



PARKS AND RECREATION COMMISSION MEETING AGENDA
Thursday, July 13, 2017, 7:00 pm
City Hall Council Chambers, 1000 San Pablo Avenue

1. CALL TO ORDER

2. APPROVAL OF ACTION MINUTES: June 8, 2017

3. PUBLIC COMMENT

For persons desiring to address the Commission/Committee/Board on an item that is not on the agenda please note that each speaker is limited to three (3) minutes. The Brown Act limits the Committee's ability to take and/or discuss items that are not on the agenda; therefore, such items are normally referred to staff for comment or to a future agenda.

4. ANNOUNCEMENTS/DIRECTOR'S REPORT: Updates on Park Projects

5. PUBLIC HEARING/PRESENTATIONS:

5-1: Memorial Park Edible Landscape Project Update: Nathan Thompson will make a presentation to the Commission about the Edible Landscape Project.

Informational only

5-2: Street Tree Removal Application 922 Neilson Street: The Commission will review the street tree removal application for one (1) Liquidambar.

Recommended Action: That the Commission approve the street tree removal application submitted for 922 Neilson Street.

Attachments: Staff Report with images, Tree Evaluation, Tree Removal Application

5-3: Street Tree Removal Application 969 Ventura Avenue: The Commission will review the street tree removal application for one (1) Liquidambar.

Recommended Action: That the Commission approve the street tree removal application submitted for 969 Ventura Avenue.

Attachments: Staff Report with images, Tree Evaluation, Tree Removal Application

5-4: Street Tree Removal Application 986 Peralta Avenue: The Commission will review the street tree removal application for one (1) Ginkgo (female).

Recommended Action: That the Commission approve the street tree removal application submitted for 986 Peralta Avenue.

Attachments: Staff Report with images, Tree Evaluation, Tree Removal Application

6. DISCUSSION AND POSSIBLE ACTION ITEMS ON MATTERS RELATED TO THE FOLLOWING ITEMS:

6-1: Street Tree Removal Policy Sub-Committee Report: Sub-Committee will present initial recommendations for revisions to the Street Tree Removal Policy. Sub-Committee will discuss the Sidewalk Repair Policy's section entitled "Refinements to Street Tree Program".

Recommended Action: That the Commission discuss the recommended revisions to the Street Tree policy. Commission will consider making a recommendation to the City Council regarding implementation of the Sidewalk Repair Policy.

6-2: Friends of Albany Parks Events: Upcoming: Jewel's Terrace Park Gala (Wednesday, July 26, 6:30 pm), Clean-Up (Saturday, August 5, 9:00 am)

6-3: Selection of Chair/Vice Chair: The Commission will re-select a Chair and Vice Chair due to Chair Tanner's resignation (relocating) from the Commission effective July 14, 2017.

7. FUTURE AGENDA ITEMS:

(Commissioners announce of requests for future agenda items. No public comment will be taken on announcement of future agenda items).

Next Meeting: Thursday, September 14, 2017 7:00 pm, City Hall Council Chambers, 1000 San Pablo Ave.

Please note: There are no public meetings in August.

8. ADJOURNMENT:

NOTE: *The Commission/Committee/Board packet is available for public inspection at the Albany Community Center, Senior Center, and City Hall. The agenda and supporting staff reports, if available, can be found on our web page at www.albanyca.org. If you provide your name and address when speaking before the Commission/Committee/Board it will become part of the official public record, which will be posted on the Internet.*



PARKS AND RECREATION COMMISSION MEETING MINUTES
Thursday, June 8, 2017, 7:00 pm
City Hall Council Chambers, 1000 San Pablo Avenue

1. **CALL TO ORDER: 7:02 pm: Present:** Chair Tanner, Vice Chair Chang Frank, Commissioners Romero, Abbott, Pearson, Mellers; Absent: Commissioner Esbin

2. **APPROVAL OF ACTION MINUTES:** May 11, 2017: *Motion made by Commissioner Abbott to approve the minutes; Seconded by Commissioner Vice Chair Chang Frank; 5 in favor; 1 Abstained; Motion carried*

3. **PUBLIC COMMENT**

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4. **ANNOUNCEMENTS/DIRECTOR'S REPORT:**

5. **PUBLIC HEARING/PRESENTATIONS:**

5-1: **Albany Tool Pool:** Brennen Brown made a presentation to the Commission about the Albany Tool Pool Program.

