

# An Excerpt for Disaster Council Review and Comment

## 1. Chapter 2 - POLICY Residents of Cupertino

During a disaster or incident that requires an emergency response, the residents of the City will look to government to mount an effective and organized response. This plan focuses on serving the residents of Cupertino.

The key priorities are:

- Protection of Life
- Protection of Property
- Safeguarding the Environment of the City
- Safeguarding the Economy of the City

To do this the City will establish an emergency management organization, develop strategies, and implement activities that are structured to help manage disasters or incidents to protect the residents and mitigate the effects of a disaster or emergency incident.

## 2. City Council

As the elected representatives of the residents of Cupertino, the City Council will provide guidance in establishing emergency management policy, support the goals and objectives of the emergency management program, and advocate for the residents of the City.

## 3. Senior Policy Group

During non-emergency times, the Senior Policy Group (SPG), comprised of Council Members, the City Manager, City Attorney's Office, and the Public Information Officer will be responsible for approving policies and plans for the City.

When this plan is activated, the City will also activate the SPG to provide strategic oversight and direction for the City. Details of the composition, roles, and responsibilities of the SPG, when in response, are detailed in "Section 6, Response", of this plan.

## 4. Disaster Council

### 4.1. Description

As outlined in California Government Code §8610, the City of Cupertino has established a Disaster Council.

The Cupertino Disaster Council, establishes emergency management policy for the city. In its oversight role it also directs the development of plans and processes for the activation of the Cupertino emergency management system.

## 4.2. Role

Overall, the Disaster Council provides oversight and guidance to the Cupertino Emergency Management program. It serves as the guiding body for the development of policy and plans and determines response priorities and resource allocation based on priorities. The council authorizes and empowers managers and supervisors designated to conduct operations in the emergency management structure to activate and mobilize City resources to manage emergency events.

The Disaster Council shall provide oversight and review of plans and will submit the same to the City Council for final approval.

The Disaster Council will be the approving body for policies, mutual aid agreements, and community preparedness initiatives.

## 4.3. Members

The Cupertino Disaster Council shall be comprised of:

- The City Manager, or their designee, shall be chair.
- The Mayor, or their designee, shall be vice chair.
- The City Department Heads or their designee.
- City Attorney (advisory capacity).

In addition, the Disaster Council may include representatives of civic, business, labor, veterans, professional, or other organizations having an emergency responsibility, to provide advisement to the voting members to develop, strengthen, and enhance the city wide emergency management program.

When necessary, the City Attorney may be required to review documents and policies promulgated by the Disaster Council. The City Attorney will have an advisory role in the Disaster Council.

## 5. Senior Leader's Intent

The Disaster Council of Cupertino has established the following as the intent for the emergency management program for the City of Cupertino:

- Establish policies, direct the development of plans, and approve programs to help protect the lives and property of the residents of the City of Cupertino.
- Working with City Departments, establish plans and programs to effectively respond to disasters and incidents within Cupertino.
- Establish plans and programs that will help to recover the City in a post disaster environment.
- Develop or assist in the development of employee disaster safety programs.
- Prepare an operational emergency management structure for the city.

## 6. Senior Leaders Perogative

The Emergency Operations Plan is intended to be used in preparation for and during disaster operations within the City of Cupertino.

However, it is recognized that at times deviations from the plan and the structure will be required in order to effectively manage an incident. As such, the Cupertino Mayor, City Manager, or Disaster Council, may issue new standing objectives, modify the structure, or shuffle roles and responsibilities noted in this plan on an as-needed basis.

## 7. Cupertino Emergency Management Policy

Guiding all plan development with the city are polices that have been established by the City which provide strategic level guidance to the objectives and goals of the emergency management program.

City of Cupertino Emergency Management Policy can be found in the General Plan, Chapter 7 and within Goal HS-2.

Individual policies are noted below and precede sections of this plan as they are addressed.

Overarching General Plan Goal	
HS-2: Ensure a high level of emergency preparedness for natural and human-caused disasters.	

Policy Number	Policy Statement
HS-2.2	
Promote Emergency Preparedness	Distribute multi-hazard emergency preparedness information for all hazards identified in the City's Emergency Operations Plan.  Information will be provided through Cardiopulmonary Resuscitation (CPR), First Aid and Community Emergency Response Team (CERT) training, lectures and seminars on emergency preparedness, publication of monthly safety articles in the Cupertino Scene, posting of information on the City's Emergency Preparedness website, and coordination of video and printed information at the library. Efforts will be made to provide information in multiple formats to accommodate persons of all abilities.
HS-2.3	
Emergency Operations and Training	Ensure City staff are trained on their functions/responsibilities in the Emergency Operations Center (EOC) and in disaster preparedness, first aid, and CPR, as applicable.
HS-2.4	
Volunteer Groups	Continue to encourage the ongoing use of volunteer groups, such as Cupertino Emergency Response Team (CERT), to augment the City's emergency services, and clearly define responsibilities during a local emergency.
HS-2.5	
Emergency Public Information	Maintain Cupertino's Alert, Warning, and Notification (AWN) Program to be used during emergency situations.

