



City of Gilroy

STAFF REPORT

Agenda Item Title: Update on the Consolidated FY26 Annual Sidewalk Replacement Project No. 25-PW-296 and Consideration of Minor Modifications and Clarifications on the Council-Approved Sidewalk Replacement Program and Adopt a Budget Amendment Resolution to Appropriate \$1.0 million of Unspent Funds from Prior Years for the Project

Meeting Date: August 4, 2025
From: Jimmy Forbis, City Administrator
Department: Public Works
Submitted by: John Doughty, Public Works Director
Prepared by: Ryan Osenton, Project Manager

STRATEGIC PLAN GOALS: Maintain and Improve City Infrastructure

RECOMMENDATION

1. Receive report on recommended repair locations as part of the Consolidated FY26 Sidewalk Replacement Project (No. 25-PW-296);
2. Adopt a budget amendment resolution to appropriate \$1.0 million of unspent funds from prior fiscal years for the project, from the Sidewalk Repair Reserve Fund (200); and
3. Consider recommended revisions to the August 5, 2024 Sidewalk Replacement Program.

EXECUTIVE SUMMARY

City Council adopted the FY24 and FY25 budget, and the Capital Improvement Program (CIP) for FY24 through FY28 on June 5, 2023. The FY26 Annual Sidewalk Replacement Project is included in the FY24-FY28 CIP as Project #800320. The budget allotted for the Project is \$500,000 annually. The Consolidated FY26 Annual Sidewalk Replacement Project No. 25-PW-296 has a recommended budget of \$1,500,000, utilizing funds from FY24, FY25, and FY26.

The Project consists of repairing damaged sidewalks, curb and gutter, driveway approaches, asphalt repair, tree removal, tree installation, and associated work. The Project will be funded from the Sidewalk Repair Reserve (200).

Staff is also recommending revisions to the Sidewalk Replacement Program adopted by City Council on August 5, 2024. The revisions are intended to clarify and make minor changes to the Program which are recommended as a result from the implementation of the Program over the last year.

BACKGROUND

In the spring of 2024, City staff was asked to provide a report to the City Council outlining the then current “cost-share” program for sidewalk repair/replacement. On May 6, 2024, the City Council directed staff to prepare a revised program and return to the City Council for review and possible approval.

On August 5, 2024 the City Council adopted a new program based on the following guidelines/criteria:

- Identification of sidewalk repairs is carried out by City staff in an equitable manner throughout the city taking into account the existing levels of deficiency, served traffic generators such as schools, reported concerns, and other rating factors and based on the available database.
- City staff will notify the property owners in writing of the assessed deficiencies, as well as provide an explanation of the Program including financial responsibility of the property owners and cost sharing. An initial estimate of their financial share of planned work and the process of invoicing property owners following project construction are also shared. Providing such an estimate well in advance offers the property owners a period of at least six months (period of City staff seeking bids and project construction) to enable them to plan for their cost share.
- The Public Works annual project list under this Program is prepared for all work including applicable work such as tree removal, replacement of curb and gutter, pavement repair, replacement of driveway approaches, and replacement of sidewalk segments. The overall project is then advertised for bid, the contract is awarded, the property owners are notified in advance of the work, and all work is completed.
- Following completion of the project, the City sends an invoice to each of the impacted property owners stating the actual share of the cost with a payment due date of 180 days (six months) from the date of the invoice. A reminder is sent to the property owners 30 days in advance of the due date. A payment arrangement option will also be made available for those wishing to request one within 30 days of receiving the invoice. Term of the extended payment arrangement not to exceed one year from the date of the City receiving the request. In other words, the process from the time of receiving the initial cost share estimate through the

