



Memorandum

TO: EMERGENCY SERVICES
COUNCIL

FROM: Raymond Riordan

SUBJECT: EMERGENCY MANAGEMENT
ORDINANCE UPDATE

DATE: March 26, 2024

Approved

Date

4/9/2024

RECOMMENDATION

Approve proposed modifications to the City of San José Municipal Code 8.08 for City Council consideration for adoption.

OUTCOME

The proposed updates to the ordinance will clarify roles and responsibilities, define key terminology, and add continuity of government as a new component of the ordinance. These changes will assist the Director of Emergency Services in providing direction to the Emergency Management Organization when activated in response to disasters and emergencies.

BACKGROUND

The City of San Jose last approved and adopted changes to the City of San Jose Municipal Code, Office of Emergency Services, in 1997. Since then, recurring disasters in California and across the United States have caused the Federal government, the State of California, and local jurisdictions everywhere to revise laws, regulations, and standard operating procedures.

Emergency Management, as a body of work, is considered by practitioners to be both a science and a system. As such, Emergency Management is universally accepted as the standard by which local jurisdictions mitigate, prepare for, respond to, and recover from disasters and large-scale emergencies.

ANALYSIS

The City of San Jose Municipal Code 8.08, Emergency Management, provides both the structure and direction of the City's Emergency Management Organization. This structure includes primary responsibilities and defined delegations of authority, including continuity of government. The drafted municipal code updates define widely accepted terminology that not only complies with Federal and State laws and regulations but also clarifies disaster response and recovery elements.

The purpose of the City of San Jose Municipal Code 8.08 is to establish the foundational anchor point for the City's Emergency Management Organization and the policies and procedures that define how the City will effectively prepare for, respond to, recover from, and mitigate against natural or human-caused disasters.

The Ordinance, including updates, addresses the following topics:

- Identifies the Director of Emergency Services and the Office;
- Identifies the orders of succession for the Director of Emergency Services to include the Assistant Director of Emergency Services and the Emergency Operations Center Director;
- Describes the appointment of the Office of Emergency Management Director and establishes a reporting structure;
- Identifies the duties of the Director of Emergency Services;
- Describes the City of San Jose's Emergency Organization;
- Describes the duties and responsibilities of the Office of Emergency Management;
- Describes the City of San Jose's Emergency Operations Center;
- Revises the name of the Emergency Services Council and its membership to align with the definition of a Disaster Council as noted in the California Emergency Services Act;
- Describes the functions, powers and duties of the Disaster Council;
- Defines Continuity of Government by requiring specific actions of all departments;
- Describes the nature of Expenditures during emergency activities;
- Specifies powers activated under a proclamation of local emergency; and
- Defines acts constituting misdemeanors during an emergency.

EVALUATION AND FOLLOW-UP

The City's emergency management municipal code will be evaluated on a continual basis. At a minimum, a review of Chapter 8.08 will coincide with the maintenance schedule of the Emergency Operations Plan, Base Plan, or every four years. Any proposed revisions to Chapter 8.08 will be presented to the City Council for adoption by the Office of Emergency Management through the Disaster Council.

CEQA

According to CEQA Guideline PP17-009 this report is a Staff Report or Informational Memo that involves no approvals of any City action.

COORDINATION

This memo has been coordinated with the City Manager's Office, the Emergency Management Working Group, and the City Attorney's Office. The Emergency Management Work Group (EMWG), established July 2017, was initiated to provide an interdepartmental platform to discuss policies, programs, and plans related to emergency management and response. There are two teams within the EMWG, a Policy Team and an Operational Management Team. These teams include Department Directors, Assistant Directors, Deputy Directors and/or Department Representatives given the authority to commit department resources to facilitate departmental capability and readiness to respond to an emergency. Representatives from all departments reviewed the suggested updates to the ordinance and all comments were integrated into the draft herein presented.



RAYMOND RIORDAN

Director,

City Manager's Office of Emergency Management

For questions, please contact Jay McAmis, Deputy Director of the City Manager's Office of Emergency Management, at (408) 794-7043 or jay.mcamis@sanjoseca.gov.

ATTACHMENT

- A. [Proposed Modifications to the City of San José Municipal Code 8.08](#)