REQUEST THE CITY COUNCIL, MAYOR, AND CITY ATTORNEY DIRECT THE BOARD OF PUBLIC WORKS TO COMPLY WITH LAMC § 85.12 REGARDING HLA ORDINANCE APPEALS (COUNCIL FILE 24-0173)

WRAC Mobility and Transportation Committee
Passed 10/21/2026 by a vote of 7-0-0

Motion:

WHEREAS, [name of NC/CC], a member of the Westside Regional Alliance of Councils (WRAC), a member of the Westside Regional Alliance of Councils (WRAC), supports transparent and lawful implementation of City ordinances;

WHEREAS, the administrative appeal process codified under LAMC § 85.12 was enacted specifically to facilitate the prompt resolution of Measure HLA disputes before civil litigation is filed;

WHEREAS, the Board of Public Works (BPW) has improperly delegated authority to the Los Angeles Department of Transportation (LADOT) to unilaterally screen, deny, and block resident appeals from being agendized and heard by the Board—a gatekeeping power nowhere granted to LADOT in the ordinance approved by the City Council; and

WHEREAS, LADOT's improper filtering has rendered the statutory appeal process illusory, forcing residents into court and increasing City litigation costs in direct contradiction of Measure HLA's stated intent;

THEREFORE, BE IT RESOLVED, that [name of NC/CC] requests that the City Council, Mayor, and City Attorney direct the Board of Public Works to immediately comply with LAMC § 85.12 by agendizing and hearing all timely filed Measure HLA appeals, and cease allowing LADOT to act as a gatekeeper over appeals filed against its own departmental determinations.

Background

1. Stated Intent vs. Actual Implementation

When voters approved Measure HLA, the ordinance included an administrative appeal process codified under **LAMC § 85.12**. Under subsection (a), the explicit purpose of this appeal

mechanism is *"to facilitate the prompt and efficient resolution of disputes concerning the City's compliance with Measure HLA before a civil action may be filed."*

Furthermore, under **LAMC § 85.12(i)**, a resident is legally required to exhaust this administrative appeal process and obtain a final decision from the Board of Public Works before they are permitted to file a civil lawsuit. In practice, however, the City's implementation has defeated this purpose:

- **Blanket Denials:** Appeals that do reach the Board have resulted almost exclusively in summary rejections without meaningful review of engineering records or Mobility Plan standards.
- **Increased Litigation:** Rather than resolving disputes out of court, the broken administrative process has forced residents and community groups directly into Los Angeles Superior Court, generating avoidable legal expenses and fee-shifting liabilities for the City under LAMC § 85.11(c)(2) and Code of Civil Procedure § 1021.5.

2. Unauthorized LADOT Departmental Gatekeeping

Under the clear text of **LAMC § 85.12**, jurisdiction over Measure HLA appeals rests exclusively with the Board of Public Works:

- **LAMC § 85.12(c)** states that determinations regarding street enhancements and HLA exemptions *"shall be appealable to the Board of Public Works (Board) by any person who is a resident of the City."*
- **LAMC § 85.12(h)** mandates that *"the Board shall hear and decide the matter"* within 60 calendar days of the appeal filing deadline.

Nothing in LAMC § 85.12 assigns LADOT any authority to evaluate, filter, or dismiss appeals. Despite this, LADOT—citing its general planning role under Los Angeles Administrative Code § 19.213—has intercepted timely resident appeals, issued unilateral determination letters declaring those appeals "ineligible," and prevented the Board of Public Works from ever placing them on a public agenda.

Allowing LADOT to decide which appeals against its own project determinations may reach the Board makes the department the judge of its own cause. If an agency can unilaterally extinguish an appeal before the reviewing board ever sees it, the statutory right to appeal ceases to exist.

3. Why This Matters to Westside Neighborhood and Community Councils

Neighborhood and Community Councils rely on transparent, lawful municipal procedures to represent stakeholders on major street and mobility projects. When City departments bypass Municipal Code requirements:

- **Public Oversight Is Eliminated:** Residents are stripped of their right to present factual and technical evidence at a noticed public hearing before the Board of Public Works.
- **Exemption Claims Go Unchecked:** LADOT routinely designates major multi-mile street reconfigurations—involving curb ramps, signal modifications, parking removals, and turn restrictions—as "exempt" from Measure HLA by labeling them simple "restriping." Without a functioning appeal hearing, there is no public venue to challenge inaccurate exemption claims.
- **Fiscal Accountability Is Compromised:** When the City refuses to perform a mandatory ministerial duty under LAMC § 85.12(h), it invites Writ of Mandate litigation (Code of Civil Procedure § 1085) in which taxpayers bear the cost of both City defense and prevailing plaintiffs' attorneys' fees.

