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**CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF THE ENVIRONMENT  
URBAN FORESTRY COUNCIL**

**DRAFT Minutes  
Tuesday, June 23, 2015, 6:00 p.m.**

**City Hall, Room 416  
One Dr. Carlton B. Goodlett Jr. Place  
San Francisco, CA 94102**

**Council Members: Dan Flanagan (Chair), Carla Short (Vice Chair) (Department of Public Works), Malcolm Hillan, Rose Hillson, Dan Kida, Igor Lacan, John Leffingwell, Sandy Sherwin, Andrew Sullivan, Michael Sullivan, Ana Alvarez (San Francisco Recreation and Park Department), Tom Carter (San Francisco Port), Yolanda Manzone, (San Francisco Public Utilities Commission), Jon Swae (San Francisco Planning Department), and Golden Gate National Recreation Area (Vacant)**

**Public comment will be taken before the Council takes action on any item.**

**Order of Business**

- 1. Call to Order and Roll Call.** The Urban Forestry Council convened at 6:06pm.

Members present: Flanagan (left meeting at 7:06pm), Short, Hillson, Kida, Lacan, Leffingwell, Sherwin, Andrew Sullivan, Michael Sullivan, and Swae. Members excused: Carter, Manzone, and Hillan. Members absent: Alvarez.

- 2. Adoption of Minutes of the May 22, 2015 Urban Forestry Council Regular Meeting.** (Explanatory Document: May 22, 2015 Draft Minutes) (Discussion and Action).

Member Hillson moved to adopt, Member Flanagan seconded. Meeting minutes were adopted without objection.

- 3. Public Comment:** Members of the public may address the Council on matters that are within the Council's jurisdiction and are not on today's agenda.

Robert Beck, Treasure Island Director, at the Treasure Island Development Authority (TIDA):

informed the Council that TIDA has received its first land transfer from the Navy and will begin redevelopment work starting this Fall. The management of the island will require the removal of a significant number of trees; there is also a longer-term native management plan that requires the removal of nonnative trees to be replaced with native species such as oaks. TIDA wants to adopt policies and procedures to guide the posting and removal of trees. They will be creating draft policies that will be sent for distribution and would like comments on them. They also want to take this opportunity to let the public know that they will be posting these removal policies in the future.

Anastasia Gilshtern: Provided comments on the Natural Area Program, identifying a 1986 ordinance that led to the creation of the city's Integrated Pest Management Program. Expressed concern regarding any pesticide use, specifically noting usage within the Natural Area Program and at Harding Park Golf Course.

**4. Review and Approval of Best Management Practices.** (Continued from the May 22, 2015 Meeting)  
(Explanatory Document: Draft Guiding Principles for Mature and Historic Tree Stands 6/16/15)  
(Discussion and Action)

Chair Flanagan explained the edits, noting that the change in language from "Best Management Practices" to "Guiding Principles" better aligned with the document goals.

Public comment:

Dee Seligman: Requested edits to the document. These edits are outlined in the explanatory document, "Public comment received on item 4."

Eric Brooks: Provided comments regarding tree retention and the impacts of climate change.

Member Leffingwell moved to adopt the Recommended Guidelines for Managing Mature and Historic Tree Stands; Member Sherwin seconded. Document was adopted without objection.

**5. Presentation on Sunshine Ordinance.** Speaker: David Pilpel, Sunshine Ordinance Task Force Member. (Presentation and Discussion)

The Urban Forestry Council heard a presentation from David Pilpel, who has been a member of the SOTF for the past 12 years. Mr. Pilpel described the history of open government requirements in California, the role of the SOTF in ensuring open government standards are adhered to, and answered UFC member questions as well as questions from members of the public, including:

- The Brown Act applies to legislative bodies of public agencies. The Sunshine Ordinance applies to policy bodies created by a Board of Supervisors ordinance and anything that that body creates - for example UFC bylaws. The Environment Code governs the UFC; UFC powers and duties are described in the Env. Code and in the UFC bylaws.
- Meetings and certain items (for example bylaw amendments) have specific notification requirements, must be recorded, and must take public comment.

