

14-0420-51

BUDGET & FINANCE  
PUBLIC WORKS & GANG REDUCTIO

MOTION

From 1911 - 1973, the City of Los Angeles' policy on sidewalk repair was consistent with state law inasmuch as the adjoining property owner was held financially responsible. When cited by City inspectors, property owners had the option of hiring a contractor to perform the repairs, or paying the cost to have city crews perform the repairs.

In 1973 - over the objections of then Mayor Tom Bradley and City Administrative Officer C. Erwin Piper - the Council voted to take responsibility for the repair of sidewalk damage caused by the growth of roots of trees planted in the parkway strip, without identifying a long term strategy to fund this new service.

Over 40 years later, after a series of ballot measures and constitutional amendments that have limited the ability of cities to raise revenue, the problem has grown exponentially. Of the approximately 10,900 miles of sidewalks, in Los Angeles, the Bureau of Street Services estimates that 4600 miles - 40% - are in need of repair, at an estimated cost of \$1.5 billion.

For the past several years, numerous motions, budget instructions, and reports have been submitted that attempt to address the problem in a variety of ways, including: implementing a point-of-sale or point-of-permit repair program, creating assessment districts, a ballot measure, using alternative paving materials, conducting a citywide survey of the damage, and performing more cost-effective repair strategies like grinding and diamond cutting.

In August 2010, Willits v. City of Los Angeles, No. CV 10-05782 CBM (C.D. Cal.), was filed in Federal Court that alleges that the City of Los Angeles has violated the Americans with Disabilities Act and the Rehabilitation Act of 1973 by failing to maintain sidewalks in a condition that is useable by class members who rely on wheelchairs, scooters, and other assistive devices to get around. The resolution of this litigation may have an impact on the specific goals and activities of the City as it relates to future sidewalk repair.

I THEREFORE MOVE that the City Council INSTRUCT the City Administrative Officer, with the assistance of the Bureau of Street Services, Bureau of Engineering, City Attorney, Chief Legislative Analyst, Information Technology Agency, and any other department as necessary, to report with options for a comprehensive and sustainable sidewalk repair strategy that addresses pending litigation, as well as the various proposals contained in Council Files 05-1853, 05-1853-S1, 05-1853-S2, 12-1711, 12-0600-S139, 12-0600-S139, 13,1241, 13-0600-S90 13-0600-S92, 13-0600-S93, 14-0600-S187, 14-0600-S183, 14-0163, 14-0420, 14-0163-S1, and 14-0828.

Presented by: Joe Buscaino  
JOE BUSCAINO  
Councilmember, 15th District

Seconded by: Paul Koberman  
Paul Koberman

[Signature]  
JUL 2 2014

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