



**Contra  
Costa  
County**

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: August 1, 2017

Subject: Response to Civil Grand Jury Report No. 1702, "Emergency Mass Care and Shelter"

**RECOMMENDATION(S):**

APPROVE the response to Civil Grand Jury Report No. 1702, entitled "Emergency Mass Care and Shelter: Are We Ready?" and DIRECT the Clerk of the Board to forward the response to the Superior Court following Board action.

**FISCAL IMPACT:**

No fiscal impact. This is an informational report.

**BACKGROUND:**

On May 24, 2017, the County received 2016-17 Civil Grand Jury Report No. 1703, "Emergency Mass Care and Shelter: Are We Ready?". The report was received by the Board of Supervisors and subsequently referred to the County Administrator on the June 13, 2017 Board of Supervisor agenda (Item C. 84) who prepared the attached response that specifies:

- Whether the respondent agrees, or disagrees wholly or partially with each finding;
- If the respondent disagrees with a finding, a statement explaining the portion of the finding that is disputed and the reasons for the disagreement;
- Whether each recommendation has been either: implemented; not yet been implemented; will not be implemented and why; or requires further analysis with an explanation of the scope and anticipated time frame.

APPROVE

OTHER

RECOMMENDATION OF CNTY  
ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **08/01/2017**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: August 1, 2017

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: Stephanie Mello, Deputy

Contact: Enid Mendoza, (925)  
335-1039

CONSEQUENCE OF NEGATIVE ACTION:

In order to comply with statutory requirements, the Board of Supervisors must provide a response to the Superior Court no later than August 9, 2017 (90 days after the grand jury submits a final report). The Board must take action no later than the August 8, 2017 meeting in order to comply with the statutory deadline.

ATTACHMENTS

Response to Grand Jury Report No. 1702

Grand Jury Report No. 1702



**CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT NO. 1702  
"Emergency Mass Care and Shelter"**

**BOARD OF SUPERVISORS' RESPONSE**

**FINDINGS – California Penal Code Section 933.05(a) requires a response to the designated findings of the Grand Jury.**

**F1. The Bay Area Earthquake Plan of July 6, 2016, establishes operational planning and preparation criteria for each Bay Area county.**

*Response: Partially Disagree. The Bay Area Earthquake Plan does serve as an important planning and preparation document. However, the Plan only includes high level strategies and does not include specific incident response strategies.*

**F2. The Sheriff OES is charged with planning and coordinating the County's response to a disaster.**

*Response: Agree.*

**F3. Sheriff OES Catastrophic Mass Care and Shelter Plan and other earthquake operational planning and preparation plans, dated 2010, do not meet the 2016 Bay Area Earthquake Plan requirements.**

*Response: Agree. It is important to note that the County's 2010 Plan was written to link to the previous Bay Area Earthquake Plan. The County Plan has not been updated since the Bay Area Plan was updated in mid-2016.*

**F5. EHSD 2016 Emergency Management Plan differs from the Sheriff OES 2010 Mass Care and Shelter Plan.**

*Response: Agree.*

**F8. Sheriff OES does not have the resources to update all the operational planning and preparation plans as required by the 2016 Bay Area Earthquake Plan.**

*Response: Partially Disagree. It would be an extremely difficult and costly task for the Sheriff's Office to continuously update the multitude of plans, policies and annexes currently administered by the OES Division in response to every update of Federal, State and/or regional plans. The Sheriff's Office ensures that legally required document updates occur when required and facilitate the update of other planning documents as needed.*

**F9. Sheriff OES has no written procedures concerning selection, inspection and opening an emergency shelter.**

*Response: **Agree.** This function is performed by the Employment and Human Services Department (EHSD).*

**F10. Sheriff OES has no standard training program that covers how emergency shelters are selected, inspected, and opened.**

*Response: **Agree.** This function is performed by EHSD.*

**F11. The Sheriff OES recognizes the American Red Cross makes non-binding prearrangements for shelters and lists the shelters on the FEMA sponsored database, National Shelter System (NSS).**

