

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: February 15, 2024


CAO File No. 0220-00210-0285

Council File No. 23-0600-S54

Council District: All

To: Transportation Committee

From: Matthew W. Szabo, City Administrative Officer



Reference: Measure Healthy Streets LA and 2023 Budget Recommendation; referred for report pursuant to Council action of June 16, 2023

Subject: **MEASURE HEALTHY STREETS LA (HLA) AND MOBILITY PLAN 2035**

RECOMMENDATION

That the City Council note and file this report as it is submitted for informational purposes only.

SUMMARY

This is a supplemental to the attached City Administrative Officer report dated, November 7, 2023, relative to the cost of implementing the Bicycle Lane Network, Bicycle Enhanced Network, and sidewalk repair in the Pedestrian Enhanced Districts as described in the Mobility Plan (MP) 2035 by 2035 and considered by the Transportation Committee on January 17, 2024 (Attachment 1). This report provides supplemental information on Measure Healthy Streets LA (HLA) and its intersection with MP 2035. Specifically, this report outlines Measure HLA's implementation challenges, the estimated cost of \$3.1 billion plus the cost of community engagement, and the City's next steps should it be approved by voters.

This Office issued a Financial Impact Statement on December 21, 2023, for the March 5, 2024 ballot, stating that the cost to implement Measure HLA "could exceed \$2.5 billion over 10 years." The \$3.1 billion estimate in this report has been refined due to adjusting the cost of sidewalk repair from 1,120 miles of five foot wide sidewalk (estimated cost of \$1.4 billion) to 896 miles of nine foot wide sidewalk (estimated cost of \$2.0 billion) since the average width of sidewalks in the Pedestrian Enhanced Districts is nine feet wide.

Measure HLA

Measure HLA (Measure) is a proposed initiative ordinance that is included on the March 5, 2024 Election Ballot. If approved by voters, it would:

- Require the City to implement street improvements as described in the MP 2035 whenever the City makes a qualifying improvement of at least one-eighth (1/8) of a mile to a City owned street. Two or more projects covering a continuous segment of the street shall be considered a single paving project or other modification, provided that the construction start date is within one year of each other. The Measure provides exemptions for restriping, pothole repairs, utility cuts, and emergency repairs.
- Require the City to provide a Dashboard with publicly accessible data regarding the Mobility Plan projects to enable the public to monitor and evaluate implementation of the MP 2035.
- Allow any City resident to file a lawsuit against the City to require compliance with the requirements of the Measure, with the litigation costs, including reasonable attorneys' fees funded by the City should the plaintiff prevail in any civil actions authorized by the ordinance.

The MP 2035 is a 20-year City planning document that contains goals, objectives, and policy guidelines for creating a connected network of multimodal street modifications to provide safe access to public spaces and promote environmentally friendly modes of transportation for drivers, pedestrians, bicyclists, and users of public transportation.

The networks as defined in the MP 2035 are as follows:

- Bicycle Enhanced Network (BEN; 260 miles) – This consists of protected bicycle lanes and bicycle paths to provide bikeways for a variety of users;
- Bicycle Lane Network (BLN; 660 miles) – This consists of bicycle lanes on arterial roadways with striped separation;
- Pedestrian Enhanced Districts (PED; 560 miles) – This consists of pedestrian improvements on arterial streets to provide better walking connections to and from the major destinations within communities;
- Neighborhood Enhanced Network (NEN; 800 miles) – This is a network of local streets comfortable for bicycling that could also serve pedestrian activity. Enhancements may not be required if streets meet targeted speeds and volumes. However, traffic calming features may be required to promote safety;
- Transit Enhanced Network (TEN; 300 miles) – Enhancements may range from streetscape improvements such as trees and lights to make walking safer and easier, to transit shelters, or bus lanes to improve performance and/or the overall user experience for people who walk and take transit; and,
- Vehicle Enhanced Network (VEN; 80 miles) – Enhancements to prioritize the efficient movement of motor vehicles and offer safe, consistent travel speeds and reliable travel times.

Measure HLA – Challenges of Implementation

The challenges of implementing this Measure would include:

- **The estimated cost of \$3.1 billion plus cost of community outreach (\$16.7 million to \$80.2 million)** This cost does not include the costs associated with staffing resources, other enhancements besides sidewalk repair in the PED, and enhancements in the NEN, TEN, and VEN. Measure HLA is an unfunded mandate. It would require the City to prioritize this Measure over other non-mandated capital priorities and among other requirements as outlined below.

