



Staff Report

RESOLUTION CONFIRMING THE REPORT ON THE COST OF REPAIRS AND ASSESSING THE COST OF REPAIRS AGAINST THE PARCEL OF REAL PROPERTY LOCATED ADJACENT TO THE AREAS OF SIDEWALK REPAIRED AT 2033 BISHOP ROAD

Honorable Mayor and Council Members:

Summary

On January 22, 2008 and March 26, 2008 the owner of 2033 Bishop Road was advised that the sidewalk on Bishop Road located adjacent to his/her property was out of repair and in condition to endanger persons or property, that property owners are required to maintain sidewalks adjacent to their property pursuant to Streets & Highways Code §5610 and that the sidewalk on Bishop Road required replacement. As required by law, the property owner was given until April 9, 2008 to commence repairs and was notified that if he/she did not commence repairs by that date, or if he/she commenced repairs but did not diligently and without interruption prosecute such repair work to completion, the Public Works Services Manager for the City of Belmont would make the required repairs to the sidewalk and that the costs incurred by the City in making the repairs to the sidewalk would become a lien against the property.

Background

The property owner did not commence repairs by April 9, 2008. As required by California Streets & Highways Code §5615, the Public Works Services Manager for the City of Belmont undertook the required repairs. Repairs to the sidewalk on Bishop Road adjacent to the property located at 2033 Bishop Road were completed on May 15, 2008. The following repairs were made. Remove 144 square feet of raised concrete sidewalk/gutter and replace with new concrete. The cost of the repairs is as follows: five thousand six hundred sixty-six dollars and six cents (\$5666.06). The following parcels of real property are located adjacent to the areas of sidewalk that were repaired at 2033 Bishop Road, APN 043021440. The proposed assessment against each lot or parcel of land to be levied to pay the cost of repairs is set forth as follows: 2033 Bishop Road for the amount of five thousand six hundred sixty-six dollars and six cents (\$5666.06).

Discussion

On May 23, 2008 the property owner was provided with Notice that the City Council of the City of Belmont would hear and pass upon this report by the Public Works Services Manager on the cost of the sidewalk repair on June 10, 2008. 7:30 P.M. at City Council Chambers, One Twin Pine Lane, Belmont, CA 94002. The property owner was further advised that at the time of this

hearing, the City Council would hear any objections or protests from the property owner or from any other interested persons regarding the cost of repair.

General Plan/Vision Statement

No impact

Fiscal Impact

No Fiscal Impact

Public Contact

Notice to repair was posted on property. The City Council agenda was posted.

Recommendation

It is recommended that the City Council confirm the report on the cost of repairs and assess the property owner for the cost of repair.

Alternatives

1. Take no action
2. Refer back to staff for further information

Attachments

- A. Resolution
- B. Belmont Public Works Service Charges
- C. Pictures of Sidewalk in Question Before and After

Respectfully submitted,

Randy Ferrando
Public Works Services Manager

Raymond E. Davis III, PE, PTOE
Director of Public Works

Jack R. Crist
City Manager

Staff Contact:

Randy Ferrando, Public Works Services Manager
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RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT
CONFIRMING THE REPORT ON THE COST OF REPAIRS AND ASSESSING THE
COST OF REPAIRS AGAINST THE PARCEL OF REAL PROPERTY LOCATED
ADJACENT TO THE AREAS OF SIDEWALK REPAIRED AT 2033 BISHOP ROAD**

WHEREAS, property owners are required to maintain sidewalks adjacent to their property pursuant to Streets & Highways Code §5610; and,

WHEREAS, on January 22, 2008 and March 26, 2008 the owner of property located at 2033 Bishop Road was provided with written notice that the sidewalk on Bishop Road adjacent to his property was out of repair and in condition to endanger persons or property, that the sidewalk on Bishop Road required replacement and repairs were to commence on or before April 9, 2008 that if repairs were not commenced by that date or if repairs were commenced but were not diligently and without interruption prosecuted to completion, the Public Works Services Manager for the City of Belmont would make the required repairs and that the costs incurred by the City in making the repairs to the sidewalk would become a lien against his/her property; and,

WHEREAS, the property owner did not commence repairs by the date specified; and,

WHEREAS, the Public Works Services Manager undertook the required repairs and completed such repairs on May 14, 2008; and,

WHEREAS, on May 23, 2008 the owner of property located at 2033 Bishop Road was provided with written notice that the Public Works Services Manager for the City of Belmont would prepare a report specifying the repairs which were made, the cost of the repairs, a description of the real property in front of which the repairs were made and the assessment against each lot or parcel of land proposed to be levied to pay the cost of repairs and that the City Council of the City of Belmont would hear and pass upon the report by the Public Works Services Manager on the cost of repair on June 10, 2008 a regular meeting of the City Council of Belmont, Council Chambers; and,

WHEREAS, the City Council has read the report and has heard all objections and protests from the property owner and from other interested persons; and,

WHEREAS, the City Council has, to the extent it deemed appropriate, revised, corrected and/or modified the report.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Belmont does hereby:

- 1. Confirm the report on the cost of repairs dated May 23, 2008; and,
- 2. Assess the following property owners for the cost of repair as set forth below:

| | |
|-------------|------------|
| Saeed Yazdi | \$ 5666.06 |
|-------------|------------|

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Belmont at a regular meeting thereof held on June 10, 2008 by the following vote:

AYES, COUNCILMEMBERS: _____

NOES, COUNCILMEMBERS: _____

ABSTAIN, COUNCILMEMBERS: _____

ABSENT, COUNCILMEMBERS: _____

CLERK of the City of Belmont

APPROVED:

MAYOR of the City Of Belmont

EXHIBIT B

**Belmont Public Works
Service Charges - FY 2007/08**

Date: May 15, 2008
Location: 2033 Bishop Rd.
Type of Service: Sidewalk & Gutter Repair
LABOR

| Employee | Work Performed | Hours | Rate @ \$162/Hr | Total |
|------------------------|---------------------------|--------------|------------------------|------------------|
| Equipment Operator | Remove & Replace Sidewalk | 10 | \$162.00 | \$1620.00 |
| Maintenance Worker | Remove & Replace Sidewalk | 10 | \$162.00 | \$1620.00 |
| Sr. Maintenance Worker | Remove Sidewalk | 4 | \$162.00 | \$ 648.00 |
| Maintenance Worker | Place & Finish Concrete | 6 | \$162.00 | \$ 972.00 |
| Sub-total | | | | \$4860.00 |

MATERIAL

| Description | Quantity | Cost | Total |
|-------------------------------|-----------------|--------------|-----------------|
| Concrete – 6 Sacks Pea Gravel | 3 cubic yd | \$123.00 | \$369.00 |
| | | Fuel charge | \$ 25.00 |
| | | Delivery fee | \$ 50.00 |
| | | Tax | \$ 34.56 |
| Sub-total | | | \$478.56 |

EQUIPMENT

| Description | Hours | Hourly Rate | Total |
|--------------------------|--------------|--------------------|------------------|
| Bobcat 331D Excavator | 4 | \$36.75 Per hr. | \$ 147.00 |
| F450 Small dump Truck | 4 | \$40.00 Per hr. | \$ 160.00 |
| Jack hammer & compressor | 1 | \$15.00 Per hr. | \$ 15.00 |
| Concrete Saw | 1 | \$ 5.50 Per hr. | \$ 5.50 |
| Sub-total | | | \$ 327.50 |
| Total | | | \$5666.06 |