

INTRA-CITY MEMORANDUM OF UNDERSTANDING BETWEEN CERTIFIED NEIGHBORHOOD COUNCILS AND LOS ANGELES DEPARTMENT OF TRANSPORTATION

This Memorandum of Understanding (hereinafter “MOU”) is mutually agreed upon by the City of Los Angeles acting by and through the Department of Transportation (“LADOT”) and Certified Neighborhood Councils, effective upon the date approved by the Board of Transportation Commissioners.

RECITALS

Whereas Article IX of the charter of the City of Los Angeles and the implementing Regulations as currently set forth in Ordinances Nos. 174006 and 174975 provide that:

- (1) Information from the City should be sent to certified Neighborhood Councils as soon as practical so that certified neighborhood councils are afforded as much opportunity as is practical to provide comment before decisions are made;
- (2) Certified Neighborhood Councils may provide comment and feedback to the City Council, its committees, and to City boards and commissions by using the Early Notification System. The Neighborhood Council may communicate its view either by way of mailed letter, fax, electronically or by a representative appearing in person to make a presentation on an item before the City’s decision makers; and
- (3) Neighborhood Councils shall monitor the delivery of City services in their respective areas and have periodic meetings with responsible City departments, subject to their reasonable availability; and

Whereas LADOT and the neighborhood Councils mutually agree that the People of the City of Los Angeles will benefit from increased communication and cooperation between LADOT and the Neighborhood Councils.

LADOT WILL DO THE FOLLOWING:

1. LADOT Liaisons:
 - a. LADOT will designate the District Senior Traffic Engineer as the primary point of contact with each Neighborhood Council (“LADOT Liaison”). LADOT will assign a primary LADOT Liaison to each of the fifteen City Council Districts. LADOT liaisons may be assigned to more than one Neighborhood Council.
 - b. Each LADOT Liaison will be responsive to each Neighborhood Council whose boundaries fall, in whole or in part, within the Council District to which they are assigned.

- c. The duties of an LADOT Liaison include (1) attending and participating in board and committee meetings of Neighborhood Councils in their assigned districts regarding matters involving LADOT, (2) receiving requests for information, assistance or service from Neighborhood Councils in their district, transmitting the requests to the appropriate person(s) within LADOT, providing responses to the Neighborhood Council in a timely manner; and)3) processing requests for speakers or educational materials (as more fully described in Section 3, "EDUCATION." And Sections 4, "DELIVERY OF SERVICES." Below)
- d. In order to assist the LADOT Liaison, Neighborhood Councils shall channel all requests for information through their LADOT liaison and the Neighborhood Councils shall make best efforts to notify the LADOT liaison of any requests made by their constituents through other means.
- e. Within 15 days after execution of the MOU, LADOT will provide notice of the name, telephone number, facsimile number, mailing address and email address for each LADOT Liaison to the Neighborhood Councils.
- f. Within 30 days after LADOT assigns a new person as an LADOT Liaison, LADOT will provide an updated list with the name, telephone number, facsimile number, mailing address and email address for each LADOT Liaison.

2. NOTIFICATION BY DEPARTMENT OF TRANSPORTATION

- a. LADOT will provide notification as soon as practical of all matters that it deems to be significant, or any matter that the Neighborhood Council Transportation Steering Committee ("NC TSC"), after a majority vote of the Committee, has informed LADOT in writing is significant. The majority vote of the Neighborhood Council Transportation Oversight Committee shall stay in effect unless and until a majority of the Neighborhood Councils that have entered into the MOU take official action (as defined in Section 6.1) deeming the matter not significant. Among the purposes of notification by LADOT is permitting Neighborhood Councils to have input into decisions by LADOT and to monitor the delivery of services by LADOT. A good faith effort will be made by both parties to abide by the timeframes in this MOU. LADOT will provide notification as soon as practicable, but before the Board of Transportation Commissioners (the "Commission") adopts a major policy or program, or significant changes in an existing major policy or program.

- b. Unless otherwise specified below, LADOT will provide notification according to the following schedule:
 - i. The President/Chair of each Neighborhood Council, as determined by the Roster of Neighborhood Councils maintained and published by the Department of Neighborhood Empowerment (“DONE”); and
 - ii. Any Neighborhood Council member who requests to receive notification by signing up on the LADOT Neighborhood Council list server and the Neighborhood Council Representative designated pursuant to section 5 of this MOU.
 - iii. The Neighborhood Council Representative designated pursuant to section 5 of this MOU.
- c. LADOT shall provide notification through the following methods;
 - i. An opt-in notification system supported by a web page or site dedicated to interactive communication between the NC’s and the LADOT.
 - ii. One or more of the following methods;
 - 1. Electronic mail
 - 2. US mail;
 - 3. Facsimile
- d. LADOT will use its best efforts to provide notification concerning the following documents or activities according to the following schedule:
 - i. LADOT departmental organization and reorganization, priorities and budget. Based on a yearly schedule, NC’s must be given 90 days notification and opportunity for NC input.
 - ii. LADOT department routine activities, whether limited to an NC or citywide, 60 days notification. Examples of routine activities include but are not limited to:
 - 1. Street Closures
 - 2. Traffic Calming
 - 3. Equipment Storage
 - 4. Traffic Control Devices – Installation/Revisions/Modifications/Removals
 - 5. Parking Regulations – Implementation/Modification/Revisions/Removal
 - 6. Parking Valets – Permits/temp & perm
 - 7. Valet parking – temp & perm
 - 8. Traffic Calming
 - 9. Speed Zone Surveys
 - 10. Traffic counts/studies/surveys/analysis

