

14



CITY OF SACRAMENTO

CITY MANAGER'S OFFICE
RECEIVED
NOV 16 1983

DEPARTMENT OF PUBLIC WORKS

915 I STREET SACRAMENTO, CALIFORNIA 95814
CITY HALL ROOM 207 TELEPHONE (916) 449-5281

J.F. VAROZZA
Director
M.H. JOHNSON
Asst. Director

City Council
Sacramento, California

APPROVED November 15, 1983
BY THE CITY COUNCIL

NOV 22 1983

OFFICE OF THE
CITY CLERK

Honorable Members in Session:

SUBJECT: Review of Sidewalk Repair Policy and Resolution Regarding the Cost of Sidewalk Repairs in Front of 2609 T Street

SUMMARY:

On November 9, 1983 the City Council requested a report on past policies regarding the distribution of sidewalk repair costs. This report outlines past policies and recommends a continuation of the current policy. It also recommends that a lien be placed on 2609 T Street, the one property not acted on at the November 9th meeting.

BACKGROUND:

Sidewalk maintenance policies for the City have been based upon the State Streets and Highways Code. It requires that the owner of lots fronting a sidewalk or parking strip shall maintain the area in such condition as not to endanger persons or property and covers the procedure the City must follow if it becomes necessary to compel the property owner to repair the sidewalk.

From March 1943 to July 1, 1973 the City's policy was that the property owner was responsible for the cost of all repairs due to damage of the sidewalk by other than City street tree roots and that the City and the property owner shared equally (50/50) on any sidewalk damage caused by street tree roots.

On June 21, 1973 the City Council adopted a new policy regarding payment for repair of defective sidewalks. Under this policy the City paid the entire cost of repairing sidewalks that had dangerous defects whether it was due to tree root damages or other causes, unless it could be shown that the damage was directly attributable to the abutting property owner or some other specific party.

Revenue Sharing funds were used to finance this program. The number of complaints about sidewalk conditions and requests for sidewalk repairs increased dramatically under this program when citizens realized that the sidewalk repairs would be made entirely at City cost.



14

In the 1976/77 budget the City Council elected to return to the policy that was in effect prior to the summer of 1973, i.e., fifty-fifty sharing of the cost of repairing street tree damage. Complaints began to fall off to approximately the same level as prior to the 100% City funded program.

In late June of 1978 the Council took action reducing City contributions to sidewalk repairs and requiring property owners to pay full costs of sidewalk repairs no matter what caused the damage. That policy is currently in effect. One sidewalk inspector's position was deleted from the Street Maintenance Division Budget at that time.

The attached chart indicates the amounts paid by the City and by the property owners for the budget years from 1971-72 through 1982-83.

The average annual City cost in current dollars for the present program is about \$10,000 not including the cost of the inspector. The current annual cost for the 50/50 program would be about \$68,000 and the annual cost for the City to pay for all repairs would be over \$330,000. In addition, if we return to one of the previous programs we would need an additional inspector. To the extent that a City contribution results in better sidewalk conditions, the number of sidewalk fall claims should gradually diminish. These types of claims that include more than just sidewalks are costing about \$50,000.

FINANCIAL:

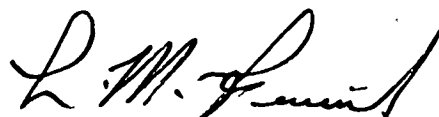
The additional annual cost to return to the 50/50 program including the additional inspector would be \$95,000. The additional annual cost to return to the program whereby the City pays the whole cost would be \$371,000. The costs for the current fiscal year would be a little less than half of these amounts due to delay in processing requests and complaints.

RECOMMENDATION:

It is recommended that:

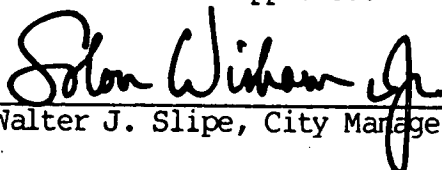
1. The City continue with the present program of requiring the property owners to pay for sidewalk repairs; and
2. The attached resolution placing a \$459.80 lien on the property at 2609 T Street be adopted.

Respectfully submitted,



L. M. FRINK
Deputy Director of Public Works

Recommendation Approved:



Walter J. Slipe, City Manager

for.

