City of San Bruno at their request. These reports were reviewed by attorneys at both the city and county level. OES remained within the focus and scope directed by both entities. OES did not participate in, nor were we invited to any debriefings held by other allied agencies.

5. The AA/CA Report filed by OES was not distributed to representatives of San Bruno police, fire, city management or emergency services.

Disagree in part - The AA/CA report filed by OES for the San Mateo County Sheriff's Area Office of Emergency Services detailed actions taken by County Departments and was therefore distributed to County Staff. This document was also released to the press. The AA/CA report completed by OES for the City of San Bruno was turned over to them for distribution. Our original effort was considered too thorough by the City of San Bruno. The revised version was reviewed by the city prior to its submission.

6. The San Mateo County "Operational Area" Emergency Operations Plan, EOC Guidebook and Checklists, which is currently in revision by OES, does not require a follow-up process to track progress and completion of improvement items.¹

Disagree in part - The revised San Mateo County Operational Area Emergency Operation Plan was approved by the Board of Supervisors on January 24, 2012. The revised plan specifies that the after action report will be utilized to develop and describe a work plan for implementing improvements. The after action report did identify areas for improvement, but a corresponding work plan was not developed. OES recognizes this as an area for improvement and has addressed each of the items that were previously not completed. See status update for additional details.

7. The task of compiling the information gathered from email questionnaires and the November 2010 debriefing meeting for the AA/CA Report was assigned to OES personnel within the Sheriff's Office.

Agree - The task of compiling information was assigned to OES personnel within the Sheriff's Office since OES completed the AA/CA reports for both the City of San Bruno (at their request) and the San Mateo County Sheriff's Area Office of Emergency Services.

8. The OES Coordinator provided his superior with the final report for filing with the State and distribution to the County Manager's Office, the County Communications Director, Supervisor Adrienne Tissier, Public Safety Communications and members of the press who requested it.

Agree - The OES report prepared for the San Mateo County Sheriff's Area Office of Emergency Services reviewed the actions taken by County Departments, therefore it was distributed to County Management and County Elected Officials.

¹ SMC "Operational Area" Emergency Operations Plan, EOC Guidebook and Checklists, Joseph R. Horton, Jr., Section 3, Tab 2, March 2007

9. The final AA/CA Report was not adequately distributed; several of the individuals listed as a point of contact in the Report were unaware that their names were assigned to specific issues or problem statements, nor were they aware of the issues or problems identified within the report.

Disagree in part - The after action report prepared for the San Mateo County Sheriff's Area Office of Emergency Services was distributed to County Management. The after action report did identify areas for improvement, but a corresponding work plan was not developed. This lack of a work plan to track follow through on specific issues is an area we have noted for improvement. The items that were previously not completed have each been addressed. See status update for additional details.

10. According to the objectives and self-estimated completion dates on the AA/CA Report, the OES completed three of the 13 corrective items (items 9, 10, 12) on time.²

Agree

11. According to the objectives and self-estimated completion dates identified in the AA/CA Report, the OES did not complete nine of the 13 corrective items (items 1, 2, 3, 4, 5, 6, 7, 8, 11) on time.³ Seven of those nine were still incomplete as of January 2012.

Agree – See below for a status update on the items listed as incomplete.

Item 1 – Area for Improvement: Continue to provide ICS-300 and ICS-400 training; schedule EOC staff for ICS Training.

Action: Each month OES Staff prepares and distributes a training and exercise schedule that includes training opportunities offered through both San Mateo and San Francisco Counties. The last ICS 300 class offered by San Mateo County was held on May 5th and 6th. ICS 400 training was last offered in San Francisco on March 14th and 15th.

Item 2 - Strength: Continue multi-year training; continue to provide training to EOC Staff

Action: A 2010-2012 training and exercise plan has been in place. Training is offered regularly. Beginning in June, the Office of Emergency Services, in cooperation with the 20 Cities and Towns within the County, will undertake developing a three year training and exercise plan.

