

**Alameda County Public Works Agency
Tree Advisory Board Meeting**

Wednesday, February 16, 2005 3:00p.m.
Public Works Building, 951 Turner Court, Hayward
Conference Room 230

Minutes

Attendees: D. Nelson, K. Ready, D. Sheppard, I. Brainerd, S. Jones, J. Browne, S. Jackson, Howard Beckman, Al Chamorro

I. Public Comment

Resident Howard Beckman expressed frustration over foot-dragging of the Public Works Agency with the Tree Ordinance and implementation of the program. He wants to make sure the issue of replacement of trees is discussed in today's meeting.

Resident Al Chamorro is here to follow up on the issue of the trees in front of a business on Castro Valley Blvd that was discussed at the last meeting. His concern is that other business owners would do as they want with no consequence.

Inta states that in regard to the Pistache trees on Castro Valley Blvd, we're still in the process of identifying which trees need to be replaced. She'll need to meet with Castro Valley Mac to decide on an alternative tree for replacement.

K. Ready- Was the tenant fined? Can they be fined automatically in accordance with the tree ordinance?

Inta- No, the tenant wasn't fined. We are in the process of getting a consultant who can appraise the trees. We have been pursuing the 'work without a permit' fine, which is \$100.00 but that's all we have at this point.

Discussion ensues around the issue of the fines, tree appraisals, and lack of timeliness in taking care of these problems.

K. Ready suggests that the first item on our next agenda on May 18th be:

1. What's taken place since our last meeting
2. View a copy of the letter sent to the tenant from the Public Works Agency
3. Review the book we go by

S. Jones asks how many Pistache trees need to be replaced on Castro Valley Blvd.

Al Chamorro states there is 6-8. 2 at the location he's concerned with. Other trees are ones that have been removed and not replaced. He will compile a list of trees that need to be planted along Castro Valley Blvd. He will also get contact information for Mac.

S. Jones states the trees should be replaced but is hesitant to put in the same tree because of infection.

J. Browne states that if tree appraisals are needed, he can do them. S. Jones indicates that the agency has used Jim for tree appraisals in the past but we're currently looking for other options for appraisals due to Jim's workload.

II. Announcements

Inta announces that D. Gallagher would not be attending due to a conflicting appointment.

III. Approval of minutes

Minutes from November 17, 2005 approved by Board members.

IV. Follow up Items

A. Tree program numbers

Inta distributes a handout of our Tree Program numbers from 2004, which summarizes how many calls we received and how much we've collected in fines.

There were 3 appeals last year, 2 of which the TAB heard. The first was outside of County jurisdiction. The second was for an extension, which the Director granted. The third was on Romagnolo St. in Hayward where the resident didn't want to replace the tree that was removed. TAB denied the appeal. Resident, BOS, and TAB were notified. Inspection to come. If tree is not replaced, a notice of action will be sent, the County will replace the tree, and the resident will be billed.

B. PG&E Update

Inta distributes copies of letter from PG&E, which was sent to residents in San Lorenzo, regarding line clearance pruning issues. In particular, homes with Sycamore trees, which may have been pruned in the 2001/2002 pruning cycle, were targeted. K. Ready states that her tree was one of the groups but she didn't receive a letter from PG&E. Inta will follow up and will also forward Kathie the list of streets PG&E sent letters to.

H. Beckman- Is restorative pruning based on the initiation of the property owner?

K. Ready- It was agreed on at the PG&E meeting. If the resident feels that the tree needs to be restoratively pruned, they should contact PG&E.

Inta states that they've been meeting with PG&E monthly since August 2004 at the District 3 field office. Restorative pruning has already been done on Via Manzanas. PG&E has paid District 3 for that through a grant.

C. Violations

Inta is pursuing 3 in San Lorenzo. 2-property owners were fined \$100 + \$35 permit fee. Also a contractor fine is \$600, \$500 is from the ordinance + \$100 work without a permit fee. She's also working on compiling a list of 'bad contractors' to distribute to the Homes Association and keep on file.

D. Permit application fees/fines collected for 2004

Inta distributed handout. We've collected \$1000 in contractor fees, \$980 for individual permits, and \$300 in fines.

V. Tree Ordinance Issues

Inta distributed a handout that identifies all the issues we've come across since the start of the meetings. When we first started meeting we decided to keep a list ongoing and bring them back to the Board as they accumulated. These are all issues that the TAB will need to recommend and advise how to proceed and whether or not we will need to revise the Ordinance.

Discussion ensues around revision of tree ordinance and the tree ordinance issues.

D. Nelson suggests we table the ordinance issues until the next meeting

Inta and Kathie state that the bottom line is if we want to go to the BOS and try to revise the ordinance, or if we want to implement the one we have.

K. Ready suggests interpreting and implementing the current ordinance.

D. Shepperd wants to know what the problem is with changing the ordinance each time we need to and asks for issues to be reviewed at least once a year.

It is agreed that the ordinance issues will be reviewed yearly and actions to revise the ordinance will be taken as agreed by staff and the TAB.

VI. New proposed process to handle violations

Inta distributes handout describing proposed procedure for handling violations. There's nothing in our ordinance that specifies what the procedure would be and whether or not there would need to be a hearing. Inta is working with County Counsel to make sure it's in accordance with our ordinance and is waiting to hear back. Kathie motioned to accept and it's seconded that we adopt the new procedure to handle violations. Inta will continue to follow up with County Counsel.

VII. Other

Howard Beckman suggests the TAB meet more often than quarterly. TAB explained that there wasn't enough business to discuss when we were meeting monthly. The meetings are held quarterly at this time, but if Inta receives appeals that need to be reviewed or if there is an urgent matter that needs to be discussed, a meeting will be called.

Al Chamorro inquires on how many calls Inta received regarding trees in the right of way.

Inta- Last year I received 2198 calls on my personal line, not including calls that come in on the main #, or the calls that Joey receives. The calls are usually returned within the week.

Steve Jones states that he's budgeted funds for an outside consultant to do the tree appraisals.

VIII. Wrap up and adjourn

Meeting adjourned at 4:52p.m.

Next meeting scheduled for Wednesday May 18, 2005, 3:00pm.