



City of St. Helena Tree Committee Regular Meeting

1480 Main St., St. Helena, CA 94574
Thursday, January 12, 2017 @ 3:30 PM

PLEASE NOTE: Any person who wishes to speak regarding an item on the agenda or make a comment under the "Oral Communication" portion of the agenda may do so, but please observe the time limit of three minutes.

Page

1. CALL TO ORDER
2. ROLL CALL
Committee Chair: Edie Kausch
Vice Chair: Scott Freeland
Members: Matthew Strouss
Alternates: Joan Westgate and Susan Smith-Allen
City Council Member Liaison: To be determined
Staff Liaison: Carlos Uribe
3. PUBLIC FORUM:
An opportunity for the public to directly address the Committee on items of interest to the public that are not listed on the agenda. Any person addressing the Committee should provide his or her name and address, and limit comments to five minutes. **Because of restrictions imposed by the Brown Act, the Committee may not engage in substantive discussion, nor take action on matters not described on the agenda.**
4. REPORTS BY STAFF AND COMMITTEE:
Reports by staff and/or committee on items of general interest. **Brief questions for clarification may be posed and answered, and Committee may request that items be placed on a future agenda. Except under certain circumstances, the Brown Act prohibits any other discussion or action by the Tree Committee.**
5. CONSENT CALENDAR:
Members of the Tree Committee or the public may ask that any items be considered individually for purposes of considering alternative action, for extended discussion, or for public comment. Unless that is done, on motion may be used to adopt all recommendation actions.
 - 5.1. Tree Committee Meeting Minutes of 10/13/16 3 - 4
[10-13-2016 Minutes Draft](#)
 - 5.2. Tree Committee Meeting Minutes of 12/08/16 5 - 6
[12-08-2016 Minutes Draft](#)
6. SCHEDULED MATTERS:
 - 6.1. Tree pruning at 1777 Adams St. Britton Tree Services, Inc. requests consideration to prune two (2) walnut trees in the City right of way. 7 - 8

Recommendation: Arborist recommends approval.

[1777 Adams](#)

- 6.2. Tree removal at 1140 Paulson Court 9 - 10

Recommendation: Arborist recommends approval.

[1140 Paulson](#)

- 6.3. Tree removal at 1160 Paulson Court 11 - 12

Recommendation: Arborist recommends approval.

[1160 Paulson](#)

- 6.4. Committee member discussion about modifications to the Heritage Tree designation and maintenance 13 - 18

[Heritage Tree Nomination Form](#)

[Muni Code Designation of heritage trees](#)

- 6.5. Report by City Arborist on status of City invasive tree policy

- 6.6. Committee member discussion about applying for Tree City USA Grants

7. DISCUSSION OF ITEMS TO BE PLACED ON THE NEXT MEETING AGENDA:

8. ADJOURNMENT

The next regular Tree Committee meeting is scheduled for 02/09/17 at 3:30 pm, City Hall 1480 Main Street.

This agenda was posted at City Hall, 1480 Main Street on 01/06/17

Christina Cook, Public Works Administrative Assistant

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the meeting, please contact City Hall at (707) 967-2792. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR35.102-35.104 ADA Title II). However, City staff will attempt to assist at any time with accessibility.

Tree Committee Members:

Edie Kausch-Chair
Scott Freeland-Vice Chair
Carol Troy
Matthew Strouss
Susan Smith-Allen-Alternate
Joan Westgate-Alternate

**MINUTES
ST. HELENA TREE COMMITTEE
ST. HELENA CITY HALL, CONFERENCE ROOM
1480 MAIN STREET, ST. HELENA
Regular Meeting – Thursday, October 13, 2016
3:30 pm – 5:00 pm**

1. ROLL CALL @ time: 3:33 pm

Present: Edie Kausch, Scott Freeland, Susan Smith-Allen, Joan Westgate (arrived at 3:36), Matthew Strouss, arrived at 3:36, Carol Troy arrived at 3:47, announced her resignation and left the meeting

Absent: None

Staff: Maintenance Manager; Carlos Uribe, Public Works Admin; Chrissy Cook, City Council liaison; Sharon Crull

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Committee action: Received comments from public.

Susann Ortega inquired about Lyman Park elms, the maintenance and spray schedule. Susan Smith-Allen discussed recommendations of trees for Lyman Park now that Jim Haller has retired. A subcommittee was formed of Matthew Strouss and Susan Smith-Allen to develop an action plan acquiring a landscape architect to donate their time to draft a master tree plan for Lyman Park. This subcommittee will report to Tree Committee at the 11/10/16 meeting to report.

REPORTS BY STAFF AND COMMITTEE: Reports by staff and/or committee on items of general interest. *Brief questions for clarification may be posed and answered, and Committee may request that items be placed on a future agenda. Except under certain circumstances, the Brown Act prohibits any other discussion or action by the Tree Committee.*

- Emergency tree removal of Chinese Pistache at Waste Water Treatment Plant, 1 Chaix Lane. Tree was split in wind.

2. **CONSENT CALENDAR:** Members of the Tree Committee or the public may ask that any items be considered individually for purposes of considering alternative action, for extended discussion, or for public comment. Unless that is done, on motion may be used to adopt all recommendation actions.

A. Tree Committee Regular Meeting Minutes of September 8, 2016.

Committee Action:

Committee member *Kausch* motioned to *Approve* seconded by *Westgate* and approved (4-0, 1 absent, Freeland abstained).

3. **PERMITS TO BE REVIEWED:**

A. 1269 Allyn Street St Helena, CA 94574. Remove (1) one English walnut tree.

Committee Action:

Committee member *Kausch* motioned to *Approve* seconded by *Westgate* and approved (5-0, 1 absent).

4. **SCHEDULED MATTERS:**

A. **Discussion:** Discuss the use of the \$2000.00 mitigation tree replacement funds received from PG&E for tree replacements on Main Street.

Estimated time: 20 minutes

5. **TENTATIVE AGENDA ITEMS FOR NEXT MEETING:**

- **Report: Tree next door to 1269 Allyn needs to be removed**
- **Review: Tree budget, 5026 FY 16/17**
- **Second opinion on elms by an arborist.**
- **Report: Carlos to provide worksheet from the PG&E**
- **Mary Novak's estate to donate and/or sponsor trees**
- **Sharon to report discussions with Jack Oliver regarding 2nd generation trees at Lyman Park.**

ADJOURNMENT: Adjourn at 4:53 pm

APPROVED:

Edie Kausch, Chair

ATTEST:

Maintenance Manager, Carlos Uribe

Tree Committee Members:

Edie Kausch - Chair
Scott Freeland - Vice Chair
Matthew Strouss
Susan Allen-Alternate
Joan Westgate-Alternate

**MINUTES
ST. HELENA TREE COMMITTEE
ST. HELENA CITY HALL, CONFERENCE ROOM
1480 MAIN STREET, ST. HELENA
Regular Meeting – Thursday, December 8, 2016
3:30 pm – 5:00 pm**

1. ROLL CALL @ time: 3:35 pm

Present: Edie Kausch, Scott Freeland, Matthew Strouss, Joan Westgate

Absent: Susan Smith-Allen, Sharon Crull

Staff: Maintenance Manager Carlos Uribe, Public Works Admin Chrissy Cook

PUBLIC FORUM: An opportunity for the public to directly address the Committee on items of interest to the public that are not listed on the agenda. Any person addressing the Committee should provide his or her name and address, and limit comments to five minutes. **Because of restrictions imposed by the Brown Act, the Committee may not engage in substantive discussion, nor take action on matters not described on the agenda.**

- *Susann Ortega* has an anonymous contributor who would like to help finance the Tunnel of Trees. They are interested in financing planting and maintenance. They have not decided on an amount. They are thinking maybe replacing 4 trees from the 2nd planting. Carlos let the committee know that the City has an inventory of healthy trees that we will supply. It was discussed that this is an opportune time to plant. Carlos will check inventory and schedule plantings. Plantings will need to be coordinated with CalTrans and Beringer.

