

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS APPROVING THE DEPARTMENT OF FORESTRY AND FIRE PROTECTION CONTRACTOR CERTIFICATION CLAUSES FOR SERVICES AGREEMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT

WHEREAS, the Milpitas Fire Department responds to emergency incidents in our community and supports requests for mutual aid assistance to Fire Departments in the County of Santa Clara; and

WHEREAS, the CAL FIRE Santa Clara Unit supports the reimbursement of outside agency costs when resources are committed for extended emergent incidents and in support of fire resource draw-down in the CAL FIRE Santa Clara Unit; and

WHEREAS, the mechanism for reimbursement of local fire agencies for the cost of committing to extended fire operations in the CAL FIRE Santa Clara Unit is the Department of Forestry Contractor Certification Clause for Services Agreement, a copy of which is attached hereto as **Exhibit A**; and

WHEREAS, the Contractor Certification Clauses for Services Agreement provides that CAL FIRE will reimburse the costs of fire personnel and equipment for emergency response under assistance by hire for incidents greater than 12 hours in duration.

NOW THEREFORE, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The City Council hereby approves the Department of Forestry Contractor Certification Clauses for Services Agreement attached hereto as **Exhibit A** and authorizes and directs the City Manager to execute said Agreement for and on behalf of the City of Milpitas.

PASSED AND ADOPTED this ____ day of _____, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Rich Tran, Mayor

APPROVED AS TO FORM:

Christopher J. Diaz, City Attorney