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Date: November 30, 2022  
To: Board of Directors  
From: Tony Constantouros, General Manager  
Subject: Removal of Dead and Diseased Trees in Kensington Park

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**Recommendation:**

After review of reports from independent arborists, consider limiting the tree work and excluding those trees possibly located on school district property; seek options for replanting plans.

**Background:**

At the October 13, 2022 Meeting, the Board of Directors authorized the Interim General Manager to negotiate and execute a contract with Professional Tree Care Company for removal of specified diseased, distressed or dead trees in the park, subject to the General Counsel's approval as to form. The work was scheduled to begin on November 21. The project was widely publicized in the community and a number of residents raised objections to this project. The concerns included whether the County Heritage Tree Ordinance was applicable, whether some trees were located on school district property, and the need for an objective arborist evaluation who was not involved with the project. Based on public concern and the questions raised, the project was postponed and placed on tonight's Special Meeting agenda for further consideration.

In further researching this project, it was determined that (1) the heritage tree (tree preservation) ordinance was not applicable, (2) research on whether some trees were located on school district property has not been fully resolved, and (3) several arborists were contacted to present an independent professional opinion.

**Discussion and Analysis:**

In addition to the original arborist report provided by Professional Tree Care, the District obtained two additional reports. All these reports are attached and there are some different perspectives on what trees should be removed. These arborists have been asked to attend tonight's meeting. In addition, a group of citizens obtained an additional arborist evaluation who has indicated that he would also attend the meeting.

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Due to the significant issues of safety and liability it is recommended that any trees, where there is a consensus for disposal, should be scheduled for removal at the earliest available opportunity. The Board also has the option of continuing with the original project, obtaining other information, or deferring the project. If the Board decides to continue with the original project, it is recommended that the District either obtain an agreement with the school district or defer work on the trees that may be located on their property.

### **Fiscal Impact:**

An expenditure of \$61,120 was originally authorized. Any reduction in the scope of work will result in a lower cost.

### **Exhibits:**

- Bay Area Plant Consultants (Judith L. Thomas)
- Arbor Culture Consulting (Thomas Dodge)
- Professional Tree Care (Craig Hancock)

### **Exhibits from October 13, 2022, Agenda:**

- [Item 10 Tree Removal AR.pdf](#)
- [Item 10 10a Professional Tree Care.pdf](#)
- [10b Davey Proposal.pdf](#)
- [Item 10c Trees in Park photos.pdf](#)