REPORTS BY STAFF AND COMMITTEE: Reports by staff and/or committee on items of general interest. ***Brief questions for clarification may be posed and answered, and Committee may request that items be placed on a future agenda. Except under certain circumstances, the Brown Act prohibits any other discussion or action by the Tree Committee.***

- *Carlos Uribe* reported that Davey Tree Service will be performing routine maintenance pruning on the Elms at the Tunnel of Trees. Dates and times will be announced via e-news blast.
- *Carlos Uribe* reported that the City will be installing the remaining tree grates and planting trees on Main St.
- *Chrissy Cook* reported that Arbor Day was celebrated on December 6, 2016 with the planting of 5 Hawthorne Trees at the St Helena Public Library with help from students from the St Helena Montessori School and City Public Works crews.
- *Chrissy Cook* reported renewal application for the City of St Helena Tree City USA designation has been submitted.

2. **CONSENT CALENDAR:** Members of the Tree Committee or the public may ask that any items be considered individually for purposes of considering alternative action, for extended discussion, or for public comment. Unless that is done, on motion may be used to adopt all recommendation actions.

A. Tree Committee Regular Meeting Minutes of October 13, 2016.
Tabled until January 12, 2017 meeting for corrections.

3. **SCHEDULED MATTERS:**

A. **Discussion:** Mike Hastings at 1711 Spring St, to present to the Tree Committee the idea to help the City replace the fence and plant new trees between 1711 Spring St and City owned property Baldwin Park.

- Mike Hastings will purchase and have planted 2, 24" box Red Oaks.
- Fence 1 (section perpendicular to Spring Street) he will replace.
- Fence 2 (section parallel to Spring Street) owned by both him and the City, he will replace as well, with City help.
- Removal dead cherry trees, Tree Committee

B. **Discussion:** Review of Tree (101-5026) budget for Fiscal Year 2016/2017.

C. **Discussion:** Availability for January 12, 2017 meeting.

4. **TENTATIVE AGENDA ITEMS FOR NEXT MEETING:**

- Tree City USA grants
- Presentation: Jack Oliver's efforts to upgrade Lyman Park.
- Presentation: Report invasive Tree City policy ordinance
- Review: Heritage Tree report possibly adopt a heritage tree maintenance plan.

ADJOURNMENT: Adjourn at 5:02 pm

PART 1 of 6

**CITY OF ST. HELENA
NAPA COUNTY, CALIFORNIA
TREE PERMIT/CONTRACT
APPLICATION FOR CITY TREES**

PERMIT # _____

**TO: DEPARTMENT OF PUBLIC WORKS
1480 MAIN STREET
ST. HELENA, CA 94574**

APPLICANT: Britton Tree Services, Inc.
(Property Owner or Contractor)

ADDRESS: PO Box 424, St. Helena CA 94574
(Address, City, State & Zip)

PHONE: 707-963-7578

JOB LOCATION: 1777 Adams Street, St. Helena CA

I (or we) hereby request permission to carry out the following Tree work as required in Section 17.8 & 17.10 of the City of St. Helena Municipal Code:

TREE TRIMMING ☒ TREE ROOT PRUNING ☐ TREE REMOVAL ☐ TREE REPLACEMENT ☐

DESCRIPTION OF TRIMMING, ROOT PRUNING, REMOVAL AND/OR REPLACEMENT TREES:

two walnut trees to be pruned in city ROW

Estimated Start Date 12/12/16 Estimated Completion Date 01/31/17

DIAGRAM OF LOCATION OF PROPOSED WORK

Attach diagram on separate sheet(s) if necessary

*trus → westside
house*

Applicant agrees to comply with all ordinances, regulations, specifications and conditions which may apply or be required as a condition of this Permit/Contract.

Applicant shall indemnify, defend and hold harmless The City of St. Helena and its agents, officers, officials employees and volunteers in interest from and against all claims, damages, losses and expenses including attorney fees arising out of or in connection with work performed under this Permit/Contract, except where caused by the sole negligence or willful misconduct of The City of St. Helena. This obligation of Applicant to indemnify, defend and hold harmless shall continue in effect after the completion of the project authorized under this Permit/Contract.

