

City of Brisbane

Agenda Report

TO: Honorable Mayor and City Council

FROM: Director of Public Works/City Engineer via City Manager

SUBJECT: Tree Planting – San Mateo Lane

DATE: Meeting of April 20, 2009

City Council Goals:

To develop plans and pursue opportunities to protect natural resources. (#8)

To preserve the unique character of Brisbane. (#16)

Purpose:

The proposed re-plantings are consistent with the City Council's adopted community values of "environmentally progressive" and "caring" (decisions are propelled by stewardship of the environment).

Recommendation:

1. Approve the proposed planting plan for San Mateo Lane

Background:

The Council previously approved funds for the removal of 16 eucalyptus trees at San Mateo Lane. During the discussion, the Council and community requested a plan for the planting of replacement trees. A planting plan was brought to the City Council at its February 2, 2009 meeting. At the meeting, members of the public objected to the selection of two non native plant materials for the planting plan. Staff was instructed to seek input from California Native Plant Society (CNPS) and concerned citizens regarding what trees would be appropriate for the site and bring a revised plan back to the Council.

Discussion:

The consensus of recommendations received by staff was that the planting plan should include an equal number of Coast live oak and California Buckeye trees. CNPS recommended that, because this location was so close to the County Park, the plantings should not be commercial nursery stock but locally sourced plant materials. The concern

is that a commercial nursery Coast live oak may come from a seed source in central or southern California which may have a different genetic make up from the Coast live oak population on San Bruno Mtn. This could potentially impact the local population in a negative way. Staff has located a native plant nursery in San Francisco that specializes in locally sourced plant materials and can supply California Buckeyes from San Bruno Mtn. and Coast live oaks from southeastern San Francisco. These plants are only available in five gallon containers so the young trees will be much smaller (about 18" tall) when planted than would be commercial nursery stock. For this reason, the revised plan provides for staking and installing a protective wire mesh around the new trees.

Council does have the option to not authorize the expenditure of funds for this purpose at this time; if that decision is selected, than the stumps will be removed along San Mateo Lane but the area next to the street will remain unplanted until funds are available for this work.

Fiscal Impact:

\$448 to purchase the trees and \$2,565 to plant the new trees will come from the balance of the \$14,000 originally budgeted for the work in this area (\$10,270 has been spent to date on tree removal and interim treatment and removal of the stumps).

The total dollar amount to implement the tree planting \$3013.

The initial maintenance work necessary for the trees to become established will be performed by the contractor. After the first three months, maintenance will be performed by Department of Public Works personnel.

Measure of Success

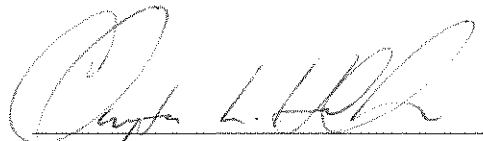
The planting and final "establishment" of fourteen (14) trees along san Mateo Lane and restoration of a more "native" ecology in that location.

Attachments:

- Revised San Mateo Lane proposed tree plan
- Original proposed planting plan.
- Assistant to City Manager staff report of July 21, 2008



