

1 [Amendment of Urban Forestry Council Bylaws]

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3 **Resolution amending the Urban Forestry Council's Bylaws to change the Landmark Tree**
4 **Committee structure and noticing requirements.**

5 WHEREAS, The Urban Forestry Council at its April 28, 2009 meeting considered and approved
6 changing the Council Landmark Tree Committee from a Standing Committee to an Ad Hoc Committee
7 and revise its noticing requirements to include a 15-day notice; now therefore, be it

8 RESOLVED, The Urban Forestry Council voted to approve amendments to its Bylaws Article
9 VIII - Committees, Section 4 to read as follows:

10 **Article VIII – Committees**

11 Section 4: Standing Committees

12 The Council shall have one standing (1) Planning and Funding Committee and one Ad Hoc
13 committee (2) called the Landmark Tree Committee. The Landmark Tree Committee shall have five
14 members and shall meet as needed on the second Tuesday of the month, in City Hall, Room 421, San
15 Francisco. The Planning and Funding Committee shall have five members and shall meet on the third
16 Thursday of each month from 4:15 pm to 5:45 pm, in City Hall, Room 421, San Francisco. A notice
17 and agenda for the Planning and Funding Committee meeting will be posted at least 72 hours before
18 the meeting. A notice for the Landmark Tree Committee meeting will be posted 15 days before the
19 meeting and an agenda will be posted at least 72 hours before the meeting. This information shall be
20 posted on the Department of the Environment's website.

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22 I hereby certify that this Resolution was adopted at the Urban Forestry Council's Regular Meeting on
23 April 28, 2009.

24 Monica Fish
25 *Monica Fish, Council Secretary*

1 VOTE: Approved 8-2 (1 Absent)

2 Ayes: Members Boss, D'Agostino, Hillan, LeBeau, Rodgers, Sherk, Short, and Vargas

3 Noes: Members Cohen and Milne

4 Absent: Member Blair

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SAN FRANCISCO URBAN FORESTRY COUNCIL

BYLAWS

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URBAN FORESTRY COUNCIL BYLAWS

Article I - Identification

Section 1: Name

The Urban Forestry Council

Section 2: Compliance with Applicable Laws

The Council shall comply with all applicable laws, including but not limited to the Ralph M. Brown Act (Cal. Government Code Section 54950 *et seq.*) and the San Francisco Sunshine Ordinance (San Francisco Administrative Code Section 67.1 *et seq.*) in publishing notices, agendas, and minutes and carrying out its operations and functions. Where publication or posting on a website is required, the Council shall use the Department of the Environment's website.

Article II – Creation and Mission

Section 1: The Urban Forestry Council

The Urban Forestry Council was established for the purpose of guiding the stewardship of San Francisco's trees by promoting a healthy and sustainable urban forest that benefits all San Franciscans while ensuring public health and safety (San Francisco Environment Code Chapter 12 Sec. 1200(b)). The Council will carry out the duties specified in the ordinance so as to protect the community interest and ensure that San Francisco realizes the full range of tree benefits into the future (San Francisco Environment Code Chapter 12 Sec. 1200(a)).

Article III – Urban Forestry Council

Section 1: Number

Council members will represent the full range of urban forest stakeholders including city agencies, non-profit organizations, tree management organizations, and community members. The Council shall be composed of eleven voting members and four advisory members. City Department Heads, the Board of Supervisors and the Mayor appoint council members (San Francisco Environment Code Chapter 12 Sec. 1202(a)).

Section 2: Term of Appointment

Council members shall serve for two years. Members can serve successive terms if re-appointed by the body originally appointing the Council member. Council members serve at the

pleasure of the body that appoints each Council member as specified by ordinance. The body that appoints Council members also may appoint at-large members to serve any unfilled Council positions (San Francisco Environment Code Chapter 12 Sec. 1202(b)).

Section 3: Compensation

Council members shall serve without compensation (San Francisco Environment Code Chapter 12 Sec. 1202(g)).

Section 4: Purpose and Responsibilities

(1) Develop, adopt, and update a long-term comprehensive Urban Forestry Plan that assists with the formulation of legislation and policy for the management of the City's public and private trees.

The plan will include, but not be limited to:

- a) An inventory of physical resources and existing programs.
- b) The results of an assessment of the general public and San Francisco decision makers that reflects opinions on the state and future of the urban forest.
- c) A benefit/cost analysis.
- d) Recommendations for future policy, operational and legislative actions.
- e) Best Management Practices

(2) Facilitate coordination among agencies with tree management responsibilities.

