**COUNCIL DISCUSSION OF PROPOSED ORDINANCE RE: GARRY OAK TREE**

3:16:16

item that was added to the council considerations and uh councilman dhof

3:16:23

brought that and and I'm assuming it is the from the email you sent earlier

3:16:28

which was a proposal for an emergency ordinance to preserve the Davis Meer oak tree is that correct thank you mayor

3:16:35

yeah the email sent on June 2nd 2024 with three sample proposals for a

3:16:42

council discussion Angela did raise her hand before we started on this just as

3:16:47

oh I'm sorry Angela go ahead yes mayor did we need a motion to approve the cancellation of the June 18th regular

3:16:54

council meeting that was on our Council considerations okay consent I'm sorry

3:16:59

Council consent it was already done all right go ahead thank you

3:17:07

mayor the email was regarding three sample proposals so as this current state has

3:17:13

been evolving it has been um the ipal codes have been addressed for the reason

3:17:19

for executive branch of government administrative decision so the question I was bringing forward is when it comes

3:17:27

to Municipal codes that's Council that's the legislative branch of government so knowing that the temporary restraining

3:17:34

order expires tomorrow at 5 what does it look like for Council to have a

3:17:39

discussion about updating the municipal code for section 16 for the exemption

3:17:44

and what I was hoping to have a discussion is what would it look like when data is called into question that

3:17:50

if a board or a commission or a council calls into question that data that it is

3:17:56

independently thirdparty assessed for to validate and reproduce and where I'm

3:18:02

getting at is we're council members here tonight and the majority of us have other jobs and other responsibilities

3:18:09

and my job is a chemist I've always been a chemist is been my lifelong dream everything I do

3:18:16

is about science so I'm bringing this back because comments have been made that Council should not rule based on

3:18:22

feelings we should be ruling it based on what's presented to us and that's what I'm going back to is what I know is

3:18:29

science and so I'm asking us to follow the scientific method of when data is called into question that it's not about

3:18:35

the person it is about the data and that's when I'm asking to have a conversation what does it look like for

3:18:41

Council to amend the municipal code to say if data is called into question that it automatically goes to an independent

3:18:48

thirdparty assessment for validation and

3:18:56

reproducibility council member Kathy so um council member dhof uh are

3:19:04

you going to ask three different things and that's just the first one which is to modify the code the question is it's

3:19:12

been coming it's been presented to us that this is Administrative function so what part does council play as a

3:19:18

legislative branch of government do we pass do we discuss the Bellingham recent

3:19:24

example that Tanya also brought up and do we do an ordinance like that an emergency Ordinance do we look at the

3:19:29

municipal codes in the email that I sent for adding trees because it was told trees aren't in there for the waiver

3:19:35

even though objects are a tree is an object so if that needs to be cleared up because it is a unique situation let's

3:19:40

modify that municipal code to add tree organic nonbuilding structure what does it look like for the

3:19:46

exempt of the data to remove something if the data is called into question so could we

3:19:51

do that does it need to be an emergency ordinance I'm still so I mean I'm still

3:19:59

I know I just heard our City attorney say just a discussion what if what would it look like for me to make a motion to

3:20:05

amend the municipal code and with that is an emergency that's the question is

3:20:10

can it be effective immediately or would it have to be an emergency ordinance

3:20:19

oh you you've brought up several different things thank you and I apologize

3:20:24

it's that's I'm hoping to have a discussion is if the temporary restraining order expires tomorrow at

3:20:30

five o'clock and Council wants to update the municipal code so that if data is

3:20:35

called into question for any action that it is independently thirdparty assess before any action or inaction is taken

3:20:44

okay so you so you're saying what you desired to do is update uh title

3:20:51

16 in order to require additional assessment of some

3:20:57

type chapter 16.08 e to update the T Minal code for

3:21:03

any documentation that is called into question by a board a commission or a council that the third-party independent

3:21:10

assessment will be performed to validate and reproduce documentation before any decision or action or non-action is

