



Disaster and Fire Safety Commission

ACTION CALENDAR

October 02, 2012

(Continued from September 11, 2012)

To: Honorable Mayor and Members of the City Council

From: Disaster and Fire Safety Commission

Submitted by: Lynn Zummo, Chairperson, Disaster and Fire Safety Commission

Subject: D&FSC Comments on City Manager's Information Reports of 5/1/2012

RECOMMENDATION

Review and consider the Commission's comments on the City Manager's Information Reports of May 1, 2012.

FISCAL IMPACTS OF RECOMMENDATION

Expenditure of the Measure GG funds in surplus.

SUMMARY

Berkeley's Disaster and Fire Safety Commission ("D&FSC") has been tasked to comment on the City Manager's "Community Disaster Preparedness Programs Update" ("Item 43") and "Measure GG Expenditure Report," ("Item 44"), on the Council's May 1, 2012 Information Calendar. This memorandum summarizes the D&FSC's comments.

A major earthquake on the Hayward Fault is the most threatening disaster that can be confidently predicted. In a major wildfire, mutual aid can be counted on for assistance from nearby jurisdictions. In a major earthquake, however, local jurisdictions will be similarly afflicted and mutual aid will not be available until equipment from distant jurisdictions begins to arrive. Meanwhile, numerous fire ignitions can be predicted, greatly outstripping the capacity of the Berkeley Fire Department to respond. Thus community preparedness for a major earthquake is critical; for an extended period of time, the only source of assistance will be appropriately trained and equipped resident volunteers. The D&FSC believes that, with Measure GG funds, more could and should be done to prepare the citizens of Berkeley to cope with the earthquake disaster that is coming with inexorable inevitability.

CURRENT SITUATION AND ITS EFFECTS

ANALYSIS OF AVAILABLE MEASURE GG FUNDING

Virtually from its inception, the Measure GG fund has been in surplus; the tax revenues have rolled in substantially as expected, but the expenditures of those funds have been, and are predicted to continue to be, less than the amounts collected or to be collected.

Figures initially supplied to the D&FSC by the City's Budget Department on 9/28/2011 reflected surplus Measure GG funds as follows:

FY 2011	(Actual surplus)	\$2,640,070
FY 2012	(Projected surplus)	\$1,286,359
FY 2013	(Projected surplus)	\$2,032,100
FY 2014	(Projected surplus)	\$2,810,111

When the D&FSC prepared to present those figures to the Council in January, 2012, the City Manager revised the estimated expenditures of Measure GG funds in such a way as to reduce the estimated FY 2012 surplus to \$506,359 and the FY 2014 surplus to "approximately \$1 million." The City Manager now states that "Assuming the FY 2012 projection is achieved, ...a total of \$12,552,085 will have been collected since the tax was approved. Over the course of the same period, \$12,048,758 will have been expended." (Item 44 p. 4) In other words, the City Manager now estimates that there will be a surplus of \$503,327 as of the end of FY 2012.

In order to justify the City Manager's projections for the FY 2012 surplus, some heroic assumptions must be made about rate of expenditures in the last four months of the fiscal year. (See Attachment 1). The City Manager's FY 2012 expense projections will require 4 months of "Minimum staffing," at 308% of the rate experienced during the first 8 months of the fiscal year. For "FRALS" the number is 158%; for "Disaster Preparedness," 172%. If just those three line items are extrapolated at the rate of expenditure for the first 8 months of the fiscal year, the total will be \$1,658,156 for the full year not the \$2,535,308 that the City Manager estimates. That's a difference of \$877,153. Put another way, if the expenditures for those three items continue in the last 4 months of the FY at the same rate as in the first 8 months, the FY 2012 surplus will be \$1,380,830, not \$503,327.

