

# URBAN FORESTRY COMMISSION



**PORTLAND PARKS & RECREATION**

Healthy Parks, Healthy Portland



• Nick Fish, Commissioner • Mike Abbaté, Director

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## URBAN FORESTRY COMMISSION

Meeting Minutes

February 16, 2012

Lovejoy Room, City Hall

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**Commission Members present:** Michael McCloskey, Secretary Catherine Mushel, Stephen Peacock, Chair Joe Poracsky, Dick Pugh, Meryl Redisch, Dianna Shervey, Kendra Smith and John Warner.

**City Staff present:** City Attorney Harry Auerbach; Hannah Kuhn of Commissioner Fish's Office; Jennifer Karps, Bureau of Environmental Services (BES); Roberta Jortner, Bureau of Planning and Sustainability (BPS); Acting City Forester Rob Crouch, Kathleen Murrin, Deb Lev, Angie DiSalvo, Autumn Montegna and Anne Kroma, Parks & Recreation.

**Guests present:** Ricardo Moreno with Verde NW.

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**Call to Order and Public Comment:** Chair Joe Poracsky called the meeting to order at 7:38 a.m. with no public comment. Ricardo Moreno was introduced. His appointment to the UFC will be heard and approved by City Council on February 22<sup>nd</sup>.

**Review and approval of Minutes:** Chair Joe Poracsky requested review and approval of the January 2012 UFC minutes. Dick Pugh moved to accept the minutes as written. Stephen Peacock seconded the motion; it was approved unanimously.

### **Urban Forestry Report – Rob Crouch.**

Rob reported that the Urban Forestry workgroup dealt with more than a hundred emergency calls over 8 days of stormy weather, with Westmoreland neighborhood particularly hard hit.

In answer to a question about root barriers, Rob explained that Portland Bureau of Transportation (PBOT) has used 18" root barriers on the sidewalk side of narrow planting beds for about ten years. Urban Forestry is meeting with BES and PBOT to standardize the

specifications for using root barriers with street tree plantings. They can help direct the roots and keep them from growing directly under the pavement and pushing up the sidewalk. Root barriers are installed at the time of planting and may impact curbs. A brochure is being developed to communicate to homeowners who are planting a street tree and are thinking about using a root barrier. Rob will be visiting sites that used this method when planted about ten years ago to gauge success.

## **Committee and Partnership Reports**

### **Parks & Recreation Update – Deb Lev**

There is no new information on budget at this time. The Mayor will present his proposed budget to City Council in the first week of April. That will be the time for public comments.

Recruitment for the City Nature Zone Manager position received 93 applications, representing a diverse background in forestry. The position should be filled by mid-March.

### **Education & Outreach Committee – Meryl**

Catherine Mushel and Meryl Redisch will meet to finish up the committee process they have been working on. That can then be used as a template for the other committees to document their processes for the by-laws.

The Naito Awards (information included in handout packet) is taking applications online.

### **Nominations Committee – Dianna**

Recruitment for the current vacancy is under way. Any interested people are encouraged to go online to the Office of Neighborhood Involvement page of the City's website to apply. Nominations for the vice chair office will be taken at the March meeting. Final editing on the annual report is in the works.

### **Heritage Tree Committee – Michael McCloskey**

A major indoor meeting on February 7<sup>th</sup> resulted in the following information:

- The Heritage Tree Committee will continue to consider Trees of Merit, but they will have no public status. They are sometimes thought of as a consolation prize for unsuccessful Heritage Tree status.
- If someone besides the owner nominates a Tree of Merit, the owner should be consulted before going forward with the process.
- Nominations received by May for consideration as Heritage Trees (HT) will be toured in June. Nominations received by August will be seen on a September tour and scheduled for City Council consideration in October.

The Committee considered staff concerns about the need to de-list Heritage Trees in poor condition. Reasons to de-list include: significant change in the tree itself since designation;

that the pool of trees has changed (and there may be a much better example now available); or that the original listing may have been a mistake. Angie DiSalvo will schedule the HT Committee to do a field tour in May of the trees in marked decline.