² Attachment 1- After Action/Corrective Action Report - Potential Corrective Actions, January 7, 2011

³ *Ibid.*

Item 3 - Area for Improvement: Integrate Red Cross into EOC Structure; discuss info sharing with Red Cross.

Action: The Director of OES has met with the Bay Area Red Cross Chapter. The Red Cross is an active participant in EOC exercises. Discussions have taken place on ways to address the confidentiality policy that Red Cross has in place. The Office of County Counsel has also been consulted in an effort to overcome this obstacle. Work is ongoing in this area.

Item 4 – Area for Improvement: Develop large white board “Status Boards” for use in the EOC.

Action: OES has purchased white boards with grant funds. A large 4ft x 8ft whiteboard has been mounted in the OES Office at 555 County Center for use when the facility is activated as an EOC. Six 3ft x 4ft whiteboards were also purchased. Four of these boards are stored in the EOC at 400 County Center and two are stored at 555 County Center. A public information trailer was purchased with grant funding after the San Bruno incident. The interior and exterior of this vehicle is constructed of whiteboard material. Two mobile white boards are present in the OES Office at 555 County Center for use in the EOC at 400 County Center or elsewhere as needed. Standardized Incident Command System guide forms have been adopted for use by this office. An order has been placed to turn these forms into stencils for application to the white boards.

Item 5 - Area for Improvement: Question use of current jury room as EOC; research alternate location for EOC; research cell phone connectivity options.

Action: The County Manager and I are seeking alternate sites for the Emergency Operations Center. One site being studied is the newly acquired County Building at One Circle Star Way.

Hardware to enhance cell phone reception has been researched – cost of purchase and installation has been estimated at \$40,000. Funds are currently not available to complete this project.

Item 8 - Area for Improvement; Cell Phone coverage at the scene became overloaded, providing spotty coverage. Research cell phone coverage at disaster site; research solutions to cell phone connectivity issues in major event.

Action: The resource to address this problem was identified and in place in the field during the incident. The volume of calls still, however, overwhelmed the system. OES Staff has met with representatives from AT&T to identify two new resources that have been developed to help

address this type of issue. One of these resources is cost prohibitive with a purchase price of \$750,000 to \$1,250,000. The other resource carries a purchase price of \$15,000 to \$21,000, along with a \$9,600 annual service charge, plus a \$2,000 per day charge when activated. In future incidents, OES will assess the need and request/purchase the resource if warranted.

Item 11 – Area for Improvement: Request for portable radios by the Health Department was denied by the radio shop. Clarify radio cache distribution; clarify radio distribution policy and modify if necessary.

Action: The radio shop has drafted a modification to their radio distribution policy to allow these radios to be distributed in non life threatening emergencies with the understanding they be immediately returned if needed.

12. According to the objectives and self-estimated completion dates identified in the AA/CA Report, the OES found corrective item 13 to be non-applicable because the Response Information Management System (RIMS) training is being replaced.

Agree - The RIMS system will be replaced at the state level by Web EOC. Embarking on a comprehensive training program for a system that will be replaced is not an effective use of resources. Web EOC is actively being developed at the County level through OES and there is a working group in place that contains a representative from each city. Once in place, OES will work with allied agencies to train users Countywide in the use of Web EOC.

13. The Primary EOC for the County is the Jury Assembly Room in the basement of the Hall of Justice in Redwood City, with the Alternate EOC located in the OES office on the 4th floor of the County Office Building at 555 County Center.

Agree

14. The Jury Assembly Room has no dedicated EOC functionality or equipment; it has no OES electronics, it has few phone lines and limited cell phone coverage.

Disagree in part - The Jury Assembly Room certainly has its limitations when serving as the EOC. There is, however, a supply of phones, dedicated phone lines, and other equipment and supplies needed to operate the EOC. In the OES office there is a supply of laptop computers specifically designated for the EOC in the Jury Assembly Room. OES has purchased laptop computers with grant funds that are compatible with Web EOC. This supply of computers has been specifically designated for the EOC. The Jury Assembly Room is used annually to conduct EOC exercises. The most recent Countywide exercise was held on May 24, 2012.