 - **Sidewalk Repair Program** – Under the Willits Settlement Agreement, the City is obligated to commit \$31 million per year (adjusted every five years to maintain the present value) for 30 years (\$1.37 billion obligation) to be used for access improvements and barrier removal, excluding new construction and alterations. Since 2023-24 is Year 7 of the compliance period, the overall program obligation is \$35,743,000. The BOE indicated that sidewalk repair funds are focused on access requests on behalf of disabled residents, which are primarily located in residential areas. Therefore, shifting Sidewalk Repair funds from Access Requests to sidewalk repair as described in the MP 2035 will reduce the number of access requests on behalf of disabled residents that will be addressed through the Sidewalk Repair Program.
 - **Sidewalk Repair Access Request Backlog** – The Bureau of Engineering (BOE) provided a rough cost estimate of \$889 million over the course of five years (averaging \$177.8 million per year for five years) to eliminate the access request backlog (7,700 estimated requests based on current backlog and all projected incoming requests in the next five years). The 2023-24 Adopted Budget provided \$28.3 million in funding to address the backlog.
 - **Pavement Preservation Program Access Ramp Compliance** – Annually, the City is required to construct an estimated 1,200 access ramps along with the resurfacing and reconstruction activity. The Bureau of Street Services (BSS) reports that \$50,000 is required per access ramp. This would result in an annual funding requirement of about \$60 million per year (1,200 x \$50,000). The 2023-24 Adopted Budget provided \$20 million for access ramps.
 - **Measure M Three Percent (3%) Obligation** – When voters approved Measure M in 2016, Measure M required that each jurisdiction pay 3% of the cost of rail projects (funded by Measure M) that run through their jurisdiction if there is a station in their jurisdiction. In 2016, the City’s estimated 3% obligation for all planned rail lines was approximately \$500 million. The Los Angeles Metropolitan Transit Authority (Metro) estimates the City’s cost of the first three rail lines is \$182.5 million. This does not represent the full obligation amount. The City could either provide the cash to Metro or spend the \$182.5 million on active transportation projects, which the City intends to do. Many of these required projects are outside of the MP networks.

- **Vision Zero Program** – The City has provided the required funding, with \$38.6 million provided in 2023-24, for the Vision Zero Program, with the goal of reducing the number of traffic fatalities within the City. This office is in the final stages of a programmatic audit of Vision Zero, which will in part will recommend much greater focus on pedestrian safety measures as a means to reduce traffic fatalities. Measure HLA's Bicycle Lane Network and Bicycle Enhanced Network mandates will compete with scarce resources necessary to improve Vision Zero outcomes.
- **2028 Olympics and Paralympic** – The City will need to implement capital projects targeting transportation improvements for the Olympics (i.e. First-Last Mile improvements around most of the rail stations) and the Paralympics (i.e. ADA-compliant sidewalks and access ramps, push buttons that are reachable, accessible parking, etc.) and maintaining the Automated Traffic Surveillance and Control System, estimated to cost \$27.7 million).
- **Pavement Preservation Program** – The BSS reported that 1,855 centerline miles (CLM) out of 6,500 CLM of City streets are on select (arterial) streets and are part of the MP 2035 networks. The Bureau estimates that 1,344 CLM of arterial streets may be impacted by delayed pavement treatment due to the time and resources needed to implement the MP 2035 elements.

To implement the MP 2035, the City Departments will need to have projects ready to be implemented in order to align with the pavement preservation activities within the BEN and BLN. Should that not happen, scheduled resurfacing activity within the PPP would have to be delayed, reducing the number of lane miles resurfaced and/or reconstructed in the BEN and BLN until the coordination between City departments can be achieved. A delay in repairing a street can lead to further deterioration of the street condition, resulting in less safe streets for road users until the resurfacing is completed. Resurfacing or reconstructing a street that is in poor condition is more costly than maintaining a street that is in fair condition.

On December 19, 2023, the BSS provided the estimated costs for one year, five year, and 10 year delayed resurfacing or reconstruction of all MP 2035 streets derived from the Pavement Management System software (PAVER). The cost of delay was included in the Measure HLA Financial Impact Statement relative to the March 5, 2024 ballot. The estimated costs are based on the following assumptions:

- 1,855 Centerline Miles (CLM) out of 6,500 CLM in the City's street network are part of the MP 2035;
- Costs are calculated based on resurfacing or reconstructing all 1,855 CLM of streets;
- 17 percent or 323 CLM have a Pavement Condition Index (PCI) at or below 40 now, which warrants reconstruction;
- For every year of delay, the average PCI lowers by 3 points, and therefore more streets will need reconstruction the longer the delay; and
- In PAVER, the cost for reconstruction is \$4.88 per square feet (SF); the cost for resurfacing is \$3.79 per SF.

Fiscal Year	Year(s) of Delay	Average PCI for MP 2035 Streets	Cost to Reconstruct or Resurface all MP 2035 Streets	Cost Increase from Base Year if all MP 2035 Streets Delayed (by # of years)
7/1/2024 (Base Year)	-	65	\$786,797,525	\$0
7/1/2025	1	62	\$859,413,760	\$72,616,235
7/1/2029	5	53	\$1,251,110,221	\$464,312,696
7/1/2034	10	44	\$2,179,526,448	\$1,392,728,923

- **Guidance for City Departments** – *MP 2035 is a planning document, not a capital implementation plan.* The Los Angeles Department of Transportation (LADOT), City Planning (DCP), and BOE have requested guidance (C.F.15-0719-S26) and outlined the necessary items to be addressed in an implementation ordinance, including project definition, roles and responsibilities, and mobility corridor designation.
 - **The required elements for projects** - The MP 2035 discusses the enhancements that are contemplated or encouraged, but does not outline the required standard scope elements. Relative to the PED, the MP 2035 mentions that pedestrian improvements on arterial streets could be prioritized to provide better walking connections to and from the major destinations within communities, and that further analysis and prioritization is needed as funding becomes available. Therefore, the City Departments would have to determine what those pedestrian improvement are with the expectation that the required Mobility Plan elements have been addressed.
 - **Type of projects or programs that the Measure impacts** – The Measure states that any improvement, or any paving projects, of at least one-eighth (1/8) of a mile in length along a MP network requires that street improvements are prioritized. The Measure provides exception for restriping, pothole repairs, utility cuts, and emergency repairs only. The City Departments indicated that there are some uncertainties of the type of projects (i.e. sewer rehabilitation, storm drain, or street lighting projects) along the Mobility Plan networks that would be subject to the Measure.
 - **Modifications to the Mobility Plan** – The Measure requires the City to install street improvement as described in the amended Mobility Plan as of December 31, 2021. The MP 2035 provides that the City “retains the flexibility to make adjustments and mid-course corrections” without formally amending the Mobility Plan, including changes to the Network Concept Maps (Page 135 of the MP 2035). Therefore, the City Departments would need guidance on whether the City will be required to comply with the version of the Mobility Plan that was available at the time of the election or whether the City will be required to comply with subsequent amendments to the MP 2035.

