

**Alameda County Public Works Agency  
Tree Advisory Board Meeting  
Wednesday, February 17, 2016  
Public Works Building, 951 Turner Ct., Hayward  
Room 230**

**MINUTES**

MEMBERS PRESENT: Chair, Kathie Ready; Dan Gallagher; Vice-Chair, Dee McDonough (arrived at 3:24); Don Nelson; and Walt Fujii

OTHERS PRESENT: Inta Brainerd; Jim Browne; Daniel Woldesenbet; Kathy Lee (County Counsel) Kwablah Attiogbe; Steve Kirk; Susan Kleebauer; Alan Fishman; Mr. Valero

CALL TO ORDER: The Chair called the meeting to order at 3:00 p.m.

**I. TREE ORDINANCE REVISION REVIEW:**

- Inta explained what sections were revised and why and how enforcement would work under the revised ordinance.
- Kathie expressed concern regarding the low fine on the fee schedule.
- Daniel and Kathy Lee explain the abatement and civil processes.
- Walt inquired about follow up regarding fines.
- Kathy requested that the ordinance be presented to SLVHA.
- Steve Kirk commented that the revised ordinance is not representative of the community and requested that it be tabled and taken to the community for input.
- Susan Kleebauer was concerned with Section 12.11.170 allowing too many reasons for tree removal.
- Inta advised that there were no changes to that section.
- Alan Fishman was concerned about lack of input and owner responsibility for the maintenance of trees.
- Dan Gallagher supports the revisions though they were not given much time to review the ordinance. He requested that the ordinance be brought back to TAB for approval after more public comment. Dan brought a motion to the table to support the changes, present at public meetings, and then review for final approval. Dee McDonough seconded the motion and it was unanimously approved.
- Walt requested that the ordinance be brought back to the TAB and that the entire meeting be dedicated to the revisions.

**II. TAB MEMBER ELECTIONS:**

- Kathie nominated Dee for the Chair position but Dee declined.
- Dee nominated Dan and Kathie seconded it. Unanimously approved that Dan is the new chair.
- Dee continues serving as vice-chair.

**III. PUBLIC COMMENT:**

- Steve Kirk expressed his frustrations about fine collection and feels there are no consequences for violations. He's concerned that the County is not going after illegal contractors.

**IV. ANNOUNCEMENTS:** None

**V. MINUTES**

- November 18<sup>th</sup>, 2015 TAB meeting: Minutes approved 5 - 0

**VI. VIOLATION HEARINGS:**

**1528 Bandoni Ave, San Lorenzo**

- Inta clarified that the TAB previously heard this violation but only the property owner was present. This hearing was to be strictly to give the contractor an opportunity to speak.
- Mr. Valero (Valero Brothers) reported that the property owner tried to get a permit and that Mr. Valero was not aware that permits were required for pruning.
- Kathie asked when will the tree be removed and replaced.
- Walt wants to re-examine removal and considers the contractor at fault but doesn't think it warrants a large fine.
- Steve Kirk reported that he was a witness and when he asked the foreman if he had a permit the contractor reported that he spoke with the City of Hayward and was advised he only needed one if removing the tree.
- Property owner should not take full responsibility and should share the burden with the contractor.
- Kathie reiterated that the contractor needs to know that a permit has been issued before beginning any work.
- Inta clarified existing violation scale for the TAB.
- Kathie motioned that a \$100 fine be levied against the contractor.
- Dee McDonough seconded the motion.
- Motion approved with unanimously.

**15756 Paseo Del Campo, San Lorenzo**

- The property owner/Contractor did not appear.
- This was the second violation for this location/contractor.
- Dee moved that the property owner/Contractor be fined the minimum \$500 plus the \$100 for work without a permit.
- Walt added that they be responsible for hiring a consultant to prepare a plan to consult with the owner to restore the tree. He added that the consultant shall provide a copy of the plan, an on-going report, and pictures of the tree that will be made available to the TAB.
- Don seconded the motion.

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- Motion approved unanimously.

**VII. FOLLOW UP:**

- TAB requested follow up for previous violations.

**VIII. Wrap up and adjourn:** Meeting adjourned at 4:56 p.m.