



URBAN FORESTRY COMMISSION

Meeting Minutes

March 16, 2023

9:30am – 11:30am

Hybrid Meeting: Online and in person at The Portland Building

Commission Members present:

Co-Chairs Adrienne Feldstein and Roberta Jortner, Derily Bechtold, J.R. Lilly, Ivory Iheanacho, Megan Van de Mark, Melinda McMillan, Bruce Nelson, Leah Plack, Casey Clapp, Justin Misner

Commission Members absent:

Urban Forestry staff present:

Jenn Cairo (City Forester), Brian Landoe (Analyst III), Ashley Reese (Administrative Specialist II), Nik Desai (Botanic Specialist II), Jesse Nellis (Senior Tree Inspector)

City staff present:

Sarah Huggins (Analyst IV)

Public Comments

1. Noelle Studer-Spevak, a member of Families for Climate and Shade Equity Coalition, welcomed the new Commissioners and expressed gratitude for the opportunity to engage with the Urban Forestry Commission. The Shade Equity Coalition was initiated after the fatal heat dome event in 2021 and involves 17 different partner organizations. The coalition is Co-Chaired by Brenna Bell of 350PDX and Noelle of Families for Climate.
2. Meryl Redisch thanked the Commissioners and the UFC Co-Chairs for their volunteer service. Meryl submitted a written public comment to Brian that was forwarded to Commissioners and spoke to additional points regarding the Urban Forestry budget proposal. Meryl encouraged the Commissioners to consider the budget proposal in a broader context, and to limit the requests of Urban Forestry staff to defend every proposed inclusion. Meryl commented that the UFC is an advisory body, rather than an oversight body. She noted that Jenn Cairo has served as City Forester for over a decade, while several Urban Forestry staff have held their positions longer. Meryl commented that she believes Jenn and Urban Forestry staff understand the complexities and issues of managing Portland’s urban forest infrastructure and urged the Commissioners to utilize their advisory role to support and expand the strategy, direction, and vision of the City’s Urban Forestry Division.

Forester’s Report – Jenn Cairo, City Forester

1. Derily Bechtold, J.R. Lilly, Justin Misner, and Casey Clapp are newly appointed Urban Forestry Commissioners. They spoke briefly about their personal and professional backgrounds and experience that drew them to the role of Urban Forestry Commissioner.
2. Jenn responded to questions on Urban Forestry’s proposed arborist trainee program budget request. There was an email sent out regarding community college academic training programs that participants pay to enroll. There were also workforce development programs listed, such as those through the Blueprint Foundation and Friends of Trees, that are unpaid pre-apprenticeship programs that introduce folks to arboriculture. The City of Portland has been a host for some of those opportunities, such as for Friends of Trees Workforce interns. Urban Forestry is currently proposing an arborist trainee program that lasts anywhere from 9 to 12 months and pays staff a living wage. The program goals include rendering the trainee eligible to be hired into a permanent arborist role, and to mitigate the trend in the arboriculture industry that is predominately made up of white male arborists. The arborist trainee program is a goal of Portland Parks & Recreation’s 5-Year Equity Plan.
 - a. Additionally, Urban Forestry’s internal program goals include equitably reflecting a diverse workforce. In October of 2022, a survey was conducted of regular (full-time, permanent staff):
 - i. 28% of UF staff identified as People of Color (in 2012, 11% of UF staff identified as People of Color); Portland’s population includes 30.5% of residents that identify as People of Color.
 - ii. 28% of UF staff identified as women (in 2012, 21% of UF staff identified as women); Portland’s population includes just over 50% of residents that identify as women. The majority of Urban Forestry’s managers and supervisors are women.
3. Please send ideas for Commission meeting agenda items to Brian, Roberta, Adrienne, and Jenn. Include in your agenda item request the potential higher level policy perspective and why it should be considered a significant agenda item.

Urban Forestry Commission

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4. Current employment opportunities with Urban Forestry can be found here and include Youth Conservation Adult Crew Leaders, Seasonal Maintenance Workers, Urban Forestry Assistants, Urban Forestry Operations Supervisor, and Tree Inspector. : <https://www.governmentjobs.com/careers/portlandor?keywords=urban%20forestry>
Additionally, the Portland Clean Energy Fund Committee and the Portland Parks Levy Oversight Committee are looking for volunteer members.

