



CITY OF COMMERCE AGENDA REPORT

TO: Honorable City Council **Item No.** _____

FROM: City Administrator

SUBJECT: Tree Maintenance on Private Property in the Village Residential Area

MEETING DATE: May 15, 2018

RECOMMENDATION:

City Council to consider approving upholding the City's Council-established 2014 Policy regarding the discontinuance of the City maintaining trees on private property.

BACKGROUND:

On October 17, 2017, staff provided background information in attached previous reports presented to Council in 2014 in which Council directed staff to discontinue private property tree maintenance services in the Village residential area. At this meeting, Council requested staff return with options for Council consideration. They are as follows:

- 1) Council upholds that property owner maintains trees on their private property pursuant to the Council-established 2014 policy.
- 2) The City maintains 3 private trees in the Village residential area with owner indemnifying the City to release the City of all liability at a minimum regarding the health and condition of the trees and any issues that may be caused by the trees to private property and utilities such as water and sewer lines.

ALTERNATIVES:

1. Approve staff recommendation
2. Disapprove staff recommendation
3. Provide further direction to staff

FISCAL IMPACT:

Option 1 = No fiscal impact.

Option 2 = Approximately \$1,200 per year to maintain 3 private trees. The City's former Legal Counsel determined this past practice to be a gift of public funds and recommended discontinuance of the practice in 2014. It is also worth mentioning that there are unknown potential future financial ramifications by establishing a precedent of maintenance issues on private properties which other residents may attempt to exploit.

RELATIONSHIP TO STRATEGIC GOALS:

This item is related to a specific 2016 Strategic Goal to “implement city business processes and operational efficiencies to streamline the cost of government including the examination and identification of cost of services and cost of recovery policies.”

Approved by: Maryam Babaki, Director of Public Works and Development Services

Prepared by: Gina Nila, Deputy Director of Public Works Operations

Reviewed by: Vilko Domic, Finance Director

Approved as to form: Norma Copado, City Attorney

Respectfully submitted: Edgar P. Cisneros, City Administrator

Attachment: 1) Resolution

2) Agenda Report – October 17, 2017

3) Agenda Report – August 19, 2014

4) Agenda Report – July 1, 2014

5) Letter dated July 2, 2014 Informing Residents of Tree Options