

RECOMMENDATIONS OF THE CHAIR

1. REQUEST the City Attorney's Office to make the following changes to the Draft ordinance and transmit a new, updated draft for Council consideration.
2. INSTRUCT the Department of Transportation, with the assistance of the City Attorney's Office, to report back within 30 days on recommendations and steps needed to require Metro and any other third parties to comply with Measure HLA without any additional cost to the City.

ORDINANCE NO. _____

An ordinance adding a new Chapter 21 to Division 19 of the Los Angeles Administrative Code and a new Section 85.12 to Division Q of Chapter VIII of the Los Angeles Municipal Code to provide administrative procedures for the implementation of Measure HLA - the Los Angeles Safe Streets for All Initiative.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Chapter 21 is added to Division 19 of the Los Angeles Administrative Code to read as follows:

CHAPTER 21

IMPLEMENTATION OF LOS ANGELES SAFE STREETS FOR ALL INITIATIVE

Sec. 19.210. Purpose.

This chapter furthers the purposes of Measure HLA (the Los Angeles Safe Streets for All Initiative), codified at Section 85.11 of the Los Angeles Municipal Code, by identifying the respective responsibilities of City departments in implementing Measure HLA.

Sec. 19.211. Definitions.

The definitions contained in LAMC Section 85.11(a) shall apply to this chapter. In addition, the following definitions shall also apply to this chapter:

"City" means the City of Los Angeles.

"Effective Date" means April 9, 2024, the date Measure HLA took effect.

"LAMC" means the Los Angeles Municipal Code.

"Measure HLA" means the Los Angeles Safe Streets for All Initiative ordinance, codified at LAMC Section 85.11.

"Mobility Plan Dashboard" means the open data portal or project website required under LAMC Section 85.11(b)(2).

"Mobility Plan Project" means an Improvement, as defined in LAMC Section 85.11(a), **made or** constructed by the City on a Mobility Plan Street as defined in LAMC Section 85.11(a). A City project only involving the application of: **restriping of the road without making other improvements, slurry seal, ornamental street markings, routine pothole repair, utility cuts, or emergency repairs;** a roadway surface maintenance coating or other surface treatment, such as slurry seal, cool pavement, painting, or a decorative art installation, including any associated restriping of the roadway, without any subsurface or roadway alteration, is not an Improvement for purposes of LAMC Section 85.11(a).

Sec. 19.212. Applicability of Measure HLA.

The requirements of LAMC Section 85.11(b)(1) shall not apply to any Mobility Plan Project for which construction commenced before the Effective Date, or to any Mobility Plan Project that has been awarded grant funds with a defined project **scope at the time of the grant award**, before the Effective Date, **or to any Mobility Plan Project that depends upon other funding agreements that were executed before the Effective Date.** For each such Mobility Plan Project **awarded grant funding before the effective date**, the City department implementing the project shall determine whether the project would meet the requirements of LAMC Section 85.11(b)(1), and if not, shall determine **how** whether the project scope can **feasibly** be modified to meet the requirements of LAMC Section 85.11(b)(1) without **delaying the project, adding unforeseen budget increases, complicating project delivery, or jeopardizing the grant or other third-party funding.** If the Mobility Plan Project cannot **feasibly** be modified **without jeopardizing grant or other third-party funding** to meet the requirements of LAMC Section 85.11(b)(1), the project shall be identified on the Mobility Plan Dashboard in accordance with LAMC Section 85.11(b)(2)(E).

Sec. 19.213. Lead City Agencies for Mobility Plan Projects.

(a) The Department of Transportation ~~and the Department of Public Works~~ shall be the ~~co-~~lead City agencies for **project planning, initiation, scoping, and outreach** and **scheduling shall work with the Department of Public Works for scheduling and construction of** Mobility Plan Projects on the Bicycle Enhanced Network (BEN), Bicycle Lane Network (BLN), Transit Enhanced Network (TEN), Pedestrian Enhanced District (PED), or the Vehicle Enhanced Network (VEN), as defined in LAMC Section 85.11(a), and shall, in consultation with the Department of City Planning, determine which Enhanced Complete Street System enhancements will be installed as part of a Mobility Plan Project under LAMC Section 85.11(b)(1).

(b) The Department of Transportation ~~and the Department of Public Works~~, in consultation with the **Department of Public Works and the** Department of City Planning, ~~also~~ shall determine when a construction project on a Mobility Plan Street is not subject to the requirements of LAMC Section 85.11(b)(1).

(c) If the determination is made to identify an alternate street similar **within ½ mile of the original street of similar designation (Arterial or Non-Arterial)** to a Mobility Plan Street for the installation of Enhanced Complete Street System enhancements pursuant to LAMC Section 85.11(b)(1), the Department of Transportation, in consultation with the Department of City Planning, shall make findings that the alternative is comparable to, or of better quality than, the improvement required by LAMC Section 85.11(b)(1), and that the alternative is consistent with the intent of the Mobility Plan.

(d) A Mobility Plan Project also shall be subject to the review and input of the Los Angeles Fire Department and the Los Angeles Police Department to ensure compliance with all applicable safety and vehicle codes.

(e) A Mobility Plan Project which includes resurfacing work also shall be planned and scheduled in coordination with the Department of Transportation, **the Department of Public Works,** and the local Council Office(s) where the Mobility Plan Project is located.

(f) The Department of Transportation shall include the determinations and findings made pursuant to this section on the Mobility Plan Dashboard pursuant to LAMC Section 85.11(b)(2).

Sec. 19.214. Mobility Plan Dashboard.