HS-2.6	
Fire Prevention and Emergency Preparedness	<p>Promote fire prevention and emergency preparedness through City-initiated public education programs, the City Channel, the City’s website, the Cupertino Scene, and other social media platforms.</p> <p>NOTE: This plan does not discuss Fire Prevention. Activities related to fire prevention can be found here: <a href="#">SC County Fire Prevention Awareness</a></p>

Policy Number	Policy Statement
HS-2.7:	
Hazard Preparedness	<p>Ensure that members of the community are adequately prepared for potential hazard scenarios, including geologic and seismic hazards, wildfire hazards, flooding hazards, extreme heat, and hazardous materials releases. Leverage the Neighborhood Block Program to advertise and incorporate its members into training efforts to expand outreach and engagement.</p>
HS-2.8	
Educational and Outreach Materials	<p>Distribute relevant educational and outreach materials to the public to help residents understand appropriate fire mitigation activities, such as vegetation management, defensible space, evacuation routes, and emergency evacuation procedures during a fire hazard.</p>
HS-2.10	
Disaster Medical Response	<p>Continue to coordinate with the appropriate County agencies and local emergency medical clinics to ensure preparedness and provide disaster medical response.</p>
HS-2.12	
Evacuation Awareness	<p>Ensure the public is aware of evacuation zones, evacuation routes, and how to access emergency alerts and evacuation orders. Provide information to members of the public about evacuation concerns, including designated evacuation routes and evacuation plan details, through multiple formats and in multiple languages.</p>

## 8. Emergency Management Legislation

The State of California has developed an extensive emergency management system. It is designed to ensure that counties and cities are provided with like organization, like resource requesting, and like oversight when managing emergencies or disasters. This system is designed to ensure local governments are eligible and receive federal disaster assistance when made available via the Stafford Act.

Additionally, the City, County, and Federal governments have codes, ordinances, laws and regulations that govern emergency management and disaster response operations. The following laws, code, and regulation govern the roles, responsibilities, and conduct of emergency management. The references are provided to assist in preparedness, response, and recovery planning.

### City Ordinance

Ordinance	Purpose
2.40.010	The declared purposes of this chapter are to provide for the design of the citywide emergency management program for the City of Cupertino. The emergency management program includes the preparation and carrying out of plans for the protection of persons and property within this City in the event of an emergency, the direction of the emergency organization, and the coordination of the emergency functions of this City with all other public agencies, corporations, organizations and affected private persons.

### County Code

Code	Purpose
Santa Clara Ordinance Code § A8	The declared purposes of this Division are to provide for the preparation and carrying out of plans for the protection of persons, property, and the environment within Santa Clara County in the event of an emergency; the establishment, coordination, and direction of the County of Santa Clara Emergency Organization; the establishment, coordination and direction of the Santa Clara County Emergency Operational Area Council; the establishment, coordination and direction of the Office of Emergency Management; and the coordination of the emergency functions of this County with all other public agencies, corporations, organizations, and affected private persons.

### State Code

Code	Purpose
California Emergency Services Act (Gov. Code §§ 8550–8669.87)	The California Emergency Services Act (CESA) establishes the legal framework for how California prepares for, responds to, and recovers from emergencies and disasters.

	It also establishes SEMS as a standard process within the State, details the roles of local Disaster Councils, and provides for the proclamation of a local disaster.
California Health and Safety Code	Provides broad powers to local Health Officers to preserve public health.  For Cupertino this power rests with the Santa Clara County Health Officer.

**Federal Law**

Federal Code	Purpose
The Stafford Act (42 U.S.C. § 5121 et seq.)	This is the single most important law in U.S. emergency management. It provides the legal authority for the federal government to respond to disasters. Provides basis for federal funding. A Stafford Act declaration unlocks federal resources for local disasters. This includes funding for debris removal, repairs to public infrastructure, and direct financial assistance to individuals and households.
The Public Health Service Act (42 U.S.C. § 201 et seq.)	This law gives the Secretary of Health and Human Services the authority to declare a public health emergency. This was a critical legal tool during the COVID-19 pandemic, allowing the federal government to suspend certain regulations, facilitate the development of vaccines, and deploy medical resources across state lines.
Homeland Security Act (116 Stat. 2135)	Established the Department of Homeland Security and enhanced federal disaster preparedness efforts.
Post Katrina Emergency Management Reform Act	Amended Homeland Security Act and specifically notes changes to disaster assistance.



