

CITY OF OAKLAND

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OFFICE OF THE CITY CLERK  
OAKLAND

2015 MAY 14 PM 6:09

# AGENDA REPORT

**TO:** JOHN A. FLORES  
INTERIM CITY ADMINISTRATOR

**FROM:** Teresa Deloach Reed

**SUBJECT:** FEMA Pre-Disaster Mitigation  
Grant Funded Project

**DATE:** May 12, 2015

City Administrator  
Approval

*[Signature]*  
ASST CITY  
ADMINISTRATOR

Date 5/14/15

**COUNCIL DISTRICT:** City-Wide

## RECOMMENDATION

Staff recommends City Council:

Approve a Resolution Amending Resolution No. 79731 C.M.S. by authorizing the City Administrator to apply for, accept, and appropriate up to four million dollars (\$4,000,000) of 2006 Federal Emergency Management Agency Pre-Disaster Mitigation Grant Funds for the Oakland Regional Fuel Management Project, to extend the project timeline to ten (10) years, and increase Oakland's matching fund requirement.

## OUTCOME

Approval of this resolution will amend Resolution No. 79731 C.M.S., to increase the total amount of the grant from \$3,000,000 to \$4,000,000 and increase Oakland's share of the required matching funds amount from \$412,280 to \$882,830, and increase the project timeline from three years to ten years.

## EXECUTIVE SUMMARY

In 2006, the City of Oakland, in collaboration with UC Berkeley and East Bay Regional Parks District (EBRPD), applied for a Federal Emergency Management Agency (FEMA) Pre-Disaster Mitigation Grant Program to reduce heavy fuel loads, and enhance strategic fuel breaks and defensible spaces in the Oakland and Berkeley Hill areas to help create a fire resistant community by removing smaller Monterey Pines and Eucalyptus trees, reducing ground flash fuels, and removing invasive broom species.

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In February 2006, staff drafted Resolution No. 79731 C.M.S., requesting approval to accept grant funds in the amount of \$3,000,000, a 25% match requirement of \$750,000 was identified as follows:

Agency	Grant Amount	Required Match
City of Oakland	\$1,986,871	\$412,280
UC Berkeley	\$661,619	\$220,550
East Bay Regional Parks	\$351,510	\$117,170
<b>Total</b>	<b>\$3,000,000</b>	<b>\$750,000</b>

The Resolution should have identified grant funds in the amount of \$3,000,000 with a 25% match of \$1,000,000 for a total grant amount of \$4,000,000 to be divided between sub-grantees based on the size and scope of individual projects, as follows:

Agency	Grant Amount	Required Match
City of Oakland	\$1,986,871	\$662,288
UC Berkeley	\$661,619	\$220,550
East Bay Regional Parks	\$351,510	\$117,170
<b>Total</b>	<b>\$3,000,000</b>	<b>\$1,000,000</b>

On March 5, 2010, the Record of Decision was released, eliminating UC Berkeley as a sub-grantee on this grant project. Due to this ruling by FEMA, Oakland was awarded UC Berkeley's portion of the grant in the amount of \$661,619 and will absorb UC Berkeley's match requirement of \$220,550 increasing Oakland's grant award from \$1,986,871 to \$2,648,490 and the match amount from \$662,280 to \$882,830.

Agency	Grant Amount	Required Match
City of Oakland	\$2,648,490	\$882,830
East Bay Regional Parks	\$351,510	\$117,170
<b>Total</b>	<b>\$3,000,000</b>	<b>\$1,000,000</b>

**BACKGROUND/LEGISLATIVE HISTORY**

In September 2005, Oakland Fire Department was notified of the Pre-Disaster Mitigation Grant Program. Staff determined a vegetation management project proposal designed to enhance efforts in the high fire hazard area in concert with the existing efforts being put forth in the Wildfire Prevention Assessment District, would enhance the City's overall fire mitigation efforts.

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In December 2005, the Fire Department was approached by UC Berkeley and East Bay Regional Park District (EBRPD) to pursue a grant opportunity to fund fuel management activities in the Oakland Hills.

The project area consists of adjacent pieces of land owned by the City of Oakland, UC Berkeley, and EBRPD in the high fire risk Oakland and Berkeley Hills. Because all of the proposed work will be conducted within or adjacent to the City of Oakland, it was agreed by the applying parties that the City of Oakland would be the lead agency on the project.

On February 21, 2006, City Council approved Resolution No. 79731 C.M.S., authorizing the City Administrator to apply for and accept grant funds in the amount of \$3,000,000 from the 2006 FEMA Pre-Disaster Mitigation Grant Program to fund the Oakland Regional Fuel Management Project.

