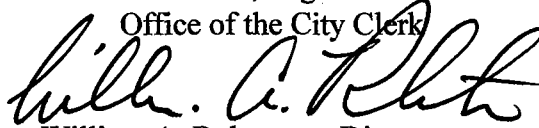


CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: May 4, 2007

TO: Honorable Bill Rosendahl, Chair
Public Works Committee
Attn: Adam Lid, Legislative Assistant
Office of the City Clerk

FROM: 
William A. Robertson, Director
Bureau of Street Services

SUBJECT: POINT OF SALE SIDEWALK REPAIR PLAN (C.F. 05-1853)

In response to the motion (CF 05-1853) put forth by Councilmembers Parks and Smith, requesting the Bureau of Street Services to report back with recommendations for a point of sale plan for fixing the City's sidewalks including input from affected stakeholders.

In February 2007, the Bureau enlisted the assistance of two University of Southern California graduate students from the School of Policy, Planning and Development to identify and interview stakeholders, report findings and recommend viable alternatives under the direction of the Bureau. The attached report details the findings.

If you have questions or if additional information is needed, please contact William A. Robertson, Director at (213) 847-3333.

Attachment
WAR:dfh

Sidewalk Repair Policy

In the City of Los Angeles

An Evaluation of Current and Alternative Policies

May 2007

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Executive summary

The poor state of sidewalks in the City of Los Angeles significantly impacts the quality of life of all residents, but specifically those most vulnerable: families, children, senior citizens, and the physically challenged. As the current sidewalk repair policy cannot address the backlog of damaged sidewalks, this evaluation was conducted to determine viable alternatives as well as areas of consensus and divergence amongst stakeholders. Stakeholder interviews and focus groups were conducted and their content was coded and weighed both by the total number of interviews and focus groups and by stakeholder group, assigning the same weight to each group. Amongst stakeholders interviewed, 83% would potentially support a policy that requires property owners to repair sidewalks at the point-of-sale, 78% would potentially support a bond measure to fund sidewalk repair, and only 22% would potentially support the City citing property owners and requiring them to fix damaged sidewalks.

Background

Client:

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The Bureau of Street Services (BOSS) in the City of Los Angeles maintains 10,750 miles of sidewalks that impact the daily quality of life of all residents and visitors. Though the goal of the City's Sidewalk Program is to provide a safe, acceptable walking surface for pedestrians and to decrease the City's exposure to liability, approximately two out of every five miles of sidewalk in Los Angeles are damaged (5: pg5-6) and the City's expenditures on liabilities have increased to the point where they rival those on repairs (2: pg10-12). (See Figures 1 & 4). At a critical juncture, the City is interested in implementing a new policy that will address the backlog of damaged sidewalks and reduce liability expenditures. The purpose of this project is to determine viable alternatives to the current sidewalk repair policy in the City of Los Angeles, as well as areas of consensus and divergence amongst stakeholders interviewed.

History of Sidewalk Repair in Los Angeles:

In 1911, the State of California enacted the Improvement Act which mandated that property owners are responsible for maintaining sidewalks adjacent to their property (5: pg7). During the housing booms of the 1950s and 1960s, developers planted varieties of fast growing trees whose root systems were inappropriate for small sidewalk wells, and as the trees grew over the years they damaged sidewalk surfaces dramatically. Recognizing this, Los Angeles enacted an ordinance in 1974 exempting homeowners from damage caused by tree growth and assuming that cost (5: pg7). Between the years of 1976 and 1978, the City repaired sidewalks, funding the program through federal monies which were depleted as soon as 1979 after which the City reinstated the 1911 policy (5: pg7). When the Americans with Disabilities Act (ADA) extended Civil Rights protection of persons with disabilities in 1990, cities across the country began scrambling to ensure persons with disabilities had access to sidewalks via curb ramps (5: pg7). To provide funding for both curb cuts and sidewalk repairs, the City Council proposed Proposition JJ in 1998 which would provide \$550 million over 20 years (5: pg7). The measure failed, receiving support from only 43% of voters (11). Though the City was able to allocate \$7 million to fund sidewalk repairs from tobacco settlement monies, it continued to search for other long-term funding alternatives (5: pg7). In 2004, Councilmember Wendy Greuel tested a 50/50 Cost-sharing program requiring that homeowners requesting repairs split the cost with the City, and it was so successful that it was rolled out to the entire City the very next year (5: pg7).

Current Funding Issues:

While the cost-sharing policy has increased the reach of limited City sidewalk repair funding, it, alone, cannot begin to address the backlog of damaged sidewalks. Funds for sidewalk repairs currently come from the City's General Fund which is dominated by Police and Fire needs. Given that, funding from this source has no potential to be increased in the near future. At its height during the 2003-04 fiscal year (FY), funding allocations totaled \$14.8 million and repaired a total of 76 miles of sidewalk, representing only 1.6% of all damaged sidewalks in the City of Los Angeles (3). However, the 2003-04 FY is an anomaly. In fiscal years 2001-03 and 2004-05, the City only repaired 52 miles of sidewalk, representing 1.1% of all damaged sidewalks and a backlog of 89 years. While the 50/50 cost-sharing program increased the reach of City funding in FY 2005-07 by 15% and 23% respectively, a total of 64 miles is expected be fixed in FY 2006-07, representing only 1.4% of all currently damaged sidewalks, only reducing the backlog of damaged sidewalks to 72 years. (See

Figure 2)

Policy/Stakeholder Issues:

Since the backlog is calculated as a ratio of sidewalks fixed each year to total sidewalk damage, it only addresses existing sidewalk damage and not future damage. Los Angeles will need to consider long-term strategies that will help to address not only the backlog of damaged sidewalks, but in addition, any sidewalks that become damaged in the future. The City is currently considering three competing policies: one where the City cites property owners for damaged sidewalks and requires that they have them fixed, one where property owners are required to fix sidewalks upon the sale of their property, and one where funding is provided for the City to fix sidewalks through a bond measure. All of these policies require the input of stakeholders. We identified six groups of stakeholders, including: BOSS who is responsible for sidewalk repair, SEIU Local 347 who provides the labor for sidewalk repair, the Chamber of Commerce who represents business interests, Neighborhood Councils who are rising in power in the City who have the ability to influence Council decisions, Councilmembers who are responsible for making decisions for the City, and Realtors/Realty who would be impacted significantly by the point-of-sale policy.

Literature Findings

Citation Policy:

We were unable to find literature on a citation policy for sidewalk repair. However, in light of the fact that we discovered through both interviews and focus groups that there is almost no buy-in for this policy, our literature review section will primarily focus on a bond measure option and the point-of-sale policy.

Bond Measure:

While many stakeholders interviewed during the course of our evaluation expressed their potential to support a bond, they also expressed a number of concerns. One of the primary concerns was that once collected, the funds would not be used for their intended purpose. In the past, bond monies have been known to go towards paying such things as overtime for police officers, extending beyond the purpose of the bond. Residents might potentially feel more secure in voting for a sidewalk repair bond if there was independent citizen oversight, mandatory annual financial audits, and prosecution for criminal misuse of funds built into the bond itself. However, this may not be

feasible depending on the type of bond issued.

Another concern is that an increase in taxes would create an inhospitable business environment in Los Angeles. Funds for a bond must come from somewhere, and generally, the funding comes from increased sales or property taxes. These elevated tax rates make it more difficult for businesses to generate a profit, given their expenses. When faced with the prospect of incurring fewer expenses in another city with lower tax rates, businesses may choose to relocate in other nearby cities.

Finally, there is concern that a bond to repair streets would be more compelling than a sidewalk repair bond. The City is interested in adding a street repair bond on the 2008 ballot, and including sidewalk repair funding with that bond may make it too expensive for voters to support. Even if the City were to propose a sidewalk repair bond on its own, there is always the danger that voters would reject such a bond again, as they did with Proposition JJ in 1998. Additionally, there has not been much support in recent history for bonds or measures that fund infrastructure issues. In the November 2006 election, Measure H, an infrastructure bill for affordable housing just barely lost (4). Measure H was a bill trying to address a quality of life issue, much like Proposition JJ, and while a majority of voters (62%) supported the bill, it still failed by four percent (4). Both Proposition JJ and Measure H demonstrate the inherent difficulty of passing a bond in California where a two-thirds majority vote is needed.

However, if a \$550 million bond were passed to provide funding for sidewalk repairs over 20 years, such a bond would extend the reach of City funding by 373% in its first year, repairing 293 miles of sidewalk, assuming that City funding remained the same and that the ratio of funding to miles repaired remained the same. (See Figure 8) Those miles are equivalent to 6.3% of all damaged sidewalks, meaning that all currently damaged sidewalks could be expected to be fixed within 20 years.

