

# Fwd: Opposition to sidewalk repair responsibility transfer.

1 message

Robert Guevara <[rguevara@earthlink.net](mailto:rguevara@earthlink.net)>  
To: "Eric.Villanueva-lacity.org" <[Eric.Villanueva@lacity.org](mailto:Eric.Villanueva@lacity.org)>

Wed, Oct 19, 2011 at 2:45 PM

Dear Mr. Villanueva,

As committee legislative assistant I am sending this to you, earlier sent to committee members as my opposition to the shift of responsibility.

Thank you

Robert Guevara

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Date: Wed, 19 Oct 2011 14:26:02 -0700  
To: [councilmember.huizar@lacity.org](mailto:councilmember.huizar@lacity.org)  
From: Robert Guevara <[rguevara@earthlink.net](mailto:rguevara@earthlink.net)>  
Subject: Opposition to sidewalk repair responsibility transfer.  
Cc: [councilmember.parks-lacity.org](mailto:councilmember.parks-lacity.org), Councilmember\_Mitchell\_Englander  
Bcc: robert at lhs 90031

Dear Council member Huizar, Chair, Public Works Committee:

Sorry for this late notice as your joint meeting of the Public Works and Budget and Finance Committee are set for 2pm today.

As a constituent in CD-14, I want to make clear my opposition to the transfer of the responsibility for sidewalk repair to property owners, especially the short time frame contemplated for property owner action.

I would expect this to be an unpopular change among other constituents but can only convey my position as a certainty.

Also, there is marked lack of information provided generally from your office of the actions that we would be interested in getting from you in the city council including this matter.

Some improved communications to the ERNC generally from your office would be appreciated so that a more timely involvement would be possible and allow more participation in gathering the views of the community to convey to you on such things, something an NC should be doing as a duty of the organization and membership.

Sincerely,

Robert Guevara

A board member of the Eagle Rock Neighborhood Council,  
the view expressed here is conveyed as solely my own and not the ERNC.

cell: 323-270-4757

Robert Guevara  
cell: 323-270-4757



Eric (Roderico) Villanueva <eric.villanueva@lacity.org>

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## Fwd: SIDEWALK REPAIR ISSUE IN COMMITTEE TODAY

1 message

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Robert Guevara <rguevara@earthlink.net>  
To: "Eric.Villanueva-lacity.org" <Eric.Villanueva@lacity.org>

Wed, Oct 19, 2011 at 2:43 PM

Date: Wed, 19 Oct 2011 14:39:54 -0700

To: [councilmember.parks-lacity.org](mailto:councilmember.parks-lacity.org)

From: Robert Guevara <rguevara@earthlink.net>

Subject: SIDEWALK REPAIR ISSUE IN COMMITTEE TODAY

Cc: [councilmember.huizar-lacity.org](mailto:councilmember.huizar-lacity.org), Councilmember\_Mitchell\_Englander, [councilman.rosendahl-lacity.org](mailto:councilman.rosendahl-lacity.org), [Paul.Koretz@lacity.org](mailto:Paul.Koretz@lacity.org), [councilmember.cardenas-lacity.or](mailto:councilmember.cardenas-lacity.or), [councilmember.cardenas-lacity.or](mailto:councilmember.cardenas-lacity.or), Paul Habib, [councilmember.cardenas-lacity.or](mailto:councilmember.cardenas-lacity.or)

Bcc: robert at lhs 90031, Frank Wada

Dear Council Member Parks, Chair, Budget and Finance Committee:

I am voicing my opinion on the SIDEWALK REPAIR ISSUE IN COMMITTEE TODAY. I am opposed to shifting responsibility of the sidewalk repair to the property owners.

In that change I am also opposing the change as well that makes a 90 day period operative as the compliance opportunity before more expenses are assessed against the property owner.

Again, this change is firmly opposed by me and I am not alone in this view but speak only for myself and family members on this item.

I do not think information on such things as this proposed change have been evenly disseminated among neighborhood councils.

