



County of San Mateo

Inter-Departmental Correspondence

Department: COUNTY MANAGER

File #: 21-818

Board Meeting Date: 10/19/2021

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: Michael P. Callagy, County Manager

Subject: Board of Supervisors' Response to the 2020-2021 Civil Grand Jury Report "Where's the Plan for the San Mateo County Emergency Alert System?"

RECOMMENDATION:

Approve the Board of Supervisors' response to the 2020-2021 Civil Grand Jury Report, "Where's the Plan for the San Mateo County Emergency Alert System?"

BACKGROUND:

On August 11, 2021, the 2020-2021 San Mateo County Civil Grand Jury issued a report titled "Where's the Plan for the San Mateo County Emergency Alert System?" The Board of Supervisors is required to submit comments on the findings and recommendations pertaining to the matters over which it has decision-making authority within 90 days. The Board's response to the report is due to the Honorable Amarra A. Lee of the Superior Court of California, County of San Mateo, no later than November 11, 2021.

DISCUSSION:

The Grand Jury made six findings and six recommendations in its report. Staff has reviewed the Grand Jury's report and assisted in drafting the County's response. The San Mateo County Board of Supervisors (Board) responses follow each finding and recommendation that the Grand Jury requested that the Board respond to within 90 days.

FINDINGS

Finding 1:

An Emergency Alert System Plan has not been completed in a timely fashion as recommended by the California Office of Emergency Services ("*Alert and Warnings Guidelines*") published March 2019.

Response: The County of San Mateo **agrees** with this finding. While a draft was quickly created in 2019 based on the example local plan template contained in the state plan, it was not completed to produce a final version. The template provided by the

state has not been used as the basis for any alert and warning plans in the 12 greater Bay Area counties. The newly-formed San Mateo County Department of Emergency Management (DEM) is in the process of working with the County Emergency Managers Association (EMA) to produce a guidance document and templates that can be adopted by the Emergency Services Council and utilized by all of the jurisdictions in the county.

Finding 2:

Because there is no completed Emergency Alert System Plan, training for affected San Mateo County personnel has been delayed, leaving them less prepared to issue alerts following plan guidelines.

Response: The County of San Mateo *partially agrees* with this finding. Having a plan alone will not solve the training or user skill issues. Using an alert and warning system is a perishable skill, and it is only through practice that one becomes competent at it. The plan under development by DEM and EMA incorporates a recurring test and practice element, similar to how FEMA requires monthly test messages on the IPAWS system. A training and exercise area of the system is going to be implemented in the next upgrade of the system, where training and testing can go on without the risk of accidentally sending test alerts to the public.

Finding 3:

The current draft Emergency Alert System Plan lacks a personnel succession plan thus placing residents at risk should a vacancy occur.

Response: The County of San Mateo *agrees* with this finding. System management at the highest level has fallen to one individual for the last several years with one other supporting user account issues. There are ~90 individuals countywide who can send alerts to the public. Expanding the number of administrators able to resolve account and other issues would be a reasonable goal for 2022.

Finding 4:

The alert system resident enrollment remains at a low 14 percent in San Mateo County.

Response: The County of San Mateo *agrees* with this finding. Unlike portions of the country where weather emergencies strike frequently and subscribership is typically very high, the infrequent nature of major incidents in our region leads to a general community disinterest in alert and warning systems. While opt-in subscribership is 14 percent, we have almost 100 percent of conventional wireline phones and many voice over IP phones in our reverse 9-1-1 portion of the alerting system. Additionally, we have access through the FEMA Integrated Public Alert and Warning System to the Wireless Emergency Alert system which can alert any cell phone that is associated to a cell tower located in San Mateo County. DEM actively tries to promote the alert and warning system at any opportunity, and in partnership with the Bay Area Urban Area Security Initiative, we are an active part of the “www.alertthebay.org” alerting outreach campaign promoting additional opt-in subscribers.

Finding 5:

San Mateo County personnel reported inconsistent understanding of recent California legislation (California Penal Code Section 8593.4 (a)) containing strategies that can be used to increase Emergency Alert System enrollment.

Response: The County of San Mateo **agrees** with this finding. Only the chief system administrator has been tracking and dealing with this all the way back to its introduction as a bill by State Senator Hannah-Beth Jackson. Others have some limited understanding of the measure and how it allows certain utility data to be imported as opt-out subscribers. As a note of correction, the statute referenced in this finding should be California Government Code Section 8593.4(a), rather than the Penal Code.

Finding 6:

The *California Statewide Alert and Warning Guidelines* recommends consistency with California Government Code Section 7290 to include professional translations. Because the San Mateo County Office of Emergency Services' current practices of using in-house personnel who are not professional translators is inconsistent with California Office of Emergency Services best practices, 35 percent of the residents may not have Alert system access.

Response: The County of San Mateo **partially agrees** with this finding. The Dymally-Alatorre Bilingual Services Act, though having excellent intention, doesn't adequately address rapidly evolving exigent circumstances. Using professional translation services is a viable option in non-urgent situations. However, in many alert and warning circumstances, the delay of several minutes to a few hours due to obtaining professional translation could result in tragedy. The template messages being currently worked on by the Emergency Managers Association and Public Information Officers groups will be professionally translated and tested before they are installed into the system.