Point-of-Sale Policy:

The reach of the point-of-sale policy extends further than the bond proposed at the same level of funding as Proposition JJ, and it would not have to be passed by voters in order to be implemented. This is one of many positive aspects of the point-of-sale policy and a major reason it is so widely supported across stakeholder groups.

The success of the point-of-sale policy draws its strength from data contained in the 1990 Census, which suggests that about “half of all owner-occupied housing units in the United States were sold at least once within the previous ten years” (6: pg359). A Los-Angeles-County-specific study of all properties on five major commercial streets in Burbank, California from 1959-1991 concluded that 75% of all properties were sold within the previous 15 years, and 90% were sold within the previous 27 years. The sales rates for the properties on these five major streets were similar to one another, and to the sales rate for the whole city (6).

The nationwide Census data when combined with data from this Burbank study, suggest that about half of all housing units are sold within seven to ten years” (6: pg359). With a turnover rate this high, it is easy to see that compared to other planning efforts, the point-of-sale policy would improve sidewalks at a much faster pace. In fact, the point-of-sale policy is estimated to extend the reach of city repairs by 669% in its first year, and the 400 miles of sidewalk repaired in the first year will equal 8.7% of all damaged sidewalks. (See Figure 7) The policy is expected to reduce the 83-year backlog to 12 years.

One of the more far-sighted reasons for the implementation of a point-of-sale policy is that it would allow cities to regulate the repair process while at the same time being able to “spend more of their general revenue on such public services as education, safety, and even urban planning” (6: pg366). The freeing up of these monetary resources would also allow more specifically for the improvement of neighborhoods. This neighborhood improvement is not limited to safety, functionality and beautification; it also includes increased property values for homeowners. Dr. Donald C. Shoup of UCLA and a major advocate for the point-of-sale policy, believes that “landowners should pay for site-specific public services that increase the market value of their particular properties, while public revenue should pay for public services that benefit everyone” (6: pg366). This distinction may seem small, but it is important. The question of who bears the fiscal responsibility for sidewalk repair lies at the core of the viability of all policy alternatives.

Ideally when a point-of-sale policy is implemented it would increase the utility of low-income neighborhoods to standards that affluent areas already enjoy. This increased functionality has the potential to raise property values and benefit everyone who uses them, not just homeowners. In addition, the actual cost of repairing sidewalks would be minimal in comparison to the value of

almost any property. “A property’s sale will provide the cash to reimburse the seller’s cost of compliance” (6: pg357).

Another positive aspect of implementing a point-of-sale policy is that it can easily be streamlined so that it does not overburden the escrow process. One way to do so is for compliance at sale to be done privately. The city could contract with a nonprofit agency to inspect a property and issue the compliance certificates (6: pg360). Another way would be for the city to “certify compliance after inspection, and the private sector can then enforce compliance through the real estate transaction process. Dividing responsibilities between the public sector and the private sector should guarantee that properties comply when they are sold” (6: pg360).

One way to ensure compliance would be to make it a misdemeanor to violate the policy. In Santa Monica there is a retrofit-upon-sale ordinance that requires a compliance certificate to be issued before gas, electricity, and water service can be established in the buyer’s name (6: pg361). However, it is important to note that under a point-of-sale policy most owners will want to maintain compliance if they expect to sell their properties.

There are various positive byproducts that could come about through the implementation of a point-of-sale policy. One of the most important is that in improving older neighborhoods, property owners might be encouraged to “invest more in maintaining their property, and developers to invest more in new construction” (6: pg363). It is also possible that as a result of this investment fewer families whose incomes are rising will want to leave, and that by “slowing the emigration of prosperous families, regulation at sale could bring about more economic integration in older neighborhoods” (6: pg366). On the downside, the policy may create a haphazard quilt work of repaired sidewalks vs. damaged ones, resulting in the inability for sidewalks to be used until 100% of the properties adjacent to them have been sold at least once. Also the policy may disproportionately impact neighborhoods where properties do not turn over frequently.

Objectives, scope, and methodology

The purpose of this study was to determine viable alternatives as well as areas of consensus and divergence amongst stakeholders and it also provided a variety of recommendations from the array of stakeholders. The questions answered were: what are the history and the current state of sidewalk

repair in the City of Los Angeles, what policy are stakeholders more likely to support, what are the beliefs that stakeholders possess about the condition of the state of sidewalks and sidewalk repair, what recommendations do stakeholders have about improving the sidewalk repair process, what considerations impact each stakeholder group, and what features would enhance stakeholder opinions of the alternatives?

To answer these questions, two informational meetings with BOSS and two informational meetings with BOSS & Council Staff were held, and a City of Los Angeles Public Works Committee meeting was attended to gather background information. Additionally an informational interview was conducted via e-mail with the Director of the City of Piedmont's Department of Public Works as the City currently utilizes a point-of-sale policy. Furthermore, internal reports and statistics generated by BOSS on risk, sidewalk repair, and innovative ideas in the field were reviewed.

Interviews were conducted with individual stakeholders, five in-person interviews and two phone interviews (with members of the realty/realtor community). Additionally, two focus groups were conducted with two neighborhood councils; the first had 10 members of its transportation committee present and the second had five members of its transportation committee present. The same questions were asked at each interview/focus group. (See Appendix A) Coding concepts were developed from the notes and the prevalence of concepts across stakeholder groups were examined and weighed both by the total number of interviews and focus groups and by stakeholder group, assigning the same weight to each group, regardless of how many stakeholders were in each group.

It is important to realize that though this evaluation involved discussions with various individuals and groups, there are millions of stakeholders in this process and so interviews and focus groups would not be expected to represent all of them, nor the total range of opinions in existence. As all of the data and feedback came from persons widely identified as members of the stakeholder groups, their input is valid and credible. While some stakeholders clearly represented others in their constituencies, such was the case with BOSS, LA City Councilmembers, and SEIU Local 347 leadership, the opinions of those stakeholders in the Chamber of Commerce, Neighborhood Councils, and the Realty/Realtor community should not necessarily be expected to represent the opinions of others in those groups. This is a limitation that could only be overcome by producing an evaluation on a much larger scale and involving considerably more resources. However, as statistical

conclusions cannot be drawn from interviews and focus groups, the evaluation should only look to inform decision-making and offer qualitative insight into stakeholder beliefs and ideas.

Findings

Amongst all stakeholders, 83% would potentially support a policy that requires property owners to repair sidewalks at the point-of-sale; 78% would potentially support a bond measure to fund sidewalk repair; and only 22% would potentially support the City citing property owners and requiring them to fix damaged sidewalks. (See Figure 5) Across the groups of stakeholders, most of the potential support for the bond measure came from City Councilmembers, SEIU Local 347, and the Chamber of Commerce. Neighborhood Councils and BOSS were not as supportive of the policy. On the other hand, Realty/Realtors were the group that was the least supportive of the point-of-sale policy, and along with BOSS they expressed the most potential support for citing property owners. (See Figure 6)

Stakeholder Beliefs:

While 100% of stakeholders believe that the condition of sidewalks is a concern, something drastic needs to be done, and that the City bears some responsibility for the problem, stakeholders vary in their other beliefs. Less than a majority of stakeholders (42%) mentioned that they believed sidewalk repair had a positive effect on property value, among them were Councilmembers, BOSS and Realty/Realtors. This is an indication that only those stakeholders who are close to the process or involved in the business of assessing property value are aware of the positive impact of sidewalk repair on property value, and that the increase in property value might be another reason for the public to buy-in. It is also an indication of the importance of outreach and education for those not closely involved in the process. Only eight percent of stakeholders believed that the City should fund all repairs, represented by one Neighborhood Council, but they were unable to suggest where the funding should come from. (See Figure 9)

Recommendations for generating funding:

Overall, 83% of stakeholder groups recommended the use of public/private partnerships to fund sidewalk repair, with the Realty/Realtor stakeholder group as the only exception, (See Figure 10) and 58% of the stakeholder groups recommended the use of incentives, with SEIU Local 347 and Realty/Realtor groups as the exceptions (See Figure 13). These statistics suggest that partnerships

and incentives could be a powerful way to develop buy-in amongst stakeholder groups. One stakeholder mentioned that the City could use incentives already aligned with its strategic plans, such as fixing sidewalks for free for developers who provide a certain percentage inclusion of affordable housing or for businesses who commit to remaining in Los Angeles and hiring more employees.

