

**PHOENIX ENVIRONMENTAL QUALITY and SUSTAINABILITY
COMMISSION MINUTES**

September 12, 2019

Phoenix City Hall
Room 12 Central
200 West Washington St
Phoenix, AZ 85003

Commission Members Present	City Staff Present
Adams, Talonya via phone	Ariel LeBarron, Phx Public Works Solid Waste Division
Allee Taylor, Penny	Marie Rabusa, Phx. Public Works Solid Waste Division
Allen, Dwayne	Mark Hartman, Phoenix Office of Sustainability (OOS)
Barr, Kelly	Nick Brown, OOS
Bendor, Josh	Nancy Allen, Phoenix Office of Environmental Programs (OEP)
Guidas, Elyse	Joseph Gibbs, OEP
Howell, Park	Cindy Salazar, OEP
Lobo, Caroline	Rosanne Albright, OEP
Forst Michalegko, Lesley via phone	Matthew Potzler, OEP
Porter, Sarah	Brandi Hall, OEP
Ruht, Kimberly	Larry Polk, Phoenix Parks & Recreation Dept.
Sandweg, Bill, via phone	Willa Altman-Kaough, Mayor's Office
Tetreault, Colin	Joshua Bednarek, Phoenix Planning and Development Dept.
Torres, Ginger	Karen Peters, City Manager's Office
Commission Members Not Present	Community Members Present
Nelson, John	Alisa Lyons, Valley Partnership
	Aimee Esposito, Trees Matter
	David Rozul
	Iryna Pzysyazhnuk, ASU Walter Cronkite School
	Calah Schlabach, ASU Walter Cronkite School
	Amanda Nelson, Vitalyst
	Danielle Leoni
	Chelsea Smith, Urban Phoenix Project
	Tabitha Myers, Urban Phoenix Project
	Cesar Cordova, APS
	Lori Jones, SRP
	Nicole Rodriguez
	Abigail Tomich
	Arlinda Bajrami, Mi Familia Vota
	Stacey Champion
	Jim McPherson, Sustainable Communities Collaborative
	Liza Golden, Maricopa County Department of Public Health

1. **Call to Order and Announcements:**

The meeting of the Environmental Quality and Sustainability Commission (EQSC) was called to order with a roll call at 3:10 p.m. There were 12 members present at roll call. The following Commissioners arrived at the times stated below:

- Kelly Barr at 3:30 p.m.

2. **Review and approval of August 8, 2019 Minutes:**

ACTION:

Commissioner Penny Allee Taylor made a motion to approve the August 8, 2019 minutes. Commissioner Dwayne Allen seconded the motion and it carried 13:0.

3. **Public Comment – Seven people spoke:**

Commission Chair Colin Tetreault indicated that attendees wishing to offer comments on the Draft Tree and Shade Recommendations from the Urban Heat Island / Tree and Shade Subcommittee (the Subcommittee) are requested to fill out a speaker card and limit their comment to five minutes.

Alisa Lyons from Valley Partnership, who is a registered lobbyist, stated that shade is a critical component to development and she wants to be part of the solution by working with Planning and Development Department (PDD) staff on their Text Amendment. If trees are removed, they need to be replaced to ensure landowners are in compliance with original landscape plans. That is the right thing to do. Valley Partnership has reviewed the Subcommittee recommendations and works with the city on a continual basis. She favors recommendations language with encouragement rather than a mandate.

Chelsea Smith, Urban Phoenix Project, stated their support of the Subcommittee recommendations. The group favors stronger language to discourage planting of palm trees and ensuring that the proposed Shade Commission be filled with knowledge-based and credentialed expertise. They also recommend that donation-based funding be replaced with a significant general fund allotment. Jim

Aimee Esposito, Trees Matter and member of the Subcommittee, stated strong support for the Forest Administrator position and the proposed Tree and Shade Commission.

Nicole Rodriguez, Subcommittee member; 1) indicated concern for the lack of public process and availability for the PDD's draft text amendment. She has only seen the Subcommittee recommendations available for public review. She inquired as to whether the public has reviewed the PDD text amendment; 2) She is a member of the Subcommittee as a citizen and did not represent APS, even though she works for APS as a certified Arborist. 3) Recommendations could use better language regarding utilities. Utilities are there to provide power and help to keep Rights of Way safe. The prohibition of tree topping should not pertain to utilities; utilities have standards to trim trees.