- project completion followed by a payment plan is likely to take about two years.
- If the property owners do not pay in full or fail the payment arrangement, their fair share cost is applied as a lien against their property and is collected through the annual special assessment collection process on their annual property tax bill (divided in two payments over a 12-months period).
 - The cost sharing is consistent with current practice as follows:
 1. Sidewalk Replacement Caused by a Private Tree – 100% Property Owner Cost.
 2. Sidewalk Replacement Caused by a Public Tree – 50% City Cost / 50% Property Owner Cost.
 3. Private Tree Replacement – 100% Property Owner Cost.
 4. Public Tree Replacement – 100% City Cost.
 5. Curb and Gutter Replacement Caused by a Public or a Private Tree – 100% City Cost.
 6. Driveway Approach Replacement – 100% Property Owner Cost.
 7. Limit City cost share to repairs adjacent to individual commercial properties to \$30,000 (the currently practiced limit is \$20,000).
 - The City to fund 100% of all repairs without seeking cost sharing of residences that are: 1) owner occupied, and 2) enrolled for PG&E's Care Program (based on income and other public assistance eligibility and usually indicated on their PG&E monthly statement).
 - City Council authorized \$500,000 per year for five years, totaling \$2.5 million, with the project being funded by the Sidewalk Repair Reserve Fund (200) and supplemented by the General Fund (100). Additional funding is to be set aside annually for minor repairs of sidewalks citywide.

Prior to adoption of the new program (starting in 2006) repairs to damaged sidewalks and surrounding areas were dependent on the property owners' ability to fund all repairs costs upfront (including replacement of sidewalk, curb and gutter, and trees) and to subsequently seek reimbursement from the City for its related costs. This process limited repairs to property owners with financial means and created a process which was limited in effectiveness.

To facilitate sidewalk repair/replacement, the City Council committed funding in the FY2024-2028 Capital Improvement Program (CIP) for the City's Annual Shared Cost Sidewalk Replacement Program. The FY25 Capital Budget includes \$500,000 of Sidewalk Repair Reserve Funding (Fund 200) to cover design, construction and project management under PW Project No. 800320.

The Department of Public Works maintains a list of identified/requested and confirmed locations for sidewalk repair/replacement. Currently this list includes more than 350 confirmed locations. Based on the Engineer's Estimate of cost and the available FY25 funding, staff identified 38 locations throughout the city for immediate repair based upon the City Council adopted 2024 criteria. Locations were selected based upon multiple factors, including severity of damage, proximity to schools, length of time on the list

waiting for repairs, and immediate proximity to other locations in need of repairs that could be bundled to benefit from reduced mobilization costs.

The Project was publicly bid and Vanguard Construction was identified as the Lowest Responsive and Responsible bidder. The low bid was well above the Engineer's Estimate.

Ultimately, the City Council rejected all bids and directed City Staff to re-bid the project, consolidating unspent funds from FY24, FY25, and FY26 to allow for additional locations to be included, maximizing economies of scale with the additional budget for FY26.

ANALYSIS

The FY26 Annual Sidewalk Replacement Project includes the repair/replacement of damaged sidewalks, curb and gutter, driveway approaches, asphalt repair, tree removal, tree installation, and associated work. City Staff has confirmed 87 locations for the re-bid in August 2025 to maximize the available budget.

The 87 confirmed locations included in this year's project are located at the following addresses:

1. 1st Street/ Monterey Hwy
2. 10th Street/ Princeville St
3. 480 9th Street
4. 510 9th Street
5. 520 9th Street
6. 540 9th Street
7. 550 9th Street
8. 700 9th Street
9. 706 9th Street
10. 716 9th Street
11. 726 9th Street
12. 730 9th Street
13. 740 9th Street
14. 765 9th Street
15. 903 Alder Street
16. 1470 Amber Court
17. 975 Andover Place
18. 730 Babbs Creek Drive
19. 740 Babbs Creek Drive
20. 415 Burke Drive
21. 7209 Church Street