SIGNATURE and DATE OF APPLICANT *[Signature]* 12/14/16

SIGNATURE and DATE OF OWNER _____

Tree Permit Application
8/29/2012

PART 2 of 6

CITY ARBORIST REPORT

Type of Tree(s) walnut Diameter(s) ① 20" ② 18"
(Site Sketch Required for Multiple Trees)

Sidewalk Damage: Yes X No _____ Lift in Inches: 1/4"

Other Damage: 2 sections of sidewalk affected

Condition of Location: Good _____ Fair X Poor _____

Hazards Present: Yes _____ No X If Yes, Explain: _____

Distance of Utilities from Tree: Water N/A Sewer N/A Other _____

Overhead Obstructions: Yes _____ No X If Yes, Explain type and height: _____

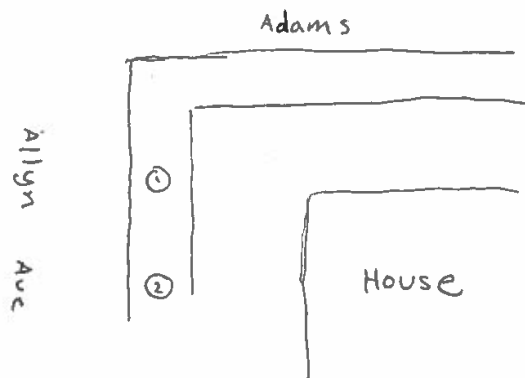
Recommend Approval: Yes X No _____

Comments: trees are ok to be pruned

Signature *Carlos [illegible]* Date 12/15/16
 City Arborist

* * * * *

SITE SKETCH FOR TREE OR TREES
 Attach diagram on separate sheet(s) if necessary



PART 1 of 6

CITY OF ST. HELENA
NAPA COUNTY, CALIFORNIA
TREE PERMIT/CONTRACT
APPLICATION FOR CITY TREES

PERMIT # _____

TO: DEPARTMENT OF PUBLIC WORKS
1480 MAIN STREET
ST. HELENA, CA 94574

APPLICANT: Jeff or Debbie Hansen
(Property Owner or Contractor)

ADDRESS: 1140 Paulson Ct St. Helena
(Address, City, State & Zip)

PHONE: 707.477.7198

JOB LOCATION: 1140 Paulson Ct.

I (or we) hereby request permission to carry out the following Tree work as required in Section 17.8 & 17.10 of the City of St. Helena Municipal Code:

TREE TRIMMING ☐ TREE ROOT PRUNING ☐ TREE REMOVAL ☒ TREE REPLACEMENT ☐

DESCRIPTION OF TRIMMING, ROOT PRUNING, REMOVAL AND/OR REPLACEMENT TREES:

tree is leaning over the sidewalk and street,
roots will eventually lift sidewalk

Estimated Start Date _____ Estimated Completion Date _____

DIAGRAM OF LOCATION OF PROPOSED WORK

Attach diagram on separate sheet(s) if necessary

Applicant agrees to comply with all ordinances, regulations, specifications and conditions which may apply or be required as a condition of this Permit/Contract.

Applicant shall indemnify, defend and hold harmless The City of St. Helena and its agents, officers, officials, employees and volunteers in interest from and against all claims, damages, losses and expenses including attorney fees arising out of or in connection with work performed under this Permit/Contract, except where caused by the sole negligence or willful misconduct of The City of St. Helena. This obligation of Applicant to indemnify, defend and hold harmless shall continue in effect after the completion of the project authorized under this Permit/Contract.

SIGNATURE and DATE OF APPLICANT

SIGNATURE and DATE OF OWNER

The Permit Application

11/30/16

11/30/16

PART 2 of 6

CITY ARBORIST REPORT

Type of Tree(s) Sycamore Diameter(s) 12"
(Site Sketch Required for Multiple Trees)

Sidewalk Damage: Yes ☒ No ☐ Lift in Inches: _____

Other Damage: PAVEMENT CRACK separation & expansion joint 9' 1/4"
some street cracks as well

