

Parks and Community Services Department

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**Tree Commission Minutes
September 17, 2020
5:30 p.m.**

Commissioners Present: Larry Guenther-Chair, David Robinson, Tracey DeWit, Lauren Hwang-Finkelman, Colin Walsh, Alternate-Vacant

Council Liaison Present: Gloria Partida

Assigned Staff: Dale Summersille, Parks and Community Services Director
Rob Cain, Urban Forest Manager

Opening Statement

Welcome to the monthly meeting of the City of Davis' Tree Commission.

Members of the Tree Commission are all volunteers and appointed by the Davis City Council.

The Tree Commission provides leadership and guidance to the Urban Forest Manager and to the City Council regarding tree removal and replacement requests.

The Tree Commission provides for the protection, preservation, and enhancement of Davis' urban forest. The Tree Commission is charged to recommend the removal of a City tree on a case-by-case basis for the following reasons:

- Poor health, identifiable diseases, exceedingly slow growth, large scale limb failure and decay;
- Potential for hazardous conditions that are caused by the street tree and cannot be mitigated without the removal of the tree.

The Tree Commission does not have the authority to recommend the removal of a City Tree for its debris, such as leaves, fruit, nuts, pollen, pine cones, needles, etc., nor does it have the authority to recommend the removal of a tree for its potential as an allergen or for solar collector installation per Municipal Code Section 40.38.00. The Tree Commission does not have the authority to remove a tree if it is healthy.

All Tree Commission decisions can be appealed to the City Council for their consideration.

Approval of Agenda:

Motion to approve the agenda was made by Robinson, seconded by Hwang-Finkelman.

Approved: 5-0

Approval of Minutes:

Motion to approve the minutes for August 20, 2020 was made by Robinson, seconded by Hwang-Finkelman, with correction to a typo in motion 2 of the Bretton Woods item.

Approved: 5-0

Motion to rescind minute approval for a correction and cure was made by DeWit, seconded by Walsh.

Approved: 5-0-1, Robinson abstained

Motion to direct staff to correct the Commission Work Plan item to reflect the public comments for the item and to bring the minutes back to the October Commission meeting for approval was made by Guenther, seconded by DeWit.

Approved: 5-0

Commissioner and Staff Comments:

Staff informed the Commission that Tree Davis will begin planting for the Cal-Fire Proposition 68 grant in October. They will begin planting in parks this year and will start at Baravetto Park on October 10th. This planting is a training planting for team leaders, who will lead future tree plantings for the grant.

Guenther thanked staff and the Commissioners for all the help with last month's meeting, especially with the Bretton Woods item.

Robinson asked about any wind damage from the recent high wind events.

Public Comments:

Alan Hirsch made the following public comments:

- I am requesting a cure and correct for the August minutes as the work plan item minutes has missing parts of the discussion.
- City Council approved the University Mall project with no tree mitigation. The trees were in poor condition due to poor maintenance and neglect. The project shows the lack of enforcement by the city for development agreements and no consequences for violations by developers.
- No construction protection for trees at projects throughout the city.
- Target is still in violation of parking lot standards. Trees are easy to plant but hard to establish.

Public Comment

Deborah Burnett made the following public comments:

- Against the tree removal at 1907 Alameda. I sent an email as well. I also sent a notification to next door. No obvious impacts to the house and cannot see type of damage being caused by the tree.
- The tree is a mid-block anchor and please read the email sent to the Commission.
- Reason for the tree removal is not stated on the notice. Advise the Commission to add this to the tree notice.

Dennis Wyss commented about the tree removal at 1905 Humboldt Avenue. He thanked staff with getting the item heard by the Commission and is in favor of having this tree removed so that his driveway can be repaired.

Regular Items:

A. Street Tree Removal Requests were discussed with the following actions taken:

Location

1. 1424 Yukon Street

Tree Species

Bradford Pear

Moved by: Robinson

Seconded by: Walsh

Motion: Due to the continuing limb failures and poor tree structure, remove the tree and plant a replacement tree.