11. Project funding – proposals/prioritization/applications
 12. Crossing Guard Assignments
 13. Transit Service – routes/service/schedule
 14. Permit Parking
 15. LOS analysis
 16. Departmental Reports
 17. Transportation Commission Reports
 18. Transportation Committee Reports
 19. Strategic Transportation Planning
 20. Interdepartmental Coordination
 21. Inter-Agency Coordination
 22. Fed/State/Local Funding Activities
- iii. LADOT departmental participation in a multi-jurisdictional project initiated by other jurisdictions, LADOT must notify NC's within 7 days of LADOT's notification.
 - iv. LADOT departmental participation in a multi-departmental project initiated by other departments, LADOT must notify NC's within 7 days of LADOT's notification.
 - v. LADOT departmental participation in routine grant applications, project proposals, funding pursuits and revenue sourcing, LADOT must notify and allow NC participation at the onset or beginning of the process.
 - vi. LADOT participation in street closures, special events, filming activities, interruptions of service and other similar impacts to the community, the LADOT will notify the NC's immediately, according to LADOT's awareness and participation.
 - vii. LADOT participation in City Council activities, directives, reports, and other actions, the LADOT will notify the NC's immediately, according to their awareness and participation.
 - viii. LADOT participation in Speed Zone Surveys, the LADOT will notify NC's at the beginning of the process and renotify the NC's giving 60 advance notice of key transition points such as LAPD, Council Office, Transportation Commission, Transportation Committee and City Council meetings.
 - ix. LADOT participation in the Call for Projects, Stimulus Funding, Safe Routes to School and other funding endeavors, the LADOT will notify the NC's in advance of any assembly of proposals, preparation of any proposals, application of any proposals, allowing the NC's to participate in the selection and prioritizing of any submitted projects and/or proposals.
 - x. LADOT, in all endeavors, will strive to notify and involve the NC's at the beginning rather than the end, of its activities which may result in notification of a year or more for large development proposals to three day notification for a film shoot and street closure. In all cases the default notification shall be 60 days minimum with exceptions limited to those

over which the LADOT has no control. (Film Permits, City Council Actions, Emergencies)

- e. LADOT will address local issues as follows:
 - i. LADOT and the Neighborhood Councils recognize that many issues regarding LADOT services will be specific to individual neighborhoods. For such local issues, the Neighborhood Council Representatives will contact their LADOT Liaison.
 - ii. The LADOT Liaison will direct the Neighborhood Council inquiry to the appropriate person or division within LADOT.
 - iii. LADOT will use its best efforts to provide a response as soon as possible, but no later than 48 hours after the inquiry is made.
 - iv. If LADOT is unable to provide a substantive response within 48 hours, LADOT will use its best efforts to provide the Neighborhood Council with a status report every 14 days until a substantive response can be provided.
 - v. If provided five (5) working days' notice, LADOT will use its best efforts to send a knowledgeable representative to attend a meeting of a Neighborhood Council, or a meeting of a committee of a Neighborhood Council, regarding service issues. If LADOT is not provided with five (5) working days' notice, LADOT will make its best efforts to accommodate requests that an LADOT representative attend a meeting.
 - vi. LADOT will prepare a written periodic report for each Council District that identifies significant new Neighborhood Council issues or concerns as soon as practical.

3. EDUCATION

- a. LADOT and the Neighborhood Councils intend for the education component of these Guidelines to be a reciprocal, shared, joint and mutual process. It is essential that the Neighborhood Councils have as full and complete an understanding as possible of how LADOT operates. The Neighborhood Councils shall offer LADOT a method for making information available to Neighborhood Council stakeholders.
- b. LADOT may publish a monthly electronic newsletter focused on Neighborhood Council issues as they relate to LADOT. LADOT welcomes input from Neighborhood Councils on the content and focus of the newsletter. LADOT shall also make the newsletter available on the LADOT website.
- c. LADOT Liaisons will educate Neighborhood Councils regarding the organization and workings of the LADOT.

