

12-1825

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MOTION


Many parts of the City are experiencing latent damage to City streets as a result of construction related excavations. Although construction projects with permits are fulfilling their obligation to fill and repair any cuts to public streets and alleys, too often the quality of the work is substandard and months after the repair work is done the streets experience failure.

The increasing street failures resulting from construction activities are causing sinking streets and other road hazards which traffic has to overcome. These conditions could also be creating major liabilities and there is no staff assigned to follow up and ensure that the liability is borne by the construction project which initially cut the street and is made responsible for the latent street failure, which occurs sometimes six months or more after the construction.

Action is needed to dedicate at least one full time City attorney to be tasked with follow-up and enforcement for liability for street failures caused by street cuts and excavations resulting from construction projects. Although the City charges a fee for street damage restoration (LAMC 62.06 et seq.), the fee, which is established by Resolution, is currently insufficient to recover the cost of a dedicated City attorney position for follow-up and enforcement for liability for street failures caused by street cuts and excavations resulting from construction projects.

Action is needed to increase the street damage restoration fee and to adopt any necessary personnel actions.

I THEREFORE MOVE that the City Administrative Officer with the assistance of the Bureau of Street Services and the City Engineer, be directed to report with recommendations for increasing the Street Damage Restoration Fee (LAMC 62.06 et seq.) in an amount sufficient to pay for the cost of sufficient City attorney staff specifically dedicated to follow-up and enforcement efforts for liability for street failures caused by street cuts and excavations resulting from construction projects; including any position authority and related personnel recommendations needed for the above purpose.

PRESENTED BY:   
ED P. REYES  
Councilman, 1<sup>st</sup> District

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SECONDED BY: 

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