




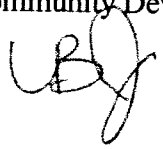
Agenda Item #: 35/3705-16-17

# Staff Report

## City of Manhattan Beach

**TO:** Honorable Mayor Ward and Members of the City Council

**THROUGH:** Geoff Dolan, City Manager 

**FROM:** Richard Thompson, Director of Community Development   
Laurie B. Jester, Senior Planner 

**DATE:** April 18, 2006

**SUBJECT:** Consideration of the Formation of a Tree Committee and Their Responsibilities

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### RECOMMENDATION:

Staff recommends that the City Council consider the formation of a Tree Committee and provide direction.

### FISCAL IMPLICATION:

There are no direct fiscal implications associated with the recommended action.

### BACKGROUND:

At the March 21, 2006 City Council meeting, Ordinance No. 2082 was adopted amending the Tree Preservation regulations. Through the revision process the City Council directed staff to work with a group of interested residents to form a Tree Committee and develop their mission statement, roles and responsibilities.

### DISCUSSION:

Staff has met with representatives from the group on several occasions and has refined the responsibilities of the Committee; Kaye Sherbak has been the primary point person for the group. A list of the current members as provided by the Committee is attached to this report. Staff feels that the Committees primary role will be to work with staff to educate the public on the Tree Preservation regulations. The Committee is generally supportive of the mission and roles as defined below, although they would also like periodic detailed reporting on the status of Tree Permits as explained below. The Committee developed a much more expanded list of tasks attached to this report. Staff simplified and narrowed the scope of these items and the following are the points that were discussed with and agreed to by the Committee representatives.

*Mission and Roles of Tree Committee*

If the City Council decides to approve the formation of the Tree Committee, the purpose of the Committee should be to work with City staff to educate the public on the Tree Preservation Ordinance and promote the protection and enhancement of the Manhattan Beach Tree Canopy.

1. Education-

- Promote public awareness of the Tree Preservation Ordinance through participation in educational meetings, events, and other public outreach.
- Develop and distribute public educational material regarding tree care, pruning, urban forestry, benefits of trees in an urban environment, potential of long-term damage during construction etc.

2. Community resource and referral-

- Provide information to the community on replacement trees, types and sources, tree care services, and certified arborists.

3. Staff input-

- Review and comment periodically on the Tree Preservation Ordinance.
- Develop an expanded list of replacement trees for use on private property, using the street tree list as a base.

4. Grants/Awards-

- Research and apply for grants and/or awards related to trees such as Tree City USA.
- Recognize outstanding contributions to preserving and enhancing the City's tree canopy.

Staff also discussed with the Committee their role with monitoring compliance with the Ordinance. Currently the group is acting as the neighborhood "eyes and ears", and as they see potential violations they report them to Code Enforcement staff who then follows up on the request. The process of reporting potential violations and staff following up on them is the same as is used for any member of the public, although the Tree Committee generally includes photographs and more extensive information with their requests, and expects a direct response on the status of each potential violation. Staff has therefore not included monitoring compliance with the regulations as one of the roles of the Committee since their requests are generally handled in the same manner as any member of the public, and staff believes that the role of the Committee should focus on the positive aspects of education. The Committee is satisfied at this point with this direction.

The one point that staff has not included in their roles that the Committee would like to have added is periodic reporting from staff on the status of Tree Permit applications. They would like detailed information on the number of trees protected, removed and replaced. Presently staff tracks Tree Permits individually and does not prepare these types of comprehensive reports. The status of Tree Permits and potential violations for individual address are public information that is available to anyone that requests the information. Comprehensive reports would require additional staff time, resources and budget, estimated at up to several hours a week, and therefore staff would not recommend including this as part of the role of the Committee. Instead one point

person from the Committee could interact with staff to request the status of individual Tree Permits so that flow of information is not duplicative.

