



Date June 17, 2024

APPROVING FIRST AMENDMENT TO ARPA FUNDING AGREEMENT WITH TREES FOREVER, INC. FOR SUPPLEMENTAL TREE PLANTING SERVICES

WHEREAS, on January 14, 2019, by Roll Call No. 19-0060, the City Council approved an Agreement for Tree Planting Services with Trees Forever, Inc. (“Agency”), by which the City engages the Agency to provide the services of purchasing, planting, and watering a minimum goal of at least 533 trees per year on City-owned property in collaboration with the City to ensure those services are directed to targeted areas based on need; and

WHEREAS, on March 11, 2021, Congress enacted the American Rescue Plan Act of 2021 (“ARPA”) to provide relief to combat the continued impact of COVID-19 on the economy, public health, state and local governments, individuals, and businesses; and

WHEREAS, the City received ARPA funding from the Coronavirus State and Local Fiscal Recovery Funds and the City desires to aid nonprofit organizations to address the disparate inequities that impacted the Des Moines community; and

WHEREAS, the Agency seeks to use ARPA funding to supplement its existing work on behalf of the City pursuant to the Agreement for Tree Planting Services between the City and Agency approved on January 14, 2019, by City Council Roll Call No. 19-0060, and extended by City Council Roll Call No. 23-1621 (supplementation herein referred to as “Project”); and

WHEREAS, the Project will serve the public purposes of creating better environmental, economic and social conditions in Des Moines, including improvement of development and employment of youth on their paths to productive adulthood, progress in city-wide economic development, and developing safer, more sociable and cohesive neighborhoods, as well as aiding the mitigation of stormwater runoff and improved air quality; and

WHEREAS, the City desires to expend ARPA federal funds from the U.S. Department of Treasury, OMB Number 1505-0271, titled Corona Virus Local Fiscal Recover Fund, for the Project, pursuant to the ARPA Funding Agreement with the Agency approved on June 26, 2023 by City Council Roll Call 23-0916 (the “ARPA Agreement”), however, the funds to be allocated to the Agency must be reduced to account for separate funding received by the Public Works Department; and

WHEREAS, the Public Works Department, Forestry Division and Trees Forever, Inc. have agreed to this First Amendment to the ARPA Agreement, decreasing the amount of ARPA federal funds to be paid by the City to Trees Forever, Inc. from \$2,500,000.00 to \$800,000.00.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:



Roll Call Number

Agenda Item Number

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Date June 17, 2024

1. The Finance Director is hereby authorized and directed to expend ARPA federal funds received by the City from the U.S. Department of Treasury, OMB Number 1505-0271, titled Corona Virus Local Fiscal Recover Fund, in an amount not to exceed \$800,000.00 in accordance with the terms of the Agreement as amended by the First Amendment.
2. The First Amendment to the Grant Agreement between the City and Trees Forever, Inc. for the Project for a grant not to exceed \$800,000.00, in substantially form on file in the office of the City Clerk, is hereby approved and the Mayor is hereby authorized and directed to sign said Agreement, and the City Clerk is hereby authorized and directed to attest to the Mayor's signature, following approval as to form by the Legal Department.
3. The City Manager and City Forester are authorized and directed to administer said Agreement as amended and monitor compliance thereof on behalf of the City.

MOVED by _____ to adopt. Second by _____.

FORM APPROVED:

/s/ Glenna K. Frank
 Glenna K. Frank
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
COLEMAN				
GATTO				
MANDELBAUM				
SIMONSON				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

CERTIFICATE

I, LAURA BAUMGARTNER, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk