

**Memorandum of Understanding**  
**between the**  
**City of Cupertino**  
**and the**  
**Cupertino Amateur Radio Emergency Service**

**1. Purpose**

The purpose of this document is to state the terms of a mutual agreement (Memorandum of Understanding) between the City of Cupertino (City) and the Cupertino Amateur Radio Emergency Service (CARES). This document will serve as a framework within which CARES volunteers coordinate their services, personal equipment, and facilities with the City to support a city emergency communications function. Additionally, through joint coordination and exercises of resources of CARES and the City, this document is intended to enhance the emergency communications readiness for any possible disaster.

**2. Organization of CARES**

A primary responsibility of the Amateur Radio Service, as established by the Federal Communications Commission's Rules and Regulations (47 C.F.R. Part 97), is the rendering of public service communications for the general public, particularly in times of emergency when normal communications are not available. Using the amateur frequency bands, Amateur Radio operators have been serving the general public, both directly and through governmental and relief agencies, for more than 50 years. To this end, the American Radio Relay League (ARRL), the national association for radio amateurs, organized the Amateur Radio Emergency Service (ARES). Cupertino ARES (CARES) is one such organization.

CARES is a volunteer organization made up of licensed amateurs who have ties with Cupertino and have voluntarily registered their qualifications and equipment for communications duty in the public service in the event of a disaster. The CARES Emergency Coordinator (EC) is an appointed position by the Santa Clara County District Emergency Coordinator (DEC) and responsible for coordinating the preparedness and response operations of the CARES organization.

**3. Radio Amateur Civil Emergency Service**

The Radio Amateur Civil Emergency Service (RACES) is an emergency service function defined under Part 97 of the Federal Communications Commission (FCC) Rules. RACES is a special phase of amateur radio operation that provides radio communications to local or State civil preparedness agencies during periods of local, regional, or national civil emergencies. All of the authorized frequencies and emissions allocated to the Amateur Radio Service are also available to RACES on a shared basis. In the event that the President of the United States invokes his War Emergency Powers, RACES operators, using specially authorized frequencies, would be the only Amateur Radio Operators permitted on the air. CARES members hold dual membership in RACES and are licensed RACES operators.

**4. Organization of the City of Cupertino**

The City of Cupertino (pop. 54,000) is an incorporated municipality within the County of Santa Clara. Cupertino delivers access, utility, and public safety services to its residents either directly or through contract service provider organizations. The City is responsible for establishing the City's emergency plan and ensuring city departments are prepared to respond when called to do so. The City Manager,

or his designee, is responsible for activating the emergency plan in accordance with the appropriate emergency ordinance and assumes the role of Director of Emergency Services. The City will manage any disaster within the context of SEMS organization and ICS management structure.

## 5. Recognition

The City of Cupertino recognizes that CARES is an organization involving more than 70 Cupertino-resident radio amateurs. Because of its organized emergency communications capability, CARES can be of valuable assistance in providing critical and essential communications during disasters when normal lines of communications are disrupted or overloaded. The City recognizes CARES as the official RACES organization for Cupertino.

The CARES organization recognizes the City as the primary governmental body with responsibility for a wide range of city management activities including emergency preparedness, response, and disaster recovery management. The City is the primary organization to give direction to CARES during a disaster.

## 6. Method of Cooperation

For the communications resources of CARES to be coordinated and used to the fullest advantage during disasters and emergencies, and to the extent permitted or required by law and regulation, the City and CARES have agreed to the following:

1. The points of contact between CARES and the City of Cupertino are:
  - Jim Oberhofer, KN6PE  
CARES Emergency Coordinator
  - Marsha Garcia  
Emergency Services Coordinator  
Cupertino City Hall
2. CARES will identify an individual as the key contact with the City. This individual will provide the closest possible cooperation and direct operational assistance to the City by CARES in emergency communications planning, and in coordination of amateur radio communications facilities during an emergency.
3. CARES and the City will engage in an on-going dialog on emergency preparedness with each other. They will urge both staff and volunteers to create and maintain appropriate communications and effective relationships at all levels of both organizations.
4. CARES will cooperate with the City in pre-emergency planning, drills, exercises, and training programs at the city level.
5. CARES and the City of Cupertino will work together to develop operating plans such that communications services, equipment, and facilities of the Amateur Radio Service may be suitably used.
6. Whenever there is a disaster requiring amateur radio communications, the City will request the assistance of CARES. This assistance may include:
  - Alerting and mobilizing CARES members in accordance with the CARES Emergency Plan
  - Establishing and maintaining fixed, mobile, and portable station emergency communication capabilities for local amateur radio coverage and point-to-point contact between City officials and remote locations, as required
  - Maintaining the continuity of communications for the duration of the emergency period or until normal communications channels are substantially restored.

7. Distribute copies of this agreement to CARES organization members and include it in the City Emergency Plan.

## 7. Implementation

This Memorandum of Understanding shall take effect upon signature by the Cupertino City Manager and the CARES Emergency Coordinator. This memorandum may be amended by mutual agreement of both parties. Either party may terminate this memorandum upon 30 days written notice.

<<signature on file >>

9/26/00

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Dave Knapp  
City Manager  
City of Cupertino

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Date

<<signature on file >>

10/9/00

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Jim Oberhofer  
Emergency Coordinator  
Cupertino Amateur Radio Emergency Service

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Date