

TO: Neighborhood Tree Team members and Portland tree advocates  
FROM: Bruce Nelson, Cully Tree Team 29 April 2022  
RE: Portland Urban Forestry Commission Meeting April 21, 2022:  
Summary and Comments

**NOTE: This document is not an official document of the Urban Forestry Commission. I am a private citizen who is a volunteer member of the Urban Forestry Commission. I write this document as a private citizen.**

**Conflict of Interest Policy –**

**“Members of City advisory bodies are public officials, based on State law ORS 244.020(15), and as such are required to disclose conflicts of interest. Under the Oregon Revised Statute 244.020(3), an appointee has a conflict of interest when participating in an official action which could or would result in a financial benefit or avoidance of detriment to the public official, a relative of the public official, or a business with which either is associated.”**

These meetings usually occur on a monthly basis, on the third Thursday of the month. Official minutes of the meetings are available at the website for the Urban Forestry Commission (UFC), once they are approved by the Commissioners (usually 1-3 months after the meeting). You can see and listen to You-tube recordings of the meetings for 2021 and 2022. Go to the link at the UFC website <https://www.portland.gov/trees/ufc> or to the You Tube sit <https://www.youtube.com/playlist?list=PL1ToXf0RSV44U3FpC0nwIUqtFOMFulxMY>

The decisions made at these meetings may affect volunteer tree advocacy and may influence Urban Forestry division processes and actions. I am sending you timely commentary on these monthly meetings. If you do not wish to receive this, let me know.

*Italicized text indicates my own point of view and/or items not necessarily expressed during the meeting. Red bold text is used for my required statement that this is not an official or adopted statement from the Urban Forestry Commission, as well as the Conflict of Interest policy for the City of Portland. Bold black text is used for subject headings, lead presenters for a specific*

**agenda item and occasionally either to identify who is saying what or for emphasis.**

The monthly Urban Forestry Commission (UFC) meeting was held Thursday, April 21, 2022, 9:30 a.m. – 11:35 a.m. It was held as a Zoom meeting, due to COVID-19 demands.

**UFC Commissioners Present** - Vivek Shandas (chair), Anjeanette Brown, Adrienne Feldstein, Ivory Iheanacho, Roberta Jortner, Melinda McMillan, Bruce Nelson, Daniel Newberry, Leah Plack, Megan Van de Mark

**UFC Commissioners Absent** - none

**Urban Forestry (UF) Staff Present** – Jenn Cairo (City Forester, Portland Parks and Recreation, Urban Forestry division) ; Brian Landoe (Analyst 1, Portland Parks and Recreation, Urban Forestry division; Angie DiSalvo (Science, Outreach and Planting Manager, Portland Parks and Recreation, Urban Forestry division); Rick Faber (Permitting and Regulation Coordinator, Portland Parks and Recreation, Urban Forestry division); Ashley Reese (Administrative Specialist II, Portland Parks and Recreation, Urban Forestry division)

**City Attorney’s Office** – No one was present

**Other City Staff** - No one was present.

**9:30 a.m. Public Testimony**

Sabina Pariser wondered how the \$3 million (of American Rescue Plan Act funds) that Portland Parks and Recreation/Urban Forestry (UF) division is requesting for tree planting will be used. She had heard that half would be given to community partners for tree planting efforts. Sabina also wondered what steps would be taken to ensure that trees were going where needed.

Angie DiSalvo responded that the money would be used following the community-developed strategy described in UF’s report *Growing a More Equitable Urban Forest* <https://www.portland.gov/sites/default/files/2020-09/tree-planting-strategy-12.18.pdf>

*UF’s current tree planting efforts focus on:*

- a. Opt-out street tree planting in low-canopy, need-based neighborhoods;*
- b. Yard tree giveaways in low-canopy, need-based neighborhoods;*

- c. Parks and natural resource space tree planting;*
- d. School yard planting in low-canopy, need-based neighborhoods.*

**9:38 Welcome to newly appointed UFC Members - Vivek Shandas (chair)**

Vivek welcomed three City Council-appointed new members of the Urban Forestry Commission. Each member was appointed to UFC to serve a 4-year term, which will end March 31, 2026. The new members are Ivory Iheanacho, Roberta Jortner, and Melinda McMillan. *UFC still remains two members short. Anjeanette Brown has agreed to continue to serve until a replacement has been found for her. Lorena Nascimento's early departure has never been filled. I believe that UFC is still accepting applications to fill these two vacancies. If they are filled in 2022, that means 5 of the 11 positions have been filled within the past year and 7 of the 11 positions in the past two years.*

