



## Legislation Details (With Text)

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**File created:** 3/12/2018    **In control:** Board of Port Commissioners  
**On agenda:** 5/8/2018    **Final action:** 5/8/2018  
**Title:** RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO AGREEMENT WITH CALIFORNIA TREE SERVICE, INC. FOR AS-NEEDED TREE MAINTENANCE SERVICES, INCREASING THE MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENT BY \$113,000 FOR A NEW MAXIMUM AMOUNT OF \$488,000. FY 2018 EXPENDITURES ARE BUDGETED. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

**Sponsors:**

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**Attachments:** 1. 8. 2018-0106 Attachment A, 2. 8. 2018-0106 Attachment B, 3. 8. 2018-0106 Draft Resolution

Date	Ver.	Action By	Action	Result
5/8/2018	1	Board of Port Commissioners	adopted	

**DATE:** May 8, 2018

**SUBJECT:**

**RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO AGREEMENT WITH CALIFORNIA TREE SERVICE, INC. FOR AS-NEEDED TREE MAINTENANCE SERVICES, INCREASING THE MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENT BY \$113,000 FOR A NEW MAXIMUM AMOUNT OF \$488,000. FY 2018 EXPENDITURES ARE BUDGETED. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET**

**EXECUTIVE SUMMARY:**

The San Diego Unified Port District (District) contracts for as-needed tree maintenance services as a cost effective means to properly maintain one of our most valuable natural resources. This agreement provides for arborist services, nest surveys, tree maintenance, tree removal, palm tree skinning, and pruning of more than 3,000 mature trees located in and around District facilities and public parks. The current agreement with California Tree Service, Inc. (California Tree) expires June 30, 2019.

The District's General Services Department (General Services) is in the process of developing a tree maintenance program to maximize the longevity of the District's trees. As part of the program, General Services is increasing the frequency of tree trimming to align with arborist recommendations, which will ensure that the District's trees are healthy. General Services is requesting to increase funds in this agreement to allow for more frequent trimming of District trees.

General Services staff requests authorization to execute Amendment No. 1 to the agreement with California Tree for As-Needed Tree Maintenance Services, increasing the total amount by \$113,000 for a new total agreement not-to-exceed amount of \$488,000.

**RECOMMENDATION:**

Adopt a Resolution authorizing Amendment No. 1 to the agreement with California Tree Service, Inc. for As-Needed Tree Maintenance Services, increasing the maximum amount payable under the agreement by \$113,000 for a new maximum amount of \$488,000

**FISCAL IMPACT:**

Funds required have been budgeted for in the FY 2019 Preliminary Budget within the General Services' As-Needed Maintenance expense in the amount of \$113,000, subject to Board approval upon adoption of the FY 2019 Budget.

**COMPASS STRATEGIC GOALS:**

This agenda item supports the following Strategic Goals by ensure that trees on tidelands are healthy and do not pose safety hazards.

- A Port with a healthy and sustainable bay and its environment.
- A Port that is a safe place to visit, work and play.

**DISCUSSION:**

The District contracts for as-needed tree maintenance services, including arborist services, nest surveys, tree maintenance, tree removal, palm tree skinning, and pruning, as a cost effective means of properly maintaining one of our most valuable natural resources, which requires specialized tasks and equipment.

On May 10, 2016, the Board authorized a three (3) year agreement, Clerk's Document No. 65037 dated May 29, 2016, with California Tree for as-needed tree maintenance services at various District locations commencing July 1, 2016 and expiring June 30, 2019 in an amount not to exceed \$375,000.

Between 2010 and 2013, the annual tree maintenance budget was reduced from \$225,000 to \$75,000 in response to the District's budget process. Since 2014 tree trimming has been performed when trees visibly appear to need trimming, rather than on a frequency and seasonal schedule that promotes healthy trees. General Services is currently in the process of developing a tree maintenance program to maximize the longevity of the District's trees. This program will allow for a comprehensive inventory of District owned trees, which will be incorporated into the Asset Management Program and provide a better understanding of costs associated with maintaining trees on tidelands.

As part of the program, General Services obtained a certified arborist's recommendation for trimming frequencies of the trees on tidelands. This information allows General Services to create an annual trimming schedule that will ensure that the District's trees are healthy.

General Services is requesting to increase funds in this agreement to allow for compliance with the arborist recommended trimming schedule.

General Services staff requests authorization to execute Amendment No. 1 to the agreement with California Tree for As-Needed Tree Maintenance Services, increasing the total amount by \$113,000 for a new total agreement not-to-exceed amount of \$488,000

### **General Counsel's Comments:**

The Office of the General Counsel has reviewed Amendment No. 1 to the agreement with California Tree Service, Inc., and approves as to form and legality.

### **Environmental Review:**

The proposed Board action to authorize an amendment to an agreement with California Tree Services, Inc. for as-needed tree maintenance services is Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities) and Section 3.a. (12) of the District's Guidelines for Compliance with CEQA because the project in question would involve no expansion of use beyond that previously existing. A CEQA Exemption was previously issued for this project on May 10, 2016. The District has determined none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2). Pursuant to Section 15378(c) of the State CEQA Guidelines, the term "project" refers to the activity being approved, which may be subject to several discretionary approvals of governmental agencies, and does not mean each separate governmental approval. Accordingly, the proposed Board action is a subsequent discretionary approval of a previously approved project. No further action under CEQA is required.

The proposed Board action complies with Section 87 of the Port Act, which allows for the construction, reconstruction, repair, maintenance, and operation of public buildings, public assembly and meeting places, convention centers, parks, playgrounds, bathhouses and bathing facilities, recreation and fishing piers, public recreation facilities, including, but not limited to, public golf courses, and for all works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of any of those uses. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed Board action is consistent with the Public Trust Doctrine.

Finally, the proposed Board action is considered "excluded development" pursuant to Section 8.a. (8) (Existing Facilities) of the District's Coastal Development Permit Regulations because the project in question would involve no expansion of use beyond that previously existing. A "Coastal Act Categorical Determination of Exclusion" was previously issued for this project on May 10, 2016; therefore, issuance of a Coastal Development Permit or subsequent Exclusion is not required for the proposed Board action.

### **Equal Opportunity Program:**

Due to limited known sub opportunities, no SBE goal was established for this agreement.

### **PREPARED BY:**

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**Attachments:**

Attachment A: Agreement No. 55-2016SN with California Tree Service, Inc.

Attachment B: Amendment No. 1 to Agreement No. 55-2016SN with California Tree Service, Inc.