

# CITY OF

**OAKLAND** FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

## BILL ANALYSIS



Date: May 25, 2010 2010 MAY 27 PM 6:17

Bill Number: SB1205

Bill Author: Senator Ellen Corbett

### DEPARTMENT INFORMATION

Contact: Sue Piper

Department: Policy Analyst

Telephone: 238-7042

FAX # 238-6129

E-mail: spiper@oaklandnet.com

**RECOMMENDED POSITION:** (SUPPORT, SUPPORT IF AMENDED, NEUTRAL, WATCH, OPPOSE, NOT RELEVANT)

### Support

#### Summary of the Bill

The bill will establish the Bay Area Disaster Recovery Planning Council under the auspices of the Association of Bay Area Governments (ABAG) to sponsor and review local actions to improve preparation for long-term recovery after a major disaster. Activities include developing guidelines for member cities, counties and agencies to align finance department reparation, building ordinances, emergency housing strategies, non-emergency response, mutual aid agreements and a variety of additional tasks, along with information gathering, plan consolidation, application for resources and policy discussion.

#### Positive Factors for Oakland

- Consistent with Oakland's ongoing efforts to plan and prepare for a major disaster.
- Provides cooperative and critical process and mechanism in advance of a probable major disaster to tackle critical tasks of prioritizing recovery activities, sharing resources and interfacing with a vast array of local entities and stakeholders as well as state and federal agencies.
- Builds upon existing authority of local agencies.
- Protects public safety and health and wellness of the City.
- Speeds post-disaster long term recovery efforts and helps promote sustainable redevelopment following a major disaster.

Item: \_\_\_\_\_  
Rules & Legislation Comte:  
March 25, 2010

**Negative Factors for Oakland**

None

**PLEASE RATE THE EFFECT OF THIS MEASURE ON THE CITY OF OAKLAND:**

**Critical** (top priority for City lobbyist, city position required ASAP)

**Very Important** (priority for City lobbyist, city position necessary)

**Somewhat Important** (City position desirable if time and resources are available)

**Minimal or**  **None** (do not review with City Council, position not required)

**Known support:**

Association of Bay Area Governments  
City of San Francisco  
Clayton  
Union City  
San Mateo County  
East Bay Municipal Utilities District  
(Partial list)

**Known Opposition:**

Not that we are aware of

**Attach bill text and state/federal legislative committee analysis, if available.**

Respectfully Submitted,

\_\_\_\_\_  
Name Jean Quan  
Council District 4

Approved for Forwarding to  
Rules Committee

\_\_\_\_\_  
Office of City Administrator

Item: \_\_\_\_\_  
Rules & Legislation Comte  
March 25, 2010



**Senate Appropriations Committee Fiscal Summary**  
**Senator Christine Kehoe, Chair**

**SB 1205 (Corbett)**

**Hearing Date:** 05/03/2010  
**Consultant:** Mark McKenzie

**Amended:** 04/13/2010  
**Policy Vote:** L.Gov. 3-2

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**BILL SUMMARY:** SB 1205 would establish the San Francisco Bay Area Disaster Recovery Authority until January 1, 2030 to create a long-term regional recovery plan to be implemented following an earthquake or other disaster in the San Francisco Bay Area.

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**Fiscal Impact (in thousands)**

<b>Major Provisions</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>	<b>Fund</b>
CalEMA interim staff	\$50	\$100	\$100	General
Planning and disaster mitigation grants	potential cost pressures to fund regional plan and provide funds for grant program			General Federal/ Bond

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**STAFF COMMENTS:** This bill meets the criteria for referral to the Suspense File.

The Association of Bay Area Governments (ABAG) is a voluntary council of governments created by the Bay Area's nine counties and 101 cities through a joint-powers agreement. Although ABAG has developed a comprehensive regional plan that includes an earthquake hazards and planning component, most regional disaster planning efforts have focused on response rather than long-term recovery.

SB 1205 would establish the Authority and specify its governing structure, including a requirement to convene a Bay Area Disaster Recovery Administrative Committee to assist and advise the board. Among other things, the Authority would be authorized to receive grants from federal and state agencies; solicit and accept gifts, fees, grants, and allocations from public and private entities; receive and manage an unspecified dedicated revenue source; and use interim and temporary staff provided by an appropriate state agency or ABAG. In addition, the Authority would be funded through gifts, donations, grants, state or local bonds, assessments, other appropriate funding sources, and other types of financial assistance from public and private sources.