*Response: **Agree.***

**F12. Responsibility for determining whether a shelter is habitable and safe to use rests with the local jurisdiction or Sheriff OES.**

*Response: **Partially Disagree.** The Sheriff's OES Division supports shelter coordination, but the responsibility for habitability and safety is building inspection and environmental health function.*

*Potential shelter sites must be inspected and approved by a city or county building inspector prior to use as a shelter. Schools must be inspected and approved by California Department of Architects before occupancy.*

**F13. Sheriff OES can view, but not edit, data in the NSS.**

*Response: **Agree.***

**F15. Sheriff OES does not receive regularly scheduled reviews and updates of shelter sites in NSS from American Red Cross.**

*Response: **Agree.***

**F16. Sheriff OES has not received a NSS based shelter report from the American Red Cross since 2008.**

*Response: **Agree.***

**RECOMMENDATIONS** - California Penal Code Section 933.05(b) requires a response to the designated recommendations of the Grand Jury.

**R1. Sheriff OES should consider creating a schedule for updating the Bay Area Earthquake Plan operational annexes by the end of 2017.**

*Response: **The recommendation will not be implemented because it is not warranted or not reasonable.** Current Operational Area annexes should be updated to reflect the local, all hazards County Emergency Operations Plan.*

**R3. Sheriff OES should consider developing a written Mass Care and Shelter protocol by July 1, 2018, that covers selection, inspection, and opening a shelter, and identifying funds to do so.**

*Response: The recommendation will not be implemented because it is not warranted or not reasonable. In Contra Costa County, the Employment and Human Services Department is responsible for this function. The American Red Cross plays a critical outside support role as well.*

**R4. Sheriff OES should consider including shelter selection, inspection and preparation when it establishes the Emergency Operations Center for a simulated disaster as part of disaster exercises.**

*Response: The recommendation will not be implemented because it is not warranted or not reasonable. The Sheriff's Office does integrate shelter operations into exercises performed in the Emergency Operations Center. However, the responsibility for site selection, inspection and preparation rests with the Employment and Human Services Department for the unincorporated areas and the cities for disasters within city limits.*

**R6. Sheriff OES should consider providing training to EHSD on how to use the NSS system after EHSD is granted access to view the NSS list.**

*Response: This recommendation has not yet been implemented, but will be implemented once EHSD obtains access to view the NSS data. It is important to note that the Sheriff's Office has "view only" access to the NSS data, so training would be limited to accessing the information only.*

**R8. Sheriff OES and American Red Cross should consider inviting EHSD to their regular meetings regarding earthquake planning and review of associated policies.**

*Response: This recommendation has been implemented. EHSD currently coordinates quarterly meetings with Contra Costa County, American Red Cross (ARC), and the Sheriff's OES staff. The meetings focus on identifying gaps and seeking resolution, creating or modifying processes to streamline coordination efforts, offering assistance to one another with tasks and projects, and facilitate effective communications among the team that will respond in a disaster. These meetings are effective in ensuring that all parties responding to a disaster as it relates to mass care and shelter are familiar with each other's responsibilities and resources.*

**R9. Sheriff OES should consider reviewing its plans to coordinate local jurisdictions, EHSD and the American Red Cross during an emergency, and develop procedures and provide training where deficiencies are identified.**

*Response: This recommendation is being implemented. The Sheriff's OES, ARC, EHSD, other County Departments and local jurisdictions meet from time to time and participate in exercises. All exercises are evaluated and lessons are learned. OES makes training available to the various entities.*

A REPORT BY  
THE 2016-2017 CONTRA COSTA COUNTY GRAND JURY  
725 Court Street  
Martinez, California 94553

Report 1702

# Emergency Mass Care and Shelter

Are We Ready?

