

Part One, Section Nine **Continuity of Government (CW-#17)**

Purpose

A major disaster could result in great loss of life and property, including the death or injury of key government officials. At the same time, there could be partial or complete destruction of established seats of government, and the destruction of public and private records essential to continued operations of government and industry.

In the aftermath of a major disaster, law and order must be preserved and essential government services must be maintained. This preservation is best accomplished by civil government. To this end, it is particularly essential that local government continue to function.

Applicable portions of the California Government Code and the State Constitution (cited in the next paragraphs) provide authority for the continuity and preservation of state and local government.

Responsibilities

Government at all levels is responsible for providing continuous, effective leadership and authority under all aspects of emergency services operations (prevention, preparedness, response, recovery and mitigation). Under California's concept of mutual aid, local officials remain in control of their jurisdiction's emergency operations while other jurisdictions may provide additional resources upon request. A key aspect of this control is to be able to communicate official requests, situation reports and emergency information during any disaster a community might face.

Preservation of Local Government

Article 15 of the California Emergency Services Act (Chapter 7 of Division 1 of Title 2 of the Government Code) provides the authority, as well as the procedures to be employed, to ensure continued functioning of political subdivisions within the State of California. Generally, Article 15 permits the appointment of up to three standby officers for each member of the governing body, and up to three standby officers for the chief executive, if not a member of the governing body. Article 15 provides for the succession of officers who head departments responsible for maintaining law and order, or in furnishing public services relating to health and safety.

Article 15 also outlines procedures to assure continued functioning of political subdivisions in the event the governing body, including standby officers, is unavailable to serve.

The Emergency Services Act provides for the preservation of city government in the event of a major disaster.

Lines of Succession for Officials with Emergency Responsibilities

The first step in assuring continuity of government is to have personnel who are authorized and prepared to carry out emergency actions for government in the event of a natural, technological or national security disaster.

City Council

Article 15, Section 8638 of the Emergency Services Act authorizes governing bodies to designate and appoint three standby officers for each member of the governing body and for the chief executive, if not a member of the governing body. Standby officers may be residents or officers of a political subdivision other than that to which they are appointed. Standby officers take the same oath as regular officers and are designated Number 1, 2 or 3 as the case may be.

Article 15, Section 8644 of the Emergency Services Act establishes a method for reconstituting the governing body. It authorizes that, should all members, including all standbys be unavailable, temporary officers shall be appointed as follows:

- By the chairman of the board of the county in which the political subdivision is located, or
- By the mayor of any city within 150 miles (nearest and most populated down to farthest and least populated).

Article 15, Section 8642 of the Emergency Services Act authorizes local governing bodies to convene as soon as possible whenever a State of War Emergency, State of Emergency, or Local Emergency exists, and at a place not necessarily within the political subdivision.

Article 15, Section 8643 Emergency Services Act describes the duties of a governing body during emergencies as follows:

- Ascertain the damage to the jurisdiction and its personnel and property.
- Reconstitute itself and any subdivisions.
- Perform functions in preserving law and order and furnishing local services.

Director of Emergency Services

A successor to the position of Director of Emergency Services is appointed by the City Council. The succession occurs:

- Should the director be unavailable or unable to serve, the positions listed below, in order, shall act as the Director of Emergency Services.
- Should these positions be unavailable or unable to serve, the individuals who hold permanent appointments to the following positions in the city will automatically serve as acting director in the order shown. The individual who serves as acting director shall have the authority and powers of the Director, and will serve until the Director is again able to serve, or until a successor has been appointed by the City Council.
 - First Alternate: Management Analyst
 - Second Alternate: City Clerk
 - Third Alternate: Chairperson of the Emergency Response Committee

Notification of any successor changes shall be made through the established chain of command.

Department Heads

Article 15, Section 8637 of the Emergency Services Act authorizes political subdivisions to provide for the succession of officers (department heads) having duties related to law and order and/or health and safety. **(See Lines of Succession list for city departments at the end of this Section.)**

Temporary City Seat and City Council Meeting Location (CW-#15)

Section 23600 of the California Government Code provides among other things:

- The City Council shall designate alternative city seats which may be located outside city boundaries.
- Real property cannot be purchased for this purpose.
- Additional sites may be designated if needed.

Note: Cities need to address: If located outside the city or using other than city owned facilities for this purpose, is there an MOU and where is that MOU located

In the event the primary location is not usable because of emergency conditions, the temporary seat of city government will be as follows:

- First Alternate: Duarte City Hall 600 West Huntington Drive
- Second Alternate: **Unknown**

Emergency Operations Center (EOC) (CW-#15)

For information on the City EOC please refer to the EOC section in Appendix A of this Plan. The Appendix contains confidential and sensitive information and is not a public document.

Preservation of Vital Records (CW-#18)

The following individuals are responsible for the preservation of vital records in the City:

- 1) City Clerk
- 2) City Manager

Vital records are defined as those records that are essential to:

- Protect and preserve the rights and interests of individuals, governments, corporations and other entities. Examples include contracts, legislative actions, land and tax records, license registers, birth and death records and articles of incorporation.
- Conduct emergency response and recovery operations. Records of this type include utility system maps, locations of emergency supplies and equipment, emergency operations plans and procedures, personnel rosters, etc.
- Reestablish normal governmental functions and protect the rights and interests of government. Constitutions and charters, statutes and ordinances, court records, official proceedings and financial records would be included here.

Record depositories should be located well away from potential danger zones and/or housed in facilities designed to withstand most destructive forces.

Each department within the city should identify, maintain and protect its own essential records.

For information on the storage of vital records, please refer to the Vital Records section in Appendix A of this Plan. The Appendix contains confidential and sensitive information and is not a public document

References

- Judicial System, Article VI, Section 1, 4, 5 and 10, of the Constitution of California.
- Local Government, Article XI, of the Constitution of California.
- Preservation of Local Government, Article 15 of the California Emergency Services Act (Chapter 7 of Division 1 of Title 2 of the Government Code).

Continuity of Government Lines of Succession

Service/Department	Title/Position
City Manager	City Manager
City Fire	Los Angeles County Fire Department
City Police	Los Angeles County Sherriff's Department
Building	VCA Code Group
City Clerk	1. City Clerk 2. Deputy City Clerk/ Management Analyst
Community Development/Planning	LDM Associates
Public Works	Los Angeles County Public Works Department
Transportation/Engineering	RKA Consulting Group
Water	Cal-Am Water