

1 FREDRIC D. WOOCHEER (SBN 96689)
2 BEVERLY GROSSMAN PALMER (SBN 234004)
3 STRUMWASSER & WOOCHEER LLP
4 10940 Wilshire Boulevard, Suite 2000
5 Los Angeles, California 90024
6 Telephone: (310) 576-1233
7 Facsimile: (310) 319-0156
8 E-mail: bpalmer@strumwooch.com

9 *Attorneys for Petitioner and Plaintiff Fix the City, Inc.*

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF LOS ANGELES

12 FIX THE CITY, INC., a California nonprofit
13 corporation,

14 Petitioner and Plaintiff,

15 v.

16 CITY OF LOS ANGELES; LOS ANGELES
17 CITY COUNCIL; and DOES 1 through 100,
18 inclusive,

19 Respondents.

Case No.

**VERIFIED PETITION FOR WRIT OF
MANDATE AND COMPLAINT FOR
INJUNCTIVE RELIEF**

(Public Resources Code, § 21168; Code of
Civil Procedure, §§ 526, 1085 & 1097;
Government Code, § 65300.5; Los Angeles
City Charter, §§ 555, 556 & 558)

**CALIFORNIA ENVIRONMENTAL
QUALITY ACT (“CEQA”) ACTION**

1 Comes now Petitioner and Plaintiff, Fix the City, Inc., and alleges as follows:

2 **INTRODUCTION**

3 1. Petitioner Fix the City, Inc., by this Verified Petition for Writ of Mandate,
4 challenges the repeated failure of Respondents City of Los Angeles and City Council of the
5 City of Los Angeles (collectively, “Respondents”) to adhere to the requirements of the
6 California Environmental Quality Act (“CEQA”), to follow the procedures set forth in its own
7 Los Angeles City Charter, to maintain consistency within its General Plan and to abide by the
8 requirements of state planning laws, when adopting an amendment to the General Plan of the
9 City of Los Angeles. Fix the City brings this lawsuit in its capacity as private attorney general.

10 2. On August 11, 2015, the Los Angeles City Council approved, Mobility Plan
11 2035 (“MP2035”), an update to the legally-required circulation element of the City’s General
12 Plan, at the same time certifying an Environmental Impact Report (“EIR”), and adopting a
13 Statement of Overriding Considerations for the significant, unavoidable environmental
14 impacts of implementing MP2035. As an element of the General Plan, MP2035 is the
15 “constitution” for the City of Los Angeles street system, establishing which streets will have
16 supposed improved transit access, which neighborhoods will benefit from supposed improved
17 pedestrian amenities, and which streets will lose lanes of vehicular traffic to accommodate
18 bike lanes and/or bus lanes. Respondents acknowledged that implementation of MP2035
19 would have significant, unavoidable impacts to transportation, including significantly
20 increased congestion, intrusion of traffic into residential neighborhoods, failure to comply with
21 the existing regional Congestion Management Plan, and diminished access and response time
22 of emergency responders. The policies set forth in MP2035 conflict with numerous policies in
23 other existing elements of the City’s General Plan, including elements in its 35 Community
24 Plans (which constitute the land use element of the General Plan). In fact, MP2035 is an
25 immobility plan that will have significant, unmitigatable environmental impacts.

26 3. In the City Council process leading to the August 11th approvals, Respondents
27 significantly amended MP2035 after the Planning Commission’s approval. In spite of specific
28 requirements in the City Charter requiring the Council to refer any such amendments back to

1 the City Planning Commission and the Mayor’s office, the Council failed to do so and adopted
2 the amended MP2035 outright.

3 4. Approving MP2035 and its EIR was in violation of substantive requirements of
4 CEQA, in contradiction to clear procedural requirements of Section 555 of the City Charter,
5 and created inconsistency in the City’s fundamental planning documents. Petitioner turns to
6 this Court to enforce these legal requirements and ensure that Respondents’ consideration of
7 MP2035 properly evaluates the plan’s potential environmental impacts, abides by the City’s
8 procedural rules, and does not introduce inconsistency into the General Plan.