I am a board member of the Eagle Rock Neighborhood Council and the news of these and other significant proposals in city council really never come from the Council sources but from blogs, newspaper and radio sources. The council should work better with NCs for a more open government.

Sincerely

Robert Guevara  
Constituent in CD-14  
A board member of Eagle Rock Neighborhood Council,  
speaking for myself and not the ERNC

cell: 323-270-4757

Robert Guevara  
cell: 323-270-4757

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Eric (Roderico) Villanueva <eric.villanueva@lacity.org>

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## Council File # -05-1853 and 05-1853-S1

1 message

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Ellen Bagelman <eplus3@socal.rr.com>

Wed, Oct 19, 2011 at 10:17 AM

To: Eric.Villanueva@lacity.org

I hereby submit comments with regards to the proposed sidewalk repair ordinance which "requires property owners to commence the necessary repairs within 90 days of being "cited" from a list of City-approved contractors. If the repairs are not made during this time frame, the City would do them, add a 40% "administrative fee," and then collect by a property lien and/or legal action which could include garnishing wages, bank accounts, etc."

The intent of this ordinance is punitive and draconian in consequence. It pre-supposes that homeowners intentionally created a dangerous condition on their property (even though the trees are city-owned, and there is a direct nexis between overgrown/undermaintained trees and elevated adjacent sidewalks), and that they refuse to correct/remedy the situation. In fact, many homeowners have attempted to make such repairs, only to face time delay or financial burden. The real estate industry adamantly opposed the 'at point of sale' remedy, which homeowners also oppose. A reasonable remedy must be found, which is acceptable to all parties. Nothing short of this will be accepted.

I don't believe there currently is a reasonable remedy, and therefore this ordinance is premature. It must be defeated.

Finally, it's insulting to play the "we only had to give 24 hour notice of his hearing" -- that displays bad faith, a lack of transparency and general unfairness.

Ellen Bagelman  
16434 Hamlin Street  
Lake Balboa, CA 91406

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Eric (Roderico) Villanueva <eric.villanueva@lacity.org>

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## Damaged Sidewalk Repair

1 message

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lee smith <daisymay4321@att.net>

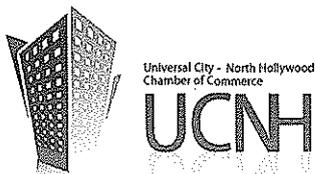
Wed, Oct 19, 2011 at 10:35 AM

To: Eric.Villanueva@lacity.org

I oppose the proposal of transferring the responsibility of repairing sidewalks damaged by tree (trees planted by the City) roots from the City to the property owners. This is an unfair, unjust proposal and must not be tolerated.

Lee Smith  
18618 Lemay Street  
Reseda, CA 91335

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Universal City North Hollywood  
Chamber of Commerce  
6369 Bellingham Avenue  
North Hollywood, CA 91606  
(818) 508-5155 Fax (818) 508-5156  
www.noho.org info@noho.org

October 19, 2011

Councilman Paul Koretz  
200 N. Spring St., #440  
Los Angeles, CA 90012

Via Email: [Eric.Villanueva@lacity.org](mailto:Eric.Villanueva@lacity.org)  
Council File numbers 05-1853 and 05-1853-S1.

Dear Councilman Koretz:

The Board of Directors of the Universal City North Hollywood Chamber **opposes the transferring of cost of repair of "public sidewalks" to the property owners in the City of Los Angeles. This action was taken at the October Board meeting on October 13, 2011.**

The original 2005 motion was to have a point of sale requirement; last year the City Council directed instead that the City Attorney draft an ordinance (included with report above) that required property owners to commence the necessary repairs within 90 days of being "cited" from a list of City-approved contractors.

If the repairs were not made during this time frame, the City would do them, add a 40% "administrative fee," and then collect by a property lien and/or legal action which could include garnishing wages, bank accounts, etc.