- i. This shall include a Transportation Ambassadors Program, similar in style and purpose to LAFD, LAPD, BOSS and other Departments which have programs to train community volunteers in CERT, CPAB, SS Inspections, etc. The TAP program would train advocates, community organizers, NC leaders, all of whom would be in a better position to work with the LADOT on operational, funding, planning issues.
 - ii. LADOT shall provide additional education through workshops, participation in Neighborhood Council Congresses, and presentations at neighborhood Council meetings.
 - d. LADOT shall use its best efforts to accommodate requests by Neighborhood Councils for speakers at Neighborhood Council meetings and events to make presentations on areas of interest. Topics to be covered may include the following local as well as city-wide issues, including but not limited to:
 - i. Transportation Funding
 - ii. Transportation Planning
 - iii. Development Policies
 - iv. Inter-Departmental Transportation Relationships
 - v. Multi-Jurisdictional Transportation Relationships
 - vi. Local Levels of Service (LOS)
 - vii. LADOT responsibilities and authorities
 - viii. LADOT funding and priorities
 - ix. Speed Zone Surveys
 - x. Safe Routes to School
 - xi. Multi Modal Strategies
 - xii. Parking Enforcement
 - xiii. Speed Humps
 - xiv. Traffic Calming
 - xv. Bikeways
 - xvi. Pedestrian Amenities
 - xvii. Street Designations
 - xviii. Pedestrian Oriented Streets
 - xix. Street Furniture – Responsibilities & Authority
 - xx. Transit Furniture – Responsibilities & Authority
 - xxi. General Plan, Community Plan, Specific Plan & Transportation
 - e. LADOT Legislative Priorities. The activities of LADOT are governed by numerous federal, state and local statutes and regulations. Neighborhood Councils will be provided information relating to proposed changes to statutes and regulations that may affect LADOT and the community as a routine element of communication and allowing the NC's to advocate on their behalf.
 - f. LADOT shall invite members of Neighborhood Councils to participate in site visits to LADOT facilities and to project sites. LADOT will provide information about the site visits to

Neighborhood Councils and/or interested parties. These site visits may include but are not limited to the following facilities/locations:

- i. LA's ATSAC Facility.
- ii. Significant facilities/project sites where LADOT is involved whether as the primary agency, a partner agency, a funding agency, an approving agency, a monitoring agency, or any other responsibility

4. DELIVERY OF SERVICES

- a. Pursuant to section 909 of the Los Angeles City Charter, Neighborhood Councils shall monitor the delivery of City services in their respective areas and have periodic meetings with responsible officials of City departments, subject to their availability.
- b. LADOT will provide local Neighborhood Councils within each Council District the opportunity to conduct a Town Hall to discuss and evaluate the delivery of services at a programmatic level.
 - i. At these meetings, LADOT will discuss planned maintenance programs, improvements in service, and improvements in infrastructure within the Council District.
 - ii. At these meetings, Neighborhood Councils shall have the opportunity to bring any matters of concern to the attention of LADOT. LADOT shall not be obligated to respond to any matter that is in litigation, potential litigation, a security issues, and/or covered by any applicable privilege including, but not limited to the attorney-client privilege.
 - iii. At these meetings, LADOT shall review LADOT's priorities for work in the communities and may suggest adjustments as permitted by budgetary and logistical constraints.
 - iv. At these meetings, the LADOT will present LA's Transportation Strategic Plan and address its integration with the Southern California Association of Governments' Long Range Transportation Plan, the Metro's Long Range Transportation Plan and any other funding or planning documents that impact the LADOT in its endeavors.
 - v. LADOT will discuss opportunities for community members to participate in the review and implementation of local projects including traffic calming, traffic regulation, parking policy and enforcement, traffic safety, project proposal and development and other opportunities to partner with the LADOT in improving the quality of life in the community.
- c. Measurement of Delivery of Services:
 - i. LADOT will identify and provide to the Neighborhood Councils the standards it uses to measure its performance.
 - ii. LADOT will identify and provide existing, readily-available, nonproprietary reports regarding LADOT's performance.

NEIGHBORHOOD COUNCILS WILL DO THE FOLLOWING:

5. NEIGHBORHOOD COUNCIL REPRESENTATIVES

- a. Each Neighborhood Council shall designate a person as the point of contact for communications with LADOT. Each Neighborhood Council is responsible for determining how this person ("NC Representative") is designated.
- b. Each Neighborhood Council will provide the name, mailing address, phone number(s) and email address of its representative to the designated LADOT Liaison(s) responsible for interfacing with such Neighborhood Council. In order to assure good communication, updated contact information will be provided to the assigned LADOT Liaison(s).
- c. Neighborhood Council representatives will use their best efforts to provide annual NC Board membership and contact information to the LADOT.
- d. Neighborhood Councils will ensure that all meetings will be held in facilities that are accessible to all modes of travel including mass transit, pedestrian and bicycle to the extent that such facilities exist within the Neighborhood Council boundaries.

