

Timeline of Events
 APN #48H-7672-18
 Protected Trees Ordinance (OMC 12.36) Violation

2021	
2/2/2021	<ul style="list-style-type: none"> - OPW Parks & Tree Division staff (“staff”) responded to a report of illegal tree removals at the property and identified eight (8) protected trees illegally cut down. - Staff spoke with Mr. Bernard on site, asking him to stop and explaining to him that he is in violation of OMC 12.36 and that he needs to get a tree removal permit to continue. - Mr. Bernard refused to cooperate and continued cutting down trees.
3/2/ 2021	<ul style="list-style-type: none"> - An Illegal Tree Removal Notification Letter was issued to Mr. Bernard (see Attachment 1: Illegal Tree Removal Letter).
3/25/2021	<ul style="list-style-type: none"> - Staff inspected the property and identified a total of 23 protected trees that were illegally removed.
6/3/2021	<ul style="list-style-type: none"> - Staff reinspected the property and identified seven (7) additional protected trees that have been illegally removed. - Total illegally removed trees to date: 30
6/4/2021	<ul style="list-style-type: none"> - A Tree Removal Permit Waiver Request submitted by Mr. Bernard (see Attachment 2: Permit Waiver Request). - A site visit was scheduled for June 7, 2021.
6/7/2021	<ul style="list-style-type: none"> - Permit Waiver Request was withdrawn and the associated site visit was canceled by Mr. Bernard Process (see page 12 of Attachment 3: (Email) Site Meeting / Tree Permit Waiver / at Claremont Ave. Parcel 48H-7672-18).
6/25/2021	<ul style="list-style-type: none"> - A Non-Development Tree Removal Permit Application was submitted by Julian Tree Care, Inc., as an agent on behalf of Mr. Bernard (see Attachment 4: Tree Removal Permit Application). - The application had conflicting and missing information necessary for processing the permit request. - Staff contacted Julian Tree Care, Inc., for clarification and was told that Julian Tree Care, Inc. is no longer representing Mr. Bernard. - An email exchange between Mr. Bernard and several staff members confirms that Mr. Bernard authorized Julian Tree Care, Inc. to represent his interest in carrying out the Tree Removal Permit Process (see page 4 of Attachment 3: (Email) Site Meeting / Tree Permit Waiver / at Claremont Ave. Parcel 48H-7672-18).
8/10/2021	<ul style="list-style-type: none"> - The Tree Removal Permit was denied due to a lack of complete information in the application and the inaction of Julian Tree Care, Inc. It is standard practice that staff communicate with the submitter of the permit application (see Attachment 5: Tree Permit Decision).

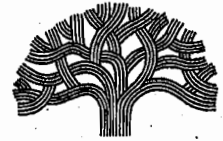
Timeline of Events

APN #48H-7672-18

Protected Trees Ordinance (OMC 12.36) Violation

2022	
3/18/2022	<ul style="list-style-type: none">- Staff visited the property in response to a second report of an illegal tree removal in progress. Staff interact with Mr. Bernard from the street in front of his property. Mr. Bernard refused to cooperate with staff. Three (3) trees were removed.- Total illegally removed trees to date: 33- OPD was called to the scene (see Attachment 6: Police Report, Incident 220318000210 and Attachment 7: Police Report, Incident 220318000405). - Mr. Bernard emails staff requesting an after-hours meeting to discuss the plans for his property. Staff respond, explaining that doing so is against City policy and provide Mr. Bernard with instructions for a Development-related Tree Removal Permit (see Attachment 8: (Email) Matt from Claremont Ave).
4/30/2022	<ul style="list-style-type: none">- Staff visited the property in response to a third report of an illegal tree removal in progress.- One (1) tree was removed that was partially on this property and partially on the neighbor's property.- Total illegally removed trees to date: 34
5/9/2022	<ul style="list-style-type: none">- Staff visited the property in response to a fourth report of an illegal tree removal and found one (1) additional tree was illegally removed.- Total illegally removed trees to date: 35- Neighbors notified staff that OPD was called when Mr. Bernard was removing the tree on Saturday, May 7, 2022 (see Attachment 9: Police Report, Incident 22050700245).
5/17/2022	<ul style="list-style-type: none">- Staff visited the property in response to a fifth report of an illegal tree removal in process and interacted with Mr. Bernard on site.- Staff found Mr. Bernard and a private company in the process of illegally removing a tree located partially on City-owned property and saw that two additional trees were illegally removed, for a total of three (3).- Staff instructed Mr. Bernard and his workers to stop because they did not have a tree removal permit.- Mr. Bernard instructed the workers to ignore staff and continue removing trees.- OPD called, but an officer did not arrive until after Mr. Bernard and his workers had completed the tree removals and left the property.- Total illegally removed trees to date: 38
2025	
3/7/2025	<ul style="list-style-type: none">- Building permits were on file with the Oakland Planning & Building Department to build a single-family home on the property.