Director of Public Works/City Engineer

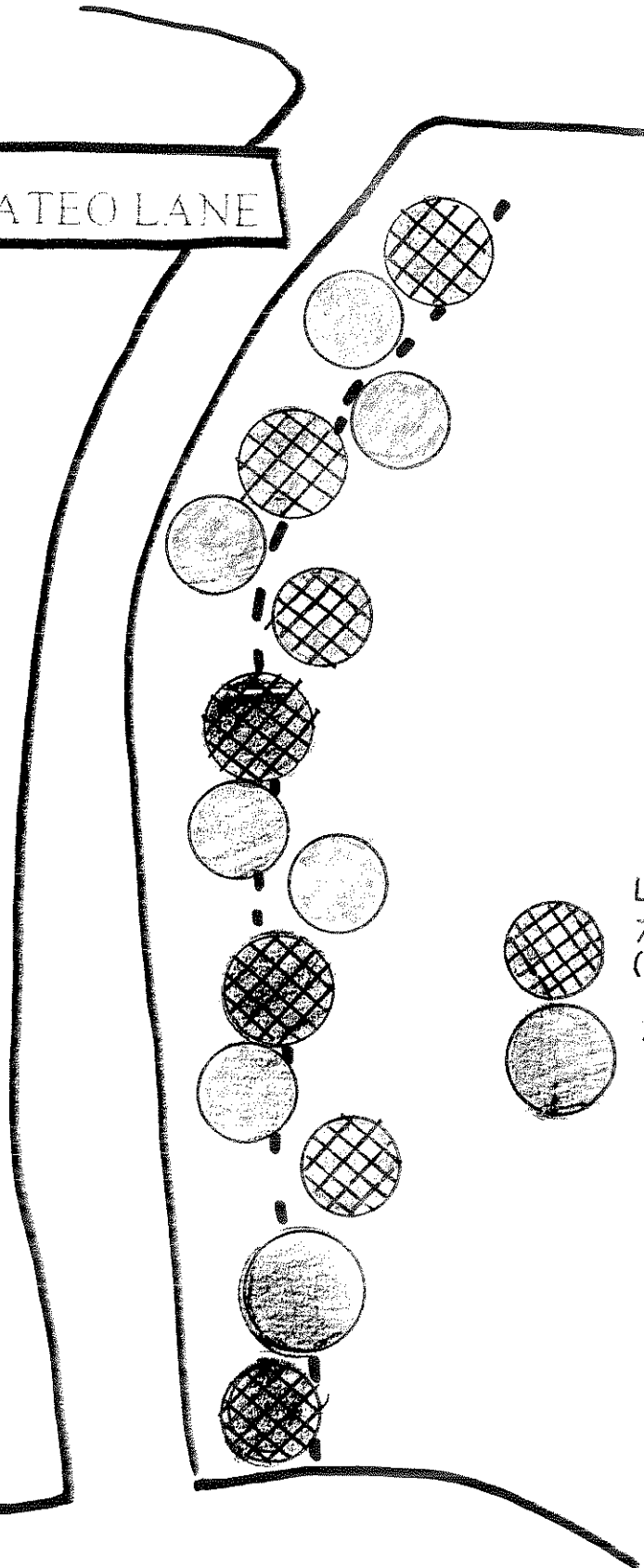


City Manager

KINGS ROAD



SAN MATEO LANE



LEGEND

7-5 Gallon Coast Live Oak
(*Quercus Agrifolia*)



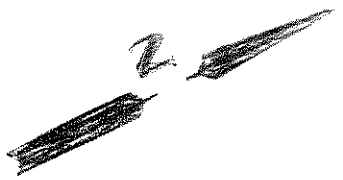
7-5 Gallon California Buckeye
(*Aesculus Californica*)



4/20/09 Proposal

HUMBOLDT ROAD

KINGS ROAD



SAN MATEO LANE



LEGEND

- 5-15 Gallon Coast Live Oak
(Quercus Agrifolia)
- 5-15 Gallon Scarlet Oak
(Quercus Coccinea)
- 4-1 Gallon Flowering Cherry
(Prunus Serrulata "Kwanzan")

2/2/09 Proposal

HUMBOLDT ROAD

City of Brisbane

Agenda Report

TO: Honorable Mayor and City Council

FROM: Fred Smith via Clay Holstine, City Manager

DATE: Meeting of July 21, 2008

SUBJECT: Update on options for eucalyptus tree removals.

CITY COUNCIL GOALS:

- 3. To maintain and improve infrastructure.
- 8. To develop plans and pursue opportunities to protect natural resources.
- 14. To preserve and enhance livability and diversity of neighborhoods.

PURPOSE: To review previously discussed options for eucalyptus tree removals in Central Brisbane.

RECOMMENDATION:

Provide direction to staff

BACKGROUND:

At its meeting of April 16, 2007, the City Council discussed a report from staff on options for management and removal of eucalyptus trees in central Brisbane. Eucalyptus trees are a species of tree native to Australia which is capable of rapid growth and can become invasive in the native California landscape. Due to their prolific growth and tendency to shed bark and dried leaves, eucalyptus trees can also become a fire hazard unless properly maintained. Thus, to many people, eucalyptus trees are a nuisance and are considered a weed tree. They do, however, provide nesting sites and habitat for raptors and other wildlife.

At the April 16th meeting, four options were discussed:

- 1. San Mateo Lane
- 2. 108 Trinity Rd.
- 3. Community Park/San Francisco Ave. between the restroom building and Bayshore Blvd.
- 4. City owned lots at the end of Paul Ave.

The Council expressed interest in proceeding with option #4 so, on July 23, 2007, staff came back to Council with a proposed contract with Mountain Enterprises, Inc. to remove the eucalyptus trees and clear brush on an approximately 0.6 acre site at the end of Paul Ave. at a cost of approximately \$27,000. The work was done in combination with removal of trees on two adjacent properties that was funded by those owners.

At the April 16th meeting, the Council also indicated that it was not interested in considering removal of the trees at the Community Park panhandle (option #3) and would consider the other two sites at a later date. This staff report will discuss these two options as well as remaining issues related to the work done at the end of Paul Ave.

In addition to the above projects, the annual vegetation management plan for the City's open space lands in the Brisbane Acres has included a phased removal of eucalyptus trees on those lands purchased with grant funds and/or funds from the City's Open Space Fund. This staff report will include an update on the status of that effort, as well.

