

Mayor  
Willard Rodarmel  
Mayor Pro Tem  
John Flourde  
Council Members  
John Gordon  
John Murray  
William Siegel



Office of the  
Mayor

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April 17, 2012

David Valadao  
California State Assembly  
State Capitol Building, Room 2174  
Sacramento, CA 95814

**RE: AB 2231 (Fuentes), Sidewalks: Repairs  
Notice of Opposition**

Dear Assemblyman Valadao,

On behalf of the City of Lemoore, I regret to inform you of our opposition to AB 2231, which would amend long-standing statutes related to sidewalk repairs and drastically changing current law.

Current law provides that property owners are responsible for repairs on sidewalks adjacent to their property. However, AB 2231 would make the City of Lemoore responsible for the repair of any sidewalks the City owns or that have been damaged by any plant or tree. The bill would also make our City liable for any injury resulting from a failure to repair, opening up our City to multiple lawsuits for which we cannot afford. On top of all of this, this bill prohibits the City from imposing an assessment on the adjacent property owner for the repair of the sidewalk.

Current law also provides a framework for local jurisdictions to work from regarding sidewalk repair programs, and many local governments have policies in place that go beyond statute, to the benefit of the homeowner. The level of fiscal commitment to the repair of sidewalks should be left with cities who are best equipped to assess available resources and prioritize projects that benefit the community as a whole, not the state.

The State should not be prioritizing local infrastructure maintenance. This is a one-size fits all approach that forces maintenance systems on local governments. It is difficult to justify repairing a sidewalk for a homeowner in a residential neighborhood instead of filling potholes on a thoroughfare that serves as a primary route for the movement of people and goods, as well as many other General Fund obligations.

For these reasons, the City of Lemoore opposes AB 2231. If you have any questions about our position, please contact me at the number below.

Sincerely,

Willard Rodarmel  
Mayor

cc: Michael Rubio, State Senator  
Honorable Felipe Fuentes, California State Assembly, via fax: (916) 319-2139  
Jennifer Whiting, League of California Cities, via fax: (916) 658-8240  
Hilary Baird, League of California Cities, via fax: (661) 664-8291