Informational only

6. **DISCUSSION AND POSSIBLE ACTION ITEMS ON MATTERS RELATED TO THE FOLLOWING ITEMS:**

6-1: **Street Tree Removal Policy Sub-Committee Report:** Sub-Committee presented initial recommendations to the policy, benefits of trees, best practices from other cities and strategies for resolving sidewalk conflicts.

Motion made by Chair Tanner to make the following recommendation to the Traffic & Safety Commission:

City Street Trees provide aesthetic, safety, environmental and energy benefits. The Parks and Recreation Commission urges that measures such as enlarging tree wells, realigning or ramping of sidewalks around or over roots or using alternative paving materials be taken in the Sidewalk Repair Program to avoid the removal of Street Trees, where possible. If the removal of a Street Tree is unavoidable, any Street Tree that is removed must be replaced with an appropriate tree.

Seconded by Commissioner Abbott; All in favor; Motion carried

6-2: **Friends of Albany Parks Update:** Report made to the Commission about the Friends of Albany Parks events and requested Commissioners to volunteer to attend upcoming events.

Past: Memorial Park Gala & Clean-Up

Upcoming: Jewel's Terrace Park Gala (Wednesday, July 26, 6:30 pm), Clean-Up (Saturday, August 5, 9:00 am)

7. **FUTURE AGENDA ITEMS**

(Commissioners announce of requests for future agenda items. No public comment will be taken on announcement of future agenda items).

Next Meeting: Thursday, July 13, 2017 7:00 pm, City Hall Council Chambers, 1000 San Pablo Ave. **Please note: There are no public meetings in August.**

8. ADJOURNMENT: 8:40 pm

NOTE: *The Commission/Committee/Board packet is available for public inspection at the Albany Community Center, Senior Center, and City Hall. The agenda and supporting staff reports, if available, can be found on our web page at www.albanyca.org. If you provide your name and address when speaking before the Commission/Committee/Board it will become part of the official public record, which will be posted on the Internet.*

RECEIVED MAY 31 2017

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PUBLIC WORKS
1000 SAN PABLO AVENUE
ALBANY, CA 94706



510 524-9543 PHONE
510 524-9722 FAX
www.AlbanyCA.org/pw

Urban Village by the Bay

Non-Emergency City Tree Removal Application

Owner's Name: Yvonne Tom-Chatelin

Property Address: 922 Neilson ST. Phone: [REDACTED]

Email: [REDACTED] #of trees requesting to be removed 1

No permit to remove a living City Tree may be issued unless one or more of the following criteria is met:

- The City Tree is damaged, diseased, or borer infested beyond reclamation
- The City Tree due to its physical condition is an unacceptable risk to the City
- The City Tree has damaged the adjacent sidewalk to an extent that constitutes a tripping hazard, and the City Tree has caused the property owner to repair the adjacent sidewalk on at least one (1) previous occasion, as proven by documentation or Urban Forester inspection. (1996)

- The City Tree is detrimental to the public safety or materially injurious to the property, improvements or utility services in the vicinity

I understand that removal of a City Tree which does not pose a clear and imminent danger to the safety of the general public requires review by the Urban Forester and the Parks & Recreation Commission at a public meeting. Application fee is \$204. Return fee and application to Community Development Department, 1000 San Pablo Ave., Albany, CA 94706

Signature: *Yvonne Tom-Chatelin* Date: 05/26/2017

City Action

Application #: _____ Fee Received (Receipt #): _____

Approved Declined Date: 6/7/17

PROPOSAL

TOUTA HAVEN
635-3136

No. 65
Date 6/26/96
Sheet No. 67

Proposal Submitted To:

