
  
 City Attorney

 FILED  
 OFFICE OF THE CITY CLERK  
 OAKLAND

**OAKLAND CITY COUNCIL**

2013 NOV 21 AM 9:32

 RESOLUTION No. 84748 C.M.S.

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO:**

- 1) ENTER INTO A COOPERATIVE FUNDING AGREEMENT WITH THE DIABLO FIRE SAFE COUNCIL (DFSC) FOR THE PROPOSED SOUTH OAKLAND HILLS COMMUNITY FUEL REDUCTION PROJECT WHEREBY: A) DFSC WILL ACT AS THE PROJECT MANAGER AND GRANT ADMINISTRATOR FOR THE CITY OF OAKLAND FOR THE DURATION OF THE SOUTH OAKLAND HILLS COMMUNITY FUEL REDUCTION PROJECT; B) DFSC WILL ADMINISTER WESTERN WILDLAND URBAN INTERFACE GRANT FUNDS (WESTERN WUI GRANT) ALLOCATED TO THE CITY OF OAKLAND AS WELL AS GRANT REQUIRED MATCHING FUNDS PROVIDED BY THE CITY OF OAKLAND IN AN AMOUNT NOT TO EXCEED TWO HUNDRED AND NINETY EIGHT THOUSAND EIGHT HUNDRED AND THIRTY-ONE DOLLARS (\$298,831) FOR COMPLETION OF THE PROJECT;
- 2) ACCEPT AND EXPEND THE CITY OF OAKLAND PORTION OF THE WESTERN WUI GRANT AWARD IN THE AMOUNT OF ONE HUNDRED TWENTY THOUSAND DOLLARS (\$120,000);
- 3) EXPEND APPROVED CITY OF OAKLAND FUNDS IN THE WILDFIRE PREVENTION ASSESSMENT DISTRICT (WPAD) BUDGET PURSUANT TO THE LOCAL GRANT MATCH REQUIREMENT OF THE WESTERN WUI GRANT IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SEVENTY EIGHT THOUSAND EIGHT HUNDRED THIRTY-ONE DOLLARS (\$178,831) BY DISTRIBUTING THESE FUNDS TO DFSC UNDER THE PROPOSED COOPERATIVE FUNDING AGREEMENT

**WHEREAS**, in 2011 the Diablo Fire Safe Council (DFSC) applied for and was awarded a federal grant in the amount of \$260,737 under a program provided by the United States Department of Agriculture (USDA) Forest Service known as the Western WUI to assist in fuel reduction in the south Oakland hills area; and

**WHEREAS**, as recipient and overall administrator of the grant, the DFSC approached the City of Oakland and the East Bay Regional Parks District (EBRPD) as proposed partners to complete a fuel reduction project in the south Oakland hills area; and

**WHEREAS**, the City of Oakland is opting into the grant through the DFSC, under the proposed cooperative funding agreement with the DFSC, as a means to remove hazardous trees and other vegetation in the south Oakland hills area thereby reducing the possibilities of a catastrophic fire event due to an extensive highly flammable tree canopy and ground vegetation; and

**WHEREAS**, as a result of said partnership, the South Oakland Hills Community Fuel Reduction Project was developed as a comprehensive fuel reduction project to reduce the level of highly flammable vegetation for a total cost amount of \$650,968;

**WHEREAS**, the South Oakland Hills Community Fuel Reduction Project will treat an estimated 107 linear acres in the area, including fuel reduction in the understory of oak woodlands, with additional work to include selective eucalyptus thinning, removal of aged pines and understory fuels along Skyline Boulevard, treating north coastal scrub with goats, and chipping of homeowners' cut materials and debris removal; and

**WHEREAS**, also as a result of said partnership, funding in the amount \$260,737 is provided through the federal grant received by the DFSC of which \$120,000 will be allotted to the City of Oakland to be administered by the DFSC, with a matching City of Oakland fund requirement in the amount of \$178,831; \$118,720 will be allotted to the EBRPD to be administered by the DFSC, with a matching EBRPD fund requirement in the amount of \$206,400; and \$22,017 to the DFSC with a matching fund requirement in the amount of \$5,000; and

