

ALBANY CALIFORNIA



CITY OF ALBANY
1000 SAN PABLO AVENUE
ALBANY, CA 94706
www.AlbanyCA.org

28 September 2021

MEMORANDUM

To: Albany City Council Members

From: Vice Mayor Jordan

Re: Automatic emergency substitute designation

RECOMMENDATIONS

That the Council ask staff to prepare a resolution that will automatically designate each Council member's emergency alternates as their Planning and Zoning Commission appointee, Transportation Commission appointee, and Parks, Recreation, and Open Space appointee, in that order. If the Council so asks, and subsequently adopts the resolution, amend the Council Procedures & Policies accordingly.

BACKGROUND

Section C. of the Council's Administrative Policies regards designation by each Councilmember of three emergency substitutes in order of succession. These substitutes are to serve in place of the Councilmember in the event the member is not available to meet during a declared emergency.

DISCUSSION

As of the writing of this memo, four Councilmembers have not appointed their emergency substitutes. This creates governance risk for the City.

This risk would be mitigated by the automatic appointment of substitutes for each Councilmember from among their advisory body appointees. This has the additional advantage of the substitutes having knowledge of and experience with governance procedures and City staff, and more detailed knowledge of the City. It also has the advantage of the City knowing how to contact these individuals as a matter of course.

I suggest the Planning and Zoning Commissioner nominated by each Councilmember as the first substitute. Commissioners are used to operating in a quasi-judicial, meaning consequentially binding, capacity. This provides the most similar experience of service to being on the Council of

any of the advisory bodies. Each Planning and Zoning Commissioners is also appointed by the entire Council, which is unique among all the advisory bodies.

I suggest the Transportation Commissioner appointed by each Council member as the second substitute. These Commissioners make decision on matters of safety on a regular basis.

I suggest the Parks, Recreation, and Open Space Commissioner appointed by each Council member as the third substitute. This body makes the next most consequential decisions among the bodies.

In addition, service on each of these bodies results in knowledge of the physical configuration of the City, which is germane in the likeliest emergencies in which a substitute may serve, post-earthquake and during and post-fire among them. These three bodies were also each established more than 60 years ago, more than a decade prior to the next oldest bodies. This suggests they are the least likely to be eliminated by the Council. This is also their advising on core functions of City government.

SUSTAINABILITY CONSIDERATIONS

The recommended action does not have an apparent nexus with sustainability.

SOCIAL EQUITY AND INCLUSIVITY CONSIDERATIONS

The recommended action does not have an apparent nexus with social equity and inclusivity other than to the extent these are implemented by each Councilmember's three advisory body nominees/appointees.

CITY COUNCIL STRATEGIC PLAN INITIATIVES

The recommended action has a nexus with Goal 5, which is "Facilitate Government Accountability." A failure to appoint emergency substitutes, let alone qualified substitutes, could result in a lack of representative legislative body in the event of an emergency. This would leave the government without the mechanism for being accountable to the people.

FINANCIAL CONSIDERATIONS

The main cost of the recommended action is that for City Attorney services preparing the appropriate resolution.