
Office of the City Clerk, City of Los Angeles

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Council File Number

[96-0726](#)

Title

PROPOSED STREET DETERIORATION FEE STREET CUTTING

Subject

Req Ccl approval to implement a fee to protect the taxpayers' investment in City infrastructure, recover the long term costs associated with cuts in City sts & encourage better coordination bet the City & private contractors & utility companies to avoid damaging newly resurfaced sts. - STREET CUTTING

Last Change Date

12/23/1998

Initiated by

City Administrative Officer
Mayor

Archive History

4-19-96 - For ref

4-22-96 - Ref to PW Comt

4-23-96 - File to Alarcon Chrpsrn

4-25-96 - File to PW Comt Clk for rept

10-18-96 - Received CAO 0610-03571-0000 rept re: St Damage Restoration Fee - to PW Comt Clk

7-15-97 - Bur of St Mtce transmittal regarding follow-up analysis for street damage restoration fee assuming only properly repaired cuts - to PW Comt Clk

1-28-98 - PW Comt rept ADOPTED *AS AMENDED, SUBJ TO APPROVAL OF MAYOR:

1. ADOPT the CAO dated 8-26-96 (attached to file), relative to the proposed St Damage Restoration Fee to be collected from utilities and other entities, including City depts, that cut City sts to access or install underground facilities.

2. ADOPT accompanying RESOLUTION establishing the amt of the St Damage Restoration Fee set forth in Exhibit "A" entitled "Street Damage Restoration Fee - Fee Schedule", attached to the file.

3. RESOLVE that employment authority IS APPROVED for the following positions in the Bureau of St Mtce through 6-30-98:

No. Class Title Range

1 Accounting Clerk II 1223-2

1 Management Analyst II 9169-2

4. PRESENT & ADOPT accompanying three (3) ORDINANCES amending the LAMC to:

a. Impose a St Damage Restoration Fee by adding Section 62.06 of the LAMC;

b. Add a new article to be numbered Article 8 to Chapter 6 of the LAAC creating a new revenue fund to receive those monies collected pursuant to the Street Damage Restoration Fee Ordinance and resolutions;

*c. Amend Sections 62.02 and 62.04 of the LAMC to make such sections applicable to City Depts and to eliminate annual permits.

1-28-98 - *Verbal Mo - Bernson Mover 1998 / Hernandez - ADOPTED - HEREBY MOVE that Recommendation No. 4c. of the PW Comt rept on today's Ccl agenda (Item No. 4, CF 96-0726), BE AMENDED relative to the proposed Street Damage Restoration Fee and amending Sections 62.02 and 62.04 of the LAMC to make such sections applicable to City depts and to eliminate annual permits, as follows:

4c. Amend Sections 62.02 and 62.04 of the LAMC to make such sections applicable to City depts and to eliminate annual permits. Require that all street cuts must be accompanied by a bond or cash deposit to cover the potential costs of repairs and provide that said bond or deposit will be returned upon inspection by the Bureau of St Mtce after determining that the work has been done properly.

2-4-98 - Mo - Walters Mover 1998 / Feuer - ADOPTED - Item No. 5 on the Ccl agenda for 2-4-99

contains three second reading ordinances that would implement the Street Damage Restoration Fee. On 1-28-98, Ccl amended one of the ordinances through Motion (Bernson-Hernandez) to "require that all street cuts be accompanied by a bond or cash deposit to cover the potential costs of repairs and provide that said bond or deposit will be returned upon inspection by the Bureau of St Mtce after determining that the work has been done properly." This amended ordinance is scheduled as Item 5C on today's Ccl agenda.

The amended ordinance is not desirable because it will create the need for an inspection prog that will cost approximately \$4 million. This cost would either have to be added to the current permit fees or funded by the General Fund. In addition, the proposed bond program assumes that a street cut can be repaired in a manner that has no negative impact on the street. However, the consultant report on the Street Damage Restoration Fee states that no matter how well a street cut is repaired, the deterioration of the st will be accelerated. The City Atty recommends against the bond and inspection prog as presented in the amended ordinance and recommends approval of the original version of the Ordinance. The Ccl should therefore adopt the original of this Ordinance, which does not require a bond and inspection program.

THEREFORE MOVE that Item No. 5C on the Ccl agenda for 2-4-98 be amended as recommended by the City Atty to approve the original Ordinance as presented to Ccl on 1-28-98, which would not require a bond and inspection prog.

2 Ords (A &B) ADOPTED - Ord C over one week to 2-11-98

2-11-98 - Cont to 2-13-98

2-13-98 - Ord C ADOPTED

2-17-98 - File & three Ordinances to Mayor for signature FORTHWITH

2-18-98 - Mayor's message concurred in action of 1-28-98

3-3-98 - File to PW Comt Clk OK

3-6-98 - File in files

3-23-98 - File to Gina Mancha - St Maint - x34444

7-8-98 - File in files

11-20-98 - File to Ana Cubas - CLA - 35723

12-23-98 - File in files