**Ivory Iheanacho** works as an occupational safety and health inspector for Multnomah County. She strongly believes in the importance of community efforts as part of protecting the urban forest. **Melinda McMillan** is a landscape architect returning to Portland after some time on the east coast. She loves the green of Portland and has a strong commitment to an equitable distribution of the urban forest. **Roberta Jortner** worked for 30 years with a variety of public agencies as a natural resources planner, including Portland Water Bureau, Bureau of Environmental Services, and the Bureau of Planning and Sustainability. She has been volunteering with the UFC Policy Committee. She hopes to help elevate the role of street trees as critical infrastructure.

Vivek reminded all UFC members to consider volunteering to work on the Heritage Tree Committee or the Policy Committee or advocate for the creation of any committee they might feel is necessary. He also hoped UFC members would consider stepping into the leadership roles of Chair (Vivek's UFC term expires in February 2023) or vice-chair (which is currently empty, with Barbara's second term having ended in March 2022).

**9:50 Minutes Review - Vivek Shandas (chair)**

December 2021 and January 2022 minutes were reviewed and accepted as presented.

**9:55 Scheduling Meeting to discuss UFC priorities and processes – Brian Landoe (Analyst 1, Portland Parks and Recreation, Urban Forestry division)**

Brian shared that a date that works for all has yet to be determined for a meeting where UFC priorities and goals can be discussed. He will send out another Doodle notice to see if a date can be determined that works for most if not all parties. Tentatively, this will be a 4-hour meeting and likely held at Leach Botanical Garden.

**10:00 Approving New Members of the UFC Appeals Board – Vivek Shandas (chair)**

UFC approved Leah Plack as a member of the UFC Appeals Board and Adrienne Feldstein as the new chair of the Appeals Board.

**10:04 City Forester's Report - Jenn Cairo (City Forester, Portland Parks and Recreation, Urban Forestry division)**

Brian Landoe introduced Ashley Reese, the new administrative assistant, who will take minutes at UFC meetings and work directly with Brian and Jenn. She has worked in a variety of temporary positions within UF.

Jenn reported that the Portland City Council, in the morning session April 13, 2022, approved the appointments of Ivory Iheanacho, Melinda McMillan, and Roberta Jortner as new members of UFC, and also approved the appointment of Megan Van de Mark to a second UFC term. Anjeanette Brown declined to serve a second 4-year term but has agreed to continue as a UFC member until a replacement is appointed.

The late, wet snow of April 11, 2022 generated ~800 service calls to the Emergency Response Center. The tree limb breakage will take weeks to completely clean up. UF staff has responsibility for dealing with branches in PBOT-maintained streets and for trees on publicly maintained property. The time between a call and servicing is now 14 days. Normally it is only 3 days.

Portland Public Schools (PPS) accidentally removed an unmarked, severely damaged Heritage Tree on their property (*Empress tree, or Paulownia tomentosa, at Metropolitan Learning Center/Couch Park, planted in the 1800s, reported as 60' tall, 51' spread, and ~54" diameter-at-breast-height, and the only tree of this species on the Portland Heritage Tree list*). The tree did not have a Heritage Tree sign on it. PPS's request to remove the tree did not indicate that it was a Portland Heritage Tree, and UF staff reviewing the removal request did not check to see if it was. Jenn apologized to UFC for not first bringing this to UFC to request the removal. UF is changing its internal procedures so that it will always check

whether or not a request to remove a tree on public or private property involves a Heritage Tree.

There is no new information regarding the Pedestrian Design Guide (PDG). PBOT is reviewing testimony received at the recent public hearing. UF continues to work with the PBOT team to advocate for more tree-friendly procedures in the PDG.

The Portland City Council will be doing its annual review of the Schedule of Permit Fees for Urban Forestry at an upcoming meeting. On May 18, the City Council is scheduled to hear the annual UF Tree Trust Funds report, as well as receive and hopefully approve the Heritage Tree nominations.

