

2024 SEP 12 AM 9:41

APPROVED AS TO FORM AND LEGALITY

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

Farrah Hussein  
CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. 90439 C.M.S.

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR, ACCEPT, AND APPROPRIATE ONE MILLION DOLLARS (\$1,000,000) FROM THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION (CAL FIRE) FIRE PREVENTION PROGRAM TO REMOVE DEAD, DYING, AND HAZARDOUS TREES WITHIN THE SHEPHERD CANYON TO GRASS VALLEY EVACUATION ROUTE AREA; AND MAKING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS**

**WHEREAS**, Oakland City Council adopted Resolution No. 87940 C.M.S. declaring Wildfire Prevention a top priority for the City of Oakland on November 19, 2019, and the City established a Wildfire Prevention Working Group; and

**WHEREAS**, the Wildfire Prevention Working Group consists of multiple City Departments working together to identify opportunities to reduce wildfire risk in the areas of Oakland identified by the State of California Department of Forestry and Fire Prevention (CAL FIRE) to be in a Very High Fire Hazard Zone; and

**WHEREAS**, the Governor of the State of California in cooperation with the California State Legislature has enacted State of California Climate Investment, which provides funds to the State of California and its political subdivisions for fire prevention programs; and

**WHEREAS**, 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, non-profit organizations, and others under the program; and

**WHEREAS**, OMC 12.32.020 states the City Administrator shall have full power and authority over the planting, removal, and maintenance of trees and shrubs in or upon any public street or public grounds and shall have the right and power to establish rules and regulations relating thereto. The City Administrator or designee shall have the power to cause the trimming or removal of any tree or shrub in or upon any public street or public grounds that is diseased or is endangering or which may endanger the security or usefulness of any public street, sewer, or sidewalk; and

**WHEREAS**, the City of Oakland will enter into an agreement with the State of California to carry out the Shepherd Canyon to Grass Valley Evacuation Route project; and therefore be it

**RESOLVED:** The City Council approves the filing of an application for "California Climate Investments Wildfire Prevention Grants Program"; and

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

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

**FURTHER RESOLVED:** The City Council certifies that the City of Oakland will expend grant funds prior to the project deadline of March 15, 2030; and

**FURTHER RESOLVED:** The City Council appoints the City Administrator 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:** The City Council authorizes the appropriation of grant funds in the amount of one million dollars (\$1,000,000) to be received and appropriated into State of California – Other Grant Fund (2159), Tree Services Org 30654, Trees Program NB09, in a project to be established upon execution of the agreement with CAL FIRE; and, be it

**FURTHER RESOLVED:** The City Council has reviewed the proposed project and independently finds and determines that this action is exempt from the California Environmental Quality Act (“CEQA”) under CEQA Guidelines Section 15269(b) (Emergency Projects) and CEQA Guidelines Section 15301 (Existing Facilities) because the project provides emergency repairs to existing publicly or privately-owned service facilities necessary to maintain existing service essential to the public health, safety, and welfare; and be it

**FURTHER RESOLVED:** The City Administrator shall file a Notice of Determination/Notice of Exemption with the Clerk of the County of Alameda on each of the Projects named in this resolution if necessary; and, be it

**FURTHER RESOLVED:** The City Administrator is hereby authorized to approve any subsequent amendments to or extensions of said grant agreement, including those related to an increase in the total dollar amount of the specified grant.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

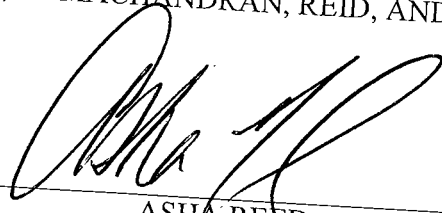
OCT 1 - 2024

AYES - ~~FIFE~~, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND PRESIDENT FORTUNATO BAS - 7

NOES - 0  
ABSENT - 0  
ABSTENTION - 0

Excused - 1 Fife

ATTEST:



ASHA REED  
City Clerk and Clerk of the Council of the  
City of Oakland, California