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OAKLAND

OAKLAND CITY COUNCIL


City Attorney

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RESOLUTION No. 81751 C.M.S.

REVISED
3-16-09

Introduced by Councilmember _____

RESOLUTION ESTABLISHING A FIVE YEAR PRIORITIZATION PLAN FOR THE CITY OF OAKLAND'S SIDEWALK REPAIR PROGRAM AND ALLOCATING SIDEWALK REPAIR FUNDS TO SPECIFIC CATEGORIES OF REPAIR EACH YEAR

WHEREAS, the City of Oakland's sidewalk infrastructure is considered a significant asset that impacts the quality of life for those who live and work in Oakland; and

WHEREAS, the City of Oakland completed a citywide sidewalk condition survey in 2006 to plan its citywide sidewalk repair program; and

WHEREAS, the City of Oakland has limited financial resources to fund its citywide sidewalk repair program; and

WHEREAS, the anticipated annual funding level for citywide sidewalk repair for the City of Oakland is estimated to be approximately \$700,000.00 over the next five (fiscal years beginning in Fiscal Year 09/10); and

WHEREAS, the City of Oakland has established criteria to be used to prioritize corridors proposed for citywide sidewalk repairs based on the following:

Tier Number 1: Transit streets and corridors with transit centers in the following order of priority:

1. Regional transit streets;
2. Transit centers;
3. Local transit streets.

Tier Number 2: Corridors with the highest density of public facilities in the following order of priority:

1. City buildings (city offices, museums, libraries, senior centers, recreation centers, fire stations, etc.)
2. State and county buildings, including county medical centers;
3. Schools (community colleges; high school, junior high and elementary school programs with magnet programs for children with disabilities; and all other public schools);

4. Large public housing (OHA) sites and critical homeless services;
5. City parks and open space.

Tier Number 3: Corridors with the highest density of privately owned public accommodations in the following order of priority. Zoning designations are per the City of Oakland General Plan and Zoning Map, January 2008:

1. Commercial zoning areas (C1-xx) and Kaiser (KX) — (with an emphasis on doctor, medical and health offices; service sites of disability organizations; and major employment sites);
2. Special zoning areas limited to medical centers not listed above (S1); transit oriented development (S15); and housing and business mix (HBX1-3);
3. Medium to high density housing and high rise apartments (R50 – R90);
4. Other public accommodations.

Tier Number 4: Locations that do not fall into any of the above groups including, but not limited to, other residential areas.

WHEREAS, the above prioritization criteria is intended to conform with the requirements of the Americans with Disabilities Act (ADA), reduce the City's liabilities from ADA complaints and trip and fall claims; and respond to the citizen demand for sidewalk repairs where pedestrian activity is highest; now, therefore be it

RESOLVED: That, in order to optimize resources for sidewalk repair to the extent possible, the City adopts and will use the above criteria to prioritize citywide sidewalk repairs; and be it

FURTHER RESOLVED: That a minimum of fifty percent (50%) of available citywide sidewalk repair funds each year will be dedicated to repair sidewalks that are identified by the above prioritization criteria on prioritized corridors, and that a minimum of ten percent (10%) of available citywide sidewalk repair funds each year will be dedicated to repair sidewalks that will reduce the City's liabilities from ADA complaints and trip and fall claims, and that the remaining forty percent (40%) of available funds will be dedicated to repairing selected low-priority sidewalk damages.

BE IT FURTHER RESOLVED: That within each Council District, not more than 15% of the resources dedicated to corridors may be shifted to residential sidewalks where there is a need. Prior to making such adjustments, the City Administrator will consult with the Council office for the district in question and if necessary bring the issue to the Council.

IN COUNCIL, OAKLAND, CALIFORNIA, JAN 6 2009, 20

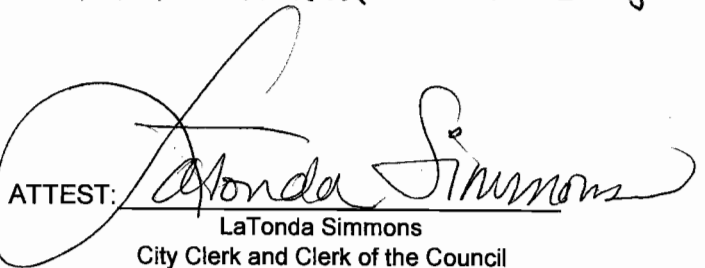
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and ~~PRESIDENT~~ DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California