



# Memorandum

**TO:** TRANSPORTATION AND  
ENVIRONMENT COMMITTEE

**FROM:** Ed Shikada  
Jim Helmer  
Joseph Horwedel

**SUBJECT: REVIEW OF TREE  
PRESERVATION SERVICES**

**DATE:** 02-18-08

Approved

*Christine F. Shipp*

Date

*1/29/08*

**COUNCIL DISTRICT:** City-Wide

## RECOMMENDATION

Accept this report on the review of tree preservation services and provide feedback to staff on the recommended strategies for preserving and improving the urban forest.

## BACKGROUND

In early 2007, the City Council directed the Administration to review City policy and procedures related to tree preservation. Council requested that, after soliciting comments from the community, seeking out best practices, and consulting with recognized tree professionals, the Administration make recommendations for improvements utilizing all available resources wherever possible. In response to this direction, the City Manager's Office, in association with the departments involved in tree-related services, has been performing this review and providing regular updates to the Transportation and Environment Committee. As a result, six recommendations are being proposed to address the concerns and desires of the community and improve the City's tree preservation services.

In addition to improving the City's tree preservation services, the recommended strategies are designed to greatly enhance the health, condition, and sustainability of the urban forest, and to maximize its benefits to the community. A thriving and healthy urban forest is known to have many community benefits, including positive impacts on stormwater quality and runoff, maintenance of a healthy urban habitat, climate control and urban heat island effect, air quality, aesthetics, public health, and property values.

## ANALYSIS

As described below, several recommendations have emerged from the extensive review conducted over most of the past year. In addition to these next steps, however, it should be noted that several significant actions have already been taken in order to address identified issues as quickly as possible:

- In February, the City Council modified tree permit requirements to require that permit holders display their permit while working. This has facilitated enforcement against illegal removals.
- Code Enforcement now classifies the in-progress removal of an Ordinance size tree greater than 54" circumference as an Emergency Complaint and will immediately dispatch a Code Enforcement Officer to the location. Furthermore, Code Enforcement schedules have been modified to make inspectors available to respond to weekend tree removal complaints.
- A purchase order was issued for the establishment of a Geographic Information System (GIS)-based inventory of the City's street trees. This inventory established a geographically-based count and locations of street trees, and provides the critical database upon which additional planting and preservation efforts can be measured.
- In response to a nonstandard tree removal on park property, the City Manager reminded all departments with tree responsibilities to coordinate all tree removals with the City Arborist.
- A new cooperative agreement was established with Our City Forest to enhance capacity-building efforts, by providing office space and funding to support an AmeriCorps training and early tree care grant.
- In response to a high volume of tree removal permit applications in West San Jose, the City Arborist established an approach of consolidated hearings and streamlined processing of applications.
- A San Jose State University Business School Honors Program provided volunteers to create a series of web pages to ease access to information about the City's urban forest. Phase 1 of this effort is now online and will be maintained by Department of Transportation staff. Phases 2 and 3, including a Heritage Tree map and database, are scheduled for completion before the SJSU term ends in May, 2008.
- Staff has been working with a number of potential grant funding agencies. Most recently, staff was notified that the California Department of Forestry and Fire Protection will be awarding the City a \$200,000 grant to support further inventory efforts. Staff will collaborate with Our City Forest to determine the most effective work approach for use of these funds.

These actions reflect significant progress and established a positive platform for next steps discussed below.

### **Community Input and Review Process**

Between June and November 2007, eight community meetings were conducted across the City to receive public input and hear community concerns about the City's tree-related policies, programs, services, and procedures. Hundreds of ideas, comments and questions were received on a variety of topics with varying perspectives and opinions. The following list generally summarizes the most repeated themes:

- Greater emphasis on the importance of the urban forest is necessary.
- Improved access to tree-related information, such as tree planting, pruning or maintenance policies, regulations, and guidelines.
- The tree removal permit process should be streamlined, less expensive, and equitable.
- Regulation of private property trees should be minimal yet enforced.
- Existing tree regulations and codes should be consistently enforced and fines for non-compliance increased.
- Street trees and sidewalks should be maintained by the City.
- A tree master plan should be developed and include an inventory of all street trees.
- Greater and better utilization of private/public partnerships is needed.