Condition of Location: Good ☐ Fair ☒ Poor ☐

Hazards Present: Yes ☐ No ☒ If Yes, Explain: _____

Distance of Utilities from Tree: Water 24' 9" Sewer 20' Other _____

Overhead Obstructions: Yes ☐ No ☒ If Yes, Explain type and height: _____

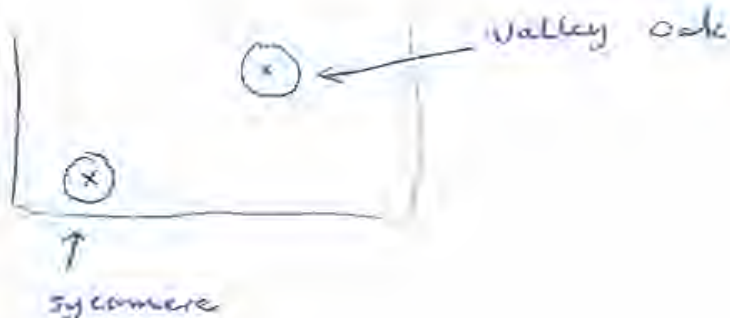
Recommend Approval: Yes ☒ No ☐

Comments: Tree is competing with oak tree.
This tree will have a difficult time reaching
it's full size. This area is better served by

Signature Charles (Hilde) Date 12/9/16
City Arborist

SITE SKETCH FOR TREE OR TREES
Attach diagram on separate sheet(s) if necessary

a smaller
tree.



PART 1 of 6

**CITY OF ST. HELENA
NAPA COUNTY, CALIFORNIA
TREE PERMIT/CONTRACT
APPLICATION FOR CITY TREES**

PERMIT # _____

**TO: DEPARTMENT OF PUBLIC WORKS
1480 MAIN STREET
ST. HELENA, CA 94574**

APPLICANT: ALBERT E NEW JR TRUSTEE
(Property Owner or Contractor)

ADDRESS: 1160 PAULSON COURT ST HELENA, CA 94574
(Address, City, State & Zip) ne@newaaol.com

PHONE: 850-232-6766 /WN48602001.com

JOB LOCATION: 1160 PAULSON COURT, ST HELENA

I (or we) hereby request permission to carry out the following Tree work as required in Section 17.8 & 17.10 of the City of St. Helena Municipal Code:

TREE TRIMMING ☐ TREE ROOT PRUNING ☐ TREE REMOVAL ☒ TREE REPLACEMENT ☐

DESCRIPTION OF TRIMMING, ROOT PRUNING, REMOVAL AND/OR REPLACEMENT TREES:

REMOVE SYCAMORE TREE ADJACENT TO FIRE HYDRANT. TREE HAS GROWN OVER WATER AND GAS SUPPLIES TO HOME AS WELL AS ENCRDACHING ON SIDEWALK. WILL ALLOW VALLEY OAK NEARBY TO FLOURISH

Estimated Start Date UPON APPROVAL Estimated Completion Date 1 WEEK LATER

DIAGRAM OF LOCATION OF PROPOSED WORK

Attach diagram on separate sheet(s) if necessary

Applicant agrees to comply with all ordinances, regulations, specifications and conditions which may apply or be required as a condition of this Permit/Contract.

Applicant shall indemnify, defend and hold harmless The City of St. Helena and its agents, officers, officials employees and volunteers in interest from and against all claims, damages, losses and expenses including attorney fees arising out of or in connection with work performed under this Permit/Contract, except where caused by the sole negligence or willful misconduct of The City of St. Helena. This obligation of Applicant to indemnify, defend and hold harmless shall continue in effect after the completion of the project authorized under this Permit/Contract.

SIGNATURE and DATE OF APPLICANT [Signature] Nov. 15 2016

SIGNATURE and DATE OF OWNER [Signature] Nov. 15 2016

Tree Permit Application
8/29/2012

2

PART 2 of 6

CITY ARBORIST REPORT

Type of Tree(s) _____ Diameter(s) 15"
(Site Sketch Required for Multiple Trees)

Sidewalk Damage: Yes X No _____ Lift in Inches: 1/2"

Other Damage: separation @ curb & gutter, multiple cracks developing on sidewalk

Condition of Location: Good _____ Fair X Poor _____

Hazards Present: Yes X No _____ If Yes, Explain: In time, roots will present a hazard to the sidewalk, and create trip hazards

Distance of Utilities from Tree: Water 7 1/2' Sewer 19' Other Hydrant 10' w/valves