- **Litigation Risk, Time and Cost** – The Measure allows any City resident to sue the City for non-compliance. This would result in the same staff dedicated to MP 2035 implementation having to address all litigation claims. Should the City be sued, the impact it will have on the proposed project that is under litigation or the other MP projects that are under development is unknown. Potentially, the City may have to pause on MP 2035 implementation until the lawsuit has been settled.

Estimated Cost of Measure HLA Implementation

This Office coordinated with LADOT, DCP, BOE, and the Bureau of Street Services (BSS), collectively referred to as City Departments, for the estimated cost to implement the BEN, BLN, and the repair of sidewalks in the PED to comply with the Americans with Disabilities Act (ADA) requirements, which was discussed in the report dated November 7, 2023 (C.F. 23-0600-S54). The estimated total cost of implementing the BLN, BEN, and sidewalk repair within the PED is \$3.1 billion as outlined below. The estimated total cost of community engagement for the BLN and BEN ranges from \$16.7 million to \$80.2 million and is not included in the \$3.1 billion cost. As stated in our prior report, the MP 2035 is not a capital planning document with a list of specified projects to be implemented along the various networks described in the MP 2035.

In developing the cost estimates, the City Departments used actual costs of prior projects to develop a unit cost for each cost assumption (see updated Attachment 2 for each cost).

Community Engagement Costs

One of the key policy initiatives of MP 2035 is to “consider community input before implementation of any Mobility Plan projects.” (Page 14 of MP 2035) LADOT reported that under the City’s Mobility Plan Settlement Agreement, the City shall abide by the terms of the Mobility Plan Outreach Protocol (Attachment 3). This protocol dictates the legally required minimum engagement requirements for projects that reconfigure a street to remove travel lanes on streets above a specified travel volume threshold, defined as low- and high-volume streets (C.F. 14-0499-S5). LADOT’s engagement guidelines set requirements for all projects in the right-of-way based on the level of change or impact a proposed project is anticipated to have on the neighborhood and surrounding community. Therefore, higher-impact projects require more engagement (and more resources and staff time). The levels of engagement is defined below.

- **Low** – Projects that involve little or no changes in road user experiences with no foresee tradeoffs (such as upgraded bike facility with no loss of parking). This could be done in one to two weeks. Engagement activities include social media blast, e-blast, flyers, notification to Neighborhood Councils, and notification to stakeholders that will be directly impacted by the proposed project.
- **Medium** – Projects that will alter the road user experience with some identified tradeoffs (such as moderate parking loss for a new bike facility). Engagement activities include low-level engagements as well as Neighborhood Council presentations, a survey or feedback

mechanism, direct outreach such as canvassing or mailers, and additional educational materials.

- High – Major projects that will alter the road user experience across neighborhoods and Council Districts with notable tradeoffs (such as fully repurposing a travel lane or parking lane). This can take up to six months to complete. Engagement activities include low- and medium-level of engagement as well as at least one Workshop or Town Hall, community organization briefings, targeted engagement of businesses, distribution of mailers or flyers to all properties within a project area, a social media campaign, and thorough notification to stakeholders of parking changes. It should be noted that projects that reconfigure a street to remove travel lanes on high volume streets require at least two public open houses, public notification through the City’s Early Notification System, as well as a monitoring and evaluation plan as outlined in the City’s Mobility Plan Settlement Agreement.

LADOT currently has two full-time staff dedicated to developing community engagement plans and overseeing their implementation for all public right-of-way projects. LADOT has been utilizing consultant services to supplement City staff engagement efforts. LADOT reports that the low cost of \$96,000 for community engagement is based on an actual Safe Routes to School project and the high cost of \$462,000 is based on the actual costs from the Venice Blvd. Complete Streets Project, a 2.8 mile complete street project.

According to LADOT, the protected San Vicente bike lane project involved significant outreach including multiple meetings with four neighborhood councils within the project area, three homeowner associations, flyers sent to 3,500 households, and direct conversations with over 1,000 residents to build community support for the project. This project provides a preview of the implementation process and the coordination involved with implementing bike facility projects on newly resurfaced streets. Our prior report did not include the estimated cost for community engagement in the unit cost or total cost estimate.

Cost of Bicycle Facilities in the BEN and BLN

As provided in the November 7th report, the cost of bicycle facilities in the BEN and BLN totals \$1.08 billion, excluding street resurfacing and ADA-compliant curb ramps. That report provided the low and high range of the costs of implementing the BEN and BLN. Provided in the table below is a cost breakdown for the BEN and BLN, excluding street resurfacing and ADA-compliant ramps, for pre-design, design, and construction based on the assumptions used by the City Departments. Should there be any changes to the cost assumptions for a specific project, the cost of the project will be impacted. This cost reflects current dollars, with no escalation factors.