- a) Advise the Mayor, Board of Supervisors, city departments and commissions on urban forest concerns.
- b) Review project plans for major publicly sponsored developments and civic improvements and changes to the public right-of-way as they may impact trees. Based on its review, the Council shall make recommendations regarding these projects to the Planning Department and other affected agencies.
- c) Notify and involve public agencies when issues relate to trees on lands under their jurisdiction.
- d) Advise agencies with tree management responsibilities in their efforts to incorporate and follow the Urban Forestry plan guidelines, best management practices, and other Council recommendations and policies.
- e) Facilitate the cooperative interaction of tree-related activities among various City, State, and federal agencies, as well as among businesses, public utilities, non-profit organizations, and the public.

(3) Report on the state of the urban forest.

- a) Prepare or facilitate the plans and reports as set forth in the Urban Forestry Council Ordinance.
 - i) The Council shall report to the Board of Supervisors and Mayor by September 1st of each year regarding the state of the urban forest.

ii) City agencies and any non-profit organizations that accept city funding shall report to the Council no later than June 30 of each year. Other public entities also are urged to submit reports to the Council regarding the trees that they manage.

(4) Ensure adherence to Urban Forestry Council Policies, Guidelines or Standards.

- a) City agencies that do not adhere to the policies, guidelines, or standards outlined in the Urban Forestry Plan or best management practices shall explain their reasoning at a public hearing before the Council.
- b) Enforce procedures to address the Council in the public hearing process.

(5) Foster Public Education and Outreach

- a) Encourage early and continuous public participation in urban forest projects and programs that includes consideration of neighborhood interests.
- b) Provide at designated Council meetings for a regular forum that follows an agenda of scheduled topics for public discussion of urban forest issues.
- c) Serve as a clearinghouse for information related to the urban forest through the Department of the Environment.

(6) Develop and Promote Best Management Practices

- a) Develop and adopt tree planting and maintenance standards.
- b) Establish criteria for a landmark/heritage tree program to provide for the protection of valuable trees on public and private property. The program shall propose administrative procedures and a tree removal appeal process for landmark/heritage trees.
- c) Adopt guidelines for protecting trees during project design and construction.

(7) Funding Assessment

- a) Identify funding and staffing needs and opportunities for urban forest programs.
- b) Help secure and encourage commitment of adequate resources for tree programs.
- c) Develop and adopt a city-wide budget for the health and well-being of San Francisco's urban forest.

Section 5: Excused Absences

If a Council member provides prior notification of absence from Council and Committee meetings to the Chair of the Council, then such absence is considered an excused absence. If the Chair or Council staff receives no prior notice, then the minutes shall note that the absence is unexcused. Regular attendance at Urban Forestry Council meetings is critical to the Council's ongoing success. If a Council Member misses more than three (3) meetings of the full Council or three (3) committee meetings per calendar year, whether those absences are excused or unexcused, then upon a vote of the Council, the Council Chair may ask the appointing authority to remove the member and appoint a replacement member.

Section 6: Absence from the State

Any member of the Council who plans to be absent from the State of California for an extended period shall notify the Chair of the Council.

Article IV - Officers

Section 1: Officers

The officers of the Council are a Chair and Vice-Chair. The Chair and Vice-Chair shall serve at the pleasure of the Council.

Section 2: Term of Office

The term of each office shall be one year.

Section 3: Nomination and Election of Officers

A. Elections for officers shall be conducted at the meeting of the Council in April of each year. At the Council meeting held in March of each year, any Council member interested in running for office shall state publicly his or her interest and willingness to run for a specific office. Such Council members, and any other Council members nominated at the March meeting, shall be candidates for office.

B. If the office of the Chair is vacated before the expiration of a term, the Vice-Chair shall serve as Chair until the next regular meeting. The Council shall conduct an election for Chair at the next regular meeting to fill the vacancy. If the Vice-Chair is elected as Chair, there shall be an election for a new Vice-Chair at that meeting. If the office of Vice-Chair is vacated before the expiration of a term, it shall remain vacant until the next regular meeting, at which time an election shall be held. Any Council members nominated at a meeting at which a special election is held shall be candidates for office.