A surplus at the end of FY 2012 is predicted despite a large, one-time charge of \$3,006,064 in FY 2012, primarily for new radios for Police and Fire Departments in conjunction with Berkeley's participation in the East Bay Regional Communications Authority ("EBRCSA"). Radio expenses in FYs 2013 and 2014 will be much lower. The budgets supplied by the Fire Department project ongoing expenses of the radio system at \$500,000 per year. More recently, however, those expenses were estimated at \$280,000 per year by Andrew Clough of the Public Works Department when he appeared before the D&FSC at its meeting on May 23, 2012.

"Minimum Staffing" has been budgeted at \$2,000,000 per year for FYs 2011, 2012, 2013 and 2014. The actual expenditures have come in under budget in every year so far, and the City Manager projects that, even with hugely accelerated payments in the last 4 months of the year, the total will be \$1,840,718, not \$2,000,000 for FY 2012. It is apparent that the FY 2012 surplus will grow rapidly in FYs 2013 and 2014.

No provision has been made, even on a contingent basis, for expenditure of the surplus funds. Instead, the City Manager has expressed the view that "Measure GG funds may be banked for future use for unexpected contingencies to the extent prudent." (Supplemental Agenda Material, 1/31/2012, for Item 22B).

The D&FSC disagrees. It believes that the taxpayers of Berkeley are entitled to see all of the funds raised by Measure GG spent, in a timely manner, for the purposes for which they taxed themselves. Budget estimates have consistently exceeded actual expenditures, and it is apparent that ample cushions are already built into those estimates. The prudent course of action would be to budget all available funds for prompt use, in recognition that the "Disaster Preparedness" line item is very flexible and can be quickly expanded to absorb surplus and equally quickly cut back to provide funds for any unforeseen contingencies.

POSSIBLE FUTURE ACTION

RECOMMENDED APPLICATION OF SURPLUS

The D&FSC does not believe that it should attempt to substitute its judgments for those of City Staff with respect to expenditure for the interoperable radio program. It accepts the total overtime budget of the entire Fire Department as the measure of the cost of preventing rotating closures of fire stations. It accepts the cost figures for the First Responder Advanced Life Support System although it believes that payments from Alameda County for expenses already covered by Measure GG should result in reimbursement to the Measure GG fund. (The status of those reimbursements from Alameda County is unclear at this time). Otherwise, the D&FSC does not quarrel with the expenditures to date for those purposes.

The focus of the D&FSC's disagreement with the City Manager is with respect to expenditures for citizen and neighborhood disaster preparedness. After all the other purposes of Measure GG have been funded, the remaining funds could and should be used for community preparedness. The opportunities to improve citizen preparedness are essentially open-ended; there is no amount of money that will ever get the whole city ready for a major disaster, but a wide variety of initiatives to improve and extend disaster-preparedness efforts can now be funded.

THE CERT PROGRAM

It is clear that the demand for CERT training has not been met; most CERT classes are fully booked months in advance, turning away potential participants. Since CERT training is a precondition to the award of equipment caches, that bottleneck hinders the distribution of caches to neighborhoods that are unable to obtain the necessary training. Additional CERT classes could be offered, especially the courses in Fire Safety, Disaster Medical Operations and Light Search and Rescue. Participation in those three courses is the *sine qua non* for a disaster cache application.

Berkeley has abandoned its original CERT curriculum and adopted the nationwide FEMA curriculum, which is geared to all kinds of disasters such as tornadoes, hurricanes and floods that we do not experience in Berkeley. In some respects, the FEMA curriculum is inferior to the old Berkeley curriculum. Although the enrollment figures offered by the City Manager are impressive, the quality of the training, particularly in the basic courses, could be improved by adding features that appear in the old Berkeley curriculum but not in the FEMA curriculum.