3:21:17

made so uh first thing would be that we would need an ordinance um to bring

3:21:23

forward to the council for discussion um most of the tree protection ordinance

3:21:29

require is considered development regulation so that requires additional

3:21:34

process to go through the Planning Commission um and have requires a public hearing as well as notice to the state

3:21:42

Etc so what is the difference of declaring an emergency ordinance like Belling did knowing that they will follow up on the due diligence of Those

3:21:50

portions so um an ordinance can be ADT adopted as an emergency it would um

3:21:56

first require that we have an ordinance to bring before the council to vote on um and then it would require unanimous

3:22:03

vote to take effect immediately unanimous or super majority

3:22:09

unanimous so it's super majority of the mayor vetos need a super but you need a unanimous to do an emergency ordinance

3:22:16

because because we're a initiative in referendum City it requires the unanimous vote okay so I

3:22:24

drafted an ordinance which is rough really rough but I drafted it and

3:22:30

put it in the email all right so what you're referring to doesn't meet the minimum qualifications of an ordinance

3:22:40

okay so um

3:22:48

attorney Kirk Patrick what um what calls for a unanimous Council vote why does it

3:22:55

call for a unanimous vote um it has to do so it it's required

3:23:02

by State Statute because because we have the power of initiative and ref

3:23:08

referendum um there's an additional requirement that it be an unanimous vote not a super majority to change our own

3:23:15

ordinance to make it an emergency to make it an emergency guess the question is how do we if it's not an emergency

3:23:22

then how can we have a discussion about not removing the tree until this ordinance can be drafted to meet the

3:23:29

standards because we don't write ordinances so I did the best that I could and apparently that is not

3:23:34

sufficient so what does it look like to make it sufficient to have a discussion

3:23:39

without the tree coming down not even talking about the Federal Regulations or our tribal neighbors and their concerns

3:23:47

I'm just talking about data called into question and using the scientific method that has been around since the 1600s the

3:23:53

same time that tree started growing that that's up to the council

3:24:00

and the mayor if you wish to have a discussion about that um and then direct

3:24:08

staff accordingly um if that's the direction that you want to

3:24:13

go if we were to vote tonight to um

3:24:18

extend this um Beyond tomorrow and these are some of

3:24:25

the reasons that council member dalhoff is putting forth I would also like to

3:24:31

add in um the letter that was received by I

3:24:39

believe the Nali tribe from uh the chairman of the Nali tribe that we put

3:24:46

this off they he didn't name it length of time but that would need to be talked

3:24:52

about but for the for the tribe to be able to check with their um two

3:24:58

different entities about historical and preservation issues so um I would like

3:25:04

to honor that I mean we've even heard here tonight you know what does it mean

3:25:10

to honor our ancestors a tree the native people um all all of us who love it um

3:25:18

all of that kind of thing and so if if we are going to vote to

3:25:25

extend the deadline of 5 o'l tomorrow I would like it to also include that the

3:25:31

tribes honor what the tribes ask for in their in their letter along with what

3:25:37

council member dohop is speaking

3:25:45

about uh I have two people council member agabi you have a

3:25:52

comment yes thank you mayor uh Karen I'm not sure if you saw the email

3:25:59

from plenti attorney today sometimes this afternoon in that

3:26:06

email the plenti attorney have made some uh

3:26:14

suggested C she said and I'm I'm I don't have the

3:26:20

email I'm just trying to go by recollection that if an assessment was

3:26:26

to be done by the plaintiff uh

3:26:32

a that that a will guarantee or the

3:26:37

insurance will guarantee that if the Tre were to come down and injure somebody

3:26:43

that their insurance would be liable for with that so along those lines have you seen

3:26:51

any email to that

3:26:56

effect I believe I saw the same email that you did so so so

3:27:03

naturally if if if this attorney is making

3:27:11

a assertions or statements that uh if an if a neutral aloris were to cond an

3:27:20

assessment something to happen in the interim that they were going to be responsible how would you go about

