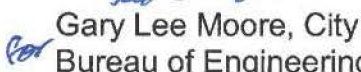



**CITY OF LOS ANGELES**  
INTERDEPARTMENTAL CORRESPONDENCE

Date: June 9, 2016

To: The Honorable Council Member Buscaino, Chair  
Public Works and Gang Reduction Committee

The Honorable Council Member Krekorian, Chair  
Budget and Finance Committee

From:  Gary Lee Moore, City Engineer  
Bureau of Engineering

Miguel Santana, City Administrative Officer  
Office of the City Administrative Officer 

Subject: **CITYWIDE SIDEWALK REPAIR PROGRAM COUNCIL FILE 14-0163-S3 REPORT ON ITEM NO. 1**

**RECOMMENDATIONS:**

- 1) APPROVE the establishment of an incentive for a cost sharing rebate program for removal and replacement of concrete sidewalk with a cap of \$2,000 per Lot in residential areas (R5 Zone and more restrictive) and \$4,000 per Lot in commercial and industrial areas.
- 2) APPROVE that property owners participating in the cost sharing rebate program be required to cover the costs for planting and establishing each street tree that must be removed due to sidewalk repair, and that the City will assume the costs for planting and establishing any additional street trees that are required.
- 3) INSTRUCT the Board of Public Works to implement a Sidewalk Repair Program that reflects the cost sharing rebate program described in this report.
- 4) AUTHORIZE the Board to delegate specific elements of the program implementation, where appropriate, to a designee.

**DISCUSSION**

The Bureau of Engineering (BOE), City Administrative Officer (CAO), and the City Attorney have worked to develop the recommended terms for the Sidewalk Repair Program incentive and cost sharing rebate program (Program).

The Council instructed staff to develop and report on options for implementing a rebate program, with a Program cap, for sidewalk repair work performed by property owners during the first three years of the sidewalk repair program. The intent of the cost sharing is to accelerate privately funded repairs.

Staff researched several sidewalk incentive/rebate programs implemented across the country to identify lessons learned and best practices. In addition, staff met with Department of Water and Power representatives to better understand their Energy Efficiency and Water Conservation Rebate programs. Through this research staff identified a recommended process to serve as a basis for the Program.

While this report provides a general overview of the recommended Program, it is recommended that the Council and Mayor approve only the complementary ordinance(s) submitted by the City Attorney, the incentive caps per Lot as shown in the Table below and a general policy statement regarding the replacement of street trees. The details of the Program are recommended to be approved by the Board of Public Works or a designee as appropriate.

Future reports back will address topics that are not addressed in this report. It is our joint recommendation that the Council and Mayor adopt the recommendations in this report prior to the end of June 2016 so that implementation of this important Program can occur as soon as possible in July 2016.

The following steps are recommended to administer and deliver the Program:

### **Overall Incentive Framework**

The incentive will be provided as reimbursable payment (rebate) only upon completion of the sidewalk repair. This will ensure accountability over public funds, provide data for use in Willits Settlement Agreement reporting requirements, and will be the most efficient for City staff to administer.

### **Program Interest Form**

Applicant will submit a request to participate in the Program by completing a Program Interest Form (PIF) for submittal to the City. Applicants will be able to complete the PIF over the internet or with the assistance of City staff in City offices or departments or through 311. Staff will receive and respond to each PIF in the order it was received.

### **Eligibility Determination**

The applicant's eligibility to participate in the Program will be confirmed. Property ownership and taxpayer identification information will need to be provided. The business tax status of commercial applicants will be verified. Incentives will not be provided to businesses that are delinquent with business taxes.

### **Verification & Cost Estimate**

Upon eligibility determination, the request will be cataloged in the Program database and an inspector from the City will perform a field visit to the applicant's property. During the field visit to the applicant's property a determination will be made as to whether the site is already Americans with Disabilities Act (ADA) compliant or requires repair to achieve compliance. The entire sidewalk adjacent to the applicant's property must become ADA compliant to qualify for an incentive. If repair is required, the scope of work necessary to achieve compliance and a cost estimate will be identified. This estimate will serve as the basis for calculation of the rebate amount. Depending upon availability of budgetary resources, the Program request will be approved. Once

a request is approved, the applicant will receive an offer detailing the rebate amount for the sidewalk repair at the property.