15. The Jury Assembly Room is designated as the Primary EOC because it is the largest unclaimed (by other agencies) space in the Hall of Justice and can be emptied of civilians awaiting jury duty during regular business hours.

Agree - OES recognizes that space is at a premium in County Offices and makes use of available resources. The EOC located in the OES Office is suitable for level 1 and level 2 emergencies. In fact, even in large scale events such as the San Bruno incident, and the 2011 Tsunami, the EOC in the OES Office was adequate. The use of the EOC in the OES office is preferable to the Jury Assembly Room; utilizing the Jury Assembly Room (while court is in session) as the EOC disrupts the criminal justice system. Additionally, Web EOC is being developed which will help decentralize some EOC activities, thereby reducing the number of people that physically need to occupy an EOC.

16. A Joint Information Center (JIC) was not in place at the disaster site.

Disagree in part - While this was a primary area of improvement identified in the after action report, it was not an area that was completely void of attention during the incident. OES arranged for press information officers from a variety of disciplines, including the County and the Sheriff's Office, to come together at the site to help facilitate the distribution of uniform information. It is preferable to establish a JIC off site rather than at the scene of a disaster. OES requested PIO support from the Sheriff's Office with this effort and received it. The City and CalEMA assumed primary points of contact for the press which was appropriate.

17. The County Health Department requested portable radios to use after the immediate disaster phase of the San Bruno incident; the Information Services Department's Radio Shop denied its request based on the requirements stated in the Trunked Radio Cache Guidelines.⁴

Agree - The County Health Department has a supply of radios issued to them. The denial of the request was done to manage the supply of radios identified for use in life threatening emergencies.

18. The AA/CA Report recommended white status boards be purchased to use in the EOC. These boards have not been acquired due to "budget constraints." The cost of four status boards is approximately \$3,200.

Agree - OES identified grant funds and purchased white boards.

19. Cell phone coverage at the fire scene was overloaded and spotty. OES acknowledges widespread use of mobile phones for official business. The contact person identified in the AA/CA Report for Item 8 was unaware that it was his responsibility to address this issue.

⁴ Trunked Cache Radio Guidelines, August 2007.

Disagree in part - The resource to address this problem was identified and in place in the field during the incident. The volume of calls still however overwhelmed the system. OES Staff have met with representatives from AT&T to discuss two new resources that have recently been developed to help address this issue. See item 11 under status update for additional details.

20. At the Red Cross shelter established at the Glenview site, each registered person was asked to sign a confidentiality statement. Restrictions in the Red Cross confidentiality statement prevented the release of identities of persons under Red Cross care, which in turn impeded public safety officers attempting to determine if all the residents had evacuated the disaster area.

Agree - The director of OES has met with the Bay Area Red Cross Chapter. Discussions have taken place on ways to address the confidentiality policy that Red Cross has in place. The Office of County Counsel has also been consulted. Work is ongoing in this area.

Recommendations

The Grand Jury recommends to the Board of Supervisors and the Sheriff:

1. Take all steps necessary to establish a fully-equipped and functional primary EOC within 180 days.

Action: This recommendation requires further analysis. While I agree with the need for a new EOC, the 180 day timeline to establish a new fully-equipped EOC is not feasible. The County Manager and I are seeking alternate sites for the Emergency Operations Center. One site being studied is the newly acquired County Building at One Circle Star Way. The OES Director has met with the Deputy County Manager to discuss the plans for the site. If this site does meet with our needs we will continue to explore other options.

The Grand Jury recommends that the Emergency Services Council and the Sheriff require its Office of Emergency Services:

1. Within 45 days, revise the internal OES AA/CA Report guidelines to:
 - a. Include a requirement to invite outside agencies (particularly from the cities, special districts and the Red Cross to participate in the data gathering/debriefing conference.
 - b. Establish a formal follow up, time driven procedure to be conducted monthly to measure the progress and completion of the corrective action/improvement plans; and

- c. Design a report distribution process for the dissemination of the AA/CA Report, at a minimum to all attendees of the Data Gathering Conference with specific attention to the individuals listed as “Contact Person.” The existence of the Report should be made known affirmatively to the press and general public to gain support for the challenges faced by OES.

