

14-0420

MOTION

The state of the City's sidewalks is widely agreed to be unacceptable. Many of our sidewalks are significantly aged, and many have been badly damaged from roots of trees that have themselves aged and grown to excessive size. In recent years, there has been no orchestrated effort to affect repairs to sidewalks that are damaged.

For nearly a century, California state law has mandated that sidewalks be maintained (with limited exceptions) by the property owners. Nonetheless, there has been ambiguity in the application of the law in the City and there has been confusion among property owners about where the responsibility to repair sidewalks lies. The so-called "parkway tree exemption," combined with sometimes inadequate record-keeping, further obscures the lines of responsibility between city-maintained infrastructure and that which is the responsibility of the adjacent property owner.

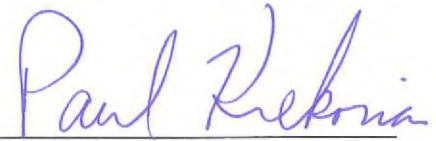
I MOVE the City Council INSTRUCT the CAO, together with the Bureau of Street Services and the Bureau of Engineering, and in consultation with the City Attorney, to report with options for a comprehensive and sustainable sidewalk repair strategy that takes into account the City's obligations under the Americans with Disabilities Act and its legal obligations under state law and City ordinances, among other issues.

I FURTHER MOVE that the City Council INSTRUCT the CAO, in concert with the Bureau of Street Services, the Bureau of Engineering, and the Department of Water and Power, to report with design standards for sidewalk construction that meet the following objectives:

- Improvements in applied materials and designs to increase the permeation of groundwater in areas where the water table can be replenished; and
- Improvements in applied materials and designs to better avoid damage from root growth while maintaining the health of parkway trees; and
- The preservation of historic streetscapes and other characteristics unique to individual neighborhoods (with particular concern for preserving location filming options).

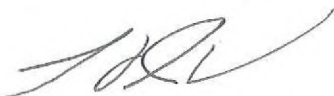
I FURTHER MOVE that the City Council INSTRUCT the CAO to report with options to defray or reduce the costs of sidewalk repair for residents and businesses.

Presented by:



PAUL KREKORIAN
Councilmember, 2nd District

Seconded by:

APR 4 2014

ORIGINAL