3:27:26

making that a legal

3:27:31

document I'd have to look into that okay thank

3:27:37

you council member Jefferson

3:27:46

you're you're on mute council member Jefferson yes um I took copious notes as um our

3:27:56

community members were talking to us today and I

3:28:02

heard apathy I heard almost like there's a

3:28:09

lack of concern I heard a lack of trust

3:28:16

towards us and what we are saying as council members as

3:28:23

mayor as City administrator I would like to propose a

3:28:32

compromise um I am familiar as a military leader

3:28:38

with risk assessment and mitigating risks we heard our insurance company has

3:28:47

told us you won't be covered if someone should be

3:28:53

injured if that tree should fall and that limb should hurt someone or kill

3:28:59

someone heaven forbid it's a family member so we understand that you know

3:29:05

removing the tree that's a risk mitigation perhaps we can look at

3:29:13

trimming the tree bracing the tree as some members of our community said that

3:29:20

can be done our Native Americans um community

3:29:25

members are very upset with us right now we we got a letter from you know uh

3:29:34

the the redwind uh the I'm looking at it right now from chairman uh Ken

3:29:41

choke the tribe requests that the city delay taken any action to remove the the oak tree until the tribe has had an

3:29:48

opportunity to complete consultation with the state historic preservation officer and the tribal historic

3:29:55

preservation officer I think we owe it to them to at

3:30:00

least get that independent third-party analysis I believe that our community

3:30:07

understands that we feel in City leadership that that tree could fall but

3:30:15

let's give 30 days a 60-day extension so we can

3:30:21

listen to what we heard today and

3:30:27

digested can

3:30:32

that uh thank you mayor um I would also like to uh follow up on council member

3:30:38

Doh half's um request we had questions about the

3:30:43

numbers and you know and and while they give me tease me about being the numbers person but numbers need to mean

3:30:50

something and so I I'm concerned that um I would like to see the that we could

3:30:58

have under these circumstances um or any circumstance moving forward that if we have um you know difference in data that

3:31:06

we uh take that that step forward to make sure that the data that we've received um helps us with our decision

3:31:13

moving forward and I um I'm very was moved by the testimony that we heard

3:31:19

tonight um as well and um and in respect and honor to our tribes we we do have a

3:31:26

request from the new um leadership the new uh uh I'm sorry the gentleman from

3:31:33

the nelli tribe who's now the um the head of the tribe uh to to pause and so

3:31:39

I would I don't know what we need to do to do this but um as a as a council and

3:31:45

that we take a pause and allow some of these questions to be answered um and to

3:31:51

seek that third opinion and so that we all have we're and then the community

3:31:56

can see too uh that it's not in good faith that we have made every effort um

3:32:02

rather than you know going for that first one that we made every effort to um to exhaust the possibilities before

3:32:08

um action needs to be taken or if it is does need to be taken so um I would like

3:32:14

to see that happen this evening uh council member Von Holz thank you

3:32:19

mayor um in regards to what council member Jefferson said we did hear from

3:32:25

our insurance company and they did say that we wouldn't be covered if someone

3:32:31

was killed or injured by the tree they also said that if the numbers were

3:32:36

different if the scientific data was different they would change their

3:32:41

opinion I believe I remember hearing that so I would also so um like to

3:32:48

consider what council member dhof has suggested and um I've already suggested

3:32:55

to administrator parks that we need to do a third independent review of the

3:33:03

findings of this report to honor our community members and all the concerns

3:33:09

that have been brought up uh council member Kathy and then council member alower oh Council go

3:33:16

ahead I have a this is a legal process question um for the City

3:33:21

attorney as a council you know we can pass motions and resolutions we can pass ordinances those are two three three

3:33:29

distinct things so as a council we could pass something that said uh that the

3:33:38

coun that uh we are directing staff to seek a thirdparty analysis and that we

3:33:45

are requesting that the tree not come down for a per X period of time but there is