APPROVED BY THE GRAND JURY:

Date:

5/11/17

  
\_\_\_\_\_  
JIM MELLANDER  
GRAND JURY FOREPERSON

ACCEPTED FOR FILING:

Date:

May 19, 2017

  
\_\_\_\_\_  
JOHN T. LAETTNER  
JUDGE OF THE SUPERIOR COURT

Contra Costa County Grand Jury Report 1702

## **Emergency Mass Care and Shelter**

### **Are We Ready?**

**TO: Board of Supervisors, Office of the Sheriff**

#### **SUMMARY**

The Contra Costa Office of the Sheriff, Office of Emergency Services (Sheriff OES), the Contra Costa County Employment and Human Services Department (EHSD), and the American Red Cross are responsible for establishing mass care and shelters in Contra Costa County following a disaster. These government agencies and the American Red Cross could be better prepared to reach that goal with more resources and a closer working relationship that includes improved communication and a coordinated shelter plan. Responsibility for coordinating such a shelter plan among EHSD, the American Red Cross and local jurisdictions, such as cities, special districts, and the County, rests with the Sheriff OES.

The 2016 Bay Area Earthquake Plan created new requirements that the Sheriff OES and EHSD must incorporate into the County's Mass Care and Shelter Plan. To meet the requirements of the 2016 Bay Area Earthquake Plan, EHSD needs access to view and update the National Shelter System (NSS). To incorporate these new requirements, the Sheriff OES also needs to develop a standard procedure for all local jurisdictions to establish mass care and shelter within its jurisdiction.

#### **METHODOLOGY**

The Grand Jury reviewed published documents from the United States Geological Survey, the California Governor's Office of Emergency Services, the Sheriff OES, EHSD, the American Red Cross, and the United States Department of Homeland Security Bay Area Urban Area Security Initiative (UASI).

The Grand Jury also interviewed representatives from the Sheriff OES, EHSD, the Bay Area UASI, and the American Red Cross.

## **BACKGROUND**

Contra Costa County is highly vulnerable to earthquakes. The United States Geological Survey (USGS) predicts there is a 73 percent chance that a catastrophic earthquake of magnitude 6.7 or larger will occur in the San Francisco Bay Area within the next 30 years. There are three major faults in Contra Costa County: the Hayward Fault, the Calaveras Fault, and the Concord-Green Valley Fault. The San Andreas Fault, which is the largest fault in the Bay Area and could produce an earthquake up to magnitude 8.5, is also in close proximity to Contra Costa County. A major rupture along any of these four faults will cause catastrophic damage to communities in Contra Costa County.

The 2013-2014 Grand Jury produced an investigation report, "County Emergency Operations, Ready or Not?" The Grand Jury found that Contra Costa County did not have an approved Emergency Operations Plan. It made three recommendations:

1. The Sheriff should update the Emergency Operations Plan.
2. The Board of Supervisors should approve the updated Emergency Operations Plan.
3. The County should plan for and construct a permanent Emergency Operations Center if funds become available.

The Sheriff completed the first recommendation by updating the Emergency Operations Plan in early 2015. The Board of Supervisors completed the second recommendation when it approved the Contra Costa County Emergency Operations Plan in June 2015. The Board of Supervisors began addressing the third recommendation in August 2016 when it funded preliminary planning and design for a permanent Emergency Operations Center.

The 2016-2017 Grand Jury undertook an investigation to see whether the County is prepared for a catastrophic earthquake disaster. The Grand Jury focused on one area of preparation, the County's Emergency Mass Care and Shelter Plan. The Emergency Mass Care and Shelter Plan provides for the temporary shelter and feeding of victims of a major disaster. These plans take two or three days to activate and remain in operation until the disaster impacts are resolved, which can be from several months to several years.

After the disaster that resulted from Hurricane Katrina in 2005, the Federal Emergency Management Agency (FEMA) established disaster planning, preparedness, response and recovery requirements for all states, including a Mass Care and Shelter Plan.

In California, the Governor's Office of Emergency Services adopted and imposed the requirements for local jurisdictions, such as counties, cities and special districts.

FEMA, the State of California, and Bay Area governments also conducted earthquake planning and preparedness initiatives.