COST BREAKDOWN				
EXCLUDES STREET RESURFACING AND ADA-COMPLIANT RAMPS				
Phase	Low (for BEN/BLN) Unit Cost to Implement/Mile		High (BEN) Unit Cost to Implement/Mile	
Pre-Design	\$ 13,000	Transportation Assessments (per mile)	\$ 13,000	Transportation Assessments (per mile)
	13,000	Parking Studies (per mile)	13,000	Parking Studies (per mile)
	37,000	Conceptual Design (per mile)	37,000	Conceptual Design (per mile)
	6,300	10% Contingency	6,300	10% Contingency
	\$ 69,300		\$ 69,300	
Design	\$ 32,000	Signal Design (per mile)	\$ 32,000	Signal Design
	6,000	Geo Design (per mile)	6,000	Geo Design (per mile)
	16,000	Civil (ADA) (per mile)	16,000	Civil (ADA) (per mile)
	5,400	10% Contingency	5,400	10% Contingency
		\$ 59,400	2,970	5% for Utility
		\$ 62,370		
Construction	\$ 80,000	Signal Support	\$ 6,000	Tree Repair/Replant (no tree removal)
	100,000	Bike Signal (1 bike signal per mile)	100,000	Bus Island Construction (1 per mile)
	800,000	Signal Work (8 signals per mile)	80,000	Street Lighting Signal Support (8 intersections per mile)
	90,000	Bollards (450 per mile)	93,750	Transit Shelter (1 static type with sidewalk reconstruction)
	110,000	Green Treatment (5000 sqft/mile)	131,250	Transit Shelter (1 digital type with sidewalk reconstruction)
	110,000	Red Pavement Treatment (5000 sqft/mile)	800,000	Signal Work (8 signals per mile)
	129,000	10% Contingency	100,000	Bike Signal (1 per mile)
	212,850	15% Construction Management/Inspection	90,000	Bollards (450 per mile)
	\$ 1,631,850		250,000	Hardening (per mile)
			110,000	Green Treatment (5000 sqft per mile)
			110,000	Bus Lane (red) Treatment (5000 sqft per mile)
			93,550	5% for Utility
			294,683	15% Construction Management/Inspection
			225,923	10% Contingency
			\$ 2,485,156	
Total: \$ 1,760,550		\$ 2,616,826		

The types of bicycle facilities or bikeways are as follows:

- Bike paths (Class I bikeway) – A paved pathway separated from motorized vehicular traffic by an open space or barrier for the exclusive use of bicycles and pedestrians with cross flow of motorists minimized, typically along waterways or rail, bus, and utility corridors;
- Bike lanes (Class II bikeway) – A striped lane for bicycle travel within a roadway, which may also have a striped buffer to provide greater separation between motorists and bicyclists;
- Bike routes (Class III bikeway) – A shared roadway in which motorists and bicyclists share the same travel lane designated by required signage and optional “sharrow” pavement markings, and which may be on residential streets that have additional features to enhance safety and convenience or walking and bicycling, or arterial streets; and,
- Protected bike lane (Class IV bikeway) – A striped bike lane exclusively for bicyclists and physically separated from vehicular traffic with a vertical feature that may be a curb, flexible post, barrier, or parked vehicle.

Cost of Sidewalk Repair in the PED

Our prior report indicated that there are 560 total miles of streets in the PED where sidewalk repair may occur. Sidewalks are almost always on both sides of streets in the PED, making the total mileage of actual sidewalks 1,120 miles.

Based on actual costs, BOE estimates that a mile of five foot wide sidewalk costs \$1.25 million to repair to Federal ADA standards. Therefore, it would cost \$1.4 billion to repair these sidewalks (\$1.25 million x 1,120).

There are 5,280 feet per linear mile. Therefore, a one-mile long, five foot wide sidewalk has 26,400 square feet (5,280 x 5). This results in an estimated cost of \$47.35 per square foot (\$1.25 million/26,400). Subsequent to the November 7th report, the BOE indicated that the average width of sidewalks within the PED is nine feet wide. One mile of nine foot wide sidewalks in the PED would have 47,520 square feet (5,280 x 9) and be estimated to cost \$2,249,977 (\$47,520 x \$47.35). Therefore, 1,120 miles of nine foot sidewalk is estimated to cost \$2,519,974,195 to repair (\$2,249,977 x 1,120). However, it is acknowledged that some work may already be completed and no longer require repair; therefore, it is reasonable to adjust the estimate downward to approximately \$2 billion.

At this time, BOE does not have information on the miles of sidewalk that have been remediated in the PED, but anticipates that the number is low since the Sidewalk Repair Program focuses on Access Requests, which are largely located on residential streets outside of the PED. As such, the prior report recognizes a need to provide a separate funding stream for sidewalk repairs in the PED.

A sidewalk that is not ADA compliant is often not noticeable to a fully ambulatory pedestrian, but is noticeable to a pedestrian using a wheelchair and/or walker. The purpose of the ADA is to provide equal and safe pedestrian access for all pedestrians, including those using a wheelchair and/or walker.

