


## COUNCIL COMMUNICATION

	Number:	<b>19-023</b>	Meeting:	<b>January 14, 2019</b>
	Agenda Item:	<b>39</b>	Roll Call:	<b>19-0060</b>
	Submitted by:	<b>Jonathan A. Gano, P.E., Public Works Director</b>		

### AGENDA HEADING:

Approving exception to the Procurement Ordinance bid process for good cause and approving Agreement with Trees Forever, Inc., for planting and watering of trees.

### SYNOPSIS:

Recommend approval of Agreement with Trees Forever, Inc. (80 West 8<sup>th</sup> Avenue, Marion, IA, 52302; Shannon Ramsay, Founding President and CEO), at a cost of up to \$200,000 annually, to purchase, plant and water a minimum of 533 trees annually City-wide in Des Moines. If the City provides less than a \$200,000 annual payment, generally the number of trees planted will be based on the number of trees that can be purchased at \$275 per tree. This proposed Agreement provides the same number of trees (533) at the same price as contract planting (\$275 per tree), and the same price for contract watering of trees (\$5 per tree up to 20 times annually) by the City in previous years. This non-profit organization will use their non-profit status to perform fundraising and engage volunteers on a large scale, both of which will increase the number of trees planted and cared for on behalf of the City.

#### Explanation of Good Cause:

Section 2-710(a) of the Municipal Code of the City of Des Moines authorizes the exemption of a procurement without the competitive bid process upon the recommendation of the City Manager and approval of the City Council. The good cause to enter into this Agreement with Trees Forever, Inc. is that Trees Forever will provide additional trees, additional services of mulching and young tree pruning, and a commitment to providing youth employment and empowerment opportunities to Des Moines youth.

### FISCAL IMPACT:

Amount: \$200,000

Funding Source: 2018-2019 Capital Improvement Program (CIP), Page Miscellaneous Improvements 4, MS007 - CTRF, being GO Bonds Issued, and Sanitary and Storm Water Enterprise Funds

### ADDITIONAL INFORMATION:

- Benefits provided to the City above and beyond traditional contract tree planting includes:
  - Additional Trees - Trees Forever goals for fundraising and volunteerism during the term of the 5-year agreement will result in additional quantities of trees. If the City provides

\$200,000 in the City Tree Replacement Fund (CTRF) funds in the first year of the proposed Agreement, Trees Forever will plant a minimum of 533 trees by November 30, 2019. Trees Forever will increase the number of tree plantings annually by a minimum of 10% over the amount of CTRF funding provided by the City, or the prior year's planting, whichever is greater (example: if the City provides \$200,000 CTRF funding in 2020, 586 trees will be planted in 2020, and if the City provides \$200,000 in 2021, 645 trees will be planted in 2021).

- Additional Services - Perpetual mulching and 'training pruning' of young trees are additional services not covered in traditional contractual planting.
- Commitment to Provide Youth Employment and Empowerment - Growing Futures is a new program of Trees Forever, geared to providing economically underprivileged or at-risk Des Moines youth with employment and life skills training.
- The City Manager and Trees Forever may negotiate unit tree pricing (\$275) after the first year of the agreement, if there are fluctuations of unit tree pricing by a minimum of plus or minus 5% in a calendar year.
- Trees Forever will utilize fundraising and volunteer recruitment expertise to expand tree planting efforts in City of Des Moines beyond the capacity of the CTRF.
- Trees Forever, through the Growing Futures program, will improve the environment, employ and develop youth, and assist the City in meeting environmental and societal goals set forth in Guide DSM, STAR Communities, Tomorrow Plan, and Capitol Crossroads.
- Trees Forever has previously provided over 6,500 volunteers, working more than 36,000 volunteer hours, to plant more than 9,500 new trees, a service valued by City of Des Moines at over \$2.3 million.
- Trees Forever has co-taught, with City of Des Moines City Forester, 200 TreeKeeper Volunteers, and citizen tree advocates since 2012.
- City Manager finds Good Cause for Exemption from Procurement Ordinance of the City Code. Public Works has determined that Trees Forever is the only vendor with capacity to satisfy the requirement to purchase, plant and water trees by employing local youth, as well as the only vendor with capacity to raise funds to plant additional trees and provide additional services beyond the limits of the CTRF.

#### **PREVIOUS COUNCIL ACTION(S):**

Date: September 14, 2009

Roll Call Number: [09-1681](#)

Action: Actions to establish a comprehensive system for the consideration of tree removal and the planting of replacement trees in the review and approval of applications for grading permits, site plans, subdivision plats and plats of survey:

- (G) [Adopted](#) Tree Preservation Principles for City Property, Public Improvement Projects and Utilities as the City's policy regarding preservation and planting of trees on City property. ([Council Communication No. 09-663](#)) Moved by Meyer to adopt. Motion carried 5-2. Nays: Hensley, Vlassis.

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the first floor of City Hall, 400 Robert D Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to [cityclerk@dmgov.org](mailto:cityclerk@dmgov.org).