

## Responsibility for the Maintenance of Street Trees\*

Digest by the Ballot Simplification Committee

**Status:** Draft for Consideration

**On:** Thursday, August 11, 2016

**Members:** Packard, Anderson, Fasick, Fraps, Jorgensen

**Deadline to Request Reconsideration:** TBD

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**The Way It Is Now:** City law generally requires property owners to maintain trees in the public sidewalk area next to their property as well as the sidewalk around those trees ("street trees").

A property owner is usually liable for injuries and property damage other people may suffer resulting from the owner's failure to maintain street trees.

The San Francisco Unified School District (School District) is responsible for maintaining trees on its property.

**The Proposal:** Proposition \_\_\_ is a Charter amendment that would transfer responsibility to the City for maintaining street trees. The City would then be liable for injuries and property damage resulting from the failure to maintain street trees.

The City would pay for maintaining street trees by setting aside \$19 million per year from the City's General Fund, adjusted annually based on the City's revenue.

The City could give up to \$500,000 per year from the set-aside to the San Francisco Unified School district to help pay for the cost of maintaining or removing trees on public school property.

Up until January 1, 2017, the Mayor would have the one-time authority to terminate the fund and the set-aside immediately, based on the Mayor's review of the City's financial condition.

**A "YES" Vote Means:** If you vote "yes," you want to amend the Charter to transfer responsibility for maintaining street trees from adjoining property owners to the City and you want the City to pay for maintaining street trees by setting aside from its General Fund \$19 million per year, adjusted annually based on City revenues.

**A "NO" Vote Means:** If you vote "no," you do not want to make these changes.

*\*Working title, for identification only. The Director of Elections determines the title of each local ballot measure; measure titles are not considered during Ballot Simplification Committee meetings.*