Since this time, there have been a series of planning efforts mandated and funded by varying sources. The result has been series of emergency operational plans that are inconsistent with each other, and failed to meet the requirements of the latest planning mandate. The following is a brief history of these planning efforts:

2005: FEMA establishes the National Response Framework and National Incident Management System. The National Response Framework is the standard framework for all states to follow in planning, preparing, responding, and recovering from a disaster. The National Incident Management System enables states to communicate and manage a disaster in a standardized manner. FEMA designates the health and human services departments of each respective state as the responsible agencies to ensure that Mass Care and Shelters Plans are operational. FEMA assigns the American Red Cross, a non-governmental agency, as the agency that is responsible for identifying and making prearrangements for the emergency shelters. Once local jurisdictions identify, inspect, and open shelters, the American Red Cross has the responsibility to operate them.

2008: FEMA and California publish the “California Catastrophic Incident Base Plan: Concept of Operations.” This plan provides greater detail in planning and preparation at the local jurisdiction level for a catastrophic earthquake. The Plan also establishes criteria for operational plans as part of the overall emergency operations plan. The Plan has since been superseded by the 2016 Bay Area Earthquake Plan.

2009: The California State Emergency Plan is adopted, which requires all counties to have an approved Emergency Operations Plan. As required by FEMA, the California State Emergency Plan designates the California Health and Human Services Department as the lead state agency to ensure that Mass Care and Shelter Plans are operational.

2010: The Sheriff OES publishes five earthquake operational plans, including the Catastrophic Mass Care and Shelter Plan, in response to the 2008 “California Catastrophic Incident Base Plan: Concept of Operations.” These operational plans supplement the County’s main Emergency Operations Plan. The operational plans are out of date but still in use.

2011: The County partners with other San Francisco Bay Area counties under the Bay Area Urban Area Security Initiative (UASI) as part of ongoing coordination and planning. A federal grant to Bay Area UASI provides funds that assist counties in preparing disaster response operational plans at the local level. These operational plans, including Mass Care and Shelter, are annexes (specific stand-alone operational plans) to the County Emergency Operations Plan.

2015: The County approves the Emergency Operations Plan. The 2015 Emergency Operations Plan designates EHSD as the lead County department responsible for ensuring that the Mass Care and Shelter Plan is operational. Under the Emergency Operations Plan, the Sheriff OES has overall responsibility for planning, preparing, responding and coordinating Contra Costa County's disaster response and recovery efforts.

2016: The 2016 Bay Area Earthquake Plan prepared by the Department of Homeland Security, FEMA, and California Office of Emergency Services supersedes the 2008 "California Catastrophic Incident Base Plan: Concept of Operations" and the 2011 UASI planning. The 2016 Bay Area Earthquake Plan has new and updated requirements that the Sheriff OES will need to implement. To comply with these requirements, the Sheriff OES will need to update all existing annexes and specific detailed operational plans or replace them with new plans.

## **DISCUSSION**

Scientists and all Bay Area government agencies agree that a 6.7 magnitude or larger earthquake will occur in the San Francisco Bay Area, causing a catastrophic disaster. Three major faults run through Contra Costa County and a fourth passes nearby.

When a catastrophic earthquake occurs, many thousands of people will be homeless and in need of emergency shelter and care. The Mass Care and Shelter Plan establishes processes and procedures for sheltering and feeding those in need. Additionally, the 2016 Bay Area Earthquake Plan establishes new operational disaster response and recovery criteria based on worst-case scenarios. All Bay Area counties are required to comply with these criteria.

### **Lead Agencies for Contra Costa County**

In Contra Costa County, the Sheriff OES is charged with planning and coordinating the County's response to a disaster. It also shares responsibility with EHSD for preparing and updating the Mass Care and Shelter Plan.

EHSD is responsible for executing the Mass Care and Shelter Plan and coordinating with the American Red Cross to operate the shelters. Although EHSD and the American Red Cross must coordinate their joint operations, they do not meet to discuss the logistics of the coordination.

The evolving plans and requirements surrounding emergency responses have resulted in agencies creating inconsistent emergency plans. EHSD 2016

Emergency Management Plan differs significantly from the Sheriff OES 2010 Catastrophic Mass Care and Shelter Plan, and the 2016 Bay Area Earthquake Plan.

