



CITY OF OAKLAND

# AGENDA REPORT


**TO:** Jestin D. Johnson  
City Administrator

**FROM:** Liam Garland  
Director, Public Works

**SUBJECT:** Supplemental – Violation of the  
Oakland Municipal Code Chapter  
12.36 (Protected Tree Ordinance) at 0  
Claremont Avenue, Assessor Parcel  
Number 48H-7672-18

**DATE:** March 23, 2026

City Administrator Approval

  
Jestin Johnson (Apr 9, 2026 20:14:55 PDT)

Date: Apr 9, 2026

## RECOMMENDATION

**Staff Recommends That The City Council Receive This Supplemental Information For The Violation Hearing Regarding Mr. Bernard’s Violation Of The Oakland Municipal Code Chapter 12.36 For The Illegal Removal Of Thirty-Eight (38) Protected Trees At 0 Claremont Avenue, Assessor Parcel Number 48H-7672-18.**

## REASON FOR SUPPLEMENTAL

This supplemental report provides further evidence and/or clarifies the evidence provided City staff provided to the City Council on December 16, 2025, City Council Violation Hearing, which has been continued to April 14, 2026. In sum, the following supplemental information further supports City staff’s position that Mr. Bernard violated Oakland Municipal Code Chapter 12.36 (Protected Trees) by knowingly removing thirty-eight (38) protected trees on his property at 0 Claremont Avenue (APN: 48H-7672-18) (the “Property”) without permits:

- **Attachment 1: Images of 38 Stumps** – Images of all thirty-eight (38) freshly cut stumps of the protected trees that Mr. Bernard illegally removed. City staff listed each of these trees in the original report for the 12/16/2025 hearing, but City staff want to provide the Council with photographs of each tree Mr. Bernard illegally removed from the Property. The numbers correspond to the map in the attachment.
- **Attachment 2: Timeline with Attachments** – A condensed timeline of events starting with the first interaction between City of Oakland staff and Mr. Bernard and ending with Mr. Bernard’s filing of development plans for the parcel.
- **Attachment 3: Tree Appraisal Summaries** – Tree valuation summary document summarizes the ten approaches to appraising the value of the trees City staff has developed for the Council to consider if the Council imposes a fine for the violation.
- **Attachment 4: Tree Appraisal Data** – The tree appraisal spreadsheet provides the specific details for each of the ten appraisal calculations, using the International Society

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of Arboriculture's *Guide for Plant Appraisal*, the required valuation method per Oakland Municipal Code Section 12.36.150(E).

- **Attachment 5: Personnel and Equipment Costs** – Staff time and equipment costs associated with the investigation and enforcement of this violation, which shall be charged to Mr. Bernard pursuant to Oakland Municipal Code Section 12.36.150(D). These costs include staff visits to the site in response to notifications of illegal tree removals, on-site discussions with Mr. Bernard, the appraisal process, City Attorney costs, and the preparation of notices for the hearing and agenda materials.

**ACTION REQUESTED OF THE CITY COUNCIL**

**Staff Recommends That The City Council Receive This Supplemental Information For The Violation Hearing Regarding Mr. Bernard’s Violation Of The Oakland Municipal Code Chapter 12.36 For The Illegal Removal Of Thirty-Eight (38) Protected Trees At 0 Claremont Avenue, Assessor Parcel Number 48H-7672-18.**

For questions regarding this report, please contact Kristin Hathaway, Assistant Director, at (510) 238-7571.

Respectfully submitted,



Liam Garland (Apr 9, 2026 14:22:48 PDT)

Liam Garland  
Director, Oakland Public Works

Reviewed by:

Kristin Hathaway, Assistant Director, OPW  
Clinton Pugh, Parks & Tree Division Manager  
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Prepared by:

Gordon Matassa, Arboricultural Inspector  
Parks & Tree Division

Attachments (5):

- Attachment 1: Images of 38 Stumps
- Attachment 2: Timeline with Attachments
- Attachment 3: Tree Appraisal Summaries
- Attachment 4: Tree Appraisal Data
- Attachment 3: Personnel and Equipment Costs