

Alameda County Public Works Agency
Tree Advisory Board Worksession
Wednesday, July 20, 2016
Public Works Building, 951 Turner Ct., Hayward
Room 230

MINUTES

MEMBERS PRESENT: Chair, Dan Gallagher; Kathie Ready; Don Nelson; Walt Fujii; and Vice-Chair, Dee McDonough absent

OTHERS PRESENT: Inta Brainerd; Kathy Lee; Jim Browne; Kwablah Attiogbe; Daniel Woldesenbet; Amanda, Tse; Richard Hancock; Steve Kirk; Karina Rivera (District 3); and Susan Kleebauer (SLVHA)

CALL TO ORDER: The Vice Chair called the meeting to order at 3:10 p.m.

I. ANNOUNCEMENTS:

- Reminder that August's meeting has been postponed to September 21st.

II. UPDATE REGARDING STATUS OF TAB HEARINGS AND STATUS OF VIOLATIONS:

- Inta presented a PowerPoint presentation to the TAB.
- Inta explained how to read the excel spreadsheet and went over a few locations.
- Inta to forward spreadsheet to TAB members by email.
- Walt inquired about several of the assessed large fines (Via Valencia, Via Buena Vista, Via Sarita).
- Inta pointed out the fines on the spreadsheet that were assessed by TAB and then lowered by the Director upon appeal.
- Discussion ensued regarding the role/responsibility of the TAB. Tab thought they had final say but the Director has the final say. The Director would like to reverse that role and give TAB the final say. Kathie expressed that she prefers the Director to have final say.

III. TREE ORINDANCEN REVISIONS WORKSESSION:

- Inta presented 3 fine options to the TAB and a flowchart showing the fine process.
- Kathy expressed concern that if a violation goes to the BOS the BOS will not enforce.

- Dan expressed TAB's concern that the modifications do not meet the spirit of what TAB wants "to prevent people taking actions in violation of the ordinance."
- TAB wants to be able to assess fines in direct correlation to the violation.
- TAB feels the revisions protect the County by reducing risk even though no one has taken the County to court.
- The Director pointed out that the TAB represents the community and should be sympathetic/fair. He wants to give TAB more authority.
- Dan summed up that the TAB's concerns are regarding the fine structure and the goal is to establish a good ordinance.
- It was clarified that civil fines require the BOS to approve recommendation to take to court whereas administrative abatement would go to BOS only for approval if a hearing was requested.
- Dan closed this portion of the agenda in the interest of keeping on schedule.

IV. PUBLIC INPUT:

- Steve Kirk said that Inta was wrong regarding TAB hearing appeals for violations and cited 12.1 Section F. He also added that the fine for \$13,000 was not true since ½ of the fine was assessed to the contractor and never followed up on. He stated that PWA does not inspect tree but rather uses google earth. He concluded that all violations should go before the TAB.
- Susan Kleebauer pointed out that Section C was completely removed. She also asked if the misdemeanor was punishable as a civil action not just administrative.
- Inta responded that the section was removed because the County was not able to enforce since the responsibility lay on the homeowner to inform their homes' association.

V. WRAP AND ADJOURN: Meeting adjourned at 5:02 p.m.