

Proposed Response to Grand Jury

Report:

“When Will My Street Be Paved? City of San Diego Street Paving Challenges”

City Council

October 17, 2023

Item 330



Office of the Independent Budget Analyst



Report focuses on the City's efforts on street repaving, including the growing funding need gap, and the City's website containing repaving data.

- Grand Jury filed report on June 8, 2023
 - Extension granted to provide response to Superior Court Presiding Judge by November 21, 2023
- Report includes three findings & seven recommendations all directed to both the Mayor and City Council
 - The proposed response is a joint response, but the Council may choose to amend or change the response.
- Development of proposed response included input from various departments and stakeholders
- Proposed Response also incorporates the changes made by the Active Transportation & Infrastructure Committee.

Prescribed Grand Jury Responses

- For each Finding:
 - Agree
 - Disagree wholly or partially
- For each Recommendation:
 - Has been implemented
 - Has not yet been implemented, but will be
 - Requires further analysis
 - Will not be implemented because it is not warranted or is not reasonable

Finding 01

Since the 2015-2015 OCI survey, the City street maintenance needs were not fully funded each year, which caused further deterioration of the City's streets.

Proposed Response: Agree

- Funding needs are communicated annually through the budget process, and multi-year needs are included within the annual Five-Year Capital Infrastructure Planning Outlook
- Added additional information on the cost escalation for street maintenance activities based on direction from the Active Transportation & Infrastructure Committee

Finding 02

OCI scores have decreased since the previous (2015) street network assessment.

Proposed Response: Agree

- The City is finalizing an updated pavement condition assessment, which should be complete by the end of the calendar year. It is anticipated that OCI scores will show a decrease from the previous assessment because funded repairs have not kept pace with deterioration.

Finding 03

The data available on the “Streets Repair Projects” Excel spreadsheet is not inclusive of all streets in the City’s network which results in the inability, in certain instances, for San Diegans to conclusively determine ‘When Will My Street Be Paved?’.

Proposed Response: Partially Disagree

- The Excel spreadsheet only includes information on street projects that have either been planned or completed, but it does not include information on City street segments with no planned projects.
- Streets.sandiego.gov contains all of the same information as the Excel spreadsheet.
- Transportation Department is in the process of developing a rolling five-year pavement management plan, that will be included on streets.sandiego.gov

Recommendation 23-105

Encourage passing a Council Appropriation Ordinance, signed by the Mayor, as part of the yearly budget approval process, that commits a General Fund appropriation in an amount equal to, or greater than, the funds received each year under the RRAA. These funds to be transferred to the infrastructure fund to be solely used for street maintenance and repair of the worst streets in San Diego based on their respective 2023-2024 OCI score. The Ordinance would remain in effect, a minimum of four years, or until the average OCI reaches a minimum of 70.

Proposed Response: The recommendation will not be implemented because it is not warranted.

Recommendation 23-105 (continued)

- Street maintenance and repair is a crucial part of the City's transportation network, and the City will continue to dedicate resources to these services, including General Fund resources as part of the annual budget process.
- However, tying specific amounts of future General Fund dollars to one program limits the ability of the City's decisionmakers to respond to fluctuating revenues and future funding needs.
- The new condition information will aid Transportation in determining the appropriate level of funding needed to meet any particular average pavement condition.
- With this information, total funding needs will be well understood, and a range of options could be pursued to secure necessary funds, including but not limited to, RMRA funding, tax measures, or grants.

Recommendation 23-106

Encourage passing a Council Appropriation Ordinance, signed by the Mayor, appropriating sufficient funds to conduct an updated Pavement Condition Assessment beginning in FY 2027, and every four years thereafter.

Proposed Response: The recommendation requires further analysis.

- The Active Transportation & Infrastructure Committee provided direction to change the proposed response to include a commitment for the Council to consider an ordinance or Council Policy that requires funding of an updated Street Condition Assessment every four years.
- The recommendation is unclear and cannot legally be implemented to the extent that implementation would require this Council to pass an ordinance requiring future councils to expend funds in a specific way every four years.

Recommendation 23-106 (continued)

- However, the City Council will consider adopting an ordinance, or a Council Policy that encourages the performance of a street condition assessment every four years subject to budgetary appropriation, as long as such an ordinance or Council Policy allows for a majority of the Council to waive the requirements.
- Although the City agrees this request is a valuable one, codifying this budgetary request as a requirement without a waiver provision limits the ability of the City's current and future decisionmakers to appropriately respond to future funding needs.
- Further analysis is required on the most appropriate legal vehicle for Council consideration.

Recommendation 23-107

Task the Transportation Department to ensuring all streets in the City of San Diego are featured on the website tools and have up-to-date paving information.

Proposed Response: The recommendation has been implemented.

- As discussed in Finding 03, streets.sandiego.gov is the City's central repository for current street resurfacing information and displays all street segments citywide.
- Transportation is working to make the website more user friendly and to ensure all data is easily assessable. This work is anticipated to be completed by the end of the fiscal year, if not sooner.

Recommendation 23-108

Task the Transportation Department with developing a comprehensive rolling five-year plan, which includes a projected maintenance schedule for all streets in the San Diego street network.

Proposed Response: The recommendation has not been implemented but will be implemented in the future.

- Transportation is in the process of developing a rolling five-year pavement plan to identify the streets the City intends to resurface, contingent on receiving adequate and consistent funding. This plan will be posted to the City's website when completed (end of fiscal year).
- Displaying maintenance schedules any further out than five years would be inaccurate due to unforeseen conflicts with other future projects in the right-of-way and funding uncertainty.

Recommendation 23-109

Task the Transportation Department with reviewing the information that is currently available only through the Excel spreadsheet (sd_paving_dataset_v1) and ensuring its accessibility directly from the City's webpage: streets.sandiego.gov, "Street Repair Projects and Conditions Ratings" Interactive Map.

Proposed Response: The recommendation has been implemented.

- As noted on the webpage where the Excel spreadsheet is made available (data.sandiego.gov/datasets/street-repair-projects), the same street project data is displayed on streets.sandiego.gov, and there is also a link on streets.sandiego.gov back to the webpage containing the Excel spreadsheet.

Recommendation 23-110

Task the Street Division with ensuring the City of San Diego website has an easy to find link to the comprehensive rolling five-year plan for street maintenance, which is updated at least quarterly.

Proposed Response: The recommendation has not been implemented but will be implemented in the future.

- As noted in the response to Recommendation 23-108, Transportation is in the process of developing the plan and will post it when completed.
- Updates are anticipated to occur at least annually, as quarterly updates would likely not show meaningful changes.

Recommendation 23-111

Consider doing a cost-benefit study to bring the infrastructure for street repair and maintenance in-house much like trash collection and other services provided by City staff.

Proposed Response: The recommendation has not been implemented but will be implemented in the future.

- Transportation estimates completing a cost-benefit study by the end of the fiscal year, if not sooner, and will include this assessment as part of the pavement management strategy.

Proposed Actions

Adopt a resolution for the following:

- Approve and adopt the proposed response to the 2022/2023 San Diego County Grand Jury report titled “When Will My Street Be Paved? City of San Diego’s Street Paving Challenges” (which was filed June 8, 2023) as prepared by the Independent Budget Analyst (IBA) and modified by the Active Transportation & Infrastructure Committee
- Authorize and direct the City Council President, on behalf of the City Council, to execute and deliver the response to the Presiding Judge of the Superior Court by November 21, 2023

Provide direction for the IBA and City Attorney’s Office to work with a specified Council District office to bring forward a proposed ordinance or Council Policy in line with the response to Recommendation 23-106.