

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DIXON
AMENDING THE CITY OF DIXON SIDEWALK REPAIR POLICY**

WHEREAS, the Streets and Highways Code Section 5610 requires sidewalks within the City to be maintained in such a condition that the sidewalk will not endanger persons or property and not interfere with public convenience; and

WHEREAS, the Streets and Highways Code Section 5600 places responsibility of the maintenance and repair of sidewalks on the adjacent property owner; and

WHEREAS, the City of Dixon receives requests for sidewalk repair and seeks opportunities for funding to maintain sidewalks within the City; and

WHEREAS, the City of Dixon has previously adopted a cost-sharing program per Resolution #01-028 to assist property owners with the maintenance of public sidewalks commonly known as the Sidewalk Reimbursement Program; and

WHEREAS, the City of Dixon adopted Resolution #13-126 establishing a Sidewalk Repair Policy in order to establish a process to prioritize and repair sidewalks within the City; and

WHEREAS, the Engineering News Record Construction Cost Index reflects a 15.6% increase in materials and labor since the original policy was adopted in September 2013; and

WHEREAS, the City Council of the City of Dixon desires to provide for annual reimbursement increases based on the Construction Cost Index; and

WHEREAS, the City desires to reimburse property owners for evaluation, removal and replacement of trees impacting sidewalks within the public right-of-way.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DIXON that the Sidewalk Repair Policy is hereby amended as provided in Exhibit A.

PASSED AND ADOPTED THIS 9th DAY OF JANUARY 2018 BY THE FOLLOWING VOTE:

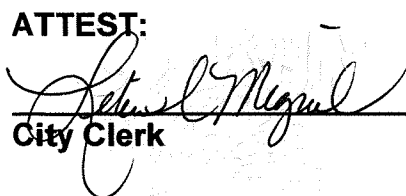
AYES: Bird, Hickman, Minnema, Pederson, Bogue

NOES: None

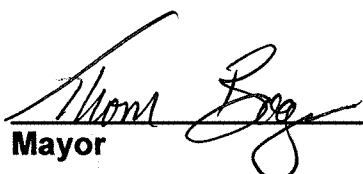
ABSENT: None

ABSTAIN: None

ATTEST:



City Clerk



Mayor

EXHIBIT A

CITY OF DIXON SIDEWALK REPAIR POLICY

September 2013
Revised January 9, 2018

PURPOSE:

The City of Dixon Sidewalk Repair Policy establishes the process in which the Maintenance Division responds to concerns regarding sidewalk damage. The City will make every effort to work with landowners to maintain safety of pedestrian facilities throughout the city in a cost effective manner.

APPLICATION:

This Policy will apply to all sidewalks within the public right-of-way and maintained by the property owner. It will not apply to sidewalks maintained by other agencies such as Solano County or the California Department of Transportation (Caltrans).

BACKGROUND:

As stipulated in the Streets and Highway Code Section 5610-5618, landowners adjacent to public sidewalks are responsible for maintaining sidewalks in such a condition that the sidewalk will not endanger persons or property or interfere with the public convenience in its use. Landowners may be notified by the City to repair the sidewalk per Section 5612. The landowner can utilize the City Sidewalk Repair Reimbursement Program to help offset the cost of repair. If the landowner is unresponsive, the City Engineer, or a designee, will determine the priority rating and repair method as detailed in the Sidewalk Repair Criteria section. The location will be added to the sidewalk repair priority list and may be completed by the City, as funding allows. Reimbursement for the cost of the repair, if conducted by the City, may be sought and collected as provided in the Streets and Highway Code Section 5610-5618.

SIDEWALK REPAIR CRITERIA:

The City of Dixon prioritizes resources to efficiently maintain public safety of sidewalks within the City. The following criteria will be used to establish a prioritized list of locations to be repaired. The list will be used to complete repairs, as funding allows. Repair locations with the same priority rating will be listed in the order received. Landowners will also be required to remove any causes of the damaged sidewalk. This may include, but is not limited to, trimming tree roots or, if necessary, removing a tree. All improvements must comply with the requirements of the Americans with Disabilities Act (ADA) and the City's Construction Standards.

Priority 1

Includes locations with Priority 2-level damage that are located along an established priority route. In 2004, the City established a map of priority pedestrian routes

throughout the City. A copy of the priority pedestrian route map with School, Park, and City Facility locations is attached (Page 5). These routes were established by taking into consideration suggested routes to school, urban centers, commercial areas, and other pedestrian generators. Since 2004, staff has used the priority route map to develop sidewalk and curb ramp maintenance and installation projects.