Overhead Obstructions: Yes _____ No X If Yes, Explain type and height: _____

Recommend Approval: Yes X No _____

Comments: Area is crowded w/ large trees, two healthy oaks neighboring sycamore have and competed this tree, visible growth towards street, (seeking light)

Signature Carollee Lefebvre Date 11/16/16
City Arborist

* * * * *

SITE SKETCH FOR TREE OR TREES

Attach diagram on separate sheet(s) if necessary



CITY OF ST HELENA
TREE COMMITTEE

HERITAGE TREE NOMINATION FORM

I _____ would like to nominate the following tree
(s) _____ (please include type quantity and location),
St Helena, CA 94574 as (a) Heritage Tree (s). I have reviewed the City of St Helena Tree
Ordinance, Title 12, Chapter 24, Sections 110-150 and understand all aspects regarding Heritage
Trees within the City of St Helena, CA.

I do solemnly swear to uphold the Ordinance this form refers to, and have the right to receive the
benefits that accompany the ownership of a heritahe tree.

Signed,

_____ Date: _____

Email and phone: _____

Please return this form to:
City of St Helena
Chrissy Cook 1480 Main St
St Helena, CA 94574

For further information, please contact Chrissy Cook, Public Works Administrative Assistant at
707.968.2658.

12.24.110 Designation of heritage trees.

A. Candidate trees for designation as heritage trees shall be nominated by citizens of the community or the tree committee. Upon nomination, and with the written permission of the owner of the candidate tree, a candidate tree shall be submitted for review by the director of public works and the tree committee. Upon recommendation of the tree committee and resolution by the city council, after the holding of a noticed public hearing, a tree may be designated a heritage tree if it meets at least one of the following criteria:

1. Historical significance;
2. Over thirty (30) inches in diameter measured four and one-half feet above the ground;
3. Unique or rare horticultural specimen;
4. Uniqueness of size or age;
5. Aesthetic value due to symmetry, form, color, other qualities;
6. An outstanding specimen of a desirable species, especially native oak specie;
7. Significance for habitat preservation, including where tree is one of a group of trees each dependant on the other for survival.

B. The director of public works shall cause each tree designated a heritage tree to be identified by placing a tag as may be specified by the director on the tree approximately six feet above the ground, or in another manner as may be specified by the director. The director shall also keep a list of the heritage trees in the city by number and approximate location. No person shall remove the identification without written permission from the director.

C. Upon designation, the city shall cause a notice of heritage tree status to be recorded with the Napa County recorder.

D. The owner of a heritage tree shall receive a resolution of appreciation from the city and may be eligible for free consultation and advice from a certified arborist for the heritage tree.

E. Heritage tree designation can be removed upon approval of the city council for good cause shown after a noticed public hearing. The tree committee shall make a recommendation to the city council regarding removal of the heritage tree designation.(Ord. 01-6 § 3 (part); prior code § 17.12)

12.24.120 Maintenance, repair and removal of heritage trees in the public right-of-way.

- A. The city shall be responsible for maintaining heritage trees in the public right-of-way and the costs associated with such maintenance. Maintenance shall include but not be limited to: watering; pruning for tree health, structure, from and for public safety; spraying for pathogens and insects; fertilizing; and managing the root zone for health and vigor.
- B. The city shall be responsible for repairing curb and sidewalk damage within the public right-of-way caused by heritage trees in the public right-of-way. The city shall also be responsible for removing and replacing heritage trees in the public right-of-way when necessary for public health and safety, including disease control.
- C. Property owners shall be responsible for damage to their properties or to water and sewer lines caused by heritage trees in the public right-of-way consistent with city utility maintenance policies.
- D. All maintenance and replacement of heritage trees in the public right-of-way shall be performed in compliance with the other requirements of this chapter. (Ord. 01-6 § 3 (part): prior code § 17.13)

