

# Memorandum

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**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** David Sykes

**SUBJECT: RATIFICATION OF AND  
TERMINATION OF A  
PROCLAMATION OF LOCAL  
EMERGENCY**

**DATE:** October 11, 2019

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## **ACTION**

On October 9, 2019, the Director of Emergency Services proclaimed a local emergency related to the forecasted high fire conditions and resulting PG&E Public Safety Power Shutoff (PSPS) event. Pursuant to the San José Municipal Code and the California Government Code, these actions must be ratified by the City Council within seven days or the proclamation shall have no further force or effect. Moreover, the City Council must terminate the emergency when conditions warrant.

## **RECOMMENDATION**

- (a) Adopt a resolution ratifying and terminating the Director of Emergency Services' Proclamation of October 9, 2019 of the existence of a local emergency resulting from predicted high wildfire risk conditions and PG&E's notice that it would execute a Public Safety Power Shut Off affecting portions of the City of San José.
- (b) Receive staff's update on the status of the Public Safety Power Shut Off, its impact on the City of San José, and recovery efforts.

## **OUTCOME**

Ratification of the Director of Emergency Services' (City Manager) or designee's proclamation of a local emergency allows the City to exercise extraordinary police powers, such as evacuation; immunity for emergency actions; authorization of issuance of orders and regulations; activation of pre-established emergency provisions; and is a prerequisite for requesting state or federal assistance. Termination of the proclamation of local emergency when conditions warrant is required by law. Receiving staff's update on the status will inform the Council on the details of the PSPS event, staff's actions leading up to and during the event, and the status of recovery.

## **BACKGROUND**

### **1. Notice of Public Safety Power Shutoff**

On Monday, October 7, 2019, PG&E issued a press release informing the public that it was considering a PSPS in 30 northern, central, coastal, and Bay Area counties, including Santa Clara County, as a result of forecasted high fire conditions. A PSPS is a wide-spread power outage event initiated by PG&E to prevent power lines from sparking wildfires when fire conditions are high. This event was expected to severely impacted residents, businesses, schools, and critical services in Council Districts 2,4,5,8, and 10. Within Santa Clara County, San José was predicted to have more than 200,000 accounts impacted. Consequently, more than 200,000 San José residents were expected to lose power, including Medical Baseline customers who rely on power for lifesaving medical devices and mobility devices. Furthermore, the vulnerable population affected by PSPS also include children, seniors, individuals in assisted living facilities and healthcare facilities, and others who may be homebound and are unable to physically go to city resource or charging centers.

Notices of the Red Flag Warning were initiated at 4:30 a.m. on October 4, 2019. Low Humidity with seasonable temperatures ranging between 65°F- 80°F, and wind gusts of 45-55 miles per hour in all portions of the Bay Area and Central Coast leads to increased Fire Danger.

**RED FLAG WARNING**

**North Bay Mountains & Valleys, East Bay Hills & East Bay Valleys**  
Wednesday 5 AM PDT to Thursday 5 PM PDT

**Santa Cruz Mountains**  
Wednesday 5 PM PDT to Thurs Noon PDT

**Gusty north to northeast winds:**

- Mountains: 20-30 mph, gusts 45-55 mph (locally higher)
- Valleys: Gusts to 30 mph