Priority 2

Includes locations with at least one of the following conditions:

- A chipped or broken surface of 75 to 100 percent per sidewalk square with cracks ½ to 1 inch deep creating an uneven surface in the path of travel
- A vertical change in elevation of 2 inches or greater

Priority 3

Includes locations with at least one of the following conditions:

- A chipped or broken surface of 50 to 75 percent per sidewalk square creating an uneven surface in the path of travel
- A vertical change in elevation of greater than ¾" and less than 2 inches

Priority 4

Includes locations with at least one of the following conditions:

- A chipped or broken surface of 50 percent or less creating an uneven surface in the path of travel
- A vertical change in elevation of ¾ inch or less

SIDEWALK REPAIR REIMBURSEMENT PROGRAM:

APPLICATION PROCESS:

The applicant should first contact the City Engineer/Public Works Department to verify the proposed work complies with the requirements of the program and if funding is available. The applicant will be provided with an Agreement for Sidewalk Repairs (Page 6) and an encroachment permit application. Encroachment permit fees will be paid through the program funding by the City with Gas Tax funds. The applicant is not to be charged the permit fees. If there are no remaining funds in the current fiscal year, the applicant will be put on a waiting list for the next available fiscal year, subject to the priority criteria noted above.

PERFORMANCE OF WORK:

Once the applicant has a signed agreement with the City, the applicant should have their contractor perform the work and submit a copy of the invoice and proof of payment to the City Engineer/Public Works Department. City staff will inspect the work during construction to ensure conformance with City Standards and will verify that the work was performed according to the agreement requirements. Staff will then submit a check request to the Administrative Services Department according to the terms of the agreement.

CURB AND GUTTER REPAIRS:

Prior to executing the agreement, City maintenance crews shall inspect the condition of the curb and gutter. If the curb and gutter is directly adjacent to the sidewalk and in need of repair, the City shall either repair the gutter or allow applicant's contractor to perform the work. All curb and gutter repairs shall be at the sole expense of the City unless the repair was required because of lack of street tree removal by the property owner.

Please note any work performed prior to the execution of the agreement by the City is at the applicant's own risk and may not be eligible for reimbursement.

FUNDING:

The City will allocate funds to the Sidewalk Repair Reimbursement Program with Gas Tax Funds. Funding shall be provided on a first-come first-serve basis and within the limits authorized in the annual budget.

Reimbursement will be limited to 50% of the project cost up to a maximum of \$12.50 per square foot of sidewalk, up to \$1,000 for tree assessment and removal, and \$1,000 per ADA access ramp. The maximum reimbursement for sidewalk work at any one property shall not exceed \$2,500. Reimbursement amounts are increased annually based on the Construction Cost index.

Any projects with a total cost of more than \$1,000 require the payment of prevailing wages per Labor Code Section 1775.

The maximum value for all sidewalk, curb, and gutter work shall not exceed \$5,000, as State Public Contracting Code Section 20162 requires such work to be competitively bid.

CITY REPAIR PROGRAM:

PERFORMANCE OF WORK:

If the sidewalk damage is rated Priority 1 through 3 and is not repaired by the landowner, then the sidewalk is removed and temporarily ramped or replaced with asphalt concrete. The location will be added to the City's list for permanent repair as funding allows. The City of Dixon crews will grind sidewalk vertical changes in elevation that are $\frac{3}{4}$ " or less.

Staff reviews the priority pedestrian route map in combination with repair requests to group the areas that are close to each other to minimize the cost for a contractor to mobilize equipment to different parts of the City. This allows the City to maximize the work completed with the limited funding. In addition, locations near schools are typically repaired during periods when the schools are not in session in order to minimize impact

to the public.

From time to time, the City may develop a larger project based on the sidewalk and curb ramp locations on the priority list. The plans and specifications will be drafted and advertised for a 10-day public review. During this review period the public is welcome to comment on the selected locations, the maintenance types, or any other aspect of the project. Once the comments are received, the project will be presented to the City Council with a request to advertise the project for construction bids. The project will follow the Public Contract Code for award, construction, and acceptance.