22. 7217 Church Street
23. 7233 Church Street
24. 7440 Church Street
25. 7444 Church Street
26. 7449 Church Street
27. 7456 Church Street
28. 7810 Church Street
29. 7820 Church Street
30. 7830 Church Street
31. 860 Dearborn Place
32. 7531 Dowdy Street
33. 7561 Dowdy Street
34. 7630 Dowdy Street
35. 7690 Dowdy Street
36. 7311 Egleberry St
37. 7605 El Roble Court
38. 7610 El Roble Court
39. 7620 El Roble Court
40. 7630 El Roble Court
41. 7670 El Roble Court
42. 7680 El Roble Court
43. 860 Greenwich Drive
44. 865 Greenwich Drive
45. 915 Greenwich Drive
46. 615 Johnson Way
47. 635 Johnson Way
48. 419 Madison Court
49. 429 Madison Court
50. 439 Madison Court
51. 459 Madison Court
52. 7080 Orchard Drive
53. 1383 Ousley Drive
54. 8532 Ousley Drive
55. 8622 Ousley Drive
56. 8635 Ousley Drive
57. 1551 Peregrine Drive
58. 6343 Poppyfield Street
59. 7595 Princevalle Street
60. 7610 Princevalle Street
61. 9510 Rancho Hills Dr
62. 9520 Rancho Hills Dr
63. 9580 Rancho Hills Dr
64. 9760 Rancho Hills Dr
65. 9780 Rancho Hills Dr
66. 1100 San Miguel St
67. 1110 San Miguel St

68. 7561 Santa Barbara Dr
69. 7571 Santa Barbara Dr
70. 7610 Santa Barbara Dr
71. 7589 Santa Paula Drive
72. 7610 Santa Paula Drive
73. 7620 Santa Paula Drive
74. 7196 Saratoga Place
75. 6301 Snowberry Court
76. 1560 Sunrise Drive
77. 7155 Utica Place
78. 7075 Valley Forge Drive
79. 591 Welburn Avenue
80. 700 Welburn Avenue
81. 771 Welburn Ave
82. 439 Willy Court
83. 7605 Wren Avenue
84. 7075 Yorktown Drive
85. 7085 Yorktown Drive
86. 7095 Yorktown Drive
87. 7160 Yorktown Drive

Staff is also seeking City Council approval of minor clarifications and modifications to the adopted Sidewalk Replacement Program. The revisions do not change the fundamental elements of the Program including City fronting of funds, fixed cost share between the City and property owner and required notices to Property owners. The revisions (see Attachment 8.4.25 Proposed Policy Revisions Final) clarify implementation and process-related items which have been identified over the last year of Program implementation. One more significant recommendation reintroduces the ability of a property owner to complete sidewalk and related repairs outside the City's annual program. Staff will provide a brief presentation on the revisions at the meeting.

ALTERNATIVES

FISCAL IMPACT/FUNDING SOURCE

The total recommended budget and engineer's estimate for the consolidated FY26 Sidewalk Replacement Project is approximately \$1.5 million. Staff is anticipating \$1,255,836 in construction costs and \$170,295 in contingency for potential unforeseen conditions or potential changes in the scope of work during construction, totaling \$1,426,131.

The Project will be funded by the Sidewalk Repair Reserve (200). The FY26 adopted budget includes \$0.5 million for the project. A budget amendment resolution is included

with the staff report to appropriate \$1.0 million of unspent budget from the prior fiscal years to fully fund the consolidated FY26 Sidewalk Replacement Project. There are sufficient funds available in the Sidewalk Repair Reserve Fund (200) to accommodate this expenditure. Any remaining funds will be available to use towards future projects under this budget, as this is expected to be an annual project fund through FY28. Any additional adjustments to the project's budget will be brought forward at the time of the award, if necessary.

PUBLIC OUTREACH

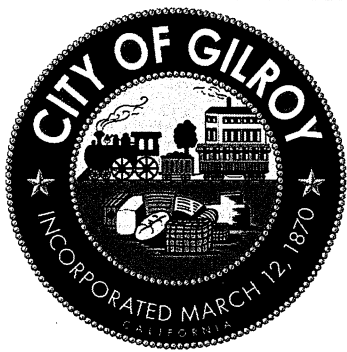
Currently identified locations' residents were notified in March by City Staff that their property had been identified as needing repairs, given an estimated repair window of Summer 2025, and were provided an initial estimate of out-of-pocket costs. The additional locations have been provided written notice of their potential inclusion in the Project and the various financial obligations associated with inclusion.

NEXT STEPS

City Staff will finalize locations for repair, notify property owners of their anticipated costs and inclusion in the Bid Package, and reissue the Bid Package for contractors. Staff is preparing to present the preferred contractor to City Council at an October City Council Meeting.