6. NOTIFICATION BY NEIGHBORHOOD COUNCILS ON LADOT ISSUES

- a. LADOT will recognize official actions taken by Certified neighborhood Councils. "Official Actions" are actions adopted by motion at a public meeting held in accordance with the requirements of the Brown Act.
- b. If a Neighborhood Council, or a committee of a Neighborhood Council, intends to include on any meeting agenda any matter relating to LADOT, that Neighborhood Council shall endeavor to provide 14 days notice to LADOT before the Neighborhood Council, or committee of a Neighborhood Council, takes any official action on that matter.
- c. At the meeting, LADOT will request the opportunity to present LADOT's position on the matter raised by the Neighborhood Council, including giving an LADOT representative a reasonable amount of time to make a presentation.

7. NEIGHBORHOOD COUNCIL RESPONSE TO LADOT NOTIFICATIONS

- a. The purpose of many of the LADOT notifications described in Section 2 above is to give Neighborhood Councils the opportunity to provide input before decisions are made by LADOT. In reciprocation, the Neighborhood Councils will use their best efforts to provide this input to LADOT in a timely manner, so that LADOT may consider their input. The President of the Neighborhood Council or his/her authorized representative will give said notifications after a vote by the Neighborhood Council approving

the position of the Neighborhood Council. This notification shall be forwarded to the General Manager for consideration.

- b. Where LADOT has provided the Neighborhood Councils with notification pursuant to any section of the MOU, each Neighborhood Council will make its best efforts to provide written input to LADOT within 60 days after receipt, unless otherwise provided by this MOU.
- c. Neighborhood Councils also can monitor LADOT's provision of services on a citywide level through the Neighborhood Council's participation in the annual budget process and development of other long-term plans, discussed in section 2, above.
- d. In all cases, a Neighborhood Council's silence on a topic, issue, proposal, notification, project or any other opportunity for feedback shall not be construed or positioned as approval but shall simply be noted as silence. Silence shall be considered simply silence and "no objections" shall be synonymous with "no approvals" when reporting on the community's response if there has been "no response".

8. NEIGHBORHOOD COUNCILS' TRANSPORTATION OVERSIGHT COMMITTEE:

- a. Each Neighborhood Council will independently decide whether to enter into this MOU. Due to the large number of Neighborhood Councils, it will be impractical for each Neighborhood Council to separately negotiate any modifications to the MOU with LADOT, and for LADOT to separately negotiate modifications with each Neighborhood Council. For this reason, each Neighborhood Council that enters into the MOU will be asked to separately agree to the appointment of a Neighborhood Councils' Transportation Steering Committee. ("NC TSC")
- b. The members of the Neighborhood Councils' Transportation Steering Committee shall be selected by the NC Representatives from each of the Neighborhood Councils that enter into the MOU.
- c. Although LADOT respects the right of each Neighborhood Council to decide whether or not to sign this MOU, LADOT supports a single MOU. LADOT will make information available to all Neighborhood Councils on its website, regardless of whether they have signed this MOU.
- d. The Transportation Steering Committee will provide LADOT annual and updated rosters of its members and Neighborhood Council MOU representatives.
- e. Prior to each meeting the Transportation Steering Committee will use its best efforts to provide LADOT with an agenda.
- f. After each meeting the Transportation Steering Committee will use its best efforts to provide minutes of the meeting, including a roster of attendees.

GENERAL PROVISIONS:

9. MODIFICATION OF THE MOU

- a. The MOU may be modified in writing by mutual agreement by the Transportation Commission and participating Neighborhood Councils. Either LADOT or the NC Transportation Oversight Committee may propose amendments. Both LADOT and the NC Transportation agree to meet with each other within sixty days (60) after a modification to this MOU has been requested in writing.

10. DURATION OF THE MOU

- a. This MOU, once executed, shall remain in effect until the parties involved decide otherwise or earlier upon the effective date of an ordinance passed by the Los Angeles City Council that establishes different or amended regulations for Neighborhood Councils which are inconsistent with the terms of this MOU.
- b. With the passage of time and use of this MOU, it is anticipated that the provisions of this MOU will be modified and extended to enhance effective communication between the parties.

11. STATEMENT REGARDING BEST EFFORTS

- a. LADOT and the Neighborhood Councils pledge to make their best efforts to comply with all of the provisions of the MOU. Both parties recognize that no cause of action can arise by the failure of either party to comply with any provision of this MOU. This MOU shall not establish any rights for any third party that is not a signatory to this MOU.

12. EMERGENCY

- a. If an emergency is declared by the General Manager, the Transportation Commission, or the City Council, all obligations under this agreement shall be suspended until the emergency is over.