ABOUT THE NEIGHBORHOOD SIDEWALK REPAIR PROGRAM

• The Neighborhood Sidewalk Repair Program has eight staff positions — three of which were vacant as of May 2020.
• When inspecting sidewalks, the program’s inspector looks at whether sidewalks are uneven, whether there is a wide gap between sidewalk panels, whether a tree is causing damage to the sidewalk, and whether a panel — including a flagstone one — is damaged and in need of repair or replacement.
• Sidewalk repair and maintenance in the City and County of Denver has been the responsibility of the owners of adjacent properties — such as homes or commercial buildings — since at least the 1950s.
• Under city ordinance, within 45 days of the notice, the property owner can choose to either appeal the notice within the first 30 days or repair the hazardous condition. Property owners can view a copy of the inspection notice online and see photos of what needs repair.

FINDING 1: The Department of Transportation & Infrastructure Needs to Improve the Design of the Neighborhood Sidewalk Repair Program

• The department inadequately designed the sidewalk repair program, including by not aligning it with other Denver initiatives that focus on ADA compliance. The department provided limited documentation and had limited historical knowledge regarding the program’s design.
• When designing the program, the department did not document a process to proactively communicate and coordinate sidewalk repairs with other city agencies and local utilities.
• The program design does not offer affordability options to all Denver residents. This results in residents having unequal access to safe and accessible sidewalks and places an undue and inequitable financial burden on some Denver residents.
• The program lacks key elements of an internal control system as part of its design — such as policies and procedures or clear performance measures — and as a result, the department cannot ensure the program is meeting its intended goals.
• The department failed to perform a needs assessment in order to determine the appropriate number of staff needed to keep the program on its intended timeline.
FINDING 2: The Department of Transportation & Infrastructure Has Not Effectively Implemented, Monitored, or Evaluated The Neighborhood Sidewalk Repair Program

As of Sept. 2, 2020, the department had conducted about 1,100 inspections and approved about 800 completed repairs in the program’s Region 1 — which includes the Congress Park, Capitol Hill, and City Park neighborhoods. However:

- The program’s repairs are sometimes not compliant with Americans with Disabilities Act standards or department rules and regulations.
- The program is not meeting its goal to complete inspections and repairs in one region per year. At its current pace, city officials estimate it will take more than 50 years to complete the program.
- About 80% of all sidewalks inspected in Region 1 so far required repairs — at least six times more than the department estimated. Furthermore, homeowners were responsible for 80% of those repairs — double what the city predicted.
- The department does not use strong data collection and review methods and as an example of the consequences, auditors were unable to establish a reliable number of properties that the city’s contractor completed repairs for or how many, therefore, required payment from homeowners.
- The department lacks documented procedures explaining the process for collecting and reviewing data before making payment to a city contractor, and the supporting documentation provided by department staff did not ensure the city paid accurately in accordance with the city’s Fiscal Accountability Rules.

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