The 2010 Sheriff OES Catastrophic Mass Care and Shelter Plan also does not comply with the 2016 Bay Area Earthquake format. Both EHSD and Sheriff OES also stated that a lack of resources in both agencies has led to minimal coordination between agencies regarding a Catastrophic Mass Care and Shelter plan.

## **Role of the American Red Cross**

The lead nongovernmental agency is the American Red Cross, which is tasked with identifying and arranging for potential emergency shelter sites. The American Red Cross enters into non-binding memoranda of understanding with owners of buildings in Contra Costa County that could serve as emergency shelters. Each non-binding memorandum of understanding establishes the parameters of when a facility may be used as a shelter. Typical emergency shelters include schools, community centers, and armories.

The Red Cross then lists these shelters on the National Shelter System (NSS), which is a FEMA database that contains that location and contact information for all potential American Red Cross shelters. All local jurisdictions are granted access to the NSS if they apply for that access. During emergencies, this access helps a local jurisdiction to identify nearby shelter locations. The local jurisdiction next screens possible locations by consulting with its safety inspectors to determine whether the shelter is safe to operate. If the local jurisdiction chooses the site, the Incident Commander or Unified Command under the National Incident Management System then tasks the American Red Cross to operate the shelter. The American Red Cross is not responsible for selecting a shelter site or for determining whether the shelter is safe to use after a disaster occurs.

In Contra Costa County, the American Red Cross has three paid employees who routinely assist with emergencies. Due to limited staffing, the American Red Cross has not updated the NSS shelter list for Contra Costa County since 2008. While Sheriff OES can access and view data in the NSS, only the American Red Cross can modify the data. Sheriff OES does not know whether the list of sites is up to date or whether the listed shelters are operational. However, Sheriff OES and the American Red Cross do meet regularly so this could be a topic of discussion.

## **Emergency Plans for a Catastrophic Earthquake in Contra Costa County**

When a catastrophic earthquake occurs, many dwellings, homes and apartment units, will be damaged or destroyed. There will be an urgent need to shelter and

feed displaced residents. For this reason, local agencies need to understand what resources the American Red Cross can provide to assist these residents.

During an emergency, the American Red Cross, at the direction of the Incident Commander or Unified Command under the National Incident Management System, will operate those shelters on the NSS list that have been determined to be safe to occupy. As described above, the American Red Cross has non-binding memoranda of understanding with the owners of each potential shelter concerning the building's use during an emergency

In Contra Costa County, the American Red Cross trains EHSD staff on shelter operations. Emergency plans call for EHSD to send employees to assist with these operations. However, EHSD does not currently have access to the NSS. To operate smoothly, EHSD needs access to NSS shelter locations in Contra Costa County and needs to work with the American Red Cross to keep the list up-to-date; ensuring that shelters are available if the need arises.

Additionally, to effectively open and manage mass care and shelters with the American Red Cross, the Sheriff and EHSD must coordinate their response. The Sheriff and EHSD do not have a standard procedure for identifying and establishing emergency shelters. To deliver a coordinated response, the Sheriff and EHSD must operate from the same plan. A standard written procedure is needed for the Sheriff and EHSD to follow in establishing shelters for the impacted population.

## **FINDINGS**

- F1. The Bay Area Earthquake Plan of July 6, 2016, establishes operational planning and preparation criteria for each Bay Area county.
- F2. The Sheriff OES is charged with planning and coordinating the County's response to a disaster.
- F3. Sheriff OES Catastrophic Mass Care and Shelter Plan and other earthquake operational planning and preparation plans, dated 2010, do not meet the 2016 Bay Area Earthquake Plan requirements.
- F4. EHSD is responsible for executing the Mass Care and Shelter Plan and coordinating with the American Red Cross to operate emergency shelters.
- F5. EHSD 2016 Emergency Management Plan differs from the Sheriff OES 2010 Mass Care and Shelter Plan.
- F6. EHSD 2016 Emergency Management Plan does not meet the 2016 Bay Area Earthquake Plan requirements.

