

AGENDA



Thursday, January 14, 2010

**Planning and Development Review
RECOMMENDATION FOR COUNCIL ACTION**
Item No. 23

Subject: Authorize negotiation and execution of a contract with the Austin Community Foundation (ACF) to manage the Urban Forest Replenishment Fund according to the requirements of the City's Urban Forest Grant Program (UFGP) guidelines in the amount of \$100,000, with automatic annual renewals up to ten years in the amount specified in the City's annual budget.

Amount and Source of Funding: Funding is available in the Fiscal Year 2009-2010 Operating Budget of the Planning and Development Review Department.

For More Information: Michael Embisi, 974-1876; Sylvia Arzola, 974-6448.

MBE/WBE: This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned) Business Enterprise Procurement Program). This contract is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this contract.

Boards and Commission Action: Recommended by Urban Forest Forestry Board.

Prior Council Action: February 28, 2008 - City Council approved a contract in the amount of \$350,000.

The Environmental Criteria Manual states that funds for tree removal may only be accepted after all reasonable tree preservation and mitigation options have been evaluated. These funds are deposited in the Urban Forest Grant Program (UFGP), which was created to mitigate the impact of development on trees. The UFGP enhances the urban forest through projects associated with tree planting, education, public service announcements, award programs, disease control, inventorying, and other related efforts.

This action authorizes negotiation and execution of a contract with Austin Community Foundation (ACF), a non-profit organization, to manage a portion of the UFGP funds. ACF will make UFGP funds available to public or private entities such as individuals, businesses, governmental agencies, academic and private institutions, home owner's associations, and youth organizations.

In February 2008, City Council authorized, and in May 2008 the city entered into a contract, with ACF to manage a portion of the Urban Forest Grant Program Fund and deposited \$350,000 with ACF to be administered under the terms of the contract. Under the 2008 contract, ACF distributed \$100,000 in grants. The parties mistakenly allowed the contract to expire after the first year.

This action will authorize negotiation and execution of a new contract with ACF for management of a portion of the UFGP funds and replenish the original contract amount by depositing \$100,000 with ACF. The contract will be assessed annually to determine proposed allocation amounts.

The advantages of having the Austin Community Foundation manage a portion of the UFGP funds are as follows:

- a. Provides a single avenue for reviewing proposals;
- b. Allows the City to submit proposals for use of the funds;
- c. All costs, including management of the program, will be reimbursed by interest on the fund;

- d. The ACF is experienced in program management;
- e. The ACF's non-profit status would encourage private donations to the fund.