Further 33% of stakeholder groups, Neighborhood Councils and Chamber of Commerce stakeholders, recommended that property owners and developers pay into a fund to be used for sidewalk repairs within a specified distance of their property or development (See Figure 16). This could motivate public support as it would directly impact the sidewalks used most frequently by those paying into the fund. However, this recommendation could negatively impact less affluent areas or those with less development. Additionally, 25% of stakeholder groups, also Neighborhood Councils and Chamber of Commerce stakeholders, recommended that neighborhood councils use some of the funding they receive from the Department of Neighborhood Empowerment to fund sidewalk repairs in their area (See Figure 17). This recommendation calls into light an inconsistency; though implementation may be illegal as public funds are not to be used for private benefit, the use of individual funds to repair sidewalks in front of homes is a current practice and it provides a definite benefit to the public. While the City should look at its policy, a compromise could involve the use of neighborhood funds to repair sidewalks in publicly used spaces.

Recommendations for developing buy-in:

Just over two-thirds of stakeholder groups (67%) recommended that property owners have the ability to fix their own sidewalks (See Figure 11) and the use of outreach and education to develop buy-in (See Figure 12). The Chamber of Commerce, Realty/Realtors, and Neighborhood Councils were the groups with the lowest support for recommending outreach and education and perhaps that is a sign that they are not even aware that they do not have the same information that administrators, elected officials and union leadership have. Furthermore, many stakeholders were not aware that property owners currently have the ability to fix their own sidewalks. This is another indication that outreach and education would be useful.

As well, 58% of stakeholder groups recommended implementing workforce training initiatives to provide labor for sidewalk repairs (see Figure 14), among them SEIU Local 347, Chamber of Commerce, BOSS, and Neighborhood Councils, and 58% of stakeholder groups recommended that

neighborhood councils help to map out priority fixes (see Figure 15), with the exception of SEIU Local 347 and Realty/Realtors. Stakeholders expressed a great deal of interest in the workforce training initiatives and even mentioned that the City had just allocated hundreds of thousands of dollars to gang prevention initiatives and that the two could potentially be intertwined. Furthermore, SEIU Local 347 has a workforce training plan that they are ready to roll out. Both ideas could be integrated into a chosen sidewalk repair policy to increase the potential for buy-in.

It should be noted that the biggest sources of innovation in recommendations are the Chamber of Commerce, Neighborhood Councils and BOSS. It is important then for the City to reach out and get ideas from the public as well as from those who are knowledgeable in the subject.

Recommendations/Costs and Consequences

After looking closely at the findings, which are based on background research and interviews with a broad range of stakeholders, it is recommended that the City of Los Angeles implement a point-of-sale policy. However, while the point-of-sale policy has the most potential to address the huge backlog of damaged sidewalks in a time-efficient manner, it is also necessary to gain as much buy-in as possible from everyone affected by the policy. In order to gain stakeholder support, the City will need to implement other measures in addition to the point-of-sale policy advocated by Dr. Donald C. Shoup. As well, the City may need to create separate policies for residential and commercial properties. It is critical to the City's ability to generate support among Realty/Realtors that any point-of-sale policy adopted is specifically designed not to delay or overburden the escrow process. The City of Piedmont offers an excellent example of how this can be done as Piedmont has actually tied sidewalk certifications and inspections to the permit process.

Another key component to the success of this policy would be the implementation of a workforce development initiative. Currently the City has neither the funding nor the manpower to repair the backlog of damaged sidewalks. Youth and anti-gang job-training initiatives are a strong resource the City can tap into, that will serve multiple purposes. Participants would provide much of the labor needed to make the actual sidewalk repairs, but perhaps more importantly, the City would be assisting at-risk youth in learning a vocation that gets them off the streets and pays them a living wage. Other positives include that these initiatives are funded by sources outside the General Fund, and that the actual training can be implemented and maintained through partnerships with local

unions, such as SEIU Local 347. A vocational training component that benefits at-risk youth would also go a long way towards creating buy-in from the community at large.

Another key component to the implementation of a point-of-sale policy would be the use of neighborhood councils, business improvement districts and homeowner associations in assessing areas that are priority fixes. These groups are already familiar with their particular localities, and this insider knowledge would save the City from unnecessarily repeating sidewalk damage assessments. Involving community groups in the identification process is also another way to increase buy-in and good will towards City repair efforts. However, in order to gain citywide support beyond just neighborhood councils, business improvement districts and homeowners associations, broad public outreach and education strategies must also be implemented. Many of the neighborhood councils members interviewed were unaware that they were able to repair their own sidewalks with an independent contractor under the current policy, therefore it is integral to educate the public on any changes to the current sidewalk repair policy, as well as how they fit into the process.

It is also recommended that the City keep the 50/50 program in place for low-income residents, those not selling property, and for homeowners with repairs over a certain amount due to tree damage. The City has an estimated range for how much sidewalk repair generally costs, and anything outside of this range that has been caused by tree damage, should be repaired through the 50/50 program. After the initial upfront costs, the point-of-sale policy will begin to pay for itself, and if the City is able to hold onto its current level of funding for sidewalk repair, it could use those monies to continue the 50/50 program. This would make a strong statement that the City accepts responsibility for damage caused by the trees they planted, or the trees they allowed developers to plant, even if they do not have the level of funding available to pay for all the necessary repairs.

Other sources of funding could potentially come from neighborhood councils and developers. Neighborhood Councils are funded by the Department of Neighborhood Empowerment (DONE), and have expressed interest in utilizing some of their monetary resources for sidewalk repair in their local communities. However, the legality of this funding source must be investigated further to ensure that City money can legally be invested into what is essentially the repair of private residences. One way the City may be able to get around this is to make sure that the DONE money is used solely to repair sidewalks in community areas such as schools and parks. As long as the Neighborhood Councils are able to prove that the sidewalk being repaired is benefiting the

community at large, there should be no problem utilizing those funds.

It was also suggested in stakeholder interviews that developers could pay a 0.5% fee on new projects into a fund that would go towards sidewalk repair for that neighborhood. This is a small percentage of the total costs for most projects in Los Angeles, and would most likely not deter new business and development in the City. Many stakeholders also believe it is important to provide incentives for developers and businesses to come to Los Angeles. Incentives could include free sidewalk repair on all projects that incorporate a certain percentage of affordable housing units, meet all the guidelines for the Mayor's Million Trees Initiative, or obtain commitments from businesses to remain in the City and higher more employees. These incentives would encourage development and the building of a healthy infrastructure in Los Angeles, while also increasing the quality of life for residents.

Communication of Findings

Our findings will be communicated to the primary client via an emailed version of our final PowerPoint presentation, in addition to a PDF version of our final report. We also gave an in-person presentation of our findings to the Los Angeles Bureau of Street Services and Council staff at City Hall on Friday, April 27th 2007, and will be distributing the final PDF version of our report to all of the stakeholders interviewed during the process of our evaluation.

Likely/Actual Uses of Evaluation

The purpose of this seminar project is to make policy recommendations based on our findings of the priorities and concerns of stakeholders, as well as through evaluation of the current 50/50 sidewalk repair policy of the Bureau of Street Services at the City of Los Angeles', Department of Public Works. Our recommendations are based on a historical review of the issue and context of the new repair policy, a review of alternate repair policies (such as point-of-sale) in other large U.S. cities, identification of and interviews with stakeholders, and reported findings. This evaluation will primarily be used to identify areas of consensus and divergence amongst stakeholders and inform policy decisions.

Our findings were already utilized as early as the afternoon of Friday, April 27th in Council Budget

Hearings when the outreach and education recommendation was implemented immediately. In addition, a task force was convened to review the rest of our recommendations. It is expected that the evaluation will spawn a more extensive evaluation as well as movement on many of the recommendations, and that it will ultimately be used to inform policy decisions surrounding sidewalk repair for the City.

Primary client/Stakeholder Reactions

The primary client has expressed praise for and satisfaction with the evaluation. Stakeholders were heartened to see that the City is looking into policies to improve the quality of sidewalks within the City and have expressed interest in the reviewing the report of the evaluation conducted.

Limitations

Limitations of this project include the impossibility of interviews and focus groups reaching all of the millions of stakeholders. According to U.S. Census Bureau, as of 2003, the City of Los Angeles is estimated to have a population of 3,819,951 people (7). Although all of these people are not property owners, the majority of them utilize the City's sidewalks and hold a stake in the outcome of potential policy decisions.

