

December 14, 2017

Dear Honorable Council President Herb J. Wesson, Jr. and City Council Members:

RE: 14-0163-S3 Sidewalks Prioritization Program

Investing in Place strongly encourages the Los Angeles City Council to **retain the Vision Zero High Injury Network (HIN)** in the Bureau of Engineering (BOE) proposed **Sidewalk Repair Program (SRP) prioritization methodology**. The HIN represents the only prioritization criteria in the BOE-proposed SRP to include **City interdepartmental coordination, social equity**, and a tool to potentially **accelerate/scale-up** the program.

**Interdepartmental coordination**

As we outlined in our November 1 letter to the Public Works & Gang Reduction Council Committee, the proposed SRP reflects the **repeated exclusion of sidewalks and their users from a comprehensive City transportation network, plan, and funds**. Sidewalks, bus stops, and urban canopy all impact the pedestrian path of travel, yet are concentrated within Public Works Bureaus with little to no coordination with the Departments of Transportation (DOT) or Planning (DCP). DOT is the leading City agency for safety and mobility, which directly applies to the condition and network of our sidewalks as well as our roads.

The needs for safe street design and safe sidewalk infrastructure are interrelated and impact each other. Consider the example of a sidewalk with a missing corner curb ramp: a person in a wheelchair or pushing a stroller might have to find a midblock driveway and enter the roadbed just to cross the street. This severely endangers the path of travel for our already vulnerable road users. **The SRP is about more than trip-and-fall incidents**. It is about a coordinated and cohesive transportation network that accommodates travelers of all abilities, ages, and modes.

Retaining the HIN in the City's SRP is a step towards better City interdepartmental coordination by **using an established Citywide prioritization methodology as a relevant and important measure for a related City program**. DOT has maintained that traffic collisions between vehicles and people walking and biking are concentrated in parts of the City with relatively high pedestrian volume (e.g., Hollywood/Highland, Slauson/Normandie, Roscoe/Van Nuys and MacArthur Park). The HIN can reasonably be considered a proxy for **higher rates of people walking and rolling**, which prioritizes vulnerable road users through its weighted focus on children and older adults. Efforts to improve sidewalk conditions are both a) efficient and effective in **improving conditions where highest rates of people are traveling on sidewalks**, and b) addressing a **complementary need to the Vision Zero effort of reducing injuries and fatalities**.

**Social equity**

The HIN is guided by principles valuing safety and life, and also produces social equity benefits. **Half of streets on the HIN fall within the top quintile of communities with negative health outcomes** and disparities (as defined by the Plan for a Health Los Angeles). Historical underinvestment and disinvestment in our low-income and marginalized neighborhoods has produced unsafe street design and public infrastructure in our poorest neighborhoods. While the use of Incident Reports as a prioritization criteria identifies sidewalk locations where trip-

and-falls have occurred, this methodology does not take into account social equity and disproportionate disinvestment. The HIN and Incident Reports should not be considered repetitive or canceling of each other. Though not a perfect tool of equity measurement, the **HIN is one of few transportation planning methodologies that reflects the disproportionate need for severe safety improvements in our most vulnerable communities.**

We urge the City Council to draw on its own precedent (**CF# 11-1872**) of applying **Safe Routes to School prioritization criteria based on need Citywide**. One year after adopting this citywide prioritization criteria, the City of Los Angeles was awarded \$22 million in statewide Safe Routes to School funds. We see that demonstrating **data-supported need rather than geographical division leads to leveraging additional dollars** for Los Angeles public investment.