Work To Be Performed At:

Name HENRI CANTALINA
Street 1446 Peckham Ave
City Albany
State CA 94706
Phone 524-8342

Street 922 Newkirk
City Albany State
Date of Plans
Architect

We hereby propose to furnish the materials and perform the labor necessary for the completion of

REPLACE COMPLETE SIDEWALK
18' x 4'

paid 6/26
Ch. 306 = \$250.- down
Ch. 307 = \$400.- final

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of

with payments to be made as follows: 250 ^e ~~DOWN~~ pay in full \rightarrow Dollars (\$ 650.00)

Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance upon above work. Workmen's Compensation and Public Liability Insurance on above work to be taken out by

"NOTICE TO OWNER"
(Section 27153 - Contractors Licensing Law)
Under the Mechanics' Lien Law, any contractor, subcontractor, laborer, materialman or other person who helps improve your property and is not paid for his labor, services or materials has a right to enforce his claim against your interest.
Under the law, you may protect yourself against such claims by filing a "Notice to Owner" with the County Recorder of Deeds, if the property is situated and requiring that a contractor's payment bond be recorded in such files. Said bond shall be in an amount not less than fifty percent (50%) of the contract price and shall, in addition to any conditions for the performance of the contract, be conditioned for the payment in full of the claims of all persons furnishing labor, services, equipment or materials for the work described in said contract.

Respectfully submitted,
Henri Cantalina

note: This proposal may be withdrawn as not accepted within 10 days

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and I hereby accept the same, subject to the work agreement. Payment will be made as outlined above.

Date _____ Signature _____



City of Albany Street Tree Inspection / Staff Report

Tree Location: 922 Neilson St Tree # (direction of traffic): 1

Species: Sweetgum (Liquidambar) (1) – 30' ht, 16" dbh

Staff Recommendation:

approve removal

Assignment: Review trees and provide recommendations for:

Removal - Pruning - Sidewalk Repair - Root Pruning - Planting

Tree Description:

Health: good

Structure: fair - topped for power lines

Site Description:

Tree is in approx 4' wide x 20' long planting strip

Discussion:

Although tree is healthy, it has been topped for powerlines and is lifting sidewalk that has been previously repaired which qualifies it for consideration. Repairs can be made to sidewalk but tree will require repeated topping for powerlines and will continue to lift sidewalk.

Summary:

Liquidambar lifting sidewalk under high-voltage powerlines. Application should be approved for removing and replacing tree.

Fiscal impact: Cost estimated at \$1,200.00

Inspected by: John Hawkrige, Urban Forester, ISA Certified Arborist WE-3063AU

Date: 2017-06-23

Photos taken

TREE CONDITION EVALUATION FORM

location:	922 Neilson St		
species:	Liquidambar	Evaluator:	John Hawkrige
dbh/ht:	16" / 30'	Date:	6/12/2017

✓	<i>Factor</i>	<i>Comments</i>	<i>Points</i>
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minor problems/concerns (1 point) - major problems (2 points) - extreme problems (3 points)

ROOTS

Root anchorage	none	
Restricted root system relative to canopy	roots overgrown in basin	2
Mechanical injury	none	
Girdling roots	none	
Compaction or water-logged roots	none	
Presence of insects or diseases	none	
Condition points		2

TRUNK

Sound bark and wood, no cavities	none	
Upright trunk (well tapered)	none	
Included bark between co-dominant stems	none	
Mechanical or fire injury	none	
Cracks	none	
Swollen or sunken area	none	
Presence of insects and diseases	none	
Condition points		0

LIMB AND BRANCH STRUCTURE

Strong attachments, no included bark	none	
Free of decay and cavities	none	
Well proportioned, good form	topped for PG&E hi-voltage wires	2
Wound closure	none	
Dead limbs/epicormic sprouting	none	
Presence of decay, insects and diseases	none	
Condition points		2