12.24.130 Pruning, maintenance and removal of protected trees.

- A. No person shall cut or prune, below or above ground, brace, move, remove, cause to cut, alter, or perform such other acts with respect to any protected tree without first obtaining a written permit to do so from the director. The application shall state the number and identify the location of each protected tree for which a permit is sought, and shall contain other pertinent information as the director may require. The application may also include documentation of any type, including written recommendations from a certified arborist concerning the health, quality and desirability of alternatives to the tree or trees in question. The necessity for the requested action shall be demonstrated to the director by the applicant.
- B. Upon receipt of the application, the director shall make a recommendation to the tree committee as to the acceptability of the requested action based on the following findings:
 - 1. The overall condition of the tree, including any diseases and pests that may be attacking it; the tree's age with respect to its projected life span; the area the tree would hit if it, or any substantial part of it, were to fall; its symmetry and aesthetics; its proximity to existing structures; and any interference it has caused with underground or overhead utility lines;
 - 2. The topography of land and the effect the tree alteration or removal may have on possible erosion or soil retention problems or on increasing the flow or the diversion of surface waters;

3. The number, species, size, and location of the other existing trees in the area and the effect the requested action will have on shade area, air pollution, historic values, scenic beauty, and the general welfare of the city;
 4. Whether the request is supported by good urban forestry practices and standards such as, but not limited to, the number of healthy trees that a given parcel of land will support.
- C. The findings of the director will be presented to the tree committee for its review and approval. If the director recommends and the tree committee approves the application, the director shall issue a permit, subject to such conditions that the director and the tree committee deem appropriate, which may include the planting of replacement trees or protected replacement trees.
- D. All cutting or pruning, below or above the ground, bracing, or alteration of a protected tree shall be done only by a qualified city employee, certified tree worker, certified arborist, or with a certified arborist in attendance and supervising the entire process, except as otherwise allowed by the permit.
- E. A permit granted under the provisions of this section shall be valid for a period of sixty (60) days from the date of issuance unless a longer period is stated on the permit.
- F. Notwithstanding subsection A of this section, a qualified city employee may prune or cut, below or above the ground, or brace a city tree that is not a heritage tree under the direction of the director and without first obtaining a written permit to do so from the tree committee.
- G. Notwithstanding the findings required in subsection B of this section, the city council may approve the removal of protected trees for good cause. (Ord. 01-6 § 3 (part): prior code § 17.14)

12.24.140 Damage to protected trees.

- A. Except as permitted in this chapter, no person shall break, injure, deface, mutilate, kill, remove or destroy any protected tree; or knowingly cause or permit any wire charged with electricity to come into contact with any protected tree; or place, apply, attach or keep attached to any such tree a guard or stake intended for the protection thereof, any wire, rope, sign, paint or other substance, structure, thing or device of any kind or nature whatsoever; or place or maintain any stone, cement or other substance so that it shall impede the free access of water or air to the roots of any protected tree.
- B. Any party determined to have caused damage to any protected tree as described in subsection A of this section shall be liable for the cost of repair or replacement of the tree. Costs shall be based on Napa County landscape industry costs and on tree valuation standards set by the International Society of

Arboriculture. Such moneys shall be paid to the city and shall be used to repair or replace the damaged tree. (Ord. 01-6 § 3 (part): prior code § 17.15)

12.24.150 Protection of protected trees during and after construction activity.

A. During any construction activity within the drip line of a protected tree, inside or outside the public right-of-way, no person shall, without permission from the director of public works, do the following:

1. Change the amount of irrigation provided to any protected tree from that which was provided prior to the commencement of construction activity;
2. Trench, grade or pave into the root zone of a protected tree;
3. Change, by more than two feet, grade elevations within an area from the drip line of a protected tree outward to thirty (30) feet in distance;
4. Park or operate any motor vehicle within the drip line area of any protected tree except in designated parking areas;
5. Place or store any equipment or construction materials within the drip line area of any protected tree except in designated parking areas;
6. Attach any signs, ropes, cables or any other items to any protected tree;
7. Cut or trim any branch of a protected tree for temporary construction purposes;
8. Place or allow to flow into or over the root zone area of any protected tree any oil, fuel, concrete mix or other deleterious substance.

B. Where written permission of the director is sought under this section, the director may grant such permission with such reasonable conditions as may be necessary to effectuate the intent and purpose of this chapter.

C. A protected tree shall be protected after construction activity in accordance with conditions imposed by the city and/or specifications adopted by the tree committee. (Ord. 01-6 § 3 (part): prior code § 17.16)