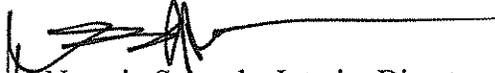


CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: January 30, 2012

TO: Public Works Committee of the Los Angeles City Council

Attn: Office of the City Clerk
Room 395 City Hall

FROM: 
Nazario Saucedo, Interim Director
Bureau of Street Services

SUBJECT: Sidewalk Repair Options (C.F. 05-1853 and 05-1853-S1)

This follows up Bureau of Street Services (BSS) reports dated April 8, 2010 and October 19, 2011, which were most recently discussed at the Public Works and Budget and Finance Committees Joint Meeting on October 19, 2011. This report should be considered together with the City Attorney's report and proposed Ordinance, dated March 31, 2011.

RECOMMENDATIONS

That the Public Works Committee:

1. Instruct the Bureau of Street Services to proceed with the Neighborhood Council Outreach effort outlined in this report.
2. Instruct the Bureau of Street Services, Office of the City Administrative Officer (CAO), Office of the Chief Legislative Analyst (CLA) and affected City Departments to work cooperatively in developing detailed work plans, cost estimates and timelines for the four options previously selected by the Public Works and Budget and Finance Committees.
3. Instruct the Bureau of Street Services to report back in 120 days with a status on the development of these options, along with a summary of feedback from the Neighborhood Council meetings and results of the Questionnaire.

DISCUSSION

In Los Angeles, it is estimated that approximately 40 percent the sidewalk network (or roughly 4,600 miles) requires repair and could cost upwards of \$1.5 billion. The sheer magnitude of such costs requires carefully developing a clear understanding of the repair scope and funding strategy. That critical process not only helps elected officials and constituents make informed decisions but makes the best use of very limited staff resources. Repairing the city's sidewalks continues to be an important issue given its negative effect on property values, pedestrian mobility and its contribution to over 2,500 trip and fall claims each year.

Funding Strategies

Following considerable discussion by staff, City officials and the Council Committees, the four funding strategies deemed most practical and appropriate for a sidewalk repair program are:

- 1) Citywide Bond
- 2) Assessment District(s)
- 3) Point of Service
- 4) Point of Permit

In the case of options 1 and 2, each requires a significant outlay of staff and funds to produce a proposal presentable to the City Council and to voters. Furthermore, depending on how they were formulated, the strategies will have varying thresholds for approval by the electorate and, no matter which strategy, guidelines also must be established to define hardship exemptions, situations where sidewalks are impractical, addressing property owners with verified inability to pay, and defining the role trees have in the urban forest among other important matters. The following abstracts are only intended to describe key characteristics of each funding strategy. Prior to engaging staff and resources to develop any of the strategies, the City Attorney's Office should be consulted to ensure all mandated steps and procedures are identified and adhered to.

1. Citywide Bond

A Citywide bond would create an indebtedness to fund the sidewalk repairs. Input and recommendations from the CAO, CLA and other City departments will be crucial to assess whether this option is viable and a fiscally prudent investment of limited City resources (bond development costs must be absorbed by the City).

To pursue this option, staff from numerous departments has to be identified to determine the acceptable size of the bond, repayment terms, voter support and etcetera. Assuming all necessary staffing will be available, the bond development phase will still take at least one year after the Repair Scope is established.

2. Assessment District(s)

Property owners within the City can form an assessment district to repair their sidewalks using the procedures in the State Streets and Highways Code. These districts do not require contiguous properties and the districts can be of any size. However, should property owners vote and fail to approve the assessment; the City is at risk for the considerable time, effort and expenses expended to propose the district. Besides the assessment district formation costs, the ongoing administrative costs are approximately 20% of the assessment amount. Property owners are also generally offered the ability to pay in installments with interest.

After the Repair Scope is established, the Bureau of Engineering has resources to process only a few small districts each year so the formation of a large Assessment District or a large number of smaller Assessment Districts would require significant additional resources to develop and bring forward for a public vote and, if approved,

require more resources to administer the Program over an extended period. Since sidewalk repair assessments have minimal precedents, it is expected to require additional staff time to establish methods and standards for calculating the proportional benefit of the sidewalks. After a staff and/or consultant team is fully on board, it is expected to take one year to produce an Assessment District proposal ready for a vote.

3. Point of Service

When utility service is requested, the property owner must first obtain verification from BSS that the sidewalk is compliant. If repairs are needed, the property owner must complete them and obtain the verification prior to the utility activating the service.

Changes in the municipal code are necessary to obligate the utilities to support this initiative and to establish a fee to reimburse BSS staff for the verifications. It is difficult to predict what resources are required by the City Attorney's Office to draft the ordinances and oversee adoption by the City Council and Mayor. BSS will also require staffing to administer and perform the verifications.

The pace of sidewalk improvements may be rather subdued and inconsistent since it is directly related to the rate utilities are constructed or activated.

4. Point of Permit

When a permit with a valuation of \$20,000 or more (or other established threshold) is sought, the property owner must first obtain verification from BSS that the sidewalk is compliant. If repairs are needed, the property owner must complete them and obtain the verification prior to having the permit closed.

Changes to the municipal code are necessary to link permits to sidewalk compliance and to establish a fee to reimburse BSS staff for the verifications. It is difficult to predict what resources are required by the City Attorney's Office to draft the ordinances and oversee adoption by the City Council and Mayor. BSS will also require staffing to administer and perform the verifications. The Department of Building and Safety may also require additional resources for this option to be implemented.

