

**ALAMEDA COUNTY PUBLIC WORKS AGENCY
TREE ADVISORY BOARD MEETING**

Wednesday, April 21st, 2004 3:00 p.m.
Public Works Building, 951 Turner Court, Hayward
Conference Room 230

MINUTES

Attendees: Rick Ruiz, Steve Jones, Kathie Ready, Don Sheppard, Dan Gallagher, Lupe Serrano, Inta Brainerd, Richard Hancock, Shelisa Jackson

I. Introductions/Public Comments

II. Announcements

- Don Nelson, Tree Advisory Board Chair, will not be attending
- Next TAB meeting will be held on Wednesday May 26th

III. Minutes from March 17th meeting approved by all Board members

IV. Violations Procedures

- Director requests TAB advise him as to how to proceed with the different violations. The ordinance leaves it somewhat open for us to go with the least amount of fine or the highest fine.
- Inta reviews matrix put together for violations procedures
- Work done without a permit: we can fine them for working w/out a permit plus removal of the tree
- “Grant trees” are county maintained trees planted with state grant funds
- How will property owner know if tree is a grant tree?
- Lupe- Most residents will know if they have a grant tree in front of their home unless there has been a change of ownership
- Inta- Trees planted along Castro Valley Blvd. 12 have been damaged so far. Business owners or property owner have decided to top the trees for visibility of signs. County published an article in the Daily Review Saturday informing that we sent each business owner and property owner a specific letter explaining about the grant trees.
- Violations form should be changed to reflect a range or degree of violations to then determine what the fines should be
- Dan- Who decides on what the violations are?
- Inta- TAB would advise and staff will make the final decision
- Rich- How do these options compare to what’s currently being done by staff?
- Inta- Director has asked I work with TAB to determine violations and fines
- Dan- Does money collected from these fines go into a “tree fund” that can be used for tree purposes only?
- Rick- It goes back to the road fund but we can make that recommendation to the Director

- Lupe- It's been recommended to the Director but no decision has been made
- Who can be fined for violations?
- Inta- Civil Penalties Section 12.11230A – “Any person including but not limited to the property owner, the person performing the work and or any other responsible person who violated the provision of this chapter....”
- Inta will put together a more clear matrix and continue at the next meeting
- Dan- Requests staff to give TAB a follow-up to the situation on Castro Valley Blvd

V. Tree Removal Appeal (22123 Hathaway Ave. Hayward)

- Ms. Whiteman chose not to attend but requests that the TAB review her information. Ms. Whiteman applied for a permit and requested to remove northern most ash tree. Her neighbor is threatening to sue her for damage to the sewer line. The tree was inspected and is healthy. Inta issued a work order for Maintenance Dept. to trim up from sidewalk and road to address concerns Ms. Whiteman had regarding vehicles hitting the limbs and pedestrians walking through, and also to remove any dead wood and hangers in the tree. The tree under the ordinance didn't qualify for removal at this time.
- Dan- Move to motion that appeal be denied for removal
- Don- Amend motion to include that information be provided on root pruning and professional pruning practices
- All TAB members in favor of motion

VI. Other

- In last meeting, Don asked a question in regard to trees located in an area such as Fairmont Hospital. County Counsel response did not answer his question to his satisfaction. The question was: “Is this Advisory Board restricted only to matter pertaining to the ordinance?” Inta to follow up and get back to Don.
- Dan- Does the county have the ability to pull a contractor's license or revoke a permit if he's violating an ordinance?
- Inta- County can pull the permit if they have a yearly maintenance permit but beyond that I'm not sure.

Meeting Adjourned

Next meeting is Wednesday May 26th