



URBAN FORESTRY COMMISSION

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URBAN FORESTRY COMMISSION

Meeting Minutes

February 19, 2015

Lovejoy Room, City Hall

Commission Members present:

Mark Bello, Kris Day, David Diaz, Brian French, Barbara Hollenbeck, Secretary Catherine Mushel, Stephen Peacock, Joe Poracsky, and Chair Meryl Redisch

Commission Members absent:

Ex-officio Lola Gailey, Tony Garcia and Ricardo Moreno

City Staff present:

Chief Deputy City Attorney Harry Auerbach, City Forester Jenn Cairo, City Nature Manager Deborah Lev, Urban Forestry Permit Supervisor Casey Jogerst, Jim Gersbach, recorder Madison Weakley

Guests present:

Lauren Wirtis, Bureau of Development Services (BDS), Jennifer Karps, Bureau of Environmental Services (BES); Bryan Burch, Noelle Studer-Spevak

Call to Order and Public Comments: Chair Meryl Redisch called the February 2015 Urban Forestry Commission (UFC) meeting to order at 8:03 am. Bryan Burch was recognized to provide public comments. Bryan has recently stepped down from the UFC to move to Seattle. He commended the work of the UFC and thanked all members for dedicating their time and energy to the UFC.

Madison Weakley was introduced by City Forester Jenn Cairo. She is a new hire to the Urban Forestry (UF) as a Community Service Aide II and will be filling in as recorder for the February meeting.

Review of October UFC minutes: (8:09)

Chair Meryl Redisch requested a short review of the final January draft minutes. Joe Poracsky moved to accept the minutes. Kris Day seconded the motion and the minutes were approved unanimously.

The Urban Forestry Report - City Forester Jenn Cairo (8:24)

Jenn Cairo reported on the hiring of two new Tree Inspectors, Dylan Saito and Charlie Carroll. There is one vacancy remaining, which staff is working to fill.

Twenty neighborhood applications were accepted as part of the 2015 Street Tree Inventory program. Jenn reported that twenty is the largest number of neighborhoods the UF have ever inventoried in one summer. To meet the needs Angie DiSalvo, the staff leading the program, will be hiring five temporary neighborhood coordinators. Jenn attributed the increased number of applications to the hard work of AmeriCorps members Elizabeth Specht and Danielle Voisin. The two have also been hard at work leading Street Tree Neighborhood events this winter. Their efforts have kept past neighborhood teams inspired and involved.

Jenn stated that, due to staff vacancies and in consultation with the Education and Outreach committee, this year's Arbor Day celebration will be a one day event at the Portland Farmers Market. Christina Cone, a past UF employee, has been brought on as a seasonal employee and is coordinating the Arbor Day event.

Jenn reported that the Learning Landscapes program has developed into 27 individual school and neighborhood tree walks and natural spaces. Each location has been documented and mapped thanks to the work of Kat Davidson, Karl Dawson, and Jim Gersbach. Each site has been mapped with species and size information that is available to anyone online.

There will be a memorial planting at Columbia Children's Arboretum Saturday, February 21st between 1 and 3pm in honor of Steven Fritz. Jenn asked any UFC member interested in attending to contact the Commissioner's office.

Jenn reported a Heritage tree loss in Overlook Park. A mature Madrone uprooted and fortunately fell without causing injury to anyone. Jenn has asked staff to draft language allowing Heritage tree delisting in situations of declining health.

The operations crew continues to plant trees, including replacing park trees that have been removed in the last two years.

There is still a vacant education position at the UF office. The position will be pre-posted soon with a goal of notifying diverse networks of the position. Jenn asks that any member forward the job description on to any good candidates once it is posted. Additionally, there are three vacant positions in the operations crew, Arborist I and (two) Arborist IV.

Jenn reported that Larry Maginnis has been elected to the Board of Oregon Community Trees. Casey Jogerst is now on the Board of Society of Municipal Arborists, and Jenn has been asked to serve on the teaching cadre at the 2015 Municipal Forestry Institute.

Kris Day commended the Urban Forestry's education and tree inventory programs. She reminded Jenn that Friends of Trees (FoT) is doing similar work and noted the compatibility of the programs goals.

New Code Implementation Update – Jenn Cairo

Jenn reported that code implementation is generally going well. Currently, there is a third person working three days a week exclusively as back up tree tech, indicating that the public is making frequent use of the new phone lines and information desks. Catherine Mushel mentioned her appreciation of the back-ups and safeguards that were built in to insure a successful rollout of Title 11.

Staff time has been dedicated to creating good structures for the Tree Techs. Because of this dedicated work, the Tree Techs have been able to maintain the targeted 48 hour turnaround time to voicemails and emails. Jenn noted that there have not been any large complaints about the structure of the system.

The phone system is funneled through 823-TREE and ends at a variety of voicemail inboxes, except emergency calls which are answered live.