November 22, 1983
All Districts

14

November 14, 1983

FUNDS EXPENDED FOR SIDEWALK REPAIRS

<u>Year</u>	<u>City Paid</u>	<u>Owners Paid</u>	<u>Total</u>
1971/1972 (50/50 sharing)	\$ 42,905	\$ 67,000	\$109,905
1972/1973 (50/50 sharing)	48,028	64,161	112,189
1973/1974 (100% City)	201,504	-0-	201,504
1974/1975 (100% City)	236,336	-0-	236,336
1975/1976 (100% City)	281,262	-0-	281,262
1976/1977 (50/50 sharing)	127,298 ¹	112,023	239,321
1977/1978 (50/50 sharing)	51,212	48,021	99,233
1978/1979 (100% Owner)	16,944 ¹	17,395	34,339
1979/1980 (100% Owner)	6,025	35,453	41,478
1980/1981 (100% Owner)	7,912	40,547	48,459
1981/1982 (100% Owner)	7,875	28,389	36,301
1982/1983 (100% Owner)	12,835	42,131	54,966

(1) This amount includes some carry-over projects from the previous year when a different program was in effect.

Note: These costs do not include inspectors' salaries.

14

RESOLUTION NO. 83-926

Adopted by The Sacramento City Council on date of

November 22, 1983

RESOLUTION DETERMINING THE REASONABLE COSTS AND FINDINGS OF FACT FOR SIDEWALK REPAIRS LOCATED AT:

2609 T Street

IN ACCORDANCE WITH SECTION 38 OF THE SACRAMENTO CITY CODE AND PLACING A LIEN ON THE PROPERTY BY THE CITY FOR THE COSTS THEREOF

WHEREAS, heretofore the City Council, by Resolution, set a public hearing for November 9, 1983, in the City Council Chamber to hear and consider all protests, if there be any, and then affirm or reject the placing of the costs of sidewalk repairs upon the hereinafter described real property as a lien, and

WHEREAS, notice of the time and place of said hearing was given in the manner provided by law, and

WHEREAS, the City Council held a hearing thereon and it was established by competent evidence that in each case the work had been performed by private contract.

WHEREAS, the City Council has found the total cost for each such work to be a reasonable cost, and any protests made were overruled;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

1. That the reasonable costs for sidewalk repair was and is the sum set forth opposite the description of each parcel below:

AMOUNT OF LIEN	DESCRIPTION OF PROPERTY
----------------	-------------------------

\$459.80	2609 T Street (010-046-20) - West 1/2 Lot 7, Block S, T, 26th and 27th Streets
----------	--

APPROVED
BY THE CITY COUNCIL

NOV 22 1983

OFFICE OF THE
CITY CLERK

2. That, as provided in Chapter 38 of the Sacramento City Code, the City of Sacramento is entitled to and hereby attaches a lien upon the above described real property and such lien, in the amount of the total costs of sidewalk repairs listed in the preceding paragraph, shall be added to the next succeeding tax bill against the respective property, and shall be collected at the time and in the same manner as general municipal taxes are collected, and shall be subjected to the same penalties and procedure in the case of delinquency.
3. That the owner of the property described herein may pay said lien at the office of the City Engineer, Room 207, City Hall, Sacramento, California, at any time prior to August 15, 1983 and that, in the event of such payment, the lien described in paragraph 2 thereof shall be satisfied and shall not be added to the next succeeding tax bill against the property.
4. That the City Clerk shall transmit a certified copy of this resolution to the Revenues and Collections Officer, the City Engineer, County Auditor, and the Director of Finance.

MAYOR

ATTEST:

CITY CLERK

November 29, 1983

Sacramento County Auditors
700 H Street, Room 4650
Sacramento, CA 95814

Dear Sir:

On November 22, 1983, the Sacramento City Council adopted a resolution relative to sidewalk repairs for the address shown on the attached certified copy of said resolution.

If we can be of any further assistance to you, please feel free to call on us.

Sincerely,



Lorraine Magana
City Clerk

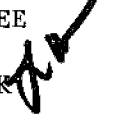
LM/si/14

Enclosure: **RESOLUTION CC83-926**

cc: Revenue Division
City Engineer

MEMORANDUM

TO: BUDGET AND FINANCE COMMITTEE

FROM: LORRAINE MAGANA, CITY CLERK 

SUBJECT: REFERRAL TO ITEM NUMBER 14, COUNCIL
AGENDA OF NOVEMBER 22, 1983

DATE: NOVEMBER 29, 1983

Pursuant to Council action, the following subject matter is referred to your committee for hearing, report and recommendation:

Policy issue to be reviewed in context of 1984/85 Budget for sidewalk repairs.

LM/sl/14

cc: Finance

File