

**From:** [noreply@granicusideas.com](mailto:noreply@granicusideas.com)  
**To:** [Eduardo Sarmiento](#); [City Council](#); [Suja Lowenthal](#); [Angela Crespi](#)  
**Subject:** New eComment for City Council Virtual Meeting Closed Session - 5:00 P.M.=0ARegular Meeting - 6:00 P.M.=0ADuly Posted on July 23, 2021 at 4:55 P.M. by E.S.  
**Date:** Monday, July 26, 2021 5:18:44 PM

---

[SpeakUp](#)

---

## New eComment for City Council Virtual Meeting Closed Session - 5:00 P.M. Regular Meeting - 6:00 P.M. Duly Posted on July 23, 2021 at 4:55 P.M. by E.S.

Rachel Hayes submitted a new eComment.

Meeting: City Council Virtual Meeting Closed Session - 5:00 P.M. Regular Meeting - 6:00 P.M. Duly Posted on July 23, 2021 at 4:55 P.M. by E.S.

Item: b. REPORT 21-0468 ORDINANCE TO REQUIRE PROPERTY OWNERS TO REPAIR THE SIDEWALK AREA ABUTTING THEIR REAL PROPERTY (City Attorney Michael Jenkins)

eComment: I fundamentally believe that sidewalks should be managed and funded as a core part of the city's transportation system, like roads, rather than fixed in a piecemeal fashion by property owners. For the amount of property taxes we pay, the city should have funds to maintain the sidewalks. How can the city preserve as many healthy, mature trees as possible for shade and other environmental benefits, when many of those big old trees are responsible for the vast majority of busted sidewalks? If a homeowner is going to be held responsible for the sidewalk, then they should be allowed to remove ANY tree causing damage to the sidewalk. As a homeowner with a City Parkway we had to apply for permission to remove two trees that were entirely too large for their location. We are responsible to maintain a 4 foot planter in front of our house that abuts the public sidewalk. When we purchased the house there was a 60 foot tall Star Pine tree and a 30 foot wide Brazillian Pepper tree both sharing a 4ft x 30ft planter. We were rejected by the commissioners in a 3-2 vote to remove the pepper tree because one of the commissioners "likes Pepper trees". It should have been a 5-0 vote that we could take this tree out. Now we are being told we will be responsible for damage to the sidewalk in front of our house caused by these trees. You cannot make the homeowner keep a tree, but still be responsible for the damage it causes. You can't have it both ways. I watched a commissioner meeting where they spoke for over an hour about a tree that a homeowner wanted to remove because it was in the middle of where a new sidewalk was going to be poured. The homeowner was going to plant 2 new trees on their property, but needed to get permission to remove an old tree to make way for a new sidewalk. You need to decide which is more important - the tree or the sidewalk. There did not need to be an hour discussion - the tree needed to go. I understand

the City of Los Angeles created an ordinance to transfer maintenance of city sidewalks to the adjacent property owner. I read that the Los Angeles City Council finally adopted a “fix and release” approach under which the city would repair the sidewalks first and then return responsibility to property owners. If you are going to adopt this ordinance, then you need to first let homeowners remove all trees that are causing damage, perhaps in coordination with the city doing the initial repair to the sidewalk.... then hold property owners responsible for future repairs. If the problem is that Public Works does not have the time, then perhaps the city could offer property owners a rebate of the repair cost if the property owner fixes the sidewalk themselves within the first three years of the program. At a minimum, if the property owner has to pay, then the city should offer a warranty on the repairs — ie. 20 years for residential properties, 5 years for commercial and industrial properties — during which time the city would cover repairs unless damage is caused by the property owner. Passing the burden 100% onto property owners is not the solution.

[View and Analyze eComments](#)

This email was sent from <https://granicusideas.com>.

[Unsubscribe](#) from future mailings