

24

IMPLEMENTATION OF
SIDEWALK REPLACEMENT
PROGRAM

RES. NO. 86-46

CC-6
CC-24
CC-45 (e)

Council was informed that the claims against the City, resulting from deficiencies in the sidewalks, have risen drastically the last few years. For this reason the City Council adopted a Curb, Gutter, and Sidewalk Repair Policy on July 24, 1985. Money was also budgeted to do an

do an inventory and temporary patching of the City sidewalks. The inventory and patching have been completed at a cost of \$22,000. The 1986 Capital Improvement Program allocated \$50,000 to sidewalk upgrading. A procedure must now be established for an orderly process of sidewalk replacement. From the figures which have been obtained through the sidewalk inventory it is estimated that it will take eight to ten years to complete the work if the same amount of money is budgeted annually and the requested equipment can be purchased.

Staff proposed that the replacement program start with those sidewalks which are in the worst condition, i.e., those having deviations of 8" or more. This replacement would total approximately 600 square feet. Since most of these areas will incur more engineering and tree costs, the cost per square foot of sidewalk replaced will be high and it may take the majority of the first year's allocation to replace the major deviations. If the 1986 funds are not expended on the 8" and larger offsets, replacement of the 6" - 8" offsets would begin. There are approximately 3,000 square feet of 6" - 8" offsets. Upon completion of these offsets, the program will continue to the 4" - 6", etc., until completion.

Replacement will be made only in the categories designated in each year's program. If deviations are made and smaller offsets are replaced there will be areas with extreme offsets that won't be replaced for years. However, deficient sidewalks will be replaced in conjunction with other CIP street projects.

It is recommended that sidewalk replacement be done partly by contract and partly by City forces. This recommendation would include the City preparing the plans and going to contract once a year. Work would start preferably in the middle of June and last approximately six months. The contractor would remove and install the sidewalk. The City forces would do all necessary tree removal or tree surgery and subgrade compaction. It is imperative that the work by the contractor and City crews be closely coordinated and a reasonable completion time limit be imposed on the contractor. The limit would be spelled out in the contract documents.



CITY OF LODI

PUBLIC WORKS DEPARTMENT

COUNCIL COMMUNICATION

TO: City Council

Project Data

FROM: City Manager

Originally Budgeted: - 1985

Budgeted Fund: HUD Block Grant

DATE: March 26, 1986

Amount Budgeted: \$25,000

Fund Project Cost: \$24,000

SUBJECT: Garfield Street Storm Drain
Locust Street to Railroad Ave.

RECOMMENDED ACTION: That the City Council accept the improvements in "Garfield Street Storm Drain, Locust Street to Railroad Avenue," and direct the Public Works Director to file a Notice of Completion with the County Recorder's office.

BACKGROUND INFORMATION: The contract was awarded to Bowers Company of Stockton on February 5, 1986, in the amount of \$22,136. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

The contract completion date was April 26, 1986, and the actual completion date is March 25, 1986. The final contract price was \$22,373.

J. Peterson
fol:
Jack L. Ronsko

Public Works Director

cc: Associate Planner

JLR/GER/eeh

APPROVED:

Thomas A. Peterson
THOMAS A. PETERSON, City Manager

FILE NO.

OWNER'S RESPONSIBILITY: As part of the City's sidewalk program, property owners are required to replace deficient sidewalk which is their responsibility, i.e. sidewalks damaged by private trees. Each year only those property owners whose sidewalk offsets are the same as those being replaced by the City will be notified to replace their sidewalk. There is a total of approximately 14,200 square feet of sidewalks which are the responsibility of approximately 290 property owners.

Property owners who are required to replace their sidewalks will be notified as prescribed by law. Prior to the formal notice which gives them 14 days to complete repairs, an informal letter explaining the City's sidewalk replacement policy and giving the City's contractor's name will be sent. The formal notice will be sent to coincide with the City's construction schedule. If the owner has not started the replacement within the allotted time limit, the City will make repairs and lien the property.

