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Agenda Item: ID17-0022 (10:00 A.M.)

2017 JAN 25 AM 10 17

Date: 1/26/17

CITY CLERK, FRESNO CA

## FRESNO CITY COUNCIL



### Supplemental Information Packet

Agenda Related Item(s) – ID17-0022 (10:00 A.M.)

Contents of Supplement: Letter from Leadership Counsel

#### Agenda Item Title

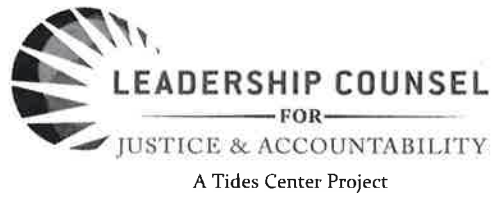
CONTINUED HEARING to consider Plan Amendment Application No. A-16-015, and related environmental finding filed by the Development and Resource Management Department Director pertaining to the Active Transportation Plan (ATP)

#### **Supplemental Information:**

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

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Mayor Lee Brand  
Councilmembers  
City of Fresno  
City Hall, 2600 Fresno St.  
Fresno, CA 93721

CITY CLERK, FRESNO CA

**Re: Draft Active Transportation Plan (Council Agenda Item ID 17-0022)**

Dear Mayor Brand and Councilmembers,

We write to you in regards to the Draft Active Transportation Program Plan ("ATP Plan"), Item ID17-0022) on this week's City Council agenda. While the Draft ATP Plan contains many positive elements, we have serious concerns that omissions in the Plan and indicators in the proposed Priority Matrix which staff has prepared will further entrench and institutionalize City neglect for basic infrastructure needs of Fresno's most disadvantaged neighborhoods. We ask that the City make the revisions to the Draft ATP Plan described below to ensure that the Final Plan advances access to basic infrastructure necessary to make walking and biking safe and attractive for all Fresno neighborhoods.

Leadership Counsel for Justice and Accountability and Cultiva La Salud are local community-based organizations which work alongside residents of low-income neighborhoods in Fresno which lack access to sidewalks, street lights, stormwater drainage, bike lanes, and other basic municipal infrastructure necessary to support active transportation. The lack of adequate infrastructure puts children, parents, the elderly, the disabled and other residents who are forced to share the roadway with diesel trucks and other vehicles and walk on unlit, muddy and flooded roadways at risk every day. Addressing these neighborhood infrastructure deficiencies is a fundamental priority of the residents with whom we work. The ATP Plan thus has the potential either to serve as a critical tool to advance solutions to Fresno's basic infrastructure deficiencies, or to further entrench historic neighborhood-level disparities.

**1. ATP Plan Must Address Infrastructure Deficiencies in Jane Addams and East & California Avenue Communities**

The ATP Plan fails to identify or address serious active transportation infrastructure deficiencies in the Jane Addams and California Avenue & East Avenue neighborhoods. In particular, the Plan fails to acknowledge or include a plan to address the lack of a sidewalk or stormwater drainage directly across the street from the Jane Addams Elementary School. The lack of infrastructure puts students and parents going to and from school at risk on a daily basis. This health and safety risk is augmented during

the rainy season, when the area experiences severe flooding, as shown in Figures A and B. For years, residents of the neighborhood have voiced their concerns regarding the need for sidewalks, stormwater drainage, and adequate street lights in this area and have requested the City take action to address the deficiency. In addition, ATP Plan fails entirely to identify any priority projects for East Avenue and California Avenue, despite the fact that the neighborhood lacks paved streets, sidewalks, and streetlights with the dirt roads turning into mud during periods of rain (Figure B-C). The ATP Plan must identify and include a plan to address these serious infrastructure deficiencies in the Jane Addams and East & California Avenue neighborhoods. Simply excluding and failing to plan to meet their needs is not an acceptable response by the City to the parents and children whose health and safety are at risk.