**Extreme fire danger**  
Gusty and potentially strong, damaging north to northeast winds  
Low relative humidity

**Red Flag Warning**

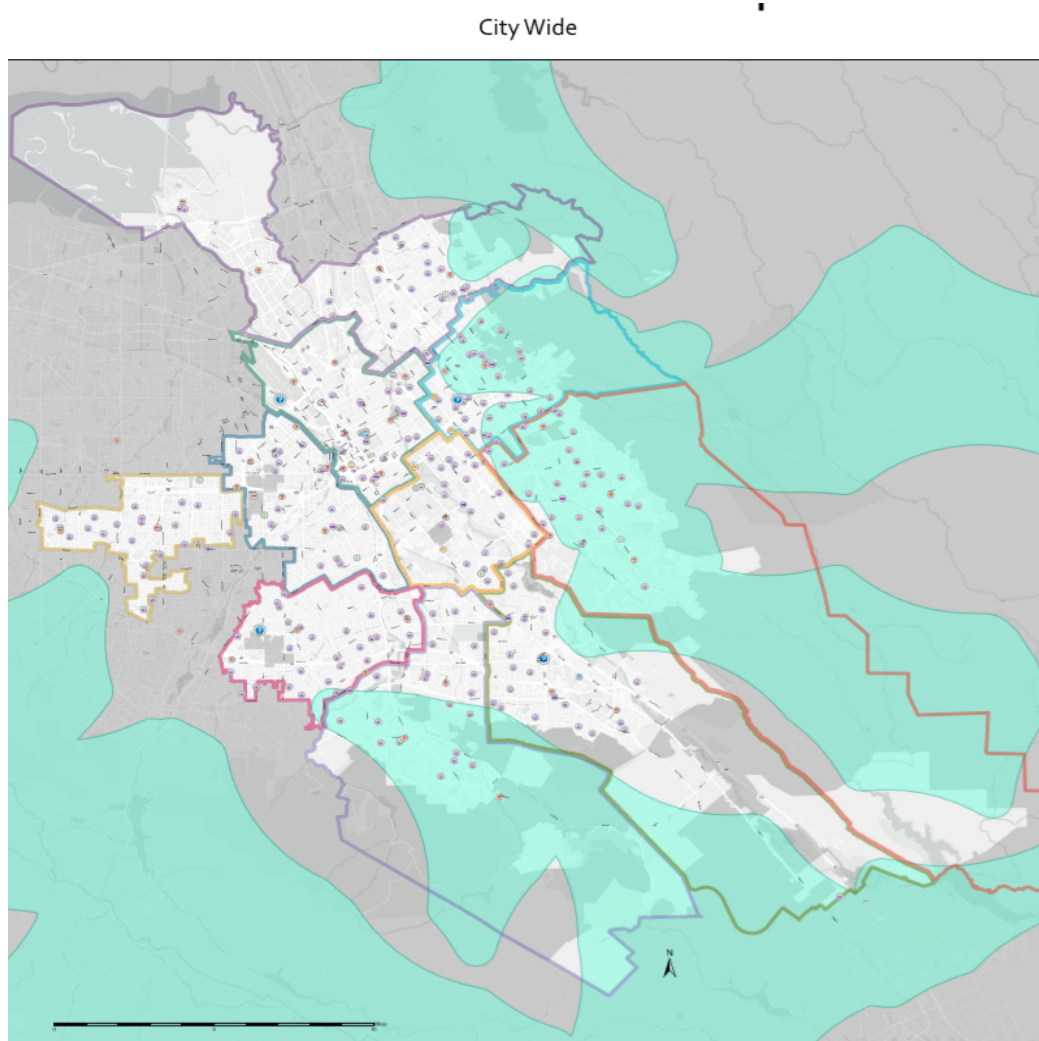
**NATIONAL WEATHER SERVICE**  
NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION

**San Francisco Bay Area/Monterey**  
weather.gov/bayarea

## 2. Activation of Emergency Operations Center

The City activated the Emergency Operations Center (EOC) at 7:00 a.m. on Wednesday, October 9, 2019 in anticipation of high wildfire and PSPS conditions.

The PSPS was expected to impact the areas of San José as shown below.



Due to the expected severity of the PSPS event, the City of San José EOC was staffed with 35 personnel, following the procedures identified in the City Emergency Operations Plan and Power Vulnerability Plan. The Fire Department also increased staffing by activating its Department Operations Center and increasing field patrols. By 7:00 a.m. on October 9, 2019, EOC staff began to monitor the conditions and respond as needed.

PSPS alerts were issued by digital recording, text, social media, and paper flyers in three languages: English, Spanish and Vietnamese. City staff conducted phone and in-person notices on an on-going basis leading up to the PSPS. The Mayor and the Councilmembers of the affected districts were notified and informed as staff made decisions to activate the EOC, provide resource support, monitor situation status and traffic control, and distribute PSPS notifications to residents.