The City's equipment and personnel needed to implement this program were outlined. It was proposed that Council

approved the purchase of a grinder and mini backhoe at an estimated cost of \$35,000. Two additional part-time laborers would be needed from June through November to help with the sidewalk replacement program and to do the required annual temporary patching of sidewalks. This would cost approximately \$13,000.

Council adopted Resolution No. 86-46 approving the implementation procedure for the City's sidewalk Replacement Program heretofore set forth and approved the purchase of equipment and hiring of part-time personnel as outlined above.

RESOLUTION NO. 86-46

RESOLUTION APPROVING IMPLEMENTATION OF
OF SIDEWALK REPLACEMENT PROGRAM

RESOLVED, that the City Council of the City of Lodi does hereby approve the implementation procedure for the City's Sidewalk Replacement Program as outlined on Exhibit "A" attached hereto and thereby made a part hereof.

BE IT FURTHER RESOLVED, that the City Council of the City of Lodi does hereby approve the purchase of equipment and the hiring of part-time personnel necessary for this program as outlined in Exhibit "A".

Dated: April 2, 1986

I hereby certify that Resolution No. 86-46 was passed and adopted by the City Council of the City of Lodi in a Regular Meeting held April 2, 1986 by the following vote:

Ayes: Council Members - Olson, Pinkerton, Reid, Snider, and
Hinchman (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Abstain: Council Members - None

Alice M. Reimche
ALICE M. REIMCHE
City Clerk



CITY OF LODI

PUBLIC WORKS DEPARTMENT

COUNCIL COMMUNICATION

TO: City Council

FROM: City Manager

DATE: March 20, 1986

SUBJECT: Implementation of Sidewalk Replacement Program

RECOMMENDED ACTION: That the City Council approve the implementation procedure for the City's Sidewalk Replacement Program and approve the purchase of equipment and hiring of part-time personnel.

BACKGROUND INFORMATION: The claims against the City resulting from deficiencies in the sidewalks have risen drastically the last few years. For this reason, the City Council adopted the attached Curb, Gutter & Sidewalk Repair Policy on July 24, 1985 (Exhibit A). Money was also budgeted to do an inventory and temporary patching of the City sidewalks. The inventory and patching have been completed at a cost of \$22,000. The 1986 Capital Improvement Program, allocated \$50,000 to sidewalk upgrading. A procedure must now be established for an orderly process of sidewalk replacement. From the figures which have been obtained through the sidewalk inventory, it is estimated that it will take eight to ten years to complete the work if the same amount of money is budgeted annually and the requested equipment can be purchased.

REPLACEMENT PROGRAM PROCEDURE

CITY'S RESPONSIBILITY: It is proposed that the replacement program start with those sidewalks which are in the worst condition, i.e., those having deviations of 8" or more. This replacement would total approximately 600 square feet. Since most of these areas will incur more engineering and tree costs, the cost per square foot of sidewalk replaced will be high and it may take the majority of the first year's allocation to replace the major deviations. If the 1986 funds are not expended on the 8" and larger offsets, replacement of the 6"-8" offsets would begin. There are approximately 3,000 square feet of 6"-8" offsets. Upon completion of these offsets, the program will continue to the 4"-6", etc. until completion. Exhibit B shows approximate square footage in each category.

Replacement will be made only in the categories designated in each year's program. If deviations are made and smaller offsets are replaced, there will be areas with extreme offsets that won't be replaced for years. However, deficient sidewalks will be replaced in conjunction with other CIP street projects.

It is recommended that sidewalk replacement be done partly by contract and partly by City forces. This recommendation would include the City preparing the plans and going to contract once a year. Work would start preferably in the middle of

APPROVED:

Thomas A. Peterson
Thomas A. Peterson, City Manager

FILE NO.

City Council
March 20, 1986
Page 2

June and last approximately six months. The contractor would remove and install the sidewalk. The City forces would do all necessary tree removal or tree surgery and subgrade compaction. It is imperative that the work by the contractor and City crews be closely coordinated and a reasonable completion time limit be imposed on the contractor. This limit would be spelled out in the contract documents.