Therefore, the change in assumption from a five foot sidewalk to a nine foot wide sidewalk repair in the PED, adjusts the estimate upward to \$2 billion, not \$1.4 billion that was mentioned in the prior report as shown in the table below:

	Approx. Network Mileage Total	Mileage Implemented	Mileage to be Implemented	Unit Cost to Implement/Mile	Total Cost to Implement
November 7 th Report Initial Report	560	TBD	1,120 (both sides of streets)	\$1.25 million for 5' width	\$1.4 billion
November 7 th Report – Updated to 9' wide sidewalk	560	TBD	1,120 (both sides of streets)	\$2.25 million for 9' width	\$2.5 billion
Assume a portion of 9' wide Sidewalks no longer needs repair	560	TBD	896 (both sides of street)	\$2.25 million for 9' width	\$2.0 billion

Total Costs of Implementing the BEN, BLN, and Sidewalk Repair in the PED

Based on the costs provided in the sections above, the total costs of implementing the BLN, BEN, and sidewalk repair in the PED is \$3.11 billion to \$3.17 billion as shown below:

	BLN:	\$0.67 billion
	BEN:	\$0.42 billion
Community Engagement (Low to High Cost Range):		\$16.7 million to \$80.2 million
	Subtotal:	\$1.11 billion to \$1.17 billion
Repair of 9' wide Sidewalk (896 miles):		\$2.00 billion
	Total Cost:	\$3.11 billion to \$3.17 billion

Costs Excluded from the CAO Report

Escalation Costs

In the November 7th report:

- The cost of implementing the BEN and BLN include an escalation factor from LADOT of ten percent. For bicycle facilities, the ultimate level of escalation will determine whether the ten percent escalation that LADOT is using is accurate; and,
- The costs of repairing sidewalks did not include escalation.

In recent years, the City has experienced unusual construction cost escalation. BOE is using an escalator of 15 percent per year. It is hoped that conditions will change in the near future and escalation will return to a much lower level.

Costs of Other MP 2035 Networks

This Office's prior report did not discuss or include the cost of implementing the other networks described in the MP 2035 since it was not a part of the City Council instructions. These costs would be in addition to those in the November report. MP 2035 provides the following potential improvements that could be considered for these networks:

- Pedestrian Enhanced District – Improvements could include wider sidewalks, pedestrian signalization, street trees, shade structures, lights and other design features encouraging people to walk instead of relying on cars;
- Neighborhood Enhanced Network – Enhancements may not be required if streets meet targeted speeds and volumes. However, traffic calming features may be required to promote safety;
- Transit Enhanced Network – Enhancements may range from streetscape improvements such as trees and lights to make walking safer and easier, to transit shelters, or bus lanes to improve performance and/or the overall user experience for people who walk and take transit; and,

- Vehicle Enhanced Network – Enhancements to prioritize the efficient movement of motor vehicles and offer safe, consistent travel speeds and reliable travel times.

Incremental City department costs

City Departments have reported having limited resources to support existing capital projects/programs and have said they would need separate resources to implement the Mobility Plan projects. Since the November 7th report, various City Departments have submitted specific budget requests for these resources for 2024-25, but those potential costs are not included in this report.

Next Steps Upon Approval of the Measure

If approved, the Measure would become effective about five (5) weeks after the election date, as provided in Charter Section 455, to allow for the following actions:

- The County of Los Angeles' final vote count and certification of the results;
- After the results are certified, the City Council would declare the results of the election.

During this period leading up to the election date and the five week period after the election, the City will take the following steps:

- The City Attorney, working with the relevant departments, prepare an implementation ordinance as described in this report that further the purposes of the ordinance by providing the guidelines required by the City Departments to achieve compliance with the Measure;
- The Bureau of Street Services and LADOT coordinate and align their respective programs;
- The City Departments will evaluate its current projects to determine whether it would be subject to the requirements of the Measure and if necessary, re-scope the project;
- The LADOT will develop the Dashboard to include the required project information as provided in the initiative ordinance; and
- The City Administrative Officer to identify potential funding sources for MP 2035 implementation.

Funding the Cost of Mobility Plan Projects

The Measure does not identify any funding sources or fees to fund the additional street improvement elements described in the MP 2035 or the potential litigation costs. Every year, as part of the annual budget process, the available funding for the capital program would be fully allocated toward priority projects or programs. In order to fund the MP 2035 projects or additional elements for existing projects for this fiscal year, the City would need to shift funding from these priority projects or programs. There may be some overlapping areas between MP 2035 and the various capital projects or program. While the MP projects or elements would be eligible to be funded by various special funds, the plaintiff's litigation cost will have to be a General Fund obligation. If the Measure is approved, the City would have to develop a funding plan.

FISCAL IMPACT STATEMENT

This report is informational only. Therefore, the recommendation in this report has no fiscal impact.

FINANCIAL POLICIES STATEMENT

The recommendation in this report is in compliance with the City Financial Policies.

MWS:SMC:06240056

Attachments

ATTACHMENT 1

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: November 7, 2023

CAO File No. 0220-06129-0000

Council File No. 23-0600-S54

Council District: All

To: Transportation Committee

From: Matthew W. Szabo, City Administrative Officer



Reference: 2023 Budget Recommendation; referred for report pursuant to Council action of June 16, 2023

Subject: **MOBILITY PLAN 2035 – COST OF IMPLEMENTING THE BICYCLE ENHANCED NETWORK, BICYCLE LANE NETWORK, AND SIDEWALKS IN THE PEDESTRIAN ENHANCED DISTRICT**

RECOMMENDATION

That the City Council receive and file this report inasmuch as the City Council has previously approved the recommendations contained in the report by the Chief Legislative Analyst dated October 6, 2022 relative to Mobility Plan 2035 implementation (C.F. 15-0719-S26).