### ANALYSIS

The Oakland Regional Fuel Management Project implements the planning efforts of the regional Hills Emergency Forum (HEF), the Oakland Fire Department Vegetation Management program, and the EBRPD.

The scope of work includes the reduction and management of heavy fuel loads on approximately 120 acres of land in the City of Oakland (Attachment). The management strategy proposed by this project promotes the reduction of non-native invasive species such as French Broom, Blue Gum Eucalyptus and Monterey Pine trees, and promotes converting the project areas into an emerging native forest of California Bay, Oak, Maple, Buckeye, Redwood, and Hazelnut trees.

#### *Project Area 1 Scope of Work*

Located at 6900 Broadway, adjacent to Highway 24, this area encompasses 53.6 continuous acres to the southeast of the North Oakland Sports Field. The parcel has PG&E high voltage power lines and towers crossing through its northwest to southeast boundary. As a result, the area is a potential fire threat to 102 residential properties located in this area.

The scope of work includes thinning of existing non-native trees such as eucalyptus, on the City parcels and maintenance of the parcels over the next 10 years. Maintenance includes reducing interior low level seasonal weeds and non-native grasses and removing mid-level brush and establishing native tree species by natural re-propagation. Thinning of non-native plants and trees will allow native flora species to germinate within the project area.

*Project Area 2 Scope of Work*

This is an area of 66.6 continuous acres beginning at the intersection of Marlborough Terrace and Grizzly Peak Boulevard, southeast along Grizzly Peak Boulevard to the 5200 block, then down the western slope to the intersection of Skyline Boulevard and Tunnel Road, northwest along Tunnel Road to Bay Forest Drive, Bay Forest Drive to Tunnel Road to Buckingham Boulevard to Norfolk Road, and ending back along the southeast side of Marlborough Terrace. This City property has 79 residential homes immediately adjacent to its perimeter.

The project plan is to thin Monterey Pine and Eucalyptus by removing the smaller trees, reducing ground flash fuels, removing invasive broom species and returning the open space to native habitat. Achieving this over the ten (10) year specified maintenance requirement of the FEMA grant will greatly reduce the possibility of another catastrophic fire event while still preserving Oakland's open spaces and environment.

**COORDINATION**

The City of Oakland Fire Department Wildfire Prevention Assessment District, East Bay Regional Parks District, and the regional Hills Emergency Forum are collaborators on the FEMA Pre-Disaster Mitigation Grant Project.

The Controller's Bureau, Office of the City Attorney, and the Planning Department were consulted in the preparation of this report.

**COST SUMMARY/IMPLICATIONS**

Approval of this resolution will amend Resolution No. 79731 C.M.S., to increase Oakland's portion of the grant from \$1,986,871 to \$2,648,490 and the grant match from \$412,280 to \$882,830, as outlined below.

<b>FEMA Pre-Disaster Mitigation</b>	<b>Costs</b>
Oakland Federal Share	\$2,648,490
Oakland Match Requirement	\$882,830
EBRPD Federal Share	\$351,510
EBRPD Match Requirement	\$117,170
<b>Total Project Cost</b>	<b>\$4,000,000</b>

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City of Oakland matching funds for this grant project are available as outlined below, and shall be drawn from the following accounts:

Assessment Years	Fund	Available Funds
1991 - 1997	Fund 2320 Fire Suppression Assessment District	\$454,409.00
2004 - 2014	Fund #2321 Wildfire Prevention Assessment District (WPAD)	\$428,421.00
	<b>Total Funds Available</b>	<b>\$882,830.00</b>

Funds in the amount of \$454,409 shall be drawn from the Fund 2320 fund balance. The remaining match funds shall be drawn from Fund 2321, Org 20311, Account 54919, Project 0000000, PS23.

**SUSTAINABLE OPPORTUNITIES**

**Economic:** The City of Oakland will benefit by completing \$2,648,490 worth of mitigation in the Oakland Hills, at a cost of \$882,830. Additionally, this project will provide for local contractors to compete for contracts to perform needed services, thereby contributing to the local workforce and economy.

**Environmental:** All work to be performed within the scope of the project will comply with local, state, and federal environmental requirements.

**Social Equity:** While the project area is located in the high fire risk area of the Oakland Hills, the scope of work for the proposed grant project also creates fuel/fire breaks that would slow the spread of fire, therefore decreasing the risk of life and property loss throughout the City of Oakland, in the event of a wildland fire.