Attachments:

1. Attachment --August 2024 Sidewalk Policy
2. 8.4.25 Proposed Policy Revisions FINAL



City of Gilroy

STAFF REPORT

Agenda Item Title: Approval of the City's Revised Annual Shared Cost Sidewalk Replacement Program

Meeting Date: August 5, 2024

From: Jimmy Forbis, City Administrator

Department: Public Works

Submitted By: Heba El-Guindy, Public Works Director

Prepared By: Heba El-Guindy, Public Works Director

STRATEGIC PLAN GOALS

Maintain and Improve City Infrastructure

RECOMMENDATION

City Council to approve the revised Annual Shared Cost Sidewalk Replacement Program (PW Project No. 800320).

EXECUTIVE SUMMARY

Recommended revisions to the Annual Shared Cost Sidewalk Replacement Program (Program) are expected to streamline implementation of the Program through the establishment of a single annual construction contract managed by the City for replacement of damaged sidewalks using a more efficient process. Priority locations are to be set by the City based on staff review of various factors such as severity of damage. There are no proposed changes to the current percentage of cost sharing by abutting property owners, and provisions were added to better assist owner occupied residences with income level eligible for public assistance programs. It should be noted that cost sharing is consistent with provisions of the City Municipal Code and the State of California Streets and Highways Code.

Subject to City Council approval, implementation of the revised Annual Shared Cost Sidewalk Replacement Program will commence under a single City-managed annual contract as of FY 2024-25. This annual contract will be funded by the Council-approved Sidewalk Repair Reserve Fund (Fund 200) of an annual total amount of \$500,000 covering design, construction and construction support.

In addition, a second annual contract will be established to fund minor repairs in FY 2024-25 through FY 2027-28 using budgeted Program funds remaining from FY 2023-24. This minor repair contract is expected to reduce demands on the Sidewalk Replacement Program and increase overall efficiency. The minor repairs contract does not involve financial contribution by property owners.

BACKGROUND

The City has had a shared-cost sidewalk replacement program since 2006. City Council approved the Fiscal Years 2024-2028 Capital Improvement Program (CIP) budget that includes funding of the City's Annual Shared Cost Sidewalk Replacement Program using the Sidewalk Repair Reserve Fund (Fund 200) for an annual total amount of \$500,000 covering design, construction and construction support (PW Project No. 800320).

The Department of Public Works currently has a sidewalk project list of over 140 locations. Implementation of improvements has been dependent on the abutting property owners and their ability to fund all repairs upfront (such as replacement of sidewalk, curb and gutter, and trees) and later seek reimbursement from the City for applicable items. This ongoing process limits the City's ability to implement improvements in a timely manner, and there is no effective enforcement mechanism.

Detailed information on the existing Program and its limitations were shared with City Council as an information item during the regularly scheduled Council meeting on May 6, 2024 (Attached). As noted in the May 6th staff report, the City currently has a comprehensive database of sidewalk and curb ramp deficiencies throughout the city. In the spring of 2019, City Council funded a project to evaluate and assess the amount of deficient sidewalk and curb ramps throughout the city and the retained firm used video and Artificial Intelligence (AI) technology to perform this project. This developed database is available and has been used for example in determining locations of new curb ramps constructed using Community Development Block Grant (CDBG) funds.

Draft revisions to the Program were also shared during the Council meeting on May 6, 2024, and were since updated based on feedback received from the City Council and from community members. The revised Program is recommended per the following process:

- Identification of sidewalk repairs is carried out by City staff in an equitable manner throughout the city taking into account the existing levels of deficiency, served traffic generators such as schools, reported concerns, and other rating factors and based on the available database.
- City staff will notify the property owners in writing of the assessed deficiencies, as well as provide an explanation of the Program including financial responsibility of the property owners and cost sharing. An initial estimate of their financial share of planned work and the process of invoicing property owners following project

construction are also shared. Providing such an estimate well in advance offers the property owners a period of at least six months (period of City staff seeking bids and project construction) to enable them to plan for their cost share.