*Impacts to Staff Resources*

The current workload in the Community Development Department is exceeding the limits that can be accomplished in a regular work day which has required staff to spend overtime hours to complete our current responsibilities such as plan checks, special studies, assisting customers at the public counter and on the telephone, and Planning Commission and City Council staff reports. With the adoption of the revisions to the Tree Preservation regulations additional staff time and resources, approximately 10 hours a week, have been required to update all of the forms, handouts, procedures, and website, as well as staff training and education. There have also been a much higher volume of calls and inquiries about tree regulations, as well as the volume of Tree Permits have almost doubled. Staff has improved follow-up on Tree Permits to ensure replacement trees are planted, which requires additional time. With increased education and knowledge about the tree regulations, the Tree Committee and other residents have been very active with reporting potential code violations which has had an impact on Code Enforcement staff time. Staff anticipates that the Tree Preservation revisions will continue to require additional staff time and resources, up to 12 hours a week.

Staff has been working to educate the public on the tree preservation regulations. Notices have been put on all of the individual water bills Citywide, and an article was published in the Recreation and Parks Spring 2006 Newsletter and Recreation Guide and in several publications of the Building and Safety Construction Newsletter which is distributed to hundreds of contractors and architects. Contractors and architects are also informed at the Quarterly Construction meetings presented by staff. Information is posted on the City's website and at the public counter. All Residential Property Reports, which are required whenever a property is sold, has a notice on the tree preservation regulations. Staff ordered numerous public education materials regarding tree pruning and care that will be distributed to the public at Earth Day. Staff also made a presentation to a group of about 60 local realtors regarding the tree preservation regulations as well as other City issues, and is available to continue this outreach.

- Attachment:
- A. Tree Committee purpose, mission and tasks- prepared by the Tree Committee, March 10, 2006
  - B. List of Tree Committee members- February 22, 2006

## **MANHATTAN CANOPY**

### **Purpose:**

The purpose of the Manhattan Canopy Committee is to promote, enhance and protect our valuable Manhattan Beach tree canopy.

### **Mission:**

Work cooperatively with city staff, residents and businesses to:

1. Eliminate protected tree removal without replacement
2. Promote and enable the enforcement of the current tree ordinance
3. Continue to improve the tree ordinance
4. Instill a cultural change in order to create community awareness, involvement and general appreciation of the importance of our tree canopy.

### **Tasks:**

#### **1. EDUCATION:**

Promote an increased general and specific awareness of the tree ordinance and tree canopy as a valued resource.

1a) Contribute to city-led tree ordinance and awareness briefings to city staff including: the newly appointed building code compliance officer, all building inspectors, Laurie Jester, Juan Price and a Planning Commission subcommittee. Specific discussions should include: the current ordinance, proposed/recent ordinance revisions, schedule of fines, importance of trees in an urban environment and potential for long term damage during construction. Show pictures such as those collected on [www.gardenmagiccompany.com](http://www.gardenmagiccompany.com). Share resident concerns and interests.

1b) Contribute to the various city lead briefings on tree ordinance and awareness. i.e. Community Development Department's regular quarterly Architect/Contractor meetings Encourage the periodic briefings to increase and maintain awareness.

1c) Conduct public education on tree trimming do's and don'ts, the benefits of trees in urban areas, types of trees which best provide canopies, etc. Formats to include published literature, posts to City website, Beach Reporter display ads, press releases, construction site signs, public briefings, letters, visits, Adelphia cable, Earth Day, etc.

1d) Future possibility: City staff member ISA certified as an arborist with a specific and measurable portion of their time devoted to monitoring tree health and related issues. (El Segundo, Santa Monica, Redondo Beach and many other local cities have certified arborists on staff; Manhattan Beach has none.)

1e) Assist city staff with communication to Survey Companies the need to have accurate tree locations on surveys submitted. Influence accountability when appropriate.

## **2. Ordinance Changes:**

Periodically monitor and iterate ordinance changes as needed.

2a) Contribute to the evolution of the tree replacement list, tree care and pruning information.

## **3. Funding:**

Provide suggestions for the use of funds in the tree fund.

3a) Visibility to 'Tree Fund' collected from noncompliance to tree ordinance and grant and public funding sources.

3b) Manhattan Canopy Committee to make recommendations on the use of 'Tree Fund' in keeping with primary goals of education, protection and enforcement.

3c) Assist in Grant applications and periodically search for available grants.