The Department of Transportation shall develop and maintain the Mobility Plan Dashboard required by LAMC Section 85.11(b)(2). In addition to the information required in LAMC Section 85.11(b)(2), the Mobility Plan Dashboard also shall include the following information for each Mobility Plan Project:

- (a) A brief **estimate** description of the number of vehicle parking spaces reallocated, if any;
- (b) A brief **estimate** description of the vehicle travel lanes reallocated, if any; and
- (c) A brief **estimate** description of the number of vehicle parking spaces and vehicle travel lanes in the vicinity of the Mobility Plan Project; **and**
- (d) **Number of serious injuries and deaths (KSI) due to traffic crashes along the corridor, based on the last ten years of data available as reported through the Statewide Integrated Traffic Records System (SWITRS), and a description of how they could improve traffic safety outcomes; and**
- (e) **Estimated volume of vehicles along the corridor on an average day, and an estimate of how the project could change those statistics; and**
- (f) **An estimate of transit service, active transportation connectivity, or accessibility benefits anticipated after the project is constructed compared to before; and,**
- (g) **Estimated number of people that can move through the corridor on all modes of transportation per day after the project compared to before the project.**

Sec. 2. Section 85.12 is added to Division Q, Chapter VIII of the Los Angeles Municipal Code to read as follows.

SEC. 85.12. MOBILITY PLAN PROJECT APPEAL.

(a) **Purpose.** This section furthers the purposes of Measure HLA (the Los Angeles Safe Streets for All Initiative, codified at Section 85.11 of this Code) by

providing a streamlined administrative **optional** appeal process to facilitate the prompt and efficient resolution of disputes concerning the City's compliance with Measure HLA **and may be used, if desired**, before a civil action **is may be** filed.

(b) **Definitions.** The definitions contained in Los Angeles Administrative Code Section 19.191 shall apply to this section.

(c) **Determinations Subject to Mobility Plan Project Appeal.** The following determinations associated with a Mobility Plan Project shall be appealable to the Board of Public Works (Board) by any person who is a resident of the City:

1. The determination of the Enhanced Complete Street System enhancements to be installed as part of a Mobility Plan Project.
2. The determination that a Mobility Plan Project is not subject to the improvement requirements of LAMC Section 85.11(b)(1).
3. The determination to identify an alternate street to the Mobility Plan Street on which the Mobility Plan Project is located for the installation of Enhanced Complete Street System enhancements.

(d) **Time to File a Mobility Plan Project Appeal.**

1. Any appeal of a Mobility Plan Project determination under this section shall be filed no later than **30 45** calendar days following the reporting of the determination on the Mobility Plan Dashboard.
2. Whenever the final day for filing an appeal or any supporting document under this section falls on a Saturday, Sunday, or City holiday, the time for filing an appeal shall be extended to 5:00 PM on the next succeeding business day.
3. If, in any individual case, the appeal period fails to include at least 10 business days, then the appeal period shall be extended as many days as the Board determines are necessary to include 10 business days.

(e) **Place to File Mobility Plan Project Appeal.** An appeal under this section and all supporting documents must be filed with the Board. An untimely, incomplete, or improperly filed appeal will not be considered and shall be deemed to not have been filed.

(f) **Contents of Mobility Plan Project Appeal.** An appeal under this section shall be in writing on a form provided by the Board or, if no such form is provided shall include a cover sheet that contains the following:

1. Identification of the filing as an appeal under Section 85.12 of this Code;
2. Identification of the specific Mobility Plan Project determination being appealed and the date on which the determination was made;
3. The name, address, email address, and telephone number of the person filing the appeal (Appellant); and
4. The legal and factual bases for the appeal.

(g) **Supporting Documents for Mobility Plan Project Appeal.** Within 10 calendar days of filing an appeal under this section, the Appellant shall submit to the Board all documentary evidence, other supporting material, and a written argument. The written argument is limited to 15 pages of text in 12-point font or greater font with double-spaced lines and not less than 1-inch margins. Handwritten arguments shall be accepted by the Board.

(h) **Processing of Mobility Plan Project Appeal.** Within 60 calendar days of the expiration of the deadline to file an appeal under this section, the Board shall hear and decide the matter or, upon a determination that good cause exists, may continue the matter for **up to 15 calendar days** a reasonable period of time. Notice of the appeal hearing shall be mailed to the Appellant at least 10 calendar days prior to the hearing. Following the Board's decision on the appeal, the Board's decision shall be reported on the Mobility Plan Dashboard. The decision of the Board on the appeal shall be final, subject to City Charter Section 245.

~~(i) **Exhaustion of Administrative Remedy.** No person may file a civil action pursuant to LAMC Section 85.11(c) regarding a matter subject to an appeal unless and until such person has filed a timely and complete appeal under this section and the Board's action on the appeal has become final. This subsection shall not be operative until the Mobility Plan Dashboard is operational, and shall not apply to any determinations not reported on the Mobility Plan Dashboard.~~

(j) **Civil Action Following Appeal.** A civil action filed pursuant to LAMC Section 85.11(c) must be filed no later than **twelve six** months following the reporting of the Board's decision on the appeal on the Mobility Plan Dashboard.

Sec. 3. **SEVERABILITY.** If any provision of this ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this ordinance which can be implemented without the invalid provision, and to this end, the provisions of this ordinance are declared to be severable. The City Council hereby declares that it would have adopted this ordinance and each provision thereof irrespective of whether any one or more provisions are found invalid, unconstitutional, or otherwise unenforceable.

Sec. 4. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.