OWNER'S RESPONSIBILITY: As part of The City's sidewalk program, property owners are required to replace deficient sidewalk which is their responsibility, i.e., sidewalks damaged by private trees. Each year only those property owners whose sidewalk offsets are the same as those being replaced by the City will be notified to replace their sidewalk. There is a total of approximately 14,200 square feet of sidewalks which are the responsibility of 280-290 property owners. (See Exhibit B)

Property owners who are required to replace their sidewalks will be notified as prescribed by law. Prior to the formal notice which gives them 14 days to complete repairs, an informal letter explaining the City's sidewalk replacement policy and giving the City contractor's name will be sent. The formal notice will be sent to coincide with the City's construction schedule. If the owner has not started the replacement within the allotted time limit, the City will make repairs and lien the property.

EQUIPMENT AND PERSONNEL

Under the sidewalk replacement program, there are approximately 180 trees to be removed and 600 trees which require root surgery. Presently the City contracts with a private firm to grind out stumps of trees removed by City crews. Root surgery is done entirely by City crews without the aid of a grinder. This method of removing roots manually, i.e. shovel, axe, etc., is extremely time consuming and the Street Division does not now have the resources (manpower and equipment) to accomplish the tree work on the program's schedule.

If the City had its own grinder and self-propelled mini backhoe, approximately 40% of the \$143,000 estimated tree removal/surgery cost or \$57,000, could be saved. More important to the program is the time that would be saved. It is requested that the purchase of a grinder and mini backhoe be approved prior to the start of the program. The cost for these two pieces of equipment is approximately \$35,000. Transportation Development Act funds could be used to purchase this equipment.

This equipment would also be used on the regular tree maintenance program and other street division projects. The Street Division is not requesting an additional truck at this time. It is felt that our existing trucks will be able to accommodate the additional work. However, if it is found that the demand is too great, another truck may be needed.

Two additional part-time laborers would be needed from June through November to help with the sidewalk replacement program and to do the required annual temporary patching of sidewalks. This would cost approximately \$13,000.

City Council
March 20, 1986
Page 3

PUBLIC NOTIFICATION

After the implementation procedure has been established, the program will be publicized through the newspaper and Cable TV. This publicity will appear during the month of May. There will also be a handout available similar to the attached Exhibit C explaining the program.

In the areas where the City will be replacing sidewalks, City will notify residents by mail and with a "door hanger" prior to removal of sidewalk. These notices will explain the process, give the dates and limits of construction, name the contractor, and also give a City phone number.

The first year will be a trial for the program. Procedures may have to be modified to accommodate unforeseen problems which arise during that year. Because of the high exposure of this program and the City's present and long term liability, it is important that the City maintain tight control and do all of the work related to tree removal and root surgery with City forces.

Jack L. Ronsko
Public Works Director

Attachments

JLR/SB/cag

CURB, GUTTER & SIDEWALK REPAIR POLICY

Property owners or tenants have the responsibility to report to the City of Lodi all defective sidewalk fronting their property.

I. SIDEWALK REPAIR

- A. TEMPORARY PATCHING - The City shall patch sidewalk where there is 3/4" - 1 1/2" vertical offset or minor irregularities. This will be done at no charge to the property owner. The property owner or tenant has the responsibility to notify the City of any change in the condition of the sidewalk or the patched area.
- B. SIDEWALK REPLACEMENT - Sidewalks shall be removed and replaced when vertical offset is greater than 1 1/2".
 1. Sidewalk and driveway apron replacement will be done by City under the following conditions:
 - a. Damage caused by City-maintained trees
 - b. Damage due to grade subsidence
 - c. Damage due to City utility cuts
 - d. Damage due to heat expansion
 - e. Sidewalk fronting City-owned property
 2. Property owner shall replace sidewalk and driveway apron where the hazardous condition is caused by something other than the above categories. The property owner shall have a licensed contractor do the work within a prescribed time. If, after formal notice by the City, the repairs are not completed within that time, the City shall make the repairs and assess the property owner.

II. CURB AND GUTTER REPAIR

- A. The City shall repair and maintain all curb and gutter.

