

**Council Meeting: March 4, 2008**

**SUBJECT: Notice of Intent to Apply for, Accept, and Appropriate a Grant in the Amount of \$33,000 from the California Department of Forestry and Fire Protection (CAL FIRE) to Implement the Urban Forestry Management Plan and Budget Modification No. 40**

**REPORT IN BRIEF**

The Department of Public Works, Street Tree Services Program, is seeking Council approval to apply for, accept, and appropriate a \$33,000 grant from the California Department of Forestry and Fire Protection (CAL FIRE). The application must be submitted by March 15, 2008. The grant will be administered by CAL FIRE's Urban Forestry Program and will finance the hiring of consultants, staff time, and materials needed to develop and implement an Urban Forestry Management Plan. The CAL FIRE Grant requires a 50 percent match by the City. The match may be either direct financing or "in-kind" services. If approved by Council, an "in-kind" match will be used to leverage the grant. The match will consist of approximately 400 hours of existing staff time, already included in the operating budget, that will qualify for the City's in-kind services for urban forestry purposes; 100 hours of volunteer time from citizens; and \$500 in purchased goods and services.

**BACKGROUND**

The Urban Forestry Management Plan Grant is administered by CAL FIRE. Grant funds are made available via California State Proposition 40, *The California Clean Water, Clean Air, Safe Neighborhood, Parks, and Coastal Protection Act of 2002*, as well as State Proposition 84, *The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond of 2006*. Grants are allocated to cities, counties, or districts that wish to create and implement an Urban Forestry Management Plan. The plan acts as a unifying written document that ties together all of the existing elements of urban forestry in a jurisdiction to promote safety, pollution mitigation, and sustainability.

*Public Works Study Issue DPW 03C — Street Tree Policy Review Municipal Code 13.16 CITY TREES Policy Review - Sustainability of Large Tree Species, Update of Official Street Tree List and Review of Tree Replacement Policy* is scheduled to come before Council this year. During work on a new Tree Replacement Policy, information on this grant became available.

An Urban Forestry Management Plan would be an integral component to the management and sustainability of Sunnyvale's street trees. Therefore, a pre-application was filed with CAL FIRE and the City has received approval to submit an application for this grant.

### **EXISTING POLICY**

#### 2.5 Community Design Sub-Element

Goal 2.5B: Create an attractive street environment which will compliment private and public properties and be comfortable for residents and visitors.

Policy 2.5B.1: Maintain and provide attractive landscaping in the public right-of-way to identify the different types of roadways and districts, make motorists more comfortable and improve the enjoyment of residential neighborhoods.

Action Statement 2.5B.1j: Continue to plant and maintain street trees along the public right-of-way and identify areas which require replanting or replacement trees.

The City street trees are governed by:

Municipal Code 13.16: City Trees

Private property trees currently have municipal oversight as outlined in:

Municipal Code 19.38.70d: Landscaping, Irrigation and Usable Open Space

Municipal Code 19.94: Tree Preservation

### **DISCUSSION**

Currently, the City has several Municipal Codes that relate to community trees, both public and private. The Urban Forestry Management Plan is intended to review all aspects of Sunnyvale's community forest. Using current resources, including reviewing the relevant policies in Sunnyvale's General Plan, the relevant Municipal Codes, the 20-Year Resource Allocation Plan, and various operational programs, as well as soliciting assistance from consultants, the Urban Forestry Management Plan is intended to quantify the value and benefits of all of the trees in the City. The Plan will also provide a unifying, written document that will describe the community forest asset, its benefits, and the processes and procedures required to conserve it.

Urban Forestry Management has been part of the every day service delivery the City’s Street Trees Services Program provides. However, the long-term management plan for maintaining the community forest has never been formalized. Establishing an Urban Forestry Management Plan will provide a written document that unifies all existing elements of urban forestry in Sunnyvale to provide a clear picture of the importance of trees and their management in Sunnyvale. The Urban Forestry Management Plan Grant is intended to provide the necessary resources to accomplish the goal of creating such a document. The application must be submitted by March 15, 2008.

