

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

Wednesday, July 21, 2004 3:00 P.M.  
Public Works Building, 951 Turner Court, Hayward  
Conference Room 230

**MINUTES**

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

**I. Introductions/Public Comments**

**II. Announcements**

**III. Minutes from June 16th meeting approved by all Board members**

**IV. Permit Fee Exemptions (Staff and TAB Members) *See Attachment***

- Inta - If TAB is interested I could put together a presentation for the next meeting.
- Motion carried to exempt county mandated work by TAB

**V. Follow Up Items: (that need to be reported back to the TAB)**

**-Violations**

- Inta - I am going to look into talking with County Council about changing letter and giving them 3 options. Dig up the tree and move it, buy a new tree and put it into the right of way, or to sign waiver that would give the County jurisdiction over the tree.
- Steve - There are two accounts that are set up in the fiscal dept. in which to use for fines and application fees. When we collect monies for these we can use the money in that geographical area.
- Dan - Are the accounts restricted? Only used for tree purpose, designated use.
- Steve - We can use them for tree related projects, but I'm not sure if they're that restricted. They are Urban Forestry related funds.
- Don N. - Is there auditing done on this?
- Lupe - I'm sure we'll be required to keep records, but I'm not sure about the county auditors office.
- Don N. - Do we have a dollar figure for each account?
- Steve- \$200 in fines account, I don't have a \$ amount for the applications account.
- Dan - Would we need the county supervisors approval to access these funds?
- Inta - We would need Don Labelle's approval.
- Don N. - If someone is fined, do they pay the fine then the appeal?
- Inta - I'm currently working on a flow chart of what the appeals process will be and will hopefully have one by next meeting.
- Kathie - What's the county doing to push PG&E to give us our money for damaging trees in San Lorenzo? This happens year after year. Maybe Don Labelle can put

- some pressure on the Board of Supervisors to go forward with this. Is it possible for Don to write a letter to PG&E informing them that their contractor permit will be revoked if some type of resolution has not been reached within a certain period of time? Several attempts have been made to recover money for the restoration of the trees.
- Don S. - Suggests putting an article in the paper. Use the media to put pressure on PG&E.
  - Inta - Gordon Galvin is head of Public Relations at PG&E.
  - Dan - Suggests writing a letter to Gordon documenting events and costs for restoring trees.
  - Inta - I'll be rewriting guidelines created in response to PG&E and the tree-trimming problem.
  - Dan – Sounds like our only strength is to issue notification that they will not be issued a permit until they resolve the problem.
  - Inta- If money is collected from PG&E, it's supposed to pay for the flyers we're putting out in San Lorenzo regarding planting, trimming of trees, permits, etc...
  - Dan – Requesting bullet notes of everything that is to be pursued before the next meeting (an action plan for each issue).
  - Inta – Lupe will talk to Don L. tomorrow in one on one meeting about:
    - PG&E has not come through with commitment to pay \$25k to San Lorenzo Homes Association.
    - Kevin Dowling has made many attempts to resolve issue
    - Discuss different options available to see which direction we should go from an agency perspective.
  - Inta – Will ask about the Statute of Limitations when I talk with Ray.
  - Inta – We had one violation last month and a couple of permits out of compliance. We have language in our ordinance that allows us to complete the work and bill the property owners. I had issued 3 work requests where we will be purchasing and planting the tree and then billing the property owners.

### **-Ordinance Adjustments**

- Inta - suggest removing “ordinance adjustments” as a follow up item and rather keeping a record of proposed changes. When we have a significant amount I'll bring them back to the TAB and revisit them to determine whether to go to the Board of Supervisors to change the ordinance.
- Inta - Last meeting Dan had a question regarding liens and how that works. The uncollected funds are turned over to fiscal who then submits it to central collections. If the bill is not paid within 5 years, the property owner runs the risk of foreclosure. The property owner can work with central collections to have the lien applied to the tax bill. If the lien is not collected then, it will be collected when the property sells. My understanding is that it will continue to accrue interest.
- Dan - Is there a tracking mechanism?
- Inta - Not sure, it's a different agency, but will look into it.
- Dan - Will our ordinance still follow that same process for unpaid fines?

- Inta - We send a copy of the letter with the fine and ask the property owner to include the letter with the check when they send it back so that they can track it. When it's paid, I write in my spreadsheet that it's paid. Not sure about larger fines that are collected, but it may go directly through fiscal.
- Lupe - We need to double check with Central Collections and Tona Henninger regarding enforcements and procedure for collecting the fines.
- Inta - In our last meeting there was a question regarding a permit fee increase. According to the ordinance, Chapter 12.08.190, the Director has the discretion to raise the fees, as he deems necessary. I wouldn't recommend it yet since the program is so new.
- Dan - How much is the application fee? How much is the appeal fee?
- Inta - \$35 app fee, \$25 appeal fee (to the Director/TAB)
- \$50 appeal fee to the BOS

## **VI. Other**

- Inta - Steve asked Jim Tarantino and myself to look into several locations where we might be interested in using rubber sidewalks. Several in Castro Valley along Grove Way, Tanglewood, Watson, and Fairmont Terrace. Fairmont Hospital may be used because it's already County owned. The company who produces these has contractors who will maintain these sidewalks so we're trying to get a bid on installation and maintenance.
- Kathie - There should definitely be some put in San Lorenzo
- Inta - This is strictly based on species of tree, amount of damage and if there are any other options available.
- Inta - Property owner would have to approve and pay the extra cost. The county can't pay for it because it would be considered a gift of funds.
- Inta - At least 2 of the 140 Pistache trees on Castro Valley Blvd have Verticillium Wilt, which is a soil borne fungus. You can't plant the same tree back in that spot. We met with the state agricultural plant pathologist who verified the infection. We're working on a maintenance schedule and guidelines for these trees. I'm also putting together a letter to send out to adjacent property owner regarding this. These are trees that can live on with the proper maintenance.

Meeting adjourned

Next Meeting is Wednesday August 18th