



CITY OF COMMERCE AGENDA REPORT

TO: Honorable City Council

Item No. _____

FROM: City Manager

SUBJECT: Second Reading of an Ordinance of the City Council of the City of Commerce Amending Chapter 12.06, "City Trees" of Title 12, "Streets and Sidewalks" of the Commerce Municipal Code relating to administrative and enforcement regulations, as well as the imposition of recovery of City costs concerning City trees, and Consideration of a Resolution Adopting an Updated Proposed Tree Policy

MEETING DATE: October 20, 2020

RECOMMENDATION:

The City Council will consider and approve the following: Waive the full reading, and by reading the title only, Adopt an Ordinance amending Chapter 12.06, "City Trees" of Title 12, "Streets and Sidewalks" of the Commerce Municipal Code relating to administrative and enforcement regulations, as well as the imposition of recovery of City costs concerning City trees; and

BACKGROUND:

The City Council unanimously approved the revised Tree policy and introduced an Ordinance amending Chapter 12.-6 "City Trees" of Title 12 "Streets and Seidwalk" of the Commerce Municipal Code at the October 6, 2020, City Council meeting.

The City adopted a Tree Policy inclusive of a Master Street Tree Plan List for City-owned public right-of-ways and parks on June 15, 2010, which included 51 varieties of trees. However, there are 121 varieties of trees in existence in the City, not all of which are appropriate for the City's parkways. Unfortunately, this increases maintenance costs for the City given that each species requires different care. Such care includes tree pruning, ranging from two to eight year cycles depending on the species and addressing damage to City sidewalks and encroachment onto private property. Given that, the City Council approved a revised Tree Policy on April 19, 2016.

Since this time, the City received 1,000 trees as part of the I-5 Freeway Expansion Project remediation and recently TreePeople completed the installation of the trees citywide in parkways and its parks. As part of the this project, residents received 200 fruit trees on a first come first served basis to plant on their private property. With the conclusion of this

project, the City can take the opportunity to revisit its Tree Policy and revise it where necessary.

ANALYSIS:

The purpose and intent of the Ordinance is to make amendments to Chapter 12.06 to address violations of laws and policies relating to the city's trees and provide for more comprehensive administrative and enforcement tools to promote compliance with the city's laws and policies. This will provide staff stronger enforcement tools to successfully administer the Tree Policy as it relates to City owned trees. For reference, the changes to Municipal Code are included in Attachment 2.

In conjunction with the proposed Ordinance, staff reviewed current policy and determined the following proposed changes should be considered for approval. For reference, the redlined policy is included as Attachment 3.

General Editorial Changes- Throughout the document editorial changes were made to provide clarity and address minor grammatical issues.

Department Name Change- Throughout the Policy, Development Services is called out. All reference to Development Services are removed due to the department reorganization that went into effect in 2019.

Appeal Process- whether the removal of a tree is initiated by the City or by a request outside of the City, if an appeal is submitted to the City in writing, the appeal will be heard and approved/denied by the City's Beautification Committee.

Municipal Code- See itemized list of changes below

- On page 3, a paragraph was added of a property owners' responsibility of water street trees per Chapter 19.23, Landscaping Standards
- On page 7, Chapter 9.32, Public Nuisances and Abatement replaced Chapter 19.23 since the callout to Chapter 9.32 prescribes the City's ability to recover and assign cost.
- On Page 8, Cost Recovery was included and calls out to Chapter 12.06 was added to provided for guidance for violations of the policy.
- On Page 9, the Director of Public Works, and his or her designee was included and call out to Chapter 12.06 was added for enforcement.

Staff believes the aforementioned changes provide clarity and better enforcement in protecting the City's urban forest, to preserve and protect the health and safety of our City's trees, and to provide the City with stronger enforcement tools to successfully administer the Tree Policy.

ALTERNATIVES:

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

FISCAL IMPACT:

There is no fiscal impact to the City for the recommended revisions to its Tree Policy.

RELATIONSHIP TO STRATEGIC GOALS:

This agenda item relates to the 2016 Strategic Plan

Community Quality of Life

Foster environmentally conscious initiatives and continue to identify and develop city codes that support a clean, well-maintained, sustainable community.

Respectfully submitted by: Edgar P. Cisneros, City Manager

Approved by: Daniel Hernandez, Director of Public Works

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

Approved as to form by: Norma Copado, Assistant City Attorney

ATTACHMENTS:

1. Ordinance