Action: OES will not implement this recommendation. OES follows the guidelines as outlined in the Standardized Emergency Management System (SEMS). SEMS guidelines and the after action report itself addresses the listed points raised by the Grand Jury.

2. Immediately direct that the OES escalate its professional attention to the importance and merit of the AA/CA exercise, and fully seek its value, instead of viewing the process, as one interviewee put it, “as a box-checking exercise.”

Action: Recommendation has been implemented. OES values the After Action/ Corrective Action process. This topic has been affirmatively addressed by the OES Director with staff.

3. Within 60 days, meet with the Red Cross to develop and finalize a mutually satisfactory method for public safety officers to immediately obtain client identity information of those in Red Cross care at and emergency site.

Action: Recommendation will not be implemented. The director of OES has met with the Bay Area Red Cross Chapter. Discussions have taken place on ways to address the confidentiality policy that Red Cross has in place. The Office of County Counsel has also been consulted. Work is ongoing in this area, however OES will not be able to obtain the identity information as directed by the Grand Jury. The Red Cross confidentiality policy is a National policy and not a policy that is unique to our area.

4. Within 90 days, design and offer refresher training for Incident Command System (ICS) 300 and 400, clarify the cost issue with cities, and revise the course evaluation form to include a question asking participants what training OES can do that will keep public safety officers up-to-date and enable participants to respond more effectively during an emergency.

Action: Recommendation has been implemented. Each month OES Staff prepares and distributes a training and exercise schedule that includes training opportunities offered through both San Mateo and San Francisco Counties. The latest ICS 300 class was offered by San Mateo County on May 5th and 6th, 2012. ICS 400 training was last offered in San Francisco on March 14th and 15th, 2012.

5. Within 120 days, in conjunction with other responsible agencies, formalize the Joint Information Center procedure. Define the expectations, structures, roles

and function of the County Information Officer, the City Information Officers and the public agency Public Information Officers.

Action: OES will not implement this recommendation. The outline of the Joint Information Center (JIC) structure is already in place in the San Mateo County Emergency Operations plan. It is not appropriate for OES to define the roles and functions of an outside agency's Public Information Officer. In the case of the San Bruno incident, primary responsibility remained with the City of San Bruno and therefore OES was present to assist, not assume responsibility for the dissemination of information.

6. Within 30 days, purchase the status white boards for use during a county-wide emergency.

Action: Recommendation has been implemented – boards were purchased with grant funds

7. Within 90 days, design, upgrade, and share process and procedure with OES customer/supplier organizations and agencies such as the Radio Shop to update and communicate the Trunked Radio Cache Process. OES should also communicate with other County agencies like Health and Human Services to discuss their prospective roles in major emergencies.

Action: Recommendation will be implemented in the time frame as outlined. The radio shop has drafted a modification to their radio distribution policy to allow these radios to be distributed in non-life threatening emergencies with the understanding they be immediately returned if needed. The radio shop will be providing OES with a copy of the updated policy for inclusion in the County Tactical Interoperable Communications Plan. The OES Director is meeting with other county departments as recommended. The OES Director met with Public Health as recently as May 15, 2012.

8. Within 30 days review and adhere to the recommended processes described in the San Mateo County "Operational Area" Emergency Operations Plan, EOC Guidebook and Checklists.

Action: Recommendation has been implemented – the San Mateo County "Operational Area" Emergency Operations Plan, EOC Guidebook and Checklists have been reviewed by the OES Director.

9. On an on-going basis, identify and pursue grant funding for essential and non-essential items involved in the anticipated relocation of the EOC office.

Action: Recommendation has been implemented – pursuing grant funding is an ongoing priority.

In conclusion, the Sheriff's Office appreciates the work of the San Mateo County Civil Grand Jury and we look forward to working with our criminal justice partners in providing professional law enforcement services to those we serve in San Mateo County.

Sincerely,

Greg Munks
Sheriff