- The Public Works annual project list under this Program is prepared for all work including applicable work such as tree removal, replacement of curb and gutter, pavement repair, replacement of driveway approaches, and replacement of sidewalk segments. The overall project is then advertised for bid, the contract is awarded, the property owners are notified in advance of the work, and all work is completed.
- Following completion of the project, the City sends an invoice to each of the impacted property owners stating the actual share of the cost with a payment due date of 180 days (six months) from the date of the invoice. A reminder is sent to the property owners 30 days in advance of the due date. A payment arrangement option will also be made available for those wishing to request one within 30 days of receiving the invoice. Term of the extended payment arrangement not to exceed one year from the date of the City receiving the request. In other words, the process from the time of receiving the initial cost share estimate through the project completion followed by a payment plan is likely to take about two years.
- If the property owners do not pay in full or fail the payment arrangement, their fair share cost is applied as a lien against their property and is collected through the annual special assessment collection process on their annual property tax bill (divided in two payments over a 12-months period).
- The cost sharing is consistent with current practice as follows:
 - Sidewalk Replacement Caused by a Private Tree – 100% Property Owner Cost.
 - Sidewalk Replacement Caused by a Public Tree – 50% City Cost / 50% Property Owner Cost.
 - Private Tree Replacement – 100% Property Owner Cost.
 - Public Tree Replacement – 100% City Cost.
 - Curb and Gutter Replacement Caused by a Public or a Private Tree – 100% City Cost.
 - Driveway Approach Replacement – 100% Property Owner Cost.
 - Limit City cost share to repairs adjacent to individual commercial properties to \$30,000 (the currently practiced limit is \$20,000).
- The City to fund 100% of all repairs without seeking cost sharing of residences that are: 1) owner occupied, and 2) enrolled for PG&E's Care Program (based on income and other public assistance eligibility, and usually indicated on their PG&E monthly statement).
- A second annual contract is to be established for minor repairs fully funded by the City using funds remaining within the project account in FY 2023-24.

ANALYSIS

Anticipated advantages of the proposed Program updates:

- There is no up-front large sum of money out-of-pocket from the property owner per the current process – The City funds all project repairs and invoices the property owner for only their share of the work.
- Better support for our community members who are eligible for public assistance programs by excluding them from the cost sharing requirement.
- There is significantly less work for the homeowner – The City takes the lead on coordinating the project, the bids and the construction. The only work for the property owner is to pay the invoiced payment share.
- Improved efficiency and increased amount of work performed annually which goes towards the City's strive for a walkable and accessible street system. Also work throughout the city would be consistent as it would be performed by a single contractor's team.
- Increased productivity and the number of repairs citywide using the same amount of annual funds – Sidewalk repairs are advertised under a single project. The bids could potentially be lower since the expected price for repairs would be lower due to volume (i.e. lower unit bid price) and less mobilization costs. For example, the lowest bids received by property owners in 2024 for sidewalk replacement ranged from \$10/square foot to \$32/square foot with an average of \$21/square foot. The average bid received in 2024 for City initiated sidewalk replacement is \$20/square foot.
- Reduced demands on staff resources by increasing efficiency – Less time and effort will be needed for Program administration and coordination. For example, the City Inspector will need to coordinate with one contractor's team and focus attention on quality control, thereby replacing the current piecemeal approach.
- Reduced demands on the Sidewalk Replacement Program and increase efficiency through establishment of the second City managed contract for minor repairs in FY 2024-25 through FY 2027-28 using funds remaining within the project account in FY 2023-24.

Anticipated disadvantages of the proposed Program updates:

- Homeowners will be required to participate if their property is identified as a needed improvement, even if the homeowner is not ready for the project.
- Some homeowners may be ready and wanting to participate in the program, but the nature of the site selection criteria may not make them eligible until later years.