CITY OF OAKLAND



MUNICIPAL SERVICE CENTER • 7101 EDGEWATER DRIVE • OAKLAND, CALIFORNIA 94601

Public Works Department
Bureau of Environment
Parks and Tree Service Division

(510) 615-5934
FAX (510) 615-5845
TDD (510) 238-3254

March 2, 2021

Lynn Warner & Matthew Bernard
6363 Christie Avenue, #2104
Emeryville, CA 94608

RE: Illegal Tree Removal Reported – Claremont Avenue (Parcel#048H 7672-18)

To Whom It May Concern,

Tree Services Division of Oakland Public Works has received a citizen complaint regarding an illegal tree removal that may have occurred on your property. Oakland Municipal Code Chapter 12.36 – Protected Trees states “On any property, *Quercus agrifolia* (California or Coast Live Oak) measuring four inches dbh* or larger, and *any other tree measuring nine inches dbh or larger* except Eucalyptus and *Pinus radiata* (Monterey Pine)” are protected trees and an approved tree removal permit must be obtained prior to the tree being removed.

An inspection of the property may be carried out by Tree Services to determine if an illegal tree removal has occurred. You will be notified of any violation that is determined. The violation amount could be up to the appraised value of the tree. All Development Related permits will be placed on hold.

Among the features that contribute to the attractiveness and livability of the city are its trees, both indigenous and introduced, growing as single specimens, in clusters, or in woodland situations. These trees have significant psychological and tangible benefits for both residents and visitors to the city.

More information about the tree removal permit application process can be found at www.oaklandtrees.info or by calling 510-615-5934.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Moore', written over a white background.

David Moore
Tree Supervisor II, Public Works Tree Services Division

*dbh (diameter at breast height) means trunk diameter measured at four and one-half feet above the ground. For multi-stemmed trees, a permit is required if the diameter of all individual trunks when added together, equals or exceeds the minimum size stipulated for the species.



An American Public Works Association Accredited Agency

ATTACHMENT 2

**City of Oakland
OAK 311 - Oakland Call Center**

Service Request Information

Request Number:	1118697
Description:	Tree - Permit - Waiver
Problem Address:	7401 CLAREMONT AVE
Submitted To:	LAWSEN, TOD H
Category:	TREES
Date / Time Reported:	6/4/2021 9:26:40 AM
Service Priority:	2 - High
Initiated By:	Delamain, Denise
Status:	Closed
	The Call Center will change the status from Pending to Open, after the request has been reviewed.
Associated Cityworks Project:	
Council District:	
Police Beat:	
Zip Code:	

Caller Information:

Name	Phone	Date & Time Of Call	Customer Email
MATTHEW BERNARD	Home: 510-295-5592 Work: Other: Cell:	6/4/2021 9:03:43 AM	MATTB522@GMAIL.COM

Related Work Orders:

Work Order Id	Category	Description	Submit To	WO Status
---------------	----------	-------------	-----------	-----------

Q&A & Comments:

By Delamain, Denise : 6/4/2021 9:26:41 AM
THE OWNER OF THE PARCEL #48H-7672-18
AT 7401 CLAREMONT AVENUE IS REQUESTING A TREE PERMIT FEE WAIVER TO REMOVE DEAD
TREES LOCATED ON THE LOT CLOSEST TO 7401 CLAREMONT AVENUE.

By Delamain, Denise : 6/4/2021 9:26:41 AM

Caller: BERNARD, MATTHEW:

Q: In what way does this tree removal request qualify for a waiver?

A: DEAD, DYING

Q: Please describe the location of the tree.

A: PARCEL #48H-7672-18

Q: Can you email a photo or arborist report to pwacallcenter@oaklandnet.com?

A: YES

By Delamain, Denise : 6/4/2021 9:44:49 AM

ADDITION: THE VACANT LOT DOES NOT HAVE A PHYSICAL ADDRESS. 7401 CLAREMONT
AVENUE IS THE CLOSEST ADDRESS .

By LAWSEN, TOD H: 6/7/2021 10:11:17 AM

The property owner, Bernard Matthew, of 0 Claremont Ave. Parcel 48H-7672-18 call today, 6/7/21, at
9:45am and withdrew the request for a Permit Waiver. He cancelled the site meeting that was scheduled
for 1:00pm on 6/7/21.

ATTACHMENT 2

Custom Fields:

Custom Field Name	Custom Field Value
Visual Confirmation	X No Visual Confirmation Yet
Block Street-SW-Driveway-Bldg	
Damage Vehicle-Bldg-Wire	
Power Line Involved	
Injury	
Tree Planting Permit Status	

This is a courtesy email to let you know that a member of the public requested service. If you are not a City of Oakland Cityworks user, this email is our way of communicating it to you. If you are a City of Oakland Cityworks user, log into Cityworks (<http://cityworks.oakland.local/cwportal>) to update the request. **DO NOT REPLY to this automated email.**

OAK 311 - Oakland Call Center | (510) 615-5566

Attachment 3

From: [Matt' Bernard](#)
To: [Moore, David](#)
Cc: [Harvey, Isaac](#); [Lawsen, Tod](#); juliantreecare@gmail.com
Subject: Re: Site Meeting / Tree Permit Waiver / at Claremont Ave. Parcel 48H-7672-18
Date: Friday, June 25, 2021 9:37:10 AM

Dear David,

Yesterday, we the owners have, in a signed writing, authorized the company Julian Tree Care, Inc. to complete the Tree Removal Permit Application and to obtain the Tree Removal Permit on our behalf.

