



County of Orange
California

Thomas G. Mauk
County Executive Officer

August 19, 2008

Ann Avery Andres, Foreperson
Superior Court of California
700 Civic Center Drive West
Santa Ana, CA 92702

Subject: Response to Orange County Grand Jury Report, "After The Big One, Will Critical County Services Survive?"

Dear Ms. Andres:

Per your request, and in accordance with Penal Code 933, enclosed please find the County of Orange response to the subject report as approved by the Board of Supervisors. If you have any questions, please contact Theresa Stanberry at (714) 834-3727 in the County Executive Office who will either assist you or direct you to the appropriate individual.

Very truly yours,

Thomas G. Mauk
County Executive Officer

Enclosure

TGM/tts

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2007-08 Grand Jury Report
“After The Big One, Will Critical County Services Survive?”
Response to Findings and Recommendations

Response to the Findings

F-1a Safety Inspections: The current decentralized safety inspection system lacks uniformity, coordination, and consistency, and results in confusion in the reporting structure.

Response: ***Disagrees partially with finding.***

For the last four years, all County departments were tasked with conducting their own facility safety inspections and preparing reports of their findings. The Safety and Loss Prevention Manual requires that each department must complete safety inspections of all facilities at least yearly to be completed no later than October 1st of that year. The inspection reports were sent via interoffice mail to CEO/Risk Management/Safety & Loss Prevention Program for review. As a result of the information obtained during the Program Evaluations (review of inspection reports), County Safety Office staff found that departments were not correctly identifying hazardous conditions as evidenced by visual observations during random on-site visits.

In view of the information gathered from the Program Evaluations, it was determined that a change in the inspection process was necessary. In January 2008, a memo to all department heads from the County Executive Officer advised that the County Safety Office would be conducting the annual inspections of all facilities with ten or more employees to insure uniformity in reporting. Departments continue to be responsible for conducting the inspections of facilities with nine or fewer employees. The County Safety Office will continue to review the inspection reports of the smaller facilities for proper identification of hazardous conditions. During 2008, 344 worksites will be inspected by the County Safety Office. Forty-eight worksites will continue to be inspected by the departments.

By returning to a centralized inspection process for the majority of our facilities, the inspection criteria will now be uniformly applied to all facilities and we will be utilizing the expertise of Safety Office staff in order to insure that all hazards, etc. are properly identified in order to enable the departments to take the necessary steps to remedy them.

F-1b Coordination Between Safety Officers: Coordination is insufficient between the full-time safety officers at OC Waste and Recycling, Sheriff-Coroner Department, Health Care Agency and OC Infrastructure, and the County Safety Office.

Response: *Agrees with finding.*

In order to improve interaction and communication between the departmental Safety Officers and the County Safety Office, meetings will be scheduled on a monthly basis beginning in August 2008. The CEO will issue a memo to the four respective department heads advising that participation of their Department Safety Officer is mandatory at these meetings. The meeting schedule may be altered if needed after the initial six months.

Conducting monthly meetings with these individuals will enable the County Safety Officer and his staff to not only monitor the activities of these employees as it relates to their safety duties but will also allow a monthly opportunity to conduct training on relevant issues as they arise.

- F-2** **Department Safety Representatives:** 86 Department Safety Representatives have other duties and responsibilities and no formal safety training. Conflicts of interest may arise when employees inspect their own departments, and any such inspection lacks organizational independence.

Response: *Disagrees partially with finding.*

The County Safety Office has offered Department Safety Training on a quarterly basis since 1999. Since 1999, we have provided in excess of 128 training classes to our Department Safety Representatives (DSR). During these classes, 26,500 individual attendees have received training, which equates to 53,000 hours of actual training. (The majority of the attendees have been present for multiple class sessions.) While it may be true that not every DSR has attended all of the training offered because it is not a mandated training program, the County Safety Office strongly encourages our departments to send each selected DSR to our training sessions as this is one of the best ways we can disseminate information. The DSR is a "collateral duty" position; therefore, the individuals assigned may have limited time to perform safety functions. Presently, it is up to the department management to determine how much time they will allow the DSR to spend on safety.

As to potential conflicts of interest that may arise, one of the primary duties of County Safety Office staff is to keep in contact with each of the DSRs who are in their assigned agencies. As part of that contact, on site inspections are frequently conducted and provide an excellent opportunity for an "outside" look at an issue that may exist. All of our DSRs are encouraged to contact their assigned Safety Officer to discuss any issues that are of concern to them so that we may assist them in resolving them.