RECOMMENDATIONS

Recommendation 1:

By October 1, 2021, the Board of Supervisors should instruct the San Mateo County Manager's Office to complete the County's Emergency Alert System Plan and publish it to all affected Office of Emergency Services personnel and the State Emergency Alert System Committee. The plan should meet the minimum requirements as listed in the *State of California Alert and Warning Guidelines, March 2019*.

Response: ***The recommendation has not yet been implemented but will be implemented in the future.*** The Department of Emergency Management working in partnership with the Emergency Managers Association is developing an alert and warning plan (including guidelines for use of alert and warning systems, a training standard, and a user's guide) that can be used by all of the jurisdictions and agencies in the county. The goal is to bring the document to the Emergency Services Council in January 2022 and implement it countywide once approved.

Recommendation 2:

In addition to the minimum requirements, the San Mateo County Emergency Alert System Plan should include:

A) Benchmarking with nearby county Office of Emergency Services / Bay Area Urban Area Security Initiative agencies to identify overall Emergency Alert System best practices for improvement and

consistency throughout the Bay Area.

Response: *The recommendation has been implemented.* The alert and warning administrators in all 12 Bay Area counties routinely meet and share practices. This has been an ongoing practice for at least the last five years.

B) Comparisons with other counties' Emergency Alert System websites to identify opportunities for consistency and continued improvement.

Response: *The recommendation has been implemented.* The alert and warning administrators in all 12 bay counties routinely compare features of their websites, and through the Bay Area Urban Area Security Initiative, have launched a common single website that directs community members to our respective alert and warning systems.

C) A section describing language translation protocols, including how translators will be used.

Response: *The recommendation has not yet been implemented but will be implemented in the future.* This is an element to be included in the new plan being developed by the Department of Emergency Management and the Emergency Managers Association to be ready for adoption and distribution in January 2022.

D) Mandatory participation by Office of Emergency Services staff in annual Emergency Alert System Plan refresher training as recommended by the State Guidelines.

Response: *The recommendation has not yet been implemented but will be implemented in the future.* The new plan to be adopted and distributed in January 2022 will call for periodic testing and supplemental training when features change. The plan will include language to remove sending rights from individuals who do not participate in periodic training and testing, similar to the FEMA guidelines for IPAWS.

E) A section addressing an Office of Emergency Services succession plan to assure appropriately trained personnel are available to replace key personnel necessary for operation of the Emergency Alert System; and

Response: *The recommendation will not be implemented.* The Alert and Warning plan will not have a succession plan element. Succession planning should be addressed in broader department practices rather than individual function specific plans.

F) A section addressing how the expected enrollment increases resulting from utilization of California Penal Code Section 8593.4(a) will be managed.

Response: *The recommendation will not be implemented.* The new plan will not address the technical aspects of data management. The new plan is oriented to individuals who have sending authority and not to top-level system administration and management. The plan will contain language about safeguarding personal information. As a note of correction, the statute referenced in this finding should be California Government Code Section 8593.4(a) rather than the Penal Code.

Recommendation 3:

By October 1, 2021 (and annually thereafter) the newly completed Emergency Alert System Plan should be verified using the "*State of California Alert and Warning Guidelines, March 2019 Appendix Minimum expectation checklist for jurisdictions and designated alerting authorities implementing an*

alert and warning program within the State of California.”

Response: *The recommendation has not yet been implemented but will be implemented in the future.* The new plan will be validated against the state Alert and Warning Plan and the FEMA IPAWS recommended practices guide before it is submitted for approval in January 2022. Periodic review will be conducted at a reasonable interval and when changes are made to the state or FEMA alert and warning plans.

Recommendation 4:

By December 1, 2021 (and annually thereafter), the Office of Emergency Services should provide Emergency Alert System Plan training for County employees with responsibilities related to the Plan and offer the training to outside agencies that use the Emergency Alert System to send alerts.

Response: *The recommendation has not yet been implemented but will be implemented in the future.* Training standards and periodic skill testing is an element to be included in the new plan being developed by DEM and the EMA to be ready for adoption and distribution in January 2022.

Recommendation 5:

By December 1, 2021, the County Manager’s Office should prepare a plan outlining the Office of Emergency Services’ strategy for implementing legislation (California Penal Code Section 8593.4(a)) that would increase resident Emergency Alert System enrollment.

Response: *The recommendation will not be implemented.* As a note of correction, the statute referenced in this finding should be California Government Code Section 8593.4(a) rather than the Penal Code. The buildout of the new statewide alert and warning system is planned to incorporate the utility data referenced in California Government Code Section 8593.4. San Mateo County will be participating actively in the new statewide system and therefore will be receiving this information from CalOES.

Recommendation 6:

By December 1, 2021, the Board of Supervisors should instruct the San Mateo County Manager’s Office to compile a list of potential translation services who can provide expanded translation services for the Emergency Alert System.

Response: *The recommendation has been implemented.* The County Manager’s Office has existing contracts for translation services. Future message templates used in alert and warning will be translated using these service providers.

FISCAL IMPACT:

There is no fiscal impact associated with the acceptance of this report.