Addressing areas with the highest need, and therefore investing in projects with the most potential impact, should not be limited to intra-City jurisdictional boundaries. Retaining the HIN as one of the prioritization criteria for the SRP allows this Citywide needs-based assessment to **most efficiently and effectively invest public funds as well as address social equity disparities.**

#### **Program acceleration**

In a recent Chief Administrative Officer (CAO) FUSE fellow report, both constituents and Business Improvement Districts ranked “sidewalk repair” as the #1 city service that needed the most improvement (CF# 17-1311). Currently, a minimum of \$31 million annually is allocated to the SRP. BOE engineers working on the SRP have estimated with this capacity, **non-disability access requests for residential sidewalk segments will not be addressed for a minimum of five years**, but more likely 7-10 years from now. In the December 4 Budget & Finance Council Committee meeting, Councilmember Englander requested a 60-day reportback from the Bureau to share financing options to potentially accelerate the program and that could more accurately reflect the public's expectations of this \$1.4 billion repair program.

Retaining the connection between the HIN and SRP priority locations means smarter planning with data-driven investments. **The City of Los Angeles currently lacks a comprehensive strategic transportation plan that takes into account both street design as well as sidewalk infrastructure and amenities.** Using the HIN as a tool to prioritize investment and guide related work plans is a key step in developing an efficient SRP and, at a higher level, a citywide comprehensive transportation plan.

Further, a comprehensive strategic plan could leverage existing and anticipated public funds. **Measure M, Measure R, Proposition C, SB 1, and State cap-and-trade grant funds and Active Transportation Program (ATP)**, are eligible revenue sources for sidewalk construction as a measure to increase safety, multi-modal transportation options, and method to reduce Greenhouse Gas emissions. By concentrating resources through a comprehensive transportation lens that defines the “street” as property line to property line, the City may unlock additional funding opportunities to ensure **quicker implementation** of sidewalks, crosswalks, and overall street design to support healthy and safe communities.

We thank you for your continued leadership and reiterate our strong encouragement to **retain the Vision Zero High Injury Network as a prioritization criteria in the City's Sidewalk Repair Program.**

Sincerely,



Jessica Meaney  
Executive Director  
Investing in Place

CC:

Honorable Councilmember Gil Cedillo, City Council District 1  
Honorable Councilmember Paul Krekorian, City Council District 2  
Honorable Councilmember Bob Blumenfield, City Council District 3  
Honorable Councilmember David Ryu, City Council District 4  
Honorable Councilmember Paul Koretz, City Council District 5  
Honorable Councilmember Nury Martinez, City Council District 6  
Honorable Councilmember Monica Rodriguez, City Council District 7  
Honorable Councilmember Marqueece Harris-Dawson, City Council District 8  
Honorable Councilmember Curren D. Price, Jr., City Council District 9  
Honorable Councilmember Mike Bonin, City Council District 11  
Honorable Councilmember Mitch Englander, City Council District 12  
Honorable Councilmember Mitch O'Farrell, City Council District 13  
Honorable Councilmember José Huizar, City Council District 14  
Honorable Councilmember Joe Buscaino, City Council District 15  
Los Angeles City City Clerk

Attachment: Investing in Place Sidewalks FAQ - Fall 2017

## It's time to Stop Trippin': Fixing the City of LA's sidewalks - Fall 2017

### Sidewalk Policy Frequently Asked Questions (FAQ)

#### Why are close to half of the 11,000 miles of the City of Los Angeles in disrepair?

Some estimates put the amount of damaged sidewalks in the City of Los Angeles at 4,600 miles. Given that sidewalks are the most fundamental piece of our transportation system that impacts all travel modes, how did we get to this point?



Source: Los Angeles Bureau of Engineering

In the 1970s, the City of Los Angeles took on financial responsibility for sidewalks damaged by trees. Previously, property owners were financially and legally responsible for adjacent sidewalks. But within a few years the City ran out of dedicated funding to repair sidewalks and stopped making repairs and installing needed accessibility fixes. It has been over 40 years since the City of Los Angeles has invested in a comprehensive program to fix and maintain its sidewalks, crosswalks, and bus stops. This is painfully evident with deteriorating conditions and lack of accessibility for all citywide.

Thanks to partners in the disability advocacy community in 2015 the City settled a \$1.4 billion class action lawsuit, commonly known as the “Willits Settlement.” The settlement determined that the City’s crumbling sidewalk infrastructure was not compliant with the Americans with Disabilities Act (ADA) and prevented people with disabilities from travel and access in Los Angeles. This legal action led the City to develop a sidewalk policy. More info on the Willits Settlement below.

