

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

Wednesday, September 19, 2007
Public Works Building, 951 Turner Court, Hayward
Conference Room 230

MINUTES

MEMBERS PRESENT: Chair, Kathie Ready; Vice-Chair, Don Sheppard; Dan Gallagher

MEMBER ABSENT: Dee McDonough and Donald G. Nelson

STAFF PRESENT: Inta Brainerd, Arborist; Steve Jones, Supervisor; and Angela Leddell, Clerk

OTHERS PRESENT: Ming Feng; Judy Jung, Interpreter; Raul Haro, La Canada Tree Service; Dan Epperly, Pet Food Express; Malalai Sherzad.

CALL TO ORDER: Chair Ready called the meeting to order at 3:00 p.m. There were approximately five people in the audience.

I. APPROVAL OF MINUTES: - May 16, 2007 and June 27, 2007 work session
Vice-Chair Don Sheppard made a motion to approve minutes of June 27, 2007 and May 16, 2007. The motion was seconded by Mr. Dan Gallagher. Motion carried 3/0/2 with Ms. Dee McDonough and Mr. Donald G. Nelson excused.

II. PUBLIC COMMENT: – None

III. ANNOUNCEMENT: – None

IV. HEARINGS:

18850 Redwood Rd, Castro Valley – Continued from May 16, 2007 Meeting.

Staff presented background information including a prior request to remove two Deodar Cedar trees. The request was denied because the trees were healthy and in fair condition. Staff recommended that the trees be pruned to alleviate concerns and improve branch structure. On January 22, 2007, it was noted in the field that one of the trees had been removed. The property owner was mailed a notice of violation. Mr. Gianopoulos, property manager, responded in writing and reported that he removed the tree due to major limb failure.

Mr. Gianopoulos, the property manager, and the owner were not present at this meeting not did they respond to the hearing notice.

RECOMMENDATION:

Mr. Dan Gallagher made a motion to fine the owner \$600.00, remove the stump and replace the tree with a 24 inch boxed tree (species to be approved by the County arborist). The Tree Advisory Board will require that this tree be maintained as a permanent part of

the landscape in the County road-right-of-way. The motion was seconded by Vice-Chair, Don Sheppard. Motion carried 3/0/2 with Ms. Dee McDonough and Mr. Donald G. Nelson excused.

17492 Via Estrella, San Lorenzo – *Mr. Sanchez out of town. He requested postponement due to death in his family. Postponed to November's meeting.*

2070 Bockman Rd, San Lorenzo

Staff presented background information including previous requests for removal permits in March 2005 and again in October 2006 – Request was denied. Staff recommended that the tree could be pruned to alleviate any concerns. The property owners, Mr. and Mrs. Sherzad, were mailed contractor information and a tree permit application.

Staff noted in the field that a contractor was performing work on a Koelreuteria tree at his address without a permit. Staff called the owner and asked that work be stopped. Owner complied with the request and no further pruning was observed.

Mrs. Sherzad, property owner, reported that her home had been burglarized prior to the tree pruning. The responding officer advised her to remove several hedges and to prune the tree back in order to make her side yard more visible and safe. Out of fear she responded immediately to his suggestions and didn't think to get a permit.

RECOMMENDATION:

Mr. Dan Gallagher made a motion that no fine be levied against the property owner, and a warning of any future work will be in accordance with the ordinance. The motion was seconded by Vice-Chair, Don Sheppard. Motion carried 3/0/2 with Ms. Dee McDonough and Mr. Donald G. Nelson excused.

3385 Castro Valley Blvd, Castro Valley – Pet Food Express

Staff received information that several Pistache trees in front of Pet Food Express had been severely topped. Two grant trees and two private trees had been pruned for sign clearance.

Dan Epperly, VP of Operations, from the corporate office responded that he had hired a landscape company to clear the signs but did not specify that the two street trees remain untouched. Pet Food Express took full responsibility for pruning the County trees.

