



Office of the City Manager

CONSENT CALENDAR  
March 9, 2021

To: Honorable Mayor and Members of the City Council  
 From: Dee Williams-Ridley, City Manager  
 Submitted by: Scott Ferris, Director, Parks Recreation and Waterfront  
 Subject: Grant Application: Environmental Enhancement and Mitigation Project (EEMP) Proposal

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to submit an Environmental Enhancement and Mitigation (EEM) grant application to plant urban forest trees in an amount up to \$500,000; to accept the grant; to execute any resultant revenue agreements and amendments; and authorizing the implementation of the project and appropriation of funding for related expenses, subject to securing the grant.

FISCAL IMPACTS OF RECOMMENDATION

The maximum total grant award is \$500,000, which would cover all costs to plant trees. This includes costs for project planning and coordination, site preparation to create planting locations, materials, part-time labor, equipment rental, and contractor costs. The remaining portion of the project will be funded through the Parks Tax Fund, which includes project administration and coordination provided by the City's Senior Forestry Climber (estimated at \$50,000). This City staff cost is provided in the grant application as "in-kind match." While a local match is not required, the use of local City-funded Forestry staff as in-kind match will make the grant application more competitive. The grant funding cycle is for four fiscal years through March 2025.

Revenue from this grant will be deposited and expensed from the One-Time Grants Fund (336).

CURRENT SITUATION AND ITS EFFECTS

This program, as provided by California Streets and Highways Code Section 164.56 authorizes the legislature to allocate up to \$7 million each fiscal year from the Highway Users Tax Account (Motor Vehicle Revenues, Section 2100). EEM projects must contribute to the mitigation of the environmental effects of transportation facilities. The California Natural Resources Agency (CNRA) prescribes procedures and criteria to evaluate grant project proposals and submits a list of projects recommended for funding to the California Transportation Commission (CTC).

In January of 2021, the CNRA announced the current round of EEM grant funding. This application window for project proposals will close on March 5<sup>th</sup>. After reviewing the entire applicant pool throughout the state during the summer of 2021, the CNRA will select the project proposals that meet their selection requirements to formally apply for a grant award. If applicable, a field visit will be scheduled. After the field visit, the State will invite the most competitive projects to submit additional documents to complete the grant application. Final awards are expected in fall 2021.

### BACKGROUND

The EEMP grant program involves tree planting and other activities that mitigate the negative environmental effects of a local Related Transportation Facility (RTF). The I-80 Widening Project of 1994 has been designated as the RTF for this area and still requires mitigation to offset increased traffic. This project proposes to plant new site-specific trees and related irrigation throughout streets and parks in West Berkeley at the following locations: 1) West side of Aquatic Park; 2) San Pablo Park; 3) University Avenue; and 4) West Berkeley neighborhoods.

The Parks, Recreation & Waterfront Department has received EEM grants to plant trees throughout Berkeley for over two decades. This project would complement the City's current tree planting project funded by a California State Urban Greening grant to create new sites, plant, and water 500 new trees in specific Disadvantaged Communities in West Berkeley through 2024.

### ENVIRONMENTAL SUSTAINABILITY

One of the City's Climate Action Plan goals is to maintain the urban forest's present canopy coverage and to provide significant environmental benefits in the form of carbon dioxide absorption and oxygen production as well as storm water retention and climate control. This project will use the natural systems of trees to achieve these goals. Trees also cool temperatures, beautify neighborhoods, add habitat, and provide health benefits to residents and visitors.

### RATIONALE FOR RECOMMENDATION

This grant will allow the City to expand the urban forest into historically underserved neighborhoods of West Berkeley.

### ALTERNATIVE ACTIONS CONSIDERED

None

### CONTACT PERSONS

Scott Ferris, Director, Parks Recreation & Waterfront, 981-6700  
Dan Gallagher, Senior Forestry Supervisor, 981-6687

Attachments:  
1: Resolution

RESOLUTION NO. ##-###

APPROVING THE APPLICATION FOR GRANT FUNDS FOR CALIFORNIA STREETS AND HIGHWAYS CODE SECTION 164.56 (ARTICLE XIX, SECTION 1, OF THE STATE CONSITUTION) ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROJECT IN THE AMOUNT OF UP TO \$500,000

WHEREAS, the Legislature and Governor of the State of California have provided funds for the program shown above; and

WHEREAS, the California Natural Resources Agency has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, said procedures established by the California Natural Resources Agency require a resolution certifying the approval of an application by the Applicants governing board before submission of said application to the State; and

WHEREAS, the applicant, if selected, will enter into an agreement with the State of California to carry out the Project; and

WHEREAS, funds will be deposited into the One-Time Grants Fund (Fund 421).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Berkeley:

Authorizes the City Manager to submit an Environmental Enhancement and Mitigation (EEM) grant application to plant urban forest trees in an amount up to \$500,000, to accept the grant, and to execute any resultant revenue agreements and amendments.

BE IT FURTHER RESOLVED that the Council of the City of Berkeley certifies that the applicant understands the assurances and certification in the application, and has or will have sufficient funds to operate and maintain the project consistent with the land tenure requirements; or will secure the resources to do so, and; will comply with the provisions of Section 1771.5 of the State Labor Code.

BE IT FURTHER RESOLVED that the Council of the City of Berkeley certifies that the project will comply with any laws and regulations including, but not limited to, legal requirements for building codes, health and safety codes, disabled access laws, environmental laws and, that prior to commencement of construction, all applicable permits will have been obtained, and will work towards the Governor's State Planning Priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety as included in Government Code Section 65041.1.

BE IT FURTHER RESOLVED that the Council of the City of Berkeley appoints the City Manager, or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned project(s).

BE IT FURTHER RESOLVED that the City of Berkeley authorizes the implementation of the project and appropriation of funding for related expenses, subject to securing the grant.

BE IT FURTHER RESOLVED that a record signature copy of said agreements and any amendments be on file in the City of Berkeley's Office of the City Clerk.