TREE CONDITION EVALUATION FORM

TWIGS		
Shoot vigor	none	
Presence of weak or dead twigs	none	
Presence of insects and diseases	none	
Condition points		0

FOLIAGE		
Normal appearance (size, color, density)	none	
Nutrient deficiencies	none	
Herbicidal, chemical injury symptoms	none	
Wilted or dead leaves	none	
Presence of insect or disease	none	
Condition points		0
Total Condition Points		4

INFRASTRUCTURE CONFLICTS		
Gas	6'	
Water	6'	
Sewer	none	
Sidewalk / Pedestrian	lifted and cracked	2
Curb	lifted and cracked	2
Street (asphalt)	lifted and cracked	2
Powerlines	Overhead primary/High-voltage wires	2
Vehicles /parking zone / bus zone	none	
Traffic Signal/Stop Sign / other signs	none	
Building contact	none	
	none	
Total Infrastructure Points		8

TREE SUMMARY and additional comments (photos and further comments, if any, on separate page): this liquidambar is lifting and damaging sidewalk, curb and street. A portion of the sidewalk has been repaired at least once.	Total Points <u>12</u>
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This evaluation does not incorporate wood density of the root collar and is an evaluation of the tree's canopy from the ground surface only.
Tree condition is taken into account along with any infrastructure conflicts to determine viability of removal.

922 Neilson



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ALBANY, CA 94706



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510 524-9722 FAX
www.AlbanyCA.org/pw

Urban Village by the Bay

Non-Emergency City Tree Removal Application

Owner's Name: Jessica Yasnovsky
Property Address: 969 Ventura Ave Phone: [REDACTED]
Email: [REDACTED] #of trees requesting to be removed 1

No permit to remove a living City Tree may be issued unless one or more of the following criteria is met:

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- The City Tree due to its physical condition is an unacceptable risk to the City
- The City Tree has damaged the adjacent sidewalk to an extent that constitutes a tripping hazard, and the City Tree has caused the property owner to repair the adjacent sidewalk on at least one (1) previous occasion, as proven by documentation or Urban Forester inspection.
- The City Tree is detrimental to the public safety or materially injurious to the property, improvements or utility services in the vicinity

I understand that removal of a City Tree which does not pose a clear and imminent danger to the safety of the general public requires review by the Urban Forester and the Parks & Recreation Commission at a public meeting. Application fee is \$204. Return fee and application to Community Development Department, 1000 San Pablo Ave., Albany, CA 94706

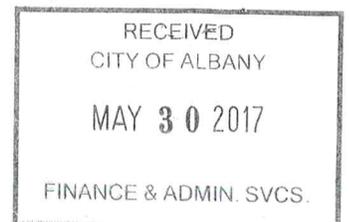
Signature: Jessica Yasnovsky Date: 5/30/17

\$ PAID

City Action

Application #: _____ Fee Received (Receipt #): 0027

Approved Declined Date: 6/7/17





City of Albany Street Tree Inspection / Staff Report

Tree Location: 969 Ventura Ave Tree # (direction of traffic): 1

Species: Sweetgum (Liquidambar) (1) – 18' ht, 12" dbh

Staff Recommendation:

approve removal

Assignment: Review trees and provide recommendations for:

Removal - Pruning - Sidewalk Repair - Root Pruning - Planting

Tree Description:

Health: poor

Structure: poor

Site Description:

House remodel. Tree is in approx 4' wide x 10' long planting strip

Discussion:

New owner says tree was topped before they purchased the property. All limbs have been topped. A classic example of the worse thing to do to a tree.

Summary:

Topped tree will never recover. Application should be approved for removing and replacing tree.

