  
City AttorneyFILED  
OFFICE OF THE CITY CLERK  
OAKLAND**OAKLAND CITY COUNCIL**RESOLUTION NO. 87388 C.M.S.

2018 SEP 13 PM 1:14

**Resolution Authorizing The City Administrator to 1) Accept And Appropriate Nine Hundred Seventy Thousand, One Hundred Thirty Dollars and Eight Cents (970,130.08) From The California Department Of Forestry And Fire Protection (Cal Fire) Urban And Community Forestry Grant Program, As Provided Through The Greenhouse Gas Reduction Fund, For Completion Of A Citywide Street And Urban Park Tree Inventory, Development Of Oakland's Urban Forest Master Plan (UFMP), And The Planting Of Seven Hundred (700) Trees; And 2) Waive The Advertising And The Competitive Request For Proposal/Qualification Selection Requirements For Related Community Engagement Services And Award A Contract To Oakland Climate Action Coalition In the Amount of Forty-Six Thousand Dollars (46,000); and 3) Authorize the City Administrator to accept and award a contract for Citywide Street and Urban Park Tree Inventory and Oakland's Urban Forest Master Plan in an amount of six hundred twenty-five thousand dollars (625,000) to the successful proposer after conducting a competitive request for proposal without returning to Council.**

**WHEREAS**, in 1932, the City Council adopted its first tree ordinance; and

**WHEREAS**, for 35 years, the City of Oakland has met the standards set by the National Arbor Day Foundation to be designated a Tree City USA®; and

**WHEREAS**, in 2012, the City Council approved Resolution No. 84126 C.M.S., adopting the City's Energy and Climate Action Plan (ECAP), which provides the actions and programs needed for the City to reach the goal of reducing greenhouse gas emissions 36 percent by 2020 and 80% by 2050; and

**WHEREAS**, the acceptance of the funding will allow the City to fulfill ECAP Priority Action 38 by developing and urban forestry master plan, and several other ECAP Transportation and Land Use Actions by performing the tree inventory and planting trees; and

**WHEREAS**, the Governor of the State of California in cooperation with the California State Legislature has enacted State of California Greenhouse Gas Reduction Funding, which provides funds to the State of California and its political subdivisions for urban forestry programs; and

**WHEREAS**, the State Department of Forestry and Fire Protection (CAL FIRE) has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures governing application by local agencies and non-profit organizations under the program, and

**WHEREAS**, said procedures established by the State Department of Forestry and Fire Protection require the applicant to certify by resolution the approval of application before submission of said application to the State; and

**WHEREAS**, the applicant will enter into an agreement with the State of California to carry out an urban forestry project; and

**WHEREAS**, Oakland Municipal Code (“OMC”) section 2.04.051 requires the City to conduct a competitive Request For Proposals/Qualifications (“RFP/Q”) selection process; and

**WHEREAS**, OMC section 2.04.051 A permits the Council to waive the RFP/Q requirement upon a finding that it is in the best interests of the City to do so; and

**WHEREAS**, it is in the City's best interest to waive the Request For Proposal/Request For Qualifications (RFP/RFQ) competitive selection requirement pursuant to Oakland Municipal Code (OMC) Section 2.04.051.B and enter into a contract Oakland Climate Action Coalition (OCAC) because it is in the best interests of the City to do so based because the OCAC is uniquely qualified to conduct this work due to their role uniting and representing approximately 30 environmental, racial, and economic justice organizations throughout Oakland for the past seven years and acting during that time as a key convener for climate and equity issues, including playing the lead role in facilitating community engagement during the creation of the 2020 Energy and Climate Action Plan (ECAP); now, therefore be it

**RESOLVED**, that the City Council approved the filing of an application for “State Greenhouse Gas Reduction Funding” urban forestry grant program funds; and be it

**FURTHER RESOLVED**, that the City Council certifies that the City of Oakland has or will have sufficient funds to operate and maintain the project; and be it

**FURTHER RESOLVED**, that the City Council authorize the creation of 1.0 FTE limited duration Administrative Analyst II position that will be funded over the 3.5 year grant term in fund 2159 in the Department of Public Works; and be it

**FURTHER RESOLVED**, that the City Council certifies that funds under the jurisdiction of the City of Oakland are available to begin the project; and be it

**FURTHER RESOLVED**, that the City Council certifies that the City of Oakland will expend grant funds prior to March 30, 2022; and be it

**FURTHER RESOLVED**, that the Council finds and determines that pursuant to OMC Section 2.04.051B, it is in the best interest of the City to waive the competitive RFP/RFQ selection requirements and so waives those requirements; and be it

**FURTHER RESOLVED**, that the City Council authorizes the City Administrator to appoint the Park Services Manager, or a designee, as agent of the City of Oakland to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the aforementioned project; and be it

**FURTHER RESOLVED**, that the City Council authorize the City Administrator to accept and award a contract for a Citywide Street and Urban Park Tree Inventory and Oakland's Urban Forest Master Plan in an amount of \$625,000 to the successful proposer after conducting a competitive request for proposal without returning to Council; and be it

**FURTHER RESOLVED**, That the City Council authorizes the appropriation of grant funds in an amount up to \$970,130.08 to be received and appropriated into State of California – Other Grant fund (2159), Tree Services Org 30654, Trees Program NP09, in a project to be established upon execution of the agreement with the State Department of Forestry and Fire Protection

IN COUNCIL, OAKLAND, CALIFORNIA, OCT 30 2018

**PASSED BY THE FOLLOWING VOTE:**


CAMPBELL WASHINGTON, ~~REID~~, GIBSON MCELHANEY, GALLO, GUILLEN, KALB, KAPLAN, AND PRESIDENT REID →

NOES - 0

ABSENT - 0

ABSTENTION 0

Excused - Brooks - 1

ATTEST: 

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