- F-3** **Earthquake Hazard Mitigation:** There is a lack of adequate nonstructural earthquake hazard mitigation standards consistently applied across all County

building, including those owned and occupied by the Orange County Fire Authority.

Response: *Disagrees with finding.*

As of the date of this response, there are no formal "nonstructural earthquake hazard mitigation standards" in existence from either the State of California or the Federal Government. The State does provide recommendations but has not imposed a mandatory duty on any employer when it comes to earthquake mitigation standards.

In February 2008 the County Executive Officer sent a memo to all Agency and Department Heads asking that they allow their designated DSRs sufficient time to inspect all areas for non-structural hazards, complete a Non-Structural Hazard Checklist (copy provided for the department), and submit the checklist to the County Safety Officer by March 30, 2008. This checklist was designed to identify those items that need to be secured and to allow effected departments to formulate an action plan of how and when to complete the task. All departments have responded, and several have already begun securing the hazards that were identified during their inspection.

The County Safety Office has published its Non-Structural Seismic Hazard Reduction Policy on the County intranet site. This policy provides guidelines to County departments on how to evaluate the potential hazards that may exist in their respective facilities in the event of an earthquake as well as the steps that can be taken to abate those hazards.

F-4 Data Centers: Some County data centers housing critical computer and telecommunications equipment are using water in their fire suppression system rather than inert gas.

The following chart provides individual responses to this finding for each County data center. The Orange County Sheriff-Coroner will provide a response separately for its data centers.

Agency/Department Providing Response	Response to Finding
CEO/IT	<p><i>Disagrees partially with the finding.</i></p> <p>The Orange County Data Center utilizes two different fire suppression systems in its computer equipment area. One is Halon 1301, and the other is a water suppression pre-action sprinkler system, which has compressed air, not water, in the piping. Preaction systems limit the accidental discharge of water.</p>

Agency/Department Providing Response	Response to Finding
	<p>Critical computer systems for the Public Library, Public Defender, and Probation are all housed at the Data Center.</p> <p>The Hall of Administration computer area in Building 10 has a Halon 1301 system installed.</p>
Clerk-Recorder	<p><i>Disagrees wholly with the finding.</i></p> <p>The Clerk-Recorder server room fire suppression system consists of a Halon 1301 system.</p>
District Attorney	<p><i>Disagrees wholly with the finding.</i></p> <p>The District Attorney's computer room at 401 Civic Center Drive does not have a water based fire suppression system. Instead, the computer room has an inert gas based portable fire extinguisher.</p>
Health Care Agency	<p><i>Disagrees wholly with the finding.</i></p> <p>The Orange County Health Care Agency Data Center utilizes two different gas fire suppression systems, Halon and HFC 125.</p>
OC Public Works	<p><i>Disagrees partially with the finding.</i></p> <p>Currently, OC Public Works utilizes inert gas in both the main data center (HFC-227ea) and the 3rd floor data center (FM-200) at the Osborne building, 300 N. Flower Street. In addition, we have fluid and particle detection, temperature and humidity sensors, as well as video monitoring.</p> <p>Other server room areas within OC Facilities, Geomatics, and the Operation & Maintenance sections utilize water suppression systems.</p>
Social Services Agency	<p><i>Disagrees wholly with the finding.</i></p> <p>The Social Services Agency's data center located at 888 N. Main St, Santa Ana, CA utilizes an FM-200 fire suppression system. Water is not used as a fire suppression system at this location.</p>
Treasurer/Tax Collector	<p><i>Agrees with the finding.</i></p> <p>The Treasurer/ Tax Collector has two computer rooms, neither of which have a fire suppression system. We have requested an estimate from OC Public Works for the cost of</p>