Lori Jones, SRP, manager of vegetation management. SRP supports the goal of 25% shade canopy by 2030. SRP is engaged in tree initiatives. Since 2010, two million trees have been planted. In 2011 SRP established a shade tree program and conducted workshops. Residents were given 2 free trees and 37,000 trees were planted. We support the city's right tree right place program. We support the

PDD's plan review process and we provide utility reviews of landscape plans. We would appreciate exemptions from approvals as required in Section 3 of the Recommendations.

Abigail Tomich, student at Bioscience High School, stated that her walk to the light rail was uncomfortable; the route needs trees along the walk corridors. Make the necessary changes for more endurable future.

Stacey Champion expressed frustration that news articles state what is happening, but really not enough has happened. Phoenix is in the bullseye of climate change. Health related death numbers are up. These Recommendations are long overdue and need immediate action. There is no time to wait anymore. Stop dragging your feet and move forward.

4. Update: Planning and Development Department's Text Amendment of Landscape Maintenance Code

Josh Bednarek presented an update to PDD's process of crafting a text amendment to PDD's Landscape Maintenance Code. Mr. Bednarek presented a series of slides showing the differences between the draft Landscape Maintenance Text Amendment and Part 3 of the Subcommittee Recommendations. Mr. Bednarek indicated that the draft Text Amendment is not yet available to the general public. Drafts seen by the Subcommittee and Commission are prior to any public review.

Commission member Kimberly Ruht inquired about the penalty section of the draft Text Amendment. Mr. Bednarek indicated that section is still in development and various approaches may be applied in the final draft that goes out to the public to possibly ensure ongoing enforcement and quicker feedback loops.

Other Commission ideas for the Text Amendment included:

- Prohibition of tree topping
- Address planting of palm trees
- Address maintenance of stipulated tree installations
- Tree Salvage plans
- Require 25% canopy on each site plan.

Chair Colin Tetreault inquired as to the process if there are code violations. Mr. Bednarek indicated that a majority of cases with Notices of Violation (NOVs) with Neighborhood Services Department, the enforcing city department for code violations, that issues get resolved in 30 day timeframe. If not resolved, the initial NOV becomes a citation and if the citation is not resolved, then would go to court. Don't know how many proceed to court. Most get resolved in NOV initial notification period.

Mr. Bednarek indicated that the Text Amendment and Landscape Maintenance Code does not apply to rights-of-way.

5. Review of Urban Heat Island / Tree and Shade Subcommittee Recommendations

Chair Tetreault initiated discussion by first indicating that the EQSC would be forwarding Tree and Shade Recommendations to City Council under a cover letter.

He then referred to Part 3 of the Subcommittee Recommendations and stated that in Part 3, Section 1, the Tree and Shade Administrator would be authorized to be doing activities usually reserved for staff in the PDD. This may be problematic for keeping that text in the Draft Subcommittee Recommendations. After further extensive discussion from other Commissioners, Sarah Porter, Commission member and Chair of the Tree and Shade Subcommittee offered alternative

language for Part 3 that would also totally replace Sections 1, 2, and 3 of Part 3. Commissioner Talonya Adams strongly objected to changing the Subcommittee Recommendations text and urged the Commission to forward the Subcommittee Final Report as it was adopted by Subcommittee; it was important to honor their work, she said.

MOTION AND ACTION

After extensive further discussion by the Commission, a motion was made by Kelly Barr to forward to City Council two documents; 1) the unrevised Final Report of the Subcommittee and 2) a Tree and Shade Recommendations Report as revised by the EQSC that reworked Part 3, Planning and Zoning and made other changes to more align the Subcommittee recommendations to the PDD text amendment and capture public comments received. Further extensive discussion ensued. Kimberly Ruht seconded the motion.

The motion carried 13 to 1 for approval. Talonya Adams voted no. She favored the submittal of only the unrevised Subcommittee Report to City Council.

Chairman Tetreault indicated he would be composing a cover letter to summarize these deliberations and to highlight differences in the two documents to be submitted.

6. Announcements and Review of Future Agenda Item

Future possible agenda items include:

- | | |
|---------|--|
| October | Green Finance
Strategic Planning |
| TBD: | Mayor Kate Gallego
Rio Reimagined
Status of Recycling in Arizona
Batteries, Battery Storage and Fire Codes
Permitting for solar rooftops with focus on city/state. |

VIII. Adjournment

The meeting was adjourned at 5:22 p.m.

Respectfully Submitted,
Joseph Gibbs, Environmental Quality Specialist