9 **PARTIES**

10 5. Petitioner and Plaintiff, FIX THE CITY, INC. (“Fix The City” or “Petitioner”) is
11 a California nonprofit public benefit corporation duly incorporated under the laws of the State
12 of California. Fix The City’s mission is to improve and maintain quality of life and public
13 safety by facilitating neighborhood improvements and neighborhood protection; supporting
14 local infrastructure; improving the efficiency of local government; and advocating for other
15 improvements to the environment throughout the City of Los Angeles. Fix The City
16 participated in the actions challenged herein, submitting oral and written comments to the
17 record on multiple occasions. Petitioner’s members are residents and taxpayers of the City of
18 Los Angeles.

19 6. Respondent and Defendant CITY OF LOS ANGELES (the “City”) is the public
20 governmental entity serving the people of the City of Los Angeles.

21 7. Respondent and Defendant LOS ANGELES CITY COUNCIL (the “City
22 Council”) is the elected governing body of the City of Los Angeles, a charter city in the State
23 of California. The City Council has an office in Los Angeles, California.

24 8. Petitioner is unaware of the true names and capacities of Respondents DOES 1
25 through 100, inclusive, and they are therefore sued by such fictitious names pursuant to Code
26 of Civil Procedure section 474. Petitioner alleges on information and belief that each such
27 fictitiously named Respondent is responsible or liable in some manner for the events and
28

1 happenings referred to herein, and Petitioner will seek leave to amend this Petition to allege
2 their true names and capacities after the same have been ascertained.

3 **FACTUAL BACKGROUND**

4 9. MP2035 is an element of the City of Los Angeles General Plan. State law and
5 the Los Angeles City Charter require that the City prepare and adopt a General Plan, which is
6 to serve as the constitution for future development in the City. State law requires that the
7 general plan include, among its mandatory elements, a circulation element. (Government
8 Code, § 65302, subd. (b).) In the City of Los Angeles, the circulation element of the General
9 Plan has previously been called the Transportation Element, and was adopted in 1999.

10 10. MP2035 is an update to the Transportation Element. The stated purpose of
11 MP2035 is to guide “mobility decisions,” and serve as a “transportation blueprint” for the City
12 until at least 2035, or for the foreseeable future. MP2035 includes both general policies and a
13 more specific action plan that identifies roadways for pedestrian, bicycles, vehicle, or transit
14 “enhancements,” as well as new street design standards. Although MP2035 does not authorize
15 any specific physical project, it sets the stage for such approvals by establishing which projects
16 will be found consistent with the City’s plan in the future, and facilitates the ultimate approval
17 and construction of the roadway improvements specifically identified in MP2035’s action
18 plan, some of which may be constructed or implemented without further approval process
19 pursuant to state laws. MP2035 is intended to comply with state legislation enacted in 2008
20 which requires cities to include multi-modal transportation planning in the required general
21 plan circulation elements; and enable the city to apply for state and federal grants to implement
22 the projects included in MP2035.

23 11. The City began preparing MP2035 by convening several task force meetings in
24 2011.

25 12. On April 13, 2013, the City issued the Notice of Preparation for the EIR for
26 MP2035.

27 13. On April 16 and 20, 2013, the City convened two public scoping meetings for
28 the MP2013 EIR.

1 14. On May 16, 2013, the public comment period on EIR scoping closed. Over 30
2 comments on the scope of the EIR were received.

3 15. On February 13, 2014, the Draft EIR (DEIR) was released for a 90-day public
4 comment period, which closed on May 13, 2014. More than 40 comments were provided on
5 the DEIR.

6 16. On November 20, 2014, staff from the Department of City Planning presented to
7 the City Planning Commission regarding MP2035.

8 17. On February 19, 2015, a Recirculated DEIR (RDEIR) was released for an
9 additional 45-day public comment period which concluded on April 6, 2015. The RDEIR
10 presented changes to MP2035 that had been made since the plan was first developed and to
11 present revised analysis of project impacts. The plan analyzed in the RDEIR included
12 additional miles of plan using transit, expanded bicycle routes, and a network to support
13 pedestrian activity. The RDEIR included analysis of changes to Westwood Boulevard
14 different from those proposed in the DEIR. More than 150 comments were received on the
15 RDEIR.

