



Public Works Department, Park Division  
411 Main Street  
(530) 896-7800

Agenda Prepared: 5/8/14  
Agenda Posted: 5/9/14  
Prior to: 5:00 p.m.

**CITY OF CHICO**  
**BIDWELL PARK AND PLAYGROUND COMMISSION (BPPC)**  
**TREE COMMITTEE**  
May 14, 6:00 p.m.  
Municipal Center - 421 Main Street, Conference Room 2

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*Materials related to an item on this Agenda are available for public inspection in the Park Division Office at 965 Fir Street during normal business hours or online at <http://www.chicoca.gov>*

**1. CALL TO ORDER**

**2. REGULAR AGENDA**

2.1. Introduction of Right of Way Street Tree Planting Program

Volunteer help in the Right of Way (ROW) has been available only in a limited fashion due to liability concerns from roadside hazards and the issuance of proper training and equipment. To facilitate volunteer organizations to help with the planting of City street trees, staff will outline a preliminary draft framework to provide a cost free permit, while meeting the necessary liability and procedural protections for the community. **Recommendation:** 1) Provide framework input on the outlined Planting Program to help expedite the planting and establishment of appropriate street trees. 2) Assign a Committee member to work on the protocol with staff.

2.2. Draft Urban Forest Management Plan Update

The Committee will review and hear comments on the Urban Forest Management Plan (UFMP). Written detailed comments will be accepted. The meeting will focus on major issues and the Tree Committee input will help staff identify data gaps, additional information needs, and refine goals. The input will be incorporated into the next revision of the plan. **Recommendation:** Provide Committee and Public input on the preliminary draft UFMP to aid staff with the major items needed for the next revision.

**3. BUSINESS FROM THE FLOOR**

Members of the public may address the Committee at this time on any matter not already listed on the agenda, comments are limited to three minutes. The Committee cannot take any action at this meeting on requests made under this section of the agenda.

**4. ADJOURNMENT**

Adjourn to the next regular meeting on June 11, 2014 at 6:00 p.m. in Conference Room 2 at the Chico City Council building (421 Main Street, Chico, California).



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Please contact the Park Division Office at (530) 896-7800 if you require an agenda in an alternative format or if you need to request a disability-related modification or accommodation. This request should be received at least three working days prior to the meeting.



## BPPC Staff Report – Tree Committee

Meeting Date 5/14/14

DATE: May 5, 2014  
TO: Bidwell Park and Playground Commission  
FROM: Ruben Martinez, Public Works Director  
SUBJECT: Right of Way Street Tree Volunteer Planting Program

### Report in Brief

The City has a robust volunteer program that has provided assistance to Bidwell Park and other City owned properties. Volunteer help in the Right of Way (ROW) has been available only in a limited fashion due to liability concerns from roadside hazards and the issuance of proper training and equipment. Currently, anyone working in the City ROW must have a City-issued Encroachment Permit, with a minimum cost of \$145.

To facilitate volunteer organizations to help with the planting of City street trees, staff proposes the Right of Way Street Tree Encroachment Planting Permit (RightSTEPP) that could be issued at NO cost to the applicant. Organizations would apply for a permit and be able to demonstrate that they could carry out the work to the same level performed by staff or that would be expected of a contractor doing work in the ROW. The program would be outlined with an Administrative Procedure and Policy (AP&P). The City Attorney's office identified the AP&P approach as a method to provide a cost free permit, while meeting the necessary liability and procedural protections for the community.

Staff would provide identify the appropriate tree species and locations, and provide watering assistance to establish the tree. Volunteers and organizations would provide planting, supplies, plants, and the AP&P could include formative pruning, if the volunteers complete training, the AP&P could also include formative pruning. There would likely be some City costs associated with the program, but it would provide a cost-effective way to allow for new street tree plantings.

