



**Agenda Item D.1**  
**DISCUSSION/ACTION ITEM**  
**Meeting Date: February 26, 2014**

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**TO:** Commissioners  
**FROM:** Steve Wagner, Public Works Director  
**CONTACT:** Bob Morgenstern, Public Works Manager  
**SUBJECT:** Ad Hoc Committee

**RECOMMENDATION:**

- A. Adopt Resolution No. 14\_ entitled, "A Resolution of the Public Tree Advisory Commission of the City of Goleta, California Establishing a Committee to Advise City Staff Regarding a Proposed Draft Tree Protection Ordinance for Public Trees in Goleta."
- B. Appoint two Commissioners to serve on the committee.

**BACKGROUND:**

A tree protection ordinance is necessary to protect the City's trees now and into the future and will serve to ensure trees in Goleta are protected from willful or unnecessary harm, unauthorized removal, and to preserve the existence and benefits derived from a healthy urban forest. The most effective means for enforcement of tree protection would be through the creation of a Tree Protection Ordinance.

Per the City of Goleta's General Plan, the development of an Urban Forest Management Plan (UFMP) is to provide a guide for the long term preservation and enhancement of the urban forest within the City's jurisdiction. As part of the UFMP, ordinances and policies must be created to provide the mechanism for enforcement of the City's plan.

**DISCUSSION:**

Section 8.0 of The UFMP encourages the development of ordinances and policies to implement the Urban Forest Management Plan and enforce the ordinances. The current municipal codes prohibit cutting of public trees, injuring trees in parks, and unauthorized removal of trees. Title 12, Article 2 exists "to regulate and control all street trees along City roads in order to protect and preserve the existence thereof and thereby protect the public welfare." This includes protecting public trees from unlawful damage, cutting, or

removal. The City will need to undertake the task of reviewing the current policies to expand and encompass the development of ordinances and policies to protect our urban forest.

Staff has initiated a review of the existing public tree ordinances from other agencies to determine what items and/or issues might be included in a Goleta tree protection ordinance. Staff has also reviewed the existing City ordinances related to tree protection as well as ordinances adopted from the County at incorporation.

Staff is recommending the creation of an ad hoc committee to advise staff as staff prepares a draft outline for a Tree Protection Ordinance for review by the Public Tree Advisory Commission.

Should the Commission move forward with staff's recommendation to create an ad hoc committee, the scope of the Ad Hoc Committee would be limited to advising staff in the creation of a draft outline for the proposed ordinance. Once completed, the draft outline would be brought to the PTAC for review and recommendation. Staff would then prepare a draft ordinance based on the PTAC recommendation for submission to the City Council Ordinance Subcommittee. The Ordinance Subcommittee would then review the ordinance with staff for recommendation to the City Council.

An ad hoc committee is appropriate in this circumstance because the issue of preparing a draft outline for a Tree Protection Ordinance is a single-topic matter of limited time duration and focus. In addition, there would be no regularly scheduled meetings of the Committee, as it would meet only on an as-needed basis. Once the Committee has concluded its draft language and has made its final recommendations to the PTAC, it would cease to exist and will have no further meetings.

**ALTERNATIVES:**

The Commission is under no obligation to establish an ad hoc committee for this purpose and could either continue to rely on staff to follow the matter or discuss this amongst the Commission as a whole.

Review By:

Submitted By:

Approved By:

\_\_\_\_\_  
Deborah S. Lopez  
City Clerk

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Robert P. Morgenstern  
Public Works Manager

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Steve Wagner  
Public Works Director

**Attachment:**

1. Resolution No. 14\_ entitled, "A Resolution of the Public Tree Advisory Commission of the City of Goleta, California Establishing a Committee to Advise City Staff Regarding a Proposed Draft Tree Protection Ordinance for Public Trees in Goleta."

**ATTACHMENT 1**

Resolution No. 14\_ entitled, "A Resolution of the Public Tree Advisory Commission of the City of Goleta, California Establishing a Committee to Advise City Staff Regarding a Proposed Draft Tree Protection Ordinance for Public Trees in Goleta."

## RESOLUTION NO. 14-\_\_

### A RESOLUTION OF THE PUBLIC TREE ADVISORY COMMISSION OF THE CITY OF GOLETA, CALIFORNIA ESTABLISHING A COMMITTEE TO ADVISE CITY STAFF REGARDING A PROPOSED DRAFT TREE PROTECTION ORDINANCE FOR PUBLIC TREES IN GOLETA.

**WHEREAS**, the Public Tree Advisory Commission wishes to establish an Ad Hoc Committee to advise staff regarding the development of a draft Tree Protection Ordinance for Public Trees in Goleta.

**NOW, THEREFORE, BE IT RESOLVED BY THE PUBLIC TREE ADVISORY COMMISSION OF THE CITY OF GOLETA AS FOLLOWS:**

#### **SECTION 1. ESTABLISHMENT OF AN AD HOC COMMITTEE TO DRAFT A TREE PROTECTION ORDINANCE**

An Ad Hoc Committee is hereby established consisting of two members of the Public Tree Advisory Commission to be appointed by the Commission.

#### **SECTION 2. MANNER OF OPERATION**

The Ad Hoc Committee shall serve in an advisory capacity to the Public Tree Advisory Commission to advise staff in the creation of a draft outline for a Tree Protection Ordinance for public trees for review by the Public Tree Advisory Commission.

#### **SECTION 3. TERM OF COMMITTEE**

The Ad Hoc committee shall cease to exist and shall have no further meetings or duties once the committee has concluded its draft language and has made its final recommendations to the Public Tree Advisory Commission.

#### **SECTION 4. MEETINGS**

Meetings of the Ad Hoc committee shall be held on an as needed basis at such time and locations as identified by City staff to carry out the duties and assignments of the committee stated above.

#### **SECTION 5. STAFFING**

The Ad Hoc Committee shall be supported by the Public Works Manager and his designee.

**SECTION 6. CERTIFICATION**

The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

**PASSED, APPROVED AND ADOPTED** by the Public Tree Advisory Commission of Goleta, California, this \_\_\_<sup>th</sup> day of February, 2014.

\_\_\_\_\_  
CHAIR

ATTEST:

APPROVED AS TO FORM:

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DEBORAH S. LOPEZ  
CITY CLERK

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TIM W. GILES  
CITY ATTORNEY

STATE OF CALIFORNIA )  
COUNTY OF SANTA BARBARA ) ss.  
CITY OF GOLETA )

I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing Resolution No. 14-\_\_ was duly adopted by the Public Tree Advisory Commission of the City of Goleta at a regular meeting held on the 26<sup>th</sup> day of February, 2014, by the following vote of the Public Tree Advisory Commission

AYES:

NOES:

ABSENT:

ABSTENTIONS:

(SEAL)

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DEBORAH S. LOPEZ  
CITY CLERK