Fiscal impact: Cost estimated at \$800.00

Inspected by: John Hawkrige, Urban Forester, ISA Certified Arborist WE-3063AU

Date: 2017-06-23

Photos taken

TREE CONDITION EVALUATION FORM

location:	969 Ventura Ave		
species:	Liquidambar	Evaluator:	John Hawkrige
dbh/ht:	12" / 18'	Date:	6/12/2017
✓	<i>Factor</i>	<i>Comments</i>	<i>Points</i>
minor problems/concerns (1 point) - major problems (2 points) - extreme problems (3 points)			
ROOTS			
Root anchorage	none		
Restricted root system relative to canopy	roots throughout planting strip		1
Mechanical injury	all limbs topped/stubbed		3
Girdling roots	none		
Compaction or water-logged roots	none		
Presence of insects or diseases	none		
Condition points			4
TRUNK			
Sound bark and wood, no cavities	some cavities not fully healed		1
Upright trunk (well tapered)	none		
Included bark between co-dominant stems	none		
Mechanical or fire injury	topping/stub cuts cannot be repaired		3
Cracks	none		
Swollen or sunken area	none		
Presence of insects and diseases	none		
Condition points			4
LIMB AND BRANCH STRUCTURE			
Strong attachments, no included bark	unsound re-growth from stubs		2
Free of decay and cavities	stubs will decay		2
Well proportioned, good form	deformed from topping/stubbing		2
Wound closure	stubs will not heal		2
Dead limbs/epicormic sprouting	none		
Presence of decay, insects and diseases	none		
Condition points			8

TREE CONDITION EVALUATION FORM

TWIGS

Shoot vigor	stress response growth	2
Presence of weak or dead twigs	none	
Presence of insects and diseases	none	
Condition points		2

FOLIAGE

Normal appearance (size, color, density)	none	
Nutrient deficiencies	none	
Herbicidal, chemical injury symptoms	none	
Wilted or dead leaves	none	
Presence of insect or disease	none	
Condition points		0
Total Condition Points		18

INFRASTRUCTURE CONFLICTS

Gas	none	
Water	none	
Sewer	none	
Sidewalk / Pedestrian	cracked and lifted	2
Curb	none	
Street (asphalt)	none	
Powerlines	none	
Vehicles /parking zone / bus zone	none	
Traffic Signal/Stop Sign / other signs	none	
Building contact	none	
	none	
Total Infrastructure Points		2

TREE SUMMARY and additional comments (photos and further comments, if any, on separate page):	Total Points	<u>20</u>
this tree has been severely topped and will not recover		

This evaluation does not incorporate wood density of the root collar and is an evaluation of the tree's canopy from the ground surface only.

Tree condition is taken into account along with any infrastructure conflicts to determine viability of removal.

969 Ventura Ave



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Urban Village by the Bay

Non-Emergency City Tree Removal Application

Owner's Name: June Park & Eugene, KIM
Property Address: 986 Peralta Ave, Albany, CA 94706 Phone: [REDACTED]
Email: [REDACTED] # of trees requesting to be removed 1

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- The City Tree due to its physical condition is an unacceptable risk to the City
- The City Tree has damaged the adjacent sidewalk to an extent that constitutes a tripping hazard, and the City Tree has caused the property owner to repair the adjacent sidewalk on at least one (1) previous occasion, as proven by documentation or Urban Forester inspection.
- The City Tree is detrimental to the public safety or materially injurious to the property, improvements or utility services in the vicinity

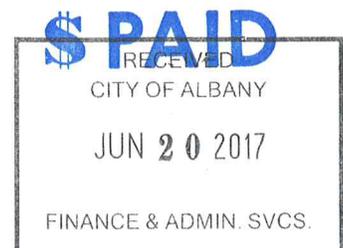
I understand that removal of a City Tree which does not pose a clear and imminent danger to the safety of the general public requires review by the Urban Forester and the Parks & Recreation Commission at a public meeting. Application fee is \$204. Return fee and application to Community Development Department, 1000 San Pablo Ave., Albany, CA 94706

Signature: [Handwritten Signature] Date: 6/20/17

City Action

Application #: _____ Fee Received (Receipt #): 0019 6/20/17

Approved Declined Date: _____





City of Albany Street Tree Inspection / Staff Report

Tree Location: 986 Peralta Ave Tree # (direction of traffic): 1

Species: Ginkgo (female) (1) - 25' ht, 8" dbh

Staff Recommendation:

approve removal application

Assignment: Review trees and provide recommendations for:

Removal - Pruning - Sidewalk Repair - Root Pruning - Planting

Tree Description:

Health: fair

Structure: poor

Site Description:

4' x 30' planting strip, overhead high-voltage wires

Discussion:

tree has a large crop of fruit. It has been stubbed back severely which may have led to increased fruit production.