Another limitation is that focus groups composed of only neighborhood council members will not necessarily have the advantages of typical focus groups. When groups of people are familiar with each other and have frequently worked together, they can become highly cohesive and it is possible for them to suffer from "groupthink." Wikipedia encyclopedia defines groupthink as "a type of thought exhibited by group members who try to minimize conflict and reach consensus without critically testing, analyzing, and evaluating ideas." Groupthink can be caused by isolation from outside experts or the presence of a particularly strong leader whose agenda and ideas can easily sway those around him/her.

Beyond groupthink, there is another difficulty; statistical conclusions cannot be drawn from interviews and focus groups. The data drawn from this methodology is qualitative, not quantitative, and is therefore open to interpretation. As a result, our research has primarily relied on small, focused samples, rather than large random samples.

While we have tried to include multiple people from all relevant stakeholder groups in our research, those who choose not to interview, had schedules that conflicted with ours, or were too far for us to interview may hold different opinions. This is a sheer numbers game. We cannot force people to participate, and we do not have the resources available to gather the large random samples necessary to offset this limitation.

Finally, interview selection was not random. The majority of the stakeholders interviewed already had a vested interest in the area of sidewalk repair, and were recommended for their demonstrated involvement in solving this issue. Due to a limited amount of time, interviewees were primarily selected based on their willingness to participate, which appeared to be connected to this knowledge of and interest in the area of sidewalk repair.

Overcoming Limitations

Even if a more extensive evaluation effort had been conducted, it would not have been possible to reach every single stakeholder in the City of Los Angeles. However, with more resources (i.e. time and money), the project certainly could have reached a larger number of people/groups, across a broader geographic spectrum. Statistical conclusions cannot be drawn from focus groups and interviews, though but with a large number of respondents, the data would hold a lot more weight. Furthermore, the City could consider conducting a survey in the future to obtain quantitative data.

If more time had allowed, the neighborhood council “groupthink” phenomena might have been overcome by bringing local property owners together for a community forum where sidewalk repair is discussed. Each meeting could have been held in an easily accessible area of the community during non-work hours, in order to appeal to the most stakeholders. With enough of these meetings in various geographic regions, some substantial data could have been collected on the opinions of homeowners. Also, with more time and resources, it might have been possible to get those who did not wish to participate involved in this project through the offering of incentives. Incentives could have included coupons to local restaurants, mileage reimbursement, or even a deal on sidewalk repair.

This evaluation report was generated for the educational benefit of its student authors and the main purpose of the project was to learn evaluation techniques. The opinions and suggestions in this report are not generalizable and do not represent the views of the University of Southern California, the School of Policy, Planning, and Development, or its faculty.

Appendix A: Revised design matrix

| Evaluation Question | Focus Group/Interview Questions | Information Source | Data Collection Mode | Costs | Outputs | Purpose |
|--|--|--|---|---|---|---|
| <p>What are viable alternatives to the current sidewalk repair policy?</p> | <p>What is your experience with the condition of sidewalks in LA?</p> <p>How does the need for sidewalk repairs affect you and/or your constituency?</p> <p>How should sidewalk repair be funded? If the City does not have enough funding to pay for all the repairs, who should share in that cost?</p> <p>The City is considering three competing policies: one where the City cites property owners for damaged sidewalks and requires that they have them fixed, one that requires that property owners fix sidewalks upon the sale of their property, and one that provides for funding for the City to fix sidewalks through a bond measure.</p> <p>How would each of these policies affect you and/or your constituency? Would you support any of these policies? What would be the impact or cost of each?</p> <p>What, in your opinion, should ultimately be done?</p> | <p>A sampling of Councilmembers available for an interview</p> <p>A sampling of Chamber of Commerce board members available for an interview</p> <p>A sampling of Board of Realtors members available for an interview</p> <p>A sampling of Neighborhood Council board members available for interviews/focus groups</p> <p>A sampling of Union SEIU Local 347 leadership available for group interviews/focus groups</p> <p>Bureau of Street Services Representatives</p> | <p>Historical Review</p> <p>Research of viable alternative sidewalk repair policies</p> <p>4 to 6 one-on-one interviews with Councilmembers, SEIU leadership, BOSS & Realtors</p> <p>Interviews/Focus groups with the remaining stakeholder groups (at least one interview of 6-10 people per group)</p> <p>Proprietary data from the City of Los Angeles Bureau of Street Services</p> <p>Review of Dr. Donald Shoup's journal article</p> <p>Conversation with City of Piedmont Department of Public Works Director</p> | <p>Time it takes for people to meet with us and for us to meet with them</p> <p>Transportation costs</p> <p>Potential for political repercussions</p> | <p>Preliminary findings presentation Tuesday, March 20th</p> <p>Final presentation Tuesday, April 24th</p> <p>Written report turned in Thursday, May 3rd</p> | <p>Identify areas of consensus and divergence amongst stakeholders</p> <p>Inform sidewalk repair policy decisions</p> |

Appendix B: Copies of Interview/Focus Group Questions

- What is your experience with the condition of sidewalks in Los Angeles?
- How does the need for sidewalk repairs affect you/your constituency?
- How do you feel that sidewalk repair should be funded? If the City does not have enough funding to pay for all the repairs, who should share in that cost?
- The City is considering three competing policies: one where the City cites property owners for damaged sidewalks and requires that they have them fixed, one that requires that property owners fix sidewalks upon the sale of their property, and one that provides for funding for the City to fix sidewalks through a bond measure.

How would each of these policies affect you and/or your constituency? Would you support any of these policies? What would be the impact or cost of each?

- What should ultimately be done?
- Review of journal articles and news articles regarding alternative policies

Appendix C: References

- (1) City of Piedmont Policy on Required Construction and Repair of City Sidewalks Article V. Sec. 18.26. – Sec 18.32.
- (2) City of Los Angeles Public Works Bureau of Street Services Cost of Risk Report Fiscal Years 2001-2006.
- (3) City of Los Angeles Public Works Bureau of Street Services Safe Sidewalks Repair Program, June 19, 2002.
- (4) Fine, Howard. The Free Library.com. "Affordable housing bond's narrow loss curbs L.A. euphoria" retrieved on Saturday, April 28, 2007.
<http://www.thefreelibrary.com/Affordable+housing+bond's+narrow+loss+curbs+L.A.+euphoria-a0155570479>
- (5) Gonzalez, George. "Innovative Ideas for Sidewalk Management in Los Angeles." Report presented to the American Public Works Association on November 17, 2004.
- (6) Shoup, Dr. Donald C. "Regulating Land Use at Sale: Public Improvement from Private Investment." Journal of the American Planning Association, Vol. 62, No. 3, Summer 1996.
- (7) U.S. Census Bureau "Los Angeles City, California" retrieved on Thursday, April 5, 2007. <http://quickfacts.census.gov/qfd/states/06/0644000.html>
- (8) Various Interdepartmental Correspondences within the City of Los Angeles regarding Sidewalk Repair Policy.

(9) Wholey, Joseph S., Harry P. Hatry, and Kathryn E. Newcomer. 2004. Handbook of Practical Program Evaluation. 2nd Edition. San Francisco, CA: John Wiley and Sons.

(10) Wikipedia Encyclopedia, "Groupthink" retrieved on Thursday, April 5, 2007.
<http://en.wikipedia.org/wiki/Groupthink>

(11) County of Los Angeles Department of Registrar-Recorder/County Clerk Official Election Returns Website. Retrieved on March 20, 2007.
<http://rrcc.co.la.ca.us/elect/98110018/rr0018pt.html-ssi>

Appendix D: Examples of the data collected; where the data are stored

The data exists in the form of handwritten notes taken during interviews and focus groups, notes retyped onto computers, and data analysis of coding concepts in Excel spreadsheets. The handwritten notes have been destroyed by the student evaluators. The typed note and the data analysis is stored on the hard drives of the personal computers of the two student evaluators.

Appendix E: Written Agreement Detailing Project Conditions

Re: City of Los Angeles' Sidewalk Repair Policy Project

February 20, 2007

Attn: William Robertson
General Manager, Bureau of Street Services
Department of Public Works
City of Los Angeles
Cc: Nazario Saucedo, Ron Olive

Dear Mr. Robertson:

The following letter shall serve as a written agreement detailing the project conditions for the Sidewalk Repair Policy Project for the Bureau of Street Services within the Department of Public Works for the City of Los Angeles.

Purpose of Project & Possible Uses of Evaluation:

The purpose of this seminar project is to make policy recommendations based on findings of the priorities and concerns of stakeholders, as well as thorough evaluation of the current sidewalk repair policy of the Bureau of Street Services at the City of Los Angeles' Department of Public Works and viable alternatives to that policy. The evaluation will include a historical review of the issue and context of the current repair policy, a review of alternative policies, identification of and interviews with stakeholders, reported findings, and recommendations for viable alternatives and next steps. This evaluation will primarily be used to identify areas of consensus and divergence amongst stakeholders and inform policy decisions.