### **Recommended Strategies**

Based on the input and feedback received from the community and outreach done with other organizations, cities, academia, and tree industry experts, staff is recommending the following strategies for implementation. It is important to note that many of the very specific suggestions and ideas expressed by the community are embedded in these recommendations.

At the last community meeting on November 8, these six recommended strategies were presented. Attendees from the public, ranging from residents to tree volunteers and professionals, showed considerable support for the strategies and the direction planned or proposed.

#### **1. Develop an overarching City policy on Urban Forestry in San Jose**

A City Council policy on Urban Forestry would provide clear guidance to drive all of the City's efforts to ensure a healthy and sustainable urban forest. The existing General Plan currently includes goals and policies related to the Urban Forest. Staff is recommending updating these goals and policies to include, among other items:

- Establishment of unprecedented partnerships with residents, businesses, and volunteers, and
- A draft Urban Forest vision developed by the community and staff, which reads “San Jose’s residents should live within and value a thriving, sustainable urban forest that is effectively managed to improve the quality of life and sense of community and to maximize environmental, health, economic and aesthetic benefits.”

The updated policy language would be drafted during the first part of 2008 providing an opportunity for community review and refinement. Council consideration is expected during the General Plan hearing occurring prior to June 2008.

2. Simplify public access to City tree-related services

Difficulty in locating information about the City’s tree programs and confusion about who to contact for assistance on various tree-related issues was one of the community’s greatest concerns. To respond to this concern, an improved website has been developed with detailed information on topics such as tree policies, regulations, permits, enforcement information, and answers to frequently asked questions. The website also includes links to other service partners or information resources such as Our City Forest and PG & E. Additional public information material would be made available through the print media, utility billings, neighborhood associations and other outlets. Additional website improvements to allow more advanced interface, such as obtaining on-line permits or submitting tree inventory data, requires additional resources and are being estimated in conjunction with the annual budget process for prioritization.

Organizational changes are also being evaluated that would expand the scope and authority of the City Arborist and create a single point of contact for services requested by the community, such as the issuance of either private or public tree removal permits from one office, or tree care advice. Staffing and other resource requirements are being evaluated in conjunction with the annual budget process.

3. Streamline the permitting processes and increase compliance with tree regulations

Several modifications to the Municipal Code are being considered that would streamline and improve the tree removal, development review, Heritage Tree designation, and other permitting type processes. Some of the issues that need to be examined as part of this effort include the reduction, establishment, collection, and use of fees to offset process costs where appropriate; certified arborist reporting requirements; tree replacement ratios; data tracking needs; public notification and hearing procedures; and other details. DOT, PBCE and other affected departments are evaluating current and future workplans in order to dedicate the needed staff and resources for this review. Information technology resources are being estimated for inclusion in the annual budget processes, including fee-based cost recovery, to ensure that the tree permitting processes are integrated in to the City’s permitting system.

New and greater public outreach and education efforts are also needed to clarify City tree policies and regulations. This work, in coordination with methods that allow the public to

inform the City of possible improper pruning or illegal tree removal, is underway and being coordinated with our tree service partners, including Our City Forest and PG&E.

4. Increase the organizational leadership capacity to oversee all City tree services and implement new urban forest strategies

Currently, many City departments, along with Our City Forest, residents, and State and County agencies, have responsibility for various aspects of the City's urban forestry management and tree services. This has resulted in misaligned and inconsistent policies, management practices, service goals, and performance levels that have eroded the ability to properly manage and care for the urban forest. It is proposed that an Urban Forestry Manager position be created and charged with creating and overseeing a coordinated, unified, and efficient approach among all stakeholders and the community in managing the urban forest and delivering tree-related services. The creation of an Urban Forestry Manager position is being developed to be brought forward for City Council consideration during the annual budget process to begin this work and carry on the recommendations in this memo, with funding to be divided between the General Fund and special funded programs that contribute to the City's urban forestry management needs.