The City is the largest city in the nation, with nearly 11,000 miles of sidewalks which meander through the City. At last count 4,600 miles of the sidewalks were unsafe, cracked and buckling from tree roots.

At a time when area residents and workers are becoming more pedestrian and transit oriented, L.A. has not invested nearly enough in sidewalk safety. Los Angeles policy makers invest 60% of its budget on public safety, (police, and fire and emergency medical services). What's ironic is that Los Angeles policy makers invest less than 2% of its general fund revenue on sidewalk safety.

Facing a class action lawsuit from the disability rights community, and a looming future budget shortfall, L.A. is looking for ways to increase revenue and switch responsibility and liability caused by broken sidewalks on the backs of property owners.



Eric (Roderico) Villanueva <eric.villanueva@lacity.org>

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## Opposition to Sidewalk Repair - Public Hearing Today

1 message

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UCNH Info <info@noho.org>

Wed, Oct 19, 2011 at 12:27 PM

To: Eric.Villanueva@lacity.org

Eric,

Attached is an opposition letter from the Board of Directors for the Universal City North Hollywood Chamber of Commerce in opposition for the Sidewalk Repair point of sale that is being taken up today at 2 p.m.

Please make sure our letter is introduced at the hearing.

Thank you so much for your help in this vital matter to every property owner in the City of Los Angeles.

Michelle

Michelle Gilstrap

Executive Director

818-508-5155

818-508-5156 Fax

[www.noho.org](http://www.noho.org)



Point of Sale Letter Councilman Koretz.doc

75K



Eric (Roderico) Villanueva <eric.villanueva@lacity.org>

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## side walk repair

1 message

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G. Crouse <canuckchief1@yahoo.com>

Wed, Oct 19, 2011 at 12:01 PM

Reply-To: "G. Crouse" <canuckchief1@yahoo.com>

To: "Eric.Villanueva@lacity.org" <Eric.Villanueva@lacity.org>

I am registering my opposition to the proposal of side walk repair becoming the responsibility of homeowners.

Council File numbers 05-1853 and 05-1853-S1.

Gerry Crouse  
Area E Director  
Del Rey Neighborhood Council

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Eric (Roderico) Villanueva <eric.villanueva@lacity.org>

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## Council file #05-1853/05-1853-S1

1 message

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Maureen Fletcher <du4design@gmail.com>

Wed, Oct 19, 2011 at 10:53 AM

To: Eric.Villanueva@lacity.org

Dear Committee Members,

Being a long time North Hollywood resident (pre Valley Village), I am appalled by this attempt to put the responsibility due to city neglect on the shoulders of the home owners. I have been petitioning the city since 1980's to remove two huge 'dead' trees, not only dangerous, but destroying the street and particularly my driveway, it is practically impassable at this time.

Please I beg you, do NOT put this burden on homeowners who are struggling to maintain and hold on to their property. These trees were planted by the city on city property, funds must be allocated to do the right thing for the safety of our city.

Maureen Fletcher  
Valley Village Resident

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Eric (Roderico) Villanueva <eric.villanueva@lacity.org>

## Re: URGENT: Sidewalk Repair Issue In Committee Today 2 pm

1 message

pamela goldfinger <pkgoldfinger@verizon.net>

Wed, Oct 19, 2011 at 11:21 AM

To: Bernard.C.Parks@lacity.org, RICHARD ALARCON <richard.alarcon@lacity.org>, Eric.Villanueva@lacity.org  
Cc: "Rosales, Dan" <dan.rosales@lacity.org>, Brad Klimovitch <brad@nvamc.com>, david91340@yahoo.com, manny figueras <manny.figuera@lacity.org>, no1leyblondeangel@yahoo.com, Joe Lozano <jl\_pinoy@msn.com>, Elizabeth Marx <ElizabethM@gmail.com>, Richard & Ruth Arroyo <rarroyo@mwdh2o.com>

Gentlemen:

Following Paper was taken from Good Cities, "Walking in L.A.: Street Trees as Vandals."

