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December 8, 2015

Urban Forestry Advisory Committee
City of Pasadena
100 N. Garfield Ave. N306
Pasadena, CA 91101

Re: Supplement to Application for Tree Removal and/or Permit to Remove Trees at 497-511 South Lake Avenue

Dear Committee:

We are counsel to Rodeo Holdings LLC ("Rodeo Holdings"), and submit this supplement to Rodeo Holdings's November 16, 2015 tree removal application, to include the traffic safety report we commissioned and to correct one methodological error in the application.

First, we are attaching as Exhibit "G" the traffic safety report that details additional public safety exposure to traffic as well as pedestrians created by the ficus trees.

Second, the November 16, 2015 letter stated that "Rodeo Holdings's engineer estimated that, at the very least, 6-12 inches of water accumulates on the Building's two front corners before that water begins to run over the central high point of the roof," resulting in a weight of 94 pounds per square foot. While the load figure was correct at 94 pounds per square foot, the description was not. In fact, a minimum of 18 inches of water , rather than 6-12 inches, accumulates before that water begins to run over the central high point of the roof.

Please distribute this additional information to anyone necessary to process the November 16 application. Thank you.

Sincerely,

Michael E. Byerts
Direct Dial: 310-788-7525
E-mail: mbyerts@rpblaw.com

cc: Pasadena City Manager, Adam Wilson, Pam Thyret

Exhibit G – Traffic Safety Report

KUNZMAN ASSOCIATES
TRAFFIC ENGINEERING AND
TRANSPORTATION PLANNING

November 18, 2015

Mr. Michael E. Byerts
Resch Polster & Berger LLP
1840 Century Park East, 17th Floor
Los Angeles, California 90067

Dear Mr. Byerts:

The firm of Kunzman Associates is pleased to submit this letter report. The report addresses the three ficus trees in front of 497 South Lake Avenue, Pasadena, in the vicinity of Talbots from a traffic engineering point of view.

My qualifications as a registered Traffic Engineer in the State of California are attached to this letter.

The trees can be characterized as mature. They are uplifting the sidewalk, are a hazard to pedestrians, and are a hazard to trucks legally parking near the west curb of South Lake.

Exhibits

First, some exhibits will be introduced.

Exhibits A and B show the cracked and uplifted sidewalk.

Exhibit C shows that skate board riders do use this stretch of sidewalk.

Exhibit D shows how the overhead street light is enclosed by the tree. The light pattern onto the sidewalk can be characterized as spotty.

Exhibit E shows where large trucks have struck the upper trunk of the tree and presumably is capable of significantly damaging the truck's container / box.

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E-mail: bill @ traffic-engineer.com # Web: www.traffic-engineer.com

Ficus Trees Are a Problem

The City of Pasadena recognizes that ficus trees of this type are a problem near sidewalks.

The July, 2007 South Lake Avenue Streetscape Plan in Chapter 4 discusses trees and states that the ficus trees should be removed and replaced over time.

Dangerous Condition Defined

Per Government Code 830.2, public property can be considered to be in a dangerous condition when a condition creates a substantial risk of injury when such property is used with due care and in a manner in which it was reasonably foreseeable that it would be used.

Ficus Tree Roots Create Dangerous Condition

At 497 South Lake Avenue, the 1.75 inch uplift and 7.5 in long patch is a dangerous condition when one considers that elderly people, skate boarders, disabled persons for instance with MS, blind persons, and intoxicated persons may stumble on uplifts, particularly in the dark which occurs as early as 5:00 pm during the winter. A stumble could result in a serious injury, including a head injury.

The Patched Uplifts Do Not Meet ADA Requirements

The American Disabilities Act (ADA) sets maximum ramp slopes in terms of a number such as 1:8 which means to rise 1 inch the ramp should be 8 inches or longer. The ADA required slope is termed 1 to 8 slope.

The maximum allowed and recommended ADA slope is discussed in the ADA Standards for Accessible Design in Section 405, Table 405.2. It states that the recommended slope for a 3 inch or less rise is 1:10 and the maximum allowed is 1:8.

