



SPECIAL MEETING MINUTES

Date: 6/26/2019
Time: 6:00 p.m.
City Hall– “Downtown” Conference Room, 1st Floor
701 Laurel St., Menlo Park, CA 94025

A. Vice Chair Cole called the meeting to order at 6:14 p.m.

B. Roll Call

Present: Vice Chair Cole, Judas (arrived at 6:19 p.m.), K. LeMieux, T. LeMieux, Marshall, Martineau, Nash, Ordonez, Sammut-Johnson

Absent: Chair Combs

Staff: Sustainability Manager Rebecca Lucky, City Arborist Christian Bonner, Project Contractor Darya Barar, Project Contractor Candise Almendral, Project Facilitator Debbie Schecter

Public Comment

- Peter Edmonds commented on suspected violation of the conditions of the removal permit for seven heritage redwood tree on 1000 El Camino Real (Attachment).
- Member Nash distributed a handout proposing additional requirements for the heritage tree ordinance update not included in the Heritage Tree Task Force scope of work (Attachment).

C. Regular Business

C1. Approve the June 12, 2019, Heritage Tree Task Force meeting minutes (Attachment)

ACTION: Motion and second (Cole/Nash) to approve meeting minutes, passed (9-0-1; Combs absent).

C2. Review and discuss the preferred options for (1) tree replacement requirements, (2) violations for unpermitted tree removals, (3) multi-stem definition, (4) decision making body for appeals, (5) appeal exemptions, and (6) tree removal notification requirements (Staff Report #19-006-HT) (2.5 hours)

Sustainability Manager Rebecca Lucky introduced the item.

ACTION: Motion and second (K. LeMieux/Sammut-Johnson) to modify the preferred option for development related tree replacement requirements to exclude single family development, failed 3-5-1-1) Cole, Marshall, Martineau, Nash, Ordonez dissenting, Judas abstained, Combs absent).

ACTION: Motion and second (Cole/Marshall) to recommend to the City Council the preferred option for development related tree replacement requirements, passed 6-3-1 (K. LeMieux, T. LeMieux, Sammut-Johnson dissenting, Combs absent).

ACTION: Motion and second (Nash/K. LeMieux) to recommend to the City Council the preferred

option for non-development related tree replacement requirements, passed 9-0-1 (Combs absent).

ACTION: Motion and second (Nash/Judas) to recommend to the City Council the preferred option for violations with the addition of city attorney recommended language, passed 8-1-1 (Marshall dissenting, Combs absent).

ACTION: Motion and second (Judas/T. LeMieux) to recommend previous action taken in May 2019 of establishing a new five member commission to be appointed from current city commissions, excluding Planning Commission, to make decisions on heritage tree appeals, passed 7-1-1-1 (Marshall dissenting, Nash abstained, Combs absent).

ACTION: Motion and second (Cole/T. LeMieux) to recommend to the City Council tree removals approved under proposed criterion No. 6 (invasive species) be exempted from an appeals process, passed, 9-0-1 (Combs absent).

ACTION: Motion and second (Nash/Marshall) to recommend to the City Council a requirement for open access and community-wide noticing of heritage tree permit applications, approvals, and appeals, in alignment with city code (300-ft from address associated with heritage tree), passed 8-1-1 (Sammut-Johnson abstained, Combs absent).

ACTION: Motion and second (Cole/K. LeMieux) to recommend to the City Council the preferred option for multi-stem definition of a heritage tree, passed 8-0-1-1 (Martineau abstained, Combs absent).

C3. Discuss September 12 meeting agenda topics

Sustainability Manager Rebecca Lucky introduced the item.

D. Reports and Announcements

D1. Staff update and announcements

Sustainability Manager Rebecca Lucky introduced the item.

D2. Next Agenda

Sustainability Manager Rebecca Lucky introduced the item.

E. Adjournment

Vice Chair Cole adjourned the meeting at 9:35 p.m.

Candise Almendral, Project Contractor



June 4, 2019

Matteson Investment Corporation ("Matteson")
1510 Fashion Island Boulevard
San Mateo, CA 94404

Subject: Conditions of Heritage Tree Removal Permit at 1000 El Camino Real.

Dear Matteson,

This letter is regarding the permit (HTR2019-00223) for the removal of 7 coast redwood Heritage Trees on the property at 1000 El Camino Real, Menlo Park, CA. The following are conditions of the removal permit:

1. Owner shall plant a minimum of fourteen (14), thirty-six inch (36") box trees on the subject property in the locations and utilizing tree species which are specified in approved landscape plan of the Architectural Control permit (PLN2018-00045) and in accordance with the most current International Society of Arboriculture (ISA), Best Management Practices prior to final inspection of associated construction.
2. Owner shall make a donation of sixty two thousand dollars (\$62,000) to the non-profit organization, Canopy, within thirty (30) days of removal. The funds shall be used for the planting of twelve (12) trees in Burgess Park and Civic Center Campus at 701 Laurel Street, Menlo Park and fifty trees (50) in and within the near vicinity of the Belle Haven Neighborhood, all as specified by the City.
3. Except as otherwise provided below, the owner shall process the saw-log portions of the 7 (seven) coast redwood central stems into primary wood products (e.g. lumber, panels, plywood, containers, sheathing) to be used directly for domestic/residential/local purposes and donated to a local affordable housing provider. Owner shall provide documentation that saw-logs have been utilized and/or that an agreement has been entered into to achieve such purpose within ninety (90) days of removal. A portion of the saw-log material shall be made available to, or in coordination with, the City, to be modified into a piece of artwork or a bench/feature, at the direction and cost of City. The owner shall deliver such portion to a location as designated by the City. The owner shall not utilize the saw-log portions of the redwoods for roundwood products that are not milled (e.g. fuelwood, mulch, posts, etc).

Failure to comply with the conditions of this permit will constitute a violation of the Heritage Tree ordinance and may result in City action and penalties associated with the ordinance.

Sincerely,



Christian Bonner
City Arborist
Public Works Department
333 Burgess Dr. Menlo Park



H. Nash Public Comment 6/26/19

The agenda for tonight's meeting is restricted, excluding exclude two topics that have been raised by several task force members and should be addressed as part of our ordinance review process. I believe these principles should be embedded in the new ordinance, and can easily be added to it.

1. Include a requirement that the director of public works collect and maintain information sufficient to evaluate the degree to which intent and purpose of the Ordinance is being achieved, including an aerial photographic or similar survey at least every five years, and report to the City Council annually. [add to Section 13.24.025 – Maintenance and preservation of heritage trees.]
2. Add a requirement, to the extent permitted by law, for open access and community-wide notice of all heritage tree removal applications, permits and appeals. [add to: Section 13.24.025 – Maintenance and preservation of heritage trees; Section 13.24.040 – Permits; Section 13.24.060 – Appeals.]

Each of these principles is simple; how they should be implemented is left to city staff to determine. Each is also essential to effective functioning of this ordinance, so the Ordinance will achieve what it was intended to accomplish, while reducing misinformation and community friction.