"There are 6,500 miles of streets in Los Angeles; 10,000 miles of sidewalks. Planted along them are 670,000 city-managed trees—crape myrtles, fan palms, American sweetgums, Southern magnolias, Indian laurel figs. All the trees here, except for the palms, seem to grow outward rather than upward—a nice metaphor for a city synonymous with sprawl, sure, but it's hell on the sidewalks. Los Angeles spends \$3 to \$5 million a year getting sued for trips and falls on street cracks, and 90 percent of sidewalk damage is caused by tree roots.

In "Street Trees of Los Angeles," a boringly titled but fascinating paper put out by researchers from the UC Davis School of Urban Forestry and Los Angeles's public works department, the authors suggest this solution: root pruning. It is, basically, lifting the sidewalk and going at the delinquent roots with a chainsaw. Los Angeles still plants about 16,500 trees a year, and the paper suggests that "selecting tree species that are well-suited to their sites" will cause a lot less damage. Will this mean only palm trees? Will everywhere look a little like Beverly Hills? (Later I learn that this is impossible, that even though Beverly Hills is lined with palms it doesn't have many sidewalks.)"

Most of the street trees planted though out our City were selected and planted by the City and housing developers. The Cities lack of maintenance of street trees, regular trimming and root pruning, has been notoriously lacking for more than a decade. For the City of Los Angeles to now choose to hold property owners responsible for the damage that occurs to sidewalks from street trees when said property owners had no authority or control of the selection and/or planting of said trees would seem a grossly unreasonable and unfair burden.

Finally, since I cannot state it better, I will quote Mr. Klimovitch, "Proposals that fly under property owners radar like this just add fuel to the disdain felt towards our elected officials at city hall!"

Pamela Goldfinger, Mission Hills

----- Original Message -----

**From:** Brad Klimovitch  
**To:** Figueras, Manny ; Goldfinger, Pam ; Guzman, David  
**Cc:** Rosales, Dan  
**Sent:** Wednesday, October 19, 2011 12:11 PM  
**Subject:** Fwd: URGENT: Sidewalk Repair Issue In Committee Today 2 pm

Good morning gentlemen,

I oppose this proposed ordinance and hope with my Mr Alarcons and Mr Englanders wisdom that this measure is defeated. Proposals that fly under property owners radar like this just add fuel to the disdain felt towards our elected officials at city hall!

Sincerely,

Brad Klimovitch C.A.M.F  
Managing Director  
North Valley Anger Management Consultants  
(888)992-6479  
(818)606-7531

—Original Message—

**From:** Glenn Bailey [mailto:[glennbaileysfv@yahoo.com](mailto:glennbaileysfv@yahoo.com)]  
**Sent:** Wednesday, October 19, 2011 12:55 PM  
**To:** 'Glenn Bailey'  
**Subject:** URGENT: Sidewalk Repair Issue In Committee Today 2 pm

#### SIDEWALK REPAIR ISSUE IN COMMITTEE TODAY 2 PM

The controversial proposal to transfer the responsibility of repairing sidewalks, curbs, and driveways damaged by tree roots from the City to the adjoining property owner will be considered this afternoon at a 2:00 p.m. special joint meeting of the City Council's Public Works and Budget and Finance Committees at City Hall Room 1010. As Neighborhood Councils know, special meetings only require 24 hour posting notice and apparently that's all that was provided.

A Bureau of Street Services report dated October 19, 2011 lists seven options with six sub-options, including a "no change" option. The full report is available here:  
[http://clkrep.lacity.org/online/docs/2005/05-1853\\_rpt\\_boss\\_010-019-11.pdf](http://clkrep.lacity.org/online/docs/2005/05-1853_rpt_boss_010-019-11.pdf)

The original 2005 motion was to have a point of sale requirement; last year the City Council directed instead that the City Attorney draft an ordinance (included with report above) that required property owners to commence the necessary repairs within 90 days of being "cited" from a list of City-approved contractors. If the repairs were not made during this time frame, the City would do them, add a 40% "administrative fee," and then collect by a property lien and/or legal action which could include garnishing wages, bank accounts, etc.