### **Applicant Action & Permitting**

Upon receipt of the offer the applicant may choose to move ahead with the remainder of the process or decline participation. Use of a licensed contractor, with a valid A or C license, is required for participation in the Program. The applicant may hire a licensed contractor of their own choosing to perform the work. A list of licensed contractors recognized by the City to have the appropriate license will be listed online and made available in each BOE District Office. Within 60-calendar days from transmittal of the offer the applicants licensed contractor will need to obtain a No-Fee A Permit from the BOE for the work. If a No-Fee A Permit is not issued within 60-calendar days the rebate offer is void and the applicant loses their reservation and must submit a new PIF.

### **Permitting / Construction**

The contractor will have 90 calendar days to complete the work after obtaining the permit in order to qualify for the rebate offer. Additional work beyond what has been identified for ADA compliance may be performed under this permit. The cost for the additional work will be borne by the applicant.

### **Inspection / Certification**

The work performed is to be verified compliant with City standards and ADA requirements. Upon verification, a certification of the ADA compliant work will be recorded and the 20 year warranty period for inspected and compliant residential repairs; or a five year warranty for inspected and compliant non-residential repairs commences.

### **Reimbursement**

After the work has received certification, the rebate will be issued based on the eligible rebate amount determined by the process herein and the City's assessed cost of the value of the required work (no backup documentation for actual cost incurred by property owner(s) will be required).

### **Street Trees**

If the sidewalk repair requires the removal and replacement of a street tree, it is proposed for the Program that applicants only be financially responsible for replacing and establishing one of the two street trees required to be replaced for each removed tree. The second tree will be the paid for by the City.

### **Specific points for consideration within the process**

- Eligible costs are based on standard Portland cement concrete sidewalks
- No Fee A Permit includes all work to accommodate sidewalk repair including tree root pruning, trimming, removal, and replacement
- Arboricultural Services for determining the disposition of street trees impacted by sidewalk repair will be provided by the City



### **Incentive Structure**

The basic structure of the incentive is \$16 per square foot of concrete sidewalk repair plus \$500 per replaced tree, up to a maximum of \$2,000 or \$4,000. The cap was established, as directed by the Council, using an estimated cost of repair of approximately \$32 per square foot and an estimated typical residential frontage of 45 feet for residential property and 90 feet for commercial properties. The following table provides the maximum incentive of the sidewalk repair program:

Land Use	Zoning	Maximum Rebate Per Lot
Residential	R1 – R5	\$2,000.00
Commercial/Industrial	Commercial/Industrial Zones	\$4,000.00

### **Additional Program Details and Reports Back**

This report describes a recommended framework for the Sidewalk Repair Program cost sharing rebate program. It is recommended that the Council review and comment on this report and subsequently delegate the implementation of the Sidewalk Repair Program cost sharing rebate program (all the details, procedures and supporting policies) to the Board of Public Works, or as appropriate, a designee.

Additionally, City staff will continue working on the remaining reports back instructed by the Council with the intent of submitting them as soon as possible. These reports cover topics such as:

- A sliding scale for cost sharing for non-profit and community service organization that can display a hardship;
- The feasibility of retroactive reimbursement eligibility;
- Compiling an inventory of sidewalks needing repairs;
- Any additional resource requirements, if any, not provided in the 2016-17 Budget;
- A prioritization and scoring system for required sidewalk repairs;
- The results of the Environmental Impact Report;
- Urban Forestry best practices requested by the Council;
- Incorporation of alternative and sustainable materials;
- Incorporation of green, stormwater recapture infrastructure;

- Incorporation of diamond cutting;
- Workforce development and job training opportunities; and,
- Funding options to accelerate the Program.

As those reports are considered in the near future the basic Program framework established through this report can be modified and updated.

*GLM/CN:cn*  
*MAS:DHH/SMS*

C:

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