

L.A. Now

California: This just in

L.A. council faces key question: Who pays to fix broken sidewalks?



Two people use the sidewalk along Vermont Avenue at the 101 Freeway. (Rick Loomis / Los Angeles Times)

By **EMILY ALPERT REYES**

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As Los Angeles lawmakers again turn their focus to the buckled, broken sidewalks that line city streets, they face a key question: Who should pay to fix them?

State law is “crystal clear” in leaving property owners responsible for fixing and maintaining their sidewalks, City Councilman Paul Krekorian said at a committee meeting Monday.

However, during the 1970s the city voluntarily took on responsibility for fixing sidewalks damaged by

street trees -- even though the city did not necessarily plant those trees.

Soon after, the city stopped that program. The sidewalks have since broken so badly so that the city now faces a lawsuit filed by residents with disabilities, who argue that the buckling sidewalks violate their rights to public access. It also routinely faces trip-and-fall claims from injured residents.

The problems that L.A. suffers today "happened as a result of the city taking responsibility but not putting in the resources," City Administrative Officer Miguel Santana said.

At the committee meeting Monday, lawmakers did not answer the question of who should pay. However, city officials are expected to report back soon on whether L.A. should steer away from taking responsibility for sidewalks damaged by street trees, as it does now.

Santana said that one issue for city leaders to consider is how to "transition" responsibility, if they choose to do so. "How does it go from currently being the city's responsibility when a sidewalk is damaged by a tree ... transitioning to something else?" he asked the committee.

Krekorian said he didn't have a position on shifting responsibility yet, but that it would be one of the ideas that Santana would report back on. Lawmakers will have to weigh how much the city could afford to repair, as well as how the shift would affect residents and property owners, he said.

Margaret Peters of the Empowerment Congress Southwest Area Neighborhood Development Council warned that residents in her neighborhood had lower incomes -- but higher rates of homeownership -- than the city at large, making them bear "an inordinate amount of cost in terms of sidewalk repair."

Peters suggested that the city consider waivers for residents who had been in their homes for longer than 25 or 30 years. "If the cost is prohibitive, we can't attract new residents" to the area, she added.

City officials are supposed to report back on possible options for a sidewalk repair program in 60 days. It remains unclear exactly how many sidewalks need fixing: Santana said the rough estimate is that 40% of L.A. sidewalks are damaged, an approximation based on assessments in the late 1990s.

The city recently stepped up its spending on sidewalk repairs, budgeting \$20 million for such fixes this fiscal year. An additional \$7 million that was budgeted last year -- but not spent before the budget deadline -- was rolled over to be spent on sidewalk repairs this year.

Lawmakers decided that the \$27 million should go toward sidewalks on or adjacent to city properties, such as parks and libraries, partly because the city is indisputably responsible for those walkways.

Krekorian said it was also crucial that such public amenities be accessible. Santana said the cost of ultimately fixing all of the sidewalks next to city facilities will exceed the \$27 million available this year.

Beyond the immediate plan, city officials have been tasked with coming up with ideas for a comprehensive plan to fix sidewalks, focusing on those that have the biggest risk of legal liability. The city currently lacks such a plan, one reason that budgeted repairs were delayed last year, Krekorian said.

Krekorian has suggested reviving a popular program that allows homeowners to speed up repairs by paying half the cost, with the city paying the rest. **His proposal** also calls for creating a revolving loan program and helping neighborhoods create special taxing districts to fund sidewalk repairs.

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