Approve UFC Statements

1. Roberta noted that the UFC Policy Committee drafted a letter as a result of a robust discussion at the January meeting about the Urban Forestry budget proposal, the broader PP&R budget package, and other Bureau budget requests within the City. The Policy Committee's drafted letter includes support for other urban forestry related impacts in budget proposals by other bureaus, such as BES and PBOT.
2. J.R. noted that as a member of the Budget Advisory Committee, he has kept up to date with the budget proposals.
3. Bruce moved the UFC to adopt the letter. Adrienne seconded the motion.
 - a. (5) Yeas [Megan, Melinda, Ivory, Roberta, and Adrienne]; (4) Abstentions [Leah, Derily, Justin, Casey, and J.R.]; (1) Nays [Bruce].
 - b. The motion passed and the letter will be sent to City Council.
4. Roberta noted that the second letter drafted for approval by the UFC is a combination of a thank you, acknowledgement, and invitation to collaborate letter to Commissioner Dan Ryan after his introduction to the UFC in the February meeting.
5. Leah moved to forward the letter as written to Commissioner Ryan. Bruce seconded the motion.
 - a. (8) Yeas; (3) Abstentions [J.R.; Casey, and Ivory]; (0) Nays.
 - b. The motion passed and this letter will be sent to Commissioner Ryan.

HB 3515, Park District Formation Briefing – Sarah Huggins, Sustainable Future Program Manager

1. Sarah Huggins returned to the UFC to update Commissioners on proposed State Legislature House Bill 3515, which if passed, would allow the option for the City of Portland to create a Special Parks & Recreation District that could be governed by City Council. The bill does not create a Special District but amends current statutes to allow for an additional governance option where cities over 600,000 residents could allow for a City Council to be considered as a governing body for a Parks and Recreation District within the City boundary. Currently, the only city in Oregon with this population is Portland.
2. A key difference between the formation of a Special District and a temporary levy (such as the Operations Levy) would be that a Special District could potentially include the option for a permanent property tax rate, whereas levies are limited to five year terms.
3. PP&R worked with the Office of Government Relations and City Council to support the forward movement of the proposed bill, chief sponsored by North Portland State Representative Travis Nelson.
4. Bruce asked why the proposed amendment includes the minimum 600,000 resident requirement and if the population dropped below 600,000 if a passed bill would no longer apply.
 - a. Sarah clarified that the Special District Association requested this restriction in order to limit its application to Portland only. She noted that if Portland's population dropped below 600,000 then there would need to be an additional amendment.
5. Derily asked if a Special District would be difficult to unwind if the model does not work for Portland the way it has in other cities, like Seattle.
 - a. Sarah noted that if the State Bill passed, and future voters did vote to adopt a Special District model, the statutes would have a process for dissolution if necessary.
6. Roberta asked if Sarah or Brian could talk a little bit about the UFC's role as an endorsing body for this proposal and if the Office of Governmental Relations gave that approval.
 - a. Sarah explained that the City Attorney and the Office of Government Relations clarified it was appropriate for the UFC to endorse the City's position, as an advisory body to City Council.
 - b. Roberta noted that the UFC Bylaws indicate it will be at times asked to submit letters of support to other governing bodies outside the City.
7. Megan asked if there is any sort of timeline for this process, including for the exploration of other options.
 - a. Sarah explained that the Parks Levy will need to be either renewed or replaced in November 2025; however, even if the State House Bill passed, the timeline could be far longer than that before a Special District might be adopted in Portland.
8. J.R. asked if there were other entities that supported the proposed Bill. Roberta asked if anyone opposed it.
 - a. Sarah shared a long list of endorsements from other entities, including City Council and the Portland Business Alliance. She also explained that the Special Districts Association is opposes the Bill, despite the inclusion of the 600,000 resident minimum requirement. She explained that the Special Districts Association believes in the Statutes as appropriate as they are now, and on principal opposes the change.

9. Bruce asked if there would be any compression as a result of the formation of a Special Parks District.
 - a. Sarah clarified that there would be compression because of the additional permanent property tax rate. However, the creation of a Special Parks District would not compress schools, which have a separate tax category. Multnomah County would have an opportunity to negotiate mitigations for any compression impact.
10. Adrienne added that as a member of the Portland Parks & Recreation Board, she has been hearing discussions of this proposal at length. She encouraged her fellow Commissioners to join in support of this proposed amendment to the State Statute.
11. Adrienne moved to support this letter and sign on as the Urban Forestry Commission. Bruce seconded the letter.
 - a. (11) Yeas; (0) Abstentions; (0) Nays.
 - b. The motion for the UFC to endorse proposed HB3515 passed.

