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**City and County of San Francisco
Urban Forestry Council
Landmark Tree Ad Hoc Committee**

MEETING MINUTES DRAFT

**Thursday, September 3, 2020, 4:15 p.m.
Remote meeting via web conference**

Refer to the “Remote Access to Information and Participation” section below for instructions.

Committee Members: Mike Sullivan (Chair), Damon Spiegelman, Jillian Keller, Pamela Nagle and Morgan Vaisset-Fauvel

Order of Business

Public Comment will be heard before the Committee takes action on any item.

1. Call to Order and Roll Call.

The meeting was called to order at 4:18 p.m.

Present: Chair Mike Sullivan, Jillian Keller, Pamela Nagle and Morgan Vaisset-Fauvel, Excused: Member Spiegelman.

2. Approval of Minutes of the March 05, 2020 Urban Forestry Council Landmark Tree Committee Special Meeting (Explanatory Document: March 05, 2020 Draft Minutes) (Discussion and Action)

There was no public comment.

Upon a motion by Member Pam Nagle, and a second by Member Morgan Vaisset-Fauvel, the minutes were approved without objection. (Ayes: Chair Mike Sullivan, Jillian Keller, Pamela Nagle and Morgan Vaisset-Fauvel; Noes: None; Excused: Damon Spiegelman.)

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

There was no public comment.

4. Discussion and possible action to recommend, for adoption by the Board of Supervisors, uniform criteria, rules, and procedures, governing determinations to remove Landmark trees pursuant to San Francisco Public Works Code Article 16 Section 810(f)(1). Speaker, Mike Sullivan (Explanatory

Document, Public Works Code Article 16 Section 810(f)(1) and Memo re Proposed Changes to Article 16) (Discussion and Possible Action)

Chair Sullivan gave introductory remarks and explained the proposed update.

Member Keller suggested that an ISA Certified Arborist who is tree risk assessment qualified (TRAQ) be required to complete the risk assessment.

Member Vaisset-Fauvel agreed with Member Keller.

Chair Sullivan asked to clarify the qualification.

Member Vaisset-Fauvel explained that the qualification must be obtained every three years.

Chair Sullivan asked if there are enough arborists with this qualification that will be available.

Member Vaisset-Fauvel added that there are many in the Bay Area.

Member Nagle clarified that some city departments are still working with an older system, so she suggested making sure the arborist is TRAQ certified.

Member Vaisset-Fauvel agreed with Member Nagle.

Chair Sullivan expressed concern around being too prescriptive. He added that an amendment could be "shall performed by a tree risk assessment qualified arborist (ISA TRAQ certified)."

Member Keller asked if this addresses where the funding will come from for the tree risk assessment.

Chair Sullivan confirmed that it does not and that the property owner or City Department would be responsible for the cost.

Member Keller asked if that information should be included.

Chair Sullivan suggested that it could be made clear that the property owner must obtain a tree risk assessment from someone who is tree risk assessment certified.

Member Vaisset-Fauvel expressed concerns over Directors overriding risk assessments and conflict over the outcome of risk assessments.

Chair Sullivan confirmed that the party requesting the removal would be responsible for the cost of the assessment.

Peter Brastow recommended adding the language, "if either a private property owner or a city agency desires to remove a landmark tree on its respective property, the owner or the agency respectively shall obtain a tree risk assessment performed by an ISA certified arborist who is tree risk assessment qualified which will inform the director's determination of whether or not a landmark tree is a hazard tree as per section 802."

There was no public comment.

Peter Brastow clarified that the vote will be to send these changes to the full Urban Forestry Council with the discussed amendments before sending it to the Board of Supervisors for adoption.

Carla Short, San Francisco Public Works, suggested adding an element to the process that includes applying for a permit to remove the tree and permit fees that would cover staff time.

Chair Sullivan asked to clarify if there is currently a permit process for removing landmark trees.

Carla confirmed that only one has been removed because it was failing, but there was another instance where it was a clear hazard and they applied for a tree removal permit.

Member Vaisset-Fauvel confirmed that there is no permit process for backyard trees, so this will be an issue.

Chair Sullivan asked for recommended language for adding a permit process.

Carla suggested "any agency or owner who desires shall apply to the department for a landmark tree removal permit and as part of their application will submit" the assessment mentioned above.

Peter Brastow asked to clarify if there is a permit section under street trees that can be referenced.

Carla confirmed that there is a relevant section in 806.

Peter reviewed the section and clarified the notice requirements. He recommended adding, "shall apply to the department for a landmark tree removal permit and shall obtain" the assessment mentioned above. He suggested that if anyone wants to look deeper into the code, that could be discussed at a future meeting.

Chair Sullivan clarified that there are three amendments included in this vote.

