

RECEIVED

SEP 26 2018

CITY CLERK'S OFFICE

26-Sep-2018

Mr. Jovan Grogan
San Bruno City Manager
567 El Camino Real
San Bruno, CA 94066

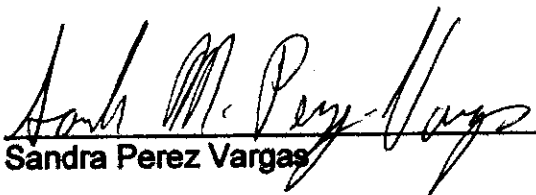
I, Jovan Grogan, San Bruno City Manager, (or Delegate) acknowledge I have received a copy of the Florida Park Heritage Trees Appeal delivered by Sandra Perez Vargas and/or Karin Cromosini. INCLUDED IN THIS APPEAL IS THIS SIGNATURE PAGE, AND PAGE 1 THROUGH 4 OF THE APPEAL.

Signed:

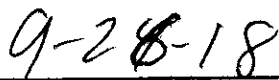
X

Jovan Grogan (or Delegate)

Date




Sandra Perez Vargas



Date



Karin Cromosini



Date

26-Sept-2018

**Ms. Joanne Magrini
Community Service Director
251 City Park Avenue
San Bruno, CA 94066**

**Mr. Jovan Grogan
City Manager
567 El Camino Real
San Bruno, CA 94066**

Re: Florida Park Heritage Trees Appeal

To Whom It May Concern,

This letter is to inform the San Bruno Community Services Director and the San Bruno City Manager that the neighbors listed in this letter are appealing the decision made by the Parks and Recreation Commission and the City Manager on 19-Sept 2018, to remove both Heritage Trees located at 324 Florida Avenue in San Bruno City, where the future Florida Park will be constructed.

Background: The Community was invited to attend meetings to design the new Florida Park leading to the development of the Florida Avenue Park Draft Master Plan. On 25-Oct-2016, staff presented, and the City Council approved the Florida Avenue Draft Master Plan. The scope of work included civil and architectural designs including grading plans, planting plans and plant palette, landscape layout, material plans, irrigation area plans, lighting and electrical plans, and equipment selection. On 22-Aug-2017, the City Council approved a construction contract with Star Construction. During the project submittal phase the contractor requested changes and clarification related to the design and construction documents. The City did not issue the notice to proceed for construction work, instead, decided to terminate this contract for convenience on 07-Nov-2017.

Since then the City has been working with Landscape Architecture firm MIG, Inc, to identify revisions to construction documents and work through various concerns that were raised about the design and site. One of the more significant concerns involved the potential removal of the two (2) Heritage Trees. This decision is linked to the preferred layout of the park.

During the Parks and Recreation Commission Meeting on 19-Sept-2018 the Commission and Staff made the decision to change the community preferred design where the Heritage Trees were to be included in the Florida Avenue Park. There were three (3) designs presented, the City's new design without the Heritage Trees (without

Community input), Alternative 1, the original design with the Heritage Trees (the City placed an estimate of \$50K to \$75K in additional cost) and Alternative 2, a design that keeps the Heritage Trees, but does not include any of the other items the Community design did.

We are appealing the City's decision to cut both Heritage Trees down for the following reasons: The Heritage Trees are HEALTHY, the original Community design was altered and the risk can be mitigated.

THE HERITAGE TREES ARE HEALTHY (Supported by the Arborist Report)

1) The City of San Bruno and the Parks and Recreation Commission made the decision to cut the Deodar Cedar against the Arborist recommendations. The Arborist recommended the tree be pruned and a Tree Protection Report be created and implemented. Members of the Commission indicated the Deodar Cedar was not pretty and would not compliment the park's appearance. This is NOT a reason to cut it down.

COMMUNITY DESIGN ALTERED (The Community, City and City Council Approved the Original Design)

2) The City must provide the report on the cost of alternative 1 (e.g. our original Community design that included a grassy area, children's play area, adult exercise area AND the two Heritage Trees). We want line item definition on what the "est. additional \$50-75k" means from the 19-Sep-2018 Commission meeting on the Florida Park presentation. Since this was not defined in the report reviewed during the Commission meeting. Would the current discussions around payment for architectural designs not consistent with the Community's design mitigate this cost? This information would be beneficial in assisting the Commission and City in making an informed decision.

3) The City must provide the detailed timeline along with the rationale for terminating Star Construction's contract. Why did the City fail to work with the contractor when they requested changes and clarification related to the design and construction documents? Why did the City decide not issue the notice to proceed for construction work and instead decided to terminate this contract for convenience on 07-Nov-2017.

