



**CITY OF LODI
COUNCIL COMMUNICATION**

TM

AGENDA TITLE: Authorize Letters of Support for Assembly Bill 38 (Nava) With Respect to Department of Emergency Services and Homeland Security and Assembly Bill 2278 (Caballero) With Respect to Public-Private Partnerships for Local Infrastructure Development

MEETING DATE: May 21, 2008

PREPARED BY: Randi Johl, City Clerk

RECOMMENDED ACTION: Authorize letters of support, as requested by Mayor Mounce, to be sent to the relevant members of the State Assembly and Senate with copies to the League of California Cities.

BACKGROUND INFORMATION: The City was asked by the League of California Cities to support AB 38 (Nava) and AB 2278 (Caballero) by sending letters of support regarding the same to specific members of the legislature.

Generally speaking, AB 38 consolidates the Governor’s Office of Homeland Security (OHS) and Office of Emergency Services (OES) into a single state Department of Emergency Services and Homeland Security, responsible for overseeing and coordinating emergency preparedness, response, recovery, and homeland security activities. AB 2278 allows the Governor’s Office of Planning and Research to help educate and advise cities and counties about public-private partnerships through the planning, studying, designing, financing, constructing, operating, maintaining, and managing phases of local infrastructure projects. The “Cellar Door” project was provided as an example of how the public-private partnership has worked well in the City’s downtown and will be referenced in the support letter as a result.

A sample letter from the League is attached for your consideration. In addition, a short summary of each bill is provided from the official “Capitol Track” legislation roster from the League of California Cities. Copies of the bills in their entirety are also available from the League’s website at www.cacities.org and/or through the City Clerk’s office.

FISCAL IMPACT: Not Applicable.

FUNDING AVAILABLE: Not Applicable.

Randi Johl
City Clerk

APPROVED: _____
Blair King, City Manager

SAMPLE LETTER

DATE

Assembly Member Pedro Nava
State Capitol Building, Room 5128
Sacramento, CA 95814
FAX Number: 916-319-2135

RE: AB 38 (Nava). State Agencies. Department of Emergency Services and Homeland Security.

Dear Assembly Member Nava:

The City/Town of _____ supports AB 38, which consolidates the Governor's Office of Homeland Security (OHS) and Office of Emergency Services (OES) into a single state **Department of Emergency Services and Homeland Security**, responsible for overseeing and coordinating emergency preparedness, response, recovery, and homeland security activities.

AB 38 takes an important step to merge the two separate offices that deal with emergency and disaster response. Historically, YOUR CITY/TOWN HERE has found that the two offices have created confusion and conflict for cities in times of urgency. It is critical that cities have one point of contact to rely on in a disaster situation. The Department of Emergency Services and Homeland Security will put a solid system in place to help local agencies respond to and manage emergency events.

For these reasons, the City/Town of _____ supports AB 38 and appreciates your leadership on this issue.

Sincerely,

YOUR NAME
YOUR TITLE

cc: YOUR ASSEMBLY MEMBER
YOUR SENATOR
Bob Franzoia, Staff Director, Senate Appropriations Committee
Liisa Lawson Stark, League of California Cities

AB 38 (Nava) State agencies: Department of Emergency Services and Homeland Security.

From text dated: 05/06/08

(1) Existing law provides for the Office of Homeland Security within the office of the Governor. The Governor is required to appoint a Director of Homeland Security to perform specified duties in coordinating all homeland security activities in the state. The California Emergency Services Act establishes the Office of Emergency Services within the office of the Governor, under the charge of the Director of Emergency Services appointed by the Governor. The act and other existing law set forth the duties and authority of the office and the director with respect to specified emergency preparedness, mitigation, and response activities in the state. Any person who violates any provision of the act or who refuses or willfully neglects to obey any lawful order or regulation promulgated or issued as provided in the act is guilty of a misdemeanor. This bill would delete the provisions of law governing the Office of Homeland Security, establishing the Office of Emergency Services, and providing for the appointment of their respective directors. It would instead establish, under the provisions of the California Emergency Services Act, the Department of Emergency Services and Homeland Security, in the office of the Governor, which would succeed to and be vested with the duties, powers, purposes, responsibilities, and jurisdiction vested with the Office of Homeland Security and the Office of Emergency Services. The bill would specify that the department would be under the supervision of the Secretary of Emergency Services and Homeland Security appointed by the Governor, who would succeed to and be vested with the duties, powers, purposes, responsibilities, and jurisdiction of the directors of the respective offices. It would additionally set forth the duties and authority of the department and the secretary with respect to specified homeland security activities in the state. It would make various conforming changes. By providing for new duties relating to homeland security under the California Emergency Services Act, which imposes a criminal penalty for violation of its provisions, this bill would impose a state-mandated local program by expanding the scope of the act's provisions, the violation of which would be a crime. (2) The act requires the Office of Emergency Services to develop and complete, by January 2002, a guidance document to the state emergency plan with respect to agriculture-related disasters. This bill would require the document to be updated by January 2009, and make a conforming change with respect to the name of that office. (3) Existing law establishes the Emergency Response Team for State Operations, with a specified membership, and sets forth the duties of the team in improving the ability of state agencies to resume operations after specified types of business interruptions. This bill would repeal these provisions. (4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

DATE

Assembly Member Anna Caballero
State Capitol Building, Room 5128
Sacramento, CA 95814
Fax Number: 916-319-2128

**RE: AB 2278 (Caballero). Local Infrastructure Development. Public-Private Partnerships.
Notice of Support**

Dear Assembly Member Caballero:

The City/Town of _____ supports AB 2278, which allows the Governor's Office of Planning and Research to help educate and advise cities and counties about public-private partnerships through the planning, studying, designing, financing, constructing, operating, maintaining, and managing phases of local infrastructure projects.

YOUR CITY/TOWN welcomes additional options and funding strategies for the efficient and cost-effective completion of public projects. Additionally, the educational opportunities provided by AB 2278 will help cities make informed decisions with regards to utilizing Public-Private Partnerships if it is determined to be in the public's best interest.

PLEASE PROVIDE INFORMATION ABOUT PROJECTS FOR WHICH YOUR CITY WOULD LIKE TO UTILIZE PUBLIC-PRIVATE PARTNERSHIPS *or* HAVE ALREADY USED WITH SUCCESS

AB 2278 will help ensure that when YOUR CITY/TOWN or any other city seeks to use a public-private partnership arrangement, we will have the right tools and a place to do so. The City/Town of _____ supports AB 2278 and thanks you for your leadership on this issue.

Sincerely,

YOUR NAME
YOUR TITLE

cc: YOUR ASSEMBLY MEMBER
YOUR SENATOR
Geoff Long, Chief Consultant, Assembly Appropriations Committee
Liisa Lawson Stark, League of California Cities

AB 2278 (Caballero) Local infrastructure development: public-private partnerships.

From text dated: 05/06/08

Existing law provides that the Office of Planning and Research within the Governor's office serves as the state's comprehensive planning agency in the formulation, evaluation, and updating of, among other things, long-range goals and policies for land use, population growth and distribution, urban expansion, development, open space, resource preservation and utilization, air and water quality, and other factors that shape statewide development patterns and significantly influence the quality of the state's environment. This bill would require the Office of Planning and Research to advise and educate local agencies and other interested stakeholders about the role that public-private partnerships can play in planning, studying, designing, financing, constructing, operating, maintaining, or managing local infrastructure projects.