



EMERGENCY POWERS OF THE MAYOR

Emergency Powers of the Mayor

*“San Jose flooding:
Thousands ordered to leave
homes” - CNN*

*“We’re Sick and Tired’ San
Jose Protests the Death of
George Floyd -ABC*



Emergency Powers of the Mayor

- Section 8.08.200 of the Municipal Code Vests in the City Manager as Director of the Office of Emergency Services, the power to declare an emergency and marshal City assets, subject to later ratification of the City Council.
- February 21, 2017 and May 31, 2020 Declarations of Emergency were declared by the City Manager. In both instances there were alleged failures of leadership before and during the emergencies with no elected leader directly responsible for deployment of City resources.

Emergency Powers of the Mayor

- In both instances the Mayor was available.
- Mayor is very visible leader of the City.
- Citizens in both instances looked to the Mayor for leadership, authority and accountability. But power to marshal assets and manage the crisis rested with the City Manager.

Emergency Powers of the Mayor – Recommended Changes

- Proposal calls for a Charter Change to give the Mayor the ability to issue an Emergency Declaration and to have all of the powers currently vested in the non-elected City Manager.
- The Mayor is accountable to the public and as such should be accountable to them in times of disaster or emergencies.