

MOTION

HOMELESSNESS AND POVERTY

In adopting the Mobility Element of Los Angeles' General Plan, the City of Los Angeles has established as an important policy objective creating a safe transportation network for those who walk, ride bicycles and use transit, in addition to those who drive. The Mobility Element stresses that the City should place a particular emphasis on the safety of vulnerable road users, including those who walk and ride bicycles; and children, seniors and those with mobility impairments. In this context, safety is not limited to reducing the risk of injury from traffic collisions, but also includes physical security from crime and the threat of crime.

Under the Americans with Disabilities Act (ADA) and other laws, the City has a responsibility to ensure that its sidewalks may be traversed by persons with mobility impairments and other disabilities.

The Mobility Element's focus on the safety of those who walk and bike seeks to implement important statewide policy objectives, including the Complete Streets Act of 2008, and reduction of greenhouse gas emissions (40% of which comes from cars and trucks).

The City's built environment includes many obstacles for people who walk or bike, including freeways, railways, rivers and storm channels. Vehicular and pedestrian underpasses and overpasses are critical infrastructure for these road users.

In many parts of the City, undercrossings and overcrossings are located a half-mile or more apart. Thus, if vulnerable road users are prevented or discouraged from using them because sidewalks are blocked or unsafe, they often must detour more than a mile out of their way to reach their destinations, including but not limited to schools, parks, libraries, and transit stops.

Also, many of these underpasses are dark, have narrow sidewalks, have heavy traffic congestion and/or vehicles travelling at high speeds, and/or have distracted drivers looking for freeway entrances, reacting to directions from GPS devices, etc. In other locations, sidewalk users might be able to detour into the street to avoid physical obstacles or unsafe situations; this is not possible at freeway underpasses and overpasses, in particular.

In short, underpasses and overpasses are significantly different from other streets and sidewalks, where physical obstructions and safety concerns means going a block out of one's way.

For these reasons, the City has a compelling interest in ensuring that the critical infrastructure of vehicular and pedestrian underpasses and overpasses is safe and accessible to vulnerable road users, including those who walk and bike, especially children, seniors and those with disabilities.

The City should enact a narrowly tailored ordinance to achieve this compelling interest by prohibiting activity that blocks this critical infrastructure or keeps people from using it due to safety concerns. Because the particular circumstance of each underpass and overpass is unique, such an ordinance should allow restrictions to be imposed at particular locations by resolution, similar to the procedure established in LAMC 80.69.4.



I THEREFORE MOVE that the City Council REQUEST the City Attorney to draft an ordinance that amends Los Angeles Municipal Code sections 41.18 and/or 56.11, to prohibit storage of property and/or sleeping in or at vehicular and pedestrian underpasses and overpasses, on a case-by-case basis, and that otherwise includes narrowly tailored measures to achieve the compelling interests described above.

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ORIGINAL

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