To: Honorable Mayor and Members of the City Council

From: Christine Daniel, City Manager

Submitted by: Mark Numainville, City Clerk

Subject: Emergency Standby Officers for the Mayor and Councilmembers

RECOMMENDATION
Adopt a Resolution confirming the appointment of Standby Officers for the Mayor and each Councilmember to serve in the event the elected official is unavailable during an emergency, and rescinding Resolution No. 66,311-N.S.

FISCAL IMPACTS OF RECOMMENDATION
None.

CURRENT SITUATION AND ITS EFFECTS
The previous update to Council Standby Officers was in June of 2011. In March of 2013 the City Clerk initiated a process to allow Councilmembers to update their nominees for Standby Officer.

Pursuant to Resolution No. 57,906-N.S. no person convicted of bribery, malfeasance in office, violation of Government Code Section 1090, or violation of the Political Reform Act shall be eligible to serve as a Standby Officer. The City Clerk and the Human Resources Department have been coordinating the background checks for the nominees to verify that they are eligible to be appointed.

To date 10 of 26 standby officer nominees have completed the background check. All nominees were contacted and provided instructions on how to complete the process.

This report is an interim update to reflect the changes for those nominees that have completed the background check process. As more nominees complete the process, the City Clerk will bring forward additional updates to the Council.

For Standby Officers previously authorized by Council, their name will remain on the Resolution, however, they are still required to complete the background check process for this round of updates. Where a position is listed as “Pending” in the resolution, that denotes a nominee that has not been previously nominated and has not completed the background check process.
BACKGROUND
On March 14, 1995, the Council adopted Resolution No. 57,906-N.S., designating a procedure for the selection of Standby Officers for City Councilmembers in the event of an emergency. This procedure is part of the City’s emergency preparedness planning and ensures that in the case of a disaster or other catastrophic emergency causing the unavailability of one or more members of the Council (or Standby Officers where a Councilmember is unavailable), government can continue to function. Under state law, a Councilmember or Standby Officer is “unavailable” when he or she is “either killed, missing, or so seriously injured as to be unable to attend meetings and otherwise perform his [or her] duties.” (Govt Code § 8636.)

RATIONALE FOR RECOMMENDATION
Councilmembers have nominated their Standby Officers. Pursuant to the Resolution, the City Manager has commenced investigations to determine that each nominee is qualified to serve as a Standby Officer. While the investigations are ongoing, this resolution is being brought forward as an interim update to reflect the nominees that have completed the process.

The Standby Officers are designated numbers 1, 2, or 3, and will serve in that order if the preceding officer or officers are unavailable. The Council is now asked to formally approve the appointment of all Standby Officers, whose names are listed in the attached resolution.

CONTACT PERSON
Mark Numainville, City Clerk, 981-6900

Attachments:
1: List of Nominees
2: Resolution
Status of Nominees

The nominees listed below have completed all required steps for the background check.

District 1
Bradford Smith

District 3
Carole Kennerly

District 4
Sophie Hahn
Igor Tregub

District 5
Stephen Murphy

District 6
Anna Avellar

District 7
Nancy Carleton

District 8
Linda Schacht
Steven R. Winkel
Ann Smulka
RESOLUTION NO. ##,###-N.S.

CONFIRMING THE APPOINTMENT OF STANDBY OFFICERS AND RESCINDING RESOLUTION NO. 66,311-N.S.

WHEREAS, by Resolution No. 57,906-N.S. adopted March 14, 1995, the Council enacted a policy for the appointment of Standby Officers to serve in each Councilmember's place in the event the Councilmember is unavailable during a disaster; and

WHEREAS, each Councilmember has nominated Standby Officers and the City Manager has found all the nominees to be qualified in accordance with the standards set forth in Resolution No. 57,906-N.S.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the following persons are hereby confirmed as Standby Officers to serve in place of a Councilmember in case the Councilmember is unavailable during a catastrophic emergency, and that they shall serve in the order listed, successive Standby Officers serving only if the preceding officer or officers are unavailable. The definition of “unavailable” shall be as set forth in Government Code Section 8636: an officer is either killed, missing, or so seriously injured as to be unable to attend meetings and otherwise perform his or her duties; or as that Section may be hereafter amended.

For Mayor Tom Bates
1. Julie Sinai
2. Nils P. Moe
3. Roberta C. Brooks

For Councilmember Linda Maio
1. Bradford M. Smith
2. Nicole L. Drake
3. Sara MacKusick

For Councilmember Darryl Moore
1. Ryan D. Lau
2. Bradley L. Johnson
3. Christine Staples

For Councilmember Max Anderson
1. Carole Kennerly
2. Mansour Id-Deen
3. Marcy Greenhut
For Councilmember Jesse Arreguin
1. Sophie Hahn
2. Igor A. Tregub
3. Wendy Alfsen

For Councilmember Laurie Capitelli
1. Jill Martinucci
2. Pending
3. Stephen Murphy

For Councilmember Susan Wengraf
1. Anna Avellar
2. Barbara Allen
3. Henk Boverhuis

For Councilmember Kriss Worthington
1. Nancy Carleton
2. Alejandro Soto-Vigil
3. None Designated

For Councilmember Gordon Wozniak
1. Linda J. Schachts
2. Steven R. Winkel
3. Ann Smulka

BE IT FURTHER RESOLVED that Resolution No. 66,311-N.S. is rescinded.