RESOLUTION NO._____

RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA REPLEALING AND RESTATING RESOLUTION 2022-086 ESTABLISHING THE CITY OF FRESNO TREE POLICY

WHEREAS, on April 21, 2022, Council adopted Resolution 2022-086 establishing the "City of Fresno Tree Policy;" and

WHEREAS, on May 29, 2024, Council adopted Resolution 2024-093 approving and adopting the Urban Forest Management Plan (UFMP) prepared by Dudek; and

WHEREAS, while adoption of the UFMP provides guidance and strategies to maintain a well-managed sustainable urban forest and seeks to guide and inform the City regarding the overall needs of the urban forest and project outcomes, the UFMP is not a guaranteed adoption of the strategic or implementation action items contained therein; and

WHEREAS, Council wishes to repeal and restate Resolution 2022-086 to incorporate components of the UFMP into the City of Fresno Tree Policy to ensure implementation of specific action items recommended in the UFMP.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The City of Fresno commits to facilitating the planting of at least 1,000 net new trees on public property, commencing in Fiscal Year 2023, every fiscal year, up until fiscal year 2036, either directly or in conjunction with outside partners. This goal in no way limits the City from planting more trees consistent with any scenario proposed in the

Date Adopted:
Date Approved:
Effective Date:
City Attorney Approval:

294193v1

UFMP adopted through Resolution 2024-093.

2. The definitions in this policy shall be consistent with the definitions set forth in Fresno Municipal Code (FMC) section 13-301.

3. Trees shall be selected and planted in accordance with the City's Approved Tree List maintained by Public Works, as may be amended from time to time, and in compliance with applicable FMC provisions.

4. Tree species should strive to be diverse, as well as balanced when it comes to choosing aesthetic and practical function where appropriate.

5. In addition, trees planted pursuant to this policy should also strive to meet the following tree planting guidelines:

a. Stock Size
    i. Street tree and park planting: 15 gallons or larger.
b. Water needs/Irrigation
    i. Dedicated irrigation is required for each tree planted, to ensure healthy growth and maximum water efficiency.
c. Largest stature species suitable for a planting site.
d. Tree selection should strive to minimize trees with:
    i. Surface roots
    ii. Root invasiveness
    iii. Weak branch attachment
    iv. High water needs
    v. On the invasive plant list (any rating level)

found at: https://www.cal-ipc.org/

e. Encourage species with desirable attributes:

i. Drought tolerant species

ii. Climate-ready species

6. The City shall dedicate a portion of future budgets towards the efforts and objectives outlined in this policy, to account for costs such as trees, labor, irrigation, trimming, education, etc.

7. $400,000 in current funding shall be allocated to new tree plantings, irrigation, labor, tree maintenance, and related efforts.

8. The City will commit $50,000 annually from various funding sources (e.g., local workforce development dollars, Measure P, Californians for All Youth Job Corps Grant Program, etc.) toward workforce development youth jobs to further these efforts.

9. Within 45 days of adoption of this policy, the Administration shall take all steps to formalize the appropriations directed herein.

10. The Administration will actively pursue state, federal, and other grant opportunities to further the progress of this policy.

11. The City will create an incentive fund to incentivize home and business owners to voluntarily plant trees from the City's Approved Tree List on parkways or public tree easements in locations that have an established and functional irrigation system.

12. Funding for the incentive program shall start at a total aggregate amount of $50,000. Any Fresno address may be granted a one-time reimbursement up to $200 upon production of receipt. Reimbursable funds shall include total cost of the tree, labor for planting, and other costs as determined by the Department of Public Works. Ongoing

costs such as water and tree maintenance costs will be at the property owner's expense.

13. A portion of the incentive funds may come from the current $400,000 allocation.

14. The incentive program shall be administered by the Department of Public Works, and the Director may establish additional guidelines for implementation of the program.

15. Labor for the tree plantings in public right-of-way or on City property must be performed under the oversight of a licensed arborist, a company under contract with the City, City staff, or a qualified forestry organization approved by the Public Works Director. Partnership with organizations such as Tree Fresno and Cal-Fire are encouraged.

16. As a condition of participation in the incentive program, the property owner agrees not to remove the tree without written permission of the City.

17. Anyone wishing to remove a tree funded through the incentive program must go through the appropriate permitting system and be approved by the City of Fresno. If a tree funded through this program is removed with the written permission of the City, it shall be replaced by the property owner at their own expense, or the property owner shall pay a payment in lieu of replacing the removed tree, in accordance with FMC 13-305(f). The payment of in lieu fees will be used by the City to purchase trees that will be planted within the public right of way or on other public property. Where possible, trees will be planted within the same parkway in which the removed tree was located. If this is not feasible, the tree shall be planted in the vicinity of the removed tree.

18. Consistent with Action No. 4B in the UFMP, the Administration is directed to develop guidance and educational materials for property owners regarding responsibility for maintaining trees in the public right of way and how to properly care for and water trees.

19. Once the educational materials are developed, the Administration is directed to perform public outreach activities to educate property owners about the proper care of trees and to raise awareness of the tree incentive program.

20. If a tree funded through this program is removed within one-year of its planting without the written permission of the City, the property owner shall refund the City the total costs associated with the planting of the tree.

21. The City will proactively replace dead or decaying trees as they are identified, in locations that have an established and functional irrigation system, in accordance with FMC section 13-305(g). In all locations, including neighborhood park strips, the City shall select the tree species of the replacement tree to be planted and will have full discretion in determining the placement of the new tree.

22. All street trees removed, whether by the City or a property owner, must be replaced immediately following removal, or if appropriate, at the earliest possible time in the next planting season. Additionally, all trees removed must be, to the extent feasible, replanted within the same parkway from which they were removed. If planting in the same parkway is not feasible, the tree shall be planted in the vicinity of the removed tree.

23. All trees removed within parks must be replaced in the same location immediately following removal, or if appropriate, at the earliest possible time in the next planting season.

24. The City shall prioritize planting new trees in existing residential neighborhoods. Consistent with Action No. 3B in the UFMP, the planting of new trees will be prioritized throughout Fresno census tracts based on the Priority Planting Score and map to increase canopy cover equitably throughout the City. In planting new trees, the City will focus on filling the roughly 30,000 vacant tree wells located within the City to the extent those locations align with the results of the Priority Planting Score and map and are located within existing residential neighborhoods.

25. At the start of each fiscal year, the Administration shall provide the Council with a list of trees to be planted, both the type and location, within the next planting season.

26. At a minimum, the City shall operate on a 10-year tree maintenance cycle.

27. Removal of a tree from a parkway without proper permitting and City approval is subject to paying double the cost of a tree removal permit. The Code Enforcement Division of the City Attorney's Office shall be responsible for the enforcement of this section and may issue an administrative citation.

28. The City shall, whenever practicable, utilize wood chips from tree trimmings and removed trees for decorative purposes.

29. The City shall strive to maintain Tree City USA Status and shall take necessary steps in furtherance of that goal.

30. The City shall formally recognize Arbor Day annually via events promoting tree planting and educational awareness.

31. An annual update shall be provided to the Council on the progress of the City of Fresno Tree Policy.

32. This resolution shall be effective upon final approval.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____ 2024.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2024
Mayor Approval/No Return: _____, 2024
Mayor Veto: _____, 2024
Council Override Vote: _____, 2024

TODD STERMER, CMC
City Clerk

By: _____
Date
Deputy

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Jennifer M. Quintanilla Date
Senior Deputy City Attorney