Many NCs have voted to oppose the ordinance as drafted and some have filed Community Impact Statements, which appear on today's agenda (see below).

If you are unable to attend the meeting, email and/or telephone the committee members: Huizar, Parks, Englander, Cardenas, Koretz, and Rosendahl.

Comments for the official file should be emailed to: [Eric.Villanueva@lacity.org](mailto:Eric.Villanueva@lacity.org) and include the Council File numbers 05-1853 and 05-1853-S1.

Thank you.

Glenn Bailey  
Area 1 Representative  
Encino Neighborhood Council

Office/Voicemail: 818-453-3407

Here is the meeting agenda text:

PUBLIC WORKS COMMITTEE and  
BUDGET AND FINANCE COMMITTEE, SPECIAL JOINT MEETING

WEDNESDAY, OCTOBER 19, 2011  
ROOM 1010, CITY HALL - 2:00 PM  
200 NORTH SPRING STREET, LOS ANGELES, CA 90012

PUBLIC WORKS COMMITTEE MEMBERS:  
COUNCILMEMBER JOSE HUIZAR, CHAIR  
COUNCILMEMBER MITCHELL ENGLANDER  
COUNCILMEMBER BERNARD C. PARKS

BUDGET AND FINANCE COMMITTEE MEMBERS:  
COUNCILMEMBER BERNARD C. PARKS, CHAIR  
COUNCILMEMBER TONY CARDENAS  
COUNCILMEMBER MITCHELL ENGLANDER  
COUNCILMEMBER PAUL KORETZ  
COUNCILMEMBER BILL ROSENDAHL

(Eric Villanueva - Legislative Assistant - 213-978-1077 or e-mail [Eric.Villanueva@lacity.org](mailto:Eric.Villanueva@lacity.org))

Note: For information regarding the Committee and its operations, please contact the Committee Legislative Assistant at the phone number and/or email address listed above. Upon 72-hour advance notice, assistive listening devices, and other accommodations, such as sign language interpretation and translation services are available at the meeting. Contact the Legislative Assistant listed above for the needed services.

FILE NO. SUBJECT

(1)

05-1853

CONTINUED FROM 2-20-08, 5-20-09, 4-15-10 AND 7-20-11

Bureau of Street Services (BOSS) and City Attorney reports and revised draft Ordinance relative to amending the Los Angeles Municipal Code (LAMC) in connection with a point of sale plan for sidewalk repair and related matters.

Fiscal Impact Statement Submitted: No

Community Impact Statement: Yes

Against Proposal:

Granada Hills South Neighborhood Council  
Coastal San Pedro Neighborhood Council  
Harbor Gateway North Neighborhood Council  
Northwest San Pedro Neighborhood Council  
Northridge East Neighborhood Council  
Studio City Neighborhood Council

(2)

05-1853-S1 CONTINUED FROM 2-20-08, 5-20-09, 4-15-10 AND 7-20-11

BOSS and City Attorney reports and draft Ordinance relative to amending LAMC Section 62.104, Subsection (e) to repeal the "Exception" that established City liability for repair of curbs, driveways and sidewalks due to tree root damage and related matters.

Fiscal Impact Statement Submitted: No

Community Impact Statement Submitted: Yes

Against Proposal:

Northridge East Neighborhood Council

#### COMMENTS FROM THE PUBLIC ON ITEMS OF PUBLIC INTEREST WITHIN THE COMMITTEE'S SUBJECT MATTER JURISDICTION

Materials related to an item on this Agenda submitted to the Committee after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 200 North Spring Street, Room 395, City Hall, Los Angeles, CA 90012 during normal business hours.