THE RISK CAN BE MITIGATED (Supported By the Arborist Report)

4) The Commission and the City made the decision to cut down the Heritage Trees for public safety concerns. We ask that the City provides us with verifiable data and statistics in a report demonstrating that the Heritage Tree pose public safety risks. How can you suggest that the Heritage Trees pose public safety risks when there are missing pedestrian crosswalks, lack of stop signs, inadequate street lighting and cars blocking pedestrian access to sidewalks and missing speed limit signs around area?

When will the city mitigate these safety risks? Please provide us with a plan to review these issues for action.

5) What statistics were used in the city's risk assessment? The Arborist report indicates that most cones mature, dry out and disintegrate and fall as cone scales. It also indicates that green cones can fall. This is true of any tree that has cones. There are trees throughout San Bruno that bear cones. What steps is San Bruno taking to protect the community from these trees? Nationally how many people are injured and/or die from falling pine cones? Nationally how many people are injured/ and or die from falling tree branches? Nationally how many people are injured and/or die from falling trees? The City has decided the risk is significant enough to require the Heritage Tree to be fenced off. Is the risk of a falling pine cone more significant than the risk of a tree branch or a tree falling?

Furthermore, the City needs to clarify to the Community the details and timeline of all actions taken since the Community and City approved the design of Florida Park (20-Oct-2016). Why was the design shared at the 20-Jun-2018 meeting at the Park different than the one that the Community and City initially approved? Why did the city spend valuable time gaining community input and design direction, then neglect to use the design approved by both the community and city? Did the city pay the architect for an alternative design, not approved by the the community? Are the delays encountered the result of the city failing to follow the original design guidelines and failing to respond to Star Construction's request for changes and clarification?

The Appellant's preferred outcome: We are asking the City to follow the original plan developed by the Community. This plan includes both Heritage Trees remaining onsite. We believe the information requested will show that delays to the construction of Florida Avenue Park were avoidable. We believe the City may have paid monies to Star Contractors and MIG Inc. for work not consistent with the Community and the City's Florida Avenue Park Design. The City Manager, Jovan Grogan, indicated that work was being done to mitigate past payments. The City went to great lengths to involve the Community. Failing to adhere to the Community/City design sends the wrong message. It sends a message that our input matters not. It shows little value of the Community's time and effort. We want the two Heritage Trees to remain in the park. This was the original plan. If a fence must be installed to protect the community, it should be a decorative fence that enhances the design. These Trees have historical value to the land and to the City of San Bruno. They are each more than 100 years old. They have sat on this land far longer than the vast majority of homes. Please show the Community that our CITY DOES HAVE A HEART. Save these Trees for the generations that will come. Let's make this an opportunity for a teaching moment for our Community and for our children that our green spaces and urban forests are to be cherished and celebrated, not simply cut down for convenience sake.

We are looking forward to receiving the above reports and responses for further discussion.

Sincerely,

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Ryan Mrsny [REDACTED]	Doe Newiger [REDACTED]
Marsha Glassner [REDACTED]	Maureen De Jonckere [REDACTED]

ANDY HOWES
[REDACTED]

26-Sept-2018

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SEP 28 2018

CITY MANAGERS OFFICE

Ms. Joanne Magrini
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251 City Park Avenue
San Bruno, CA 94066

Mr. Jovan Grogan
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567 El Camino Real
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Re: Florida Park Heritage Trees Appeal

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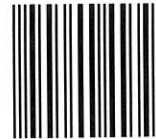
ANDY HOWES
[REDACTED]

FROM:

REYNA BUROS



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94066

U.S. POSTAGE
FCM LETTER
SAN BRUNO
94066
SEP 26 18
AMOUNT

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7017 0530 0000 9976 7056

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL



7017 0530 0000 9976 7056

TO:

MR. JOYAN GROGAN
SAN BRUNO CITY MANAGER
567 EL CAMINO, AVE.
SAN BRUNO, CA

9406634914 0009



26-Sept-2018

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ANDY HOWES
[REDACTED]

REYNA BURGOS
[REDACTED]



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SAN BRUNO, CA
94066
SEP 26, 18
AMOUNT

\$3.95

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TO:

JOANNE MAGRINI
COMMUNITY SERVICE DIRECTOR
251 CITY PARK AVE
SAN BRUNO, CA,
94066

7017 0530 0000 9976 7063

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL



7017 0530 0000 9976 7063

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