**CEQA**

The City Council's action to apply for, accept, and appropriate the grant funds is exempt from CEQA pursuant to CEQA Guidelines sections 15061(b)(3) (General Rule), 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning), 15262 (Feasibility and Planning Studies), 15269 (Emergency Projects), 15301 (Existing Facilities), 15304 (Minor Alterations to Land), 15306 (Information Collection), 15307 (Actions by Regulatory Agencies for Protection of Natural Resources), 15308 (Actions by Regulatory Agencies for the Protection of the Environment), and 15378(b)(4) (Other Government Fiscal Activities), each of which provides a separate and independent basis for CEQA clearance and when viewed collectively provide an overall basis for CEQA clearance.

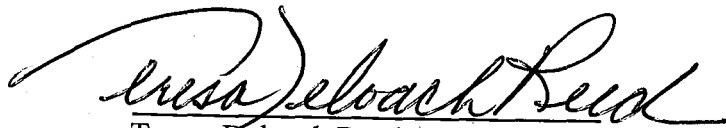
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This action does not constitute an approval of the scope of work being funded by the FEMA grant or authorization to commence the scope of work, and subsequent approval of the scope of work by the City is subject to CEQA. The scope of work being funded by the FEMA grant requires additional environmental analysis pursuant to CEQA; after completion of such additional environmental analysis, the scope of work shall return to the City Council for its consideration for adoption and approval. The City reserves all of its rights and duties under CEQA with respect to the scope of work being funded by the FEMA grant, including without limitation, the authority to do any and all of the following:

- a. Prepare an environmental study evaluating the impacts of the scope of work being funded by the FEMA grant, feasible alternatives to the scope of work, and feasible mitigation measures;
- b. Adopt any feasible alternatives and/or feasible mitigation measures to lessen any significant environmental impacts resulting from the scope of work;
- c. Determine that any significant environmental impacts of the scope of work that cannot be mitigated are acceptable due to project benefits overriding any significant unavoidable impacts; and/or
- d. Decide to modify or deny its approval of the scope of work, and not to proceed with the scope of work being funded by the FEMA grant, due to the results/findings of the CEQA process.

For questions regarding this report, please contact Vince Crudele, Vegetation Management Supervisor, at (510) 238-7391.