The Portland Water Bureau (PWB) will hold a Zoom hearing May 18<sup>th</sup> from 6 – 7 pm to take public testimony on the Portland Water Bureau Engineering and Technical Standards of Administrative Rule. Of concern to UFC is the standard that calls for trees to be no closer than 10' from water conveyance pipes 24" or larger in diameter. *Also of note is that trees planted 10' from these pipes can't get any bigger than 12" dbh.* The deadline to receive written testimony on the Administrative Rule is Friday, May 20<sup>th</sup>. See the link for more information. <https://www.portland.gov/water/news/2022/4/8/engineering-technical-standards-administrative-rule-public-comment-period>

#### *UFC's Discussion of City Forester's Report*

Bruce commented that there would have been much less storm damage to street trees if they had been under a regular maintenance program.

Daniel reviewed for new UFC members the common UFC practice of developing general points of agreement on a specific issue on which UFC will testify (orally or in writing) and then delegate the UFC Policy Committee to write the specific written testimony and deliver specific oral testimony, as appropriate, on behalf of UFC.

Roberta would like information on exactly where the large (24" and larger diameter) water conveyance pipes are located in order to more accurately assess what parts of Portland will be affected by this 10' administrative rule.

#### **UF Tree Fees Schedule Update - Brian Landoe (Analyst 1, Portland Parks and Recreation, Urban Forestry division)**

UF strives to recover full costs for development-related tree services. Non-development tree fees are kept low to encourage public compliance. City Council reviews fees annually before approving them. All development fees will be

increased about 7.5 percent for the upcoming fiscal year, which is in line with what other bureaus are doing. This particular item does not require any approval from UFC but was shared for our information.

**Annual Tree Fund Report - Angie DiSalvo (Science, Outreach and Planting Manager, Portland Parks and Recreation, Urban Forestry division);**

Angie provided the annual report on UFs two designated funds—the Tree Planting and Preservation Fund, and the Urban Forestry Fund.

The Tree Planting and Preservation Fund (TPPF) derives revenue from

- a. payment in lieu of tree replacement as part of a permit issued pursuant to Tree Code 11.40;
- b. payment in lieu of preservation or planting where site or street characteristics or construction requirements make it infeasible to meet the requirements of Tree Code 11.50;
- c. payment of restoration fees for enforcement actions for private trees;
- d. voluntary contributions

Money from this fund can be used for planting trees on public and private property and for paying for materials and labor necessary to install and establish these trees for five years. In theory, this money could also be used to purchase conservation easements for perpetual retention of trees and tree canopy or to acquire land to permanently protect existing trees or groves. This fund has never been used for these purposes since it was established in 2015. *If someone donated a large sum of money to the Tree Planting and Preservation Fund specifically for PP&R to purchase a particular property with a wonderful grove of trees on it, maybe under current stipulations the fund could be used for this.*

In fiscal year 2020-2021 this fund added \$1,259,006 in revenue and spent \$449,364. The balance remaining was \$4,903,246.

The Urban Forestry Fund's revenue comes from restoration fees, civil penalties, or civil remedies resulting from City or street tree enforcement actions. Allowable uses of this fund include:

- a. to replace, establish, and maintain street or City trees illegally removed or damaged;
- b. to plant, establish, and maintain street or City trees where, in the City Forester's judgment, they will enhance the value of the urban forest;
- c. to provide education, outreach, and technical assistance to the community;

- d. other forestry-related actions or programs, as determined by the City Forester.

*The discretionary use of the Urban Forestry Fund is broad.*

In fiscal year 2020-2021, this fund added \$48,768 and spent no dollars.

Urban Forestry expects to use money from the Tree Planting and Preservation Fund to expand tree planting in its various programs, which will involve spending more annually from this fund. Projections are that \$900,000 annually will be spent from this fund for tree planting. That is an increase from the \$450,000 spent in fiscal year 2021. Funds from the Urban Forestry Fund will assist in upcoming tree inventory work.

#### *Comments from UFC Members*

**Roberta** wondered if the maintenance program for new trees is three or five years. Angie said it is now five years, taking into account the new climate challenges and City Council adoption of this change.

**Daniel** wondered why more of the money in the Tree Planting and Preservation Fund was not being used annually. Angie responded that UF staff is working on this but wants to be responsible about spending the money while also preserving adequate funds for future maintenance needs.

**Megan** reminded us all that the growth in these funds comes at the expense of trees not preserved. Is there some means to provide incentives for tree preservation? Brian responded that he thought some incentives are part of the Better Housing by Design initiative. It is too early to have any meaningful data on this.

**Vivek** wondered how communities in east Portland can be engaged in efforts to plant and preserve trees in their neighborhoods.

