

PUBLIC WORKS COMMITTEE REPORT relative to a transfer of funds from the Public Works Trust Fund (PWTF) for the procurement, planting, and watering of Oak Trees.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. CONCUR with the finding and determination that a reasonable relationship (Nexus) exists for funds in the amount of \$666,926.68 within the PWTF No. 834, Oak Tree Revenue Source Account (RSC 57 4211) when said funds are used for the procurement, planting, and watering of 154 Oak Trees.
2. FIND that:
 - a. The proposed use of fund deposits in the amount of \$666,926.68 when originally collected and received were based on ordinances, policies, and/or codes pre-established by the City to have a "relationship" between the purpose and intended use.
 - b. It is in the City's best interest to implement various Public Works projects and services based on this pre-established "relationship" to serve as a public good.
3. DETERMINE that a Nexus exists and is supported for deposits between the deposit's original purpose/location and use of said funds inasmuch as \$664,032.68 represents available deposits/fees collected post-1989 to fund public works projects and services based on the original deposit/fee intent and nexus to the specified or non-specified project type and location (boundary), and \$2,894 represents available deposits/fees collected pre-1989 to fund Public Works projects and services, which the latter has greater fund use flexibility (no restriction).
4. AUTHORIZE the Director of Accounting, Board of Public Works (BPW), to transfer \$362,183.28 from available funds within the PWTF No. 834/50, RSC 574211 Oak Tree Deposit to the General Fund No. 100/86 for the procurement, planting, and the first year of watering of 154 Oak Trees and increase appropriation account authority, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
001090	Salaries, Overtime	\$288,183.28
003040	Contractual Services	29,000.00
006020	Operating Supplies	<u>45,000.00</u>
	Total:	\$362,183.28

5. AUTHORIZE the Director of Accounting, BPW, to transfer \$304,743.40 from available funds within the PWTF No. 834/50, RSC 574211 Oak Tree Deposits to the Street Services Transaction Fund No. 64C/50, RSC 5188 Miscellaneous Revenue for the watering of the Oak trees over four years after they have been planted.
6. AUTHORIZE the Executive Officer, BPW, to make technical corrections as may be necessary to carry out the purpose and intent of the BPW report dated October 18, 2022, attached to the Council file, and forward requests to the Controller and/or City Administrative Officer as-needed.
7. APPROVE the redistribution of the unknown Council District oak tree funding portion to plant 5 new oak trees in each Council District (CD) Nos. 6, 7 and 8 (15 oak trees total).

Fiscal Impact Statement: The BPW reports that funding in the amount of \$666,926.68 is available within the PWTF (Fund No. 834/50) Oak Tree Deposits Revenue Source Account (RSC 57 4211) for immediate use upon finding and determining that a reasonable relationship (nexus) exist for deposits between the deposit's original purpose/location and use of said funds. If approved and adopted, \$666,926.68 will be transferred to the Bureau of Street Services (BSS) (Dept.No.86) various appropriation accounts listed in this report to plant 154 Oak Trees within CDs 4, 5, 6, 7, 8, 11, and 12. There is no anticipated impact to the General Fund, except for \$3,145.80 to be absorbed by the BSS.

Community Impact Statement: None submitted

SUMMARY

At the meeting held on November 9, 2022, your Public Works Committee considered a BPW report relative to a transfer of funds from the PWTF for the procurement, planting, and watering of Oak Trees.

After an opportunity for public comment, the Committee moved to approve the BPW's recommendations, as detailed above. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

PUBLIC WORKS COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
BLUMENFIELD	YES
LEE	YES
O'FARRELL	YES
HUTT	YES

ME 11/9/22

-NOT OFFICIAL UNTIL COUNCIL ACTS-