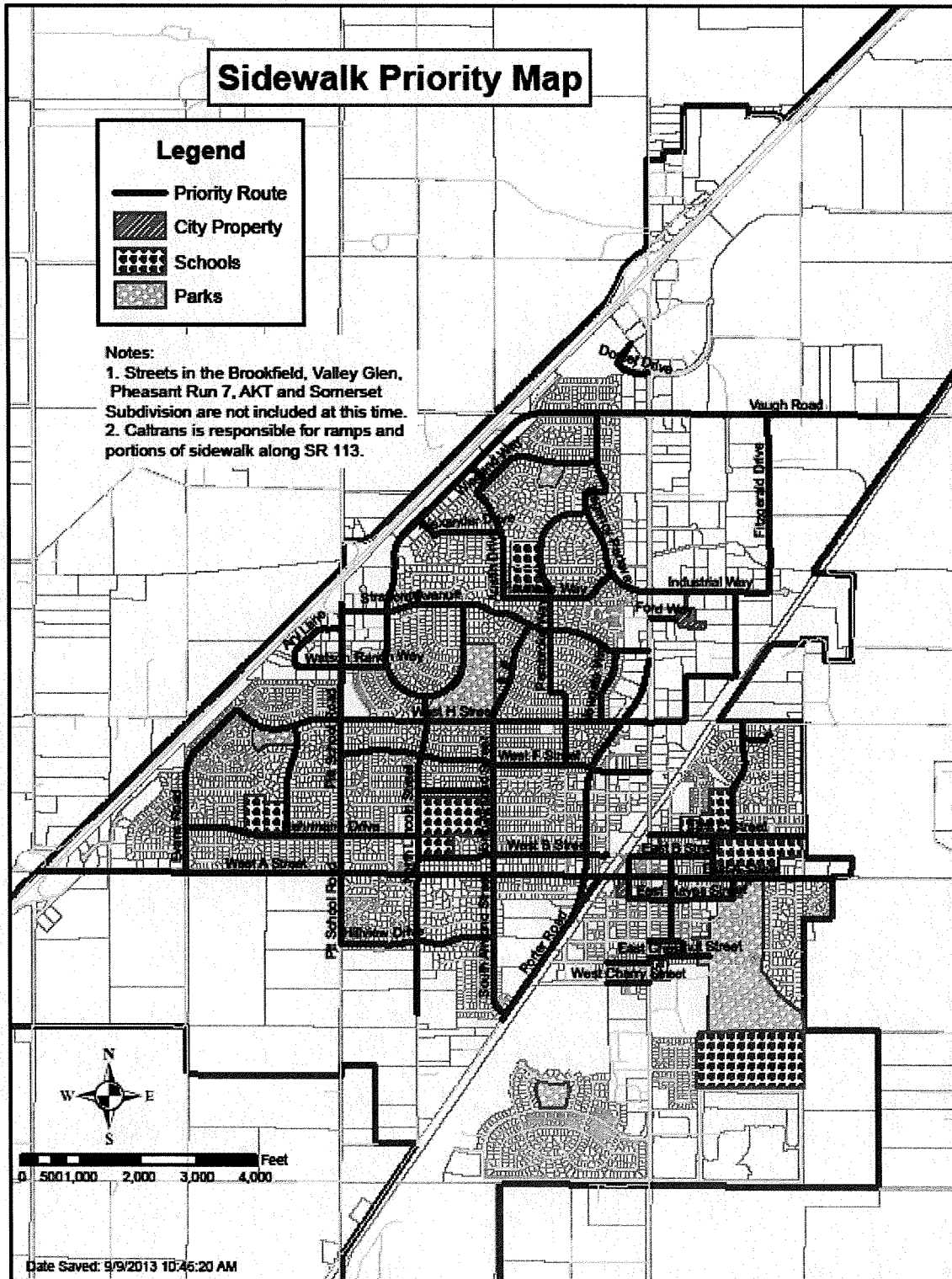
FUNDING:

The City funding for sidewalk repairs varies each year. Typical funding sources include Gas Tax, Transportation Development Fees and General Fund. The City could be awarded Federal funds that are limited to those roadways listed on the California Roadway System (CRS) map (Page 7). Other funding sources may also have limitations related to specific geographic or economic areas, such as Community Development Block Grant (CDBG) funds, or funds contributed through specific development agreements.

SIDEWALK REPORTING METHOD:

The City depends largely on residents to report sidewalk damage. Citizens are encouraged to use the "FIXIN DIXON" (powered by SeeClickFix) tool on the City's website at www.ci.dixon.ca.us or by calling the City Engineer/Public Works Department at (707)678-7030.

EXHIBIT A
CITY OF DIXON



RESOLUTION NO.: 18-007
DATE: JAN - 9 2018