SUMMARY

On June 16, 2023, the City Council instructed this Office to report on the cost to implement the Mobility Plan 2035 (MP 2035) by 2035, with a focus on bicycle and pedestrian facilities, and implementing the Bicycle Enhanced Network (BEN), Bicycle Lane Network (BLN), and Pedestrian Enhanced Districts (PED) (C.F. 23-0600-S54). In a prior Council action relative to a report by the Chief Legislative Analyst (CLA) on the MP 2035 implementation (C.F.15-0719-S26), the City Council approved the recommendations as amended by the Transportation Committee which narrowed the focus of pedestrian facilities to sidewalks that needed be repaired to meet the Americans with Disabilities Act (ADA). Therefore, this report addresses the cost to implement the BEN, BLN, and the repair of sidewalks to comply with ADA requirements.

In accordance with a draft ordinance prepared by the City Attorney dated August 7, 2023 relative to implementing the MP 2035 Element of the Los Angeles General Plan, which is pending Council's consideration, any public works improvements in the public right-of-way that are greater than one-fourth of one mile in length on a mobility corridor shall include specific elements to implement the MP 2035. Projects that are less than one-fourth of one mile in length or that constitute routine maintenance work, emergency repairs, or work of urgent necessity are exempted. The draft ordinance also allows City departments to establish or revise the mobility corridors and determine the specific elements that should be included in each project.

MOBILITY PLAN 2035

On August 11, 2015, the City Council adopted the Mobility Plan 2035, an update to the 1999 City of Los Angeles Transportation Element of the General Plan (C.F. 15-0719), which was later amended and adopted by the City Council on September 7, 2016. The MP 2035 establishes the policy foundation for the design and construction of a connected network of pedestrian and bicycle routes, transit routes, and vehicle routes to meet the mobility needs of all road and sidewalk users. The MP 2035 serves as a working document and a reference document to guide the City and other agencies in allocating limited resource dollars when determining future mobility improvements. It does not identify a list of specific mobility corridor projects that must be implemented.

The MP 2035 recognizes that continued investments are needed to maintain the roadways and establishes a network of enhanced complete streets that prioritize a certain mode of travel to provide safer and more comfortable streets to accommodate all roadway users. The focus of this report is on the following networks as defined in the MP 2035:

- Bicycle Enhanced Network – consists of protected bicycle lanes and bicycle paths to provide bikeways for a variety of users;
- Bicycle Lane Network – consists of bicycle lanes (Tier 2 and Tier 3) on arterial roadways with striped separation; Tier 2 bicycle lanes are those that are more likely to be implemented by 2035 than Tier 3 bicycle lanes; and
- Pedestrian Enhanced District – consists of pedestrian improvements on arterial streets to provide better walking connections to and from the major destinations within communities.

The Planning Department, in coordination with the Department of Transportation (LADOT), provided the table below showing the breakdown of each network, including the approximate mileage within the network and the number of mileage implemented based on available data to date. Also included is data on the Neighborhood Enhanced Network (NEN), a network of local streets comfortable for biking and local neighborhood pedestrian activity, as these segments provide gap closures to the protected bicycle lane system within the BEN. It should be noted that the LADOT has already implemented the Tier 2 bicycle lanes that have no community impact and therefore, do not require community outreach and engagement. The remaining Tier 2 bicycle lanes that need to be implemented have a community impact and require community engagement and outreach.

MP 2035 Networks	Network Subset	Approx. Network Mileage Total	% Implemented	Approx. Mileage Implemented	Approx. Mileage to be Implemented	Type of Infrastructure Envisioned
Bicycle Enhanced Network	Tier 1	260	8%	22	238	Class IV (separated bikeway)
Bicycle Lane Network *	Tier 2	470	58%	273	197	Class II (bike lane)
	Tier 3 **	190	6%	11	179	
	Combined BLN:	660	43%	285	375	
Pedestrian Enhanced Network	-	560	TBD	TBD	TBD	Pedestrian safety enhancements
Neighborhood Enhanced Network *	Tier 1 NEN (BEN from NEN)	60	2%	1	59	Class III (bike route/shared lane markings - "sharrows"); traffic calming and intersection improvements as needed
	Tier 2 NEN	770	14%	107	663	
Combined NEN:		830	13%	108	722	

Notes: Data caveats are as follows:

- 1) Approx. Network Mileage Total numbers – Based on preliminary centerline mileages and are subject to refinement;
- 2) Approx. Mileage Implemented – The bicycle lane numbers are preliminary and calculated by the LADOT;
- 3) These calculations round down miles built and rounds up total Network miles;
- 4) These calculations do not include information for the Transit Enhanced Network, Vehicle Enhanced Network, and the Goods Movement Network.

*Mileage implemented will require an assessment of the street/sidewalk condition.

**Tier 3 BLN was envisioned to be less likely to be implemented.

MP 2035 IMPLEMENTATION COST

The LADOT, in coordination with the Planning Department, Bureau of Street Services (BSS), Bureau of Engineering (BOE), and other impacted City departments, developed a high and low-end cost per mile for the BEN and BLN based on various cost assumptions including, but not limited to the following:

- The pavement condition must be upgraded to a Pavement Condition Index (PCI) of 80 or higher prior to the installation of bike facilities to ensure the safety of road users;
- Pavement preservation activities involving resurfacing or reconstruction require that the access ramps be ADA-compliant; and,
- Each public improvement project will include a community engagement and outreach process as recommended in the MP 2035.

See the attachment for the cost assumptions. The LADOT estimates that the community engagement cost can range from \$96,000 to \$462,000 per project.