#### What is the new Sidewalk Policy?

In 2015 the City of Los Angeles finalized the Willits Settlement, a \$1.4 billion class action lawsuit and largest disability lawsuit nationwide, over the City’s broken sidewalks preventing people with disabilities from traveling around. The settlement requires that the City invest \$1.4 billion in sidewalk repair, which will be stretched over 30 years and starting at a **minimum** of \$31 million annually, including:

- Install, repair, and upgrade curb ramps
- Repair sidewalks and walkways damaged by tree roots
- Repair broken or uneven pavement
- Correct non-compliant cross-slopes in sidewalks

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Upon fixing a sidewalk to meet ADA compliance, the City will then “release” liability of that portion of sidewalk to the adjacent property owner. Further repairs and liabilities for the repaired sidewalk would no longer be the City's responsibility. This is commonly referred to as “Fix-and-Release.”

The City is collecting data to map every sidewalk, street tree, curb ramps, and street tree to create a robust inventory of sidewalk conditions. This will inform a citywide prioritization process to identify what streets to start repairing first. The City will also integrate “Low Impact Development” principles, such as conserving natural areas and retaining stormwater runoff where possible.

### How does this impact me?

After the Willits Settlement, the City of Los Angeles developed a Sidewalk Repair Program to prioritize sidewalks in disrepair. There are four program categories:

- 1) Sidewalk Access Repair Program: Requests by and for people with disabilities
- 2) Rebate Program: Property owners willing to pay for their sidewalk and eligible for rebate
- 3) Program Access Improvements
- 4) City Facilities Program: Prioritizing broken sidewalks adjacent to City-owned property

Under the first three categories, residents and property owners can initiate requests or work on repairs in identified locations. All requests can be made online at: <http://www.sidewalks.lacity.org/> or by calling 311. The City Facilities Program was formed to address the Willits settlement requirement that all sidewalk segments adjacent to City-owned properties to meet ADA-compliance in the first five years of the program. Details on each program category are below.

### What is the Access Repair Program?

The Sidewalk Access Repair Program is a 20% annual set-aside for sidewalk repair funds to directly address disabilities access requests. Through the Access Program people with disabilities may submit requests for access repairs such as curb ramp installations and tree root fixes along specific paths of travels. The City has set a goal to remediate access requests within 120 days of receiving a request. Requests are prioritized by a scoring criteria that awards more points to requests made a) in residential neighborhoods, b) within 500 feet of a transit stop/station, and c) unresolved requests dated more than 120 days. All requests can be made online at: <http://www.sidewalks.lacity.org/>. Also you can call 311 or use the MyLA311 app.

### What is the Rebate Program?

The Rebate Program rewards property owners who initiate and pay for their own sidewalk repairs through private contractors through a monetary rebate. Residential and commercial owners can receive a rebate up to \$10,000. Property owners must apply with the City to participate in the program, then pay for their own repairs. Once certified by the City that the repairs are ADA-compliant, the property owner then receives the City's valuation offer amount, up to

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\$10,000. All requests can be made online at: <http://www.sidewalks.lacity.org/>. Also you can call 311 or use the MyLA311 app.

### What are Program Access Improvements?

Program Access Improvements allow the general public and others to report a sidewalk, curb ramps, or other pedestrian facilities in need of repair in the public right-of-way. These requests are not specifically tied to an access issue for a person with a disability and follow the same prioritization scoring system as the City Facilities Program (see below). Because the City has prioritized repairing all sidewalks adjacent to City-owned property in the next five years, and City departments charged with responding to sidewalk repair requests have limited capacity, general residential requests are not likely to be addressed for at least five years. All requests can be made online at: <http://www.sidewalks.lacity.org/>. Also you can call 311 or use the MyLA311 app.