Motion Passed: 5-0

2. 1905 Humboldt Avenue

Chinese Tallow Tree

Moved by: Hwang-Finkelman

Seconded by: Robinson

Motion: Due to the tree being planted directly on top of the main water line and irreparably damaging root pruning for driveway installation, remove the tree and plant a replacement.

Motion Passed: 5-0

3. 1907 Alameda Avenue

Moved by: Robinson
Seconded by: Hwang-Finkelman
Motion: Retain the tree as it is in good health. Property owner can proceed with the driveway repairs, as directed by the Tree Commission in 2013, and to root prune the tree as necessary to make needed property repairs. Grant staff authority to remove the tree if the root pruning will be detrimental to the tree or render it unstable. Direct staff to prune the tree for branch end weight reduction to reduce the likelihood of limb failure and to improve branching structure.

Motion Passed: 5-0

4. 107 Faro Avenue **Moraine Ash**

Moved by: Robinson
Seconded by: Hwang-Finkelman
Motion: Due to the root decay and mistletoe, follow staff recommendation to remove and replace the tree.

Motion Passed: 5-0

5. 310 11th Street **Bloodgood London Plane**

Moved by: Robinson
Seconded by: Hwang-Finkelman
Motion: Due to the poor tree growth and leaf disease infections, follow the staff recommendation to remove and replace the tree.

Motion Passed: 5-0

6. 1012 D Street **Siberian Elm**

Moved by: Robinson
Seconded by: De Wit
Motion: Due to the continuing limb failures and associated limb decay, follow the staff recommendation to remove and replace the tree.

Motion Passed: 5-0

7. 1714 Haussler Drive

Moraine Ash

Moved by: Robinson
Seconded by: Hwang-Finkelman
Motion: Due to the main stem cavity and associated decay, follow the staff recommendation to remove and replace the tree.

Motion Passed: 5-0

8. 2513 Lafayette Drive

Aristocrat Pear

Moved by: Walsh
Seconded by: De Wit
Motion: Due to the continuing limb failures, follow the staff recommendation to remove and replace the tree.

Motion Passed: 5-0

9. 1814 Oleander Place

Carob

Moved by: Hwang-Finkelman
Seconded by: Walsh
Motion: Due to the irreparable damage to the tree's root system to perform wall and stair repair, follow the staff recommendation to remove and replace the tree.

Motion Passed: 3-2, Robinson, Hwang-Finkelman, Walsh-Yea; DeWit, Guenther-Nay

Hwang-Finkelman moved to rescind the initial vote for removal.

Rescind motion seconded by: Guenther with a friendly amendment to agendaize the tree at the next Tree Commission meeting.

Motion: Rescind the previous vote and reconsider the item of the Carob tree at the next Tree Commission meeting.

Motion passed: 4-1, Walsh Nay

10. 1132 Petra Court

Canary Island Pine

Moved by: Walsh
Seconded by: DeWit
Motion: Due to the severe lean and growth habit, follow the staff recommendation, to remove and replace the tree.

Motion Passed: 5-0

11. 3031 Prado Lane

Aristocrat Pear

Moved by: DeWit
Seconded by: Walsh
Motion: Due to the continuing limb failures, follow the staff recommendation to remove and replace the tree.

Motion Passed: 5-0

12. 515 Sycamore Lane

Holly Oak

Moved by: Guenther
Seconded by: Hwang-Finkelman
Motion: Direct staff to request a voluntary right-of-way expansion onto the neighboring property to move the sidewalk around the tree. If property owner denies voluntary expansion grant staff authority to remove the tree and plant two replacement trees in the same area. The replacement trees should be a species appropriate for the limited growing space.