III. TREE MAINTENANCE

- A. The City shall do root surgery on all City-maintained trees where it is required. City shall remove City-maintained trees when required under City's adopted Tree Policy. This work will be done in conjunction with the replacement of the sidewalk and/or the curb and gutter.
- B. The City shall not do root surgery on any privately-owned trees.

Resolution 85-93 adopted by the City Council at its meeting of July 24, 1985

Exhibit A

SQUARE FOOTAGE OF DAMAGED SIDEWALK
BY SEVERITY OF OFFSET & DISTRICT

City's Responsibility

Offset	District #1	District #2	District #3	District #4	District #5	District #6	Total Sq. Ft.
Less than 1.5 inches	314	0	65	0	0	0	379
> 1.5 to < 4 "	9,408	10,020	7,244	16,048	597	228	43,545
> 4 to < 6 "	1,566	756	562	1,628	0	0	4,512
> 6 to < 8 "	1,044	504	375	1,086	0	0	3,009
More than 8 "	95	200	50	245	0	0	590
	<u>12,427</u>	<u>11,480</u>	<u>8,296</u>	<u>19,007</u>	<u>597</u>	<u>228</u>	<u>52,035</u>

Property Owner's Responsibility

Less than 1.5 inches	0	0	0	0	0	0	0
> 1.5 to < 4 "	740	1,042	4,999	3,659	2,879	115	13,434
> 4 to < 6 "	0	0	240	135	90	0	465
> 6 to < 8 "	0	85	160	90	0	0	335
More than 8 "	0	0	0	0	0	0	0
	<u>740</u>	<u>1,127</u>	<u>5,399</u>	<u>3,884</u>	<u>2,969</u>	<u>115</u>	<u>14,234</u>

Exhibit B

accumulates a sufficient number of locations to be "posted" (approximately once every two or three months) the property owners are given a "Notice to Repair Sidewalk, Curbs or Gutters". This notice consists of a postcard sent to you in the mail and a placard placed on your doorstep. The date of the notice begins a two week period during which you can decide whether to arrange and pay for the repairs yourself or to have the City do the work. If you or your contractor do not apply for a permit to do the work within this two week period, the City's contractor will automatically be sent orders to do the required work.

After the work is completed but before you are billed for the work, you will receive another notice in the same manner as described above. This second notice is to inform you that a public hearing will be held (during a City Council meeting) at which time any objections or protests concerning the cost of the required repairs will be heard. If you wish to protest, you may do so in person at the hearing or in writing prior to the hearing. If no protest is received or the City Council overrules the protest, you will receive a bill from the City Finance Office. If the damage is street tree related, you will be billed for your portion only.

The Notice to Repair Sidewalk, Curbs or Gutters and a subsequent billing statement contain a warning about a possible lien on the property. This warning is included because once a year unpaid bills due the City are sent to the County Assessor and the unpaid amount then appears on the property tax bill. If the bill is not paid with the taxes, it becomes delinquent in the same manner as a tax and with the same consequences.

WHAT ABOUT DAMAGED IMPROVEMENTS IN THE PARKWAY STRIP?

Frequently, the area between the sidewalk and curb (commonly called the parkway strip) has been filled with concrete, bricks or other surface improvements. If these improvements are broken or displaced the City will not require their removal or repair except where:

- 1) The adjacent sidewalk cannot be properly repaired unless the parkway strip improvements are removed.
- 2) The damage is in an area of high pedestrian use, such as at a mid-block crosswalk, in which case it will normally be treated like sidewalk.
- 3) Any other condition exists which presents a high risk of injury to the public.

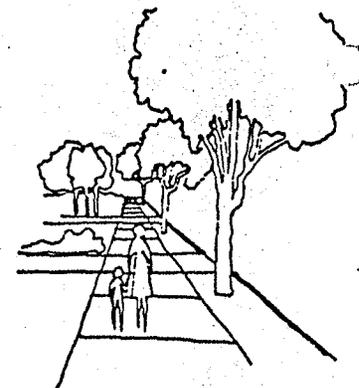
Even if not required, when sidewalk repairs are made the property owner may want to consider removing or replacing the damaged parkway strip improvements in order that those improvements will conform with the new sidewalk. The property owner is responsible for all costs related to improvements within the parkway strip.