Sincerely,

Matthew Bernard

--

Best, :)

Matt' Bernard

<http://www.ocf.berkeley.edu/~mattb>
<http://ibmatt.org>

sent from my BlackBerry

On Fri, Jun 25, 2021, 9:06 AM Moore, David <DMoore@oaklandca.gov> wrote:

Good Morning Matt,

Can you please furnish evidence of the notification from the Oakland Fire Prevention Department that you are referring to? We'd be glad to take a look.

Please refer to the original letter office sent you (attached), which specifies that a tree removal permit must be granted before removing any trees from your property.

If you need help with the tree removal application process, please let us know and we'd be glad to assist.

Thank you,

David

David Moore

Tree Supervisor II

Tree Services Division

Certified Arborist #NY-5626A

ISA Tree Risk Assessment Qualified

Bureau of Environment

City of Oakland | Oakland Public Works Department | APWA Accredited Agency

7101 Edgewater Dr, Bldg 4 | Oakland, CA 94621

(510) 615-5852 | (510) 615-5845 Fax

dmoore@oaklandca.gov

Report A Problem | Call OAK 311 | From outside Oakland: (510) 615-5566

311.oaklandca.gov | OAK311@oaklandnet.com | Mobile app: [Apple](#) or [Android](#)

Mission Statement:

Oakland Public Works is dedicated to you! We strive to maintain, improve and preserve Oakland's infrastructure and environment for the residents, businesses, visitors and future generations of every neighborhood in our diverse city.

From: Matt' Bernard <mattb522@gmail.com>

Sent: Wednesday, June 23, 2021 6:01 PM

To: Moore, David <DMoore@oaklandca.gov>

Cc: Harvey, Isaac <IHarvey@oaklandca.gov>; Lawsen, Tod <tlawsen@oaklandca.gov>; juliantreecare@gmail.com

Subject: Re: Site Meeting / Tree Permit Waiver / at Claremont Ave. Parcel 48H-7672-18

Dear David,

In regards to Oakland, CA, parcel number 48H-7672-18,

I hired the licensed, bonded, insured, revered, well-reviewed company Julian trees Inc. to take care of the hazardous trees on my lot, based on the Arborist Report from Certified Tree

Attachment 3

Arborist, after I got notification from the Oakland Fire Prevention Department.

Then, this morning, I got a call from the company while working on site, that Ted Lawsen threatened to fine them and told them to stop working, because we do not have a tree removal permit.

However, these are dead and dying trees. And, the Arborist Report we got from a Certified Tree Arborist says that we should remove these dead and dying trees, as they pose imminent fire hazards, and the trees cannot be preserved.

Per the City of Oakland hazardous tree ordinance:

https://library.municode.com/ca/oakland/codes/code_of_ordinances?nodeId=TIT12STSIPUPL_CH12.40HATR_12.40.010INF

"Hazardous tree" means any tree which poses an imminent threat to life or property, as determined by inspection using the criteria established by Section 12.40.030.

"Hazardous tree arbitrator" means any forester registered and licensed by the state of California.

It is clearly stated on the above link that no tree permit is needed to remove hazardous trees. And, indeed, this totally makes sense, because safety first. Better to prevent hazard (fire, injury, etc.) as always first since we are responsible according to the Oakland Fire Prevention Department and per the report from Certified Tree Arborist.

Besides, to fulfill all righteousness, I went to Frank Ogawa Plaza for follow up on the permit process but Frank Ogawa Plaza is still closed to public. I emailed Cecilia Garcia, and she replied that we do not need a tree removal permit if the trees are dead and dying, rather we should get Permit Waiver, she said, with your department's phone number. Then I contacted your department, in particular Ted Lawsen (see emails below), to see if we could get a permit waiver. But Ted wasn't forthcoming; he refused to accept that the trees are dead and dying and hazardous, simply because they are still standing; he said he has to come and inspect the trees first, which is to our own expense, I believe.

David, truly, we are not doing anything illegal as clearly stated in the tree removal ordinance link above; in fact, we are doing the best to prevent fire, and we are being met with harassment from neighbor reporting us on the lack of tree permit on file (while the City of Oakland Frank Ogawa Plaza is still on lockdown) and your office stopping our workers and threatening to fine the company we hire to do the job, while we the owners are responsible for any hazard on our property.

Indeed, rather than facing all these harassment and discouragement from your office,

Attachment 3

We wish your office could be better understanding of our plight for safety, and we wish your office could be encouraging our efforts to prevent hazard from erupting on our property. Hazard comes but once without forewarning.

The Arborist Report from Certified Tree Arborist clearly states the trees are hazardous, could fall on the house next door, or on people passing, or could catch fire at any moment, and we the owners are responsible.

