LA NEIGHBORS UNITED

Tree Trimming & Sidewalk Repair: Key Principles for Constructive Action

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How Did We Get in this Mess?

Today, at this moment in time, the city of Los Angeles is essentially out of the tree trimming and sidewalk repair business. If you're a homeowner, these are your responsibilities, unless dangerous risk to life and limb is so imminent that people are going to die in the next five minutes. Even then, as Kerry Cavanaugh of the Los Angeles Daily News has reported, you may still be on your own.

When you bought your home in Los Angeles, this wasn't part of the deal. Your taxes paid for the service, to the extent you needed service.

> *To make matters worse, the City Council now is considering an ordinance that would permanently shift to homeowners sidewalk repair responsibility for damage due to tree roots. The Council's Budget and Finance Committee and Public Works Committee could take up the measure at any time. Read the proposed ordinance and learn more about the sidewalks issue at www.LAneighbors.org. Click on "City of Broken Sidewalks" under "Hot Topics."*

Change is constant, and we accept the notion of "shared responsibility," but there's nothing shared about shifting the entirety of responsibility for tree trimming and sidewalk repair to homeowners. To us, that means the city is no longer in the city business … and that is not acceptable.

In contemplating the principles laid out below, we confronted issues and questions many of our neighbors are hard-pressed to explain:

How did this happen to our city? How did we get in this mess?

- Government mismanagement?
- Poor spending choices by our elected officials?
- Blatant neglect?
- The aging of trees and infrastructure?
- The widening of streets and narrowing of public parkways?
- The planting of inappropriate trees?
- The rising cost of government payrolls and benefits?

No doubt all of these factors have contributed to the problem.

Harder for us to understand is why the city has been unable to get its arms around the problem. For example, why is there no inventory of sidewalk conditions, including identification of the worst, most dangerous sidewalks? Had we maintained such an inventory, the city would have been in a position to apply for federal stimulus funds to help address the problem. But no such inventory exists.

Similarly, the people of Los Angeles are still waiting for the city to produce an inventory of trees it believes it <u>can</u> conceivably maintain.

We struggle to understand why the basics of running a city seem so difficult for our city … and why a city that can afford to provide $640 million in tax breaks to downtown hotel developers, as one example, cannot fund tree trimming and sidewalk repair even at a modest level.

Some neighboring cities, such as Pasadena, have figured this out. In Pasadena, homeowners are responsible for the repair of sidewalks, but the city trims every tree in the public parkway, including pruning tree roots. Thus, homeowner liability for sidewalk repair is manageable. This is an example of reasonable responsibility sharing.

We believe in shared responsibility … that this is our collective problem … and that it must be solved. We hope these principles will contribute positively to the conversation and to potential solutions. Our city cannot abrogate its responsibilities as a city. A city must provide basic services, or the city will not be livable and sustainable.

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- **<u>Solve the tree trimming problem first.</u>**

  The city should identify a revenue stream to fund tree trimming through a regular system. The burden of tree trimming, including root pruning, combined with sidewalk repair, is large … too large for many homeowners, who didn't bargain for such responsibility when they bought their homes. The city should remain in the tree-trimming business, and fix today's mess.

- **<u>Ensure that there is no net loss of trees in the urban forest.</u>**

  The city's commitment to tree trimming is critical to ensure there is no additional loss of trees in our urban forest. (Already, a significant number of trees have been lost to mansionization.) We are very concerned that if tree trimming and sidewalk repair responsibilities fall entirely on property owners, many will choose to eliminate trees versus accepting the responsibility for their care, including potential sidewalk conflicts. This will further degrade the urban forest, and our quality of life in the city.

- **<u>Fix the sidewalk problem within a generation.</u>**

  Any sidewalk improvement program should ensure that all sidewalks are repaired within a generation. That said, the local economy would benefit significantly if the investment in sidewalk infrastructure could be accelerated. Likewise, the personal safety and reduced

liability benefits would be realized sooner. Dangerous sidewalks should be repaired first, regardless of when properties are next sold.

- **If the city assumes responsibility for tree root pruning, as Pasadena does, some shared responsibility for future sidewalk repair costs is reasonable.**

  We strongly oppose shifting repair for existing tree-root damaged sidewalks to residential property owners. The city should fix the current mess. Once the problem is addressed, and if the city takes responsibility for tree root pruning going forward, some shared responsibility for sidewalk repair costs is reasonable.

- **Any new sidewalk repair program that places even some responsibility on property owners should be accompanied by a financing mechanism that allows repair costs to be paid over time.**

  There should be a no- or low-interest financing program that allows property owners to finance repairs over time, such as through on-bill financing (property tax bill, utility bill).

Thank you for your consideration of our key principles.

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