Proposed Evaluation Questions:

What is your experience with sidewalks in Los Angeles? How does the need for sidewalk repairs affect you? How do you feel that sidewalk repair should be funded? If the City does not have enough funding to pay for all the repairs, who should share in that cost? How would any of the following policies affect you/your constituency: a policy that makes property owners responsible for fixing sidewalks upon the sale of their property? Upon the purchase of their property? At any time, regardless of whether they are buying or selling a property? Would you support any of the following policies: a policy that makes property owners responsible for fixing sidewalks upon the sale of their property? Upon the purchase of their property? At any time, regardless of whether they are buying or selling a property? How would a bond measure affect you/your constituency, and would you support a bond measure to fund sidewalk repairs?

Data Collection Plan:

After conducting the historical review, analysis of data provided by the Bureau of Street Services, and research of viable alternative policies, stakeholders will be identified and contacted to schedule interviews. Stakeholders include Councilmembers, the Board of Realtors, the Chamber of Commerce, community groups such as neighborhood councils, Union SEIU Local 347, and the Bureau of Street Services. Many of these stakeholders will have busy schedules; so individual interviews will be scheduled. However, it is possible that

page 2 of 2

Written Agreement of Project Conditions

group interviews/focus groups will be conducted in lieu of individual interviews for such stakeholders as neighborhood councils, since they will be approached when they are already convened for their regular meetings. After conducting the focus groups and one-on-one interviews we will code our notes and systematically analyze the responses. Costs for this project include time, the time it takes for people to meet with us, as well as our time in conducting the interviews, and transportation costs. There may also be political issues, especially when dealing with Unions and elected officials that need to be taken into account.

Confidentiality:

All of our findings and the information gleaned from the one-on-one interviews and focus groups will be kept in strict confidence, unless otherwise authorized by the Client. In addition, our findings will be divulged to our primary clients at the City of Los Angeles' Bureau of Street Services and any stakeholders who participated in the evaluation, as well as Professor Susan Yackee and our classmates at the University of Southern California.

Deliverables:

There will be a presentation outlining the evaluation procedures and preliminary findings from our historical review, as well as an evaluation of the current sidewalk repair policy and alternative policies on Tuesday, March 6th at the University of Southern California. Our final presentation will discuss our findings from the historical review as well as the one-on-one and group interviews, and will take place on Tuesday, April 17th at the University of Southern California. Our findings will culminate in a written report that will be given to our professor on Tuesday, May 1st and to our primary clients at the Bureau of Street Services. The primary clients have the option of attending our final presentation, as well as opting for an additional presentation to be delivered at their offices at a later date.

Design Matrix:

*Please see Appendix A

I hereby agree to the above conditions set forth for this project and accept the terms herein:

William Robertson, General Manager of the Department of Public Works' Bureau of Street Services for the City of Los Angeles

Julayne Austin, Student Evaluator, University of Southern California

Kassandra Tribble, Student Evaluator, University of Southern California

Figure 1 - Sidewalk Repair Funding

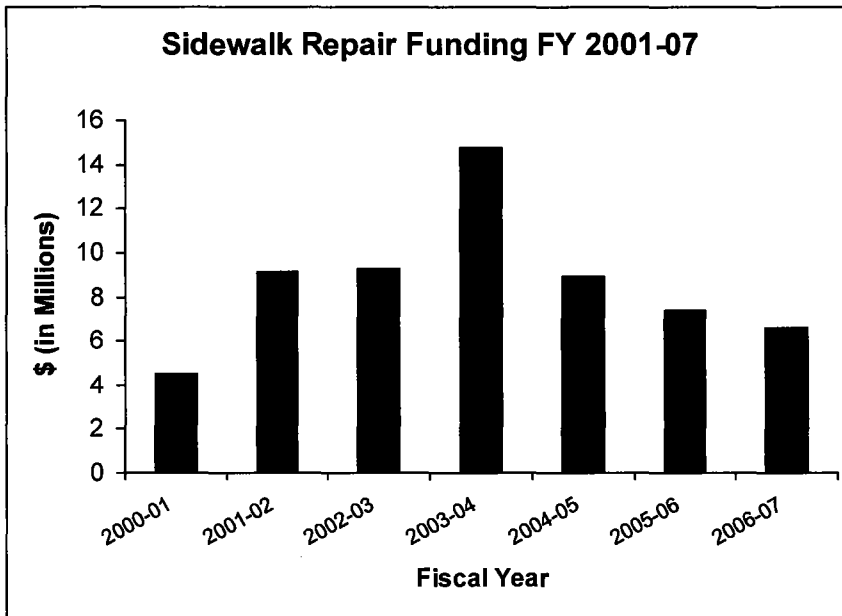


Figure 2 - Sidewalk Miles Repaired

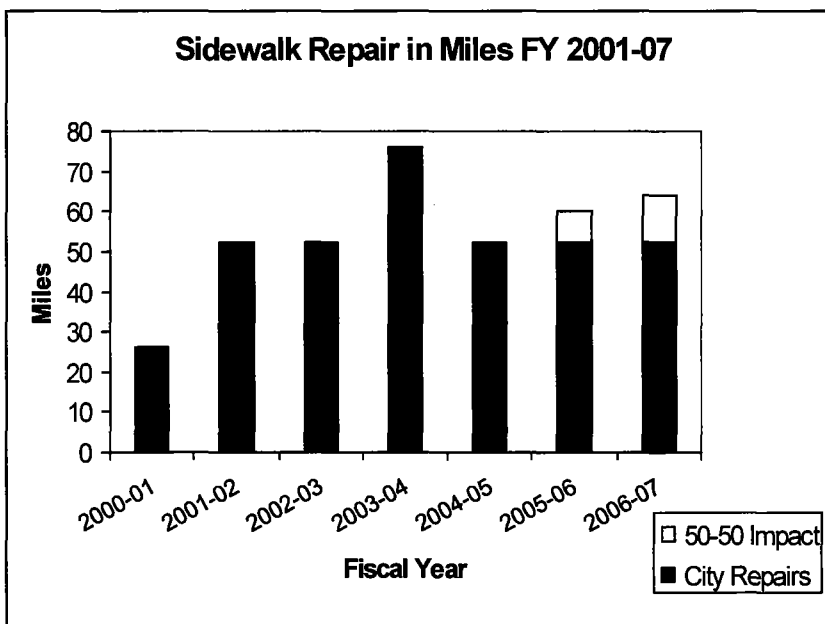
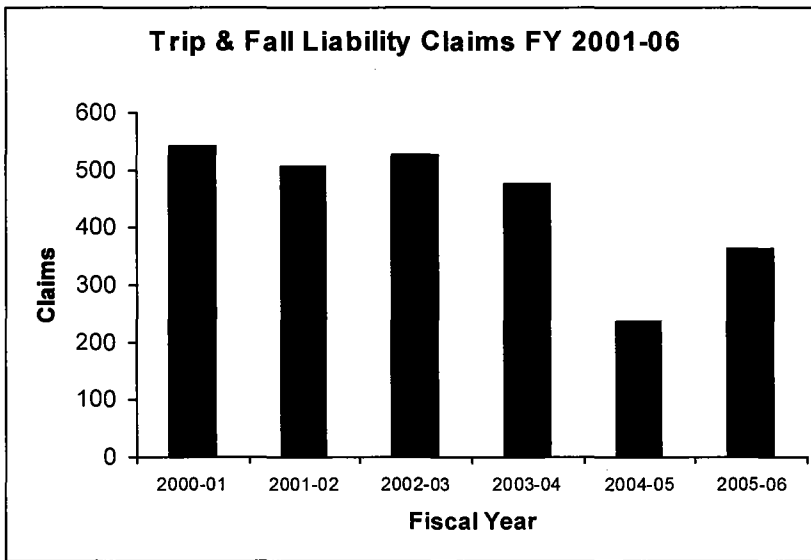


Figure 3 – Trip and Fall Liability Claims



Though the overall number of trip & fall claims has fallen since FY 2001, the average annual trip & fall liability expenditure is \$4.3 million.