RECOMMENDATION:

Mr. Dan Gallagher made a motion to fine the business \$1500.00 per tree (three times the \$500.00 value), for a total of \$3000.00 for both trees. He felt the value was justified as the owner and store had been previously notified for violating the ordinance. Furthermore, the County will continue to incur costs associated with the necessary reconstructive pruning. The motion was seconded by Chair, Kathie Ready. Motion carried 3/0/2 with Ms. Dee McDonough and Mr. Donald G. Nelson excused.

17256 Via Del Rey, San Lorenzo

In June 2007, staff received information from the San Lorenzo Village Homes Association (SLVHA) who reported that a pine tree was being removed. The SLVHA

representative spoke to the unlicensed tree trimmer, possibly a family member, and requested that they cease any further work on the tree. In July 2007, staff determined that this tree had been severely damaged and that 75% of the canopy had been removed. The property owner was mailed a notice of violation.

Interpreter, Judy Jung, responded for the owner and indicated that in 2006 the tree had dropped several limbs. The property owner said that he had no knowledge that a permit was required for tree pruning within the County road right-of way and was just trying to make the tree safe.

Discussion ensued between Chair Ready and Mr. Feng over his responsibility as a property owner. The Tree Advisory Board (TAB) advised the property owner that improper pruning damages trees. Following brief comments from the TAB and the Arborist concerning the value of the tree, the TAB took into consideration that the tree had not been maintained before Mr. Feng purchased his home.

RECOMMENDATION:

Chair Kathie Ready made a motion not to fine the owner \$4100.00 on the loss of this tree, but require the owner: Pay the appraisal fee which is between \$600 & \$800; remove the tree; grind the stump; and replace the tree with a 36 inch boxed London Plane "Columbia" tree. The Tree Advisory Board will require that this tree be maintained as a permanent part of the landscape in the County road-right-of-way. The motion was seconded by Mr. Dan Gallagher. Motion carried 3/0/2 with Ms. Dee McDonough and Mr. Donald G. Nelson excused.

17775 Via Toledo, San Lorenzo (La Canada Tree Service – Contractor)

Staff received information from the San Lorenzo Village Homes Association (SLVHA) that a tree was in the process of being pruned without a permit. It was reported that the pruning was minor and that the tree was still in fair condition. Following the report, staff examined the Zelkova Elm tree on January 30, 2007 and noted that the tree had been severely topped and the entire canopy had been removed. In response to a violation notice the property owner explained that the tree was pruned by La Canada Tree Service, a licensed company and that she had not requested the tree to be topped. La Canada Tree Service was mailed notice of violation on March 14, 2007, April 3, 2007 and July 10, 2007. No response was received from La Canada Tree Service.

Raul Haro, owner of La Canada Tree Service, stated that his crew pruned the tree to develop a nice canopy and that all the cuts were roughly 1 inch in diameter or less (requiring no permit). He further reported that after he left the premises the property owner indicated she was displeased with the first pruning and asked his crew to perform more extensive pruning. Mr. Haro was not present during the second pruning. He indicated that the second pruning severely damaged the tree.

Discussion ensued amongst the TAB, staff and Mr. Haro about who owns the tree and concerns regarding the extensive pruning. Mr. Dan Gallagher asked Mr. Raul Haro if he misrepresented himself to the property owner as having a permit with the County. Mr. Haro replied that he did not.

RECOMMENDATION:

Chair, Kathie Ready made a motion to postpone this hearing until the next meeting. Chair indicated that both Mr. Haro and the property owner, Ms. Ana Delafuente, should be present. The motion was seconded by Vice-Chair, Don Sheppard. Motion carried 3/0/2 with Ms. Dee McDonough and Mr. Donald G. Nelson excused.

Staff Announcements, Comments and Reports – 87 Corte Eulalia and 1312 Via Nube, San Lorenzo

- The TAB received updates that all work was completed, and the permits have been closed.
- The fines have been paid in full.

V. WORK SESSION:

- Postponed work session until January 16, 2007 (tentatively)

VI. REGULAR MEETING:

- Tentative date February 21, 2008 at 3:00 p.m.

VII. WRAP UP AND ADJOURN:

- Meeting adjourned at 4:25 p.m.