*It should be noted that, at its height of involvement in street tree planting, the Bureau of Environmental Services Tree Planting Program contract with Friends of Trees was for an amount larger than \$900,000 annually. I do not have sufficient information to compare the public benefits derived from the tree planting endeavors of the two bureaus from the past or present. Urban Forestry is being cautious in the use of the money in these two funds. It is a challenge to balance ensuring adequate funds for future short-term maintenance of newly planted trees and getting trees in the ground now. We won't see much significant benefit from trees planted today for at least 10 years. Below are some running charts I keep for these funds. I think more money should be spent from them.*

URBAN FORESTRY FUND REPORTS CUMULATIVE								
Fiscal Year	As interpreted by Bruce Nelson from Urban Forestry Annual Reports							
	URBAN FORESTRY FUND				Tree Planting and Preservation Fund			
	Beginning Balance	Revenue	Expenses	Ending Balance	Beginning Balance	Revenue	Expenses	Ending Balance
2014/2015	\$0	\$0	\$0	\$0	\$0	\$198,605	\$0	\$198,605
2015/2016	\$0	\$11,650	\$0	\$11,650	\$198,605	\$478,395	\$0	\$677,000
2016/2017	\$11,650	\$55,339	\$0	\$66,989	\$984,892	\$736,230	\$202,054	\$1,519,068
2017/2018	\$66,988.90	\$93,405.79	\$84,713.64	\$75,681.05	\$1,519,068.35	\$1,185,082.81	\$426,438.48	\$2,277,712.68
2018/2019	\$75,681.05	\$981,720.07	\$89,217.48	\$968,183.64	\$2,277,712.68	\$1,444,428.75	\$217,208.50	\$3,504,932.93
2019/2020	\$968,183	\$87,361	\$59,598	\$995,946	\$3,504,932	\$905,497	\$316,825	\$4,093,605
2020/2021	\$995,946	\$48,768	\$0	\$1,044,714	\$4,093,605	\$1,259,006	\$449,364	\$5,947,961
RATIO OF EXPENSES TO REVENUE PER FISCAL YEAR FOR BOTH FUNDS								
Fiscal Year	Urban Forestry Fund			Tree Planting and Preservation Fund				
2014/2015	na			0				
2015/2016	0			0				
2016/2017	0			0.274				
2017/2018	0.907			0.36				
2018/2019	0.091			0.15				
2019/2020	0.682			0.35				
2020/2021	0			0.36				
Ratio of Expenses in Most recent year to revenue of preceeding year								
	Urban Forestry Fund			Tree Planting and Preservation Fund				
FY 14/15 TO 13/14	na			na				
FY 15/16 TO 14/15	na			0				
FY 16/17 TO 15/16	0			0.422				
FY 17/18 TO 16/17	1.531			0.579				
FY 18/19 TO 17/18	0.955			0.183				
FY 19/20 TO 18/19	0.061			0.219				
FY 20/21 TO 19/20	0			0.496				

**10:55 Urban Forestry Programs Review - Jenn Cairo (City Forester, Portland Parks and Recreation, Urban Forestry division)**

Jenn reviewed the overall organizational structure at the UF division, which is part of PP&R, as a means to help orient new UFC members and as a refresher for other UFC members. Jenn serves directly under PP&R Director Adena Long. Under Portland’s current form of government, each city bureau is assigned by the Mayor to be the charge of one of the elected City Council members, which includes the Mayor. Currently City Council member Carmen Rubio oversees PP&R.



UF's organizational flow chart begins with the City Forester at the helm. Working directly with the City Forester are Budget Analyst Brian Landoe and Administrative Assistant Ashley Reese. Once UF hires a Policy Analyst, that person will also be directly working with Jenn. UF's three major areas are more narrowly focused:

- Permitting/Regulation (lead is Casey Jogerst)
- Operations (lead is Larry Maginnis)
- Science/Policy/Outreach/Planting (lead is Angie DiSalvo)

The Permitting/Regulations team focuses on Title 11 issues as they relate to development and non-development situations. This group includes tree inspectors who visit sites and review permit applications and site plans for tree-related issues. It also includes tree technicians who staff the tree hotline, the one-stop center for Portlanders with questions pertaining to tree-related issues. This is also the group that is involved with enforcing regulations, if and when they are funded. With additional funds from the Parks levy passed in 2020, positions have been added to this group within the past year.