Agency/Department Providing Response	Response to Finding
	installing such systems, and other security measures in the rooms, but have not received a response.
Child Support Services (CSS)	<p><i>Disagrees partially with the finding.</i></p> <p>CSS uses an FM-200 fire suppression system but there are overhead water pipes in the server room. CSS is conducting an investigation into the possibility of water in those pipes. If water is found, an assessment of the cost to remediate the situation will take place and a solution will be implemented.</p>
Registrar of Voters	<p><i>Disagrees wholly with the finding.</i></p> <p>The Registrar of Voters currently uses Halon as our fire suppression system in our local data center.</p>
OC Waste and Recycling (OCWR)	<p><i>Agrees with the finding.</i></p> <p>The OCWR Data Center will be relocating within the next 12 months to a new county facility that will utilize an inert gas fire suppression system.</p>
Auditor Controller	<p><i>Disagrees partially with the finding.</i></p> <p>The Auditor Controller currently maintains its critical computer equipment at the County of Orange Data Center located on Grand Ave.</p> <p>Other Auditor Controller non-critical servers (Print Server, File Server) located in Building 12 are in a secured room with no water fire suppression system. These servers are backed up with tape storage off site for recovery purpose.</p>
Assessor	<p><i>Disagrees wholly with the finding.</i></p> <p>The Assessor's computer room does not have a water based fire suppression system. Instead, the computer room has an inert gas based portable fire extinguisher.</p>
JWA	<p><i>Agrees with the finding.</i></p> <p>John Wayne Airport (JWA) is planning a project to replace the water-based fire suppression system with one using inert gas, based upon the <u>Standard on Clean Agent Fire Extinguishing Systems, 2004 Edition</u> published by the National Fire Protection Association. JWA is planning to complete this project within 24 months. Design and installation will require coordination with both the Orange County Fire Authority and the Costa Mesa Fire Department for approvals.</p>

Response to the Recommendations

R-1a Safety Inspection System: Revert to a centralized County safety organizational structure reporting directly to the Deputy CEO in charge of Risk Management.

Response: *The recommendation will not be implemented because it is not warranted or is not reasonable.*

The County of Orange has never had a "centralized County safety organizational structure" in place. The County Safety Officer position was created pursuant to Board of Supervisors Resolution 62-572, which also called for the creation of a policy for Loss Prevention and Safety. The resolution defines the County Safety Officer as an employee "who will function as a staff advisor, and will counsel and assist" all departments and agencies in promoting safe working conditions. At no time has the County Safety Officer been exclusively charged with the day-to-day responsibility for safety in all County facilities. The position was created as, and continues to be, an advisory one that provides services as requested by the various County agencies.

In an effort to maintain safe work environments for all of the County's employees, the County Safety Office created a program utilizing personnel in each department as Departmental Safety Representatives (DSR). The DSR program was first established in the early 1990's with each department being responsible for appointing the needed personnel to be that agency's safety contacts. These individuals serve as coordinators responsible for the implementation of workplace safety programs for their respective departments or divisions. There are currently 256 DSRs throughout the various departments of the County and their assistance with the safety program has proven to be very valuable.

At present, there is one County Safety Officer and three Safety and Training Officers located in the CEO/Risk Management Office to service the entire County. There are four full time Safety and Training Officers located in larger departments: OC Waste & Recycling, OC Public Works, Sheriff-Coroner, and Health Care. With enhanced coordination and communication between the County Safety Office and the four departmental Safety Officers through monthly meetings and ongoing training opportunities, a more effective Countywide safety and loss prevention program can be achieved.

R-1b Centralize County Safety Office: Transfer the full-time Safety Officers positions at OC Waste and Recycling, OC Infrastructure, Health Care Agency and Sheriff-Coroner Department to the centralized County Safety Office.

Response: *The recommendation will not be implemented because it is not warranted or is not reasonable.*

At present, the County Safety Officer and three Safety and Training Officers are located in the CEO/Risk Management Office, and they provide service to all other agencies in the County. The four full time Safety and Training Officers located in larger departments: OC Waste and Recycling, OC Public Works, Sheriff-Coroner and Health Care are addressing safety issues that are unique to each of their respective agencies. With the advent of increased coordination and communication between the County Safety Office and the departmental Safety Officers housed in the four largest County agencies, a more effective Countywide safety and loss prevention program can be achieved.

- R-2** **Centralize Department Safety Representatives:** Transfer the safety inspection and enforcement responsibilities from Department Safety Representatives to the centralized County Safety Office.

Response: *The recommendation will not be implemented because it is not warranted or is not reasonable.*

The responsibility for facility safety inspections for those facilities with ten or more employees has already been transferred from the individual departments to the County Safety Office staff. Facilities with nine or fewer employees continue to be inspected by the departments with the County Safety Office reviewing the inspection reports and following up where necessary.

- R-3** **Earthquake Hazard Mitigation:** Adopt uniform and consistent standards on nonstructural earthquake hazard mitigation bases on guidelines similar to the ones in FEMA 74.

Response: *The recommendation will not be implemented because it is not warranted or is not reasonable.*

FEMA 74 provides guidelines for steps to be taken to assist businesses in securing the workplace to withstand the rigors of earthquakes. Currently, there are no "standards" in the industry that are required by either local, state, or federal rules or regulations.