Heritage Tree #26 Delisting Request – Nik Desai and Jesse Nellis

1. UF staff Nik Desai and Jesse Nellis presented information about the Heritage Tree program and about HT#26.
2. The tree is an English elm located at 4124 N. Mississippi Ave. It is on private property and was designated in 1994. The tree is 67.5" DBH and estimated to be about 130 years old.
3. Jesse Nellis, Urban Forestry Tree Inspector, provided his assessment of the tree. The tree is in good health with some naturally occurring deadwood and minor storm damage. He did not observe any pathogenic fungi but noted there is evidence of Elm Leaf Beetles. He also noted that the property owner reported repairing the front stairs and concrete pathway due to reported damage from the tree's roots. He was not able to assess any damage to the house foundation
4. Jesse recommended pruning to remove deadwood, to increase clearance above the building, and reduce weight on the southern limb. He also recommended removing a planter and soil which has been placed around the root flare.
5. Finally, he provided additional recommendations to address issue raised by the property owner.
 - a. Airspading by private arborist and to expose roots and determine conflicts with the house foundation
 - b. Inspection by a structure engineer to identify any issues with the house foundation and tree roots
 - c. Apply insecticide to interrupt the life cycle of the Elm Leaf Beetle
6. Victoria Burton, the property owner, provided information supporting their request to delist the tree. Ms. Burton and her husband, Delroy Burton, purchased the property in 2001 as an investment property. Their intent was to develop the property and leave it to their heirs. It was not until several years after purchasing the property that they learned the tree was a Heritage Tree. At the time the tree was designated, City code did not require that Heritage Trees be placed on the property deed. Ms. Burton explained that the cost burden of the tree has been significant. Damage from the tree roots has required expensive repairs to the concrete pathways and exterior stairs. The Burtons have also observed damage to the house foundation and believe it is caused by the tree roots. More recently, an Elm Leaf Beetle infestation has made it impossible to rent out the house to tenants. The Burtons have been paying for the mortgage out of their retirement savings. Addressing the beetle infestation will require additional expenses and will take several years to abate. She reported total costs including lost rent to be between \$40,000 to \$60,000. Additional significant annual expenses are expected if the tree is not removed.
7. Tony Jones, the owner of Rubitone Development Services, spoke in support of the request to delist the tree. He began working with the Burtons in the fall to explore the feasibility of adding food carts or an ADU to the property. He supports their request because the Heritage Tree was not added to the property deed until after the Burtons acquired the property. The Burtons did not consent to the designation and were not provided information on the tree's Heritage Tree status during the purchase. The City of Portland should take responsibility for putting an African American property owner at an economic disadvantage due to the burden of the tree.
8. Kimberly Moreland, a community historian and owner of Moreland Resource Consulting. Ms. Moreland is familiar with this property from her time working with Prosper Portland. She supports the Burton's request to delist the tree because the Burtons are long-time members of the community, and the tree imposes significant burden to the property owners and has led to economic hardship. Significant resources have already been infested in this property.
9. DeAngelo Moaning, 1st Vice President and Chair of the Economic Development Committee of the Portland NAACP, spoke in support of the Burton's request. The cost burden of the tree including lost rental income is unsustainable and could lead to the Burton's losing the property. He requests that the Urban Forestry Commission recommend delisting the Heritage Tree.
10. Megan asked what the City considers an economic hardship. She also asked if the tree would be approved for removal if it were not a Heritage Tree. Finally, she asked what the property owners' options are if the UFC does not vote to delist.
 - a. Jenn responded that the City views all property maintenance requirements, including the building structure, sewer and water pipes, as well as trees as the responsibility of the private property owner. There are some programs to support low-income property owners with these maintenance costs.
 - b. Per Title 11, trees that are within 10' of a structure will be issued a removal permit. This Heritage Tree is less than 10' from the house.
 - c. The ultimate responsibility for delisting Heritage Trees rests with City Council.

11. Melinda said that the primary issue in this case is that the Heritage Tree was not on the property deed at the time the Burtons purchased the property.
12. Justin supported delisting the tree and urged the Commission to consider how City policies have disadvantaged African Americans in the past and currently. He believed several statements in the letter submitted by the Heritage Tree Committee were inequitable and harmful. He asked that the UFC voted to delist the tree and to be mindful of the legacy of racial injustice in the Albina neighborhood.
13. Derily expressed that she was sympathetic of the time the Burtons have had to spend on this process. She recommended that the UFC continue this item at the next meeting in order to meaningfully participate in the discussion and vote.
14. In the interest of resolving this issue for the Burtons as soon as possible, the UFC decided to hold a special meeting in the next week to continue the discussion and hold a vote.

Meeting adjourned.