

ALAMEDA COUNTY PUBLIC WORKS AGENCY  
TREE ADVISORY BOARD BROWN ACT TRAINING

Wednesday, March 17<sup>th</sup>, 2004 3:00 p.m.

Conference Room 230A

Public Works Building, 951 Turner Court, Hayward

SUMMARY

Attendees: Rick Ruiz, Steve Jones, Kathie Ready, Don Sheppard, Donald G. Nelson, Dan Gallagher, Joey Kalofonos, Inta Brainerd, Lupe Serrano

I. Introductions/Announcements  
Welcome to Donald G. Nelson

II. Brown Act Training

The Tree Advisory Board has existed for two years and was created by the Director of Public Works. Questions came up on whether or not the TAB functioned under the Brown Act. With the revisions to the Ordinance passed, members of the Board of Supervisors appoint members for their districts and so the Brown Act applies.

The Brown Act mostly concerns the TAB in housekeeping aspects that must be observed (e.g. the same meeting place, the same meeting time, a 72 hour notice, meetings on working days only, notice of meeting posted in all County facilities including libraries). A recorder for the meetings is also needed to deal with confidentiality.

Review of Brown Act binder, discussion of closed sessions. Closed sessions are on a case-by-case basis.

III. Establish Tree Advisory Board Procedures

The meeting will take place every 3<sup>rd</sup> Wednesday of the month at 3PM at the Turner Court facility. There will be an established amount of time for each topic. Minutes will be posted on the internet like the BOS meetings – not yet, however, due to limited staffing.

Lupe – Public comment at Unincorporated Services meetings can extend topics.

Donald – Allow a 2-minute probation period after the 3-minute limit.

Don – The City of Hayward meetings have a period for non-agenda items and period for agenda items.

Dan – An open forum at the beginning of the meeting will work best.

L – Write-in comment forms work well. Sample shown.

Re: Appeals

Dan – Questions regarding viewing the site of appeal.

Kathie – A member should be able to visit the site ahead of time if possible.

Lupe – No communication can be made with property owner, however, and one member may not represent the TAB.

Kathie – The San Lorenzo Village Homeowner's Association Board inspects the site for CC&R's.

Inta – Before each appeal, TAB members are provided with a copy of the appeals letter, pictures of the site, and the permit being appealed.

Dan – PRAC in Oakland has a subcommittee that schedules meetings on site before an official hearing, just to view tree and bring commission information. The whole committee visits and even communicates with the property owner.

Don – There has never been a need for site visits. Adequate information is provided.

Lupe – Appeals have been minimal and begun last year.

Inta – Violation appeals are likely to increase. Will look deeper into the appeals process under the Brown Act.

#### IV. Elect Chair and Vice-Chair

Donald G. Nelson nominated as Chair.

Kathie Ready as Vice-Chair.

Inta – The TAB will be instrumental in forming the Policy and Procedures Manual.

Don – Does the TAB still meet when there are not appeals?

Dan – Items to be addressed in future Ordinances could be topics for such times.

Under the Ordinance, the Director may consult the TAB for appeal.

Inta – Will check into language of Ordinance.

Dan – What is the term for a TAB member?

Lupe – 24 months.

Kathie – Has anybody been officially sworn in, except Richard Hancocks, by the BOS to the TAB?

Lupe – No. It is up to each of your Supervisors to submit paperwork and have you sworn in.

Will check w/BOS.

Donald – Commissions always have Christmas get-togethers, will the TAB have one?

Lupe – The County is limited as agencies cannot spend funding on celebrations.

#### V. Other

Dan – Would the TAB vote on appeal in public hearing? Yes.

Don – The Tab offers *advice* to the Director and does not make the decision.

Dan – The Chair must make it clear that the decision is a recommendation and is not final.

Don – Suggestion to hire intern to serve program.

Options explored.

Steve – Goals: to educate the public on the Ordinance, including property owners and the BOS.

Dan – Explore penalties of the Ordinance.

Inta – Will make such a matrix.

#### Heritage Trees

Don – First it must be established if there are any and what qualifies, and where.

Any property owned by the County is public and is not limited to the Tree Ordinance.

The Tab can comment on the maintenance of trees on County property.

Lupe – Creating another Ordinance is an option to resolve such issues.

Dan – A running agenda of items of other such issues must be kept.

Inta – Would eventually like to plan Arbor Days, Tree Plantings, public events, and educational outreach as part of the Tree Program.

Inta – Next meeting will be 1<sup>st</sup> official meeting

Meeting scheduled for Wednesday, April 21<sup>st</sup>, 2004.