Staff provides a preliminary draft framework (Attachment 1 – AP&P) and other documents (Attachments 2-3) to provide a sense of what must be considered before the Committee begins its work. Staff proposes that the Committee work on concepts, receive input, and develop an overall approach. Staff suggests that a Committee member be assigned to the task to work with staff on the necessary materials. Staff will work on gathering input from other involved City Divisions and develop a final AP&P for City approval.

### Recommendation:

Provide framework input on the outlined Planting Program to help expedite the planting and establishment of appropriate street trees. Assign a Committee member to work on the protocol with staff.

### Attachments:

1. Preliminary Draft Administrative Procedure and Policy Manual for Right of Way Street Tree Encroachment Planting Permit.
2. Contractor Encroachment Permit (Off-Site) Requirements
3. Right of Way Encroachment Permit Issuance Instructions

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5/9/2014

**CITY OF CHICO**  
**Administrative Procedure and Policy Manual**

Subject: Right of Way Street Tree Encroachment Planting (RightSTEP) Permit Procedure	Number:           xx-2
	Effective Date:   June 30, 2014
Department(s) Affected: Public Works	Supersedes:       xx-2 dated 12/4/02
Authority: Chapter 14.08   Encroachment and Excavation Permits  Chapter 14.40   Street Trees  Chapter 16.66   Tree Preservation Regulations	File Reference:   Approved:
<p>I.       <b>PURPOSE</b></p> <p>To establish an application procedure which enhances Street Tree Planting in the City of Chico through partnerships with community and volunteer groups, utilizing a special encroachment permit for working in the City right of ways.</p> <p>II.       <b>POLICY</b></p> <p>A.       <u>Street Tree Planting Encroachment Permit</u>          In order to provide a means for voluntary participation in the planting of City Street Trees, it is the intent of the City Council to provide a special encroachment permit, which local and certain non-local nonprofit community groups, organizations, and private groups or organizations can utilize, when requests are not in conflict with the needs of the City Chico and other City governmental needs. Costs for this special encroachment permit procedure shall be waived and access to planting sites within the City of Chico rights of way may be granted. All incidental costs of exercising this permit will be borne by the group making the application and will be based on fees established in the City's fee schedule, if applicable.</p> <p>Except that coordination with the Street Tree Division can yield a partnership wherein the City staff would provide excavation services for tree planting sites, in which case, the City shall bear the costs for the use of City staff and equipment.</p> <p>The applicant's usage of equipment shall be limited to supplies available to volunteer groups, costs for participation and all other equipment and materials shall be borne by the group making the application. In addition, all applicants shall be asked to provide proof of general liability insurance or sign appropriate waivers of liability for each participant.</p> <p>B.       <u>Applications for Rights of way Street Tree Encroachment Planting Permit (RightSTEPP)</u></p> <p>A special permit may be approved when the following conditions are met and well coordinated with the City of Chico, and meet the following criteria:</p> <ol style="list-style-type: none"> <li>1.       Sites for planting have been selected and specifically identified and availability determined, all requests will be submitted in writing, coordinated with the parks division, including completion of the application form.</li> <li>2.       Application is being requested on behalf of a community group.</li> </ol>	

- a. The requesting group has specified a Contact Coordinator for the planting event.
- b. The community group or organization has completed an application form signed by both a representative of that group and the Contact Coordinator.
- c. The community group or organization has supplied the appropriate insurance coverage and waivers.
- d. An application request for a date within a 21 day time frame, will be accompanied by a special fee, based on 7 hours of Senior Maintenance Worker overtime.

### III. PROCEDURE

#### A. Applications for Right of way Street Tree Encroachment Planting Permit

##### 1. Encroachment Permit Application for Street Tree Planting

- a. Applications will be taken Monday through Friday from 8:00 a.m. to 5:00 p.m. and are approved by the Public Works Office. Requests shall be made with the Public Works Director at least 21 days in advance of the date of the requested reservation along with any associated fees as outlined in the City's Fee Schedule. In order to reserve a room, agencies must submit a completed room reservation form signed by a responsible adult, 21 years of age or older.