Respectfully submitted,



Teresa Deloach Reed

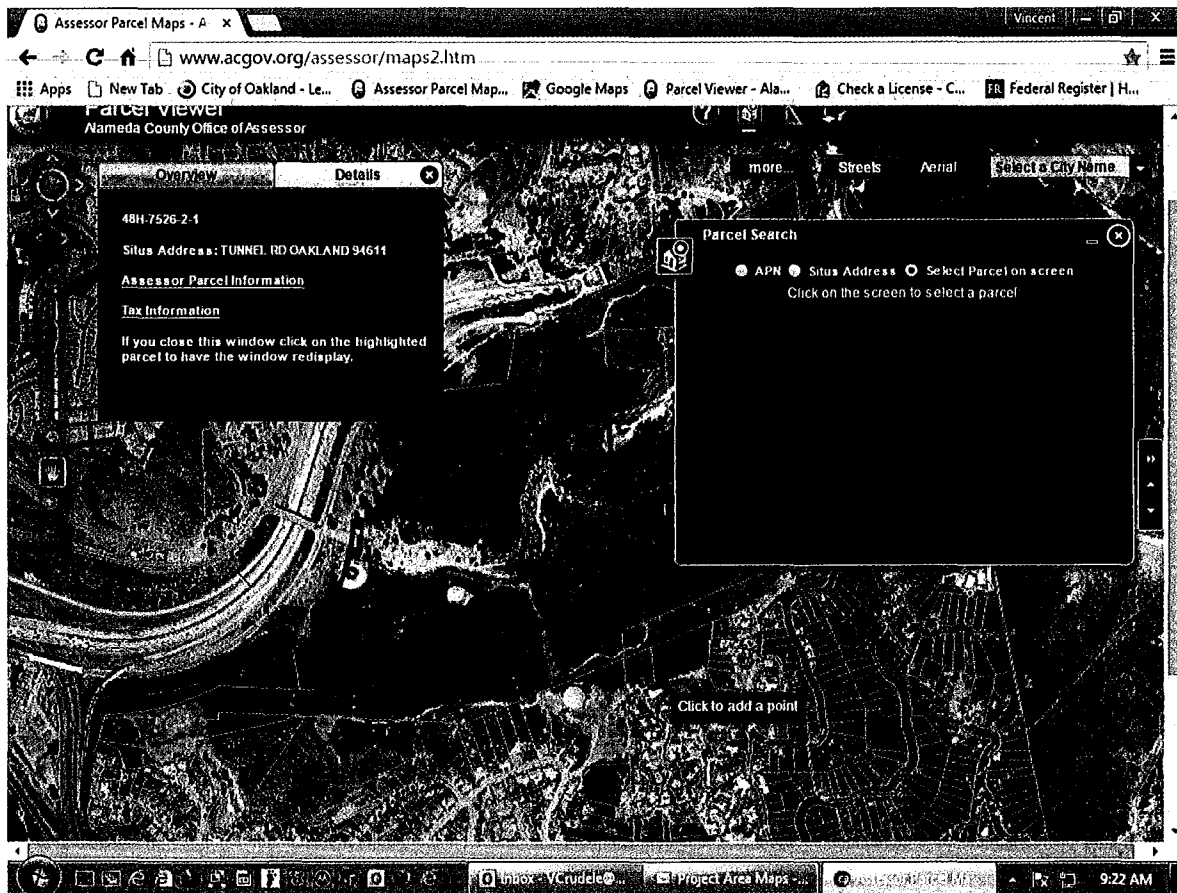
Fire Chief

Prepared by:  
Vincent Crudele  
Vegetation Management Supervisor  
Fire Prevention Bureau

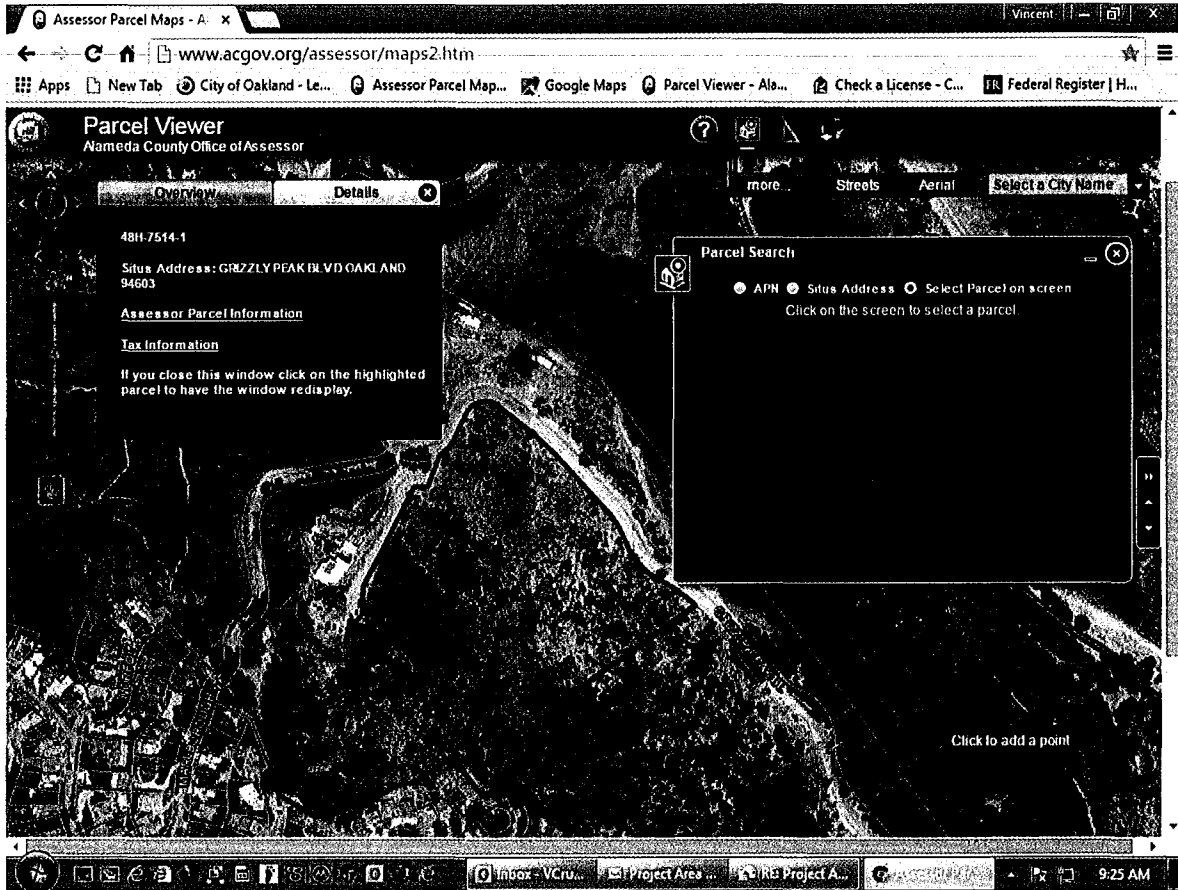
Reviewed by:  
Cynthia Perkins  
Chief of Staff  
Oakland Fire Department