The phone app allowing instant access to the locations of Heritage Trees makes the health and beauty of a designated tree even more important. Age is a component of several HT criteria, but health can impact those tremendously. There may some special way to designate the Heritage Tree of each species that we are most proud of.

Harry Auerbach gave the background of the program which started as Historical Landmark Trees, recognized for age alone. The Heritage Tree program broadened the desired characteristics. Code requires a unanimous decision by the UFC to delist a Heritage Tree.

The Heritage Tree appendix is ready to submit to the full Commission as part of the by-laws. It has written criteria for type, size, historical value, and horticultural value. There is also a Tree of Merit designation.

Process considerations:

- Is there adequate representation on the field tour?
- Does the designation require a quorum or not?
- How frequently should a staff arborist inspect HTs?

The Code authorizes the Heritage Tree program but does not fund it. The Urban Forestry department has absorbed the program costs. Costs vary each year due to frequency of inspections (annual, 3 years, or as determined by arborist), ROW maintenance, and approximately \$5-10K per year in pruning costs. There is also staff time for inspection, nomination, ordinance preparation and presentation.

### **Tree Code Update**

Hannah Kuhn gave an update:

- Mieke Kegan is program coordinator of Title 11, a position funded by both BES and UF. The one year posting ends in August, but a proposal to extend the position by one year is already being considered.
- There is an inter-bureau work group that meets every 2 weeks, working to make implementation appear seamless to the public.
- 2 Codes in place in E-zones and plan districts (UF staff created the supplemental checksheet now being used)
- There is a proposal for on-line applications for street tree pruning permits. It will require funding for the TRACS programming to issue tree permits online, but they wouldn't cost the applicant.
- A tree permit applicant could request an inspection, but it wouldn't be required. Someone (single point of contact) would be available for questions.
- TRACS would give a record of the permit holder, in case the tree is butchered
- There is educational information on the site and the agreement with the online permit is that the work must be done to arborist standards

- A stand alone website is under development to offer the tree code manual and all of the information currently provided by BDS, Parks and PBOT separately.
- The Tree Hotline is still envisioned, but an enforcement glitch means this may not be an effective tool with contractors and may need changes.
- Staff has been compiling a list of Title 11 housekeeping amendments (places where terminology or number references are not accurate) and the proposed changes will be presented to Urban Forestry and Planning Commissions in May.
- A proposed ordinance to delay implementation until July 2013 is in the works
- The Code states the code amendment process: Bureau drafts and brings to UFC and PC, public hearings with testimony are held, UFC and PC recommends to Council. Council votes for amendments.
- Mieke sends the inter-bureau agenda to stake holders meetings and it should be ok to have someone from UFC attend. Mieke will attend the April UFC meeting and provide an update.
- Hannah's new position as Commissioner Fish's Chief of Staff has already begun to absorb most of her time. Budget sessions will be held in April.

#### **Recognition of Service – Chair Joe Poracsky**

The Urban Forestry Commission wished to recognize Kendra Smith for many long hours of hard work as a member of the UFC. Kendra was presented with a certificate of thanks for three years on the Commission, a year longer than she expected to serve. She expressed appreciation for everyone's hard work during the tree code work and hoped new membership would include someone with a similar ecological background. She will stay busy planting 100,000 native trees and 260,000 shrubs as part of a riparian forest restoration. Kendra will come back to advocate for certain items, especially funding strategies.

Catherine Mushel moved to include the following in the public record. John Warner seconded the motion and it was unanimously approved.

Kendra communicated her intention to resign to Chair Joe Poracsky in December 2011. The Commission is grateful for the very important contribution she made to the successful passage of the new tree code, for providing key technical knowledge, analytical skills, and crucial experience in the implementation of codes and environmental and forest issues. She was a leader in joint meetings with the Planning Commission, helping to guide everyone through difficult decisions. Brian Krieg sums up the view of her fellow commissioners: "All of us looked to her leadership of the policy committee and will miss her being part of the Commission."