The pace of sidewalk improvements may be rather subdued and inconsistent since it is directly related to the rate permits are sought.

Repair Scope

The approximate sidewalk damage estimates cited herein have been taken from reports and estimates from the late 1990s. It is presumed that these estimates were based on damage assessment surveys or at least representative sampling and extrapolations, but BSS has not been able to locate any back up information to validate the numbers. In addition, there is no qualitative information available with regard to specific types and respective quantities of substandard conditions.

The repair scope can be structured and prioritized in numerous ways depending on what is the desired result. Some factors include current usage (e.g., residential or commercial), types of users (e.g., students), geographical areas (e.g., hillsides, populations centers, commute hubs), type of sidewalk damage or deficiency (e.g., spalls, cracking, tree root damage) or special needs (e.g., replacing incompatible tree species, infilling missing sidewalk sections, runoff infiltration systems) and many others. A preliminary consensus must be achieved to focus the attention of limited staff resources otherwise the almost endless combinations and recombination of scope can easily result in “paralysis by analysis”.

The preliminary repair scope provides the basis for the next step which is identifying funds, staff and/or consultants to survey the sidewalk network. Having a preliminary scope controls and predicts the costs of the survey, identifies the expertise and number of staff and/or consultants needed and the deliverables - whether a simple or instrumented assessment, level of detail in the inspection database, the parameters to allow sorting, estimating, mapping the results, etcetera.

With data from the sidewalk survey, specific information can now be generated for decisions that establish the final repair scope. The data also allows refining or repackaging the scope and weighing the corresponding level of support by constituents, property owners and elected officials. Some examples are:

- Location, condition, type, severity of sidewalk damage.
- Estimated cost
- Estimated schedule
- Ability to sort information by region, terrain, council district, neighborhood council, vicinity, locale, etcetera.
- Ability to correlate with schools, slip and fall incidences, population centers, commuting hubs, etcetera.
- Ability to answer specific questions by constituents, property owners and elected officials.
- Establishing the repair implantation plan and identifying any priorities.

To ensure the on-going accuracy and usefulness of the sidewalk inventory data, BSS will recommend investing in Asset Management tools that will allow the sidewalk network, the urban forest and other Public Works infrastructure under the purview of the BSS to be managed in a holistic approach. This will also allow for multi-element and accurately scoped projects to be developed quickly when grant opportunities become available. After the repair scope is established, additional funds will be needed for staff and/or consultants to explore and develop funding programs.

Neighborhood Council (NC) Outreach Plan

A synopsis of the City’s sidewalk history, current situation and efforts moving forward will be uploaded to the NC link on the BSS website by the end of February, 2012. Included will be contact information, meeting announcements, and an on-line questionnaire (draft attached) asking constituents how they want sidewalks repaired and their preference to fund the program.

BSS will work closely with the Department of Neighborhood Empowerment (DoNE) to schedule and advertise 4-7 regional NC meetings between March and April, 2012 to discuss the current

condition of City sidewalks, explain the various options to repair sidewalks and seek input. Questionnaires will also be available at each of the meetings. As requested by the NCs, the questionnaire can also be made available in additional languages. The questionnaire period will close on May 15, 2012 or two weeks after the last community meeting, whichever is later.

BSS will also consult with the Information Technology Agency and DoNE on ways to preserve the integrity of the questionnaire. Namely, that participants are indeed City residents and that one response is submitted per City resident or City business.

With ongoing efforts of developing resource needs and implementation schedules for the four selected options proceeding in parallel with obtaining community input, BSS will be ready to provide a status report in 120 days.

If there are any questions, please contact Ron Olive, Assistant Director at (213) 847-3333, or Hugh Lee, Principal Civil Engineer at (213) 847-0899.

NS:RO:HL/hl

SIDEWALK QUESTIONNAIRE

(DRAFT)

Name: _____

Where do you reside? _____

(Address - 123 Main Street or 100 block Main Street)

(Community name or district - Van Nuys, San Pedro, Echo Park, Westwood, etc.)

What Council District do you reside in, if you know? CD# _____

At this address, do you OWN RENT/LEASE OTHER _____

Good sidewalks meet disabled access requirements and are uniform, durable and long lasting. Please **select the three** most important places to have Good Sidewalks?

(1 = Most Important, 2 = 2nd Most Important, 3 = 3rd Most Important)

_____ THE EXISTING SIDEWALKS ARE ACCEPTABLE IN THEIR CURRENT CONDITION

_____ On existing sidewalks damaged by trees

_____ On hillside residential streets

_____ On streets near elementary schools

_____ On streets near any schools (elementary/middle/high, public or private)

_____ On main street or arterial streets

_____ On commercial streets

_____ On streets with public transportation

_____ ALL STREETS IN THE CITY

_____ Other _____

What is your preferred way to fund a Sidewalk Repair Program (**Select one**)?

- Citywide Bond** – The City incurs debt to pay for the sidewalk repairs, bond financing charges and bond oversight costs. The repayments will limit the City’s ability to fund other programs and services for the duration of the loan.
- Assessment District** – Sidewalk repair costs are prorated to all property owners with the option to spread the payments over a number of years.
- Point of Service** – Each time utility services are requested, any necessary sidewalk repairs must be completed by the property owner.
- Point of Permit** – Each time a permit is obtained over a designated amount, any necessary sidewalk repairs must be completed by the property owner.
- Other funding suggestions** _____