*Attachment*  
Project Area Maps

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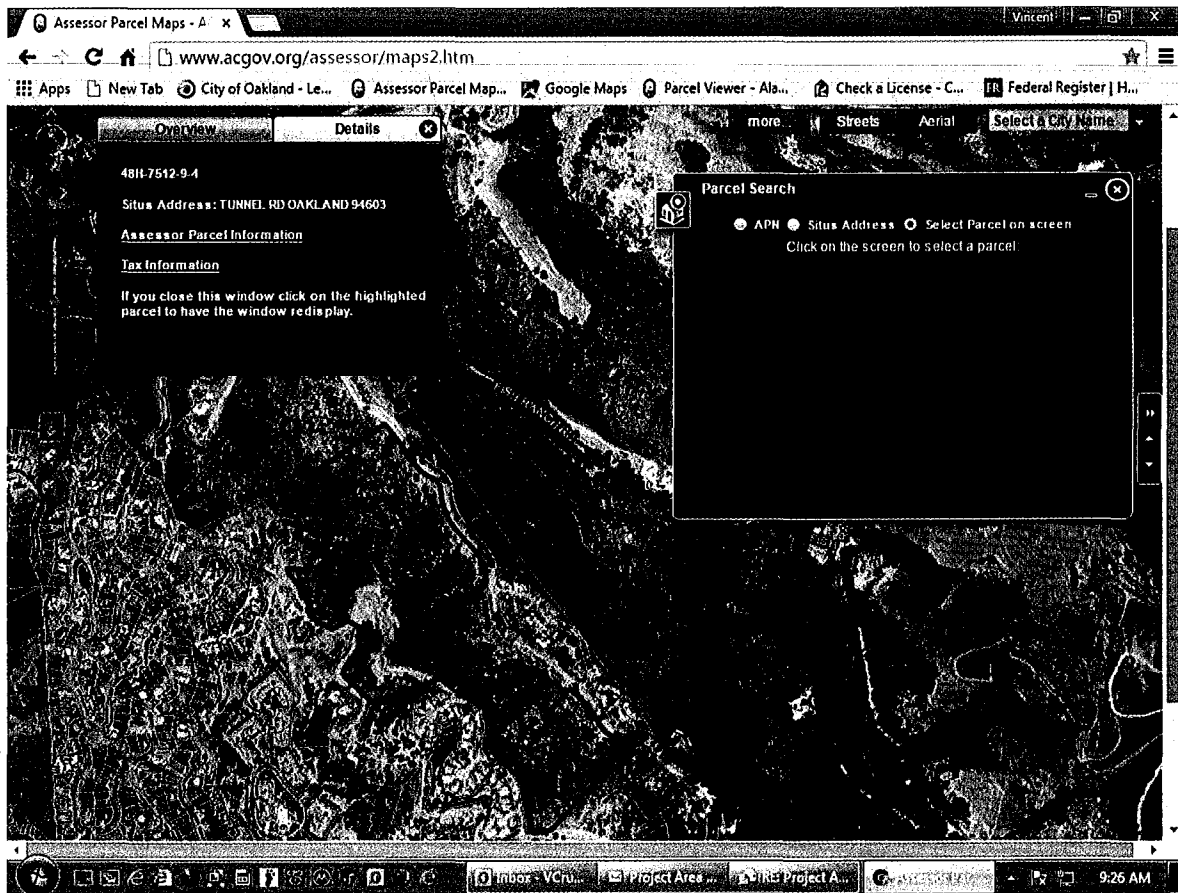