Quick Stop Legal Reference: [Emergency Management Law in the U.S.: A Comprehensive Guide \[US Law Explained\]](#)

## 9. Cupertino Office of Emergency Management (OEM)

The Office of Emergency Management (OEM) is the primary emergency management entity for the City. Its purpose is to help ensure residents and staff are prepared to respond to all incidents that may affect the City of Cupertino.

The City OEM is led by the Emergency Services Coordinator (ESC) who shall develop plans, processes, and procedures to meet City protection, mitigation, preparedness, response, and recovery needs as noted in this plan and as based on lessons learned.

### 9.1. Roles and Responsibilities of OEM

Office of Emergency Management
<ul style="list-style-type: none"> <li>• Serve as primary emergency management technical advisor to the Director of Emergency Services (City Manager).</li> </ul>
<ul style="list-style-type: none"> <li>• Reviews, maintains, and updates the City's emergency plans for operations, administration, personnel, and equipment, and reviews the plans annually.</li> </ul>
<ul style="list-style-type: none"> <li>• Ensures that the City's Emergency Operations Plan and its annexes are reviewed and updated annually or as needed.</li> </ul>
<ul style="list-style-type: none"> <li>• Under general supervision, develops and implements the Office of Emergency Services' emergency preparedness functions and programs; the study and analysis of vulnerability to disaster and response capabilities; long-term disaster mitigation plans and programs.</li> </ul>
<ul style="list-style-type: none"> <li>• Develops, recommends, and implements revision of emergency response procedures based on regulatory changes, technological changes, or knowledge gained from outcomes of previous emergency situations</li> </ul>
<ul style="list-style-type: none"> <li>• Prepares, conducts, and coordinates training for City employees and volunteers as it relates to emergency planning and preparedness. Maintains training records and volunteer databases.</li> </ul>
<ul style="list-style-type: none"> <li>• Develops, conducts, and coordinates training and exercises of staff assigned to the Emergency Operations Center (EOC) and other such key roles, including regular EOC training, drills, and exercises.</li> </ul>
<ul style="list-style-type: none"> <li>• Participate in County led and Operational Area trainings, drills, and exercises.</li> </ul>
<ul style="list-style-type: none"> <li>• Serves as the City's representative to coordinate with the Operational Area, regional, state, and federal governmental agencies, the public, volunteer organizations, and stakeholders to establish and maintain effective working relationships and communication before, during, and after an emergency incident.</li> </ul>
<ul style="list-style-type: none"> <li>• Works with all City Departments, private organizations, and non-profit organizations to coordinate protection of key infrastructure such as government facilities, schools, business campuses, and natural assets.</li> </ul>
<ul style="list-style-type: none"> <li>• Works collaboratively with all City departments to provide facility specific emergency action plans and procedures.</li> </ul>
<ul style="list-style-type: none"> <li>• Builds partnerships with private sector organizations and their emergency response teams.</li> </ul>
<ul style="list-style-type: none"> <li>• Attends required meetings, trainings, seminars, and conferences related to emergency management and homeland security.</li> </ul>

## Office of Emergency Management

- Prepares, attains, and distributes emergency planning and preparedness materials to business and residential communities.
- Manages the Citizen Corps program, including, but not limited to, Community Emergency Response Team (CERT), Medical Reserve Corps (MRC), and ARES/RACES ham radio volunteers. This management may be overseen through a direct report.
- Plans for, orders, and maintains equipment and supplies for the primary and alternate Emergency Operations Center.
- Assesses the needs of the primary and alternate Emergency Operations Center and reviews new and accepted EOC procedures to keep the EOC current and efficient.
- Supports the Logistics Function through the selection, identification, purchasing, and ongoing maintenance of Office of Emergency Services equipment and supplies.
- Prepares the OES budget and manages financial administration of allocated resources.
- Participates in Operational Area grant funding prioritization and project opportunities.
- Assures conformity of City Emergency preparedness with County, State and Federal requirements (NIMS, etc.).
- Prepares FEMA reports and other grant proposals as needed.
- Receives training and maintains certifications as required, including FEMA/DHS, NIMS, and other courses.
- Oversees and supervises full-time and/or part-time OES staff.
- Compiles reports, assists with developing presentations, and presents to Cupertino Public Safety Commission, Disaster Council, City Council, and other bodies as necessary. May serve as liaison to the Cupertino Public Safety Commission and the Disaster Council.