Figure 4 – Trip and Fall Liability Expenditures

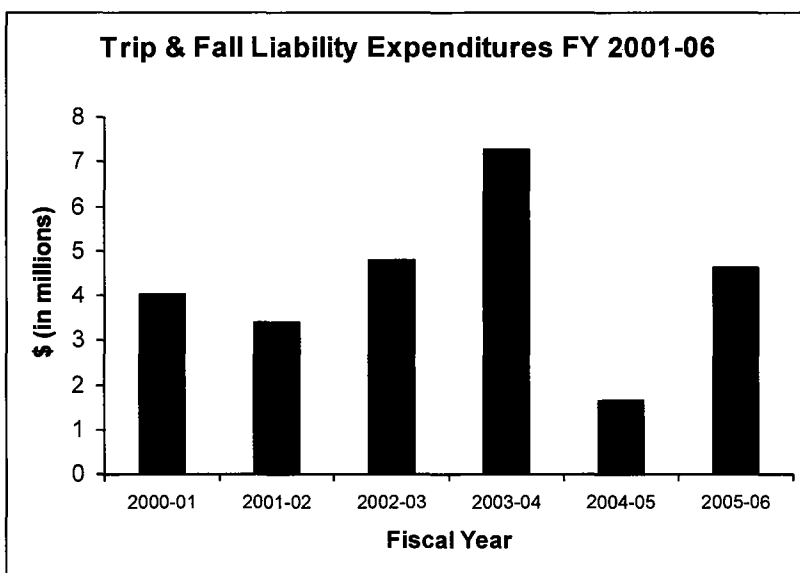
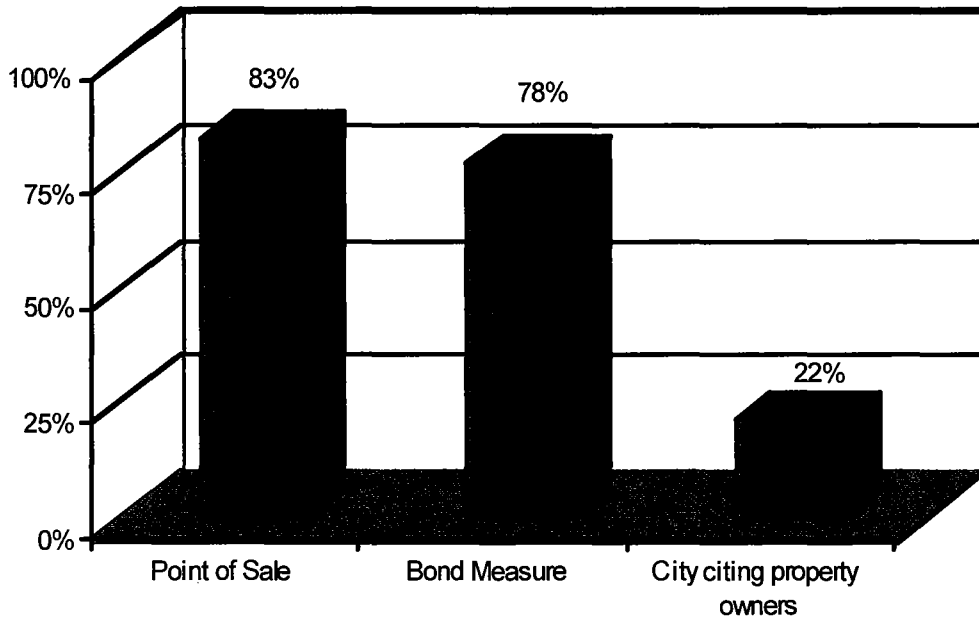
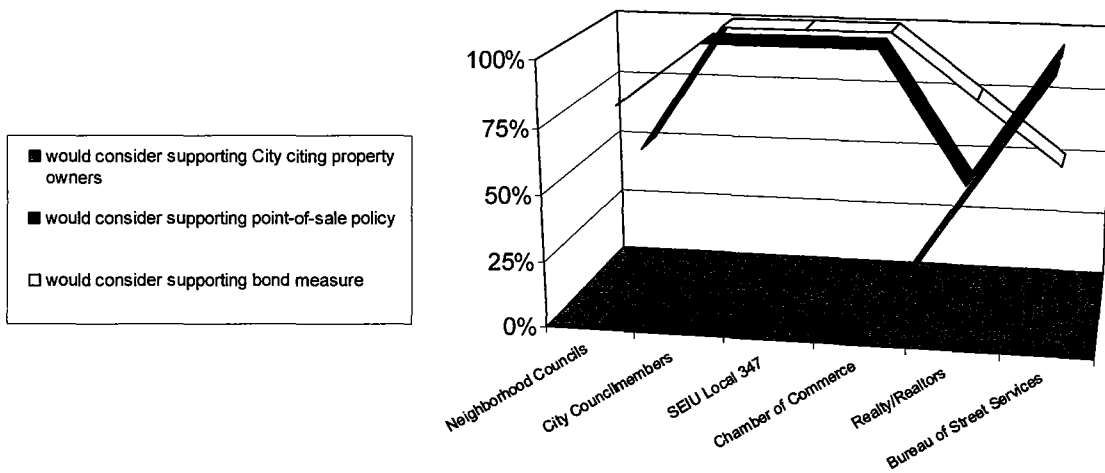


Figure 5 – Stakeholder Support of Policy Alternatives



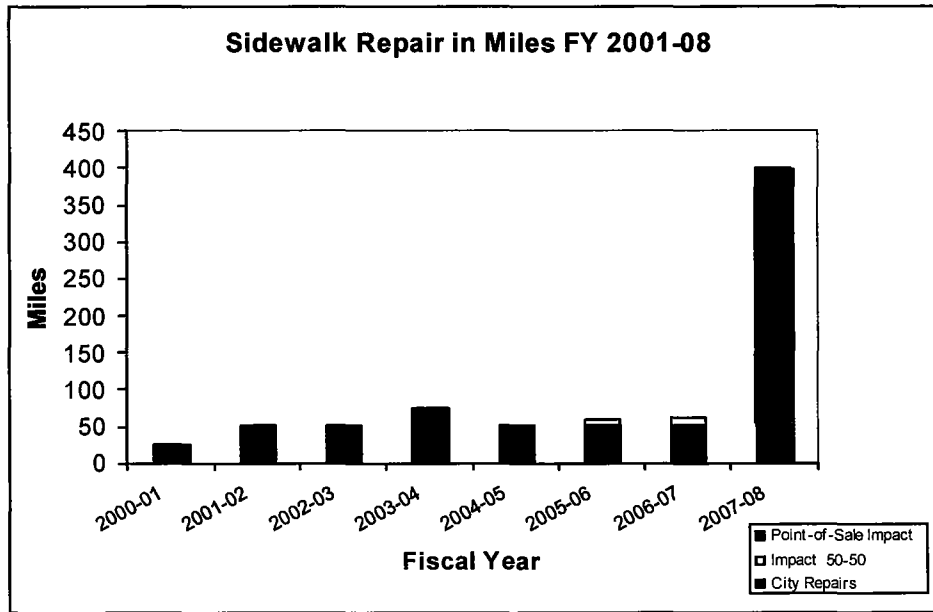
Note: responses from stakeholders were weighted individually

Figure 6 - Stakeholder Consensus and Divergence Regarding Policy Alternatives



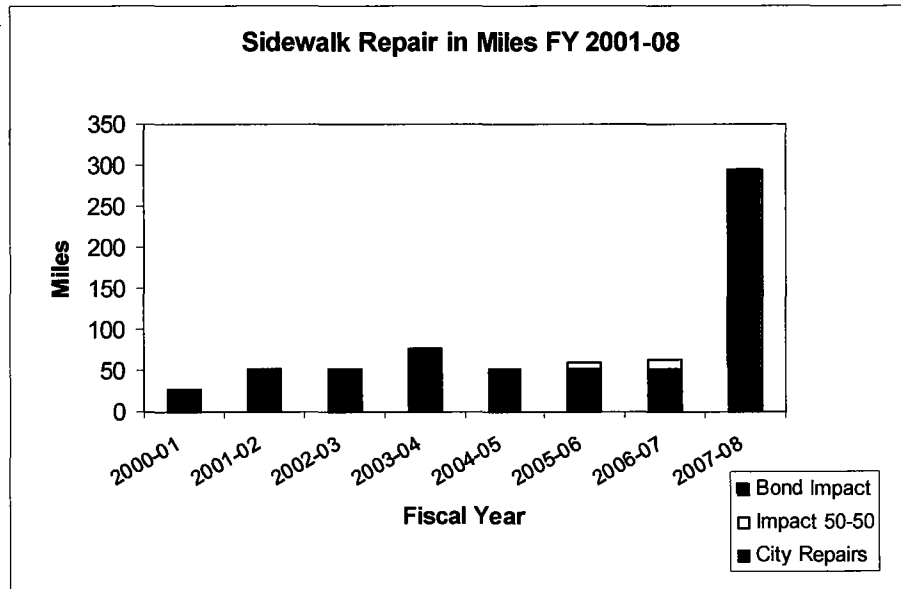
Note: responses from stakeholders were weighted by group

Figure 7 – Impact of Point-of-Sale Policy



Note: source of information for this graph is Shoup, Dr. Donald C., "Regulating Land Use at Sale: Public Improvement from Private Investment."

