

1 [Urban Forestry Council's Support of Supervisor McGoldrick's Plan to Propose Amendments
2 to the Board of Supervisors Rules of Order and Article 16 of the San Francisco Public Works
Code, Section 810, Landmark Trees and Recommendation for an Additional Amendment]

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4 **Resolution supporting Supervisor McGoldrick's plan to propose amendments to the**
5 **Board of Supervisors Rules of Order and Article 16 of the San Francisco Public Works**
6 **Code, Section 810, Landmark Trees, and proposing an additional amendment.**

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8 WHEREAS, The Urban Forestry Council at its February 27, 2007 meeting discussed
9 Supervisor McGoldrick's plan to propose an amendment to the Board of Supervisors' Rules of
10 Order and amendments to Article 16 of the San Francisco Public Works Code, Section 810,
11 Landmark Trees as presented in a City Attorney's Office Memorandum dated February 22,
12 2007 (attached); and

13 WHEREAS, The Urban Forestry Council supports and commends Supervisor
14 McGoldrick's planned proposed amendments; and

15 WHEREAS, The Urban Forestry Council proposes an additional amendment to the
16 Urban Forestry Ordinance to ensure that trees nominated by Department Heads and Property
17 Owners, be granted the same protection provided under Section 810 (d) Temporary
18 Designation of Landmark Tree Status to trees nominated by other authorized nominators;
19 now, therefore, be it

20 RESOLVED, That the Urban Forestry Council supports Supervisor McGoldrick's plan
21 to propose amendments to Article 16 of the San Francisco Public Works Code, Section
22 810, and urges Supervisor McGoldrick to consider an additional amendment to grant the same
23 temporary protection to all nominated trees regardless of the identity of the nominator.

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1 I hereby certify that this Resolution was adopted at the Urban Forestry Council's Regular
Meeting on February 27, 2007.

2 Monica Fish

3 Monica Fish, Council Secretary

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5 VOTE: Approved (8-0)

6 Ayes: Council Members Milne, Blair, Boss, Cohen, Habert, Quirke, Sherk, and Sustarich.

7 Noes: None

8 Absent: Council Members Costello, Griswold, Marks, Miller, Nervo, Rodgers, and Sacamano

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MEMORANDUM

TO: Urban Forestry Council Members
FROM: Francesca Gessner
Deputy City Attorney
DATE: February 22, 2007
RE: Sup. McGoldrick's Plan to Propose Amendments to the Landmark Tree Ordinance

On February 20, 2007, Terry Milne, Deputy City Attorney John Malamut, and I met with Supervisor McGoldrick's office to discuss possible legislative changes to the Landmark Tree process aimed primarily at speeding up the process at the Board of Supervisors' level. At Terry Milne's request, I have prepared a brief summary of the proposed amendments that Supervisor McGoldrick is planning to introduce at the Board of Supervisors:

(1) Motion to Amend the Board of Supervisors' Rules of Order

Supervisor McGoldrick plans to introduce a motion to amend the Board's Rules of Order pursuant to Resolution No. 002-07-UFC, which was adopted by the Urban Forestry Council ("UFC") at its January 26, 2007 meeting, and which urges the Board to amend its Rules of Order to provide that approved landmark tree nominations automatically be calendared for hearing before the appropriate committee of the Board. This amendment would speed up the process at the Board once it receives a recommendation from the UFC.

(2) Proposed Amendments to the Landmark Tree Ordinance

Supervisor McGoldrick also plans to propose the following three amendments to the Landmark Tree Ordinance:

(a) Amend Section 810(b)(1) to allow the Board of Supervisors to nominate a tree by adoption of a *motion* of intent to nominate a tree, as opposed to by adoption of a *resolution*. This amendment would speed up the initial nomination process so as to get the tree to the UFC for a hearing in a more timely manner. In addition, amend Section 810(d) so that the 180-day temporary designation begins at the time a Supervisor introduces a *motion* of intent to initiate a nomination, as opposed to a resolution.

(b) Amend Section 810(b)(4) to specify that when the Board of Supervisors designates a tree as a landmark, it shall do so by ordinance. In addition, amend Section 810(d) so that upon the Board's passage of an ordinance designating a tree as a landmark, the 180-day temporary designation shall be automatically extended to cover the 10 days that the Mayor has to sign (or veto) the ordinance, as well as the 30 days following the Mayor's signature until the ordinance takes effect (thus allowing an automatic extension of up to 40 days total).

(c) Amend the Ordinance to set forth specific notice requirements for affected property owners regarding the date of the hearings before the Landmark Tree Committee and the UFC.