There has been an increase in permit applications with Title 11. Staff is working on building a Tree Inspector Workload Tracker to capture real numbers of permit applications. Staff has already noticed an increase in permits for chemical application.

There have been tree removal applications under the allotted four private tree removal permitted each year. These increased numbers may reflect better records rather than more trees being removed. Jenn noted that prior to Title 11, private tree removals were unregulated and now, Forestry requires mitigation and replanting in most regulated cases.

Kris Day, Brian French, and Mark Bello discussed the “within 10 feet of a structure” removal clause. They note how this places trees that were protected prior to Title 11 at risk of being removed. They also expressed the need for clarification around the term “structures.”

Barbara Hollenbeck asks that the UFC consider ways to mitigate the “second storm” of tree removals that occur after large storms pass.

The UFC Chair Report – Meryl Redisch (8:39)

Chair Meryl Redisch reported that the annual report is close to being complete. It will be distributed to UFC members next month. From now on she would like members to submit a collection of their accomplishments on a quarterly basis.

Meryl has asked staff to print the UFC calendar on the back of the agenda each month. The calendar will depict the topics that will be presented at upcoming UFC meetings.

Senior Park Planner Emily Roth has been asked to present in March about the PP&R Sustainable Landscapes program.

In April, City staff will present to the UFC on the proposed historic guidelines that regulate Ladd's Addition. Jenn hopes to gain feedback from the UFC on the proposed guidelines.

Final proposals will be submitted to the City Council for approval and implementation, and the City's Historic Landmarks Commission will also review the guidelines.

Brian French has been asked to create a presentation on the Heritage Tree program. Jennifer Karpis will present some time in the summer on the BES Tree Canopy Program.

Process for Nominations and elections – Meryl Redisch (8:45)

Chair Meryl Redisch reported that four or five applications to fill the UFC vacancy have been received by the nominations committee. The application process has been put on hold until more diverse applicants can be found. Meryl noted that she will call the current applicants and give them a status update.

Urban Forestry Commission members Ricardo Moreno and Catherine Mushel will be reappointed. Gregg Everhart, an applicant from last year's nomination process will join the UFC to fill a recent vacancy. Meryl reported that the Commission will be down one member for an indeterminate amount of time.

Education & Outreach Committee Report – Catherine Mushel

Committee Chair Catherine Mushel appreciated the adjustment to the schedule allowing the education committee to report every six months. She noted the six month cycle grants time for adequate reflection of events' progress.

Catherine reported that the 2014-2015 planting season was successfully launched on November 5th. The Arbor Day Festival, April 11th, will be held at the Portland Farmers Market at Portland State University again this year. The theme will be "Trees are for Everyone" to continue the Education and Outreach Committee's goal to reach out to all Portlanders.

Catherine noted that due to the education and outreach vacancy within Urban Forestry, the Arbor Day celebration is restricted to a single day event rather than the typical month-long celebration. Also due the vacancy, the 2014-2015 Neighborhood Tree Steward program has been put on hiatus.

Catherine reported there is a great concern within the committee about the lack of supervising or cross program staff to support the education and outreach staff. For example, Tree Inspectors have the most interaction with the public of Urban Forestry Staff. If there were a cross program staff or supervisor within the Urban Forestry, a program could be launched to train all staff, especially Tree Inspectors, to incorporate education into their interaction with the public. She suggested that Urban Forestry has 31 full-time employees, but only one dedicated full-time to education and outreach, even though all staff efforts at education need coordination and direction. Even something as straightforward as messaging needs development and review, but this crucial function is dependent only upon individual staff members' dedication and talents. She would like an education and outreach supervisor to have authority equal to that of the crew and inspections supervisors.

Catherine asked the Commission whether they felt they have the tools and resources needed to conduct education and outreach within their daily conversations as UFC members. She then asked whether commissioners value education enough to restructure and/or hire a broader supervisor to take on an increased leadership role within the Urban Forestry.

Jenn Cairo responded to a question from Brian French saying that other cities of comparable size do have an education and outreach supervisor on staff. Jenn responded to Stephen Peacock's questions, stating that Karl Dawson's role as an education and outreach staff is split between Learning Landscapes, the YCC Conservation Core, Tree Bark, and winter planting and pruning-type events.

Barbara Hollenbeck remarked that when budgets are cut, almost always education is the first service eliminated within Urban Forestry departments. She remarked on the difficulty of E&O programs that require many skill sets: education, marketing, and public relations that are difficult to coordinate, implement, and measure for success.

Catherine asked, if the UFC wanted an E&O supervisor, how can they make it important to the Parks Commissioner? Meryl Redisch proposed writing a letter and recommended trying to enhance or supplement something that already exists in the budget, rather than attempting to get a position budgeted from scratch. Jenn Cairo encouraged the UFC to find ways to incorporate other City goals into the efforts to establish a new position.