3:33:52

no actual like we could say the tree shall not come down but there's no act

3:33:58

like by just doing a motion as opposed to an ordinance there's no actual legal mechanism to compel the administration

3:34:06

the executive branch to not take action is that correct I believe that's correct

3:34:12

so the mechanism that Council would have to exert would be to pass an ordinance

3:34:18

which because it's regarding a development code has to go through the typical process of a public hearing and

3:34:27

all our typical procedures going through whatever committees it's assigned to unless it's an emergency ordinance that

3:34:34

is enacted correct it would still have to go through those processes um but it could

3:34:41

be enacted as an emergency and then there's certain additional requirements

3:34:46

to go through those processes during the interim controls are there requirements for what

3:34:54

constitutes an emergency like we heard in the opma presentation the definition

3:35:00

of an emergency for a special meeting was a rather High bar I think the examples that he gave were a fire or

3:35:07

contamination of a water source is there a similar what's the threshold for us Public public health and safety um and I

3:35:15

don't have it in front of me to to speak to it directly but it's not as high a threshold as what he was speaking to for

3:35:23

the remote emergency meeting okay I think you so thank you um so about the

3:35:31

emergency ordinance uh an emergency ordinance is why we're here where we are

3:35:38

and why people mistrust us and so forth because uh the mayor you and the city

3:35:45

admin administrator have told us that this is an emergency so that's part of what started this on a

3:35:52

short you know going to court and getting on a short leash and so forth here so we if we um as all the council

3:36:02

members who wait in on something here we unanimously decide to do something with

3:36:10

emergency in it does that and is are we cap capable of doing that

3:36:17

and what would what is that called that's what Michael was asking about and maybe I heard it and

3:36:24

didn't understand that and also if we do it we do not have to have uh 30 days or

3:36:30

60 days or 90 days we could have until certain things are are cleared up and we

3:36:37

report back and we talk about it and whatever because I want to mention one

3:36:42

thing that's off of the you don't have to put this in the in the emergency ordinance but with the police officer

3:36:50

who received the person of the year here as a as a policeman I was caught by the

3:36:58

fact that our police chief said and implied more than once in this that this

3:37:05

man Officer Clark knows how to do it

3:37:13

together do it together and I want this community that's still here to know

3:37:18

there are those of us here who are trying to do this together we are trying to I am trying to do it together and we

3:37:26

are looking here for a way to extend this so we can do it together so so we

3:37:32

can make so we can make something happen that that not only Keeps Us in community

3:37:38

but maybe creates a stronger uh community so that's why I appreciate

3:37:44

what council member Hoff has done and the questions that um you know our colleagues on the wall

3:37:51

over there um are with us on here I guess and uh I

3:37:57

would like to see that happen tonight if we can do that with the high bar of all

3:38:03

council members voting the same way any sorry for the sermon in

3:38:11

between yes go ahead council member D I appreciate this time to have this

3:38:16

discussion different brands of governments and I I see the irony of the opma meetings act on all this but I also

3:38:23

appreciate that the challenge I'm having is the timeline right and this happening

3:38:29

emergency not emergency right decisions uh factors and then okay so

3:38:35

what is our lane as Council it's a legislative branch of government if the if a a portion of the municipal code is

3:38:42

being used for to make that action then let's update that we've been hearing it's Unique it's different we haven't

3:38:48

has for so let's fix that for the currency and moving forward so what does that look like well we can't do an

3:38:54

emergency ordinance I drafted one not good enough so you need the time to go through the process so how do I ask the

3:38:59

executive branch of government to let us do that process to let us go do that right so I don't know where I'm not

3:39:05

looking at you City attorney looking at mayor what does that look like moving forward is like this is a process trying

3:39:12

to fix the current state and move forward together what does it look like to give us the opportunity when Kevin

3:39:19

McFarland did his assessment he charged the city six hours so could this third party independent assessment happen