- Seriatim meetings occur when a quorum of members engage in a non-notice discussion on any issues that are within the UFC's purview. This can include phone calls, online video calls or chats, and emails, among other discussion methods. Members should only email everyone for scheduling purposes. Members are encouraged to copy staff on all emails, for public records purposes, and never discuss something substantive by email.
- Any groups that the UFC appoints is a committee that must be noticed. The UFC can appoint a single person to research and report back to the group.
- UFC members can attend public hearings of other bodies. If there's a quorum present, members should not speak together about UFC business. Members may present at public meetings as private citizens on their own behalf, but should not present themselves as UFC members if they are providing comment on things that the UFC has not passed a formal opinion on.
- Members can attend staff meetings for city staff, but there should never be discussion on things that could come before the UFC with a quorum of members present.
- Members were encouraged to report any possible violations to their staff support, Ms. Hui. Members are encouraged engage in good standards among UFC colleagues.
- Members should rescue themselves from votes where this is a potential conflict of interest. Due to the advisory nature of the UFC, there may be only limited instances that should require recusal. For example, if a member's cousin proposes a tree for landmark status, the member should disclose their family relationship with the membership and may recuse themselves from the vote.
- If the UFC is holding a hearing where presenters are in attendance, but the UFC is not able to gain quorum to hold the meeting, he believes it is better practice to have no discussion then to allow the presenters to provide their presentations or hold any discussion, noting that the UFC should use their discretion. If the UFC opts to hear the presentations, the UFC should be clear that no decision can or should be made. He suggests amending the bylaws to allow the Chair to appoint pro tiam members to committees.
- If the members are interested in a site visits or field trip, Mr. Pilpel suggests noticing the trip, and providing a meeting intersection on the notification. If the site visit will include a walk or tour, note the time the group will depart and the time the site visits will be completed. An audio recording may not be required; notes on salient points may be recorded and posted as event minutes. Mr. Pilpel noted that there may be additional ways to host a site visits or field trips in adherence with open government standards.
- Discussion on public comments received should be limited to asking for clarification, asking staff to follow up in some way, and setting up an item for discussion at a future meeting. If there is a need to limit public comment, it is best to supply a reasonable explanation for why a limitation is needed and the limitations applied must be uniformly applied. Anyone can make public comment; individuals providing public comments are not required to disclose financial or personal associations.

Public Comment:

Dee Seligman: Requested information on whether it is reasonable for a body to move an item to a later date, if there are unknown sources of public comment as the reason.

Mr. Pipel responded that a public body may not act on item that is not on the agenda and may choose to not act on any item that is on the agenda for any reason.

Anastasia Gilshtern: Requested information on whether or not contractors or other paid professionals may provide public comment on items.

Mr. Pipel responded that anyone may make public comment at a public hearing.

Frank Mason: Requested informing on whether there were provisions for notification is a nonprofit is receiving public funds.

Mr. Pipel responded that there may be limited circumstances, primarily in the health and social services areas, where organization are required to have two public meetings per year to disclose.

**6. Review and Approval of Draft Resolution 2015-04-UFC amending Urban Forestry Council Bylaws, Article VI – Meetings, Section 1: Quorum, to change meeting quorum requirements based on the composition of Urban Forestry Council membership.** (Explanatory Document: Notice of Proposed Bylaws Amendment and Draft Resolution) (Discussion and Action)

Member Kida moves to adopt the resolution and bylaws, with removal of word "original" on line 13 of the resolution; Member Leffingwell seconds. The resolution and bylaws was adopted without objection.

**7. Committee Reports:** (Informational Reports and Discussion)

**Planning & Funding Committee.** Chair's Report.

The committee did not meet and does not have a report.

**Landmark Tree Ad Hoc Committee.** Chair's Report.

The committee did not meet. Member Hillson noted the nomination that is being considered at the Planning Commission and suggested that the committee should meet to develop a guide for the landmark tree evaluation process.

**8. Staff Report.** (Informational Report and Discussion)

Staff introduced SFE's summer intern Nathalie Folkerts.