### What is the City Facilities Program?

The City Facilities Program allows for the repair of sidewalks, curb ramps, or other pedestrian facilities at City government offices and facilities, including pedestrian rights-of-way adjacent to facilities owned or operated by the City and the paths of travel leading to primary entrances.

The City Facilities Program uses a two-tier prioritization method. Tier 1 assigns points based on the sidewalk segment location, adjacent land use, proximity to the Vision Zero High Injury Network (HIN)<sup>1</sup>, and number of incident reports. Segments with the highest Tier 1 points total will receive field assessments that scores the sites on damage severity and repair costliness (Tier 2). Segments with the highest combined Tier 1 and Tier 2 scores would be prioritized for repair. Proposed prioritization scoring details are currently being finalized by the City.

### What does this mean for street trees?

While some sidewalk disrepair in the City of Los Angeles is created by tree roots, a full tree canopy is an essential part of a comfortable sidewalk and neighborhood. Trees lifting the sidewalk were either not appropriately selected when planted, have had infrastructure built up around them, or have not been properly maintained. When following the practice of "right tree, right place," such tree and sidewalk conflicts can be avoided.

As Los Angeles experiences more and more extremely hot days, the Sidewalk Repair Program should be designed in a way to retain protective tree canopy. The City currently has a policy of a 2:1 tree replacement ratio for any street tree removal. However this does not take into account mature tree size, so removing a ficus tree with a 50-foot canopy and replacing it with two small stature trees is not going to have the same shade benefits that were previously being provided to that community.

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<sup>1</sup> The HIN is a data-driven street network created by the Los Angeles Department of Transportation that identifies streets with the highest incidence of severe and fatal traffic collisions. <http://visionzero.lacity.org/>

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Of course, planting appropriate trees that can grow in these spaces that will not cause infrastructure damage is important. But keeping public health and community benefits in our neighborhoods is just as important and requires thoughtful planning. The Community Forestry Advisory Committee (CFAC) has **recommended the City adopt a replacement ratio based on canopy size than number of trees**. There would still be a delay in the benefits of mature trees for the subsequent years it will take for the trees to grow to maturity but this ensures a comparable canopy in the long-run. Healthy and mature trees are already being replaced through the Sidewalk Repair Program, and a more robust and revised replacement policy can address this concern.

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### Vision for a Comprehensive Transportation Network

The Sidewalk Repair Program is an opportunity for the City of Los Angeles to address its most basic quality-of-life infrastructure. Safe and comfortable sidewalks and crosswalks serve all travelers, improve local economy, and can create vibrant public gathering spaces.

Rather than treated as separate from streets and transit, planning and funding **sidewalks should be considered part of a comprehensive transportation network**. We look forward to a future where our city is connected by a robust sidewalk and crosswalk network with ample shade and amenities, access to transit with safe and dignified bus stops, patrons connected to commercial and cultural destinations, stormwater runoff treatments, and safe passage for travelers of all ages and abilities.

This future requires a **data-driven strategic master plan** that defines transportation with all travel modes and paths of travel in mind. Los Angeles is often touted as being in the midst of a transportation revolution. We are in a unique position to receive unprecedented transportation and infrastructure resources, including Measure M and state SB 1 funds. It is critical to develop a cost-efficient process to effectively leverage public funds and create a transportation system that will support our transit expansion, first/last mile demands, and ensure safety and accessibility for all travelers. A strategic master plan that incorporates the entire public realm (from sidewalks and streets to bus stops and crosswalks), also creates a system for the multiple City departments who oversee infrastructure and transportation to coordinate efforts and resources. This leads to better and faster outcomes for residents and business owners who rely on city services for their daily quality-of-life amenities.

A comprehensive transportation network will ensure the City of Los Angeles its highest return on investment in the public realm and create a safe, clean, comfortable path of travel for everyone, regardless of ability, resources, or travel mode. This transportation revolution can not leave our sidewalks behind as they are the most universal piece of transportation infrastructure the City oversees. Let's not let it fall through the cracks.

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