Applications may be accepted less than 14 days in advance provided the Public Works Director is able to make adequate arrangements to accommodate them and if all special fees are paid at the time the application is submitted. Any related fees are to be paid two weeks prior to the date of the event, or the application will be canceled.

Applications are not accepted for use of the facilities on Fridays, Saturdays, Sundays, City holidays, or on weekdays preceding a municipal holiday.

- b. An application form for the special encroachment (Exhibit "1") shall be completed either by City staff or the requesting agency and signed by a representative of the requesting organization.
- c. Applications are accepted on a first-come, first-served basis. Only one application will be accepted for specific days.
- d. Conference Room No. 1 is to be restored to the original setup as depicted in the plat (Exhibit "2") which is provided to each organization. Additional charges may be incurred if it is necessary for custodial staff to return the room to its original state. The room layout of Conference Room No. 2 cannot be changed.

##### 2. Limitations on Use

- a. Application may be made for three days, at a time, maximum.
  - (1) Hours available are Mondays through Sunday from 7:00 a.m. to 2:00 p.m. Planting activities shall be prohibited on, City holidays, or on weekdays preceding a municipal holiday.
  - (2) Additional applications may be requested only after utilizing a majority of days on the prior application are utilized.

(3) Applications are limited to one three day, or less, request unless prior arrangements, special circumstances, and special fees provided.

b. Use of Equipment

(1) Applicants shall supply all necessary tools. Requests for reservation of volunteer equipment shall be made at the time of application. Staff will not be available to provide training on usage and community group assumes all responsibility for any necessary usage or site setup.

(2) City shall request Utility Companies mark utility locations as needed prior to excavation or planting operations. Additional fees may be charged, by the Utilities depending on the request(s).

(3) Individuals or guests of the organization placing trees are not to adjust or operate any piece of City equipment, and will be held liable for any damage occurring from unauthorized use.

3. Review and Approval

a. The Public Works Director shall review the requested use to determine availability and shall approve or disapprove the applicant's request subject to consideration of the needs of the City Council, boards, commissions, committees, staff and other City governmental needs.

b. Fees for any related purpose and due as a result of the application, or otherwise owed by the group to the City for other services, shall be paid by the applicant 14 days prior to the date of requested event.

4. Cancellation

a. It is the intent of the City to prepare sites for planting by applicant organizations or volunteers; when absolutely necessary for the needs of the City, a planting event may be cancelled or rescheduled with the approval of the Public Works Director.

b. The Public Works Director or his designee will notify the person or group as soon as possible when a cancellation is necessary.

c. The Public Works Director or his designee will also notify all affected departments of any cancellations or changes as soon as possible.

6. Rules and Regulations for Use

a. All persons and groups utilizing the Special Street Tree Planting Special Encroachment Permit must submit a completed and signed application form and abide by the rules and regulations Exhibit xx, for participation in a street planting event. Signing the application confirms the group's willingness to assume responsibility for any damages that may occur during their or their guest's access to city infrastructure. Those attending events shall abide by all other City codes.

b. The applicant is responsible for enforcement of the rules and regulations and shall notify the participants at a pre construction meeting of these regulations. The group or agency assumes full responsibility for the conduct of the guests at their event.

c. Additional charges or fees will result in cases of unusual damage, and/or when unplanned services are provided by the City, which were not originally requested and paid for at the time the application was submitted.

d. If intentionally misleading information is provided by the agency or community group in the application or through any other means regarding the nature of the event or the

number of participants, the City will immediately cancel the application and group or agency will forfeit all rights provided by the encroachment permit.

