

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. In the title, line 7 and 8, strike "Tree" and insert "Urban Forestry" in both places.

2. In Section 2, line 2, strike "Tree" and insert "Urban Forestry".

3. In Section 2, at new Section 163.01, in the first paragraph, line 4, after "noise pollution," insert "reduce energy costs by providing shade,"; and in line 6, strike "interest" and insert "vitality".

4. In Section 2, at new Section 163.01, in the second paragraph, line 1, strike "Tree" and insert "Urban Forestry"; in lines 1 and 2, strike "Cleveland City Council, the Mayor, Urban Forestry," and insert "the Mayor, Cleveland City Council, Urban Forestry Section of the"; and in line 4, after "the City by" insert "making recommendations related to".

5. In Section 2, at new Section 163.01, after the second paragraph, beginning with (a), line 1, strike "and safety"; in line 2, after "spaces" insert "and reducing the risk associated with trees"; in (d), line 1, strike "Protecting" and insert "Maintaining the tree canopy and protecting"; insert new (e) to read as follows: "(e) Establishing policy and regulations governing the protection, management, and conservation of trees and vegetation in the City; and"; in existing (e), line 1, strike "(e)" and insert "(f)" and in line 2, after "of the City," strike "and the private sector" and insert "the private sector, and government grants".

6. In Section 2, at new Section 163.02, line 1 of the title, strike "Tree" and insert "Urban Forestry"; in division a, line 1, strike "Tree" and insert "Urban Forestry", in line 2, strike "Council," and insert "the Mayor,"; in line 3, strike ", representatives of City Departments, shall be appointed by the Mayor." and insert "shall be appointed by City Council.".

7. In Section 2, at new Section 163.02, strike existing division (b) in its entirety and insert:

"(b) The members of the Commission shall include the following:

(1) a representative from the Urban Forestry Section of the Division of Park Maintenance and Properties, Department of Public Works;

(2) a representative from the Department of City Planning;

(3) the Chief of the Office of Sustainability, or his or her designee;

(4) a representative from the Division of Engineering and Construction, Mayor's Office of Capital Projects;

(5) a representative from the Department of Public Utilities;

(6) Council Member or representative appointed by the Council President;

(7) a certified arborist;

(8) a representative from an electric company;

(9) a developer who has completed projects in the City;

- (10) three resident representatives, one being a youth between the ages of 11 and 17 who has permission from his or her parent or legal guardian;
- (11) a representative from an environmental justice organization; and
- (12) two representatives from a non-profit or non-governmental organization whose mission is to advocate for preservation or enhancement of urban forests, wildlife habitat, or similar natural systems.”.

8. In Section 2, at new Section 163.02, insert new division (c) to read as follows:

“(c) The Mayor shall appoint those members from the City Departments, the youth resident representative, the representative from an electric company, and the representative from an environmental justice organization. The Council shall appoint all other members.”; and reletter existing divisions (c) and (d) to new divisions “(d)” and “(e)”.

9. In Section 2, at new Section 163.03, division (b), line 1, strike “once a month” and insert “quarterly”; insert new division (c) to read as follows: “(c) The Commission may create any committee or subcommittee it deems necessary to carry out the work of the Commission.”; and reletter existing (c) and (d) to new divisions “(d)” and “(e)”.

10. In Section 2, strike new Section 163.04 in its entirety and insert:

“Section 163.04 Duties of Commission

The Commission shall:

(a) Assist with the adoption of an urban forest management plan and assist with updating a comprehensive inventory of trees and tree benefits analysis at regular intervals for the City;

(b) Provide recommendations on policy, plans, programs, or legislation concerning urban forestry management, sustainability and protection of associated trees on public or private property;

(c) Review and comment on any program or work undertaken by any City Department, technical or advisory bodies related to the protection or enhancement of the urban forest when so requested by the Mayor or Council;

(d) Work with the necessary departments to implement recommendations to reduce tree loss and damage;

(e) Monitor implementation of City plans and policies related to the urban forest and provide review and comment to the Mayor and Council;

(f) Assist the Director of Public Works, or his or her designee, in preparing educational programming for residents, businesses, and organizations in the community to encourage proper maintenance of trees within the City;

(g) Solicit grants or contributions to the Tree Preservation Fund set forth in Section 509.21 of the codified ordinances, for the purpose of supporting the preservation, protection, maintenance, purchase and planting and establishment of trees in the City, and educating the public with respect thereto;

(h) Review and report on whether the penalties collected for unauthorized damage or removal of trees are being paid to the Tree Preservation Fund as set forth in

Section 509.99 of the codified ordinances and make recommendations regarding the disbursement of funds from the Tree Preservation Fund;

(i) Assist the Director of Public Works, or his or her designee, in preparing an annual report to Council, the Mayor, and the public regarding the activities of the Commission; and

(j) Any other duty requested by the Mayor or Council.”.

Date: _____ (Signed): _____

Stephanie Melnyk
Chief Assistant Director of Law

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