The existing slope in the sidewalk adjacent the ficus trees on 497 South Lake Avenue is 1.75 inches / 7.5 inches, or a 1 to 4.3 slope. The existing slope is about twice as steep as the maximum slope needed to satisfy ADA requirements.

Inadequate Horizontal Clearance

The horizontal clearance from the curb face to the ficus trees upper trunks is inadequate as evidenced by the fact trucks are hitting the trees. At one time the trees probably met horizontal clearance standards; however, with growth the trees no longer meet clearance standards.

Design Immunity

This is not a design immunity issue, particularly since the remedy is simple and the need for the remedy has been freely admitted by the city in 2007 if not earlier.

It has been a pleasure preparing this informational report for you. If there are any questions, or if we can be of further assistance, please do not hesitate to call.

Respectfully submitted,

KUNZMAN ASSOCIATES

William Kunzman

William Kunzman, P.E.
Principal
Professional Registration
Expiration Date 3-31-2016

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Exhibit A – Patched Uplift

Exhibit B – Sidewalk Cracks

Exhibit C - Skateboarder

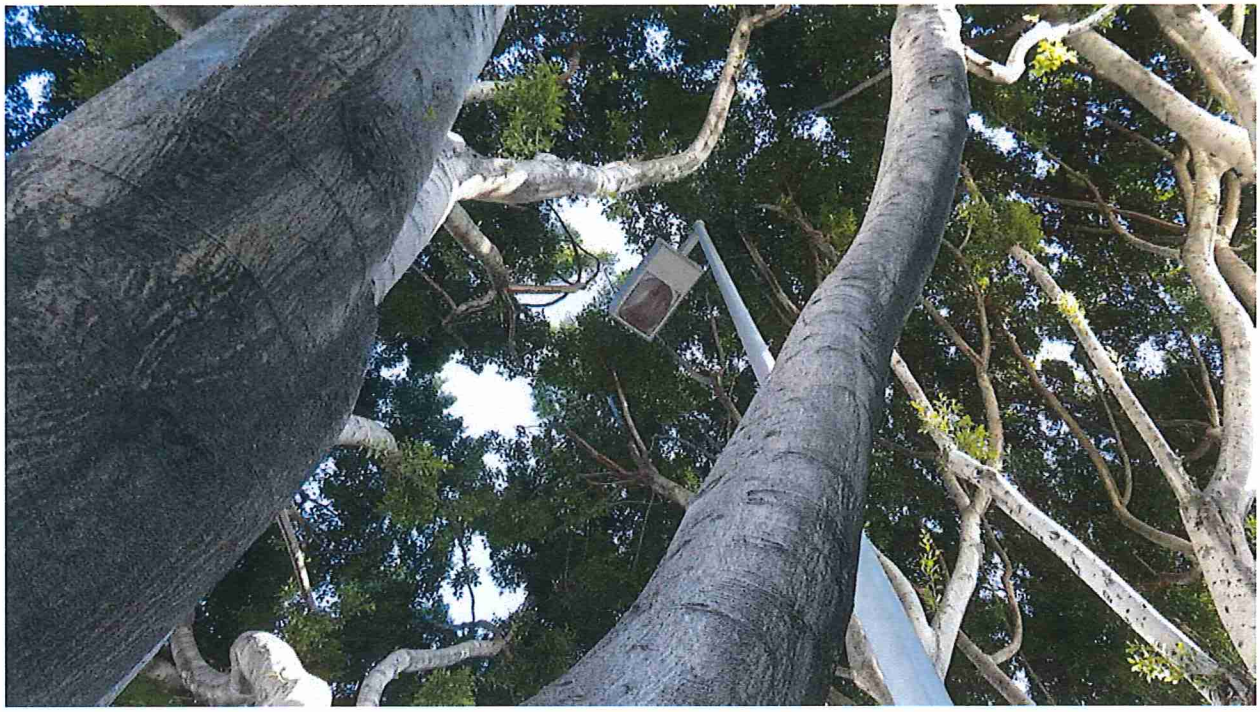

Exhibit D – Street Light Nestled in Tree

Exhibit E – Tree Hit by Trucks

Curriculum Vitae of

WILLIAM KUNZMAN, TRAFFIC ENGINEER

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Orange, CA 92868
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FAX (714) 973-8821

William Kunzman, P.E. has worked professionally in traffic engineering and transportation planning since 1968 in both the public and private sectors. He is an Expert Witness in Traffic Engineering involving highway accidents.