HLA Appeals by the Numbers

Because the City of Los Angeles has not maintained a centralized public tally of administrative filings on the Mobility Plan Implementation Dashboard—and because LADOT has intercepted and blocked several appeals before they were ever assigned a Board of Public Works (BPW) file number—there is no single official City spreadsheet containing an exact grand total.

However, cross-referencing **Board of Public Works meeting packets**, **LAist reporting**, and **Streetsblog LA coverage** establishes the documented track record of Measure HLA appeals since the process took effect in August 2025:

1. Total Appeals Submitted

- **Over 15 formal appeals** have been submitted under LAMC § 85.12 across multiple batches between August 2025 and mid-2026:

2. Appeals Denied in Full by the Board of Public Works

- **The overwhelming majority (roughly 80%–90% of heard appeals)** have been **denied in full** by the Board of Public Works:
    - **November 24, 2025 (First-Ever BPW Hearing)**: As reported by **LAist** ("*LA rejects most Measure HLA mobility upgrade claims in first-ever hearing,*" Nov. 25, 2025), the Board rejected almost every claim presented in the initial batch.
    - **December 5, 2025 Hearing:** According to **Streetsblog LA's** coverage, the Board voted unanimously to deny appeals on **Oro Vista Ave.**, **Melrose Ave.**, **Pico Blvd.**, and all three appeals on **Roscoe Blvd.**

- **Spring 2026 Hearings:** As documented on **Streets For All's** blog in their two-year report ("*Measure HLA two years in*," March 5, 2026), the Board rejected another round of appeals (including slurry-seal/restriping challenges).
- **LADOT's Own Admission:** In official **Los Angeles Transportation Commission minutes (Feb. 12, 2026)**, LADOT Assistant General Manager explained to commissioners that the vast majority of appeals were rejected because the City classifies lane reconfigurations and restriping projects as "exempt" from Measure HLA.

3. Appeals Granted in Full vs. Granted in Part

- **Granted in Full: 0.** Not a single Measure HLA appeal has been granted in full by the Board of Public Works.
- **Granted in Part (Partial Wins):** Only **2 appeals** have ever been "granted in part," and both resulted in minimal, delayed concessions rather than full Mobility Plan compliance:
  1. **Hollywood Boulevard (Heard Nov. 24, 2025 — BPW-2025-0729)**
  2. **Whitsett Avenue (Heard Dec. 5, 2025 — BPW-2025-0766)**

4. Appeals the Board Declined to Hear (Blocked / Uncalendared)

- Because LADOT has acted as an unauthorized gatekeeper—screening out appeals before they reach the Board—exact totals are obscured by the lack of public docketing. However, documented instances include:
  - **Stephen Resnick's (Westwood Neighborhood Council Board member) June 17, 2026 Appeal (Ohio Ave Safety and Mobility Project):** Intercepted by LADOT General Manager Laura Rubio-Cornejo on July 24, 2026, and never placed on the Board's agenda—when the Board heard two other Ohio Avenue appeals on August 5, 2026.
  - **Unmapped / Non-Dashboard Projects:** As noted by **LAist**, the City has routinely refused to docket or entertain appeals for hundreds of resurfacing and "large asphalt repair" projects that LADOT and StreetsLA omitted from the Mobility Plan Implementation Dashboard altogether.

References:

1. **Board of Public Works Official Agenda Packets:** https://dpw.lacity.gov/board-public-works-meeting-documents
2. **LAist:** *LA rejects most Measure HLA mobility upgrade claims in first-ever hearing*

3. **LAist**: *How to file an appeal if you think the city skimped out on a road safety upgrade*
4. **Streetsblog LA:** *Board of Public Works Rejects Most, Not All, Appeals to Force City to Make Streets Safer While Doing Other Road Improvements*
5. **Streetsblog LA:** *City Mostly Rejects Another Round of HLA Appeals, Some After Deadline to Make Determination Had Passed*
6. **Streetsblog LA:** *Measure HLA at Two Years: a Timeline of How L.A. City has Resisted Safer Multimodal Streets*
7. **Streetsblog LA**: *New Lawsuit and Denied Appeals Highlight Ongoing Fight Over Measure HLA Implementation*
8. **Streetsblog LA:** *L.A. City Measure HLA Improvements: Still Only 300 Feet, But It's Complicated*