

# County of Santa Clara Office of the County Executive



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CE03 102009

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Submitted by: Emily Harrison  
Deputy County Executive

DATE: October 20, 2009

TO: Board of Supervisors

FROM:

A handwritten signature in black ink, appearing to read "Jeffrey V. Smith".

Jeffrey V. Smith  
County Executive

SUBJECT: Appointments Relating to the Order of Succession and Continuity of Government

## **RECOMMENDED ACTION**

Consider recommendations relating to emergency preparedness and management.

Possible action:

- a. Adopt Resolution of the Board of Supervisors of the County of Santa Clara relating to the appointment of a County Executive Pro Tem and the Order of Succession in the County Executive's absence. (Roll Call Vote)
- b. Adopt Designation of Applicant's Agents Resolution. (State OES Form 130). (Roll Call Vote)

## **FISCAL IMPLICATIONS**

None.

## **CONTRACT HISTORY**

None.

## **REASONS FOR RECOMMENDATION**

The Board of Supervisors has authority to designate an order of succession to the responsibilities of the County Executive, including those performed as the Director of Emergency Services.

The resolutions currently in effect relating to appointment of the County Executive Pro Tem and the order of succession, as well as the designation of applicant agents to apply for state and federal disaster assistance funding, require updating to designate current staff in the order of succession. The attached resolutions reference applicable Federal, State and local codes governing the appointment of officers to serve in an emergency if the County Executive is unavailable. Approval of the resolutions will ensure continuity of government operations in the event of emergencies.

## **BACKGROUND**

Authority for the County organization to create an order of succession, and to designate individuals to certain roles, is contained in three sources:

- The California Emergency Services Act, Government Code Section 8638, gives the Board of Supervisors the power to appoint standby officers for the County Executive to provide for continuance of executive oversight of the organization during an emergency.
- Section 403 of the Santa Clara County Charter provides for appointment by the County Executive, subject to the approval by the Board of Supervisors, of a county officer or employee to serve as County Executive pro tem.
- The Santa Clara County Ordinance Code, Section A8-11 provides that the Director of Emergency Services shall designate an order of succession for that office. The County Executive acts as the Director of Emergency Services.

In addition, the State Office of Emergency Services authorizes the County Executive, subject to the approval of the Board of Supervisors, to designate individuals who are authorized to obtain state and/or federal financial assistance under federal disaster relief statutes and the California Disaster Assistance Act.

## **CONSEQUENCES OF NEGATIVE ACTION**

Failure to update the resolutions to include the names of current individuals in the order of succession who are authorized to take certain actions could impede the effectiveness of the County's response in an emergency situation.

## **STEPS FOLLOWING APPROVAL**

The Clerk of the Board will notify the Agenda Coordinator in the Office of the County Executive, and Kirstin Hofman, Director, Office of Emergency Services (OES), that the resolutions have been processed. The Agenda Coordinator will provide an executed copy to each designated County Executive pro tem. The OES Director will forward two copies to the State Office of Emergency Services.

## **ATTACHMENTS**

- Application Agent Resolution
- Order of Succession Resolution