The County Safety Office believes that implementation of our Non-Structural Seismic Hazard Reduction Policy will provide needed guidelines to assist our departments in preparing to withstand the effects of natural disasters. It will allow each department to identify and remediate the hazards that exist at each facility.

- R-4** **Data Centers:** Require all data centers in Orange County, including the Loma Ridge EOC and others, to replace water-based fire suppression systems with those using inert gas, based upon the Standard on Clean Agent Fire Extinguishing Systems, 2004 Edition published by the National Fire Protection Association.

The following chart provides individual responses to this recommendation for each County data center. The Orange County Sheriff-Coroner will provide a response separately for its data centers.

Agency/Department Providing Response	Response to Recommendation
CEO/IT	<p><i>The recommendation will not be implemented because it is not warranted or is not reasonable.</i></p> <p>The Orange County Data Center complies with the Orange County Fire Authority standards for fire suppression systems.</p>
Clerk-Recorder	<p><i>The recommendation will not be implemented because it is not warranted or is not reasonable.</i></p> <p>The Clerk-Recorder’s server room complies with the Orange County Fire Authority standards for fire suppression systems.</p>
District Attorney	<p><i>The recommendation will not be implemented because it is not warranted or is not reasonable.</i></p> <p>Since the District Attorney’s computer room fire suppression system is not water based, this does not apply.</p>
Health Care Agency	<p><i>The recommendation will not be implemented because it is not warranted or is not reasonable.</i></p> <p>The Orange County Health Care Agency Data Center was already in compliance with the recommendation at the time the report was published.</p>
OC Public Works	<p><i>The recommendation requires further analysis.</i></p> <p>We currently use inert gas in the Osborne Building primary data centers (basement and 3rd floor).</p> <p>OC Facilities and Operation and Maintenance are planning a project to replace the water-based fire suppression system with one using inert gas, based upon the <u>Standard on Clean Agent Fire Extinguishing Systems, 2004 Edition</u> published by the National Fire Protection Association. OCPW is planning to complete this project within 24 months. The Geomatics data center can be moved into the main Data Center at the Osborne Building.</p>
Social Services Agency	<p><i>The recommendation will not be implemented because it is not warranted or is not reasonable.</i></p> <p>Water is not used as a fire suppression system at this location. Social Services Agency’s FM-200 fire suppression system complies with National Fire Protection Association’s 2004 <u>Standard on Clean Agent Fire Extinguishing Systems</u>.</p>

<p>Treasurer/Tax Collector</p>	<p><i>The recommendation requires further analysis.</i></p> <p>The Treasurer/ Tax Collector has already opened a work request with OC Public Works for an estimate for smoke detectors, heat detectors, water detectors, and a fire suppression system with inert gas.</p>
<p>Child Support Services</p>	<p><i>The recommendation will not be implemented because it is not warranted or is not reasonable.</i></p> <p>Child Support Services (CSS) uses an FM-200 fire suppression system that complies with the National Fire Protection Association's 2004 Standard on Clean Agent Fire Extinguishing Systems.</p>
<p>Registrar of Voters</p>	<p><i>The recommendation will not be implemented because it is not warranted or is not reasonable.</i></p> <p>We currently use Halon as our fire suppression system in our local data center.</p>
<p>OCWR</p>	<p><i>The recommendation has not yet been implemented, but will be implemented in the future.</i></p> <p>The OCWR Data Center will be relocating within the next 12 months to a new county facility that will utilize an inert gas fire suppression system.</p>
<p>Auditor Controller</p>	<p><i>The recommendation will not be implemented because it is not warranted or is not reasonable.</i></p> <p>The recommendation will not be implemented by the Auditor-Controller at building 12 because our critical equipment is located at the County of Orange Data Center, which already complies with the Orange County Fire Authority standards.</p>
<p>Assessor</p>	<p><i>The recommendation will not be implemented because it is not warranted or is not reasonable.</i></p> <p>Since the Assessor Department's computer room fire suppression system is not water-based, this does not apply.</p>
<p>JWA</p>	<p><i>The recommendation has not yet been implemented, but will be implemented in the future.</i></p> <p>John Wayne Airport (JWA) is planning a project to replace the water-based fire suppression system with one using inert gas, based upon the <u>Standard on Clean Agent Fire Extinguishing Systems, 2004 Edition</u> published by the National Fire Protection Association. JWA plans to complete this project within 24 months. Design and installation will require coordination with both the Orange County Fire Authority and the Costa Mesa Fire Department for approvals.</p>