TECHNICAL EXPERTISE

Traffic engineer expert regarding motor vehicle accidents (automobile, truck, bus, pedestrian, bicycle, motorcycle).

Knowledge of governmental agency procedures, design, geometrics, signs, traffic controls, parking, and maintenance.

EDUCATION / CLASS INSTRUCTION

Undergraduate Work: Bachelor of Science Degree in Engineering (1967), University of California at Los Angeles, School of Engineering (September, 1963 to June, 1967)

Post Graduate Work: One Year (10 classes) Certificate in Traffic Engineering (1968), Yale University, Bureau of Highway Traffic (September, 1967 to June, 1968)

Federal Highway Administration: 18 Month Highway Engineering Training Program, (1970)

Guest Lecturer: University of California at Irvine (1975)

Class Instructor: California State University at Fullerton (1976)

University of California at Irvine Department of Policy, Planning and Design Professional Report mentor (2003)

MCLE Class Instructor – The Traffic Engineer As An Expert Witness (2004)

REGISTRATION

Registered Professional Traffic Engineer in the State of California, TE0056 since 1975.

WORK EXPERIENCE

1. County of Los Angeles, Assistant Traffic Engineer (1967)
2. Wilbur Smith and Associates, Assistant Traffic Engineer (1968)
3. Federal Highway Administration, Office of Policy Planning (1969 - 1972) Worked in Oregon, Illinois, Pennsylvania, and Washington, D.C. Prepared Highway Needs Study which was presented to Congress
4. County of Riverside, Assistant Traffic Engineer (1972 - 1973)
5. Lampman Associates, Traffic Engineer Associate (1973 - 1974)
6. City of Irvine, Transportation Planning Engineer (1974 - 1975)
7. Weston Pringle and Associates, Traffic Engineer Associate (1975 - 1976)
8. Self Employment (1976 to Present)

William Kunzman, P. E.

HONORS AND AWARDS

1. Received fellowship and living stipend to attend Yale University from the Insurance Institute for Highway Safety, 1967-1968
2. Elected Class President of Yale University Bureau of Highway Traffic, 1967
3. Recipient of the 1978 Institute of Transportation Engineers Past Presidents' Award
4. Recipient of the 1979 Institute of Transportation Engineers, Southern California Section, Young Traffic Engineer of the Year Award

PROFESSIONAL PUBLICATIONS

1. "Irradiation and Halation", Traffic Engineering Magazine, December, 1968.
2. "Accuracy of Computer Program BMD02R, Stepwise Regression", Highway Planning Technical Report Number 17, Federal Highway Administration, Washington, D.C., April, 1970.
3. "A Simplified Procedure to Determine Factors for Converting Volume Counts to ADT's", Traffic Engineering Magazine, October, 1976.
4. "Annual Vehicle Miles Traveled per Family as a Function of Primary Wage Earner's Work Trip Mileage", Institute of Transportation Engineers Technical Notes, March, 1978.
5. "Another Look at Signalized Intersection Capacity", ITE Journal, August, 1978. This article was submitted in competition for the 1978 Institute of Transportation Engineers Past President Award and won the award. This is the most prestigious award granted by the Institute of Transportation Engineers to persons 35 years old or younger.
6. "Urban Development and Circulation Systems - A Critical Balance", ITE Compendium of Technical Papers, August, 1980.

PROFESSIONAL MEMBERSHIPS

1. Institute of Transportation Engineers - ITE (joined in 1967)
2. American Society of Civil Engineers - ASCE (joined in 1971)
3. Yale University Bureau of Highway Traffic Alumni Association (joined in 1972)
4. Institute of Transportation Engineers Expert Witness Council
5. Transportation and Development Institute of the American Society of Civil Engineers
7. Forensic Expert Witness Association - FEWA

William Kunzman, P. E.