

From: Nancy Finch [<mailto:nancy.e.finch@gmail.com>]
Sent: Wednesday, July 08, 2015 10:06 PM
To: Greg Smith
Cc: Gene Endicott
Subject: Re: Sacramento Tree Ordinance Update

Hi Greg and Gene,

Did you receive my previous comments? I have an additional comments that I would like the public ordinance committee and the Sacramento City Council Law & Legislation Committee to receive. Please post my comment on the website as well.

Comment 1: Amended ordinance format

When the new version of the amended ordinance is released, please have it in the underline/strikeout style where the language to be taken out has a line through it and the language to be added is underlined. Any language that has no change remains without any marks. This is standard practice in drafting laws, regulations and ordinances.

Comment 2: Limits on Public Participation

If the ordinance includes new limits as to who may contact the city about a tree, such as only a landowner may contact the city, the ordinance is contrary to good government. The ordinance must allow any person to contact the city with a concern about a tree, and the city's Public Works Department is required to respond to concerns by all persons. Public participation is a fundamental principle of our democratic principles. The ordinance cannot limit public participation. This is important for the following reasons:

-Limiting who can report concerns and questions to landowners is elitist and an embarrassment to the city. If only a landowner is allowed to report tree concerns, city residents who are renters are excluded. This results in a situation where the city is discriminating against people who care about trees or their neighborhood, but because those people do not own real property close to the tree, that person does not have a right to voice concerns about a tree. This is a severe limitation on public participation in city government.

-Limited English speakers, individuals in disadvantaged communities and persons who are not familiar with city processes are punished. Regardless of a person's status regarding home ownership, there are persons in our city who may not be able to effectively negotiate the tree ordinance processes. If the ordinance excludes any person other than a landowner to contact the city, a person who needs and relies on community advocates to convey shared concerns regarding a particular tree or the health of Sacramento's urban forest is excluded from participation and representation.

-Any ordinance which excludes persons who are not property owners excludes many people and organizations that are concerned about trees. Neighborhoods, non profits, students, youth organizations and other advocates ability to communicate with the city regarding specific trees or trees will be reduced, which is frustrating for people and impacts our urban forest as a whole.

-Any section which limits public participation, including requiring property ownership to participate, may hinder Sacramento's ability to obtain grants. Many grants have a requirement that disadvantaged communities are a beneficiary of the grant. Since many residents in a disadvantaged community do not own their residence, those residence are excluded from communicating with the city on trees of concern. Sacramento may have a hard time demonstrating that it has tree programs that benefit disadvantaged communities when the tree ordinance excludes the residents of disadvantaged communities from asking questions about city trees.

-The State of California owns many properties around the city. Under the proposed ordinance, only the State of California could contact the city about many trees in the downtown area. This does not make sense.

Comment 3: Scope of Tree Removal Notification

The notice requirement in the ordinance must be comprehensive. It must include any tree under the care of the city. It must include trees in city parks. It must include online notices.

A proper notice would include online access to the notice. This is not an overly burdensome notice requirement. Most government information is on the internet. Open government is very important. This ordinance cannot encourage Sacramento to have a secretive tree removal program, which would be the result of inadequate public notice for a city tree removal. If the city is committed to its urban forest and its status of being a city of trees, Sacramento needs to be open about its tree removal activities and give residents an opportunity to ask questions.

Thank you for the opportunity to comment on issues regarding the tree ordinance. Thank you in advance for adding this to the public comment section of the ordinance webpage. Please distribute this to the members of the public committee on the tree ordinance and the members of the Sacramento City Council Law & Legislation Committee.

Sincerely,

Nancy Finch