- e. Advertising for the group or agency may be displayed or exhibited, in conformance with City signage requirements, during the active planting event, but no solicitation may occur in the City rights of way.
- f. The City is not responsible for any property lost or stolen during an event, or any items left behind.
- g. Any special arrangements or accommodations needed for participants must be listed on the application form, omissions may be considered, "misleading information".
- h. Sites shall be kept as neat and clean as possible before and after a planting event. If clean up is unsatisfactory or damage occurs, and /or if in the event exceeds the specified time, the organization will be billed additional charges.
- p. Organizations applying for a special Street Tree Planting Special Encroachment permit may not charge a fee to persons for the privilege of attending a planting event or coordination meeting, except to the extent that a fee or charge is fully offset by the cost to the organization of the supplies necessary to complete a proper street tree planting. Volunteer donations may be accepted by the City.
- q. The City is not responsible for any property lost or stolen during an event, or any items left behind. The applicant will be responsible for loss of any City equipment.
- r. Any violation of these rules and regulations, including failure to remit any required payments, may result in denial of any future applications. It is understood that the applicant and the person in charge will notify participants of these procedures and be responsible for their enforcement.

7. Accessibility

The community group is responsible for accommodations related to Americans with Disability Act considerations city personnel will not be able to respond to any extemporaneous requests.

B. Application for Street Tree Plantings

It is the intent to make the planning of street trees by community groups a partnership with the City of Chico through the use of a special permit dedicated to enhancing the urban forest.

1. Application for Street Tree Planting Encroachment Permit

- a. An application for permission to plant Street Trees (attached as Exhibit "x") shall be obtained from and returned to the Public Works Department, Engineering Division, at least 10 days in advance of the requested date.
- b. A diagram of the street tree planting locations (a sample is attached as Exhibit "x") designating and delineating those spaces to be used by the Group shall be included with the application packet.
- c. An Indemnification Agreement (attached as Exhibit "x") which indemnifies the City against any and all liability, damage, or loss during the event is required and shall be executed by the applicant and shall be included with the application packet.

2. General Liability Insurance

The applicant shall obtain commercial general liability insurance from one or more U.S. domiciled insurance companies licensed to do business in the State of California with an A.M. Best Company rating of "B" or better or, in the alternative, an unlicensed U.S. domiciled company or companies with an "A" rating, which provides coverage for bodily

injury, personal injury, and property damage liability in the amount of at least \$1,000,000 per occurrence, and \$2,000,000 in the aggregate, with a maximum policy deductible of \$500. Said insurance coverage shall be evidenced by a certificate of insurance with policy endorsements and shall be executed by an authorized official of the insurer(s). In addition to the limits of coverage provided hereinabove, policy endorsements shall be attached to the certificates that also provide that:

- a. "The City of Chico, its officers, boards, and commissions, and members thereof, its employees and agents are covered as additional insured with respect to any liability arising out of the activities of the named insured."
- b. "The insurance coverage's afforded by this policy shall be primary insurance with respect to the City of Chico, its officers, officials, and employees. Any insurance or self-insurance maintained by the City of Chico, its officers, officials, or employees shall be in excess of the insurance afforded to the named insured by this policy and shall not contribute to any loss."
- c. An unqualified statement that "The insurer will provide to the City at least thirty (30) days prior notice of cancellation or material change in coverage."

3. Review and Approval

- a. Non-refundable fees for use of the Street Tree Planting Encroachment Permit as established by resolution of the City Council shall be paid by the applicant at the time the application is submitted.
- b. Prior to approval, the Public Works Director will circulate the application to the Police Department, Fire Department, and the Public Works Department for their review and comment.
- c. Prior to the issuance of the permit, the evidence of insurance required above must be submitted to the City's Risk Manager for review and approval.
- d. The Public Works Director shall review the application, provide written conditions of approval which shall be read, acknowledged, and signed by the applicant, and approve the permit.

4. Rules and Regulations

All persons and groups utilizing the RightSTEP Permit shall abide by the rules and regulations of the Chico Municipal Code and conditions set forth by the Public Works Services Director.