Chair Joe Poracsky introduced Ali Malekghasemi, visiting the World Forestry Center for six months. He is studying comparative urban forestry practices between Portland and Iran.

### **Education & Outreach Committee:**

Arbor week (April 1-7) information:

- 11x 17 poster/brochure, info on one side, mailer on the other
- Art Installation in South Park Blocks – trees with giant price tags listing benefits and representing the value over the tree's lifetime. The signage will be clear that they are not for sale as the newest way to raise money for budget shortfalls.
- Andy Carson of KPTV will be out at Urban Forestry for the whole day. Larry Maginnis and his crew will offer him a bucket truck ride and show him what Urban Forestry does.
- Sunday, April 1<sup>st</sup> will include a 6 mile bike ride (with arborists and tree stewards) to view the Heritage Trees of Overlook Neighborhood.
- The Arbor Day celebration from 11-1 on Thursday, April 5<sup>th</sup> will include the presentations of the Naito Award and our 35<sup>th</sup> Tree City Award. The event is located in the south park blocks of Market and Clay. Enticements will include snacks and bucket truck rides, although not necessarily in that order.
- Thursday evening you can continue the Arbor Day celebration with a social hour for tree people at Multnomah Lucky Lab and have a chance to hear about Tree Steward Projects.
- Friday offers the opportunity to hear Phyllis Reynolds, author of *Trees of Greater Portland*, give a guided walk through Laurelhurst Park.
- Friends of Trees has a big planting planned on Saturday, April 7<sup>th</sup> along the bike boulevard running from NE Hassalo to SE Bush.

Everyone is encouraged to attend as many events as they can and spread the word about the Arbor Week celebration.

The meeting adjourned at 9:27 am.

20.40 APPEAL FOR 2609 SE 6<sup>TH</sup> AVE

Appeal Committee present: Chair John Warner, Dianna Shervey, Stephen Peacock and Michael McCloskey.

Urban Forestry staff: Inspector Ned Sodja, Urban Forestry Program manager Rob Crouch

Appellants: Stuart and Robyn Lindquist

Denied permit request:

3 pyramidal European Hornbeams (*Carpinus betulus*) at 2609 SE 6<sup>th</sup> Avenue.

The trees do not meet the criterion of dead, diseased or dying.

They are in fair to good condition.

Chair of Appeal Committee introduced UFC members and explained process and time frame. Inspector showed PowerPoint presentation of photos of the trees and stated that an arborist could prune the trees to encourage growth away from the building. With the sidewalk removed, it is believed root pruning could alleviate tilting and help with the sidewalk disturbance.

The property owner, Mr. Lindquist, appeared with his daughter, Robyn Lindquist and provided the following information:

- He purchased the property a few months ago
- It has not been posted by PBOT to repair the sidewalk
- Believes he should be allowed to take out the trees and replant with reserved nursery stock and be done with it.
- He feels that if the City requires street trees, then they should do the maintenance and any associated repairs.
- He stated that there are only 2 other street trees in the area.
- The building is an old 1920 stable with the top used for hay storage, but now retail and manufacturing.
- He felt that the last business had gone bankrupt, in part, due to blocking canopy.

Inspector Ned Sodja stated he had agreed to issue a removal permit for the middle tree, if there was compliance regarding the conditions of previous removal permit issued on the property. The replacement trees (Bohalls) have not been planted on Ivon Street. The middle tree had been hit by a truck, lost a limb, and has a cavity, but is ok.

It is suggested that the appellant consider another type of trees for replacements and have the sidewalk removed so the tree roots can be inspected.

Stephen Peacock moved to allow removal of the middle tree while retaining the other 2 trees. Michael McCloskey seconded the motion; it was approved unanimously.

Rob Crouch agreed to contact Harry Auerbach regarding the process to issue a removal permit for one of the three requested trees and the replacement trees for the property.

Stan Lindquist stated he would be suing the City over the decision. He was informed that he could take the matter to City Council. Mr. Lindquist believes a lawsuit over this matter will include the cost of the sidewalk repair.

The Appeals Board of the Urban Forestry Commission adjourned at 10:18 am.