The LADOT reports that a certain percentage of the streets that comprise the BLN and BEN networks may be in good condition with a Pavement Condition Index of 80 or above at any given time. Based on data collected at the end of September 2023, the BSS reports that of the miles that have yet to be implemented, approximately 37 percent (or 70 centerline miles) of the BEN, 41 percent (or 122 centerline miles) of the Tier 2 BLN, and 37 percent (or 45 centerline miles) of Tier 3 BLN are currently in good condition. Depending on when staff is ready to implement the bicycle facilities, the condition of those pavements may have deteriorated and require upgrading.

The table below shows the range of cost to implement the BEN and BLN, which is inclusive of street resurfacing, community engagement (cost is also provided below), and ADA-compliant curb ramps, etc. Also shown below is the marginal cost of implementing the BLN and BEN excluding the cost of street resurfacing and ADA-compliant curb ramps assuming that it will be funded by existing programs. The table reflects current costs, including a 10 percent escalation factor.

Type	Mileage to be Implemented	Unit Cost to Implement/Mile (Low - High)*	Total Cost to Implement (Low - High)*	Community Engagement ** (in millions)		
				Low	Medium	High
Costs below include design and construction, inclusive of street resurfacing, community engagement, ADA-compliant curb ramps, etc.						
BEN Tier 1	238	\$4.75 - \$6.34 million	\$1.13 - \$1.51 billion	\$7.64	\$24.69	\$36.69
BLN Tier 2	197	\$4.70 million	\$0.93 billion	\$4.74	\$15.33	\$22.78
BLN Tier 3	179	\$4.70 million	\$0.84 billion	\$4.31	\$13.93	\$20.70
Total:			\$2.90 - \$3.28 billion	\$16.68	\$53.95	\$80.17
Costs below include design and construction, excluding street resurfacing and ADA-compliant curb ramps.						
BEN Tier 1	238	\$1.76 - \$2.62 million	\$0.42 - \$0.62 billion	\$7.64	\$24.69	\$36.69
BLN Tier 2	197	\$1.76 million	\$0.35 billion	\$4.74	\$15.33	\$22.78
BLN Tier 3	179	\$1.76 million	\$0.32 billion	\$4.31	\$13.93	\$20.70
Total:			\$1.08 - \$1.28 billion	\$16.68	\$53.95	\$80.17

The table does not account for staff costs to implement the project and additional cost escalation above the estimated 10% escalation

*Assumes that 94% of the streets is asphalt and the remaining 6% is concrete.

**Accounted in Unit Cost and Total Cost

The BOE, which manages the Sidewalk Repair Program (SRP), reported that it has remediated 1.25 percent of sidewalks (3.8 million square feet) since the inception of the SRP. The City is obligated to remediate or repair pedestrian facilities to comply with the ADA requirements. The BOE reports that a vast majority of sidewalks are not in full compliance with ADA standards based on investigations of site-specific projects/access requests. The BOE reports that the estimated cost

to remediate the sidewalk (5' width equivalent) to meet ADA standards is approximately \$1.25 million per mile. Since the overall condition of the sidewalks is unknown, the total estimated cost to remediate the sidewalks is \$1.4 billion assuming all 560 miles in the PED needs repair, as shown in the table below:

Type	Approx. Network Mileage Total	Mileage Implemented	Mileage to be Implemented	Unit Cost to Implement/Mile	Total Cost to Implement
PED – Sidewalks only	560	TBD	1120 (both sides of street)	\$1.25 million	\$1.4 billion

EXISTING FUNDED PROGRAMS

The Pavement Preservation Program

The BSS is responsible for maintaining the roadway as part of the Pavement Preservation Program (PPP). Pavement preservation activities such as slurry sealing, pothole repair, and crack sealing are exempted from the requirements of the MP 2035. Pavement preservation activities involving resurfacing or reconstruction require that the City upgrade or construct ADA-compliant access ramps. In 2023-24, funding is provided in the budget for both programs, the PPP and PPP-Access Ramp Program, to prevent further deterioration of the street and to ensure that the access ramps are ADA-compliant. Currently, the City has a backlog of access ramps that need to be upgraded or constructed as a result of prior resurfacing or reconstruction activities. Additionally, the City is obligated to upgrade or construct access ramp as a result of current resurfacing or construction activities.

While there is existing funding for PPP and access ramps upgrades, those programs will be negatively impacted should funding be realigned to the MP 2035 implementation. Currently, community engagement is not conducted as part of the resurfacing work. Requiring bicycle facilities to be implemented with street resurfacing/reconstruction activities, will require the LADOT to conduct community outreach and engagement, which will delay the resurfacing work. Based on prior community engagement efforts on completed projects, the community engagement process can take multiple months to over a year depending on the level of engagement required for that specified project. The unintended consequence of realigning these funds is that the PPP could slow down to a point where the overall City street system deteriorates, resulting in less safe streets and higher costs to the PPP to maintain those streets.

Sidewalk Repair Program (SRP)

In 2023-24, total funding of \$69 million is provided for the Sidewalk Repair Program (\$35.7 million), and the Sidewalk Repair Access Request Acceleration Program (\$33.3 million). In accordance with the Willits Settlement, the City is obligated to use the funding for access improvements and barrier

removal, excluding new construction and alterations. The City will need to conduct an assessment of the condition of the sidewalks throughout the city in order to estimate the cost of the repair. On August 30, 2023, the BOE and BSS released a joint report, dated August 30, 2023, relative to utilizing SRP funds for a sidewalk inventory and assessment pilot program which is pending final approval (C.F. 21-1469-S1). It should be noted that the BOE could prioritize the sidewalk assessments based on the networks in the Mobility Plan 2035. Additionally, the BOE released a separate report, dated August 30, 2023, relative to improvements and changes to the sidewalk repair program including recommendations for BOE to report back on the changes to the prioritization matrix to better implement the Willits Settlement and City priorities (C.F. 21-1469). Should SRP funds be realigned to MP 2035 implementation, it will need to be coordinated with BOE to ensure that the City continues to meet its obligations under the Willits Settlement.