**FISCAL IMPACT**

If Council authorizes staff to apply for and accept the CAL FIRE Grant, authorization also is needed to appropriate the monies accordingly. Approval of Budget Modification No. 40 will appropriate revenues from the CAL FIRE Grant to a special project. The project will allow staff to effectively manage the specific costs associated with implementing the Urban Forest Management Plan. Approval of the budget modification includes Council’s authorization to provide a 50 percent “in-kind” match to leverage the grant. The match will consist of approximately 400 hours of existing staff time, already included in the operating budget, that will qualify for the City’s in-kind services for urban forestry purposes; 100 hours of volunteer time from citizens; and \$500 in purchased goods and services. Budget Modification No. 40 is presented in the following table:

**BUDGET MODIFICATION NO. 40**  
**FISCAL YEAR 2007-2008**

	<b>Current</b>	<b>Increase (Decrease)</b>	<b>Revised</b>
<b>General Fund</b>			
<u>Revenues:</u>			
CAL FIRE Grant	\$0	\$33,000	\$33,000
<u>Expenditures:</u>			
New Special Project — Implement Urban Forestry Management Plan	\$0	\$33,000	\$33,000

**PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City’s official-notice bulletin board outside City Hall, in the Council Chambers lobby, in the Office of the City Clerk, at the Library, Senior Center, Community Center, and

Department of Public Safety; posting the agenda and report on the City's Web site; and making the report available at the Library and the Office of the City Clerk.

To date, the City has held two public meetings to solicit citizen input. Nearly 100 percent of the participants were advocates for trees in Sunnyvale. Of the more than fifty citizens in attendance, several were willing to continue to participate in focus groups to examine urban forestry issues in the City more closely.

**ALTERNATIVES**

1. Approve the attached Resolution of Support and authorize staff to apply for the CAL FIRE Grant. If the grant is awarded, it will be accepted, Budget Modification No. 40 will be accepted, and monies will be appropriated to a special project to implement the Urban Forestry Management Plan.
2. Do not authorize staff to apply for the CAL FIRE Grant.

**RECOMMENDATION**

Staff recommends Alternative No. 1: Approve the attached Resolution of Support and authorize staff to apply for the CAL FIRE Grant. If the grant is awarded, it will be accepted, Budget Modification No. 40 will be accepted, and monies will be appropriated to a special project to implement the Urban Forestry Management Plan.

This grant will help to fund a project to consolidate the existing tree policies, issues and program items into one central plan that will direct the current and future activities to continue to sustain, protect, and enhance the urban forest in the City of Sunnyvale.

Reviewed by:

Marvin A. Rose, Director, Department of Public Works  
Prepared by: Leonard Dunn, Urban Landscape Supervisor

Reviewed by:

Mary J. Bradley, Director of Finance

Approved by:

Amy Chan  
City Manager

**Attachments**

A. Resolution of Support

**RESOLUTION NO. 308-08**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE FOR FUNDING FROM THE URBAN FORESTRY GRANT PROGRAM ENTITLED “AN URBAN FOREST FOR EVERY CITY” AS PROVIDED THROUGH PROPOSITIONS 40 AND 84**

WHEREAS, the Governor of the State of California in cooperation with the California State Legislature has enacted Propositions 40 and 84, which provide funds to the State of California and its political subdivisions for urban forestry programs; and

WHEREAS, the State Department of Forestry and Fire Protection 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:

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

1. Approve the filing of an application for “Propositions 40 and 84” grant program funds; and
2. Certify that said applicant has or will have sufficient funds to operate and maintain the project; and,
3. Certify that funds under the jurisdiction of the City of Sunnyvale are available to begin the project.
4. Certify that said applicant will expend grant funds prior to March 1, 2010.
5. Appoint the Department of Public Works as agent of the City of Sunnyvale 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.

Adopted by the City Council at a regular meeting held on March 4, 2008, by the following vote:

AYES: SPITALERI, HAMILTON, HOWE, LEE, SWEGLES, MOYLAN, WHITTUM  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE

ATTEST:

APPROVED:

By \_\_\_\_\_  
City Clerk  
[SEAL]

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
David Kahn, City Attorney