Resident Affordability

Below is a table, based on the average of the ten highest/largest jobs and ten lowest/smallest jobs paid in the past two years to provide an example of what residents and businesses may be financially responsible for, depending upon the size of the job and final costs. It should be noted that the shown unit cost is for a square foot of sidewalk replacement, and the ongoing practice is to always use qualified contractors with the lowest bids:

Average Sidewalk Repair Cost Reimbursed				
Scope	Square Feet	Unit Price (Per Sq. Ft)	Cost	50% Owner Share
Large Jobs (Involving Sidewalk, Curb and Gutter, Asphalt and Tree Replacement)	360	\$ 15.56	\$5,601.60	\$2,800.80
Small Jobs (Sidewalk)	117	\$ 24.86	\$2,908.62	\$1,454.31

Also as discussed above, homeowners that qualify and are enrolled for the PG&E CARE program will not be charged their share of the costs. The income requirements for the PG&E CARE program are on a scaled level based on household size. Below are the rates based on smaller household sizes. If the number of persons in the household is greater, the income level to qualify increases.

Number of Persons in Household	Total Gross Annual Household Income
1-2	\$40,880 or less
3	\$51,640 or less
4	\$62,400 or less
5	\$73,160 or less
6	\$83,920 or less

Assuming a large job on a household of 3 that makes \$51,641 (one dollar over the qualifying CARE threshold), the total share would equate to 5.4% of their annual gross income in a single year. There are many different combinations of different factors that could result in slightly higher amounts of Program payments compared to personal income, but there are more likely scenarios of smaller portions of personal income to Program payments for residents.

As discussed in the background, residents and businesses would have up to two years from the initial notification to make the payment, and then any unpaid balance at the end of any payment window or payment plan would then be applied to their property tax bill, granting potentially additional time for repayment. Below is a possible timeline from start to finish, but different circumstances may produce varied timelines within the range.

Year	Actions
Year 1	Notification of assessed deficiency, project design to construction completion, and issuance of invoices to affected property owners abutting to selected prioritized locations.
Year 2	Invoices due or payment plans approved - not to exceed 12 months.

Year	Actions
Year 3	Payment plans due, Lien Process Initiated: Notification/public hearings etc.
Year 4	Liens approved/placed on the tax roll, County tax collection/remittance to the City.

ALTERNATIVES

The alternative would be to retain the current City's Annual Shared Cost Sidewalk Replacement Program without any changes, which is not recommended due to its limitations and inefficiencies.

FISCAL IMPACT/FUNDING SOURCE

The City Council approved the Fiscal Years 2024-2028 CIP budget that funds the City's Annual Shared Cost Sidewalk Replacement Program using the Sidewalk Repair Reserve Fund (Fund 200) for an annual total amount of \$500,000 covering design, construction and construction support (PW Project No. 800320). No changes to the currently approved funding are recommended by staff.

Staff recommends utilizing the funds that remain by the end of June 2024 (currently estimated at \$260,000 after the ongoing reimbursements and planned City Center work) to fund minor repairs such as shaving sidewalks uplifted by up to 2 inches under a separate/second annual contract for four fiscal years, FY 2024-25 through FY 2027-28. This recommendation aims to expedite repairs throughout the city and reduce demands on the overall annual Program.

PUBLIC OUTREACH

Achieved through the public hearing opportunities during the City Council meetings on May 6th (Draft Program Updates) and on August 5th (Revised Program Updates incorporating feedback comments). This is in addition to public comments sought by staff on the current Program and desired changes.

NEXT STEPS

Subject to City Council approval, implementation of the revised Annual Shared Cost Sidewalk Replacement Program will commence as of FY 2024-25 through a single annual contract managed by the City. The above referenced second contract managed by the City will also be established using the Program's remaining funds of FY 2023-24 to implement minor repairs in FY 2024-25 through FY 2027-28 in order to reduce demands on the Sidewalk Replacement Program and increase overall efficiency.

CITY OF GILROY

SIDEWALK REPLACEMENT PROGRAM

Adopted August 5, 2024

Revised August 4, 2025

The City Council is committed to collaborating with property owners to provide safe and ADA compliant paths of travel throughout the public sidewalk system. Over the last two decades the City has committed funding to support repair and replacement of sidewalks, curbs and gutters. On August 5, 2024, the City Council adopted a new Program which shifted initial design, construction oversight and upfront costs away from the property owner to the City. On July 28, 2025, the City Council considered and approved minor revisions and clarifications to the Program.