**CONTRACTOR ENCROACHMENT PERMIT (OFF-SITE) REQUIREMENTS**  
**Municipal Code Section 14.08/General Information: (530) 879-6900**

Any work or activity proposed to be done in the public right-of-way requires an encroachment permit. And any encroachment permit that will involve digging or excavating requires an Excavation Permit Bond. (*See attached 'City of Chico Encroachment Permit Excavation Bond Requirements'*). This bond guarantees and assures the City of Chico that the work started will be completed. You must complete the work started according to all laws, ordinances, rules and regulations pertaining to the permit and hold the City harmless from all loss and damage that the City may suffer by reason of your failure to comply with laws, ordinances, rules and regulations.

\*\* Muni. Code 14.08

***TO PULL AN ENCROACHMENT PERMIT A CONTRACTOR MUST:***

- 1. Have a Valid State Contractor's Pocket License:**
  - Class A – (Covers All)**
  - C-8 Concrete (Curb, Gutter, Sidewalk)**
  - C-36 (Plumbing)**
  - C-42 (Sanitation System License)**
  
- 2. Submit a Certificate of General Liability Insurance in the amount of \$1,000,000 that has been approved by the City of Chico Risk Manager (530)879-7900.\*\* See Insurance Requirements Information Sheet - Attached**
  
- 3. If Applicable – Submit a Pre-Approved Excavation Bond Form (Form provided by the City of Chico) in the amount of \$10,000.00. \*\* See Excavation Permit Bond CMC - Attached**

**Or**

**Submit an Excavation Bond form provided by the Insurance Company which has been approved by the City Attorney. \*\* See Bond Requirements – Attached**
  
- 4. Have a Valid City of Chico Business License.**

This can be obtained from the City of Chico Finance Office, 411 Main Street 1<sup>st</sup> Floor, (530) 879-7320.
  
- 5. Correct & current owner/leaser/agent/business name, including mailing address(es).**
  
- 6. Letter from corporation/company/partnership/sole proprietorship authorizing specific employees/agents to sign Encroachment Permits on behalf of said entity.**
  
- 7. Provide 2 sets of approved plans or approved plan sheets.**





## ENCROACHMENT PERMIT

### City of Chico – Capital Project Services Insurance Requirements - Information Sheet

Following is a summary of the insurance requirements for the issuance of an Encroachment Permit pursuant to Section 14.08.120 Chico Municipal Code and City Risk Management Office procedures:

An applicant for an Encroachment Permit shall obtain and provide to the City evidence of a **Commercial General liability insurance** from one or more U.S. domiciled insurance companies licensed to do business in the State of California with an A.M. Best Company rating of "B" or better, or in the alternative, an unlicensed U.S. domiciled company or companies with a rating of "A", which provides coverage for bodily injury, personal injury and property damage liability in the amount of at least \$1,000,000 per occurrence, and \$2,000,000 in the aggregate, with a maximum policy deductible of \$5,000, except when the City's Risk Management determines that work performed pursuant to such permit involves unusual risks which expose the City to liabilities in excess of \$1,000,000, then the insurance shall be in an amount which the City's Risk Management determines is necessary to fully cover the City's exposure to all such risks. An Occurrence policy is required.

Applicants for an Encroachment Permit must submit evidence of coverage in the form of an original **certificate of insurance with policy endorsements** executed by an authorized official of the insurer. The policy endorsements to be attached to the certificate shall provide that:

1. The City of Chico, its officers, boards and commission, and members thereof, its employees and agents are covered as **additional insureds** as respects to **any** liability arising out of the activities of the named insured. **A CG 2012 endorsement form or equivalent is required.**
2. The insurance coverages afforded by this policy shall be **primary** insurance as respects to the additional insured. Any insurance or self-insurance available to the additional insureds shall be excess and non-contributing to any loss.

