

ALAMEDA COUNTY PUBLIC WORKS AGENCY
TREE ADVISORY BOARD ORIENTATION

Wednesday, February 25th, 2004 3:00 p.m.

Conference Room 213

Public Works Building, 951 Turner Court, Hayward

SUMMARY

Attendees: Don Sheppard, Lupe Serrano, Kathie Ready, Dan Gallagher, Inta Brainerd, Steve Jones, Joey Kalofonos

I. Introductions/Announcements

Lupe - no news from Districts 1 and 5 on TAB (Tree Advisory Board) member appointments, has not heard back from Ms. Bates. Representatives from Districts 1 and 5 were invited so that they may explain duties to their appointees.

II. Tree Ordinance/Policy History

With the change over time of communities, people have become more conscious of their urban surroundings. The County's Pilot Policy regarding tree protection became the Tree Ordinance. The TAB has been instrumental in the development of the Ordinance, shaping it to reflect the wishes of the community.

A Tree Coordinator was hired to implement the Tree Ordinance. Revisions to the Ordinance were passed and now the TAB is subject to the Brown Act. There has always been a difficulty getting members from Districts 1 and 5.

The Tree Program transitioned to the Maintenance and Operations department, under Steve Jones who oversees the program. Inta has been instrumental in the language of the Ordinance, public relations, establishing the homeowner's responsibilities and working on a Tree Policies Manual. Inta has previously worked with PG&E and has experience with related issues and Joey provides the program with administrative and technical support.

III. Current Tree Ordinance

Originally passed in May of 2002, the Ordinance called for criminal penalties rather than civil. The Ordinance was revised and passed and went into effect September 23, 2003. A copy has been provided. Forms have been revised to reflect the changes and a media blitz notified the public of the changes in policy. A Policy and Procedures manual will be put together, and the TAB will help shape these policies. Tree Permit Applications have a \$35 application fee that covers a portion of inspection costs & Tree Program costs. Reports including the year-end statistics of the Tree Program in 2003 have been provided. These numbers were reviewed.

Pollarding

Dan – Defining pollarding - it is not defined in the Ordinance.

Inta – Professional standards and guidelines are referred to.

Don – What of the purchase and planting of previously pollarded trees?

Removals and Sidewalk Issues

Kathy – When did 32 trees get removed from San Lorenzo? Were these sycamores?

Inta – Dead, dying and diseased trees get approved for removal for permits.

Kathy – An address on Paseo Largavista has not replanted a tree.

Inta – They are working with PG&E. Of these 31 removed the majority were not sycamores and some were part of tree failures where a permit is issued after the occurrence of failure and removal (to ensure replanting).

Dan – Does the County designate who planted an existing tree?

Inta – County ROW (Right of Way) often extends beyond the sidewalk.

Kathy – When somebody is repairing sidewalk is removal of a tree automatically approved?

Inta – No. Often root pruning is performed. The health of the tree is assessed and all alternatives are evaluated to preserve the tree.

Kathy – \$100,000 was set aside for sidewalk repair for Land Development.

Inta – Ideally root pruning does not have to be performed.

Don – the sidewalk must be of a certain size to be able to be used.

Inta – Several Eucalyptus trees in San Leandro area were removed. Upon inquiry it turns out that the City has ordered rubber sidewalks.

Tree removal on County-owned land

Don – A row of Liquidambar on Center St were removed – 10 or so columnar, beautiful trees.

Every tree in County ROW should be protected.

Inta – Technically a permit is needed.

Lupe – Inta is involved with projects and plantings with other departments and agencies, so that the Ordinance is considered if it occurs in ROW.

Dan – Is there a need or desire to expand the Ordinance to apply to all County-owned land?

Don – County land is not private property, it is public - under the BOS' jurisdiction.

Steve – The Ordinance is not intended for County-owned land.

Dan – If it is up to the BOS we might want to ask them to consider this.

Lupe – Currently if issues come up where County trees are not properly maintained we are informed. We also keep all agencies up to date on the Ordinance.

Trees Protected

Kathy – One reason to protect trees- San Lorenzo is 60 yrs old, designed to have one tree in every front yard. People have moved into the community and removed trees along with the charm. There used to be “tunnels of trees” over the street of San Lorenzo.

A 100 yr old tree was removed for a bike lane off A St. in Hayward – ridiculous.

Dan – Are there additional components of the Ordinance you need added protection written well enough to protect heritage trees? In Oakland *all* trees are protected of certain criteria- on public or private land.

Lupe – The BOS did not want to deal with private property issues, but may come back to the issue in the future with a heritage tree suggestion. It may be necessary.

Dan – There might need to be another Ordinance or an addition to this one.

IV. Tree Advisory Board Member duties/responsibilities

Lupe – The role of the TAB, among other things, is to recommend where the Ordinance needs revisions. The BOS does not give direction. It looks to the County to recommend. The Director of Public Works takes the TAB’s recommendation into account in making a policy decision.

Inta – There is one historical corridor; a moratorium on tree removal exists in Cherryland.

Lupe – CDA determined historical corridors, specifying streets.

Dan – Is there a historical preservation board?

Inta – No. Are there any historical societies in Hayward?

Lupe – No.

Don – The Director has been very supportive but the Ordinance is based on any current Director. It is entirely discretionary.

Dan – Standard issues: maybe there should be a mechanism outside the County employees to balance tree protection and policies.

Steve – That is something for the TAB to make a recommendation on. Future topics: tree management on County owned land.

Steve will be presenting the Tree Program, the Sidewalk Program and the Shopping Cart Program at the upcoming Unincorporated Services Meeting.

Dan- Is there a chairman of the Board? A required quorum?

Inta – Three members make a quorum.

Lupe – We have not had appointees from District 1. We may be approaching those supervisors about filling the positions ourselves.

Kathy – Would like to see this happen. It is difficult to have people of another area making decisions determining another community’s future.

Don – This is not a Homeowner’s Association nor a community group. Anyone who pays taxes can represent and serve in that County.

Lupe – We need to move forward. Make sure TAB members know responsibilities and want to take them on. The delay of nominance has caused the action plan to be delayed.

Dan – Is there any unincorporated area in District 5?

No.

Don – They are not prevented from appointing a person outside their area, however.

Lupe – We are hoping that by the end of the week the position will be filled.

Inta – The Brown Act Training must be scheduled, and we need to appoint a Chair and Vice-chair.

Review of duties.

Section 12.11.250: Tab Board makes decision. In past, TAB made *recommendation* to Director.

Lupe – Because of way Ordinance was written all steps of the Brown Act must be followed.

Don – This is a Tree *Advisory* Board; we always produce *advice* to the Director.

Section 12.11.100A.f. reviewed.

Dan – A vote is not always necessary then, a consensus works, because it is a recommendation.

Lupe – The Director examines the decision/advice of the TAB.

Kathy – Motion for Don to be nominated for Chair.

Dan – Motion seconded.

Don – Rejection of nomination.

V. Other

Brown Act training scheduled for Wednesday, March 17th, 2004.

Dan may be unable to make it to as his wife is due to deliver that day.