

# Work Session

<b>Agenda Item #</b>	4
<b>Meeting Date</b>	January 17, 2012
<b>Prepared By</b>	Suzanne Ludlow Deputy City Manager
<b>Approved By</b>	Barbara B. Matthews City Manager

<b>Discussion Item</b>	Discussion of Resolution Regarding Process for Sidewalk Requests and Installation
<b>Background</b>	On July 25, 2011, the Council discussed policy options for new sidewalk installation. On September 12, 2011, the Council reviewed and discussed a draft process for initiating the planning process for new sidewalks and then designing and constructing the sidewalks. The outcome of that discussion is the process identified on the attachment. If this process is the one the Council wishes to see followed, it may be adopted by resolution at a future meeting. Once adopted, the resolution would provide direction to staff and information for the community. The process could be changed or ended by future Council resolution.
<b>Policy</b>	Livable Community – Create and maintain a livable community that is vibrant, healthy, and safe, with convenient transportation for all of its residents. (Council Goal)  Comply with federal civil rights law.
<b>Fiscal Impact</b>	n/a
<b>Attachments</b>	Draft process Councilmember Male’s Comments on the Process
<b>Recommendation</b>	Give direction to staff regarding content of draft resolution for future consideration by Council.
<b>Special Consideration</b>	This item was on the agenda for discussion on January 9 but deferred due to the lateness of the hour.

## **DRAFT SIDEWALK INSTALLATION APPROVAL PROCESS**

### **Process for Initiating Planning Process for New Sidewalks**

If there is interest in installing new sidewalk in the right-of-way where one does not currently exist, City staff will determine the length of the sidewalk (the “run”) that would allow the sidewalk to function and be in compliance with regulations if installed. Once the “run” is identified, there are two ways to initiate the planning process:

1. The City Council identifies the installation of the new sidewalk as a priority or a safety concern, OR
2. Residents request the sidewalk planning process be initiated via:
  - a) A request by an active and recognized neighborhood association
  - b) Residents request a survey be done by the City and 50% of the households in the affected area provide a “yes” vote. (The affected area is the area along both sides of the “run” unless the neighborhood association or Council identifies a larger affected area. The number of housing units in the affected area is determined by City staff. Each household gets one vote. Non-resident property owners do not get a vote. The percentage of “yes” votes is the number of total households in the affected area divided by the number of “yes” votes received; it does not refer to a majority of those voting.)

If either 1 or 2 occur, City staff will schedule a meeting with the affected area. The purpose of the meeting would be to provide factual information about the location, construction and requirements for a sidewalk, discuss which side of the street should be considered, and notify affected residents of the process to be followed.

After the meeting, the City would send a survey to those residents living on both sides of the street where the proposed sidewalk is to be considered. If 50% of the households (determined as in #2 above) vote “yes,” the project will be assigned to a design engineering firm for development. If fewer than 50% of the households vote “yes,” the Council may vote to proceed to the design phase, if it so wishes.

### **Design Phase for New Sidewalks**

The selected design firm will perform a right-of-way boundary survey and develop design proposals for the proposed new sidewalk. The contractor will prepare drawings to the 30% level of detail.

The City will hold a community meeting to present the proposed design. The purpose of the meeting will be to solicit responses to the design, allow for residents to comment and suggest

changes and notify residents directly affected that the City will survey them to find out if they support or oppose the sidewalk.

If there are significant changes proposed during the community meeting, those changes would be discussed by City staff and, if supported, the design engineer would be asked to incorporate the changes into the design. Another community meeting would be held to review the revised design.

Once a design has been developed and reviewed by the community, the City will send a survey out to the properties on the side of the street where the sidewalk is proposed. If 50% of those households vote “yes,” the proposed sidewalk will be considered approved and, when funding is available, City staff will request the design firm to finalize the 30% drawings to construction ready documents. If fewer than 50% of the households support the project, the Council may vote to approve the project and have it proceed to the construction phase, if it so wishes.

### **Construction of New Sidewalks**

Actual construction of new sidewalks would be based on funding established by the Council. Approved new sidewalks would be placed in a queue based on approval date.

## Areas for Improvement in Current Sidewalk Process (Prepared by Tim Male, January 13, 2012)

### Process for Initiating Planning Process for New Sidewalks

If there is interest in installing new sidewalk in the right-of-way where one does not currently exist, City staff will determine the length of the sidewalk (the “run”) that would allow the sidewalk to function and be in compliance with regulations if installed. Once the “run” is identified, there are two ways to initiate the planning process:

1. The City Council ~~or City Manager~~ identifies the installation of the new sidewalk as a priority or a safety concern, OR
2. Residents request the sidewalk planning process be initiated via:
  - a. A request by an active and recognized neighborhood association
  - b. Residents request a survey be done by the City and 50% of the households in the affected area provide a “yes” vote. (The affected area ~~is the~~ includes both sides of the blocks where the run is proposed and 1 block in every direction along the run area along both sides of the “run” unless the ~~neighborhood association or~~ Council identifies a ~~larger different~~ affected area. The number of housing units in the affected area is determined by City staff. Each household gets one vote. ~~Non-resident~~ All property owners ~~do not~~ get a vote. The percentage of “yes” votes is the number of “yes” votes total households in the affected area divided by the number of “yes” votes received; it does not refer to a majority of those voting total households in the affected area.)

**Comment [T1]:** This change is not critical to me but it does seem like there could be cases where the City staff might identify areas without Council involvement (for example, safety)

**Comment [T2]:** I'd rather see us have a more inclusive definition of a proposed sidewalk's neighborhood. I think we should define the area affected by a sidewalk as “both sides of the blocks where the run is proposed and 1 block in every direction along the run” I think we should be using a neighborhood definition like that because sidewalks provide benefits to many people beyond the block and they are built on a public right-of-way.

**Comment [T3]:** Two changes are proposed here. First, the ordering of the ‘divide/divide by’ is backward as written. Second, I've proposed changing it so it's a majority of surveys/votes received, not of the total possible.

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After the meeting, the City would send a survey to those ~~residents living on both sides of the street where the proposed sidewalk is to be considered~~ households in the affected area identified in #2 above. If 50% of the households (determined as in #2 above) vote “yes,” the project will be assigned to a design engineering firm for development if the Council votes to fund the project. If fewer than 50% of the households vote “yes,” the Council may vote to proceed to the design phase, if it so wishes.

**Comment [T4]:** I think we need a change here because I am assuming that the contracts would be large enough to require Council approval?

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If there are significant changes proposed during the community meeting, those changes would be discussed by City staff and, if supported by City staff, the design engineer would be asked to incorporate the changes into the design. Another community meeting would be held to review the revised design.

Once a design has been developed and reviewed by the community, the City will send a survey out to the properties-households on the side of the street where the sidewalk-run is proposed. If 50% of those households voting vote “yes,” the proposed sidewalk will be considered approved and, when funding is available, City staff will request the design firm to finalize the 30% drawings to construction ready documents. If fewer than 50% of the households support the project, the Council may vote to approve the project and have it proceed to the construction phase, if it so wishes.

#### **Construction of New Sidewalks**

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