### 3. Proclamation of Local Emergency

The Director of Emergency Services designee, Kip Harkness, proclaimed a Local Emergency at 2:00 p.m. on October 9, 2019. The Proclamation of Local Emergency was issued after consultation with the section coordinators in the EOC, phone conferences with National Weather Service and PG&E, and discussion with cross jurisdictional partners and agencies. The proclamation allowed the City to respond with the resources necessary to ensure public safety and care for the community, including vulnerable populations and Medical Baseline customers of PG&E.

### 4. Public Safety Power Shut Off in San José

PSPS occurred in San José City Council Districts 2,4,5,8, 9 and 10 starting at 11:00 P.M. on October 9, 2019. The impacted area included the following critical facilities: five fire stations, two police stations, two lift and pump stations, two cooling centers, and three healthcare facilities, five assisted living facilities, two public libraries, and up to 22 schools, making up most of the eastern and southern areas of San José. PGE reported that re-energization could take as long as five days, after the wind event was over.

Field staff and equipment deployed by the Department of Transportation provided direct observation of the outage areas, traffic conditions and traffic operations. The department of Public Works monitored multiple critical sites and installed generators to support the community centers. In addition, Public Works refueled generators in fire stations and at water pumps located in the impacted area. The Department of Parks, Recreation and Neighborhood Services operated three City Resource Centers directly adjacent to PSPS impact zones to provide residents with water, food, and charging stations. San José community centers and libraries continued operations throughout the PSPS event. The City of San José staffed a total of 150 employees from the various departments for this PSPS event, including dedicating 10 bilingual staff to operate a call center to reach out to approximately 900 at-risk PG&E Medical Baseline residents and patients. Moreover, to provide and disseminate adequate information, alerts and updates were translated into two different languages and disseminated on various communication platforms to residents in Council Districts 2,4,5,8, 9 and 10.

## **ANALYSIS**

The authority to proclaim a Local Emergency in San José is vested in the City Council, or in an emergent situation, the Director of Emergency Services (City Manager), or designated alternate. Pursuant to Title 8, Chapter 8.08 Part 2 Section 808.210 of the San José Municipal Code and the California Government Code, Section 8680.9, the Proclamation of Local Emergency must be ratified by the City Council within seven days if Proclaimed by the Director of Emergency Services (or his/her designee) or it shall have no further force or effect. In addition, ratification is a prerequisite for requesting state or federal assistance. Moreover, the City Council must proclaim the termination of the Local Emergency as soon as conditions warrant. The high fire conditions have abated and PG&E is in the process of re-energizing San José. As such, the emergency is terminated.

A Proclamation of Local Emergency provides the authority to:

- Provide mutual aid consistent with the provisions of local ordinances, resolutions, emergency plans, and agreements.
- Receive mutual aid from state and other governmental agencies.
- In the absence of a State of War Emergency or State of Emergency, seek recovery of the cost of extraordinary services incurred in executing mutual aid agreements.
- Promulgate orders and regulations necessary to provide for protection of life and property.
- Request the governor proclaim state of emergency when, in the opinion of the Director, the locally available resources are inadequate to cope with the emergency.

## **EVALUATION AND FOLLOW-UP**

No further action by the City Council is necessary. If the Proclamation of a Local Emergency is approved by the California Office of Emergency Services Director or concurrence is identified by the Governor in a Gubernatorial Proclamation of an Emergency, the San José Office of Emergency Management will take action to file reimbursement claims.

## **PUBLIC OUTREACH**

The memorandum will be posted for the October 16, 2019 agenda.

## **COORDINATION**

The report was prepared by the Office of Emergency Management in coordination with the City Attorney's Office.

HONORABLE MAYOR AND CITY COUNCIL

October 11, 2019

**Subject: Ratification of and Termination of a Proclamation of Local Emergency**

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**COMMISSION RECOMMENDATION**

No commission recommendation or input is associated with this section.

**CEQA**

Statutory Exempt, Section 15269, Emergency Projects Undertaken for specific actions necessary to prevent or mitigate an emergency.

A handwritten signature in black ink, appearing to read "D. Sykes", with a horizontal line extending from the end of the signature.

David Sykes  
City Manager

For questions, please contact Raymond Riordan, Director of the City Manager's Office of Emergency Management at (408) 794-7055.