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Eric (Roderico) Villanueva <eric.villanueva@lacity.org>

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## [FWD: URGENT: Sidewalk Repair Issue In Committee Today 2 pm]

1 message

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philton@lalossprevention.com <philton@lalossprevention.com>

Wed, Oct 19, 2011 at 12:44 PM

To: Eric.Villanueva@lacity.org

Dear Sir,

**I am writing this email in opposition to this ordinance.**

As a City Council, you should be ashamed of yourselves for even suggesting this. You waste and squander our property taxes, sales taxes and city taxes on political projects that serve nobody but yourselves.

Then you hit every property owner in the city with this criminal suggestion to shift liability and duty, and at the same time, stabbing the people in the back to make corrupt revenue generation for your Cronies. You will have every person you can issuing citations to house owners to make them waste millions of dollars across the city to do the work that you have been already paid and wasted.

You have no Dignity, Integrity of Honor for the positions you hold.

I will do everything I can to vote many of you out of office when I can.

Peter G. Hilton  
Resident and Property Owner  
2272 colorado St. #1224  
Los Angeles, CA 90041

----- Original Message -----

Subject: Fwd: URGENT: Sidewalk Repair Issue In Committee Today 2 pm

From: Peter Hilton <[peter.hilton@lacity.org](mailto:peter.hilton@lacity.org)>

Date: Wed, October 19, 2011 12:36 pm

To: "PHILTON@LALOSSPREVENTION.COM" <[philton@lalossprevention.com](mailto:philton@lalossprevention.com)>

----- Forwarded message -----

From: **Peter Hilton** <[peter.hilton@lacity.org](mailto:peter.hilton@lacity.org)>

Date: Wed, Oct 19, 2011 at 12:35 PM

Subject: Fwd: URGENT: Sidewalk Repair Issue In Committee Today 2 pm

To: Michael Larsen <[m.larsen@mac.com](mailto:m.larsen@mac.com)>

FYI, now do you see the issue, its revenue generator for the city, it has nothing to do with repairing sidewalks.

----- Forwarded message -----

WEDNESDAY, OCTOBER 19, 2011  
ROOM 1010, CITY HALL - 2:00 PM  
200 NORTH SPRING STREET, LOS ANGELES, CA 90012

PUBLIC WORKS COMMITTEE MEMBERS:  
COUNCILMEMBER JOSE HUIZAR, CHAIR  
COUNCILMEMBER MITCHELL ENGLANDER  
COUNCILMEMBER BERNARD C. PARKS

BUDGET AND FINANCE COMMITTEE MEMBERS:  
COUNCILMEMBER BERNARD C. PARKS, CHAIR  
COUNCILMEMBER TONY CARDENAS  
COUNCILMEMBER MITCHELL ENGLANDER  
COUNCILMEMBER PAUL KORETZ  
COUNCILMEMBER BILL ROSENDAHL

(Eric Villanueva - Legislative Assistant - 213-978-1077 or e-mail [Eric.Villanueva@lacity.org](mailto:Eric.Villanueva@lacity.org))

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05-1853

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Fiscal Impact Statement Submitted: No

Community Impact Statement: Yes

Against Proposal:

Granada Hills South Neighborhood Council

Coastal San Pedro Neighborhood Council

Harbor Gateway North Neighborhood Council

Northwest San Pedro Neighborhood Council

Northridge East Neighborhood Council

Studio City Neighborhood Council

(2)



Eric (Roderico) Villanueva <eric.villanueva@lacity.org>

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## sidewalks

1 message

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K6UXF@aol.com <K6UXF@aol.com>

Wed, Oct 19, 2011 at 1:15 PM

To: Eric.Villanueva@lacity.org

I live in the condo units at Tampa and Rinaldi st. We have asked the city to repair the sidewalks on Rinaldi st. They just filled the area with black top near the trees. I do not believe it fair now to tell us we have to pay to have them repaired.

Ralph Martin  
19501 Rinaldi st. # 74  
Northridge CA. 91326  
818-366-1586

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