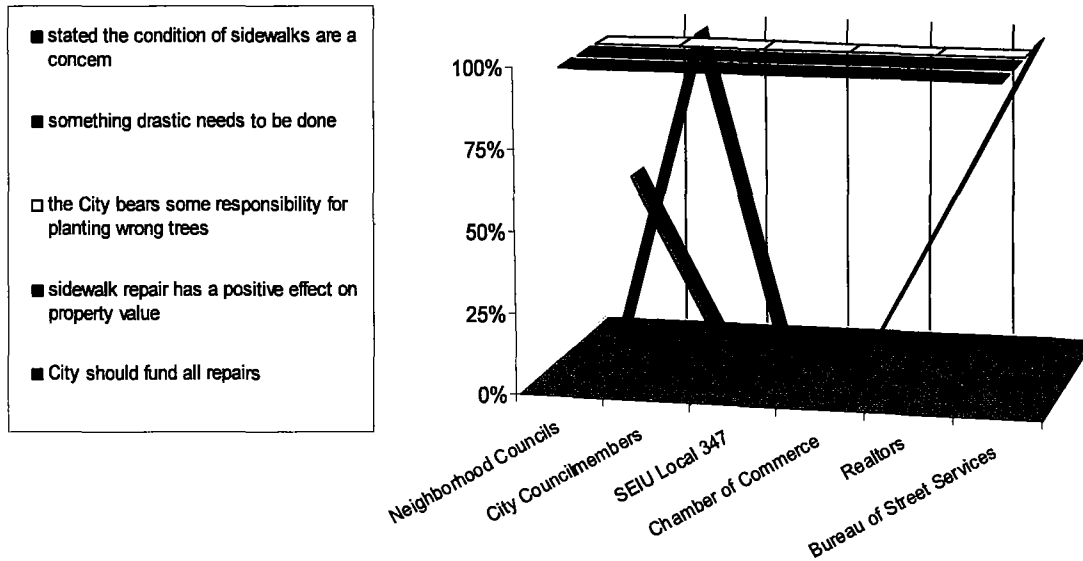
Figure 8 – Impact of Sidewalk Repair Bond



Note: Impact estimated using total bond funding proposed in 1998 and assuming funding to miles repaired ratios stay the same.

Figure 9 – Stakeholder Groups’ Beliefs

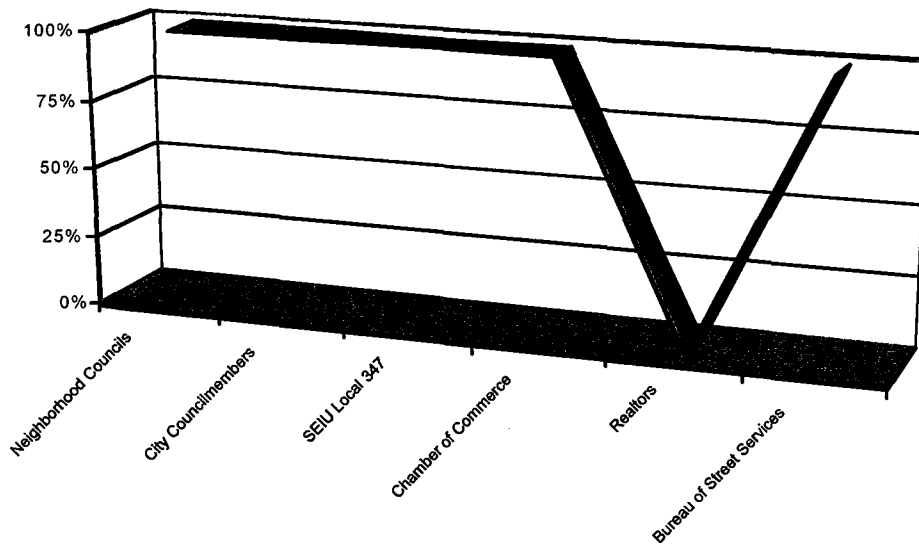
Overall 100% of stakeholders share beliefs on the condition of the sidewalk repair situation, 42% believe repairs positively impact property value and 8% believe the City should fund all repairs.



Note: Responses from stakeholders were weighted by group

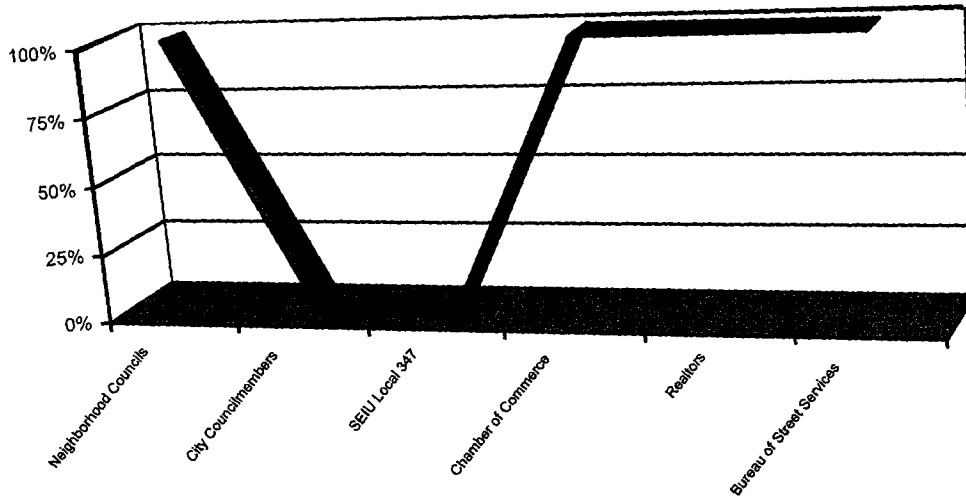
Figure 10 – Stakeholder Groups’ Feedback on Public Private Partnerships

Overall 83% recommended public/private partnerships



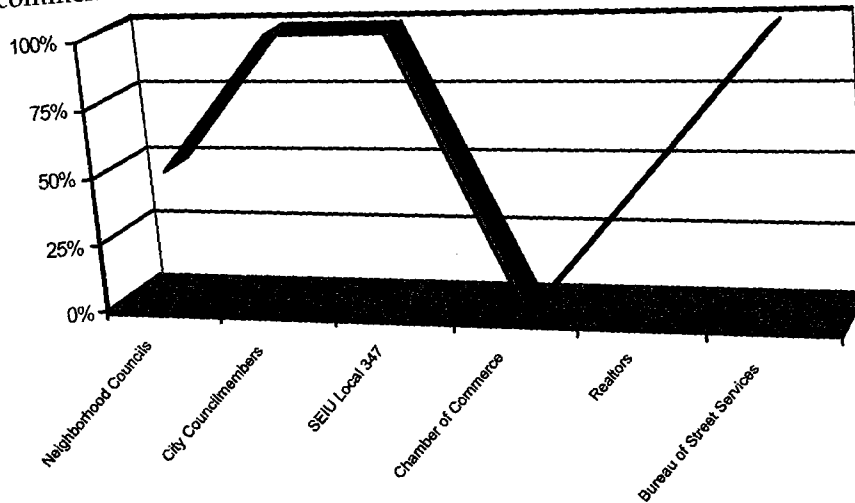
Note: responses from stakeholders were weighted by group

Figure 11 - Stakeholder Groups' Feedback on Property Owners Having the Ability to Fix Their Own Sidewalks
 Overall 33% recommended that property owners and developers pay into a fund for repairs in a specific area