The Operations team provides direct services pertaining to trees for PP&R and for other publicly owned and managed properties. This includes tree planting, tree pruning, and tree removal. This group also provides emergency removal on Portland streets of storm-damaged tree debris, as an emergency contractor to PBOT. With the passage of the Parks levy in November 2020, this team has added many new staff as it begins a regular cycle of routine maintenance pruning of trees in all developed parks. The plan is to put all parks on a 10-year cycle for tree pruning. In the past, tree pruning in parks has been on an as-needed, reactive basis rather than the preferred pro-active, regular maintenance approach. *For context, a pruning cycle of every five years is considered the gold standard. Portland opted for a 10-year cycle. The shorter the cycle the higher the quality care. But the more frequent the pruning is done, the higher the annual costs because more staff and equipment or contractors are needed to get to all the trees in a timely manner. The advantages of having a pruning cycle are reduced emergency costs, some legal liability reduction, and healthier trees.*

The Science/Policy/Outreach/Planting team has also added staff, thanks to the Parks levy funds. This group prepares the various reports for City Council and the public pertaining to UF activities. The Annual Tree Fund report and the recent five-year Canopy Report are two recent examples. This group oversees street tree planting, the yard tree giveaway program, and school tree planting activities. Staff in this group lead street and park tree inventories. They also lead educational

outreach including the tree stewards program, pruning training, and workshops to educate arboriculture industry members about Portland's tree regulations. This group administers the Heritage Tree program, except for the pruning of Heritage Trees on publicly managed property, which is done by Operations staff.

One additional UF service is Dutch elm disease inspection and selective treatment. All known elm trees within Portland are inspected annually to see if they are showing any symptoms of Dutch elm disease. Inspections are conducted in the summer and suspected infected tissue is sent to the lab at Oregon State University for definitive determination. Selected elms in developed parks are treated as needed and as budget considerations allow.

The UFC serves an important role for UF. UFC advises UF on any policy matters that are brought to UFC. UFC will play an important role in the upcoming review and modifications to the Portland Urban Forest Management Plan. Various city bureaus bring to UFC plans, projects, and/or proposed policies that touch on matters related to Portland's urban forest. Sometimes this happens as a report and other times in a format that is seeking input. Annually, UF develops a budget to fulfill its responsibilities. UFC has the opportunity to provide feedback on this general budget. *The challenge here is getting enough budgetary information to provide meaningful feedback without trying to micro-manage UF, which is not the responsibility of UFC.* One very important responsibility of UFC is to bring recommendations to the City Council on matters relevant to Portland's urban forest. UF staff are constrained in the type of advocacy they can do to bring about changes in policies or practices in their operations. The all-volunteer UFC is in a position to hear public sentiments, reflect public concerns, and mobilize public action on tree-related issues.

The Appeals Board is a standing committee of UFC. It plays an important role in providing residents with a means to appeal decisions by the City Forester. *This role will likely be diminished if City Council approves the proposed Title 11 tree code amendment that allows an administrative review before needing to go to the Appeals Board.*

Identified challenges likely to face UFC include:

- How does climate change affect the urban forest? What should be done? How should these environmental justice concerns be addressed?
- Will the City take over street tree maintenance and if so, how?
- How can ongoing inter-bureau disagreements over allocation of right-of-way space be resolved in a way that benefits the urban forest?

--How does Portland address the disproportional effects of low tree canopy in areas where many low-income Portlanders and BIPOC Portlanders reside and work?

Megan thought that it might be appropriate to eliminate the Appeals Board. Jenn said this is an item on the list for future review of Title 11.

**11:30 Policy Committee Action - Daniel Newberry (chair of UFC Policy Committee)**

UFC approved the motion to empower the Policy Committee to send written testimony on behalf of UFC by the May 20, 2022 deadline regarding UFC's concerns with the Portland Water Bureau's administrative rule about tree location near 24" or greater diameter water conveyance pipes on improved streets. The UFC approved the Policy Committee to present verbal testimony at the Portland Water Bureau Public Hearing on May 18<sup>th</sup>, 6 – 7 p.m. on this same issue.

**Scheduling Future Agenda Items - Vivek Shandas (Chair of Urban Forestry Commission)** Due to time considerations, this item was not addressed.

**Next Urban Forestry Commission Meeting:** The next Urban Forestry Commission meeting will be 9:30 a.m. – 11:30 a.m., Thursday May 19, 2022, as a Zoom meeting. Check the link below prior to the meeting for the agenda, meeting materials, and how you can gain access to this Zoom meeting,  
<https://www.portland.gov/trees/ufc/events/2021/6/17/urban-forestry-commission-meeting>