



Legislation Details (With Text)

File #: 20-0259

On agenda: 4/14/2020

Final action: 4/14/2020

Enactment date:

Enactment #: Resolution No. 20-117

Title: Adopt Resolution proclaiming continuation of the local emergency status relating to the extremely high levels of tree mortality and hazardous conditions created by the drought and request that the Governor continue to provide resources and support to mitigate risk of falling trees and increased fire hazard; Authorize the Purchasing Manager to continue executing professional service agreements and other documents, subject to review and approval by County Counsel and the Auditor-Controller/Treasurer-Tax Collector, necessary for the identification, removal, and disposal of dead and dying trees in Fresno County for an amount not to exceed \$15,190,564

Attachments: 1. Agenda Item, 2. Resolution No. 20-117, 3. Map of Affected Area, 4. Proclamation of State Emergency

Date	Ver.	Action By	Action	Result
4/14/2020	1	Board of Supervisors	Approved as Recommended	Pass

DATE: April 14, 2020

TO: Board of Supervisors

SUBMITTED BY: Jean M. Rousseau, County Administrative Officer / Emergency Services Director
Steven E. White, Director, Department of Public Works and Planning

SUBJECT: Continuation of Tree Mortality Local Emergency Status in Fresno County and Purchasing Manager's Authorization

RECOMMENDED ACTION(S):

- 1. Adopt Resolution proclaiming continuation of the local emergency status relating to the extremely high levels of tree mortality and hazardous conditions created by the drought and request that the Governor continue to provide resources and support to mitigate risk of falling trees and increased fire hazard.**
- 2. Authorize the Purchasing Manager to continue executing professional service agreements and other documents, subject to review and approval by County Counsel and the Auditor-Controller/Treasurer-Tax Collector, necessary for the identification, removal, and disposal of dead and dying trees in Fresno County for an amount not to exceed \$15,190,564.**

Approval of the first recommended action will ensure the local emergency status remains in effect and permit recovery of eligible costs. Approval of the second recommended action will increase the Purchasing Manager's previous Board authorization to contract for services related to tree mortality from \$13,510,564 to \$15,190,564. This item pertains to locations in District 5.

ALTERNATIVE ACTION(S):

No viable options are available.

FISCAL IMPACT:

The first recommended action is necessary to ensure specific liability protection, emergency powers of the Emergency Services Director, and recovery of eligible costs from the State. On August 6, 2019, your Board approved a revenue Agreement totaling \$1,680,000 with the California Department of Forestry and Fire Protection (CAL FIRE) to continue removing and disposing dead and dying trees, slash, and ground fuels, which do not require a local match. The second recommended action would increase the Purchasing Manager's aggregate threshold provision for tree removal services by \$1,680,000, from \$13,510,564 to \$15,190,564.

DISCUSSION:

On September 22, 2015, your Board approved Resolution No. 15-463 requesting a state of emergency be proclaimed in the County due to the degraded forest conditions and imminent threat from catastrophic fires and extreme drought.

On May 24, 2016, your Board approved the Emergency Services Director's submittal of an Application for State financial assistance under the California Disaster Assistance Act (CDAA) to the California Office of Emergency Services (OES) to mitigate tree mortality. On August 9, 2016, your Board authorized an increase to the Purchasing Manager's aggregate threshold provision from \$100,000 to \$2,000,000 to procure services for the identification, removal and disposal of dead and dying trees.

On January 31, 2017, your Board approved 13 revenue agreements with CAL FIRE to receive FY 2016-17 State Responsibility Area (SRA) Fire Prevention and TM (Tree Mortality) Grant Program funds for the removal of dead and dying trees that are within 300 feet of permanent private structures, roadways, and public or private infrastructure. The assessment, identification, and removal of dead and dying trees for these 13 grants is complete. Additionally, your Board increased the Purchasing Manager's previous authorization to contract for services related to tree mortality from \$2,000,000 to \$6,600,000.

In May 2017, 5,200 dead and dying trees were removed from Huntington Lake Road using CDAA funding. In February 2018, 2,300 dead and dying trees were removed from Auberry Road. By November 30, 2018, 2,100 dead and dying trees were removed from Bretz Mill Road. On October 31, 2019, the removal and disposal of 4,100 dead and dying trees along Huntington Lake Road was completed. Approximately 26,000 trees and 13,000 cubic yards of ground fuel has been removed and disposed along County and private roads, near homes, and infrastructure.

On April 17, 2018, your Board approved a revenue agreement with CAL FIRE for \$880,133 in Local Assistance for Tree Mortality Grant Program (LATM) funding that allows the County to cover the 25% CDAA cost share requirement and draw down an additional \$2,640,399 in CDAA funding. Additionally, your Board increased the Purchasing Manager's aggregate threshold to procure tree removal services from \$6,600,000 to \$12,120,532.

On November 6, 2018, your Board approved two revenue agreements with CAL FIRE for \$1,390,032 in Fire Prevention Program Grant (FPP) funding to continue contracting for the removal of dead and dying trees that are within 300 feet of permanent private structures, roadways, and public or private infrastructure. Additionally, on January 8, 2019, your Board increased the Purchasing Manager's aggregate threshold to procure tree removal services from \$12,120,532 to \$13,510,564. As of March 1, 2020, the County has expended \$12,300,000 of the \$13,510,564 on tree removal services.

On August 6, 2019, your Board approved a revenue agreement with CAL FIRE for \$1,680,000 in FPP funding to continue contracting for the removal of dead and dying trees that are within 300 feet of permanent private structures, roadways, and public or private infrastructure on the State Route 168 corridor.

The tree mortality budget includes funding from the following sources:

- CDAA: \$7,140,399 plus the County General Fund match in the amount of \$1,500,000
 - SRA: \$2,600,000
 - LATM: \$880,133
 - FPP: \$3,070,032
- TOTAL \$15,190,564

The second recommended action would increase the Purchasing Manager's aggregate threshold provision from \$13,510,564 to \$15,190,564 for contracted tree removal services. Master Service Agreements (MSA) were established for 17 Registered Professional Foresters (RPFs) and 21 Licensed Timber Operators (LTOs). Bids are solicited from all of the RPFs and LTOs on the MSAs to secure the lowest price.

The County's OES has coordinated an emergency response-planning meeting with all organized camps operating in the County. Additionally, the Office worked with CAL FIRE and the Sheriff's Office to conduct pre-fire evacuation planning meetings for communities in high hazard areas.

Forest degradation conditions have not improved as the tree mortality disaster has continued and escalated in eastern Fresno County. Mountain communities continue to be threatened by the potential of falling trees and wildfires.

Fresno County Ordinance Code, Chapter 2.44.060 requires your Board to review the need to continue the local emergency at least once every 30 days until terminated. The local emergency must be terminated at the earliest possible date when conditions warranting proclamation have ended.

REFERENCE MATERIAL:

BAI #24, March 24, 2020
BAI #45, August 6, 2019
BAI #48, November 6, 2018
BAI #39, April 17, 2018
BAI #37, January 31, 2017
BAI #31, August 9, 2016
BAI #13, May 24, 2016
BAI #21, September 22, 2015

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Resolution
On file with Clerk - Map of Affected Area
On file with Clerk - Proclamation of State Emergency

CAO ANALYST:

Raul Guerra