## **4. Current Compliance:**

Influence the development of an easy tracking system to baseline and improve the cycle time of ordinance compliance issues from concern to complete resolution and 6 month follow-up.

4a) Provide Tree Guardians with responses to and specific information on perceived problem sites previously reported to City staff: Provide all records regarding trees on said properties. (Ref.: 712 John St., 17<sup>th</sup> & Elm, 2001 Agnes, 1808 Laurel)

4b) Provide Manhattan Canopy Committee with past documentation defining noncompliance incidents and resultant fines identified by City staff in 2/7/06 City Council meeting.

4c) Develop manner by which tree plans can be publicly accessed for protected tree development projects, thereby allowing Manhattan Canopy Committee to easily address concerns and monitor compliance with minimal assistance required from City staff. Perhaps Permit Plus system? Cycle time log?

## **5. Recognize those acting responsibly!**

Tree Committee will periodically propose individuals/businesses/organizations for recognition for preserving the tree canopy; City to establish format for quarterly recognitions to be awarded.

## **6. Canopy Guardians:**

Bridgett Kimble is developing designated Tree Guardians neighborhood contacts. The Tree Guardians will serve as a resource for a designated area within the city to monitor and document trees, provide education and resources to residents and businesses, stimulate community involvement, "reforestation" and generally promote the tree canopy.

The primary concern of the Canopy Guardians is to prevent unnecessary destruction of trees in a non-confrontational manner and provide positive and proactive communication and education. We will focus on preventing trees from being taken down, not just reacting to trees which are cut down. We will not become a judge and jury system, nor be confrontational with City staff, developers, builders or fellow residents. We will work cooperatively to develop an efficient way to serve as benefit to city staff and residents.

Sincerely,

Kaye Sherbak  
Chairperson and spokes person for the  
Manhattan Beach Tree Committee



10. **Nancy Wheeler** 225 N. Poinsettia Ave. MB 90266
11. **Michael Kretzmer** 1148 Manhattan Ave, #1 MB 90266
12. **Ron McIntire** 860 8<sup>th</sup> St. MB 90266
13. **Laura McIntire** 860 8<sup>th</sup> St. MB 90266
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15. **Russel Caflisch** 2904 Elm Ave. MB 90266
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17. **Robin Von Bergen** 401 Anderson St, MB 90266
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19. **Ron Guidone** 120 5<sup>th</sup> St. MB 90266
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22. **Janet Wells** 407 N. Dianthus St. MB 90266
23. **Scott Chalmers** 560 33<sup>rd</sup> St. MB 90266
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25. **Joe Flanagan** 2000 Agnes Rd. MB 90266
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27. **Jerry Stone** 2201 Agnes Road MB 90266
28. **Barb Collins** 2301 John St. MB 90266
29. **Bill Collins** 2301 John St. MB 90266



30. **Mary Ann Griffiths** 616 8<sup>th</sup> St. MB 90266
31. **Barry Griffiths** 616 8<sup>th</sup> St. MB 90266
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63. Lisa Ryder Moore 1940 Monterey, HB
64. Gary Osterhout 598 31<sup>st</sup> St., MB 90266
65. Candy Duncan 2316 Grandview Ave. MB 90266
66. Susan Flora 648 19<sup>th</sup> St, MB 90266
67. Rick Thorton 657 27<sup>th</sup> St. MB 90266
68. Earl Waggoner 402 25<sup>th</sup> St., MB 90266
69. Bryan Le 1713 Faymont, MB 90266

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|----------------------------|--|
| <b>70. Mike Updike</b>     | <b>532 5<sup>th</sup> St. MB 90266</b>   |
| <b>71. Dennis Sherbak</b>  | <b>1825 Agnes Road.</b>                  |
| <b>72. Bill Flora</b>      | <b>648 19<sup>th</sup> St., MB 90266</b> |
| <b>73. Karen Wahlberg</b>  | <b>209 15<sup>th</sup> St. MB 90266</b>  |
| <b>74. Andrew P. Cohen</b> | <b>1535 Ruhland, MB 90266</b>            |
| <b>75. Sue Updike</b>      | <b>532 5<sup>th</sup> St. MB 90266</b>   |