DISCUSSION:

1. San Mateo Lane There is a row of 14 large eucalyptus trees on the north (canyon) side of the street and two large trees on the south side of the street. These trees are on the City right of way and have been a maintenance issue for a number of years. In addition, neighboring property owners have made numerous complaints to the City about these trees. Within the last three years, this stand of trees has been thinned and crowns of these trees have been substantially cut back. However, this work will have to be redone periodically since the trees will continue to grow back fairly quickly. Since these trees are on City property and adjacent to the street, removal of these trees would be a relatively straightforward project. Last year staff received estimates of approximately \$12,000 to \$14,000 for this work.

2. 108 Trinity Rd. There are five large eucalyptus trees adjacent to the street between 108 and 136 Trinity Road. These trees are quite large and overhang the street and the adjacent houses. They are also adjacent to the PG&E lines that run along the street. Using existing survey maps and the City's GIS database, staff has concluded that these trees are located on private property, just outside the City right of way. Because of the size of the trees, the narrowness of the road and the proximity of structures and utility lines, removal of these trees would be a complex and expensive project. Last year staff received estimates of approximately \$30,000 to \$50,000 for the removal of the five trees.

The fact that the trees are on private property raises issues of how to properly fund the removal of these trees. Only if the condition of the trees were such that they could be declared a public nuisance, could the City order the property owner to abate the nuisance. If the property owner was unable or unwilling to do so, the City could perform the work and bill the property owner or place a lien on the property to secure the recovery of its costs. This is similar to how the weed abatement program works.

If the trees cannot be deemed a public nuisance and the private property owner desires their removal but cannot pay for the work, the City could have the work done under a

right of entry agreement. In this case, the City could advance the funds for the work if the property owner agreed to a payment schedule to reimburse the City. If the property owner could not afford to make payments, the City could defer repayment until the property was sold or transferred to the owner's heirs. In both these cases, the repayment would be secured by a deed of trust providing for a reasonable rate of interest at the City's cost of funds.

Absent a mechanism to secure recovery of the City's costs, the City Attorney has advised that it could be construed to be a gift of public funds if the City were to pay for the removal of trees on private property.

There are similar situations on other private properties in town and the above issues would also apply to those cases. At the April 16th meeting, the Council discussed establishing a program for cost recovery as described above but no decision was made to proceed.

City owned lots at the end of Paul Ave. As mentioned above, in 2007, the City removed the eucalyptus trees and brush on the property it owns at the end of Paul Ave. However, the City's property does not extend all the way up to the adjacent dirt portion of Paul Ave. Consequently, the removal project did not include the row of approximately 15 trees adjacent to the downhill side of the dirt road. These trees are situated on the Brisbane Acres Lot 79. Because it would have made logical sense to include these trees in the project so that all the eucalyptus trees below the road would be cleared, the City contacted the property owner to see if she wished to participate in the project but we received no response.

If the City wishes to pursue the removal of these trees, one option would be to explore the acquisition of an access and vegetation management easement over that portion of lot 79 that contains the dirt road and the above mentioned trees. One benefit of such an easement would be that it could partially secure a permanent access to the City owned property adjacent to lot 79.

Staff has not received bids for the removal of the trees next to Paul Ave, but it is estimated that it would cost approximately \$8,000 to \$10,000 for this work. Acquisition of an easement over the property could involve an additional cost that is undetermined at this time.

Brisbane Acres Vegetation Management Program. Since 2003, the City's vegetation management program has included approximately \$9,000 per year for removal of eucalyptus trees on City owned open space lands in the Brisbane Acres. In some years, the work has been deferred and the funding held over so that a larger project can be more efficiently accomplished in the subsequent year. This work has focused mainly on lots 78 and 82. The 2007-08 vegetation management program did not include any eucalyptus work and \$7600 from last year was held over to 2008-09 so that we could implement a larger project later this year. Staff is currently obtaining bids and access agreements to enable the City to remove the remaining eucalyptus trees on lots 78 and 82 as well as all the eucalyptus trees on the newly acquired lot 77. There are some additional eucalyptus

trees on adjacent County Park land and this proposed project would include those trees in a cooperative effort with the County. The total cost of this project would be approximately \$20,000 with the County's contribution funding approximately \$2000 of this total. The project described above will complete the eucalyptus removal on the City's open space lands in the Brisbane Acres.

FISCAL IMPACT/FINANCING ISSUES

\$50,000 for urban forestry was approved in the Fiscal Year 2008-09 budget. These funds are available if the Council wishes to pursue any of the above projects.

\$21,200 for the Brisbane Acres vegetation management program was approved in the Fiscal Year 2008-09 budget in addition to the \$7600 that was carried over from 2007-08 and these funds are available for the Brisbane Acres eucalyptus removal work.



Department Head



City Manager

ATTACHMENTS:

Sun Mateo Lane trees
108 Trinity Road trees
Paul Ave. trees
Brisbane Acres trees