

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 2022-

RESOLUTION OF THE CITY OF SAN LEANDRO CITY COUNCIL TO APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE A NON-PROFESSIONAL SERVICES AGREEMENT WITH DEVIL MOUNTAIN NURSERY FOR PURCHASING OF TREES FOR THE CALFIRE TREE PLANTING GRANT THROUGH JUNE 30, 2026 FOR A TOTAL NOT TO EXCEED AMOUNT OF \$335,659.47

WHEREAS, on May 2, 2022, the City Council authorized the City Manager to accept a \$1,499,400 grant from CALFIRE's Urban and Community Forestry Grant Program, for street tree planting and outreach work; and

WHEREAS, there are time constraints to conduct a competitive bid process for tree purchasing due to the grant deadlines; and

WHEREAS, Devil Mountain Nursery has provided the City administration with excellent products in tree provision for street trees as an existing vendor for Public Works; and

WHEREAS, San Leandro Municipal Code Section 1-6-315 provides that purchases of equipment, materials, services and supplies determined by the Council to serve the best interests of the City may be made without competitive bidding; and

WHEREAS, a sole source services agreement with Devil Mountain Nursery would benefit the City in meeting Climate Action Plan goals and not require any additional General Fund moneys due to all funds being reimbursed through the CalFire grant; and

WHEREAS, a corresponding appropriation for this proposed agreement is already incorporated into the proposed Fiscal Year 2022-2023 budget; and

WHEREAS, appropriated grant funds totaling \$335,660 must be transferred from the existing Common Vision purchase order to a direct agreement with Devil Mountain Nursery within account 150-12-035-5120; and

WHEREAS, Devil Mountain Nursery has agreed to the terms of the contract pending Council approval; and

WHEREAS the City Council is familiar with the contents of the agreement; and

WHEREAS, the City Manager recommends approval of said agreement.

NOW, THEREFORE, the City of San Leandro City Council does **RESOLVE** as follows:

That the grant funding and subsequent consulting agreement with Common Vision will be reduced by \$335,660 to fund this sole source services agreement with Devil Mountain Nursery; and

That said agreement is hereby approved and execution by the City Manager is hereby authorized.

Introduced by _____ and passed and adopted this 7th day of November 2022, by the following vote:

Members of the Council:

AYES:

NOES:

ABSENT:

ATTEST: _____

Kelly B. Clancy, Acting City Clerk