3:39:25

tomorrow can it happen tomorrow could you give us that time like I don't know howse if I can't make

3:39:31

emotion my ordinance is not good enough what can I do to ask I understand what

3:39:36

you're asking for so um I would if if I

3:39:41

was to entertain this I would not want any of the arborous or any has been involved in this at any way shape or

3:39:47

form but somebody totally outside the scope of this who's totally under

3:39:52

totally totally independent from all of the rhetoric and all the other things and all of the the preconceived notions

3:40:00

that we've already had how long would it take to do that

3:40:05

um coun uh City administrator Parks how long do you think that would take I'm

3:40:11

I'm going to have to ask Karen whether or not we'd have to do a request for proposals of some sort but um I would

3:40:18

assume so it took Kevin McFarland a few months I don't know if

3:40:24

that was because he was being deliberate or he had other things going on so I can't I can't I don't know how long it

3:40:29

would take necessarily I would hope we could get something done he charged six hours for the work so

3:40:36

I that's is but it's the amount of time it takes to actually do the assessment I

3:40:43

six we can put a contract together quickly so says the attorney okay so

3:40:49

um I'm not an arborist right um so I don't know exactly how long it would take I would say that if this is a path

3:40:57

that the that the mayor would like to go in partnership with the council we can

3:41:03

work on trying to figure out ways and we are currently working on ways to um try

3:41:09

and provide the temporary public safety measures that really need to go into place sooner than later and during that

3:41:17

time we we've been anticipating needing to do that anyway because of the prospect of the legal proceedings

3:41:24

continuing for a period of time so we've already started down the path of researching what our alternatives are in

3:41:30

trying to provide some public safety measures as an interm measure we certainly could do that and and move

3:41:37

forward with those items as quickly as possible um if you would choose to

3:41:42

select and have a a third party review done we certainly could do that and and

3:41:49

um in the meantime we will remain liable for any risk that happens

3:41:57

I I I am going to indicate that risk liability is

3:42:06

something that a city faces every day whether it's stubbing your toe on a

3:42:12

sidewalk um we pay a lot of money for people to get their TI is replaced as they're driving over the seal coating um

3:42:18

it is a factor and it is a real factor that we have to consider that being said as I mentioned

3:42:27

we are looking at ways in which we could try to provide Public Safety in that

3:42:32

intern period of time and if the choice is to move forward with that we will do our best due diligence to make sure that

3:42:39

we were able to accomplish that just begging you mayor to just follow the scienic I have a question first when

3:42:45

when step moment I want I want to say something here so with this change I

3:42:52

also want Council to understand that you are also absorbing the risk of this thing that we would be doing this would

3:42:59

require this will require because we were needing to plan for this if this was delayed in the taking down of the

3:43:06

tree we need to reroute traffic we need to have traffic away from that tree what

3:43:11

does that look like how much does it cost to build a road every body says oh just build a road that is goes by pocket

3:43:19

go for habitat that we do not have mitigated and we're going to have to build a structure that can hold

3:43:26

22,000 vehicles per day so this is not just a little thing so we're going to

3:43:31

have to come up with steps that the council's going to have to be very involved in on how we mitigate this

3:43:38

issue and this is something that we need to do right away we need to you know there's a whole whole lot

3:43:45

here everybody throws out we'll just move the road well that takes engineering design building I've heard

3:43:53

um you know uh taking to part of the tree off well that may work it may not

3:44:01

we will find out if we have a third party arborus but there's a way we have to keep the public away from not having

3:44:10

tens of millions of dollars in lawsuits I've heard here how

3:44:15

little of a risk it is in February and March there were three people killed in the city state of Washington February

3:44:22

and March two in isqua one somewhere else from trees falling on them two of them are motorists so I've heard a lot

3:44:29

of data I take those things into consideration when I have to think about Public

3:44:35

Safety I will be willing to work with coming up with a reasonable time to find

3:44:43

out where we can find another Arbus to get a third-party input and then what that amounts