Summary:

Due to this being a female, fruit-producing Ginkgo, and the amount of improper pruning done on the tree at some point, I recommend removal and replacement. The property owner needs to be made aware of proper pruning techniques and advised against pruning their new tree in the same way this tree had been pruned.

Fiscal impact: Cost estimated at \$1,000.00

Inspected by: John Hawkrige, Urban Forester, ISA Certified Arborist WE-3063AU

Date: 2017-06-27

Photos taken

TREE CONDITION EVALUATION FORM

location:	986 Peralta Ave		
species:	Ginkgo	Evaluator:	John Hawkrige
dbh/ht:	8" / 25'	Date:	6/27/2017

✓	<i>Factor</i>	<i>Comments</i>	<i>Points</i>
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minor problems/concerns (1 point) - major problems (2 points) - extreme problems (3 points)

ROOTS

Root anchorage	none		
Restricted root system relative to canopy	none		
Mechanical injury	none		
Girdling roots	none		
Compaction or water-logged roots	none		
Presence of insects or diseases	none		
Condition points			0

TRUNK

Sound bark and wood, no cavities	none		
Upright trunk (well tapered)	none		
Included bark between co-dominant stems	none		
Mechanical or fire injury	all limbs stubbed off		2
Cracks	none		
Swollen or sunken area	none		
Presence of insects and diseases	none		
Condition points			2

LIMB AND BRANCH STRUCTURE

Strong attachments, no included bark	none		
Free of decay and cavities	stubbed limbs		1
Well proportioned, good form	stubbed limbs, topped		1
Wound closure	many old cuts, some not healed		1
Dead limbs/epicormic sprouting	epicormic sprouting due to stubbing		1
Presence of decay, insects and diseases	none		
Condition points			4

TREE CONDITION EVALUATION FORM

TWIGS

Shoot vigor	none	
Presence of weak or dead twigs	none	
Presence of insects and diseases	none	
Condition points		0

FOLIAGE

Normal appearance (size, color, density)	none	
Nutrient deficiencies	none	
Herbicidal, chemical injury symptoms	none	
Wilted or dead leaves	none	
Presence of insect or disease	none	
Condition points		0
Total Condition Points		6

INFRASTRUCTURE CONFLICTS

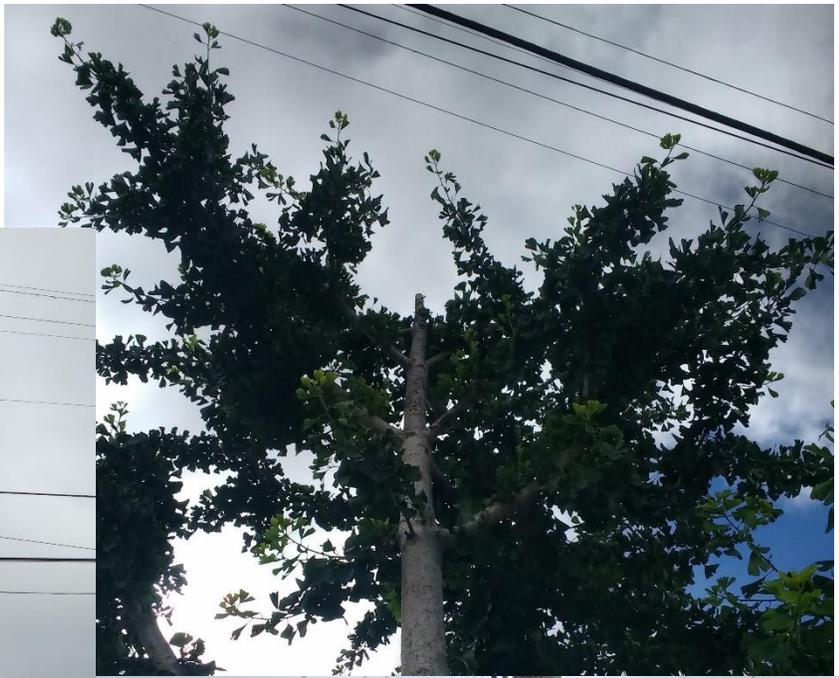
Gas	4'	
Water	5'	
Sewer	9'	
Sidewalk / Pedestrian	minor lifting and cracking	1
Curb	none	
Street (asphalt)	none	
Powerlines	none	
Vehicles /parking zone / bus zone	none	
Traffic Signal/Stop Sign / other signs	none	
Building contact	none	
	none	
Total Infrastructure Points		1

