



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: January 18, 2022
TO: Christine Daniel, City Manager
FROM: Sheri Hartz, City Clerk
SUBJECT: **Resolution Of The City Council Of The City Of Emeryville Appointing Standby Officers For Succession Of Council Member Courtney Welch In The Event Of A Declared Emergency For Calendar Year 2022**

RECOMMENDATION

Staff recommends that the City Council approve the above-entitled Resolution to appoint standby officers for succession of Council Member Courtney Welch for Calendar Year 2022 in the event of a declared emergency.

BACKGROUND

The City Council's role during an emergency or disaster is to provide continuity of government through effective leadership, authority, and policy direction on emergency and recovery operations. A major disaster could destroy the ability of the City Council to carry out these functions if a quorum of the City Council cannot be established. Government Code Sections 8635-8644 provide the authority for local governments to reconstitute themselves in the event that incumbent elected officials are unable or unavailable to serve due to either being missing, killed, or seriously injured enough to be unable to perform their City Council duties due to a state of emergency by appointing standby officers.

On December 7, 2021, the four sitting Council Members appointed their standby officers. This year, there was a special election held to fill a Council Member vacancy and the successful candidate was Courtney Welch. As the Council Member-elect was not sworn in until December 7th, her appointments were not able to be made at that meeting, but she has subsequently selected and confirmed the availability of her standby officer choices, the appointments of whom are the purpose of this item.

DISCUSSION

The City Council may appoint standby officers by resolution to serve in the members' place in the event members are unavailable.¹ Government Code Section 8638 authorizes the City Council to appoint three standby officers for each member, and to designate them as first, second and third choices, as the case may be.²

Government Code Section 8639 provides that local governments should consider places of residence and work for each appointed standby officer to ensure the greatest

¹ Government Code §8638.

² Government Code §8638(b).

probability of survivorship and availability. In addition, standby officers may be residents or officers of another political subdivision. Suggested minimum qualifications include that they must be a City resident, over 18 years of age, and a registered voter, with additional criteria that they have familiarity with City operations and/or experience having served on the City Council and/or a City commission or committee.

Once appointed, the standby officers would be administered the oath of office, would serve at the pleasure of the City Council, and could be removed and replaced at any time with or without cause.³ Reappointment of existing standby officers or appointment of new ones is to occur annually. The terms of these appointments shall commence January 1, 2022, and end December 31, 2022.

FISCAL IMPACT

There is no fiscal impact.

STAFF COMMUNICATION WITH THE PUBLIC

Staff has not had any communication with the public regarding this matter.

PREPARED BY: Lorryne Leong, Deputy City Clerk

APPROVED AND FORWARDED TO THE CITY COUNCIL OF THE CITY OF EMERYVILLE:



Christine Daniel, City Manager

ATTACHMENTS

- Attachment – Government Code Sections 8635-8644
- Draft Resolution
 - Exhibit A – 2022 City Council Emergency Standby Officers Roster, revised to show potential new appointments.

³ Government Code §8640.