Catherine proposed the UFC request to have business cards printed. She passed around a draft proposal of cards that the UFC could use. The front captures the responsibility of the UFC in a quote, "Volunteer advocates for the urban forest—advising the City, Advancing the public conversation." There is a blank line on the front where members can write their name and contact information. There are lines on the back of the card that allows members to make unique notes specific for the person's reference.

Barbara Hollenbeck recommends that hang tags are also made for each member to be worn at tree events. Joe Poracsky encourages illumination of the fact that UFC are not City employees and the UFC is not a business.

UFC Chair Redisch commented that staff support and funds are needed to get the cards ordered. She asks that UFC members take the business card draft home and send their approval and edit recommendations directly to Catherine. Jenn Cairo will begin to seek approval of funds to be allocated for ordering the cards.

New Code Oversight Advisory Committee Report (9:40)

Mark Bello reported that the New Code Oversight Advisory Committee (NCOAC) is tasked with judging whether the New Code is accomplishing its original intent. Mark has already seen examples of interests that made compromises during the creation of the original code, using their influence to reduce their concessions.

Mark provided 8 issues that the UFC members could provide comments on: The \$1,200 cap on mitigation per tree; the City's current inability to inspect tree plantings once permits are issued; the \$1,200 cap on tree preservation; Type A tree standards and whether they are meeting the intended goals; the 'within 10ft of structure' exception; the Public's inability to appeal the removal of up to 4 healthy trees with DHBs less the 20 inches; the meaning of tree density; whether customer service has improved.

David Diaz was concerned that the NCOAC is running ahead of problems and hasn't allowed adequate implementation time to observe effects. He also voiced a need for the NCOAC to establish performance standards to be measured later.

In response to Brian French's questions of a timeline, Kris Day described the NCOAC as a one year limited term committee. The NCOAC will create a formal report and give it to City Council with recommendations to adjust the code. BDS/PP&R employee Lauren Wirtis informed the UFC that some smaller technical issues, like the definition of buildings or structures, can be resolved through a quicker timeline by city staff.

Mark asked how the UFC would like to be presented information from the NCOAC meetings. David Diaz recommended a quarterly report from the UFC members on the NCOAC with the caveat that large issues be brought up on an as needed basis.

Based on the feedback from the UFC, NCOAC members Kris Day and Mark Bello, representing the UFC, will take the lead on issues. They will continue to voice the need for more monitoring and time to pass to allow a true narrative of how the Code is achieving its targeted goals.

Title 11 mitigation policy – Chair Meryl Redisch (10:12 am)

City Forester Jenn Cairo reported that the implementation of the mitigation plan is a work in progress. Some mitigation is written into the Code or is left to the discretion of the City Forester. Jenn asked UFC members for input on how they think the City Forester's discretion should be applied.

Chief Deputy City Attorney Harry Auerbach was asked how the \$1,200 cap on mitigation was established.

City Nature Manager Deborah Lev said the cap came from the City Commissioner. Staff has now been asked to create another draft of the mitigation policy based upon the \$1,200 cap. She urged the UFC not to take too literally the questions about specifics. It would be most helpful to understand what is important to the UFC now with consideration of what the original intent of the mitigation policy was when Title 11 was written. How do caps on mitigation affect the envisioned outcomes? She asks that the UFC provide a broad understanding of what is desired from a mitigation policy so that staff can begin to work on documenting it.

Harry Auerbach said the largest issue in the mitigation plan is the difference between fees to 'Helen Homeowner' and developers. Mitigation is to replace that which is lost. In development, the mitigation is primarily accomplished through fees. In non-development situations, mitigation is established through replanting trees. The fee is only applicable if the City Forester states that replanting isn't possible. Harry made the point that the purpose of the code is to enhance and protect the urban forest, and that the public has an interest in protecting trees in non-development situations precisely because it is understood that mature trees will be removed to make way for buildings. He reminded everyone that the best way to evaluate how a regulation is implemented is to return to the reason why the regulation exists in the first place.

Mark Bello stated that establishing numerical values, like a cap \$1,200, creates a false equivalence. With a cap, a 40 inch large canopy tree becomes as valued as a 4 inch small canopy tree. David Diaz agreed and noted that there is a difference between mitigation and disincentives to removal. He argued that an established cap on the mitigation plans were punitive, rather than mitigating removal.

Jenn informed the UFC that the \$1,200 mitigation cap is being implemented now and it applies in every private, Capital Improvement, and public tree situation. Meryl warned that the city is setting a harmful precedence by implementing a \$1,200 blanket cap.

Meryl asked what should the next steps be and requested feedback regarding writing a letter to Commissioner Amanda Fritz.

Mark Bello encouraged the UFC to act immediately and recommended that the UFC give the UF Chair the power to act in her best judgment and take a strong stance against the current mitigation caps.

Meryl will start writing a letter to Commissioner Fritz and try to get a meeting with her as soon as possible. In the immediate future Meryl will draft a letter and send it to the UFC members for editing and will then send it on to the Commissioner's office ahead of the meeting.

Chair Meryl Redisch adjourned the business meeting at 11:03 am.