Sincerely,

Matthew Bernard

For owners: Matthew Bernard and Lynn Warner

--

Best, :)

Matt' Bernard

<http://www.ocf.berkeley.edu/~mattb>

<http://ibmatt.org>

sent from my BlackBerry

On Wed, Jun 23, 2021, 4:07 PM Matt' Bernard <mattb522@gmail.com> wrote:

Dear David,

In regards to Oakland, CA, parcel number 48H-7672-18,

I hired the licensed, bonded, insured, revered, well-reviewed company Julian trees Inc. to take care of the hazardous trees on my lot, based on the Arborist Report from Certified Tree Arborist, after I got notification from the Oakland Fire Prevention Department.

Then, this morning, I got a call from the company while working on site, that Ted Lawsen threatened to fine them and told them to stop working, because we do not have a tree removal permit.

Attachment 3

However, these are dead and dying trees. And, the Arborist Report we got from a Certified Tree Arborist says that we should remove these dead and dying trees, as they pose imminent fire hazards, and the trees cannot be preserved.

Per the City of Oakland hazardous tree ordinance:

https://library.municode.com/ca/oakland/codes/code_of_ordinances?nodeId=TIT12STSIPUPL_CH12.40HATR_12.40.010INFI

"Hazardous tree" means any tree which poses an imminent threat to life or property, as determined by inspection using the criteria established by Section 12.40.030.

"Hazardous tree arbitrator" means any forester registered and licensed by the state of California.

It is clearly stated on the above link no need tree permit is needed to remove hazardous trees. And, indeed, this totally makes sense, because safety first. Better to prevent fire or hazard as always first since we are responsible according to the Oakland Fire Prevention Department and per the report from Certified Tree Arborist.

Besides, to fulfill all righteousness, I went to Frank Ogawa Plaza for follow up on the permit process but Frank Ogawa Plaza is still closed to public. I emailed Cecilia Garcia, and she replied that we not need a tree removal permit if the trees are dead and dying, rather we should get Permit Waiver, she said, with your department's phone number. Then I contacted your department, in particular Ted Lawsen, to see if we could get a permit waiver. But Ted wasn't forth coming; he refused to accept that the trees are dead and dying and hazardous, simply because they are still standing; he said he has to come and inspect the trees first, which is to our own expense, I believe.

David, I wish we could get a tree waiver. The Arborist Report from Certified Tree Arborist clearly states the trees are hazardous, could fall on the house next door, or on people passing, or could catch fire at any moment, and we the owners are responsible.

Sincerely,

Matthew Bernard

For owners: Matthew Bernard and Lynn Warner

--

Best, :)

Matt' Bernard

<http://ibmatt.org/matt>

<http://ibmatt.org>

On Wed, Jun 23, 2021 at 3:13 PM Moore, David <DMoore@oaklandca.gov> wrote:

Good Afternoon Matt,

Today our department responded to a report of illegal tree removal on your property.

Our staff responded to the call and intervened with a tree contractor who had heavy equipment on site, including a large crane suitable for large tree removals, as well tree climbing equipment and chainsaws.

Do you know anything about this? We do not have any tree removal permits on file for this address.

Regards,

David

David Moore

Tree Supervisor II

Tree Services Division

Certified Arborist #NY-5626A

ISA Tree Risk Assessment Qualified

Bureau of Environment

City of Oakland | Oakland Public Works Department | APWA Accredited Agency

7101 Edgewater Dr, Bldg 4 | Oakland, CA 94621

(510) 615-5852 | (510) 615-5845 Fax

dmoore@oaklandca.gov

Report A Problem | Call OAK 311 | From outside Oakland: (510) 615-5566

311.oaklandca.gov | OAK311@oaklandnet.com | Mobile app: [Apple](#) or [Android](#)

Mission Statement:

Oakland Public Works is dedicated to you! We strive to maintain, improve and preserve Oakland's infrastructure and environment for the residents, businesses, visitors and future generations of every neighborhood in our diverse city.

From: Lawsen, Tod <tlawsen@oaklandca.gov>

Sent: Monday, June 7, 2021 11:03 AM

To: Matt' Bernard <mattb522@gmail.com>

Cc: Moore, David <DMoore@oaklandca.gov>; Harvey, Isaac <IHarvey@oaklandca.gov>

Subject: RE: Site Meeting / Tree Permit Waiver / at Claremont Ave. Parcel 48H-7672-18

Hi Mathew,

Thank you for the phone call. To recap our conversation.

- The Permit Waiver, City Works Service Request #1118697 was withdrawn
- The site meeting on Claremont Ave. parcel 48H-7672-18 at 1:00pm was canceled
- Standing green trees need a Tree Removal Permit from Tree Services to be

Attachment 3

removed

- Standing dead trees can be removed with a Permit Waiver from Tree Services
- Dead brush and wood laying on the ground Oakland Fire Department can require removal
- A link to the Protected Trees ordinance has been attached for your convenience.
- If you would like to email a copy of the letter that you received from the Building and Planning Department I would be happy to look at it.