Motion Passed: 5-0

B. Informational Street Tree Removals

The following trees were removed due to being in an imminently hazardous condition:

<u>Location</u>	<u>Tree Species</u>	<u>Reason</u>
5 th Street x Via Verde Terrace	Aristocrat Pear (2)	Dead tree
527 Miller Drive	Aristocrat Pear	Dead tree
616 Adeline Place	Moraine Ash	Dead tree
624 Adeline Place	Moraine Ash	Dead tree
712 Radcliffe Drive	Honey Locust	Dead tree
723 Bianco Court	Moraine Ash	Dead tree
723 M Street	Modesto Ash	Split tree
1130 Auburn Drive	Raywood Ash	Dead/splitting tree
1306 Alder Place	Moraine Ash	Dead tree

B. Informational Street Tree Removals

The following trees were removed due to being in an imminently hazardous condition:

<u>Location</u>	<u>Tree Species</u>	<u>Reason</u>
1501 Madrone Lane	Modesto Ash	Dead tree
1865 Lehigh Drive	Modesto Ash	Dead tree
Alhambra Drive x San Miguel	Aristocrat Pear (2)	Dead trees
Chestnut Park	Chinese Hackberry	Dead tree
Russell Blvd x Eisenhower St	Black Walnut	Dead tree
33 College Park	Modesto Ash	Decaying tree

C. Work Plan Review

The Commission reviewed the draft 2020 work plan and agreed to take more time to review the plan and return the item to the October 15, 2020 meeting to finalize projects, assign projects and determine the timelines for the projects.

Commissioners discussed:

- Adding some public education projects
- Investigating possible joint commission meetings with the Natural Resources Commission and the Open Space and Habitat Commission
- Investigating the potential for a Tree Commission Face Book page
- Continuing the partnership with Tree Davis

The Commissioners directed staff to investigate the possibility to have 2x2 meeting with the Natural Resources Commission regarding the parking lot shade guidelines for the tree ordinance and with the Open Space and Habitat Commission to discuss native plant use for tree plantings.

Commissioners thought it important to continue seeking involvement with the community and other special interest groups to increase the awareness about the community forest and its care.

Commissioners directed staff to update the work plan with the added projects and to assign rankings to the projects for importance of taking on the projects.

Public Comment

Alan Hirsch made the following public comments:

- Commissioners should ask themselves as a volunteer what can I do.
- Changes come through the policy and oversight by the Commission and it should be taken as serious as the weed ordinance.
- There is lack of oversight of the development agreements within the city and not pushed to enforce the agreements.
- Commission should focus on accountability and enforceability of policies.

D. Tree Commission Appointments

The Commission discussed the possibility of gaining the ability to appoint interim Commissioners when vacancies arise prior to City Council commission appointments.

Commissioners discussed the process for getting this authority granted from City Council and what the process would be for the interim appointments.

The possibility of granting interim appointments after three months of a vacancy was one option suggested and then after a six-month vacancy, the interim commissioner would be made a regular member with City Council having the authority to remove during the regular commission appointment cycle.

Commissioners concerned as the Tree Commission currently has three vacancies and appointment will not be made until January.

The Commission also suggested City Council make commission appointments two times per year instead of the current once a year cycle.

City Council Liaison Partida commented that the City Council would have an opinion on the item and suggested staff contact the City Clerk about the rules and process for allowing Commissions to make their own interim appointments.

Partida also commented that City Council can recommence commission appointments if needed to fill commission seats if the commission cannot function with the current vacancies.

Public Comment

No public comment was given for this item.

A motion was made by Guenther to direct staff to request information for the possibility of giving Commissions authority to appoint interim Commissioners between times when the seat becomes vacant and the City Council makes commission appointments.

Seconded by: DeWit
Motion passed: 5-0

Commission and Staff Communications:

A. Topics for Next Meeting

- 1) Work plan
- 2) Draft tree ordinance update
- 3) Commission initiative proposal

Public Comment:

Alan Hirsch commented that the Commission should be sent the draft ordinance as soon as possible and that the enforcement of the ordinance is of the utmost importance. This is a once in a generation chance to change the ordinance.

Adjournment: Meeting adjourned at 10:30 p.m.; moved by DeWit and seconded by Hwang-Finkelman.

Next Meeting: October 15, 2020

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