



Hallandale Beach
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400 South Federal Hwy
Hallandale Beach, FL 33009

City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	December 7, 2016		Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance	Other	
					X		
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading		2nd Reading	
				X			
	X		Public Hearing: <i>(Enter X in box)</i>	Yes	No	Yes	No
					X		
Funding Source:	N/A		Advertising Requirement: <i>(Enter X in box)</i>	Yes		No	
						X	
Account Balance:	N/A		Quasi Judicial: <i>(Enter X in box)</i>	Yes		No	
						X	
Project Number :	N/A		RFP/RFQ/Bid Number:	N/A			
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	Strategic Plan Priority Area: <i>(Enter X in box)</i>				
		N/A	Safety ☒ Quality ☒ Vibrant Appeal ☐				
Sponsor Name:	Daniel A. Rosemond, City Manager		Department: Public Works	Steven F. Parkinson, P.E., PWLF, Director			

Short Title:

Staff Summary:

Background:

This item seeks City Commission approval to repeal and replace City Ordinance Sec. 25-61 to shift the responsibility of sidewalk maintenance to the City within City right of ways or sidewalks required to be maintained by the City per contract.

City Ordinance Chapter 25 – Streets, Sidewalks and Other Public Ways; Article II – Land Improvement on Public Property; Division 2 – Sidewalks – stipulates that all property owners are responsible for maintaining sidewalks abutting their property (Exhibit 2). Residents have voiced their concern about being responsible for sidewalk maintenance in the City's right-of-way. In order to address these concerns, the City instituted a 50/50 cost sharing sidewalk program in October 2011 to assist property owners with expenses involved in sidewalk repairs that abut their property. As part of the program, repair work is performed by a contractor, who is supervised by the Department of Public Works. Once work is completed, the resident then reimburses 50% of the cost of the contracted work to the City.

In 2013 the City decided to take a proactive approach to sidewalk repair and instituted a sidewalk replacement program. Under this program, staff from the Public Works Department conducts periodic inspections of sidewalks throughout the City and identifies and inventories areas in need of repairs. A contractor then performs the necessary repair work. This approach has allowed the City to address problem areas before they become a liability for the City. For the past three years the City has performed the following repair work:

- FY 2012-2013: 3,460 square feet repaired at a cost of \$20,000
- FY 2013-2014: 6,917 square feet repaired at a cost of \$40,000
- FY 2015-2016: 7,581 square feet repaired at a cost of \$47,000

The City recently completed an inventory and needs assessment of all streets in the City to determine which elements are deficient, as well as to develop a holistic implementation program for necessary improvements. The product of this assessment is the Complete Streets Basis of Design Report. The final Basis of Design Report, completed by Craven and Thompson Associates, was accepted by the City Commission during the October 17th Workshop. Sidewalk conditions was one of the elements that was addressed in this project.

Current Situation:

The current Code of Ordinances, which places the responsibility of sidewalk maintenance in the City's right-of-way upon the property owner, is no longer in line with the various programs and initiatives that the City has adopted. To properly address sidewalk maintenance, staff recommends shifting the responsibility of sidewalk maintenance, on City owned right of way or by contract, to the City. Shifting sidewalk maintenance to the City will help to ensure that uniform sidewalk repairs occur in a timely manner and will also promote preventative

maintenance, as opposed to reactionary repairs. This shift will allow the City to realize cost savings in the future.

Therefore, it has become necessary to repeal and replace the City Ordinance, **Chapter 25 – Streets, Sidewalks and Other Public Ways; Article II – Land Improvement on Public Property; Division 2 – Sidewalks**, to remove this responsibility from the owner.

Fiscal Impact:

Although this item has no fiscal impact, there is a fiscal impact to the City for the program. On November 16, 2016, the City Commission awarded Invitation to Bid # FY-2015-2016-021, Sidewalk Repairs and other Related Services, to Metro Express in an amount not to exceed \$133,625 for fiscal year 2016-2017. Subsequent funds will be requested during future budget processes in order to continue sidewalk repairs/replacement throughout the City as needed.

Why Action is Necessary:

Chapter 25 of the City of Hallandale Beach Code of Ordinances needs to be updated to reflect the current policy for sidewalk maintenance within City right of way and by contract. Pursuant to Article V, Section 5.01 of the City of Hallandale Beach Charter, an Ordinance must be adopted by the City Commission.

Proposed Action:

Staff recommends adoption of the attached Ordinance, on First Reading, repealing and replacing Chapter 25 – Streets, Sidewalks and Other Public Ways; Article II – Land Improvement on Public Property; Division 2 – Sidewalks with a recreated Division 2, which removes the responsibility of sidewalk maintenance from property owners and allows the City to assume full responsibility of maintaining the City sidewalks adjacent to property owners, in compliance with the sidewalk maintenance programs currently implemented by the City, and to schedule Second Reading for December 21, 2016.

Attachment(s):

Exhibit 1 – Revised Ordinance
Exhibit 2 – City Ordinance Sec. 25-61 - Duty of Owner of Abutting Property to Maintain Sidewalks; Procedure