



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 05/06/2025

ITEM NO: 6

DATE: May 1, 2025
TO: Mayor and Town Council
FROM: Chris Constantin, Town Manager
SUBJECT: Authorize the Town Manager to Execute an Amendment to the Agreement for Services with Brightview Tree Care Services, Inc. to Increase the Compensation for Fiscal Year 2024-25 By \$15,000 for a Fiscal Year 2024-25 Annual Amount Not to Exceed \$215,000 and a Total Agreement Amount Not to Exceed \$1,115,000

RECOMMENDATION:

Staff recommends that the Town Council:

- a. Authorize the Town Manager to execute a second amendment to the agreement for services with Brightview Tree Care Services, Inc. to increase the compensation for Fiscal Year 2024-25 by \$15,000 for a total annual amount not to exceed \$215,000 and a total agreement amount not to exceed \$1,115,000 (Attachment 1);
- b. Authorize a budget transfer of \$10,000 from the Annual Unanticipated Repairs Project (CIP 811-9904) to the Streets and Signal Program Budget for emergency work through June 30, 2025.

FISCAL IMPACT:

The Adopted FY 2024-25 Operating Budget includes funding within the Streets and Signals Program Budget (111-5401-62364) in the amount of \$200,000 for tree services. A portion of the increase (\$5,000) will be paid out of the Overlook Road Tree Replacement Project (CIP 813-0244) to pay for the planting of trees that were completed in March 2025. The remaining \$10,000 will be funded by the Annual Unanticipated Repairs Project (CIP 811-9904) to cover emergency work, should it be needed between the time of amendment and June 30, 2025. If no emergency work is required, the funding would remain in the Annual Unanticipated Repairs CIP to be used in accordance with the proposed Capital Improvement Program budget.

PREPARED BY: Nicolle Burnham
Parks and Public Works Director

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, Finance Director, and Parks and Public Works Director

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STRATEGIC PRIORITIES:

Tree maintenance work supports the Town Council's Core Goals of **Community Character** and **Public Safety**. Specifically, the Town street tree program provides environmental benefits by reducing greenhouse gas emissions and reducing the heat island effect. Maintenance of the tree canopy is also critical to public safety by reducing tree failure and thus the loss of trees.

BACKGROUND:

The Town of Los Gatos contracts tree trimming and removal services to maintain the Town's trees in streets and parks. On June 20, 2023, the Town Council authorized the Town Manager to execute a five-year Agreement for Services with Brightview Tree Care Services, Inc. for tree trimming and maintenance services. The original agreement included \$200,000 for year one of the agreement and \$200,000 annually thereafter.

On April 16, 2024, the Town Council approved the authorization to execute a first amendment to the agreement for services with Brightview Tree Care Services, Inc. to increase compensation for FY 2023-24 in an amount of \$100,000 for a total annual amount not to exceed \$300,000 and a total agreement amount not to exceed \$1,100,000 and authorized a revenue and expenditure budget adjustment in the amount of \$100,000 from the tree replacement deposit account.

DISCUSSION:

The proposed amendment will increase the Brightview Tree Service contract by \$15,000 to fund emergency work through the remainder of FY 2024-25, and to pay for the installation of replacement trees along Overlook Road that were installed in March 2025. The FY 2024-25 budget was exceeded through block pruning, maintenance of street trees, and community demand for various services.

As all contract funding for routine tree maintenance was expended by March 31, 2025, staff is proposing the authorization to use up to \$10,000 from the Annual Unanticipated Repairs CIP to fund any emergency tree work required through June 30, 2025. If no emergency services are needed, the funding will remain in the Annual Unanticipated Repairs CIP and be allocated in accordance with the Proposed Fiscal Year 2025-2026 through 2029-2030 Capital Improvement Program Budget.

Funding for the replacement of the trees on Overlook Road was provided through a capital improvement project after the Town funded the removal of 18 eucalyptus trees in 2023. That project included \$40,000 in funding. Staff reduced the projected cost of the work by purchasing the trees directly from a supplier and limiting the contractor's work to installation

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only. As such, only \$5,000 of the allocated budget is proposed for use, with the remaining budget returned to the Tree Fund at the end of the Fiscal Year,

This second amendment also modifies the compensation section of the original agreement to clarify the five-year spending plan for this agreement for services.

CONCLUSION:

With the recommended action, the Town Council would authorize the Town Manager to execute the second amendment to the agreement for services with Brightview Tree Care Services to fund emergency work through the remainder of FY 2024-25 and to fund the installation of trees on Overlook Road.

The agreement with Brightview Tree Care covers a five-year term and staff notes that funding for future years is contingent on budget appropriation for Fiscal Year 2025/26 and beyond.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachments:

1. Second Amendment to the Agreement for Services with Exhibit A