5. Address the deferred maintenance and on-going funding needs

Addressing the need to greatly increase the amount of tree maintenance that occurs throughout the City and reaching the goals set forth in our Green Vision and Urban Environmental Accords is one of the greatest challenges facing the City. Viable options to accomplish these goals are being investigated and processed through the Infrastructure Backlog Deficiency workplan and the Green Vision workplan being led by the City Manager's Office. One specific idea under close examination is the establishment of a Citywide Lighting and Landscape District that would plant at least 50,000 street trees, establish an on-going five-year pruning cycle for street trees, and restore the City's tree maintenance crew slated for elimination in fiscal year 2008-2009. Other funding opportunities, such as grants, are also being pursued and would be an integral part of these recommendations. For example, Our City Forest's fund development efforts on behalf of the City have resulted in several million dollars in non-City grants for significant tree planting, tree care and related education services for City facilities, neighborhoods and schools.

6. Develop and implement an Urban Forest Master Plan

Many of the recommendations and efforts being proposed above, as well as other important initiatives and activities needed to ensure a healthy and sustainable urban forest, should be assimilated into a cohesive and strategic Urban Forest Master Plan. A master plan would provide the roadmap for how all tree services are provided and how all efforts are prioritized, managed, and implemented. Specific elements of the master plan would include the following:

- Performing ongoing public engagement, outreach and education on the urban forest to ensure that the community knows its value and how to utilize services.

- Developing an active and useful tree inventory so that the City can supplement the forest as needed.
- Establishing and expanding partnerships with other service providers and key stakeholders, such as Our City Forest, PG&E, Cal Fire, and others to optimize service delivery.
- Implementing best management and maintenance practices across the City to ensure that City budget is spent in a way that maximizes benefits.
- Ensuring that the City urban forest policies maximize flood mitigation to optimize the reduction of flood flows and peaks.
- Aligning land use policies, development guidelines, and project requirements.
- Developing tree planting and replacement guidelines to optimize species diversity and ensure that appropriate trees are utilized for various applications.
- Establishing effective enforcement policies and practices to ensure equity and protect this public asset.
- Establishing comprehensive and sustainable funding strategies for urban forestry efforts.

## **CONCLUSION**

The message from the public is clear: the urban forest is a valuable asset to the City and a comprehensive approach to more effectively deliver tree-related services and better manage the urban forest is needed. While each of the strategies recommended in this memo have varying degrees of difficulty, priority, timelines, and resource requirements, if collectively pursued, they will improve the City's tree preservation services, enhance the health and condition of the urban forest, and maximize the economic, environmental, health and aesthetic benefits of the urban forest to the community.

## **COORDINATION**

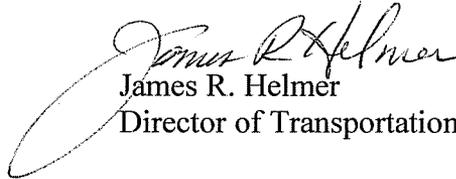
Development of the recommended strategies and preparation of this memorandum was coordinated with the Redevelopment Agency, City Attorney's Office, Budget Office, Environmental Services Department, Parks, Recreation and Neighborhood Services Department, Public Works Department, and Our City Forest.

It should also be noted that the coordination and execution of all the public outreach efforts, tree preservation service improvements made to date, and the development of the recommended strategies included in this memorandum were led by the City Manager's Office and Kevin Briggs. Kevin was assigned from the Department of Public Works to the City Manager's Office

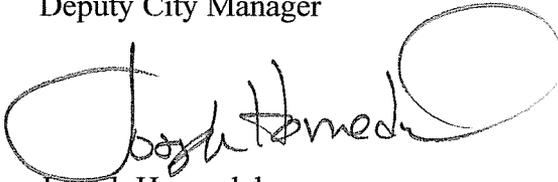
on a temporary basis as a participant in the Leadership Fellow program. Kevin has completed this assignment and has rotated back into Public Works where he will assume his role as a Senior Engineer. The Department of Transportation will now take leadership in further implementation of the tree preservation services improvements.



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