

Memorandum of Understanding
between the
San Jose Water Company
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 San Jose Water Company (SJWC) and the Cupertino Amateur Radio Emergency Service (CARES). This document will serve as a framework describing how CARES volunteers will coordinate their services, personal equipment, and facilities with SJWC to support a Cupertino emergency communications function. Through joint exercises and coordination of CARES and SJWC resources, this document intends to enhance the emergency communications readiness for any possible disaster.

2. Organization of CARES

As established by the Federal Communications Commission's Rules and Regulations (47 C.F.R. Part 97), a primary responsibility of the Amateur Radio Service is to render 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 amateur radio operators who have ties with Cupertino and 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 managing 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 SJWC

SJWC is an investor owned public utility in the business of providing water service to approximately one million people in the cities of San Jose, Los Gatos, Monte Sereno, Saratoga, Campbell and Cupertino through systems acquired under lease, purchase, or franchise agreements. SJWC service area covers about 140 square miles in the Santa Clara Valley with water sourced from groundwater (wells, ~40%), imported surface water (supplied by the Santa Clara Valley Water District, ~50%), and

local mountain surface water (Santa Cruz Mountain watershed, ~10%). Water supplied to the City of Cupertino originates from both import and groundwater.

SJWC is responsible for establishing their own emergency plan. The company operates during emergencies in accordance with emergency guidelines established in the plan.

5. Recognition

SJWC recognizes that CARES is an organization of more than 80 Cupertino-resident radio amateurs and, because of CARES' organized emergency communications capability, can be of valuable assistance in providing critical and essential communications and information during disasters when normal lines of communications are disrupted or overloaded. SJWC recognizes CARES as the official RACES organization for the City of Cupertino, reports to the Cupertino Office of Emergency Services, operates under the direction of the Planning and Intel Section, and in times of emergency or disaster, is activated to assist the City with requests prioritized by the City's EOC staff.

The Cupertino ARES/RACES organization recognizes SJWC as a public utility providing water service to a majority portion of the City of Cupertino, and with responsibility for operating and maintaining the water system in Cupertino served by SJWC.

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, SJWC and CARES agree to the following:

1. The points of contact between CARES and SJWC for coordination of communication are:
 - Jim Oberhofer, KN6PE
CARES Emergency Coordinator
11846 Woodhill Court
Cupertino, CA 95014
 - Jim Wollbrinck
Emergency Preparedness Superintendent
1221 South Bascom Avenue
San Jose, CA 95128
2. CARES will identify an individual as the key contact with SJWC. This individual will provide close cooperation and direct operational assistance to SJWC by CARES in emergency communications planning and coordination of amateur radio communications facilities during an emergency.
3. CARES and SJWC 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 work with SJWC in pre-emergency planning, drills, exercises, and training programs at SJWC's operational level.
5. CARES and SJWC will work together to develop operating plans such that communications services, equipment, and facilities of the Amateur Radio Service may be coordinated within the context of the CARES' city response.
6. When there is a disaster requiring amateur radio communications and CARES is formally activated by the City of Cupertino, SJWC will participate in the CARES emergency communications network and request the assistance of CARES through the Cupertino EOC. The SJWC requests will be prioritized with other City requests. This assistance may include:

- Dispatching CARES members to SJWC critical facilities in Cupertino to perform and report on preliminary damage assessments.
 - Exchanging emergency messages of interest with SJWC either directly or indirectly through established emergency communications channels as defined by the Santa Clara County Office of Emergency Services.
 - Establishing and maintaining portable station emergency communications between SJWC facilities and the Cupertino EOC.
 - Establishing and maintaining mobile station communications between SJWC officials and the Cupertino EOC as required (Shadows).
 - Maintaining the continuity of communications for the duration of the emergency period or until normal communications channels are substantially restored.
7. When there is a disaster requiring amateur radio communications and CARES is not activated by the City of Cupertino and SJWC requires the assistance of CARES, SJWC will request a CARES activation from the Cupertino Director of Emergency Services or designee for a CARES in-city response.
8. Distribute copies of this agreement to the CARES representative identified in item 1 above, to distribute to CARES organization members and the SJWC representative will include it in SJWC Emergency Plan.

7. Implementation

This Memorandum of Understanding shall take effect upon signature by SJWC Senior Vice President of Operations, the Cupertino Director of Emergency Service, 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 >>	1/24/06
_____	_____
George Belhumeur Senior Vice President of Operations San Jose Water Company	Date

<<signature on file >>	2/1/06
_____	_____
Marsha Hovey Director of Emergency Services City of Cupertino	Date

<<signature on file >>	2/1/06
_____	_____
Jim Oberhofer Emergency Coordinator Cupertino Amateur Radio Emergency Service	Date