

RESOLUTION 2024-03

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RODEO HERCULES FIRE PROTECTION DISTRICT TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) AMONG JURISDICTIONS IN THE EAST BAY HILLS TO FORM A WILDFIRE PREVENTION COORDINATING GROUP TO IMPROVE REGIONWIDE COLLABORATION ON WILDFIRE MITIGATION ACTIVITIES AND TO REDUCE WILDFIRE RISK THROUGHOUT THE EASTBAY HILLS

WHEREAS, the series of historic wildfires throughout California and the Western United States in recent years demonstrates that the impacts of global climate change will continue to have potentially devastating local effects throughout the region; including habitat destruction, loss of life, economic impacts, infrastructural damage, and public health hazards associated with air quality, and

WHEREAS, reactive approaches to fire management and containment are deployed during times of crisis and overextended local and state resources; and

WHEREAS, the spread of wildfire does not respect political or jurisdictional boundaries; burning embers travel widely and air quality impacts from smoke extend throughout the region; and

WHEREAS, a large portion of the East Bay Region, including the East Bay Hills from Hercules to Fremont, are a CalFire designated high-risk danger zone; and

WHEREAS, a more coordinated approach among jurisdictions and investment in vegetation management and other wildfire prevention programs will help to mitigate the number and severity of wildfire events; and

WHEREAS, regional intergovernmental coordination may prove both more effective and more efficient in developing and implementing best practices, as well as sharing expertise and other resources; and

WHEREAS, the East Bay Region contains more than 20 municipalities, counties, and fire districts, including the Rodeo-Hercules Fire Protection District, that may benefit from a coordinated fire management approach; and

WHEREAS, with support from local community organizations and individuals concerned with wildfire prevention, a group of public officials representing the counties, municipalities and fire districts in the East Bay Hills decided to create a formal structure for interested cities, counties, and fire districts in the East Bay Hills to collaborate and meet their common goals regarding regional wildfire prevention; and

WHEREAS, these public officials have agreed that a Memorandum of Understanding (MOU), which provides the legal basis for the jurisdictions to work together to accomplish agreed upon goals, would be the most efficient and effective legal structure to create this

intergovernmental collaboration, referred to as the “Wildfire Prevention Coordinating Group” (WPCG); and

WHEREAS, the counties of Alameda and Contra Costa, the cities of Berkeley, Oakland, Pinole and Richmond, and the Moraga-Orinda Fire District have all contributed financing to facilitate discussions about forming a WPCG and developing a draft MOU; and

WHEREAS, the participants in the MOU, referred to as Participating Agencies, would themselves decide upon goals, objectives, activities, any required budget and staffing, to support the WPCG; and jurisdictional boundaries between one or more of the Participating Agencies, and

WHEREAS, each Participating Agency would appoint one member and one alternate from its governing body to serve on the WPCG. More specifically, all WPCG members and alternates shall be elected or appointed members of Boards of Supervisors, City, or Town Councils, Boards of Directors, or a functional equivalent; and

WHEREAS, the WPCG will designate one of the Participating Agencies to serve as the WPCG’s “Fiscal Agent” in which role that entity will (i) facilitate ongoing discussions of the WPCG, (ii) serve as the WPCG’s treasurer, and (iii) enter into contracts on behalf of the WPCG, if necessary; and

WHEREAS, signing the MOU and appointing a member to the WPCG would not obligate any Participating Agency to include other Participating Agencies in their individual wildfire prevention and risk mitigation activities; and

WHEREAS, signing the MOU and appointing a member to the WPCG would not alter any of the Participating Agencies’ jurisdictional boundaries, existing cooperative efforts at the staff or Board/Council levels, or substantive legal authorities; and

WHEREAS, the MOU supplements, and does not replace, any prior or future agreements between any two or more Participating Agencies, including for contracted, shared or cooperative fire prevention and/or emergency medical services; and

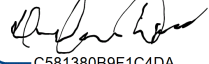
WHEREAS, at any time and without cause, a Participating Agency may terminate its participation in this MOU by giving sixty (60) days’ prior written notice to the other Participating Agencies;

NOW, THEREFORE, the Board of Directors of the Rodeo-Hercules Fire Protection District does **RESOLVE** that it approves the Memorandum of Understanding between the Rodeo-Hercules Fire Protection District and other Participating Agencies in the East Bay Hills in order to improve collaboration on wildfire prevention activities and improve safety throughout this region and authorizes the Fire Chief to execute the MOU.

IF ANY PART OF THE RESOLUTION OR ANY ATTACHMENTS TO IT are for any reason determined to be invalid or unconstitutional, such determination shall not affect the validity of the remaining portions of this Resolution or its attachments, and the Board hereby


declares that it would have adopted this Resolution, and each section, subsection, sentence, clause, and phrase hereof, irrespective of any one or more sections, subsections, sentences, clauses or phrases being declared invalid or unconstitutional. The foregoing Resolution was duly and regularly adopted at a regular meeting of the Rodeo-Hercules Fire Protection District Board of Directors meeting held on the 13th day of March 2024, by the following vote of the Board:

AYES: 5
NOES: 0
ABSENT: 0
ABSTAIN: 0

DocuSigned by:

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Delano Doss, Board Chair

ATTEST:

DocuSigned by:

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Kimberly Corcoran, Clerk of the Board