

## RESOLUTION NO. 2023-038

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING A RESIDENTIAL SIDEWALK REPAIR REIMBURSEMENT PROGRAM AND RESCINDING RESOLUTION NO. 2021-007

**WHEREAS**, the City Council of the City of San Buenaventura (“City”) recognizes the importance or encouraging a pedestrian friendly environment for the health, safety and general quality of life for its residents; and,

**WHEREAS**, the responsibility for maintaining sidewalks adjacent to residential private property belongs to the owner of the private property; and,

**WHEREAS**, the City Council desires to promote the installation and good repair of sidewalks, driveway aprons, curbs and gutters throughout the city, especially in residential areas; and,

**WHEREAS**, the City provides a Sidewalk Standard Detail to provide guidance for the construction of sidewalks, driveway aprons, curbs and gutters within the City; and,

**WHEREAS**, the City Council desires to provide financial assistance to property owners and tenants who wish to repair damaged sidewalks, driveway aprons, curbs and gutters adjacent to their residential property.

**WHEREAS**, the City Council previously adopted Resolution 2021-007 establishing a Resident-Initiated Sidewalk Repairs Reimbursement Program which now needs to be rescinded; and,

**NOW, THEREFORE**, the City Council of the City of San Buenaventura does hereby resolve, find, determine and order as follows:

**Section 1:** This resolution rescinds the previous Resolution No. 2021-007.

**Section 2: Program Generally.** Residents of single-family residences may apply to the City for partial reimbursement of costs incurred in the repair of damaged sidewalks, driveway aprons, curbs and gutters abutting those residences. Application must be made to the City before undertaking the repair and must be on forms provided by the City. General details of this Residential-Initiated Sidewalk Repair Reimbursement Program (“Program”) are provided in this Resolution; however, the Program’s Public Works Policy and Procedures document, included herein, provides more detailed elements of the Program. The Program’s Public Works Policies and Procedures document may be amended from time to time by the Public Works Director.

**Section 3: Reimbursement Rates.** The City will reimburse each applicant for eligible projects at one of the following rates:

- 50% of the project cost not to exceed \$2,500, or
- 75% of the project cost not to exceed \$3,750 with low-income qualifying documentation, or
- 100% of the project cost not to exceed \$5,000 using Community Development Block Grant funding under certain conditions.

The City Manager may adjust these percentages and “not to exceed” amounts from time to time to support the successful implementation of the Program.

**Section 4: Program Funding.** A total of \$30,000 will be appropriated from Measure O funds each fiscal year, beginning July 1, 2023. Uncommitted funds remaining after March 30th of each Program Year (July to June) may be used at the Public Works Director’s discretion to repair sidewalks, driveway aprons, curbs or gutters anywhere in the City. Any unused funds at the end of the Program Year will be returned to the Measure O Fund. The cost of staff time and supplies to administer the Program will be paid for out of the annual Measure O appropriation for the Program. The Program will automatically renew each year unless canceled by City Council.

**Section 5: Application Process.** The application process for the Program includes the following steps:

1. Residents obtain a quote from qualifying contractor(s) to perform the eligible work. A qualified contractor is one who:
  - A. Possesses a current City issued business license; and,
  - B. Possesses a valid A, B, C-8, C-12, or C-61:D-06 contractor’s license in the state of California; and,
  - C. Registered with the California Department of Industrial Relations; and,
  - D. Meets all Department of Industrial Relations requirements for public works projects.
2. Resident submits a Program application.

3. Applications for each Program Year will be accepted beginning in April before the Program Year through March of the Program Year.
4. Applications will be reviewed to determine eligibility and ensure that the proposed repair meets all Program requirements.
5. Once the application is approved, the applicant will arrange to have the repairs made by a qualified contractor(s).
6. An approved application will serve as a permit to perform the authorized work.
7. ~~Once the work is completed, the City's~~ Public Works Department will inspect and approve the repairs, if appropriate. All non-conforming work must be corrected by the contractor.
8. Once the repairs have been approved by the Public Works Department, the applicant may submit a request for reimbursement at the rates noted above.

**Section 6: Reimbursement.** Reimbursement requests submitted after June 30th of the Program Year in which an application was approved may not be paid. The reimbursement request must include:

1. A copy of the receipt(s) showing payment in full to the contractor(s) who performed the work; and,
2. Documentation demonstrating that the resident is participating in the California Alternate Rates for Energy program if a 75% reimbursement is requested.

**Section 7: Program Outreach.** Outreach for the Program will be in both English and Spanish and may include a Program flyer, information on the City's website, and posts on social media.

**Section 8: Reporting.** Staff will provide annual Program reports to the City Council, which will include the numbers of applications and financial summaries by district.

The foregoing Resolution was adopted by the City Council of San Buenaventura on May 22, 2023, by the following vote:

Ayes: Councilmembers Duran, McReynolds, Johnson, Halter, Campos, Deputy Mayor Sanchez-Palacios, and Mayor Schroeder


Noes: None

Absent: None



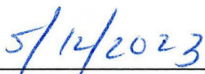
Joe Schroeder, Mayor

ATTEST:

  
FOR Michael B. MacDonald, CMC  
City Clerk

APPROVED AS TO FORM  
Andrew Heglund, City Attorney

BY:   
Monica I. De La Hoya  
Assistant City Attorney

  
Date