- F7. EHSD does not have the resources to continually work with the Sheriff OES to coordinate, plan and keep updated the Mass Care and Shelter Plan.
- F8. Sheriff OES does not have the resources to update all the operational planning and preparation plans as required by the 2016 Bay Area Earthquake Plan.
- F9. Sheriff OES has no written procedures concerning selection, inspection and opening an emergency shelter.
- F10. Sheriff OES has no standard training program that covers how emergency shelters are selected, inspected, and opened.
- F11. The Sheriff OES recognizes the American Red Cross makes non-binding pre-arrangements for shelters and lists the shelters on the FEMA sponsored database, National Shelter System (NSS).
- F12. Responsibility for determining whether a shelter is habitable and safe to use rests with the local jurisdiction or Sheriff OES.
- F13. Sheriff OES can view, but not edit, data in the NSS.
- F14. EHSD does not have access to the NSS.
- F15. Sheriff OES does not receive regularly scheduled reviews and updates of shelter sites in NSS from American Red Cross.
- F16. Sheriff OES has not received a NSS based shelter report from the American Red Cross since 2008.
- F17. EHSD does not receive regularly scheduled reviews and updates of shelter sites in NSS from ARC.
- F18. EHSD has not received a NSS based shelter report from the American Red Cross since 2008.

## **RECOMMENDATIONS**

- R1. Sheriff OES should consider creating a schedule for updating the Bay Area Earthquake Plan operational annexes by the end of 2017.
- R2. The Board of Supervisors should consider identifying funds by July 1, 2018, to permit Sheriff OES and EHSD to coordinate and complete the Mass Care and Shelter Plan according to the schedule submitted by the Sheriff OES.

- R3. Sheriff OES should consider developing a written Mass Care and Shelter protocol by July 1, 2018, that covers selection, inspection, and opening a shelter, and identifying funds to do so.
- R4. Sheriff OES should consider including shelter selection, inspection and preparation when it establishes the Emergency Operations Center for a simulated disaster as part of disaster exercises.
- R5. EHSD should consider access to view the NSS list by the end of 2017.
- R6. Sheriff OES should consider providing training to EHSD on how to use the NSS system after EHSD is granted access to view the NSS list,
- R7. EHSD should consider periodic reviews of the currency of the data and make update recommendations and corrections to the American Red Cross after EHSD is granted access to view the NSS list.
- R8. Sheriff OES and American Red Cross should consider inviting EHSD to their regular meetings regarding earthquake planning and review of associated policies.
- R9. Sheriff OES should consider reviewing its plans to coordinate local jurisdictions, EHSD and the American Red Cross during an emergency, and develop procedures and provide training where deficiencies are identified.

## REQUIRED RESPONSES

	Findings	Recommendations
Contra Costa County Board of Supervisors	F1 to F3, F5, F8 to 13, F15, F16	R1, R3, R4, R6, R8, R9
The Office of the Sheriff	F1, F4 to F7, F14, F17, F18	R2, R5, R7, R8, R9

These responses must be provided in the format and by the date set forth in the cover letter that accompanies this report. An electronic copy of these responses in the form of a Word document should be sent by e-mail to [ctadmin@contracosta.courts.ca.gov](mailto:ctadmin@contracosta.courts.ca.gov) and a hard (paper) copy should be sent to:

Civil Grand Jury – Foreperson  
 725 Court Street  
 P.O. Box 431  
 Martinez, CA 94553-0091

## **APPENDIX**

### List of Organizations and Acronyms:

- Contra Costa County Office of the Sheriff
- Contra Costa County Office of the Sheriff, Office of Emergency Services (Sheriff OES)
- Contra Costa County Employment and Human Service Department (EHSD)
- Federal Emergency Management Agency (FEMA)
- Department of Homeland Security
- Department of Homeland Security Bay Area Urban Area Security Initiative (Bay Area UASI)
- United State Geological Survey (USGS)
- American Red Cross
- Contra Costa County Board of Supervisors (Board of Supervisors)
- National Shelter System (NSS)