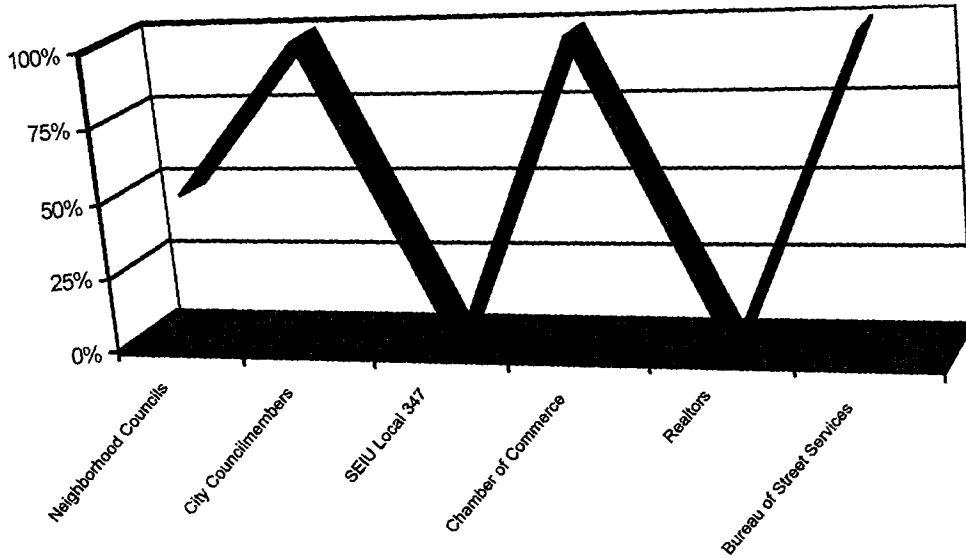
Note: responses from stakeholders were weighted by group

Figure 12 - Stakeholder Groups' Feedback on the Use of Outreach and Education
 Overall 67% recommended the use of outreach and education to develop buy-in



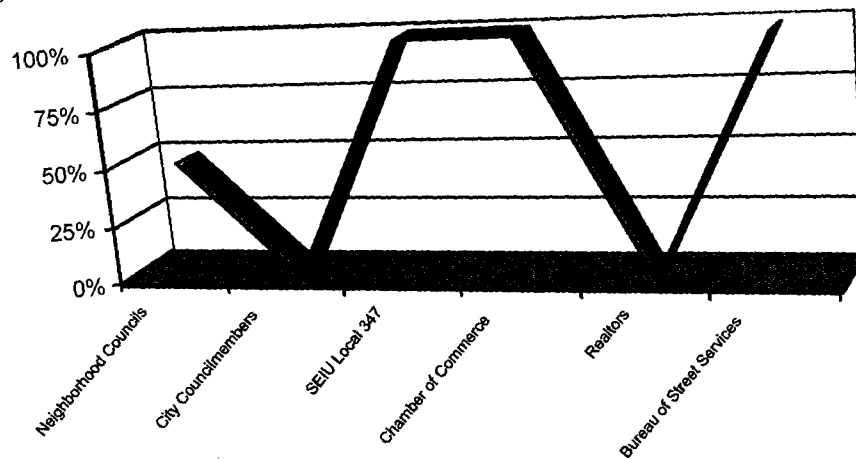
Note: responses from stakeholders were weighted by group

Figure 13 - Stakeholder Groups' Recommendation on the Use of Incentives
 Overall 58% recommended the use of incentives



Note: responses from stakeholders were weighted by group

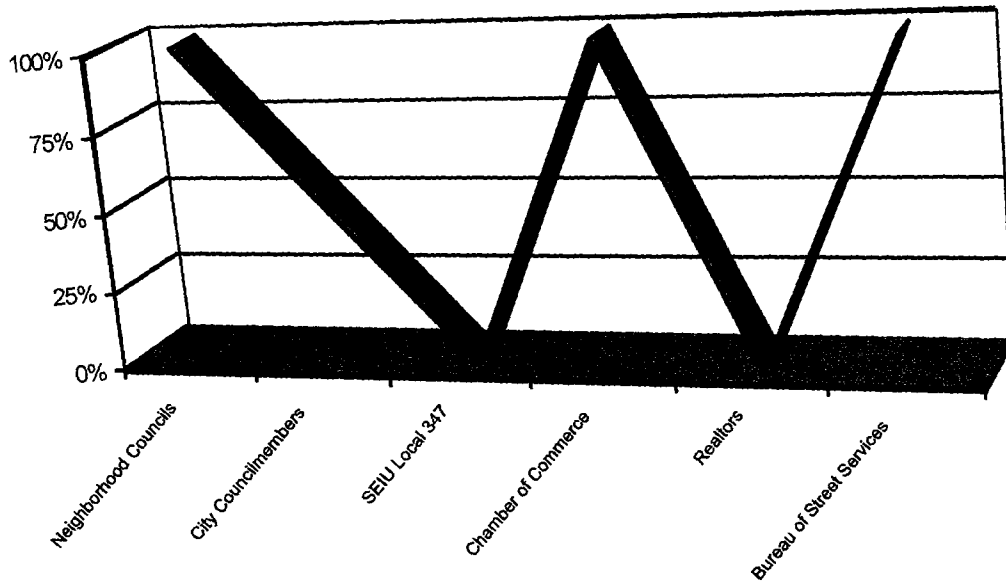
Figure 14 - Stakeholder Groups' Recommendation on Workforce Training Initiatives
 Overall 58% recommended implementing workforce training initiatives to provide labor for sidewalk repairs



Note: responses from stakeholders were weighted by group

Figure 15 - Stakeholder Groups' Recommendation on Neighborhood Councils Helping to Map Out Priority Fixes

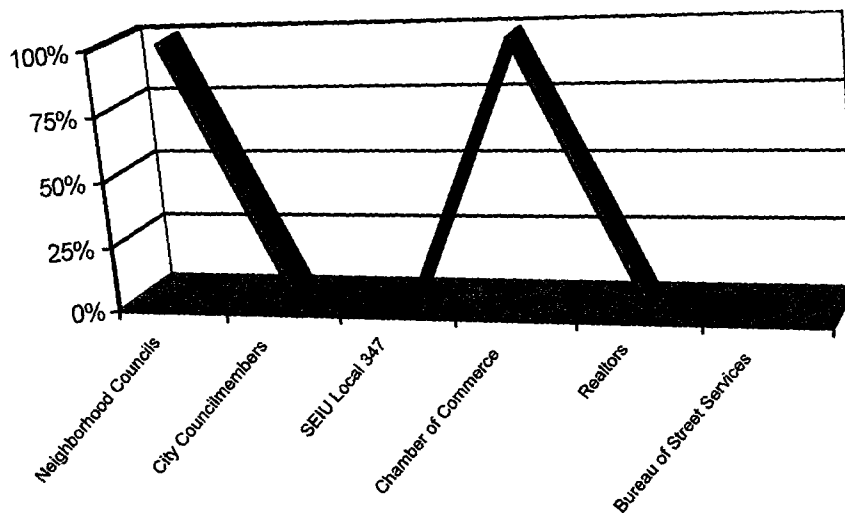
Overall 58% recommended that neighborhood councils help to map out priority fixes



Note: responses from stakeholders were weighted by group

Figure 16 - Stakeholder Groups' Recommendation of a Repair Fund by Area

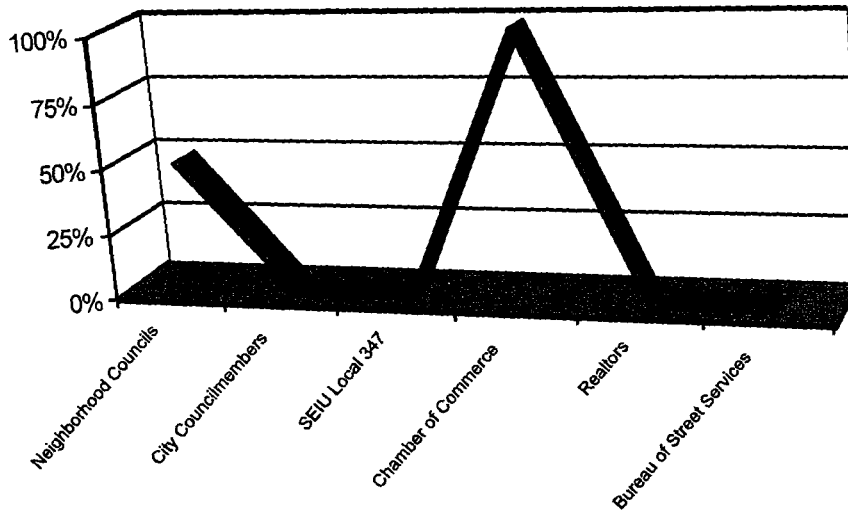
Overall 33% recommended that property owners and developers pay into a fund for repairs in a specific area



Note: responses from stakeholders were weighted by group

Figure 17 - Stakeholder Groups' Recommendation that Neighborhood Councils Use Some of Their \$50k from DONE to Repair Sidewalks in Their Area

Overall 25% recommended that neighborhood councils use some of their \$50k from DONE to repair sidewalks in their area



Note: responses from stakeholders were weighted by group