



PAVING STANDARDS

Best Practices for Elected Officials and Agency Staff

The Association of California Water Agencies (ACWA) recognizes that all local governments would benefit from greater coordination on planned paving maintenance and excavation projects, including the associated paving standards, to more efficiently implement local services. Some local governments have begun to develop these mutually beneficial relationships, as strategic planning and coordination can reduce the costs of excavation and restoration work while equitably spreading them across multiple service providers.

Municipal streets include features both seen and unseen, but the health or condition of a street is typically judged on what can be seen – the surface pavement condition. As a result, a desire for enhanced street surface appearance can lead to disproportionate restoration requirements being sought after underground water utility infrastructure is initially constructed or maintained.

What are Street Paving Standards?

City and county governments develop, adopt, and administer standards for repaving streets and curbs following excavation work within their jurisdictions. These paving standards are incorporated in permit requirements for installing or maintaining underground infrastructure.

Special districts providing water and sewer services must maintain associated infrastructure and facilities to ensure reliability. Special districts have statutory rights-of-way or rights to use public

streets or highways for infrastructure projects so long as they coordinate with the city or county and other utilities with infrastructure in the street. Special districts are required to restore a street's condition to what it was prior to initiating work.¹ However, cities and counties cannot unreasonably burden the use of public streets with permit conditions that are inconsistent with state law.²

Overlapping Responsibilities and Priorities Between Local Governments

Cities, counties, and special districts have different responsibilities, oversight, and revenue streams, but serve the same communities. Street maintenance and paving require significant funding from local government budgets. Therefore, inefficiencies in road and underground utility maintenance lead to greater overall costs for the communities that special districts, cities, and counties mutually serve.

1 E.g., California Public Utility Code section 10102 states that a "municipal corporation exercising its rights under this article shall restore the road, street, alley, avenue, highway, canal, ditch, or flume so used to its former state of usefulness as nearly as may be . . ."

2 W. Bay Sanitary Dist. v. City of E. Palo Alto, 191 Cal.App.3d 1507, 1511 (1987) (finding a city's proposed conditions on use of the public roads unreasonable).



Recommended Best Practices

Paving Standards

- **Consistency of Paving Standards.** There should be greater consistency of paving standards across jurisdictions, so special districts can more accurately budget and plan for repaving costs.
- **Pre-Permitting of Projects Prior to Bid.** Develop a pre-permitting process between the city or county and special district to determine repaving requirements before the special district seeks a bid from a contractor so that the full scope of work is better defined for the prospective contractor.

Improved Coordination

- **Coordination Meetings.** Implement local communication procedures, including regular utility coordination meetings, when capital maintenance projects are being developed.
- **Designated Point of Contact.** Cities, counties, and special districts should designate a specific individual to be responsible for coordinating paving and utility relocations / upgrades.
- **Advance Notice.** Cities and counties should provide advance notice of their capital maintenance and renewal plans to special districts with underground infrastructure serving their jurisdictions so the special districts can plan, design, fund, and construct their improvements in coordination with the city or county awarding paving contracts.
- **Implementing and Sharing Mapping Planning Documents.** Cities and counties and special districts should share their detailed planning documents to facilitate coordinated excavation activities.
- **Agreements Between Local Agencies.** Multi-agency agreements should be considered to establish clear procedures and obligations to help streamline the process of obtaining encroachment permits, such as issuing an annual permit. Cost-share agreements should also be considered to determine an equitable cost split for repaving work aligned with a city's or county's planned paving program, as resulting efficiencies benefit all agencies involved.

Paving Standards

Paving standards often vary significantly between different cities and counties, and special district boundaries often overlap with several cities and counties, resulting in multiple sets of paving standards. In addition, paving standards are sometimes determined on a case-by-case basis during the permit review process and changing standards have been imposed during a project's construction. This leads to cost increases and delays and creates significant challenges for special districts to accurately budget for paving.

Additionally, while the legal requirement is to return the street to pre-project condition, permit terms often include significant enhancements, including aesthetic improvements that may exceed the statutory authority of the permitting city or county. These enhancements shift the financial burden of making additional paving improvements sought by cities and counties on to special districts, with resulting impacts on water and sewer ratepayers.

Public Works Schedules

Local governments develop schedules for addressing road and underground utility maintenance, but these efforts are often uncoordinated with overlapping jurisdictions. Without adequate communication and coordination, special districts are not able to plan and perform underground maintenance in concert with city or county repaving activities, rather than independently of them. This lack of coordination can lead to multiple local agencies repetitively excavating the same key sites at different times, which increases costs and reduces the quality of paving.