Project Area 1 – Caldecott Tunnel



Project Area 2 – North Hills Skyline parcel 1





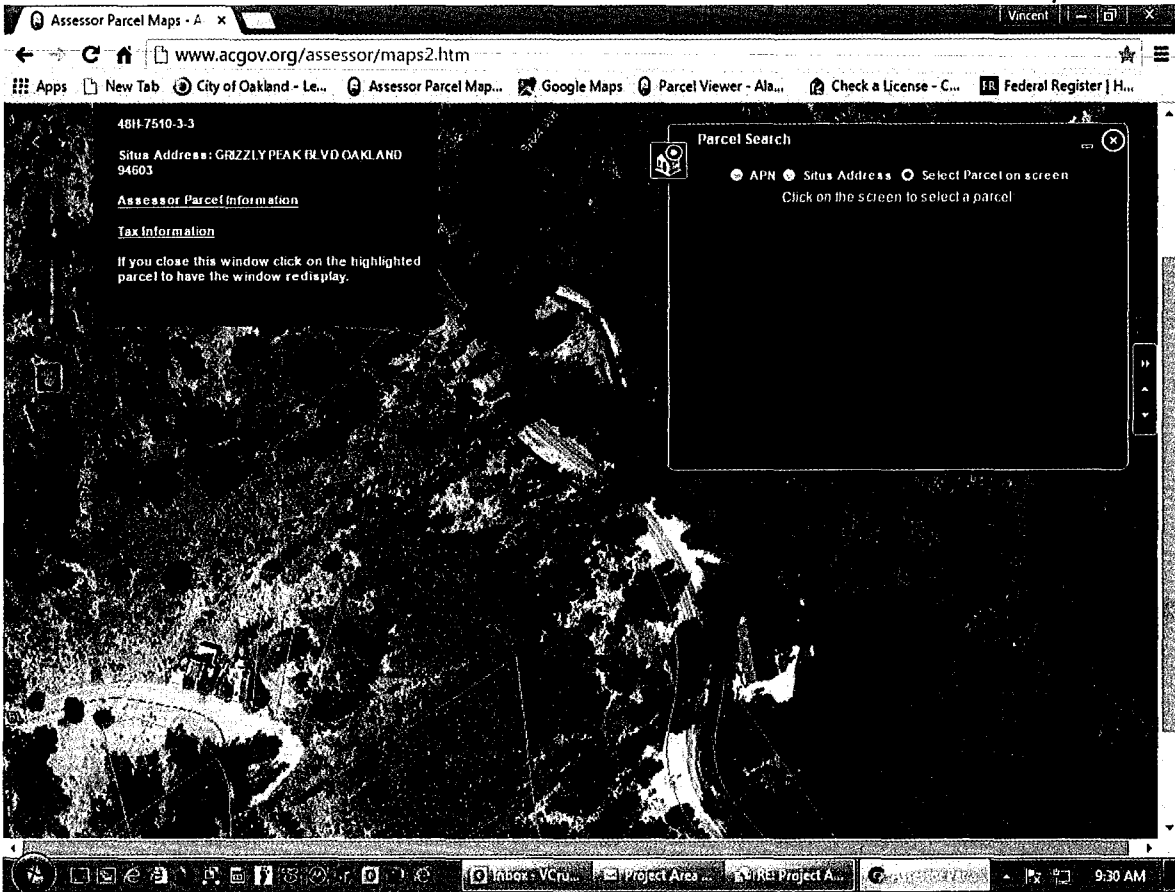
Project Area 2 – North Hills Skyline parcel 2



