



TOWN OF APPLE VALLEY

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor and Town Council **Date:** June 12, 2018

From: Jennifer Heim Jackson **Item No:** 9
Special Projects Manager
Town Manager's Office

Subject: ADOPT RESOLUTION NO. 2018-23, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, APPROVING THE APPLICATION FOR ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM GRANT FUNDS

T.M. Approval: _____ **Budgeted Item:** Yes No N/A

RECOMMENDED ACTION:

That the Town Council adopt Resolution No. 2018-23, authorizing an Application to the Environmental Enhancement and Mitigation Program for the Apple Valley Urban Forestry Project.

SUMMARY:

This resolution will authorize staff to submit a competitive grant application to the California State Department of Natural Resources Environmental Enhancement and Mitigation Grant Program to pay for an Urban Forestry Project in Civic Center Park and Civic Center complex. As a requirement for acceptance, the Department of Natural Resources requires a resolution be adopted by the agency's governing body and submitted as part of the grant application.

BACKGROUND:

The Environmental Enhancement and Mitigation (EEM) Program, administered by the California Natural Resources Agency (CNRA), provides state grant funds to local, state and federal agencies to be used for transportation related projects that produce multiple benefits which reduce greenhouse gas emissions, increase water use efficiency, reduce risks from climate change impacts and demonstrate collaboration with local, state and community entities.

The Apple Valley Urban Forestry Project proposes to meet the EEM Program goals by planting approximately 200 native and climate appropriate trees and shrubs in Civic Center Park and Civic Center complex. The tree planting will go above and beyond the

required mitigation to reduce negative environmental impacts from a Related Transportation Facility (RTF) – The Yucca Loma Bridge Project.

The proposed project aims to improve the Town’s urban forest by removing dead and/or diseased trees to maintain forest health and help meet California’s greenhouse gas (GHG) emission reduction targets by planting trees that absorb carbon dioxide and enhance vegetation and natural habitats for birds and wildlife.

In addition, the proposed EEM project will use recycled water from Apple Valley’s new Subregional Water Recycling Plant for irrigation to establish the new trees.

Award announcements are expected in March, 2019.

FISCAL IMPACT:

No local match required.

ATTACHMENT:

Resolution No. 2018-23

RESOLUTION NO. 2018-23

A RESOLUTION OF THE TOWN OF APPLE VALLEY, CALIFORNIA, APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE ENVIRONMENTAL ENHANCEMENT AND MITIGATION (EEM) PROGRAM

WHEREAS, the Legislature and Governor of the State of California have enacted Section 164.56 of the California Streets and Highways Code, which is intended to provide grant funds to local, state and federal agencies and nonprofit entities for projects to enhance and mitigate the environmental impacts of modified or new public transportation facilities; and

WHEREAS, the California Natural Resources Agency has been delegated the responsibility for the administration of this grant program, establishing necessary procedures and criteria, and is required to submit to the California Transportation Commission a list of recommended projects from which the grant recipients will be selected; 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.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Apple Valley hereby:

Approves the filing of an application for the Apple Valley Urban Forestry Project;
and

1. Certifies that Applicant understands the requirements in the Program Guidelines; and
2. Certifies that Applicant or title holder 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
3. Certifies that Applicant will record a document against the real property that defines the State's interest in the property whether the Grantee owns the property or not; and
4. Certifies that Applicant will comply with the provisions of Section 1771.5 of the State Labor Code regarding payment of prevailing wages on Projects awarded EEM Program Funds; and
5. If applicable, 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 licenses and permits will have been obtained; and

6. Certifies that Applicant 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; and
7. Appoints the Town Manager, or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests etc., which may be necessary for the completion of the aforementioned project.

APPROVED and **ADOPTED** by the Town Council of the Town of Apple Valley this 12th day of June, 2018.

Art Bishop, Mayor

La Vonda M-Pearson, Town Clerk