

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

Wednesday, May 26, 2004 3:00 p.m.  
Public Works Building, 951 Turner Court, Hayward  
Conference Room 230

**MINUTES**

**Attendees: Donald Labelle, Steve Jones, Don Nelson, Kathie Ready, Don Sheppard, Dan Gallagher, Lupe Serrano, Inta Brainerd, Shelisa Jackson**

**I. Introductions/Public Comments**

**II. Announcements**

- Inta – Donald Labelle, PWA Director, will be speaking
  
- Don Labelle – The County had an engineering concept as what things should be among right of ways up until around the late 1980's. We did not have at that time anything other than a Caltrans standard for construction of roads. So any landscaping in medians or trees along parkways were not eligible for approval (unless it was 100% local money). The community desired trees along the parkways and residential areas. We worked with Caltrans to get an urban design standard modified for projects like Redwood Road and Five Canyons Pkwy. We went one step further and applied for urban forestry grants for areas like Fairmont Drive and Castro Valley Blvd. We've made changes within the agency with regard to our tree and sidewalk maintenance procedures. The county had a problem with PG&E cutting and pruning trees. The board established a tree policy that was designed to protect trees and an Urban Pkwys program that established urban design concepts along Five Canyons, C.V.B., and Redwood Rd. This was established to blend the unincorporated area in as a "livable community". With more problems with PG&E cutting trees, the community convinced the board to establish the Tree and Sidewalk Ordinances, which are to protect the right of way and establish responsibility. We're having a problem with residents getting permits before they do work. That's where the TAB comes in. We need an approach to implementation for getting the information to the community so they call before they prune, get a permit before they prune. Public Works has changed its maintenance procedures over the last few years. We now have a licensed Urban Forester who works in the Environmental Section and we have Inta as an Arborist who can go out and assess the health of trees. We've modified our maintenance program. We reclassified laborers to gardeners who go out and help maintain vegetation and landscaping. We have a vision for the quality of life for the unincorporated area and that's what we're trying to accomplish with the TAB's assistance.

**III. Minutes from April 21st meeting approved by all Board members**

#### IV. Violations Procedures

- Inta – I mailed each board member a packet which included the Violations of Alameda county matrix. When I put this together I took into consideration what the board recommended from the last meeting.
- Inta - If there's a violation and property owner doesn't respond after we send three letters and a notice of action, we'll have our contractors complete the work and bill the property owner.
- Dan – Will that bill then become a lien?
- Inta – It will become like not paying any bill with the county.
- Dan – Would that be required to be written in the ordinance under the penalties section.
- Don L. – I think that's covered under the ordinance.
- Dan – I think the bill should go on a separate tax statement and not be directly attached to the house.
- Don L. – We should look into that and make sure.
- Don S. What exactly are we (TAB) being asked to do with this matrix?
- Inta – To recommend to the Director on how to proceed with the penalties and fines.
- Don S. – I think the matrix doesn't allow any give for particular situations.
- Dan – Would we be pigeonholed or would this be a recommendation?
- Inta – It would be a recommendation on how to proceed. In my opinion there's a lot of gray area. This is not necessarily set in stone but just guidelines as how to proceed with the penalty.
- Don L. – The matrix is a template for the arborist to use in making the initial damage assessment and recommendation. If the person who receives it doesn't like it, they'll appeal to me and I'll ask you (TAB) for advice.
- Dan – So it wouldn't restrict your professional judgment?
- Inta – No, it's generic enough, and will be used in conjunction with the inspection checklist.
- Don N. – Have you contacted other counties to find out what their make up is on this sort of thing?
- Inta – I've contacted just about every one in our area and they say they have tough language but don't support it.
- Kathie – I think we need to do something; we need to enforce the ordinance. Whatever it takes to enforce the ordinance, we need to get started on it.
- Dan – I would move the matrix be approved with minor changes. Just to define what some of the terms are in detail. With those modifications I move to approve.
- Don N. – Motion to adopt the Violations Penalties and fines as shown.
- Don S– No we don't approve these violations and fine, we approve the guidelines.
- Don N. – Correction. Motion Carried.
- Dan – What is the cost for an appeal?
- Inta – Appeals to the Director are \$25 and to B.O.S. is \$50.
- Dan – Is that up for revision any time soon? I would suggest those fees are much to low.
- Inta – I had a hard time getting answers on what other agencies charge. I'll look into it.

- Dan – As I asked in the last meeting, can the funds from these fines be put into a separate account to be used for tree purpose only?  
Inta – That was my request from the beginning. As to whether the money will be accessible for the tree program, I'm not sure.

## **V. Recurring Items:**

- Violation Follow up:
  - At this point we have 26 outstanding violations that have all been pending these guidelines and now I can proceed with them. I've also provided you with an ongoing violation inspection right now on Via Alamos.
  - Dan – So in the future we could expect that using our guidelines, we would only be tasked with reviewing those that are appealed?
  - Inta – Yes.
  - Inta – We have been in touch with the business owners and property owners on Castro Valley Blvd. to educate them about the ordinance and how to obtain permits. Lupe and I have also been working on tree door hangars for San Lorenzo. We've also worked on flyers that we will be passing out.
  - Dan – How will the door hangers be distributed?
  - Lupe – We contract with the EBCC and we still have time on the contract so we could use them.
  - Dan – Has the text been approved and all ready to go?
  - Lupe- They're ready to go but if you want to look at it you can.
  - Dan – That would be great if you could bring one to the next meeting

## **VI. Other**

Meeting adjourned

Next Meeting is Wednesday June 16th