

Public Outreach Regarding A Sidewalk Maintenance Program for the City of San Rafael



Background

- SR has 275 miles of sidewalks and 175 miles of streets
- We have thousands of street trees
- Uneven sidewalks present a hazard and don't meet ADA *guidelines*
- State law requires adjacent owner to maintain both
- Sidewalk repair ranges from \$15 to \$20 PSF
- Root trimming is \$250-\$500 (not always applicable)
- Tree removal/replacement is expensive (\$1,000 +)
- Sidewalk repair estimate is \$7-\$10 million
- ROW funding is \$3 million; resurfacing \$1.5-\$2 million/year (+/-3 miles of road)
- Other critical projects compete for balance
- City cannot afford to repair without funding

California Streets and Highway Code

Section 5610

The owners of lots or portions of lots fronting on any portion of a public street or place when that street or place is improved or if and when the area between the property line of the adjacent property and the street line is maintained as a park or parking strip, shall maintain any sidewalk in such condition that the sidewalk will not endanger persons or property and maintain it in a condition which will not interfere with the public convenience in the use of those works or areas save and except as to those conditions created or maintained in, upon, along, or in connection with such sidewalk by any person other than the owner, under and by virtue of any permit or right granted to him by law or by the city authorities in charge thereof, and such persons shall be under a like duty in relation thereto.

Policy Questions

1. Should the City have a proactive program, i.e., City inspections & notifications?
2. Should the City repair minor displacements at City cost?
3. Should repair costs be shared? If so, under what conditions?
 - When a tree is involved? (City will continue to maintain dangerous trees)
 - When a tree is not involved?
 - Cost share ceiling?
 - Defined period?
4. How should City portion be paid for?

Other Community Sidewalk Programs

1. City of Tiburon: 100% property owner responsibility, regardless of tree situation
2. City of Lake Forest: 100% City responsibility, regardless of tree situation
3. City of Berkeley: 50%/50% cost share, regardless of cause of damage
4. City of Sonoma: City/property owner share cost, to a maximum of \$1,000
5. City of Albany/City of San Francisco: 100% City responsibility for sidewalks/trees **paid via proposed parcel tax**
6. City of Santa Rosa: 100% property owner responsibility

Potential Funding Sources/Impacts

1. “Right of way” funds: reduces capital funding for annual street resurfacing and other right-of-way projects
2. Assessment District: Requires 2/3 majority agreement of the involved district residents to consider and a majority to establish (cost varies by assessment district)
3. Parcel tax: 2/3 majority vote required; being considered by SF and Albany (\$35 per parcel), Albany (\$25 per parcel)
4. Other?

Potential Scenarios

1. Property owner pays 100% (today)
2. City & property owner share costs, with a defined City maximum (gas tax funded?)
3. City & property owner share costs, with no defined City maximum (gas tax funded?)
4. City pays 100% (requires new source of funds)
5. Other?

Next Steps

1. Finalize community outreach
2. Compile comments and feedback
3. Identify fiscal impact for all scenarios
4. Council study session
5. Develop policy proposal
6. City Council meeting(s)
7. Possible vote (Parcel Tax)