**WHEREAS**, as the grant recipient, the DFSC will serve as Project Manager and Grant Administrator for the City of Oakland utilizing federal grant funds and approved local Oakland funds related to the project, up to but not exceeding, a total amount of \$298,831 for completion of the project, including the Oakland portion of the grant awarded in the amount of \$120,000, and approved local Wildfire Prevention Assessment District (WPAD) budget funds under the Wildfire Prevention Assessment District Fund (2321), Fire Marshal's Office (20311), contract services account (54911), non-project (0000000) and Fire Prevention Bureau Program (PS23) in the amount of \$178,831; and

**WHEREAS**, as the Project Manager and Grant Administrator for the City of Oakland the DFSC will implement the project in full accordance with federal-aid funding standards, including but not limited to, the National Environmental Policy Act (NEPA), clearance, contracting standards, accounting standards, and Western WUI grant requirements including performance measure reporting; and

**WHEREAS**, to implement the Oakland portion of the project, the DFSC will coordinate with City staff for environmental review, permits, and final acceptance of the project, including but not limited to, the development of fuels treatment prescriptions, development of contract documents, bidding, and contract management, and

**WHEREAS**, completion of the South Oakland Hills Community Fuel Reduction Project will provide significant environmental and social equity opportunities reducing the level of highly flammable vegetation within the area of the south Oakland hills community on approximately 107 linear acres, thereby reducing negative environmental impacts due to non-native vegetation species and providing a safer environment within the South Oakland Hills community and a safer egress route for the neighboring communities; therefore be it

**RESOLVED**: that the City Administrator or her designee is authorized to enter into a cooperative funding agreement with the Diablo Fire Safe Council (DFSC) for the proposed south Oakland Hills Community Fuel Reduction Project utilizing a Western Wildland Urban Interface (WUI) grant whereby: A) DFSC will act as the project manager and grant administrator for the City of Oakland for the duration of the south Oakland hills community fuel reduction project; B) DFSC will administer the federal Western Wildland Urban Interface grant funds (Western WUI grant) allocated to the City of Oakland as well as approved grant required matching funds from the City of Oakland related to the project, in an amount up to but not exceeding two hundred and ninety eight thousand, eight hundred and thirty one dollars(\$298, 831) in full accordance with federal-aid funding standards including but not limited to NEPA clearance, the City's contracting policies and regulations, accounting standards, and grant guidelines including performance measure reporting; and be it

**FURTHER RESOLVED:** that the City Administrator or her designee is authorized to accept and expend the City of Oakland’s portion of the Western WUI grant awarded in the amount of \$120,000; and be it

**FURTHER RESOLVED:** that the City Administrator or her designee is authorized to expend and distribute to DFSC approved City of Oakland funds in the Wildfire Prevention Assessment District (WPAD) budget in an amount not to exceed one hundred seventy eight thousand eight hundred thirty-one dollars (\$178,831) for the proposed cooperative finding agreement for the south Oakland Hills community fuel reduction project to satisfy the local grant matching requirement of the Western WUI grant; and be it

**FURTHER RESOLVED:** the City of Oakland’s grant required local matching funds for this project in the amount of one hundred seventy eight thousand eight hundred thirty-one dollars (\$178,831) shall be drawn from the Wildfire Prevention Assessment District Fund (2321), Fire Marshal’s Office (20311), contract services account (54911), non-project (0000000) and Fire Prevention Bureau Program (PS23); and let it be

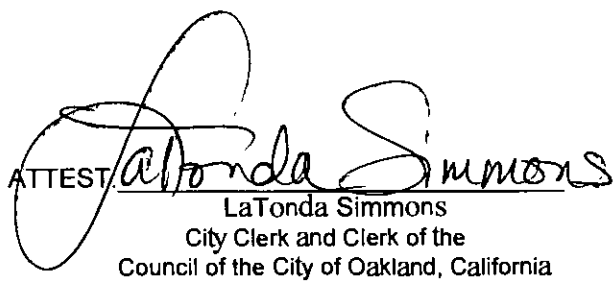
**FURTHER RESOLVED:** that the cooperative finding agreement shall be approved for form and legality by the City Attorney and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 10 2013, 20    

PASSED BY THE FOLLOWING VOTE:

*Ayes:*  
BROOKS, GALLO, KALB, KAPLAN, MCELHANEY, REID, SCHAAF and PRESIDENT KERNIGHAN -8

NOES-   
ABSENT-   
ABSTENTION-

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