

FIX THE CITY

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Via Email: CityClerk@lacity.org

Council File No: 14-0499-S5

Los Angeles City Council members
200 Spring Street Los Angeles, CA 90012

RE: Item 7, August 17, 2020 Transportation Committee agenda.

Dear Council members:

On August 12, 2020, Seleta J. Reynolds, General Manager Department of Transportation sent a letter to the Honorable Mike Bonin, Chair, Transportation Committee. That letter asking for the authority for LADOT to submit grant applications to CALTRANS resulted in item #7 on the August 17, 2020 Transportation Committee meeting. Item 7 listed 13 projects for consideration, and all were passed by the committee.

Unfortunately, the project scope of at least 2 of those items (numbers 10 and 13) dealt with LANE RECONFIGURATIONS which fall under a settlement agreement between the City of Los Angeles and Fix The City Inc. executed on June 14, 2019.

That agreement stated that "The purpose of this Agreement is to settle two actions filed by FTC against the CITY in the Los Angeles Superior Court in connection with the CITY's adoption of Mobility Plan 2035, an update to the circulation element of the CITY's General Plan, as well as certification of the Environmental Impact Report regarding Mobility Plan 2035. These actions are entitled *Fix the City, Inc. v. City of Los Angeles*, Los Angeles County Superior Court Case Number BS157831 ("Civil Action 1"), and *Fix the City, Inc. v. City of Los Angeles*, Los Angeles County Superior Court Case Number BS 159574 ("Civil Action 2") (together, the "Mobility Plan Litigation")." The agreement further stated that as of the Effective Date, and continuing through the duration of, this Agreement, the CITY shall abide by the terms of the Mobility Plan Outreach Protocol, attached hereto as "Exhibit A." The Mobility Plan Outreach Protocol will apply only to projects initiated on or after the Effective Date of this Agreement.

I have direct knowledge that the Project Outreach and Evaluation Process for Mobility Plan 2035 Implementation starting with Outreach and Evaluation process was not abided by with #13, Melrose Avenue Active Transportation Project. While I do not have direct knowledge of item #10, Mission Mile: Sepulveda Visioning for a Safe and Active Community project it does mention a lane reconfiguration which could place it under the agreement.

The City is obligated to comply with the settlement agreement. In an abundance of caution items 10 and 13 should be removed from the package and the rest of the package scrutinized to make sure none of the other items are in violation of the agreement.

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For your information I am attaching Exhibit A of the Settlement Agreement.

James O'Sullivan



Board Member Fix The City Inc.

Cc: Councilmember Gil Cedillo

Cc: Councilmember Paul Krekorian

Cc: Councilmember Bob Blumenfield

Cc: Councilmember David E. Ryu

Cc: Councilmember Paul Koretz

Cc: Councilmember Nury Martinez

Cc: Councilmember Monica Rodriguez

Cc: Councilmember Marqueece Harris-Dawson

Cc: Councilmember Curren D. Price Jr.

Cc: Councilmember Herb J. Wesson Jr.

Cc: Councilmember Mike Bonin

Cc: Councilmember John Lee

Cc: Councilmember Mitch O'Farrell

Cc: Councilmember Joe Buscaino

Cc: Seleta J. Reynolds, LADOT

Project Outreach and Evaluation Process for Mobility Plan 2035 Implementation

(1) Outreach and Engagement

Low Volume Projects

For any City of Los Angeles Mobility Plan 2035 (MP2035) street design project on a designated Boulevard or Avenue that includes the reduction of through travel lanes that currently experience **less than**: 1,000 vehicles/hour/lane (vphpl) segment volume for a Boulevard; and 900 vphpl segment volume for an Avenue, during a peak hour threshold:

The City's project team will conduct outreach to discuss individual project goals, potential benefits, safety improvements, mobility issues, and other considerations. Outreach shall include:

- (a) Notifying the affected City Council Office, Neighborhood Council, and/or other identified project stakeholders.
- (b) A web portal to provide for the submission of Project complaints, concerns, positive feedback and other public input.
- (c) Distributing project information fact sheet to a project notification list (which is comprised of individuals or organizations who have sent an email to a published designated City email address to request future projects notices).

High Volume Projects

For any City of Los Angeles MP2035 street design project on a designated Boulevard or Avenue that includes the reduction of through travel lanes that currently experience **more than or equal to**: 1,000 vehicles/hour/lane (vphpl) segment volume for a Boulevard; and 900 vphpl segment volume for an Avenue, during a peak hour threshold:

In consultation with the City Council office where the project is located, City's project team will develop a context sensitive engagement strategy that provides guidance for how to engage with the community to discuss individual project goals, potential benefits, safety improvements, mobility issues, and other considerations. Outreach shall include:

- (a) Developing a standardized MP2035 Project content worksheet for use in communicating with the public regarding proposed projects meeting the project evaluation threshold.
- (b) Notifying the affected City Council Office, Neighborhood Council, and/or other identified project stakeholders. Materials should be provided to the respective Neighborhood Council at least two weeks prior to the regularly scheduled NC

meeting. The timing to provide the materials may be waived at the discretion of the Neighborhood Council.

- (c) Distributing project information to a project notification list (to include anyone who has requested future projects notices by email to designated City email address).
- (d) Uploading project information to the City's Early Notification System.
- (e) Deployment of an Open Data portal or project website that will provide access to monitoring and evaluation data for projects that exceed the project evaluation threshold.
- (f) Implementation of a web portal to provide for the submission of Project complaints, concerns, positive feedback and other public input.
- (g) Conducting at least two public open houses about the project, with at least one open house outside of regular work hours.
- (h) Notification of any open house to businesses operating on streets that will lose street parking along their property frontage.
- (i) Distributing a project information fact sheet to properties along the affected block face.