It is likely that this bill would require at least 1 PY of staff time from an "appropriate state agency" to serve as interim staff to the Authority for several years. The most appropriate state agency related to emergency planning and preparedness is the California Emergency Management Agency.

SB 1205 would also establish a grant program and authorize the Authority to raise funds and award grants to public and private entities for the purpose of maintaining and enhancing the region's resiliency following a disaster, as specified. Priority would be given to projects that would address the highest priority mitigation strategies identified in

ABAG's Local Hazard Mitigation Plan, and other projects that would address additional needs identified in the long-term regional recovery plan. **Staff notes** that the bill does not identify a dedicated source of revenues to fund the activities of the Authority, in general, or the grant program, in particular. Rather, the bill specifies that the Authority may solicit and spend funds from numerous potential sources. In addition, one of the stated purposes of creating the recovery planning council is to raise the level of awareness of the need for long term disaster recovery planning and increase the amount of available resources for disaster planning and preparedness work in the region without eliminating funding from any ongoing effort. Absent a dedicated source of funds, this bill would create unknown, but potentially significant cost pressures to provide state funds for the activities of the Authority and the grant program to the extent other revenues fail to materialize.

SB 1205 would place additional duties on ABAG and its member agencies related to the membership and activities of the governing board of the Authority. Since the local agencies have the authority to levy service charges, fees, or assessments sufficient to pay for its participation on the Authority, SB 1205's mandate would not be reimbursable.

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**DRAFT**

**OAKLAND CITY COUNCIL**

2010 MAY 27 PM 6:17 RESOLUTION No. \_\_\_\_\_ C.M.S.

**INTRODUCED BY COUNCILMEMBER JEAN QUAN**

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RESOLUTION SUPPORTING SB 1205 (CORBETT) ESTABLISHING THE SAN FRANCISCO BAY AREA DISASTER RECOVERY PLANNING COUNCIL

WHEREAS, the nine counties surrounding San Francisco Bay constitute a region of vital importance to the national economy and future business innovation, and

WHEREAS, the Bay Area is crisscrossed by many active faults, including the San Andreas and Hayward faults, that are capable of causing a major disaster in the region, and are at high risk of doing so within in the next 30 years, and

WHEREAS, while Oakland and other cities in the Bay Area have been focused on risk mitigation strategies and emergency response preparation, there has been little attention given to the lengthy post-90 day, long-term recovery period that will follow a major disaster such as an earthquake. This is the period that will make or break the region's economic future, and

WHEREAS, past disasters in the Bay Area, California, the United States and abroad clearly show the consequences of not planning for recovery—it can take decades for cities and the surrounding region to recover following a major disaster, and

WHEREAS, adequate planning for the weeks, months and years after immediate life and safety needs have been addressed will determine whether the San Francisco Bay Area recovers and persists as a vibrant community and driver of the nation's prosperity, or whether the region suffers long-term depopulation with businesses and residents permanently relocating to more stable communities, and

WHEREAS, the Association of Bay Area Governments (ABAG) is a unique regional entity, well-suited to lead this effort. Formed as a Council of Governments by the 101 cities and nine counties of the Bay Area, ABAG facilitates and strengthens operation and coordination among local governments to address social, environmental and economic issues that transcend local borders, and now, therefore be it

ITEM NO. \_\_\_\_\_

DATE: \_\_\_\_\_

COUNCIL OR COMMITTEE

RESOLVED, the Oakland City Council supports SB 1205 (Corbett), which would create the San Francisco Bay Area Disaster Recovery Planning Council as a regional entity to facilitate long-term disaster recovery planning for the San Francisco Bay Area. The Council, led by the ABAG Regional Planning Committee, will sponsor and review local actions to improve preparation for long-term recovery, including guidelines for member cities, counties and agencies to align finance department preparation, building ordinances, emergency housing strategies, non-emergency response, mutual aid agreements and a variety of additional tasks, along with information gathering, plan consolidation, application for resources and policy discussion, and be it further

RESOLVED, that the City Administrator and the City's state lobbyist are directed to advocate for the City's position on SB 1205 to the State Legislature.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, DE LA FUENTE, KAPLAN, NADEL, REID, QUAN, KERNIGHAN and PRESIDENT BRUNNER

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council of the  
City of Oakland, California

ITEM NO. \_\_\_\_\_

DATE: \_\_\_\_\_

COUNCIL OR COMMITTEE