3:44:50

to thank you that's all I ask that's all I'm asking is for independent thirdparty assessment I understand the risk I'm not

3:44:57

questioning the risk I'm just asking to follow the science and the scientific method that's all I'm

3:45:03

asking so we can put out a proposal we we'll move forward as

3:45:09

quickly as possible all right I have a question mayor mayor one

3:45:15

one second council member gobby uh I'll do coun I go I'll do council member

3:45:20

Kathy then I'll do council member gobby and I saw I saw Council M Jefferson's um hand up

3:45:28

so this is the vague part that upsets me and upsets the community or that people

3:45:35

I hear from is we have to continue with the items that we were go we were headed

3:45:42

toward or that we were going to do what are these items that you would want

3:45:47

to do with the tree or at the tree or whatever uh in the meantime it's kind of

3:45:54

like the statement where um it's on the website and it was we got it in an email

3:46:01

where um administrator Park she wrote the the

3:46:07

the council I mean the city is not going to do anything right now well so people

3:46:13

went right now means what means how long means you know what are you going to do

3:46:20

when you do it that kind of thing so to say that we're going to get an arborist

3:46:26

but we're going to continue to do the items we were going to do before we talked about this oh the mitigation part

3:46:32

what are they the mitigation Road R rerouting traffic moving people away

3:46:38

from the tree so I um council member Kathy the statement that's crazy why are

3:46:46

we spending our time on that may I please answer yes question thank you so

3:46:51

the statement on the on the website wasn't intended to be respectful of the legal proceedings that were that were

3:46:57

that were in process we're not going to do anything while we're asked not to do anything by the

3:47:03

law the measures that we're looking at right now one of the things that we did do is we put the fence up around the

3:47:09

base of the tree we are going to be talking to the port of Olympia about them needing to do um added control of

3:47:17

their parking during any and all of their events we have been looking at

3:47:22

what it would take to um uh detour uh close that section of Old Highway 99 and

3:47:29

and Detour traffic there are some concerns about doing that as well in

3:47:35

terms of some of the roads that you are going some of the intersections and the roadway geometry that you're going to be

3:47:42

sending these at this 20,8 around are of concern so we need to look

3:47:47

at how that actually can be done appropriately that's what the engineering department is working on

3:47:52

we're also talking out about potentially shifting and providing at least a temporary lane of travel um to the east

3:48:00

of the existing roadway outside the drip line of the tree as a way to do that on

3:48:05

a temporary basis but those are the things that I meant specifically I don't have the details

3:48:11

for those I don't have the costs of those if close the road for a period of time for more than 12 hours at a time it

3:48:18

requires Council action I believe that's the reference the mayor was making that if we move forward there are things that

3:48:25

the council is going to have to do in order for us to be able to proceed um

3:48:30

and and that's what we're currently looking at and investigating and so this is temporary

3:48:36

what you're talking about temporary for now um and something you were going to do no matter what or we or or but I mean

3:48:46

why why would you be doing all of that before an assessment I mean why are why

3:48:52

are we going to all of this trouble and spending this money I mean I understand not having people Park under it or

3:48:58

something like that but this whole Road thing and whatever why would we be spending money on that until we see what

3:49:05

this assessment is we were planning to do that based on the possibility that

3:49:10

there would be an extended court process that would prevent us from remov moving the tree which was the intended purpose

3:49:18

is to provide Public Safety that was why we were looking into it already what I understand from the

3:49:24

mayor is that she's willing to put a pause on my what I understood from her

3:49:30

to me as her employee is she's un she's willing to look at a reasonable time

3:49:36

frame to have a thirdparty um analysis uh risk assessment completed um I

3:49:43

understand that to be a full risk assessment not necessarily a full risk assess peer review okay and that and

3:49:50

that in the interim that we needed to try and continue with our work to identify these measures that would

3:49:56

provide um safety to the traveling public in that period of time until

3:50:01

there is a change in the ordinances until there's a change in at this point in time the mayor's decision it that's