The above language can be included on the additional insured endorsement form or on a separate endorsement form. A photocopy of the language from the policy (typically found in the section which discusses "Other Insurance" and "Methods of Sharing") is also acceptable as evidence of primary coverage **provided that it is transmitted to the City with a note or letter on insurance agency or company letterhead certifying it is from the policy of the insured.**

3. **Thirty (30) day prior notice of cancellation** or material change in coverage. Ten (10) day notice for non-payment of premium is acceptable.

Please provide this information sheet to your insurance agent or broker and request that they issue the certificate, with endorsements, to the City of Chico, Attention: Risk Management, P.O. Box 3420, Chico, CA 95927. If your agent or broker has questions regarding these insurance requirements, they should call the Risk Management office at (530) 879-7910.

City of Chico – Human Resources & Risk Management  
PO Box 3420 | Chico, CA 95927  
Phone (530) 879-7910 | Fax (530) 895-4733  
RiskManagement@ci.chico.ca.us

Premium: \$ \_\_\_\_\_

SURETY: \_\_\_\_\_  
BOND NO.: \_\_\_\_\_  
COMMENCEMENT DATE: \_\_\_\_\_  
TERMINATION DATE: \_\_\_\_\_

**ENCROACHMENT PERMIT BOND  
FOR EXCAVATION**  
(City of Chico Approved Form)

\_\_\_\_\_ [Name of Principal], a(n) \_\_\_\_\_  
[Capacity of Principal] (“Principal”) and \_\_\_\_\_ [Name of Surety],  
a corporation duly authorized to transact business as a corporate surety in the State of California,  
 (“Surety”) are held and firmly bound to the City of Chico, a municipal corporation of the State of  
California (“City”), in the sum of Ten Thousand Dollars (\$10,000.00), for which payment will be  
made, we and each of us bind ourselves and our heirs, executors, administrators, successors, and  
assigns, jointly and severally, firmly by the provisions of this Encroachment Permit Bond for  
Excavation (“Bond”).

WHEREAS, Principal has applied to the City for a permit to make excavations within the public  
streets and other public places within the City, all as provided for by Chapter 14.08 of the Chico  
Municipal Code;

NOW, THEREFORE, the condition of this Bond is such that if an excavation permit is issued to  
Principal and Principal shall comply with all requirements of Chapter 14.08 of the Chico  
Municipal Code relating to excavations made within the public streets or other public places  
within the City pursuant to said permit, as well as with all instructions and directions of City’s  
Building & Development Services Director/Capital Project Services Director/General Services  
Director pertaining thereto, then the above obligation shall be void; otherwise, it shall be and  
remain in full force and effect until \_\_\_\_\_, unless renewed by a  
continuation certificate.

IN WITNESS WHEREOF, the Principal and Surety have executed this Bond on the dates first  
set forth above.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Principal

By: \_\_\_\_\_

\_\_\_\_\_  
Title

\_\_\_\_\_  
Name of Surety

By: \_\_\_\_\_  
Attorney-in-Fact

\_\_\_\_\_  
Address of Surety

\_\_\_\_\_

\_\_\_\_\_  
Telephone Number

APPROVED AS TO FORM:

\_\_\_\_\_  
Lori J. Barker, City Attorney  
By: Roger S. Wilson  
Assistant City Attorney

