

Date May 19, 2025

APPROVING THIRD AMENDMENT TO AGREEMENT FOR TREE PLANTING SERVICES WITH TREES FOREVER, INC., AND AUTHORIZING CITY MANAGER TO EXECUTE SAME

WHEREAS, in 2010 the City established a City Tree Replacement Fund (“CTRF”); and

WHEREAS, Trees Forever, Inc. is a nonprofit organization with a mission to plant and care for trees and the environment by empowering people, building community, and promoting stewardship; and

WHEREAS, on January 14, 2019, by Roll Call No. 19-0060, the City Council approved an exception to the Procurement Ordinance competitive bid process for good cause, pursuant to Des Moines Municipal Code Section 2-710(a), and approved an Agreement for Tree Planting Services with Trees Forever, Inc. (“Agreement”), authorizing the Public Works Department to engage Trees Forever, Inc. to provide the services of purchasing, planting, watering and maintaining a minimum goal of at least 533 trees per year on City-owned property in exchange for City payment of CTRF funds annually for the purchase and planting of trees at \$275.00 per tree and to water those trees planted annually at \$5.00 per tree up to 20 times in the planting year, and also authorized the City Manager to negotiate and approve changes in unit tree pricing in Agreement years 2-5 by which the planting payment has increased to \$375.00 per tree as of January 2019; and

WHEREAS, on September 16, 2024, by Roll Call No. 24-1266, the City Council ratified the acceptance of an Inflation Reduction Aid Grant Agreement with the U.S. Department of Agriculture, Forest Service, for \$2,500,000.00 of grant funding for the City’s Urban Canopy Expansion Project, and authorized and directed the City Manager to negotiate and approve an amendment with the City’s existing Agreement with Trees Forever to incorporate \$2,200,000.00 of said grant funding and federal grant requirements to the ongoing Trees Forever Growing Futures Program; and

WHEREAS, on November 18, 2024, by Roll Call No. 24-1577, the City Council approved the Second Addendum and Amendment to the Agreement to renew the Agreement through November 30, 2025, using the second renewal option; to increase the per-tree cost to be paid by the City to Trees Forever from \$450.00 to \$525.00; and to amend the Agreement to address Inflation Reduction Act (“IRA”) federal grant funding and additional terms required by the IRA grant; and

WHEREAS, the City Forester and Trees Forever have determined that certain revisions are required to the IRA terms set forth in said Second Addendum and Amendment to reflect the appropriate amount and distribution of IRA grant funding from the City to Trees Forever, and have negotiated the Third Amendment to the Agreement to include said revisions, in form on file in the office of the City Clerk; and

WHEREAS, the Public Works Department Director recommends approval of said Third Amendment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the above-described Third Amendment to Agreement for Tree Planting Services between the City of Des Moines, Iowa, and Trees Forever, Inc., in substantially the form on file in the City Clerk’s Office, is hereby approved, and the City Manager is authorized and directed to execute the Third Amendment following approval as to form by the Legal Department.



Roll Call Number

Agenda Item Number

38

Date May 19, 2025

Moved by _____ to adopt.

Second by _____.

APPROVED AS TO FORM:

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

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SIMONSON				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED		APPROVED		

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

Laura Baumgartner, City Clerk