



AGENDA REPORT


TO: Jestin D. Johnson
City Administrator

FROM: Joe DeVries
Deputy City Administrator/
Chief Resilience Officer

SUBJECT: SUPPLEMENTAL-Wildfire Prevention
Zone Special Tax

DATE: June 20, 2024

City Administrator Approval


Jestin Johnson (Jun 21, 2024 06:43 PDT)

Date: Jun 21, 2024

RECOMMENDATION

Staff Recommends The City Council Adopt A:

Resolution On The City Council's Own Motion Submitting To The Voters At The November 5, 2024 General Municipal Election, An Ordinance To Adopt A Special Tax To Support Wildfire Prevention Efforts In The City's Wildfire Prevention Zone Identified Herein; And Directing The City Clerk To Take Any And All Actions Necessary Under Law To Submit This Special Tax To The Voters At The General Municipal Election; And Making Appropriate California Environmental Quality Act Findings

REASON FOR SUPPLEMENTAL

There were outstanding questions about the map of the Wildfire Prevention Zone that needed refinement and have been addressed as described below. Additionally, the City received correspondence from the League of Women Voters (League) with several questions and recommendations discussed at the June 6, 2024 Council Meeting that warranted further review. Staff reached out to the League President to discuss their recommendations in greater detail and then convened an internal group to refine the measure described below.

Map of the Wildfire Prevention District

The borders presented in the original map excluded some areas within the High Fire Severity Zone and the City limits that were not included. The new map (**Attachment A**) has been adjusted to include these areas so they align with the City Limits. In all three instances these were areas of public land: the University of California at Berkeley in the North, Chabot Regional Park in the East, and a small portion of Reinhardt Redwood Regional Park in the central Oakland hill area. This does not change the tax amount, as public agencies are already exempt, but it does provide better clarity.

There are a small number of parcels in both the City of Oakland and neighboring jurisdictions (Berkeley and Piedmont). To ensure clarity, staff removed parcels that were not entirely within the City of Oakland limits.

City Council
June 26, 2024

Modifications to the Measure

Below are 4 substantive areas where the measure has been modified:

1. A Cap of 5% on annual increases has been added to the measure. Since 2000, the Consumer Price Index has risen by more than 5% on only two occasions; therefore, adding a 5% cap should still allow for reasonable increases and convey to the voters that they are cushioned from a dramatic increase.
2. A 20-year sunset provision has been added to the measure. Although not required, most tax measures have sunset dates ranging from 10 to 30 years. To allow for ten years of work on the current Vegetation Management Plan and to allow time for evaluation and adjustments, 20 years is a reasonable timeframe
3. Maintenance of Effort (MOE) Language: The League and other Fire Safety advocates have asked for more clarity on what the City currently spends and how this new funding will be distributed, expressing concern that costs currently covered by the General Fund would be shifted to this measure and therefore limit its effectiveness. The amount of money allocated to vegetation management has varied widely over the past ten years, making it challenging for OFD to identify a reliable MOE number. However, the department has consistently inspected every parcel in the zone and funds that effort through the general-purpose fund at approximately \$800,000 annually. Staff has inserted language prohibiting this tax revenue from funding the first round of annual inspections to assure voters that this \$800,000 cost will not be shifted to the measure. This prevents a shift in that funding in years to come, regardless of the City's financial status, leaving the bulk of the funds to perform vegetation management.
4. Oversight Body: Although the oversight body will be created through enabling legislation from the Council, additional detail about the geographic representation was requested. The new language states that, to the extent practicable, commission and board appointments shall reflect the geographical diversity of the City with a goal of at least half of the members residing or owning property in the Wildfire Prevention Zone. Additionally, a sentence was added as follows: City staff shall provide a report on annual expenditures to the commission or board and the City Council when City staff provides its informational report on measures taken under the Vegetation Management Plan (VMP), as is already required by the VMP, including identifying any additional resource needs and summarizing any pertinent issues identified and addressed during VMP implementation. This provides a greater level of detail about what the oversight body will be responsible for assessing.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends The City Council Adopt Resolution On The City Council's Own Motion Submitting To The Voters At The November 5, 2024 General Municipal Election, An Ordinance To Adopt A Special Tax To Support Wildfire Prevention Efforts In The City's Wildfire Prevention Zone Identified Herein; And Directing The City Clerk To Take Any And All Actions Necessary Under Law To Submit This Special Tax To The Voters At The General Municipal Election; And Making Appropriate California Environmental Quality Act Findings

For questions regarding this report, please contact Joe DeVries, Deputy City Administrator, at (510) 238-3083.

Respectfully submitted,



Joe DeVries
Deputy City Administrator/Chief Resilience
Officer

Attachments (1):

- A. Wildfire Hazard Prevention Boundary Zone**