The purpose of the revised program is to: 1) reduce the overall cost of work through economies of scale; 2) force prioritization of limited City resources; and 3) to relieve property owners from the burden of seeking estimates and fronting costs. The City Council committed initial funding of the Program for Fiscal Year (FY) 24 through FY 28. The Program is included in the FY 24-FY28 Five Year Capital Improvement Program. The Program outline is as follows:

- Public Works will create and maintain a database containing all documented locations of public sidewalk and related curb and gutter deficiencies. This list will be regularly updated to include sites identified (and confirmed by City staff) through Gilroy Connect, staff observation, formal City/consultant assessment or other means. The list shall be used to identify and assist in the prioritization of both minor repairs and sidewalk replacement.
- The annual Sidewalk Replacement Project, including site prioritization, is to be carried out by Public Works in an equitable manner throughout the city taking into account: 1) the severity of damage and associated liability risk; 2) served pedestrian traffic generators including schools, parks and commercial areas; 3) proximity/adjacency to other replacement sites; 4) length of time on database; and 5) other rating factors which are deemed appropriate and necessary based on best available information and standard engineering principles.
- Public Works will notify the property owners in writing that their property has been included in the upcoming sidewalk replacement project. The letter will include a

description of the assessed deficiencies, explanation of the Program including their financial responsibility and the cost sharing formulas as well as an initial estimate of their financial share of planned work. Public Works will issue this letter at least fifteen days prior to release of the public bid. A second written notice will be provided by the contractor at least one week prior to the construction beginning.

- The Public Works Annual Sidewalk Replacement Project includes, as applicable, tree removal, replacement of curb and gutter, pavement repair, replacement of driveway approaches, and replacement of sidewalk segments. The overall project is advertised for bid, the contract is awarded, the property owners are notified in advance of the work, and all work is completed under the direction of Public Works. All work is subject to State prevailing wage requirements and compliance with Department of Industrial Relations (DIR) provisions.
- Following completion of the project, the City sends an invoice to each of the property owners for their share of the actual cost with a payment due date 180 days (six months) from the date of the invoice. Public Works sends a reminder to the property owners 30 days in advance of the due date.
 - The invoice is to inform the property owner of the payment process, as well as the option to extend the payment due date by 180 days (total 12 months).
 - The property owner must request, in writing, the payment extension within 30 days of the date on the invoice.
- If a property owner does not pay in full by the applicable due date, their fair share cost is applied as a lien against their property and is collected through the annual special assessment collection process on their annual property tax bill (divided in two payments over a 12-months period). Receipt of payment from Santa Clara County will vary depending on date in which a lien is filed.
- The City-Property Owner cost share is as follows:
 - Sidewalk Replacement Caused by a Private Tree – 100% Property Owner Cost.
 - Sidewalk Replacement Caused by a Street Tree – 50% City Cost / 50% Property Owner Cost.
 - Private Tree Replacement – 100% Property Owner Cost.
 - Street Tree Replacement – 100% City Cost.
 - Curb and Gutter Replacement Caused by a Street or a Private Tree – 100% City Cost.

- Driveway Approach Replacement – 100% Property Owner Cost.
City's maximum cost share for repairs adjacent to individual commercial properties is limited to \$30,000.
- The City will not seek reimbursement for repairs where : 1) the property/home is owner occupied, and 2) the owner is enrolled in PG&E's Care Program (which is based on income and other public assistance eligibility, and usually indicated on their PG&E monthly statement).
- The City Council agrees to annually allocate a portion of the available sidewalk funds to minor repairs which will not be subject to cost-sharing, provided funds are available.
- A property owner may choose to complete the required work on their own subject to the following:
 - The owner obtains an encroachment permit from the City (fee will be waived).
 - All work meets City standards and specifications.
 - All work is completed by an appropriately licensed contractor.
 - The owner certifies that they understand that the cost of work will be fully borne by the owner.

Note 1: Following adoption, staff will prepare a handout document which provides greater detail along with contact information.

Note 2: Providing a preliminary estimate in advance of the bid circulation offers the property owners a period of approximately 4-6 months to prepare for the final invoice (given public bid process and actual construction).

Note 3: The process from the time of receiving the initial cost share estimate through the project completion followed by a payment plan is likely to take approximately 2-3 years.