



COUNCILMEMBER CHRISTOPHER WARD

MEMORANDUM

DATE: July 26, 2019

TO: Mayor Kevin Faulconer
Councilmember Mark Kersey, Chair, Active Transportation & Infrastructure Committee

FROM: Councilmember Chris Ward 

SUBJECT: Comprehensive Sidewalk Policy Update

A well-maintained and safe network of sidewalks is essential to having a City that is walkable, sustainable and committed to meeting its Climate Action Plan Goals.

Requests to install, repair and replace sidewalks are one of the most frequent communications that my office receives from constituents. However, the City's available resources and capacity to address this issue seems to be severely limited. In the upcoming Fiscal Year 2020 budget, only \$600,000 is dedicated to sidewalk repair, and exactly \$0 for sidewalk replacement. In 2012, the City funded the review of the conditions of all San Diego sidewalks and identified 108,706 locations in need of repair or replacement. Today, there are still 81,506 locations in need of serious attention.

In situations where property owners elect to repair or replace the sidewalks adjacent to their property, the process can fairly be described as expensive, cumbersome and lengthy. The City's 50/50 sidewalk repair program has a year-long waiting list and with an average cost of \$4,500 for property owners. This program is clearly inequitable, accessible only to property owners with financial means while diverting staff from completing priority work that needs to happen citywide.

I request that you take the following proposals into consideration to address our extensive sidewalk backlog, and proactively identify locations that need to be repaired and/or replaced:

1. **Fees.** Reduce sidewalk repair/replacement permit fees. Currently the fees amount to more than \$1900, while other major cities in California offer a reduced- or no-fee permit. The high cost of a permit is a barrier to the average homeowner to replace infrastructure critical to connectivity and safety in our neighborhoods. The City of San

Diego should evaluate for reducing or waiving the fee to incentivize repairs and replacement.

2. **Staffing Capacity.** Prior to the 2008 recession, Streets division had Central, South, and North sidewalk crews with 12 FTEs plus 1 supervisor assigned to each team. Currently, there is only a North and South team. During the Mid-Year budget adjustment, the City should allocate an additional 12 FTEs plus 1 FTE supervisor to supplement current sidewalk crews. The increased staffing will allow Streets division to inspect, repair, and replace sidewalks more quickly and efficiently.
3. **Slicing Contracts.** During the Mid-Year budget adjustment, additional funding should be allocated to expand existing slicing contracts. Slicing is an inexpensive but permanent repair to damaged sidewalks; increasing our slicing contract will allow the City to reduce our 81,506 site backlog.
4. **Proactive Sidewalk Condition Assessments.** Each year the City pays roughly \$7 million in trip-and-fall settlements. The City should create a proactive program to inspect, evaluate, and notify homeowners regarding needed repairs. For homeowners who opt in, the City should make the needed repairs upfront and seek cost recovery through an agreement amortized over a 25 year period which can be paid annually through property tax assessments, which is in line with San Francisco's sidewalk program. This investment will reduce the liability to taxpayers and improve safety for pedestrians.
5. **Point-of-Sale.** Despite an 80 year old policy that establishes property owners as responsible for the repair and replacement of sidewalks adjacent to their property, most San Diegans are not aware of their liability and responsibilities. The City should explore the provision of a disclosure for real estate transactions to educate property owners. The City should also explore provision of a Point-of-Sale inspection requirement for evaluation of health & safety concerns for each property. A Point-of-Sale program should include additional staffing for Code Enforcement officers to offset the increased work load.
6. **Get It Done.** Sidewalk repairs are one of the most popular reports to Get It Done; the app and website should include an informational disclosure to advise that sidewalks may be temporarily repaired by ramping or other means and that permanent repairs are the responsibility of the private property owner.
7. **Sidewalk 50/50 program.** Currently, the City offers a Sidewalk 50/50 program that incentivizes private property owners to repair their sidewalks by covering 50% of the cost of replacement. While the 50/50 program is successful, most San Diegans do not have an average of \$4,500 set aside to pay up front for this program, making it an inequitable option for most of our communities.
 - a. **Prioritization.** 50/50 program applicants should be prioritized based on severity of the sidewalk repair, location, and need.
 - b. **Staffing.** Currently, this program pulls Streets Division staff from sidewalk priorities to work on 50/50 locations. This inhibits the City staff's ability to allocate staffing resources efficiently. The 50/50 program should be temporarily contracted out in order to reduce the burden on City staff and to accelerate the City's rate of repair.

- c. **Program Manager.** The City should allocate funding and an FTE position for s sidewalk program manager position, to include management of the 50/50 program.
8. **5 Year Plan.** As we work on addressing needed repairs and replacement, it is imperative that we develop a comprehensive, five year plan to identify funds for our backlog and future needs.

Should you have any questions or concerns, please reach out to my Policy Advisor, Brittany Bailey, at bnbailey@sandiego.gov or (619)236-6633.

Cc:

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