If you have questions about fire protection please call

Vegetation Management / Fire Prevention

Vincent Crudele

Phono 510-238-7391

Email vcrudele@oaklandca.gov

Thank You

Tod Lawsen

Arboricultural Inspector

Tree Services Division

Certified Arborist #6321A

ISA Tree Risk Assessment Qualified

Bureau of Environment

City of Oakland | Public Works Department | APWA Accredited Agency

7101 Edgewater Dr. | Oakland, CA 94621

(510) 615-5843 | (510)615-5845 Fax

tlawsen@oaklandca.gov

Attachment 3

Report A Problem | Call OAK 311 | From outside Oakland: (510) 615-5566

311.oaklandca.gov | OAK311@oaklandca.gov | Mobile app: [Apple](#) or [Android](#)

Mission Statement:

Oakland Public Works is dedicated to you! We strive to maintain, improve and preserve Oakland's infrastructure and environment for the residents, businesses, visitors and future generations of every neighborhood in our diverse city.

From: Matt' Bernard <mattb522@gmail.com>
Sent: Monday, June 7, 2021 10:04 AM
To: Lawsen, Tod <tlawsen@oaklandca.gov>
Cc: Moore, David <DMoore@oaklandca.gov>; Harvey, Isaac <IHarvey@oaklandca.gov>
Subject: Re: Site Meeting / Tree Permit Waiver / at Claremont Ave. Parcel 48H-7672-18

[EXTERNAL] This email originated outside of the City of Oakland. Please do not click links or open attachments unless you recognize the sender and expect the message.

Hello, Tod,

Thanks for the telephone conversation this morning. As we both agreed, our appointment with you today has been cancelled.

--
Best, :)

Matt' Bernard

<http://www.ocf.berkeley.edu/~mattb>
<http://ibmatt.org>

sent from my BlackBerry

Attachment 3

On Fri, Jun 4, 2021, 10:51 AM Matt' Bernard <mattb522@gmail.com> wrote:

Hello, Tod,

Yes, this is good time. Myself and my partner Lynn Warner (also co-owner with me) will be happy to meet with you there.

Thanks,

Matthew.

--

Best, :)

Matt' Bernard

<http://www.ocf.berkeley.edu/~mattb>

<http://ibmatt.org>

sent from my BlackBerry

On Fri, Jun 4, 2021, 10:28 AM Lawsen, Tod <tlawsen@oaklandca.gov> wrote:

Hi Mathew,

Tree Services is available to meet on Monday, June 7, 2021 at 1:00pm at Claremont Ave., Parcel 48H-7672-18. Is this a good time for you to meet and point out the dead trees?

Thank You

Tod Lawsen

Arboricultural Inspector

Tree Services Division

Certified Arborist #6321A

ISA Tree Risk Assessment Qualified

Bureau of Environment

City of Oakland | Public Works Department | APWA Accredited Agency

7101 Edgewater Dr. | Oakland, CA 94621

(510) 615-5843 | (510)615-5845 Fax

tlawsen@oaklandca.gov

Report A Problem | Call OAK 311 | From outside Oakland: (510) 615-5566

311.oaklandca.gov | OAK311@oaklandca.gov | Mobile app: [Apple](#) or [Android](#)

Mission Statement:

Oakland Public Works is dedicated to you! We strive to maintain, improve and preserve Oakland's infrastructure and environment for the residents, businesses, visitors and future generations of every neighborhood in our diverse city.



CITY OF OAKLAND
TREE DIVISION – BLDG 4
7101 EDGEWATER DRIVE
OAKLAND, CA 94621

Permit #

PLEASE CALL (510) 615-5934 FOR AN APPOINTMENT
BUSINESS HOURS Monday – Friday 8:00am – 3:30pm

TREE REMOVAL PERMIT APPLICATION NON-DEVELOPMENT RELATED

Application is hereby made pursuant to the Tree Preservation Ordinance,
Chapter 12.36, of the Oakland Municipal Code

- ❖ One or more trees 9 inches or greater in diameter at breast height.
- ❖ One or more Coast Live Oak trees, 4 inches or greater in diameter at breast height.
- ❖ Eucalyptus and Monterey Pine trees are exempt.

NAME OF APPLICANT Julian Tree Care Inc

LOCATION OF PROPERTY APN: 48H-7672-18 (CLAREMONT AVENUE)

DESCRIPTION OF TREE(S) PROPOSED FOR REMOVAL (quantity, species and diameter)

1 pine tree and 1 oak tree

REASON FOR REMOVAL OF TREE(S)

Hazardous tree. trees are in danger of falling

ATTACHMENTS One of the following three choices are required showing the number and location of tree(s) described on the application.

1. Hand Drawn Sketch

2. Site or Landscape Plan

3. Photographs

BY SIGNING BELOW I CONFIRM THE INFORMATION SUBMITTED FOR APPLICATION AND I UNDERSTAND THE NON-REFUNDABLE APPLICATION FEE IS \$434.20.

I further certify under penalty of perjury that all the information provided on this tree removal permit application is true and correct and that no zoning, land use, grading, demolition, building or other City permits have been applied for as a result of this tree(s) removal being accomplished.

DATE 06/25/21

SIGNATURE Matthew Howard

ADDRESS Lot between 7363-7401 Claremont Ave

CITY, STATE, ZIP Berkeley CA, 94705

<input type="checkbox"/>	Property Owner
<input checked="" type="checkbox"/>	Agent for Owner*

TELEPHONE (510) 256-7009

2nd PHONE _____

EMAIL Juliantreecare@gmail.com

*Please submit a letter from the property owner if acting as their agent.