**14.08.120 General conditions of permits - Comprehensive liability insurance.**

- A. Insurance Requirements. Except as hereinafter provided by this chapter, no permit shall be issued pursuant to the provisions of this chapter unless and until the permittee has obtained a comprehensive general liability insurance policy from an insurance company licensed to do business in the state of California and having a financial rating in Best's Insurance Guide of at least "B," which provides insurance coverage against all liabilities for death, personal injury or property damage arising out of or in any way related to the encroachment and/or excavation work authorized pursuant to such permit.
- B. Amount of Insurance. The comprehensive general liability insurance obtained by a permittee at the time of the issuance of a permit pursuant to the provisions of this chapter shall be in an amount of at least \$1,000,000.00, combined single limit, except that where the city's risk manager determines that work performed pursuant to such permit involves unusual risks which expose the city to liabilities in excess of \$1,000,000.00, then such insurance shall be in an amount which the city's risk manager determines is necessary to fully cover city's exposure to all such risks.
- C. Form of Insurance. The comprehensive general liability insurance obtained at the time of the issuance of a permit pursuant to the provisions of this chapter shall include an endorsement naming the city, the city's officers, employees and agents as additional insureds under the coverage afforded, shall be primary with respect to any other insurance available to the city, shall include a severability of interest (cross-liability) clause, shall require the insurer to provide city at least 30 days prior notice of cancellation, and otherwise shall be in a form approved by city's risk manager.
- D. Proof of Insurance. Proof of comprehensive general liability insurance provided by a permittee at the time of the issuance of a permit pursuant to the provisions of this chapter shall be in a form approved by the city's risk manager and shall be filed with the director prior to the issuance of such permit.

(Ord. 1928 §2 (part), Ord. 1992 §4, Ord. 2364 §129)

**14.08.130 General conditions of permits - Compliance with traffic control plan.**

As a further condition of the issuance of a permit required by this chapter, the permittee shall undertake and carry out the encroachment or excavation authorized by such permit in accordance with the provisions of the State of California Manual of Traffic Controls for Construction and Maintenance Work Zones as published by the State Department of Transportation and/or any additions or modifications thereto now or hereafter adopted in Title 18R of this code.

(Ord. 1928 §2 (part))

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**NOTE:** *The "State of California Manual of Traffic Controls for Construction and Maintenance Work Zones" has been replaced with the [California Manual on Uniform Traffic Control Devices – Temporary Traffic Control](#). See Caltrans [Construction Policy Bulletin CPB 04-3, "Manual on Uniform Traffic Control Devices Adoption"](#) for more information.*

*In addition to motor vehicle traffic concerns, the traffic control plan shall address bicycle, pedestrian, accessibility, and worker safety concerns.*

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**14.08.140 Additional conditions of permits authorizing construction or excavation work - Surety bond or other security.**

- A. **Security Requirements.** Except as hereinafter provided by this chapter, no permit shall be issued pursuant to the provisions of this chapter which authorizes construction or excavation work within a public right-of-way or public service easement unless and until the permittee has obtained and provided to the city a surety bond or other security guaranteeing performance by permittee of all of permittee's duties and obligations under such permit including, in particular, the duty and obligation to restore the site of the construction or excavation work to the same condition as it was in prior to commencement of the construction or excavation work, or such modified condition as has been approved by the director.
- B. **Amount of Security.** The surety bond or other security obtained and provided by a permittee at the time of the issuance of a permit pursuant to the provisions of this chapter authorizing construction or excavation work on or within a public right-of-way or public service easement shall be in the amount of at least \$10,000.00; except that where the director determines that the work performed pursuant to such permit is extensive and would expose the city to costs substantially in excess of \$10,000.00 to remedy any breach by the permittee in the permittee's duties and obligations to restore the public right-of-way or public service easement to the same condition as it was in prior to the commencement of the construction or excavation work or such modified condition as approved by the director, then the surety bond or other security shall be in an amount which the director determines is necessary to fully cover the city's exposure to all such costs.
- C. **Form of Security.** The surety bond obtained and provided by a permittee at the time of the issuance of a permit pursuant to the provisions of this chapter authorizing an encroachment or excavation within a public right-of-way or public service easement shall be conditioned on the permittee's compliance with all requirements of this chapter, including all orders of the director pertaining thereto, and shall otherwise be in a form approved by the city attorney. In lieu of a surety bond, a permittee may obtain and provide to the city a cash deposit, certificate of deposit naming the city as the payee thereof or such other kind of security acceptable to the city's risk manager, provided such cash deposit, certificate of deposit or the security is accompanied by an agreement stating that the security is being pledged to guarantee performance of the permittee's duties and obligations under the permit issued to permittee pursuant to this chapter, which pledge agreement shall also be in a form approved by the city attorney.

