

## 6056 Comstock Tree Removal (City Council Agenda Item 14 A.)

To: Mayor Joe Vinatieri, Councilmember Fernando Dutra, Councilmember Jessica Martinez, Councilmember Cathy Warner and Councilmember Octavio Martinez.

This letter is a summary of the sentiments of dozens of citizens in the 6000 block of Comstock Ave. and its adjoining blocks, now joining together to form the Comstock Neighborhood Association.

The subject street tree was part of the design scheme originally planned for our neighborhood a century ago. There is no argument that the aesthetic, environmental and economical benefits of having a tree-lined street help define a neighborhood. That is why the removal of a mature healthy tree should be a last resort, after all potential mitigation measures have been exhausted, as specifically written in the City Tree Manual. Since the City has agreed that the tree is healthy, hearty and in no distress, why is it being removed?

The City claims that if the tree's roots are cut back to install a new curb, it will become destabilized, thus creating a hazardous condition. This tree does not have a current hazardous condition. It would be created by that root cutting. The sidewalk is only minimally lifted. This should be an easy fix and will lessen any future liability, once it is repaired. There are many similar lifted sidewalk conditions and repair designs that have been used all over town.

In this particular location, **the settlement of the street paving is the issue.** We will testify that the tree is not the problem. It is a broken water pipe at the meter that has been left to drain into the street for years, visibly undermining the street integrity. This has nothing to do with the "accused tree." The paving and water meter will both have to be repaired regardless of whether the tree stays or is removed.

This pertinent information was neither shared with the Parks Department Director (Virginia Santana), nor with the Parks and Recreation Commission at the August appeal hearing. In fact, the Commission was largely unaware of the City tree mitigation requirements. These measures are mandated in the Tree Ordinance. The Commission relied solely on the removal request summary prepared by Public Works, who did not perform an engineering or scientific investigation at that corner.

**Tree mitigation alternatives have not been proposed by the Parks Department, Public Works or the Parks and Recreation Commission. Mitigation alternatives were also not discussed in any meaningful form in the City Arborist's report. No meaningful effort has been made to fix the water leak.** Therefore, to suggest that the tree is the problem is just guess-work on the part of the Public Works Department. To presume that the removal of our tree will solve the City's street problem is just conjecture. Nothing points to the tree as creating the problems with the street. Everything points to the water leak.

Until the Public Works Department, the entity that has requested the tree removal, conducts a forensic investigation on the street settlement, any request for the removal of the tree is premature. If upon full inspection, it is determined that the tree is at fault (which we doubt), then we will respect the City's decision.

We implore that you send this item back to the Public Works Department for a full forensic assessment of the street settlement near the corner of Comstock and Broadway. We believe that our tree is not the cause of the settlement. It is incumbent that the Council act with due diligence and seek out all the facts first.

Tree removal and street repairs without an attempt at a tree mitigation alternative is not a diligent action. Taxpayers' treated drinking water is being wasted through a non-stop flow into the storm drain and into & under the street paving. This is a health and safety condition that must be addressed. The street pooled water condition is also a Vector abatement issue.

We trust that you, as problem solvers, will send this item back to Public Works for a full report on the conditions near the corner of Broadway and Comstock. Ask them to provide options for solving this problem, without creating another one.

Respectfully,

Anthony Santana

Member, Comstock Neighborhood Association