6363 Christie Ave. #2102
Emeryville, CA 94608

City of Oakland
Tree Division - BLDG 4
7101 Edgewater Drive
Oakland, CA 94621

June 24, 2021

Dear Sir/Madam,

I, the owner of parcel number: 48H-7672-18, located on Claremont Avenue, hereby authorize Julian Tree Care, Inc. to serve as our agent for the tree removal permit application.

Sincerely,

Matthew Bernard
Lynn Warner

OWNER:

MATTHEW BERNARD

LYNN WARNER

ATTACHMENT 5

OAKLAND PD
 Date: 04/19/22 Time: 12:17

PAGE: 000002
 Requested By: C04

I N C I D E N T R E C A L L

Incident	Time	Type	Pri	Dispo	Address Location	Bldg Apt	Callers Name Callers Address Callers Phone	P-unit	Close Date/ Time	Operator
					BEAT TEAM/Dist AREA					
22/03/18	11:04	Route Closed:			MAIN RTAR					UNKNOWN
22/03/18	11:04	Disposition			CHANGED To: RTAR MAIN					PHAM, HIEP
22/03/18	11:04	Incident Closed:			22/03/18 11:04					UNKNOWN
22/03/18	12:25	Incident Associated to:			LOP220318000405 (A)			14		C74
22/03/18	12:27	IAAssocInc			LOP220318000405 UPDATE PriUnt to OP/1L13			23		C39
22/03/18	12:50	IAAssocInc			LOP220318000405 First Unit Arrived: OP/1L13		OS			UNKNOWN
22/03/18	14:02	IAAssocInc			LOP220318000405 UPDATE Dispo to RTAR MAIN			00		PHAM, HIEP
22/03/18	14:02	IAAssocInc			LOP220318000405 UPDATE Dispo to COV MAIN			23		C44

==== Vehicle / Subject Information ====

22/03/18	08:33	Vehicle::	Role:VS01	Color:	Year:	Make:	Model:	C63
22/03/18	08:33	Style:		Plate:	State:CA	Type:		C63
22/03/18	08:33	Misc:						C63
22/03/18	08:33	Prob. Cause:		Search Typ:		Searched:	Property:	C63

SELECTION CRITERIA: LOP220318000210

***** End of Report *****

ATTACHMENT 6

22-3144

OAKLAND PD
Date: 04/26/22 Time: 14:31

PAGE: 000001
Requested By: C04

INCIDENT RECALL

Incident	Time	Type	Pri	Dispo	Address	Bldg Apt	Callers Name	P-unit	Close Date/Time	Operator	
					Location	Callers Address					
					BEAT TEAM/Dist	AREA	Callers Phone				
220318000405	12:24	415N	1	COV	7401 CLAREMONT AV		BARBRA BAKER	OP/1L13	22/03/18	OP50032	
							000:00:00,000:00:00			14:02	
					13Y	02	P1				

Date	Time	Operator
22/03/18	12:24	26
Primary Event: MAIN Opened: 22/03/18 12:24		
22/03/18	12:24	26
Incident Initiated By: OP/26		
22/03/18	12:24	26
Operator OP/50032 Overrode Priority 2 with 1 Priority		
22/03/18	12:24	26
CHP TRANS -- RP ADVD NIEGH IS CUTTING DOWN OAK TREE, AND BRANCHES ARE		
22/03/18	12:24	26
FALLING ON RP'S HOME		
22/03/18	12:25	C39
BL TO BREAK		
22/03/18	12:25	C74
Incident Associated to: LOP220318000210 (A)		
22/03/18	12:25	C74
Incident Associated to: LOP220318000204 (A)		
22/03/18	12:26	C74
OPD RESPONDED EARLIER AND ADVD RP TO CONTACT CITY OF OAKLAND WHO IS		
22/03/18	12:26	C74
NOW OS		
22/03/18	12:26	26
RP SPOKE TO OFCR PHAM, ADVD TO HAVE CITY OFFICIALS OS -- CITY OF OAKLAND		
22/03/18	12:26	26
TREE SERVICES OS		
22/03/18	12:27	C39
Stat OP/1L13 ER Loc: 7401 CLAREMONT AV		
22/03/18	12:27	C39
Primary unit To: OP/1L13		
22/03/18	12:28	C65
ANOTHER CALL FROM TODD LAWSON WITH OAK 311 TREE SERV ADV SUBJ IS STILL		
22/03/18	12:28	C65
HERE CUTTING DOWN THE TREES -- RP DROVE DOWN THE STREET AS SUBJ WAS		
22/03/18	12:28	C65
STARTING TO GET ENRAGED		
22/03/18	12:28	C39
Stat OP/1L09 ER Loc: 7401 CLAREMONT AV		
22/03/18	12:28	26
NEIGH/BARNARD MB 30-40 5'10 MED BLD GRY BLK HAT SWEATSHIRT DK GRY JEANS		
22/03/18	12:28	26
SIL/BLK SHOES WEARING GLOVES		
22/03/18	12:28	C65
MY RP/ TODD LAWSON [REDACTED]		
22/03/18	12:29	26
NEIGH IS NEXT TO 926		
22/03/18	12:30	26
ADVD RP OFCRS ER, NO LONGER LW		
22/03/18	12:30	C63
1L13 REQ CB TO RP WITH 10MIN ETA - ON CB TO RP NO ANS LEFT VM		
22/03/18	12:50	PHAM, HIEP
Stat OP/1L13 OS Loc: 7401 CLAREMONT AV		
22/03/18	12:50	TULSI, PRANITA
Stat OP/1L09 OS Loc: 7401 CLAREMONT AV		
22/03/18	13:51	PHAM, HIEP
Arrived o/s and made contact with LAWSON, Todd [REDACTED] City of		
22/03/18	13:51	PHAM, HIEP
Oakland - Tree Services) who advised BERNARD had his permits denied and		
22/03/18	13:51	PHAM, HIEP
no tree cutting should take place.		
22/03/18	13:51	PHAM, HIEP
BERNARD left the scene but returned. He understands to cease all tree		
22/03/18	13:51	PHAM, HIEP
cutting and will coordinate with LAWSON. PDRD documented. See inc		
22/03/18	13:51	PHAM, HIEP
LOP220318000210 for earlier incident details.		
22/03/18	14:02	PHAM, HIEP
Stat OP/1L13 AV		
22/03/18	14:02	PHAM, HIEP
Disposition CHANGED To: RTAR MAIN		
22/03/18	14:02	C44
Stat OP/1L09 AV		
22/03/18	14:02	UNKNOWN
Route Closed: MAIN COV		
22/03/18	14:02	C44
Disposition CHANGED Fr: RTAR To: COV MAIN		
22/03/18	14:02	UNKNOWN
Incident Closed: 22/03/18 14:02		