(Ord. 1928 §2 (part), Ord. 1992 §6, Ord. 2364 §131)

## Right of Way Encroachment Permit Issuance Instructions

Step 1: In Permits Plus Verify/Update Contractor information.

In P+ or Binders check status of liability insurance and excavation bond.  
If either or both are expired refer contractor to “Contractor Encroachment Permit (Off-site) Requirements”

\*Bond is *usually* only required for excavation

\*\*New Bonds need to be submitted to Matt Johnson CA approval.

\*\*Insurance needs to be approved by RM

Step 2: In P+ check for appropriate contractors license (A, C-8, C-36, C-42)

Step 3: Confirm contractor has a current City of Chico Business License.

\*\* If expired in P+ look on list on Linda’s desk or ask Finance.

Step 4: Verify scope of work. What is being done?

Step 5: Confirm contractor has submitted (2) sets of plans including, if applicable Traffic Control and/or Pedestrian Protection Plans.

**\*\*If there are plans attached, stamp with Red “Underground Services Alert.”**

Step 6: Forward Rich Snyder or Matt Johnson to review and approve.

Step 7: Once Approved, Pull Building folder

Step 8: Log In To Permits Plus (EALLEN/PERMITS)

A/P/Ds – Initialize Activity/Encroachment Permit/Select/Initialize

Fill out applicable contractor/location information

Step 9: In Base Screen Fill Out:

Scope of Work/Issue Date/Encroach Date/Completion Date

Initial Received By and Approved By

Step 10: In Fees Screen/Assess Additional Fee.

Select item **3905 Encroachment Permit** and enter \$119 in Amount

Assess Additional Fee and Exit

If needed, **Meter bag fee code is 3222.** (\$13.50 + \$20 per space/per day)

\*\*Mark Meter Bags with Meter # and Valid Dates/Times on each side.

Pay Full Balance/Payment \$119/Credit/select Credit, Check, or Cash

Select Payee/Update/Post

Print 2 receipts

Check Pmt.–write EP # on front & stamp the back then put in cash drawer.

\*Credit Card Payments: Slide Card/1 debit or 2 credit/Clerk =3/enter amount

Step 11: Place R:\FORMS\ENGFORMS\Construction\Inspection record for Public row construction blank side up in print tray  
In Docs Screen/Select Encroachment Permit/Print/Sign and date at bottom  
Get Applicant Signature.

Step 12: Make 2 copies of EP face

1 copy with receipt and (1) set of plans for the Applicant

1 copy with receipt for Building Drawer for Jeannette to file.

The Original with plans needs to be logged and placed in inspector files.

Update S:\Construction\Encroachment Permits ROW.xls

File in top shelf of cabinet located in Construction Inspector's area.



DATE: May 6, 2014  
TO: Bidwell Park and Playground Commission  
FROM: Dan Efseaff, Park and Natural Resource Manager  
SUBJECT: Update on the Urban Forest Management Plan

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### Report in Brief

The Committee will review and hear comments on the Urban Forest Management Plan (UFMP). The preliminary draft UFMP is available at [http://www.ci.chico.ca.us/general\\_services\\_department/park\\_division/documents/ChicoFinalMgtPlan6-2013Web.pdf](http://www.ci.chico.ca.us/general_services_department/park_division/documents/ChicoFinalMgtPlan6-2013Web.pdf) ). Written detailed comments will be accepted. The meeting will focus on major issues and concepts that should be included in future versions. Tree Committee input will help staff identify data gaps, additional information needs, and refine goals. The input will be incorporated into the next revision of the plan, which would be reviewed at a future Tree Committee meeting.

**Recommendation:** Provide Committee and Public input on the preliminary draft UFMP to aid staff with the major items needed for the next revision.

**Attachments:** None.

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5/9/2014