

## MOTION

It is anticipated that for the foreseeable future street maintenance programs in Los Angeles will focus primarily on slurry sealing eligible streets and roads throughout the City.

Under current policy, freshly slurried streets do not fall under the same one-year construction moratorium restriction and street damage restoration fee as do reconstructed or resurfaced streets. Under the Los Angeles Municipal Code, reconstructed and resurfaced streets are subject to a one-year excavation moratorium and a "Street Damage Restoration Fee." Prior to the commencing of street work, residents and business owners, as well as all public utilities are notified of the scheduled project and are reminded of City policy in writing, stating in part, "once a street is resurfaced, any excavations in a newly paved street within one year after the date of the paving will require the resurfacing of the entire block, or intersection, depending on the location of the excavation..." Code also established a special fund to receive payments of the Street Damage Restoration Fee.

Such a policy needs to be extended to freshly slurry sealed streets to help prevent unnecessary damage to new street surfaces and to provide a clear mechanism where by necessary construction conducted within the proscribed time is carried out in such a manner that the street surface is returned to the best condition possible.

**THEREFORE, I MOVE** that the City Attorney, in consultation with the Bureau of Street Services, the Bureau of Engineering and the office of the Chief Legislative Analyst, present an ordinance(s) to the Public Works Committee amending Sections 62.105, 62.02, 62.04, 62.06 and 64.17 of the Los Angeles Municipal Code and Section 5.121.6 of the Los Angeles Administrative Code to accomplish the following goals:

- Extension of the one year street excavation moratorium currently in effect for resurfaced and reconstructed streets to streets receiving slurry seal.
- Written notice of the policy shall be given in a timely manner to all residents and business owners on the effected street of the City policy.
- Written notice of all City street projects including slurry seal projects shall be given to all public utilities in a timely manner.
- Notice of the construction moratorium on all streets reconstructed, resurfaced or slurry sealed shall be included as part of all construction permits issued by the Bureau of Engineering.

**I FURTHER MOVE** that the Bureau of Street services report to the Public Works Committee on the advantages on increasing the current street construction moratorium from one year to eighteen months.

PRESENTED BY: \_\_\_\_\_

DENNIS P. ZINE  
COUNCILMAN, 3<sup>rd</sup> DISTRICT

SECONDED BY: \_\_\_\_\_

May 4, 2004