==== Vehicle / Subject Information ====

NO VEHICLE OR SUBJECT RECORDS FOR EVENT LOP220318000405.

ATTACHMENT 6

OAKLAND PD

PAGE: 000002

Date: 04/26/22 Time: 14:31

Requested By: C04

I N C I D E N T R E C A L L

Incident	Time	Type	Pri	Dispo	Address Location	Bldg	Apt	Callers Name	P-unit	Close Date/ Time	Operator
-----					BEAT TEAM/Dist AREA	----		Callers Address Callers Phone			

SELECTION CRITERIA: LOP220318000405

***** End of Report *****

Attachment 7

From: [Lawsen, Tod](#)
To: [Matt" Bernard](#)
Subject: RE: Matt from Claremont Ave
Date: Tuesday, March 22, 2022 2:23:00 PM

I Matt,

Thank you for the invitation. City policy does not allow for the type of meeting you are requesting. I can provide a list of requirement needed for a Development related Tree Removal Permit.

- Find a licensed contractor for the project.
- Apply for a building permit and development related tree removal permit at 250 Frank Ogawa Plaza.
- Need plans from a licensed surveyor that show all protected size tree on the property (tree larger than 9" diameter at breast height, DBH)
- The plans must list all trees that are within 10' of construction even if they are on a neighboring property
- All Protected trees being remove must have a clear reason for removal.
- The reason for removal needs to be one that is listed in the Protected Trees Ordinance for the removal to be approved.
- All replacement native trees being removed must have replace trees planted.
-

I have attached a copy of the Protected Tree Ordinance for your convenience. Please read through and consult a local certified arborist for help. Please reach out if you have questions.

Thank You

Tod Lawsen
Arboricultural Inspector
Tree Services Division
Certified Arborist #6321A
ISA Tree Risk Assessment Qualified

Bureau of Environment
City of Oakland | Public Works Department | APWA Accredited Agency
7101 Edgewater Dr. | Oakland, CA 94621
(510) 615-5843 | (510)615-5845 Fax
tlawsen@oaklandca.gov

Report A Problem | Call OAK 311 | From outside Oakland: (510) 615-5566
311.oaklandca.gov | OAK311@oaklandca.gov | Mobile app: [Apple](#) or [Android](#)

Mission Statement:

Oakland Public Works is dedicated to you! We strive to maintain, improve and preserve Oakland's infrastructure and environment for the residents, businesses, visitors and future generations of every neighborhood in our diverse city.

Attachment 7

From: Matt' Bernard <mattb522@gmail.com>

Sent: Friday, March 18, 2022 3:26 PM

To: Lawsen, Tod <tlawsen@oaklandca.gov>

Subject: Matt from Claremont Ave

[EXTERNAL] This email originated outside of the City of Oakland. Please do not click links or open attachments unless you recognize the sender and expect the message.

Hello Tod,

Thanks for your time today, will heed your advice to the "Tee". When can we grab a coffee, just to discuss your thoughts that can be quite useful to me in regards to developing the lot. As I understand the nondisclosure / conflict-of-interest of the nature of your job with regards to recommendations, this is why I would like to me outside of your work, like at your favorite Coffee shop or hanging out place, so I can share with you what my plans are. If you don't mind. I'd be very glad. Caffe strada in Berkeley seems OK, I don't know if you live in the area. But I understand you are busy, I'm willing to drive to any location of your choose, distance is not a problem at all.