Upon a motion by Member Jillian Keller, and a second by Member Pam Nagle, the recommendation was approved without objection. (Ayes: Chair Mike Sullivan, Jillian Keller, Pamela Nagle and Morgan Vaisset-Fauvel; Noes: None; Excused: Damon Spiegelman.)

- 5. Hearing on Nomination for Landmark Tree Status.** The Landmark Tree Committee will hold a hearing to determine whether the tree nominated at the following location meets the criteria for designation as a landmark tree. (Discussion and Action)

Pine (*Pinus sp.*), located at 2251 Filbert Street, San Francisco, CA 94123; Assessor's Block 0534, Lot 032. (Explanatory Documents: Nomination Form)

Landmark Tree Hearing Recommended Guidelines

The Committee Chair has the discretion to change speaker order or length of time for each speaker if the Chair determines the request to be reasonable.

- 1) Sponsor/Property owner's presentation, including outside professional staff (8 min)
- 2) Staff analysis (5 min)
- 4) Public comment (up to 3 min/per person)
- 5) Committee Evaluation Reports (8 min total)
- 6) Discussion and Action by Committee

The property owner was present and gave a brief presentation of the nominated tree.

Peter Brastow gave the staff analysis for this tree.

There was no public comment.

The members of the Committee gave their individual reports on the nominated tree.

There was some discussion among Committee members about the species of the pine.

Upon a motion by Chair Mike Sullivan, and a second by Member Vaisset-Fauvel, the recommendation was approved without objection. (Ayes: Chair Mike Sullivan, Jillian Keller, Pamela Nagle and Morgan Vaisset-Fauvel; Noes: None; Excused: Damon Spiegelman.)

- 6. Hearing on Nomination for Landmark Tree Status.** The Landmark Tree Committee will hold a hearing to determine whether the tree nominated at the following location meets the criteria for designation as a landmark tree. (Discussion and Action)

Monterey Cypress (*Hesperocyparis macrocarpa*), located at 1279 44th Avenue, San Francisco, CA 94122; Assessor's Block 1706, Lot 017. (Explanatory Documents: Nomination Form)

Landmark Tree Hearing Recommended Guidelines

The Committee Chair has the discretion to change speaker order or length of time for each speaker if the Chair determines the request to be reasonable.

- 1) Sponsor/Property owner's presentation, including outside professional staff (8 min)
- 2) Staff analysis (5 min)
- 4) Public comment (up to 3 min/per person)
- 5) Committee Evaluation Reports (8 min total)
- 6) Discussion and Action by Committee

The property owner was present and gave a brief presentation of the nominated tree.

Peter Brastow gave the staff analysis for this tree.

A member of the public called to express concern over trees being removed that are not landmark trees. She suggested that there be a moratorium on tree removal and increased scrutiny around removing trees that do not have landmark status.

The members of the Committee gave their individual reports on the nominated tree.

Upon a motion by Member Jillian Keller, and a second by Member Vaisset-Fauvel, the recommendation was not approved. (Ayes: Jillian Keller and Morgan Vaisset-Fauvel; Noes: Chair Mike Sullivan and Pamela Nagle; Excused: Damon Spiegelman.)

Chair Sullivan suggested asking the City Attorney about what to do in case of a tie vote for a landmark tree nomination.

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

Peter Brastow mentioned that there are no current future agenda items for Ad Hoc Landmark Tree Committee meetings.

There was some discussion about the species of the pine that was recommended for landmark tree status.

There was a public comment from the owner of the recommended tree saying that members of the Committee would be welcome to visit the tree.

- 8. Adjournment.**

The meeting was adjourned at 6:09 p.m.

The Landmark Tree Ad Hoc Committee meets as needed on the first Thursday of the month at 4:15 p.m. In compliance with the San Francisco Health Officer's Order No. C19-07c, directing all individuals to "shelter in place", Public meetings, panels and other advisory bodies will continue on a remote conferencing basis only. Find out about upcoming deadlines, public hearings and meetings. Search the SFEnvironment.org website archived minutes and agenda.

Remote Access to Information and Participation

This meeting will be held remotely using video conferencing, through the WebEx Meetings platform, and by telephone for members of the public who are unable to attend using computers or smart devices.

Attending the Meeting: Watch or Listen

Members of the public have the following options for attending the meeting:

Option 1: Watch the meeting using a computer or smart device by clicking on the following link:

<https://ccsf.webex.com/ccsf/onstage/g.php?MTID=e874071ca1521798c2820c7c38b56acde>

- If you are able to and would like to watch via your computer, please follow these instructions: i) Click on the link above; ii) Enter your first name, last name, and email address if desired; iii) Click "Join by Browser" (directly beneath the "Join Now" button);
- If you are able to watch via your smart mobile device: i) Download the Webex Meetings application; ii) Click on the link above; iii) Click "Join"; iv) Enter your name and email; v) Click "Ready to Join".