**9. Chair's Announcements:** Chair, Urban Forestry Council (Information and Discussion)

Chair had no additional items to report on.

**10. Urban Forestry Council Member Announcements.** (Information and Discussion)

Member Swae noted that Planning has a summer intern exploring the idea of a street tree nursery; Member Short from Public Works is supporting the project which should be complete by the end of summer.

**11. New Business/Future Agenda Items.** (Information and Discussion)

Member Leffingwell suggested a future item discussing the Emerald Ash Borer and development of a proactive response to the pest. Ms. Hui noted that staff is available to find presenters on

issues of interest to the UFC.

**12. Public Comment:** Members of the public may address the Council on matters that are within the Council's jurisdiction and are not on today's agenda.

There was no additional public comment at this time.

### **13. Adjournment.**

Meeting adjourned at 7:16pm.

The next meeting of the Urban Forestry Council is scheduled for Tuesday, August 18, 2015 at 6:00 p.m., City Hall, Room 416, San Francisco, CA 94102.

#### **Public Comment**

At this time, members of the public may address the Council on items of interest that are within the subject matter jurisdiction of the Council but are not on today's agenda. Public comment will be taken following each agenda item. Each member of the public may address the Council for up to three minutes, unless otherwise announced by the Chair. If it is demonstrated that the comments by the public will exceed 15 minutes, the Chair may continue Public Comment to another time during the meeting.

The Brown Act forbids the Council from taking action or discussing any item or issue not appearing on the posted agenda. This rule applies to issues raised in public comment as well. In response to public comment, not on an agenda item, the Council is limited to:

1. Briefly responding to statements made or questions posed by members of the public, or
2. Request staff to report back on a matter at a subsequent meeting, or
3. Directing staff to place the item or issue on a future agenda (Government Code Section 54954.2(a).)

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The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact Mei Ling Hui, Council Coordinator at (415) 355-3731 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with chemical sensitivity or related disabilities should call the Mayor's Office on Disability at (415) 554-6789 or (415) 554-6799 (TTY) for additional information.

#### **Language Access**

Language Assistance: To request an interpreter for a specific item during the meeting, please contact the Council Coordinator, Mei Ling Hui, at (415) 355-3731 or [MeiLing.Hui@sfgov.org](mailto:MeiLing.Hui@sfgov.org) at least 48 hours in advance of the hearing.

**Know your rights under the Sunshine Ordinance  
(Chapter 67 of the San Francisco Administrative Code)**

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force Administrator, City Hall, Room 409, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683 at Phone No.: (415) 554-7724; Fax No.: (415) 554-7854; E-mail: [sotf@sfgov.org](mailto:sotf@sfgov.org). Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at [www.sfgov.org](http://www.sfgov.org).

### **Lobbyist Registration and Reporting Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300, fax (415) 581-2317; web site at [www.sfgov.org/ethics](http://www.sfgov.org/ethics).

### **Other Important Information**

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Copies of explanatory documents are available to the public at the Department of Environment, 1455 Market Street, Suite 1200, San Francisco, California between the hours of 9 a.m. and 5 p.m., upon request to the Council Coordinator at the above address or telephone number 415-355-3731 or via e-mail at [MeiLing.Hui@sfgov.org](mailto:MeiLing.Hui@sfgov.org) within three business days of a meeting. Explanatory documents may also be available at the Council's meeting or agenda website <http://www.sfenvironment.org/about/taskforce/urban-forestry-council/agendas> as attachments with each agenda or meeting minutes. If any materials related to an item on this agenda have been distributed to the Urban Forestry Council after distribution of the agenda packet, those materials are available for public inspection at the Department of the Environment, 1455 Market Street, Suite 1200, San Francisco, CA 94103 during normal office hours or will be made available at the meeting website as attachments with the agenda or meeting minutes.

When bringing handouts to meetings, please photocopy on both sides of the paper and try to use post-consumer recycled or tree-free paper. Also, please bring sufficient copies of handouts for both the Council and the public.

Urban Forestry Council  
San Francisco Department of the Environment  
City and County of San Francisco  
1455 Market Street, Suite 1200, San Francisco, CA 94103

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