The City shall consider in good faith any comments from Fix the City, Inc. regarding suggested improvements to any Open Data portal or project website created pursuant to this Agreement.

Additional outreach may include:

- (j) Developing a centralized project clearinghouse to inform the public of project elements

The City's project team will not install any street design projects prior to having completed the above activities. Upon the request of the Council Office, the project team shall apply an engagement strategy where a diverse representation of community members collaborate with the project team to help define desired project outcomes, identify solutions and develop alternatives.

(2) Evaluation Metrics

The City of Los Angeles will invest in developing a project evaluation strategy for City-led street design projects informed by Mobility Plan 2035 for High Volume Projects. This project evaluation strategy will be centered on safety and access (including travel time performance), and will help inform any potential operational adjustments that may be warranted after project installation and sufficient observation. This strategy will include recommendations on project evaluation area, appropriate regular time periods for analysis based on data availability, and potential adjustment based on the evaluation feedback. The project should be monitored annually for three consecutive years after implementation but

no fewer than two consecutive years after implementation, except if negative performance indicators fail to materialize within the first year, project evaluation can be discontinued at the discretion of the City Council member of the district where the project is located. To the extent that the project is anticipated to result in neighborhood intrusion impacts, the project evaluation area will be expanded to include neighborhood streets and will be evaluated based on criteria established in LADOT's Transportation Impact Study Guidelines. As part of defining the project evaluation area, the strategy should recommend screening criteria to identify when to consider neighborhood intrusion impacts. The City will consider additional project evaluation metrics upon request by stakeholders, public agencies, or elected officials.

Evaluation metrics may include, but are not limited to, collecting the following objectively verified before and after data:

- (a) Collisions (specific to travel mode, including injury severity).
- (b) Vehicle, bicycle, and pedestrian volumes.
- (c) Vehicle travel time.
- (d) Vehicle speed.

Evaluation metrics must include:

- (e) LAFD response times, for the first, second, and third in stations, as reported by the Fire Department's FireStatLA Section ("Fire Response Data").

The project evaluation strategy shall include the development of a reporting protocol to assess and publicly disclose project-related outcomes relative to the project goals supported by objective analysis of the evaluation metrics. If the project fails to achieve intended outcomes or results in unintended impacts, the protocol will direct LADOT staff on post-project community engagement to share and receive feedback with interested stakeholders, and reporting mechanism to document and present findings to the City Council members where the project is located, in whole or in part. If the LAFD response times are shown to substantially degrade based on the station level data for the project area, LADOT shall work with LAFD to further evaluate project contribution to the delay. As part of the report to City Council, LADOT would recommend whether the roadway changes should remain as is, identify if any modifications are needed, or if any features should be removed, or restored to pre-project conditions. As part of this report, LADOT and LAFD would recommend corrective actions that would best address the change in emergency response times, which could include project modifications or other measures to improve emergency response times in the project area.

(3) Additional Items

- (a) In addition to the engagement process identified above, the City will initiate a citywide program where community members are invited to identify the streets and communities that are ready for project typologies as identified in Mobility Plan 2035. This will assist in prioritizing City-led street design projects based on existing community support.
 - (b) The City will invest in developing a city-wide project engagement strategy that provides guidance for how to engage on all City-led street design projects to discuss individual project goals, potential benefits, safety improvements, mobility issues, and other considerations.
 - (c) The items in this Section 3 shall include any activities implemented before adoption of this settlement agreement.
- (4) **Resource availability.** The Department responsible for a project covered by this Agreement shall ensure that prior to project implementation resources will be available to meet the City's obligations under this Agreement, which may include, but are not limited to, funding available in the project budget or in department budgets. LADOT shall notify the Council Office for the Council District in which the project is located prior to initiation of project development process if staff determine there are insufficient resources to execute the engagement and monitoring protocols established pursuant to this Agreement. The City Council may authorize a project to proceed without implementing the engagement and monitoring protocol in this Settlement Agreement provided all of the following requirements are met:
- (a) Minimum Outreach for the project is provided by:
 - (i) Notifying the affected City Council Office, Neighborhood Council, and/or other identified project stakeholders, including Fix the City, Inc.;
 - (ii) Implementation of a web portal is provided for the submission of Project complaints, concerns, positive feedback and other public input; and
 - (iii) Distributing project information fact sheets to any parties required to be noticed under this Paragraph 4.
 - (b) The Council approves the authorization after a public hearing at least fifteen (15) days after notice is provided to everyone on the project notification list, any identified stakeholders, the relevant neighborhood council(s), and for High Volume Projects, the property owners fronting the project. Notice shall be by U.S. Mail.
 - (c) Minimum Evaluation. If the Council approves the authorization as set forth in (b), LADOT shall be obligated only to report pre- and post-project Fire Response Data for two years following project completion. Any other evaluation for such project is at the discretion of LADOT.

No greater than 10% of projects covered by this Agreement shall be exempted from the requirements herein, as calculated on an annual basis. Where there are fewer than 10 such projects for a given year, only one project may be found to be exempt.

(5) **Definitions.** For purposes of Section 2:

Negative Performance Indicators shall mean more than 20 complaints a month, on average over a 12 month period, related to vehicle delay, safety, access, or neighborhood intrusion.

Vehicle speed is typically measured as the 85th percentile speed - the speed at or below which 85% of vehicles are observed to travel along a specific roadway segment or monitoring point.

Travel time is the time it takes for a motorist to traverse a specific roadway segment - in other words, the time it takes a vehicle to travel between predefined end points.

Vehicle, pedestrian and bike counts are collected at intersections or along roadway segments. Counts can be collected either manually or automatically. Manual counts are typically collected in-person in the field or through the use of video. Automatic counts employ pneumatic tubes across a roadway to register hourly and daily volumes.