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Exhibit C

General information & answers to commonly asked questions regarding the

CITY OF SAN LEANDRO SIDEWALK REPAIR PROGRAM

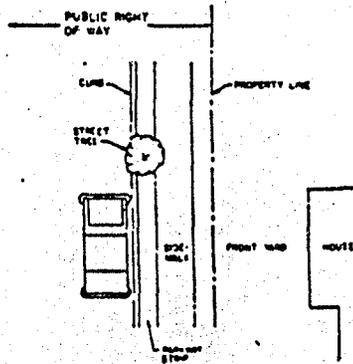


LEAGUE OF CALIFORNIA CITIES
1400 K Street
Sacramento, California 95814
RETURN IN 2 WEEKS PLEASE

For further information contact the
City Sidewalk Inspector at 577-3408

The sidewalk in front of your home, or business is public property. However, by State law and local ordinance the owner of the fronting property is responsible for maintaining the sidewalk. This responsibility includes repairing or replacing broken or displaced concrete that could result in injury to someone using the sidewalk.

Street trees are a major cause of sidewalk damage. In order to maintain an equitable balance between individual responsibility for sidewalk repairs and the community-wide desire to preserve trees, the City has adopted a program in which the cost of repairing street tree related damage is shared. Also, in order to minimize the cost to individuals and the community as a whole, damaged sidewalk need be replaced only in severe cases. These and the other features of the City's sidewalk repair program are described in more detail on the following pages.



HOW IS IT DETERMINED IF SIDEWALK REPAIRS WILL BE REQUIRED?

When the City becomes aware of damaged sidewalk, an inspector will examine the area. Using the following guidelines, the inspector will determine if repairs or replacement will be required and, if so, the nature of the repair/replacement.

Concrete with less than 3/4" vertical offset or other slight irregularities

No repairs are required. However, the property owner is responsible for notifying the City of any significant change in the condition of the damaged sidewalk.

Concrete with 3/4" - 1 1/2" vertical offset or minor irregularities

The City will patch the affected area with concrete at no cost to the property owner. The property owner is responsible for notifying the City of any significant change in the condition of the patched area.

Concrete with 1 1/2" or greater vertical offset or major irregularities

The City will barricade or temporarily patch the affected areas. The property owner is then required to remove and replace the broken or displaced concrete.

Regardless of the degree of damage, when sidewalk damage has been caused by the roots of a street tree*, the City will attempt to control further damage by root pruning. Also, if the property owner is required to remove and replace sidewalk broken or displaced by a street tree*, the City will usually pay one-half the cost of the work.

*A street tree is a tree located within the public right of way as shown in sketch at left.

IF YOU ARE REQUIRED TO REMOVE AND REPLACE DAMAGED SIDEWALK, WHAT OPTIONS ARE AVAILABLE FOR ACCOMPLISHING THE WORK?

Three options are available to property owners in making concrete repairs:

- 1) You can choose to do the work yourself or by private contractor. However, if the damage is street tree related and the City is to pay for a portion of the cost of the repairs, the work must be done by a licensed contractor (or by the City's contractor under Option 2 or 3). In any case, a permit must be obtained from the City before the work is started. Also, a City inspector will check to see that the new concrete meets acceptable standard of quality.
- 2) You can choose to have the work done by the City's contractor by signing a Request for Services form. This relieves you from having to find and work directly with a concrete contractor.

Also, by signing a Request for Services form, the repair work will be scheduled as soon as possible. A bill will be sent to you for the repairs shortly after they are completed. This avoids the delay and complexities of the legal posting and public hearing process described below.

- 3) If you choose not to use either of the two options described above, the City will proceed with the "posting" process provided for in the Streets and Highways Code of the State of California. This legal process works as follows:

After barricading or temporarily patching the affected areas and after the City