THE CACHE PROGRAM

The contents of the caches that the City delivers could be substantially augmented with important equipment for search-and-rescue and fire suppression. The first eight caches awarded by the City (one in each Council District) were far more complete than the caches being furnished today. They included 600' of 3" fire hose, 800 feet of 1.5" fire hose, and 400' of 1" fire hose with appropriate nozzles, a hydrant wrench and hydrant adapters. Currently, caches are delivered with just 200' of ¾" hose – essentially garden hose – with no provision to attach it to a hydrant. The cost of caches currently being delivered is about 1/6 of the cost of the original 8 caches. That appears to be a false economy.

Based on an ABAG prediction of 5,500 fire ignitions throughout the Bay Area resulting from a major earthquake, Berkeley can expect scores of ignitions within its City Limits. Following the Loma Prieta earthquake, Berkeley experienced just one fire. Extinguishing that one fire required all of the City's fire-fighting equipment. With numerous fires starting simultaneously, prompt and effective fire-fighting by volunteers will be necessary to keep the City from going up in smoke. Garden hose will not be adequate to that task.

Apart from the cost of serious fire hose, staff is apparently concerned about safety; a large fire hose carrying high pressure can be dangerous. However, there is videotape evidence of volunteers in shorts and T shirts holding full-size fire hose and successfully defending the "100 block" of Alvarado Road during the 1991 Hills fire. No injuries were reported. Possible liability issues can be dealt with through training and insurance.

With respect to search-and-rescue, the initial round of caches included Pulaskis, saws, drills, shovels, prybars, jacks, pipe rollers, a wheelbarrow, a hand truck and cribbing. Caches currently being delivered contain none of that equipment. The City Manager concedes that the inventory of caches delivered in recent years "is by no means, considered a comprehensive list of all supplies and equipment for disaster preparedness and response," and goes on to insist that caches could not "possibly be funded to a comprehensive list." (Item 43, p. 2) That statement effectively concedes the point that the D&FSC has been trying to make: all of the available Measure GG funds can be spent effectively on community preparedness because there is always more unmet need than funds available. While the City will never be completely prepared, surplus Measure GG dollars can go a long way toward funding a "comprehensive list" of disaster equipment for community preparedness.

Apart from incompleteness of their contents, caches are not equally distributed throughout the City. Measure GG also provides funds to redress that imbalance.

CONCLUSION

The D&FSC believes that the substantial surplus of Measure GG funds, as projected for the end of FY 2012 and for the period through FY 2014, should be spent for the purposes specified in Measure GG and not set aside for unspecified, unknown contingencies. Since the funding requirements for the other purposes of Measure GG are reasonably finite and predictable, the surplus should be expended to enhance preparedness in Berkeley's neighborhoods, where professional assistance from uniformed City personnel will be predictably unavailable for days after a major earthquake.

Specifically, the Disaster and Fire Safety Commission recommends that the surplus be dedicated to additional CERT trainings, exercises, caches, and to outreach to and preparation of underserved neighborhoods and vulnerable populations.

CITY MANAGER

See companion report.

CONTACT PERSON

Gil Dong, Deputy Fire Chief, Fire Department, 510-981-5501

Attachments:

1: Analysis of City Manager's Measure GG Expenditure Report for FY 2012 Dated May 1, 2012

ATTACHMENT 1

Analysis of City Manager's Measure GG Expenditure Report
For FY 2012
Dated May 1, 2012

Program Area	Total Expenditures (\$)			Average monthly \$		Increased rate in last 4 months (%)	Totals at 8 month rate
	8 mos. actual	4 mos. calculated	12 mos. projected	8 mos. actual	4 mos. calculated		
Minimum staffing	\$724,947	\$1,115,771	\$1,840,718	\$90,618	\$278,943	308%	\$1,087,421
FRALS	\$188,286	\$148,725	\$337,011	\$23,536	\$37,181	158%	\$282,429
Disaster Preparedness	\$192,204	\$165,375	\$357,579	\$24,026	\$41,344	172%	\$288,306

Total

\$2,535,308

\$1,658,156

Difference between City Manager's projection and 8 month experience extrapolated: \$877,153