

## Legislation Text

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**File #:** BILL NO. 22-262, **Version:** 1

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An Ordinance amending Chapter 2, Administration, Article V, Boards, Commissions and Committees, by adopting a new Division 5, Tree Board; and Chapter 30, Vegetation, by adopting a new Article IV, Public Trees, Park Trees and Ground Cover of the Code of Ordinances for the City of Lee's Summit, Missouri. (PWC 12/12/22)

### Issue/Request:

An Ordinance amending Chapter 2, Administration, Article V, Boards, Commissions and Committees, by adopting a new Division 5, Tree Board; and Chapter 30, Vegetation, by adopting a new Article IV, Public Trees, Park Trees and Ground Cover of the Code of Ordinances for the City of Lee's Summit, Missouri.

### Key Issues:

- Reestablish and realign duties of the Tree Board to City Staff in consideration of the newly created Cultural Commission that abolished the Beautification Commission (and Tree Board).
- Update and clarify responsibilities and management of "Trees" within City Right-of-Way and City Parks.

### Proposed City Council Motion:

FIRST MOTION: I move to for a second reading of an Ordinance amending Chapter 2, Administration, Article V, Boards, Commissions and Committees, by adopting a new Division 5, Tree Board; and Chapter 30, Vegetation, by adopting a new Article IV, Public Trees, Park Trees and Ground Cover of the Code of Ordinances for the City of Lee's Summit, Missouri.

SECOND MOTION: I move for adoption of an Ordinance amending Chapter 2, Administration, Article V, Boards, Commissions and Committees, by adopting a new Division 5, Tree Board; and Chapter 30, Vegetation, by adopting a new Article IV, Public Trees, Park Trees and Ground Cover of the Code of Ordinances for the City of Lee's Summit, Missouri.

### Background:

When Chapter 19, Article IV, Beautification Commission, was abolished in the creation of the Cultural Commission, the Tree Board and other provisions related to "Trees" were eliminated from the Code of Ordinances.

A Tree Board must exist for the City to obtain Tree City USA designation; and should exist as a resource for continued planning and management of the City's urban forest. The role and responsibilities of a Tree Board were reviewed in consideration of this ordinance update and a recreated Tree Board that better aligns with City rules, operations, practices, needs, and expectations. The Tree Board will be recreated in the proposed amendments to Chapter 2, Administration, Article V, Boards, Commissions and Committees, of the Code of Ordinances. It will have a Staff composition as opposed to Citizen Commission. Staff with expertise and experience related to the planning and management of "Trees", and/or the administration of right-of-way, park property, etc., as applicable, will be assigned by the City Manager to the Tree Board. Tree Board duties and responsibilities have also been realigned and clarified. The Tree Board composition, duties and

responsibilities proposed herein are supported by associated Staff, including the Director of Public Works, Administrator of Parks and Recreation, Director of Development Services, Assistant City Manager of Infrastructure and Development, and City Manager.

Other provisions contained in Chapter 19, Article IV, Beautification Commission, related to "Trees" that have been abolished were incorporated into the proposed ordinance amendments related to Vegetation. These amendments to Chapter 30 of the Code of Ordinances carry forward previous regulations related to "Trees" and further clarify such regulations. To clarify and update such regulations related to "Trees" in the right-of-way and upon park property, additional terms have been defined, other vegetation included, and various provisions incorporated. The effect of these clarifications and updates should not bear any change to current practice of "Tree" management in the right-of-way or park property; it should neither add nor reduce City authority or responsibility in this regard. Current practices and interpretations are consistent with the proposed ordinance.

Impact/Analysis:

Clarification of existing ordinances and practices for tree maintenance in the City right-of-way. Recreate the Tree Board and related duties, in part for retained eligibility of Tree City USA designation, as a composition of City Staff modeled from the previous Tree Board associated with the Beautification Commission that no longer exists. Amendments as necessary for continued provisions that were abolished with the Beautification Commission abolishment in coordination with the boards/commissions reorganization.

Michael Park, PE, Director of Public Works

Staff recommends to City Council an Ordinance amending Chapter 2, Administration, Article V, Boards, Commissions and Committees, by adopting a new Division 5, Tree Board; and Chapter 30, Vegetation, by adopting a new Article IV, Public Trees, Park Trees and Ground Cover of the Code of Ordinances for the City of Lee's Summit, Missouri. (PWC 12/12/22)

The Public Works Committee voted unanimously 4-0 to recommend to City Council approval of an Ordinance amending Chapter 2, Administration, Article V, Boards, Commissions and Committees, by adopting a new Division 5, Tree Board; and Chapter 30, Vegetation, by adopting a new Article IV, Public Trees, Park Trees and Ground Cover of the Code of Ordinances for the City of Lee's Summit, Missouri. (PWC 12/12/22)