Section 4: General Duties and Responsibilities of the Chair

The Chair shall preside at all meetings of the Council. The Chair, working with the Council staff, shall oversee the preparation and distribution of the agenda for all Council meetings. The Chair shall be accountable to the Council as a whole in setting policy and shall also perform such other duties as may be assigned by the Council. The Chair (and/or his/her designee) shall serve as the liaison to the media and the other departments, agencies and commissions of the City and County of San Francisco, as necessary.

Section 5: General Duties and Responsibilities of the Vice-Chair

The Vice-Chair shall perform the duties and responsibilities that may be delegated by the Chair. In the absence or disability of the Chair, the Vice-Chair shall perform the duties as described above, in Section 4 of this article.

Article V - Council Staff

Section 1: Council Coordinator

A coordinator from the Department of the Environment who is hired by the Director of the Department of the Environment shall staff the Council. The Coordinator shall attend all meetings of the Council. The Coordinator's responsibilities shall include, but not be limited to, the following:

- (1) Fundraising;
- (2) Developing and drafting guidelines for adoption;
- (3) Preparing staff and annual reports;
- (4) Coordinating with other agencies; and
- (5) Compiling information from local governmental agencies to track their budgets, and to develop an annual city-wide tree management budget for reporting purposes (San Francisco Environment Code Chapter 12 Sec. 1208(a)).

Section 2: Council Secretary

The staff of the Department of the Environment shall include a Council Secretary, who is assigned by the Director of the Department of the Environment. The Council Secretary shall attend all meetings of the Council. Under the supervision of the Chair, the Council Secretary is responsible for the proper recording and distribution of all Council actions, correspondence, and agendas, and ensuring that the Council meetings are properly publicly noticed and held at locations which are accessible to persons with disabilities.

Section 3: Legal Advisor

The City Attorney, or his or her designee, shall be the legal advisor to the Council. If the City Attorney determines in writing that he or she cannot, consistent with the Rules of Professional Conduct, provide advice sought by the Council, the City Attorney may recommend that the Council retain outside counsel.

Article VI - Meetings

Section 1: Quorum

At all meetings of the Council, the presence of a majority of the voting membership shall constitute a quorum. The affirmative vote of a majority of the voting members shall be required for the approval of any matter. Therefore, based on the original membership of eleven voting members, six members constitute a quorum. Likewise, six affirmative votes are required for the approval of any matter.

Section 2: Public Participation

The Council shall hold meetings open to the public and encourage the participation of interested persons. Each person wishing to speak on an item before the Council shall be permitted to be heard.

The total time for public comments may be limited by the Chair in a manner consistent with the San Francisco Sunshine Ordinance. Each agenda for meetings shall provide an opportunity for members of the public to directly address the Council on items of interest to the public that are within the Council's jurisdiction. The Public Comment opportunity shall appear on the agenda after "New Business"; except that, at the Chair's discretion, the Public Comment can be heard earlier in the agenda.

Section 3: Meeting Minutes

Minutes shall be taken at every regular and special Council meeting and shall be approved by the majority vote of the Council.

Section 4: Records Retention

The Council shall utilize the Department of Environment's record retention and destruction policy.

Section 5: Meetings

Regular meetings shall be held monthly on the fourth Friday of January, March, May, July, September and the second Friday in December at 8:30 a.m. at City Hall, Room 400 and on the 4th Tuesday in February, April, June, August, and October at 6:00 p.m. at City Hall, Room 416 beginning in March 2009. No regular meeting shall be scheduled for November. This information shall be posted on the Department of Environment's website.

Section 6: Notice of Meetings

Notices and agendas of all regular and special Council and committee meetings shall be posted at the San Francisco Main Library and mailed to each Council member and any person who files a written request for such notice with the Council. Notice of regular meetings shall be posted at least 72 hours before the meeting. Notice of special meetings shall be posted at least 72 hours before the meeting. In the case of a special meeting held at a location other than the regular Council meeting place, 15 days notice shall be provided.

Section 7: Closed Sessions

The Council is authorized to hold closed (non-public) sessions at regular and special meetings as provided by law.

Section 8: Special Meetings

The Chair of the Council may call special meetings to address specific matters. Such special meetings shall be properly noticed in accordance with applicable laws and ordinances.

Article VII - Voting

Section 1: Voting and Abstention

Each member present at a Council or committee meeting shall vote “yes” or “no” when a question is put, unless excused from voting by a motion adopted by a majority of the members present, or unless the member has a conflict of interest which legally precludes participation in the vote. Whether a Council member has a conflict of interest, which precludes participation in a vote, is determined on a case-by-case basis and, to the extent possible, in consultation with a legal advisor from the City Attorney’s office.

