



Date: March 19, 2013

To: Thomas J. Bonfield, City Manager
Through: W. Bowman Ferguson, Deputy City Manager
From: Marvin G. Williams, Director of Public Works
Subject: Agenda Item – Public Hearing for Improvement

Sidewalk on Grandale Drive (East Side) from Sedwick Road North to Lyon Farm Drive

Executive Summary

Due to a sufficient petition being received for a sidewalk on a portion of Grandale Drive, an item appeared on the August 9, 2012 Work Session agenda for a public hearing to be held on August 20, 2012 to consider ordering the subject sidewalk. Concerns were raised by Council at the Work Session on how the sidewalk petition process works in conjunction with the Durham Walks! Pedestrian Plan and what the priorities for future sidewalk construction should be, as funding is extremely limited. The Grandale Drive sidewalk item was referred back to the Administration and direction was given to bring the item back to Council with additional information pertaining to sidewalks. On March 4, 2013 City Council passed Resolution #9846 that outlines a process for prioritizing petitioned sidewalks both inside and outside the Durham Walks! Pedestrian Plan.

Pursuant to Section 77(10) of the Charter of the City of Durham, a public hearing must be held and Council must determine thereafter whether it will order the making of the subject petitioned sidewalk improvement.

Recommendation

As Grandale Drive is the last sufficient petition received prior to Council adopting Resolution #9815 increasing the assessment rate for petitioned sidewalks and this section of Grandale Drive lies within the adopted Durham Walks! Pedestrian Plan, the Public Works Department recommends that City Council accept a Certificate of Sufficiency for the petition, adopt a preliminary resolution for the proposed improvement, conduct a public hearing to consider ordering the subject improvement, and adopt a resolution ordering the improvement.

Background

City Council adopted Resolution #9815 on May 7, 2012, increasing the assessment rate from \$5.00 to \$35.00 per front foot for sufficient sidewalk petitions received on or after June 1, 2012. However, the Grandale Drive sidewalk petition was received on March 20, 2012, and was the last sufficient sidewalk petition received prior to the rate increase going into effect. Therefore, an item appeared on the August 9, 2012 Work Session agenda for a public hearing to be held on August 20, 2012, to consider ordering the subject sidewalk at an assessment rate of \$5.00 per front foot. However, the item was referred back to the Administration due to Council concerns regarding how the sidewalk petition process works in conjunction with the priorities established by the Durham Walks! Pedestrian Plan. With the passage of Resolution #9846 on March 4, 2013, the issue has

been addressed by establishing a process for the petitioning and ordering of sidewalks inside and outside the Durham Walks! Pedestrian Plan. In addition, Ordinance #14408 was adopted establishing assessment rates for sidewalk petitions received on or after April 1, 2013, based on whether the project is inside or outside the Plan. This section of Grandale Drive is ranked number 200 in the 2011 sidewalk corridor ranking of the Durham Walks! Pedestrian Plan. However, since the Grandale Drive sidewalk petition was received on March 20, 2012, it would be subject to the assessment rate in effect at that time.

Issues and Analysis

Due to extremely limited funding, prioritization of sidewalk construction is necessary. The best methodology for prioritization has been determined by City Council through the passage of Resolution #9846 on March 4, 2013. If ordered, the Grandale sidewalk petition will be the last one ordered under the old assessment rate of \$ 5.00 per front foot.

City Council allots funding annually through the CIP process for petitioned sidewalks. There is currently \$391,219.00 allotted for petitioned sidewalk construction. The Durham Walks! Pedestrian Plan has a separate funding source in the CIP under new sidewalk construction. There are currently ten petitioned sidewalks that have been ordered by City Council. These sidewalks are on a waiting list for construction, pending funding. The estimated construction cost of all ten sidewalks is \$582,450.00, based on \$55.00 per foot, which was the average construction cost at the time of the ordering of those projects. The total estimated assessment is \$52,950.00, based on an assessment rate of \$5.00 per foot. Therefore, the estimated net cost to the City is \$529,500.00 for the current list of petitioned sidewalks that Council has previously ordered.

Alternatives

City Council may choose to order the sidewalk on Grandale Drive at the assessment rate in effect at the time the sufficient petition was received, which is \$5.00 per front foot. This alternative is in accordance with the resolution adopted by Council on May 7, 2012, and is the recommended alternative.

City Council may choose to not order the sidewalk at the old rate but allow the petition to be reissued at the current assessment rate of \$35.00 per front foot, as it is inside the Durham Walks! Pedestrian Plan.

Financial Impacts

The cost of installing a sidewalk on this portion of Grandale Drive is estimated to be \$42,900.00. The estimated assessment is \$5,500.00, resulting in a net cost to the City of \$37,400.00. Funding for this project is subject to appropriations into the Petition Sidewalk account on an annual basis.

SBDE Summary

This section is not applicable to this item.