Project Area 2 – North Hills Skyline parcel 3



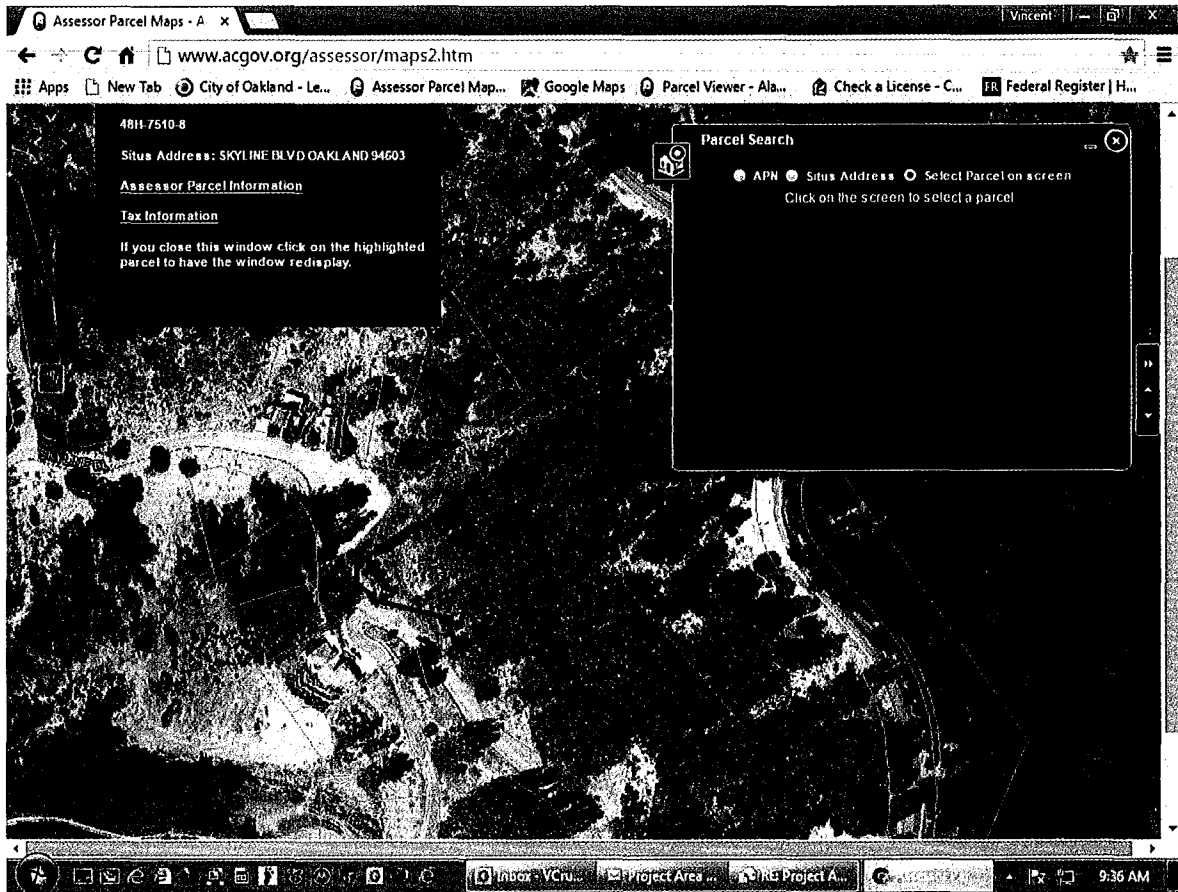
Project Area 2 – North Hills Skyline parcel 4



Project Area 2 – North Hills Skyline parcel 5



Project Area 2 – North Hills Skyline parcel 6



Project Area 2 – North Hills Skyline parcel 7

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*Annaly Sitt*  
City Attorney

**OAKLAND CITY COUNCIL**

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RESOLUTION No. \_\_\_\_\_ C.M.S.

**RESOLUTION AMENDING RESOLUTION NO. 79731 C.M.S. BY AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR, ACCEPT, AND APPROPRIATE UP TO FOUR MILLION DOLLARS (\$4,000,000) IN 2006 FEDERAL EMERGENCY MANAGEMENT AGENCY PRE-DISASTER MITIGATION GRANT FUNDS FOR THE OAKLAND REGIONAL FUEL MANAGEMENT PROJECT, EXTEND THE PROJECT TIMELINE TO TEN (10) YEARS, AND INCREASE OAKLAND'S MATCHING FUND REQUIREMENT**

**WHEREAS**, the Oakland Regional Fuel Management project is in alignment with the goals outlined in the City of Oakland's General Plan-Safety Element and Local Hazard Mitigation Plan; and

**WHEREAS**, there is a documented history of extreme fire danger in the Oakland Hills and that fuel management projects reduce the risks that have previously resulted in the loss of lives and property as a result of wild land fires; and

**WHEREAS**, it is in the City's best interests to partner with local agencies to maximize resources and attain mutual goals, and the City of Oakland Regional Fuel Management Project is a collaboration with the City of Oakland and East Bay Regional Park District to enhance defensible spaces, create strategic fuel break systems, reduce heavy fuel loads and restore forests to help create a fire-resistant community; and

**WHEREAS**, the FEMA Pre-Disaster Mitigation program provides grant funds for the implementation of mitigation projects prior to a disaster event to reduce overall risks to the population and structures, while also reducing reliance on funding from an actual disaster declaration; and

**WHEREAS**, in 2006 City Council, via Resolution number 79731 authorized the City Administrator to apply for, accept, and appropriate up to three million dollars (\$3,000,000.00) of 2006 Federal Emergency Management Agency Pre-Disaster Mitigation Grant Funds for the Oakland Regional Fuel Management Project; and

**WHEREAS**, since the time of the original grant application and approval of Resolution No. 79731 C.M.S., UC Berkeley was eliminated as a sub-grantee on this grant project. Due to this ruling by FEMA, Oakland was awarded UC Berkeley's portion of the grant in the amount of \$661,619 and will absorb UC Berkeley's match requirement of \$220,550 increasing Oakland's grant award from \$1,986,871 to \$2,648,490 and the match amount from \$662,280 to \$882,830; and