## **2. The City Must Eliminate Indicators in the Proposed Scoring Rubric Which Entrench and Institutionalize Infrastructure Inequities**

While we appreciate staff's efforts to propose a rubric to score and rank projects included in the ATP Plan as we previously recommended, the rubric proposed would further entrench and institutionalize disparities in access to basic infrastructure impacting Fresno's most disadvantaged neighborhoods by including criteria penalizing neighborhoods that already lack access to basic infrastructure and key resources and amenities, such as park space, grocery stores, and public transit. If adopted, the scoring criteria and thus the ATP Plan would further hinder the attainment of basic infrastructure in the exact neighborhoods that need it the most and conflict with commitments contained in Fresno Housing Element Equitable Communities Program (Program 26) and policies in other chapters of the City's General Plan that prioritize addressing infrastructure deficiencies in the neighborhoods with the greatest need. See General Plan Policies H-2-f; NS-3-b; HC-7-b. It further risks creating a disproportionate negative impact in and compounding existing inequities impacting low-income neighborhoods of color in violation of civil rights and fair housing laws. Gov. Code §§ 11135, 12900, 65008; 42 U.S.C. § 2000d. To address the problematic scoring criteria, we ask that the City make the following changes to the rubric:

1. **C-4 Connectivity to Parks & C-5 Connectivity to Key Destinations:** This category should be eliminated. Communities found in the most disadvantaged areas disproportionately lack access to parks and key destinations such as grocery stores and health clinics. Thus, this criteria would further disadvantage areas already lacking in basic infrastructure, services and amenities.
2. **C-8 Project Type – Location Efficiency Factor:** This factor should be eliminated as it unfairly disadvantages neighborhoods such as Jane Addams which are designated by the City for lower-density residential housing and/or industrial uses but which have clear active transportation needs by residents who must walk to schools, public transportation, and other destinations.
3. **F-2 Existing Infrastructure:** This category should be eliminated as it would penalize and further disadvantage neighborhoods lacking in basic infrastructure for the City's own neglect by withholding resources from these neighborhoods.

4. **T-4 Population Density:** This category should be eliminated. Some of the most disadvantaged areas of the City, especially those West of Highway 99 and in West Fresno, have low population densities due to chronic public and private neglect and yet have the greatest active transportation infrastructure needs. This category would deprioritize projects serving these communities with the greatest need and thus further entrench and institutionalize their lack of access to basic infrastructure.
5. **F-1 Right of Way:** This category should be eliminated in the scoring rubric. While right of way acquisition may be challenging, it is not an excuse for the City not to address serious infrastructure needs. The Jane Addams neighborhood is one example. The City has refused to move forward to address the need for sidewalks and stormwater drainage across the street from the elementary school in part because of the potential need to acquire right of way from private properties. Rather than throw its hands up in the air and claim it cannot be done, the City must identify and pursue innovative opportunities to achieve right of way access where necessary to address critical infrastructure needs.
6. **T-1 Bicycle or Pedestrian Collision:** This section should be modified as shown in the table below. Italics indicates proposed additional language. The modifications allow the City to take a proactive approach to pedestrian safety. Multiple collisions indicate danger, fatality risk and need for active transportation improvements and thus should be accounted for in scoring. The reduction of the number of collisions required in other lines reflects the reality of under-reporting in. Additionally, even if a collision had occurred, not all accidents are reported by community as a result of their legal status and/or no health insurance.

20	<i>One fatality OR three or more bicycle or pedestrian collisions reported...</i>
15	<i>Two bicycle or pedestrian related collisions</i>
10	<i>One bicycle or pedestrian related collisions</i>
8	<i>Two or more near miss accidents within ½ a mile to a school to the City</i>
0	<u>SAME</u>

7. **A-3 Community Identified Priority:** As discussed above, the ATP Plan is not comprehensive and fails to include projects to address key community active transportation infrastructure needs. Therefore, this category should not only award points to projects based on their prioritization in the ATP Plan but should also award equal points to projects that have been raised by community to the City through means such as the FresGO app, councilmembers, (559) 621-CITY; non-profit organizations with a

reputation of working directly with communities; petitions brought forth by residents; and/or brought forth at public meetings and workshops.

Thank you for your consideration of this letter. If you have any questions or should you like to discuss the letter in person, please contact Grecia Elenes at (559)369-2790 or [gelenes@leadership.org](mailto:gelenes@leadership.org).

Sincerely,

/s/

Grecia Elenes

Policy Advocate

Leadership Counsel for Justice & Accountability

**Figure A**



**Figure B**



Figure C



Figure D