Currently, the City departments report that they do not have dedicated resources to implement the MP 2035 and will need to conduct a separate resource analysis to support this effort. One of the recommendations contained in the CLA report is for the MP 2035 lead departments, bureaus, and agencies to prepare and submit budget packages for resources needed including, but not limited to achieving progress towards full build-out of multimodal transportation to support MP 2035 implementation infrastructure identified in MP2035, including the feasibility of a set-aside within the Bureau of Street Services resurfacing program dedicated for mobility corridors in partnership with the LADOT. Since the annual budget process is the appropriate place to address the resource needed to implement the MP 2035 relative to the BEN, BLN, and sidewalks, this Office is not recommending any actions at this time.

FISCAL IMPACT STATEMENT

This report is informational only. Therefore, the recommendation in this report has no fiscal impact.

FINANCIAL POLICIES STATEMENT

The recommendation in this report is in compliance with the City Financial Policies.

MWS:SMC:06240010

Attachment

Table represents City's full cost of MP 2035 implementation, including the City's committed obligations (pavement preservation and ADA)

Type	Approx Network Centerline Mileage Total	Approx Centerlane Mileage Implemented	Approx Centerline Mileage to be Implemented	Unit Cost To Implement / Mile (Low)*	Unit Cost To Implement / Mile (High)*	Total Design & Construction Cost		Community Engagement Cost Range **		
						Total Cost (Low)	Total Cost (High)***	Low	Med	High
BEN Tier 1	260	22	238	\$4,747,943	\$6,340,596	\$1,130,010,527.02	\$1,509,061,835	\$7,636,071	\$24,693,690	\$36,694,047
BLN Tier 2	470	273	197	\$4,702,943	\$4,702,943	\$926,479,848.00		\$4,740,460	\$15,329,801	\$22,779,603
BLN Tier 3	190	11	179	\$4,702,943	\$4,702,943	\$841,826,867		\$4,307,322	\$13,929,109	\$20,698,218

Table represents City's full cost of MP 2035 implementation, and excludes the City's committed obligations (pavement preservation and ADA)

Type	Approx Network Mileage Total	Approx Mileage Implemented	Approx Mileage to be Implemented	Unit Cost To Implement / Mile (Low)*	Unit Cost To Implement / Mile (High)*	Total Design & Construction Cost		Community Engagement Cost Range **		
						Total Cost (Low)	Total Cost (High)***	Low	Med	High
BEN	260	22	238	\$1,760,550	\$2,616,826	\$419,010,900	\$622,804,529	\$7,636,071	\$24,693,690	\$36,694,047
BLN Tier 2	470	273	197	\$1,760,550	\$1,760,550	\$346,828,350		\$4,740,460	\$15,329,801	\$22,779,603
BLN Tier 3	190	11	179	\$1,760,550	\$1,760,550	\$315,138,450		\$4,307,322	\$13,929,109	\$20,698,218

Notes/Assumptions for MB 2035 Cost Assessment Exercise

BLN Tier 2 Tier 2 BLN was envisioned by the Mobility Plan to be more likely to be implemented by 2035
 BLN Tier 3 Tier 3 BLN was envisioned by the Mobility Plan to be less likely to be implemented by 2035

Pre-Design Assumptions

Transportation Assessments	Source
Parking Studies	VZ Studies
Concept Design	VZ Studies
Resurfacing Planning Costs	ATD Studies
Includes 10% Contingency	%age of Construction Costs

Design Assumptions

Signal Design	Included in Low and High Unit Costs
BSL Design	Included in Low and High Unit Costs
Mid-Block ADA ramps	Included in Low and High Unit Costs
Includes 10% Contingency	Included in Low and High Unit Costs
Geo Design	Included in Low and High Unit Costs
Curb Ramp design costs	Included in Low and High Unit Costs
Bus Island design	Included in High Unit Costs
Added 5% Factor for Utility	Included in High Unit Costs

Construction Assumptions

Bollards	Included in Low and High Unit Costs
Pavement Costs - Pavement	Included in Low and High Unit Costs
Ramp Installation	Included in Low and High Unit Costs
Signal work	Included in Low and High Unit Costs
BSL Work	Included in Low and High Unit Costs
Bike Signals	Included in Low and High Unit Costs
Striping	Included in Low and High Unit Costs
Green Treatment	Included in Low and High Unit Costs
Bus Lane (red) Treatments	Included in Low and High Unit Costs
Tree Repair/Replant (no tree)	Included in High Unit Costs
Bus Island Const	Included in High Unit Costs
Transit Lighting	Included in High Unit Costs
Transit Shelters	Included in High Unit Costs
Bus Pad Const/Repair	Included in High Unit Costs
Hardening	Included in High Unit Costs
Added 5% Factor for Utility	Included in High Unit Costs
Added 10% Contingency	
Added 15% Construction Management/Inspection	

* Takes into account 94/6 split between asphalt streets and concrete streets

High - Scenario A
 Low = Scenation B

ATTACHMENT 2

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High - Scenario A
 Low = Scenation B

Exhibit "A"
to Settlement Agreement for *Fix the City v. COLA*, (Case Nos. BS157831 and BS159574)

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.