Thanks,

Matt

--

Best, :)

Matt' Bernard

<http://ibmatt.org/matt>

<http://ibmatt.org>

ATTACHMENT 8

OAKLAND PD

PAGE: 000001

Date: 10/08/25 Time: 12:25

Requested By: CORTES, ROSARIO

I N C I D E N T R E C A L L

Incident	Time	Type	Pri	Dispo	Address Location	Bldg Apt	Callers Name Callers Address Callers Phone	P-unit	Close Date/ Time	Operator
					BEAT TEAM/Dist AREA					
220507000245	08:17	415N	2	RTAR	7401 CLAREMONT AV		PETER LEE [REDACTED]	OP/1L13	22/05/07 11:04	OP50027
					13Y 02 P1					

Date	Time									Operator
22/05/07	08:17	Primary Event: MAIN Opened: 22/05/07 08:17								C90
22/05/07	08:17	Incident Initiated By: OP/C90								C90
22/05/07	08:17	962- RP ADV'G OF NEIGH CUTTING DOWN OAK TREE THAT IS VERY CLOSE TO RP'S								C90
22/05/07	08:17	HOUSE - NEIGH/MATTHEW BERNARD MB 52 5'10 MED-HEAVY GRY SWEATSHIRT BLK								C90
22/05/07	08:17	PANTS - NO WEAPONS BUT HAS A CHAINSAW - RP ADV'D THERE IS A COURT ORDER								C90
22/05/07	08:17	FOR NEIGH NOT TO CUT DOWN TREES AND WAS INSTRUCTED TO CALL OPD IF HE DOES								C90
22/05/07	08:17	IT -								C90
22/05/07	08:17	Stat	OP/1L13	ER	Loc: 7401 CLAREMONT AV				C14	
22/05/07	08:17	Primary unit		To: OP/1L13				C14		
22/05/07	08:18	RP ADV'D HE CAN SHOW PROOF OF THE REPORTS TO OPD OFCRS -								C90
22/05/07	08:18	Stat	OP/1L09	ER	Loc: 7401 CLAREMONT AV				C14	
22/05/07	08:18	1L09 CD 6						C14		
22/05/07	08:30	Unit	OP/1L13	Reassigned	To: LOP220507000226				C14	
22/05/07	08:30	Primary unit		Fr: OP/1L13	To: OP/1L09				C14	
22/05/07	08:30	Unit	OP/1L09	Reassigned	To: LOP220507000226				C14	
22/05/07	10:02	Stat	OP/1L13	ER	Loc: 7401 CLAREMONT AV				C42	
22/05/07	10:02	Stat	OP/1L09	ER	Loc: 7401 CLAREMONT AV				C42	
22/05/07	10:02	Primary unit		To: OP/1L13				C42		
22/05/07	10:02	1L13/1L09 --CD6						C42		
22/05/07	10:21	Stat	OP/1L13	OS	Loc: 7401 CLAREMONT AV				PHAM, HIEP	
22/05/07	10:21	Stat	OP/1L09	OS	Loc: 7401 CLAREMONT AV				TULSI, PRANITA	
22/05/07	10:45	Arrived o/s and SUBJ was GOA. I contacted RP via my work issued cell								00
22/05/07	10:45	phone. I provided inc# and badge#. RP will callback when SUBJ returns. I								00
22/05/07	10:45	advised SUBJ will be cited when ofcs contact again.								00
22/05/07	10:52	Stat	OP/1L09	AV					C42	
22/05/07	10:52	Disposition		CHANGED	To: COV MAIN				C42	
22/05/07	11:04	Stat	OP/1L13	AV					PHAM, HIEP	
22/05/07	11:04	Route Closed: MAIN		RTAR					UNKNOWN	
22/05/07	11:04	Disposition		CHANGED Fr: COV	To: RTAR MAIN				PHAM, HIEP	
22/05/07	11:04	Incident Closed: 22/05/07 11:04								UNKNOWN

==== Vehicle / Subject Information ====

NO VEHICLE OR SUBJECT RECORDS FOR EVENT LOP220507000245.

SELECTION CRITERIA: LOP220507000245

***** End of Report *****

ATTACHMENT 8

OAKLAND PD

PAGE: 000001

Date: 10/08/25 Time: 12:38

Requested By: CORTES, ROSARIO

Incident Number	Date	Time	Type	Dispo	Address	CITY	Unit	Officers	Report Number
*****	*****	*****	*****	*****	*****	*****	*****	*****	*****
240317000751	24/03/17	16:06	A459	CMS	1486 8TH ST	OAKLAND			
240317001125	24/03/17	22:18	BTNFO	BCAST	1486 8TH ST	OAKLAND			

ATTACHMENT 8

I N C I D E N T R E C A L L

SELECTION CRITERIA:

VEH PLATE :
DATE : 240101 THROUGH 241231
TIME : 0000 THROUGH 2359
AGENCY : OP UNIT :
AREA : SECTOR : RESP ZN :
TYPE :
OFFICER :
ADDRESS :
VICTIM :
FILTER :
SOURCE CD : , AGENCY ID :