TREE SUMMARY and additional comments (photos and further comments, if any, on separate page):	Total Points
This is a female ginkgo tree with fruit. All limbs and the top of the tree have been stubbed off, this may have led to the increase of fruit production due to stress. Drastic pruning does not decrease the amount of leaves or fruit a tree produces, it actually stimulates more fo both often in an undesirable manner.	7

This evaluation does not incorporate wood density of the root collar and is an evaluation of the tree's canopy from the ground surface only.

Tree condition is taken into account along with any infrastructure conflicts to determine viability of removal.

986 Peralta



-----Original Message-----

From: Ann & Sam

Sent: Wednesday, July 05, 2017 7:38 PM

To: Chelle Putzer <CPutzer@albanyca.org>

Subject: RE: Removal of female ginkgo tree in front of 986 Peralta on 7-13-2017 agenda

Dear Ms. Putzer,

I am writing to support the removal of the female ginkgo tree in front of 986 Peralta Avenue. I live at 951 Neilson Street, which is around the corner from 986 Peralta Avenue.

I am a power wheelchair user. I frequently ride my wheelchair on that block. When the stinky fruit that smells like vomit falls onto the sidewalk during the autumn, I have two choices - I can either roll on it and have the smelly fruit smashed firmly into the treads of my wheels and take it everywhere I go, including into my own home, or go out into the street to get around this section of the sidewalk. Going out into the street between parked cars is obviously not a very safe option, but I cannot stand to bring that smell into my home.

Also, people with limited physical mobility including seniors and those with disabilities can also slip and fall on the fruit and severely hurt themselves.

Please consider public safety and permit the removal of this tree which negatively affects people living or traveling on that street.

Thank you very much for your consideration.

Sincerely,

Ann Cupolo Freeman

To: Ms. Chelle Putzer and Parks and Recreation Commissioners

I am writing in support of my neighbor's request to remove the female ginkgo tree in front of 986 Peralta Avenue and to replace it with a male ginkgo tree or other tree.

Every autumn for approximately 3 months the female ginkgo tree drops apricot-looking fruits that splatter onto the street and sidewalk. The smashed fruit smells like vomit. We were told in the 1970's and 1980's, when the ginkgo trees were planted on Peralta Avenue by the city of Albany, that all the trees would be male trees which do not produce the stinky fruit. Unfortunately, it takes at least 20-30 years for the trees to mature and bear fruit and to discover that a female tree was planted by mistake.

People who realize the awful smell is coming from the smashed fruit on the sidewalk try to avoid walking on the sidewalk at all costs. Some walk out into traffic in the middle of the street which is very dangerous as Peralta Avenue is a blind hill and curve near 986. Alternatively, they walk on private

property of all neighbors near the tree. This creates liability issues for all neighboring properties should someone fall on our properties.

Severe pruning of the tree lessens the number of fruit and the overpowering odor but it is not a longterm solution. This tree, which was planted BY MISTAKE, should be removed and replaced so that people can walk on the sidewalks and park on the street!