3:50:09

why I'm using the word interim or temporary because that's what I understand it to be at this point in

3:50:16

time thank you council member Gabby thank you mayor so I was uh

3:50:25

wondering we don't have to have a date certain with which uh this new har is going to do the

3:50:34

assessment but we do need a time frame with which we will have as our official

3:50:41

time because we are a government entity we need we we do need to say on today

3:50:47

June 4 that we said that uh we would keep the tree up for 3 four months and

3:50:55

this is what is going to happen so I am asking do we need Karen do we need to

3:51:01

have a time frame at least to have the aies be on

3:51:10

board thank you

3:51:16

it's my understanding from the mayor that she would like us to have that third-party review done and I would

3:51:22

assume that and she can clarify that the reasonable time that she mentioned in her first statement was the the time

3:51:29

that it would take for a thirdparty UR to get that risk assessment completed

3:51:34

and again I apologize I don't know how long is a reasonable time in that context we could certainly um evaluate

3:51:42

that and and get back to you and and I'm sure that will be defined by when we get

3:51:49

uh have an arbest they will be able to perform that timeline of when that would be done so and then there would be a

3:51:57

review so I don't know if we can put a timeline on it at this moment that would

3:52:02

be just pure guessing thank you I I I also agree with um that

3:52:11

reasonable time because if this tree is at the condition that our arborus has

3:52:18

told us which will take an emergency I understand the grave risk to the

3:52:24

community and the Mayors concerned I would also um ask that you involve our

3:52:31

our native partners and our native tribes because as you can see today with the

3:52:37

conversation um can you approach them and get them involved with the decision making

3:52:43

perhaps so let yes council member Jeffers let me clarify that I have reached out to the

3:52:49

Nali the squaxin the chahalis and the cets and I received information back

3:52:57

except from the cets the cets I did not hear back from I have had uh support

3:53:03

from other tribes and I have talked to other chairs there has been change in

3:53:09

leadership in two of those tribes being the Nali and the Ki

3:53:15

so we are basically starting from Ground Zero developing those relationships uh

3:53:21

council member dhof was actually with me when we had our joint meeting with the squaxin tribe uh earlier and so we do

3:53:29

have those great conversations I have had in the last two weeks numerous

3:53:34

conversations with Dustin who is the uh chair of the chahalis tribe they're very

3:53:41

familiar with what we are talking about and unfortunately we've had change in

3:53:47

leadership and so all my conversations with n squali i have to start

3:53:53

over I understand that I take great value in my relationship with all of the

3:54:01

tribes I was able to get a Joint Council with the squawkin tribe that takes work

3:54:07

that takes relationship building so I really want to set the record straight that I am not just ignoring the tribes I

3:54:14

very hard to develop a relationship with the tribes and so I just want to make that

3:54:21

record clear that I am in good standing with several tribal chairs and have

3:54:28

those conversations and I fully understand I have two new chairs that I need to develop a relationship with

3:54:36

because they are brand new this week thank you mayor thank you

3:54:47

so moving forward so I would say at this point for the discussion of this we will

3:54:53

be moving forward with an independent thirdparty arbis and I want to make it perfectly clear it is no one who has had

3:54:59

input into this process in any way shape or form at this time because I want it

3:55:06

fully independent with no bias and then we will go ahead and do

3:55:13

that that will give give us an opportunity to understand a timeline when this will happen and I also put it

3:55:19

on Council that we need to keep this public safe we need to do what we need to do to mitigate the danger of

3:55:26

individuals being exposed to this tree and could be injured or killed and

3:55:33

I'm putting that on the council to work with me to make sure that happens

3:55:38

because there's limited things I can do as an executive which includes rerouting traffic and I will have to have

3:55:44

council's assistance in that process thank you mayor all right so that is my

3:55:53

decision all right anything else on this topic thank you for listening so with

**END OF COUNCIL DISCUSSION ON PROPOSED ORDINANCE RE: OAK TREE**