Option 2: Join the meeting by phone if you do not have access to a computer or smart device.

Dial: **415-655-0001** and then enter the Access Code: **146 368 1592**

Participating During Public Comment

Members of the public will have opportunities to participate during public comment. The public is asked to wait for the particular agenda item before making a comment on that item. Comments will be addressed in the order they are received. When the moderator announces that the Committee is taking public comment, members of the public can:

Participate over the phone (information above) by pressing *3 (this step is very important, as it will activate the "Raise Hand" icon in the Webex Participant window).

Depending on the number of people also in line ahead of you, you may have to wait before it is your opportunity to speak. When it is your turn, you will be notified that your line has been unmuted, and it will be your opportunity to speak. Your line will be muted again when your allotted time expires.

In accordance with Governor Gavin Newsom's statewide order for all residents to "Stay at Home" - and the numerous local and state proclamations, orders and supplemental directions - aggressive directives have been issued to slow down and reduce the spread of the COVID-19 virus. Copies of explanatory documents are available, 1) on the Urban Forestry Council webpage <https://sfenvironment.org/about/taskforce/urban-forestry-council>; or (2) upon request to the Commission Affairs Manager, at telephone number 415-355-3700, or via e-mail at katie.chansler@sfgov.org.

Important Information

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the

meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Public Comment

At this time, members of the public may address the Committee on items of interest that are within the subject matter jurisdiction of the Committee but are not on today's agenda. Public comment will be taken following each agenda item. Each member of the public may address the Committee 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.

NOTE: Persons unable to attend the meeting may submit to the Committee, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of Committee Members. Any written comments should be sent to: Commission Affairs Manager, Department of the Environment, katie.chansler@sfgov.org, by 5:00 p.m. on the day prior to the hearing. Written public comment received by the Council will be posted as an attachment to the minutes.

The Brown Act forbids the Committee 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 Committee 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).)

Disability Access

The Urban Forestry Council meetings will be held virtually. The Committee meeting rooms are closed.

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 the Department of Environment at (415) 355-3700 or katie.chansler@sfgov.org 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

Per the Language Access Ordinance (Chapter 91 of the San Francisco Administrative Code), Chinese, Spanish and or Filipino (Tagalog) interpreters will be available upon requests. Meeting Minutes may be translated, if requested, after they have been adopted by the Commission. Assistance in additional languages may be honored whenever possible. To request assistance with these services please contact the Commission Affairs Manager at 415-355-3700 or katie.chansler@sfgov.org, at least 48 hours in advance of the hearing. Late requests will be honored if possible.

根據語言服務條例(三藩市行政法典第91章)·中文、西班牙語和/或菲律賓語(泰加洛語)傳譯人員在收到要求後將會提供傳譯服務。翻譯版本的會議記錄可在委員會通過後透過要求而提供。其他語言協助在可能的情況下也將可提供。上述的要求·請於會議前最少48小時致電 415-355-3700或電郵至 katie.chansler@sfgov.org向委員會秘書提出。逾期提出的請求·若可能的話·亦會被考慮接納。

Acceso A Idioma

De acuerdo con la Ordenanza de Acceso a Idiomas "Language Access Ordinance" (Capítulo 91 del Código Administrativo de San Francisco "Chapter 91 of the San Francisco Administrative Code") intérpretes de chino, español y/o filipino (tagalo) estarán disponibles de ser requeridos. Las minutas podrán ser traducidas, de ser requeridas, luego de ser aprobadas por la Comisión. La asistencia en idiomas adicionales se tomará en cuenta siempre que sea posible. Para solicitar asistencia con estos servicios favor comunicarse con el Secretario de la Comisión al 415-355-3700, o katie.chansler@sfgov.org por lo menos 48 horas antes de la reunión. Las solicitudes tardías serán consideradas de ser posible.

Access Sa Wika

Ayon sa Language Access Ordinance (Chapter 91 ng San Francisco Administrative Code), maaaring mag-request ng mga tagapagsalin sa wikang Tsino, Espanyol, at/o Filipino (Tagalog). Kapag hiniling, ang mga kaganapan ng miting ay maaring isalin sa ibang wika matapos ito ay aprobahan ng komisyon. Maari din magkaroon ng tulong sa ibang wika. Sa mga ganitong uri ng kahilingan, mangyaring tumawag sa Clerk ng Commission sa 415-355-3700, o katie.chansler@sfgov.org sa hindi bababa sa 48 oras bago mag miting. Kung maari, ang mga late na hiling ay posibleng pagbibigyan.

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, City Hall, Room 244, One Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683 at Phone No.: (415) 554-7724; Fax No.: (415) 554-5163; E-mail: soff@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.

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: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100, fax (415) 252-3112; web site at www.sfgov.org/ethics.

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