Thank you.

Virginia Brothers
988 Peralta Avenue

ORDINANCE 2016-03 – EXHIBIT A

SIDEWALK REPAIR POLICY APPROVED BY ALBANY CITY COUNCIL JUNE 20, 2016

Purpose

The purpose of the Sidewalk Repair Policy is to improve continuous sidewalk passability in public right of way by repairing sidewalk damage and removing vegetation obstructions.

Legal Responsibility

Under Section 5610 of the California Streets and Highways Code and per Albany Municipal Code Section 14-1.5b, property owners and persons in possession of property are required to maintain adjacent public sidewalks in a safe condition. The existence of this program does not abrogate the responsibility of the property owners to maintain their frontage improvements in a safe manner. As part of the administration of the Sidewalk Program, city staff are to use City newsletter, web page, and outreach events to provide information to property owners regarding their responsibilities for sidewalks.

Repair Program:

The City of Albany will annually determine priority areas for repair. The City will manage and pay the entire project cost of priority sidewalk repairs. Upon completion of the repair, the City will issue a certificate of compliance that returns responsibility for all future maintenance and repair to the property owner pursuant to existing State law. The Traffic & Safety Commission will annually propose prioritization of projects to the City Council as well as review sidewalk repair criteria. As part of the scope of work for a sidewalk repair project, expenditure of funds associated with the following is authorized:

- a) relocation of shallow utility lines located within area of sidewalk repair;
- b) grinding of stumps of removed trees;
- c) replacement of soil or mulch in landscape strips as necessary to avoid a hazardous condition;
- d) repair of private driveway if necessary to maintain functionality of the existing driveway;
- e) Funding for expedited repairs in locations with occupants that have special access needs (e.g., limited mobility, special events, etc.); and
- f) Extending the length of sidewalk to be repaired beyond the area of immediate hazard in order that the repaired sidewalk can tie into an existing sidewalk in relatively good condition.

Public Notice for Repair Program

A public notice will be mailed to all property owners adjacent to proposed areas of work ten days before the Traffic and Safety Commission's review of the proposed scope of work. The notice

will advise property owners that street trees may be subject to removal and that property owners are required to cut back other vegetation in the area of work. The notice will also advise owners that work may be underway for up to two weeks, and solicit requests for information regarding occupants that may have special access needs that will affect the timing of construction.

Point of Permit Program:

The City of Albany will require that specified construction projects above \$100,000 valuation will trigger a requirement that the property owner repair the sidewalk to City specifications. The City will conduct a no-cost inspection upon application. The property owner will be responsible for all repair costs of the scope of projected project would otherwise trigger sidewalk repairs, such as sewer lateral upgrades, cross-sidewalk drains, new driveway or curb-cuts, etc.

Point of Sale Program:

The City of Albany will require that specified real property transfers will trigger a requirement that the property owner upgrade damaged sidewalk (the program will function similar to the existing sewer lateral program). The City will conduct a no-cost inspection upon application. If no repairs are necessary, a certificate of compliance will be issued that discloses that the property owner has future responsibility for all maintenance and repair.

Streetscape Improvement Projects:

For sidewalks that are in locations with fully funded streetscape-related Capital Improvement Projects, the need for repair will be evaluated on a case by case basis. The requirement for property owner repair will be deferred or an interim safety and accessibility solution may be acceptable.

Refinements to Street Tree Program:

The City will evaluate situations where street trees are causing structural damage to sidewalks. A range of options will be considered including root pruning, enlarging tree wells, realignment or ramping of sidewalks around or over roots, or alternative paving materials that extend the functional life of the sidewalk. If a street tree that is causing damage is known to cause uplift relative to other tree species, the tree shall be removed as part of the repair project and replaced with a species not expected to damage sidewalks. City staff shall have authority to remove any tree without public notice if during construction, roots are found in locations that indicate that a new sidewalk will be damaged in the relative near future and removal of the root is determined by the City Arborist to substantially weaken the health of the tree.