

## Communication from Public

**Name:** Jake Itzkowitz  
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**Comments for Public Posting:** Please see attached comments.

September 20, 2022

**VIA EMAIL COUNCILMEMBER.MARTINEZ@LACITY.ORG**

The Honorable Nury Martinez  
President, City Council  
City of Los Angeles  
200 N Spring Street, Suite 470  
Los Angeles, CA 90012

**Re: City Council September 20, 2022 Agenda Item No. 4, Council File No. 20-1536-S2, STAP Program**

Dear City Council President Martinez:

Manatt, Phelps & Phillips, LLP represents Tranzito-Vector, LLC ("Tranzito-Vector"). Tranzito-Vector was unanimously selected by the City of Los Angeles ("City") Bureau of Street Services ("StreetsLA") Evaluation Committee for the Sidewalk and Transit Amenities Program ("STAP") and unanimously approved, twice, by the Board of Public Works for that contract. Tranzito-Vector is eager to begin working with StreetsLA and the City to bring much-needed bus shelters and shade structures to Los Angeles pursuant to the STAP RFP.

In advance of the City Council's consideration of STAP, including the Initial Study/Mitigated Negative Declaration ("IS/MND") findings, we wanted to highlight an Environmental Impact Report ("EIR") recently conducted in the region that makes clear there are no significant impacts to a program such as STAP.

On September 9, 2022, Los Angeles County Metropolitan Transportation Authority ("Metro") released the draft EIR for its Transportation Communication Network ("TCN"), a network of "digital displays" across Los Angeles county, including in the City of Los Angeles and other smaller cities in the county, that "can promote efficient roadways, contribute to public safety and generate revenue for Metro's transportation programs."<sup>1</sup> As defined in the EIR, the TCN "Project" includes "the installation of up to 34 Freeway-Facing (FF) TCN Structures and 22 Non-Freeway Facing (NFF) TCN Structures" of digital billboards, comprising "up to approximately 55,000 square feet." TCN EIR, Executive Summary at I-6 – I-7. The TCN program is comprised of digital *billboards*, which are significantly larger than the digital transit shelter signage in STAP, and significantly brighter at up to 6,000 candelas of brightness.

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<sup>1</sup> <https://www.metro.net/projects/transportation-communication-network/>.

Unlike STAP, an EIR was completed for the TCN program due to its several significant and unavoidable adverse impacts.

Notably, the TCN EIR included an analysis of transportation impacts, including a “Freeway Safety Analysis,” and found that any impacts in that category were “less than significant.” *Id.*, at I-10. The EIR Transportation section specifically analyzed whether the digital billboards at issue in the TCN program (which, again, are significantly larger and brighter than the signage in STAP) would “substantially increase hazards” or have traffic safety impacts. TCN EIR, Transportation section, at IV.K-17. The TCN EIR summarized the literature in this area, including for example a study conducted by the Federal Highway Administration finding that even with the presence of digital billboards,

drivers still dedicated their visual attention to driving with minimal fixation durations at CEVMS [Commercial Electronic Variable Message Signs], billboards, and/or other objects in the surrounding environment.

*Id.*, at IV.K-18. Similarly, a study prepared by the Foundation for Outdoor Advertising Research and Education found that “several driving performance measures in the presence of digital billboards are similar to those associated with everyday driving.” *Id.*, at IV.K-19. Further,

[t]he Driving Performance Study found that mean fixation duration was less than one second, ***which is well below the two second fixation duration threshold that is considered dangerous***, as established by the NHTSA. Additionally, as stated in the Driving Performance Study, “[b]ecause of the lack of crash causation data, ***no conclusions can be drawn regarding the ultimate safety of digital billboards.*** Although there are measurable changes in driver performance in the presence of digital billboards, in many cases these differences are on a par with those associated with everyday driving, such as the on-premises signs located at businesses.”

*Id.*, at IV.K-20 (emphasis added). Finally, a Cuyahoga County, Ohio study found “no statistical relationship” between traffic crashes and digital billboards. *Id.*

The TCN EIR Executive Summary and Transportation section are attached hereto in full.

### III. CONCLUSION.

The TCN EIR relied upon a variety of robust analyses and studies, including those specifically addressing traffic safety impacts, in support of its ultimate determination that a very similar program to STAP would not result in any potentially significant adverse traffic safety environmental impacts. In short, there is no basis to believe that digital signage as contemplated in STAP has any significant traffic safety impact.

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Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact me.

Very truly yours,



Carl Lisberger  
Manatt, Phelps & Phillips, LLP

Enclosures: TCN EIR Executive Summary,  
TCN EIR Section IV.K

cc: Councilmember Gil Cedillo, [Gilbert.Cedillo@lacity.org](mailto:Gilbert.Cedillo@lacity.org)  
Councilmember Paul Krekorian, [councilmember.Krekorian@lacity.org](mailto:councilmember.Krekorian@lacity.org)  
Councilmember Bob Blumenfield, [councilmember.blumenfield@lacity.org](mailto:councilmember.blumenfield@lacity.org)  
Councilmember Nithya Raman, [contactCD4@lacity.org](mailto:contactCD4@lacity.org)  
Councilmember Paul Koretz, [paul.koretz@lacity.org](mailto:paul.koretz@lacity.org)  
Councilmember Monica Rodriguez, [councilmember.rodriguez@lacity.org](mailto:councilmember.rodriguez@lacity.org)  
Councilmember Marqueece Harris-Dawson, [councilmember.harris-dawson@lacity.org](mailto:councilmember.harris-dawson@lacity.org)  
Councilmember Curren D. Price, Jr., [councilmember.price@lacity.org](mailto:councilmember.price@lacity.org)  
Councilmember Heather Hutt, [heather.hutt@lacity.org](mailto:heather.hutt@lacity.org)  
Councilmember Mike Bonin, [councilmember.bonin@lacity.org](mailto:councilmember.bonin@lacity.org)  
Councilmember John Lee, [councilmember.Lee@lacity.org](mailto:councilmember.Lee@lacity.org)  
Councilmember Mitch O'Farrell, [councilmember.ofarrell@lacity.org](mailto:councilmember.ofarrell@lacity.org)  
Councilmember Kevin de León, [councilmember.kevindeleon@lacity.org](mailto:councilmember.kevindeleon@lacity.org)  
Councilmember Joe Buscaino, [councilmember.buscaino@lacity.org](mailto:councilmember.buscaino@lacity.org)  
Ted Jordan – Assistant City Attorney, Los Angeles City Attorney's Office, [ted.jordan@lacity.org](mailto:ted.jordan@lacity.org)  
Marc Borzykowski – CEO, Tranzito-Vector, LLC  
Gene Oh – President, Tranzito-Vector, LLC