**WHEREAS**, the City of Oakland is the lead agency and there is a local match requirement in the amount of one million dollars (\$1,000,000) and the partners have agreed that based on the size and scope of their individual projects, the City of Oakland will contribute eight hundred eighty-two thousand eight hundred thirty dollars (\$882,830), and the East Bay Regional Park District will contribute one hundred seventeen thousand one hundred seventy dollars (\$117,170) toward the local match requirement; and

**WHEREAS**, the City of Oakland will prepare a letter of commitment to make the FEMA match required in the amount of one million dollars (\$1,000,000) and will execute an agreement with the East Bay Regional Park District to secure the matching grant contribution; and

**WHEREAS**, the City is required to comply with the National Environmental Protection Act (NEPA), Oakland shall comply with the California Environmental Quality Act (CEQA) and guidelines as prescribed by the Secretary for Resources and by the City of Oakland's Environmental Review Regulations; now, therefore be it

**RESOLVED:** That the City Council hereby approves the acceptance and appropriation of up to four million dollars (\$4,000,000) in 2006 Federal Emergency Management Agency Pre-Disaster Mitigation grant funds for the Oakland Regional Fuel Management Project and extend the project timeline to ten years; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to increase the share of Oakland's grant matching fund requirement to eight hundred eighty-two thousand eight hundred thirty dollars (\$882,830); and be it

**FURTHER RESOLVED:** That the City Council's action to apply for, accept, and appropriate the grant funds is exempt from CEQA pursuant to CEQA Guidelines sections 15061(b)(3) (General Rule), 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning), 15262 (Feasibility and Planning Studies), 15269 (Emergency Projects), 15301 (Existing Facilities), 15304 (Minor Alterations to Land), 15306 (Information Collection), 15307 (Actions by Regulatory Agencies for Protection of Natural Resources), 15308 (Actions by Regulatory Agencies for the Protection of the Environment), and 15378(b)(4) (Other Government Fiscal Activities), each of which provides a separate and independent basis for CEQA clearance and when viewed collectively provide an overall basis for CEQA clearance; and be it

**FURTHER RESOLVED:** That this action does not constitute an approval of the scope of work being funded by the FEMA grant or authorization to commence the scope of work, and subsequent approval of the scope of work by the City is subject to CEQA. The scope of work being funded by the FEMA grant requires additional environmental analysis pursuant to CEQA; after completion of such additional environmental analysis, the scope of work shall return to the City Council for its consideration for adoption and approval. The City reserves all of its rights and duties under CEQA with respect to the scope of work being funded by the FEMA grant, including without limitation, the authority to do any and all of the following: (a) prepare an environmental study evaluating the impacts of the scope of work being funded by the FEMA grant, feasible alternatives to the scope of work, and feasible mitigation measures; (b) adopt any feasible alternatives and/or feasible mitigation measures to lessen any significant environmental impacts resulting from the scope of work; (c) determine that any significant environmental impacts of the scope of work that cannot be mitigated are acceptable due to project benefits overriding any significant unavoidable impacts; and/or (d) decide to modify or deny its approval of the scope of work, and not to proceed with the scope of work being funded by the FEMA grant, due to the results/findings of the CEQA process; and be it



**FURTHER RESOLVED:** That the City Administrator is authorized to enter into an agreement with the East Bay Regional Park District to secure its matching grant contribution in the amount of one hundred seventeen thousand one hundred seventy dollars (\$117,170); and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to appropriate funds in the amount of four hundred fifty-four thousand four hundred nine dollars (\$454,409) from fund (2320) fund balance, one hundred seventeen thousand one hundred seventy dollars (\$117,170) from the East Bay Regional Park District, and the remaining matching funds in the amount of four hundred twenty-eight thousand four hundred twenty one dollars (\$428,421) will be drawn from existing budget in Fund (2321) Account (54919), Project (0000000), PS23; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to conduct all negotiations, execute and submit all documents including, but not limited to applications, letters of commitment, agreements, amendments, payment requests which may be necessary for the completion of this project; and be it

**FURTHER RESOLVED:** That all contracts used for this project shall be approved for form and legality by the Office of the City Attorney prior to execution and a copy shall be placed on file in the office of the City Clerk.

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

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON MCELHANEY

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

LaTonda Simmons  
City Clerk and Clerk of the  
Council of the City of Oakland,

California