Article VIII - Committees

Section 1: Membership of Committees

The Council and/or the Chair, at his or her discretion, may establish committees to perform tasks or functions as necessary. The Chair will appoint committee members and committee chairpersons for a specified period of time.

Section 2: Committee Meetings

Committees shall comply with all applicable laws in publishing notices, agendas, and minutes and carrying out its operations and functions.

Section 3: Committee Quorum

A majority of the members of a committee shall constitute a quorum.

Section 4: Standing Committees

Article VIII – Committees

Section 4: Standing Committees

The Council shall have one standing (1) Planning and Funding Committee and one Ad Hoc committee (2) called the Landmark Tree Committee. The Landmark Tree Committee shall have five members and shall meet as needed on the second Tuesday of the month, in City Hall, Room 421, San Francisco. The Planning and Funding Committee shall have five members and shall meet on the third Thursday of each month from 4:15 pm to 5:45 pm, in City Hall, Room 421, San Francisco. A notice and agenda for the Planning and Funding Committee meeting will be posted at least 72 hours before the meeting. A notice for the Landmark Tree Committee meeting will be posted 15 days before the meeting and an agenda will be posted at least 72 hours before the meeting. This information shall be posted on the Department of the Environment’s website.

Section 5: The Planning and Funding Committee

The Planning and Funding Committee shall make recommendations to the Council on project plans for major publicly sponsored developments and civic improvements and changes of the public right of way as they impact trees. The Committee shall (1) examine and make policy recommendations to the Council regarding other urban forest and tree issues; (2) make recommendations to the Council regarding facilitating an assessment (inventory) of the current condition of the Urban Forest, (3) review the Urban Forest Plan on an annual basis and make recommendations for any changes to the full Council for adoption, (4) make recommendations to the Council on funding opportunities and staffing needs, on opportunities for urban forest programs and on securing and encouraging commitment of adequate resources for tree programs, (5) will also review urban forestry program budget priorities and make recommendations about Urban Forestry funding requirements to the full Council; investigate and pursue funding options for various urban forest-activities, and (6) will review the Urban Forest Council's Budget on an annual basis and will make recommendations for any changes to the full Council for adoption.

Section 6: The Landmark Tree Committee

The Landmark Tree Committee shall make preliminary recommendations to the Council on nominated trees proposed for landmark status. The Committee shall conduct individual site visits, complete evaluation forms to review at regular monthly meetings as nominations are received, and vote on landmark tree nominations to present to the full Council for their consideration and adoption. It will prepare a written summary of the evaluation forms and include individual evaluation forms to present to the full Council for review. The Chair of the Committee shall verbally report on the written summary at Council meetings.

Article IX - Parliamentary Procedures

At the discretion of the Chair of the Council or the committee Chair, and except where the Charter or other rules provide to the contrary, meetings shall be governed by Robert's Rules of Order.

Article X - Codes of Ethics

In accepting the Oath of Office, Council members shall maintain the highest standards of professional and personal conduct. They shall support the mission, goals and objectives of the San Francisco Urban Forestry Council; instill in the public a sense of confidence about the Councils' conduct and intentions; uphold all laws and regulations; refrain from using their official positions to secure special advantage or benefit for themselves or others.

In order to set the highest standards of conduct, and in order to assure public confidence in the Council's operations, the Urban Forestry Council commits itself to:

- * Encouraging and promoting integrity in government by education and example;
- * Being accountable for its rules of procedure and decisions, and promoting accountability of all members of the Council and Department staff;

- * Treating all Department staff, members of the public, and colleagues with courtesy, respect, objectivity, and fairness;
- * Conducting all Council business in a timely manner and in public meetings, with full disclosure of policies, procedures, and decision-making processes, except for those matters authorized under the Brown Act and the San Francisco Sunshine Ordinance to be considered in closed session; and
- * Reviewing its actions, recommendations, and procedures periodically to determine whether the Council has adhered to its Code of Ethics and mission in all respects.

Article XI - Amendment of Bylaws

These bylaws shall be reviewed as necessary and may be amended at any meeting of the Council by a majority vote of the Council, provided such proposed amendments are circulated in writing to all Council members and noticed to the public at least ten (10) days prior to such meeting.