



County of San Mateo

Inter-Departmental Correspondence

Department: COUNTY COUNSEL

File #: 16-133

Board Meeting Date: 5/16/2017

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: John C. Beiers, County Counsel
Subject: Amendment to Chapter 2.46 of the San Mateo Ordinance Code

RECOMMENDATION:

Adoption of an ordinance amending Section 2.46.060 of Chapter 2.46 of Title 2 of the San Mateo County Ordinance Code relating to powers and duties of the Director and Assistant Director of Emergency Services, previously introduced on April 25, 2017, and waive the reading of the ordinance in its entirety.

BACKGROUND:

Section 8630 of the California Government Code empowers county boards of supervisors to designate officials to proclaim local emergencies. Under Section 8630, when such a designated local county official has proclaimed a local emergency, the board of supervisors must ratify the proclamation of local emergency within seven days. Likewise, under Section 8630, after the board of supervisors has ratified such a proclamation, the board of supervisors must review the need for continuing the local emergency at least once every thirty days until the board terminates the local emergency.

Section 2.46.060 of the San Mateo Ordinance Code, among other things, vests the County's Director of Emergency Services with the power to proclaim a local emergency if the Board of Supervisors is not in session. As required under the State law described above, such proclamations of local emergency by the Director of Emergency Services must be ratified by the Board of Supervisors within seven days. Section 2.46.060 provides that the Board of Supervisors must review the need for continuing the local emergency at least once every fourteen days until the Board terminates the local emergency, notwithstanding that, as described above, State law only requires such a review every thirty days.

DISCUSSION:

This ordinance amendment would amend Section 2.46.060 to bring it into alignment with Section 8360 of the Government Code, requiring the Board of Supervisors to review the need for continuing a local emergency at least every thirty days, rather than every fourteen days, as presently required under Section 2.46.060 of the Ordinance Code. The recent storm events and the resulting

emergency circumstances resulting from them have made clear to staff that greater flexibility is desirable in setting meetings for the Board of Supervisors to review the need to continue local emergencies. Therefore, the County Manager's Office has requested that this office prepare an amendment to Section 2.46.060 of the Ordinance Code to bring it into alignment with Section 8360 of the Government Code.

FISCAL IMPACT:

There is no known fiscal impact from this action.