16 18. The Draft MP2035 was recirculated for public comment along with the RDEIR.

17 19. In the first half of May 2015, the Final EIR (FEIR) was released.

18 20. On May 28, 2015, after a public hearing, the City Planning Commission (CPC),
19 the body of appointed officials designated by the City to review City-wide planning proposals,
20 reviewed MP2035 along with a Five-Year Implementation Strategy. Pursuant to the process
21 set forth in the Los Angeles City Charter, the CPC amended and approved MP2035 as an
22 amendment of the General Plan. The CPC approved and recommended the City Council adopt
23 a resolution certifying the EIR for MP2035, including Findings of Fact, a Mitigation
24 Monitoring Plan, and a Statement of Overriding Considerations. The CPC also approved and
25 recommended that the City Council adopt amendments to the terminology of the City's 35
26 Community Plans so that the street designations in those plans conforms to the street
27 designations employed in MP2035.

28 21. In early June 2015, the Mayor of the City of Los Angeles concurred in the

1 actions of the CPC and recommended to the City Council that it adopt MP2035, certify its
2 EIR, and adopt the other actions approved by the CPC.

3 22. On June 17, 2015, Respondents circulated an Addition to the FEIR consisting of
4 new responses to comments submitted after the close of the public comment period, as well as
5 corrections and additions to the FEIR.

6 23. On August 4, 2015, a joint hearing of the Los Angeles City Council Planning
7 and Land Use Management (“PLUM”) and Transportation (“T”) Committees convened a joint
8 public hearing on MP2035. The PLUM and T Committees recommended that the City
9 Council adopt MP2035, certify its EIR, and adopt all of the related actions approved by the
10 CPC and the Mayor. The PLUM and T Committees, however, made two substantive
11 amendments to MP2035: (1) to amend MP2035 to require that equity is an important factor in
12 prioritizing projects for implementation; and (2) to designate City Council as an implementing
13 agency for MP2035, in addition to the already-designated Office of the Mayor.

14 24. On August 11, 2015, after permitting limited public comment on the item, the
15 City Council, with a vote of 11 in favor and two opposed, adopted MP2035 with a third
16 amendment, to add public safety as a criterion to evaluate implementation of the projects set
17 forth in MP2035, certified its EIR, and adopted the Statement of Overriding Considerations,
18 Findings, and a Mitigation Monitoring Program, along with resolutions directing other
19 conforming amendments to the City’s planning documents. The City Council referred back to
20 the PLUM and T Committees seven motions brought by Councilmembers requesting changes
21 to the streets included in MP2035’s action plan in various respects, stating that additional
22 environmental review would be required for such amendments. It did not send back to CPC
23 the three amendments that it adopted on August 11, 2015.

24 25. As of August 24, 2015, Petitioner could not locate a posted Notice of
25 Determination at the Los Angeles County Recorder’s office. Petitioner is informed and
26 believed that Respondents’ August 11, 2015 approval was the final approval required for
27 finality of MP2035 in reliance upon the MP2035 EIR.

28

Mobility Plan 2035 and EIR

26. MP2035 provides for a “multi-modal” transportation network throughout the City, identifying streets as appropriate for a variety of special treatments in the future. These designations include “transit enhanced network” (“TEN”), on which special treatment will be given to prioritize transit; “vehicle enhanced network” (“VEN”), streets with very high volumes of traffic on which bus speed are to be enhanced, “neighborhood enhanced network,” (“NEN”) which are considered appropriate for improvements to the pedestrian and other slow-moving transportation experience; and “bicycle enhanced network,” (“BEN”) on which protected bike lanes are anticipated to be installed in the future by converting a travel lane to a bike lane, thereby slowing traffic and increasing congestion.

27. The EIR for MP2035 analyzed at a programmatic level the environmental impacts of implementing the proposed street network changes. Respondents did not conduct an Initial Study to identify which impacts the EIR would focus upon. The EIR analyzed potential impacts in the following areas: (1) transportation, parking, and safety; (2) land use and planning; (3) air quality; (4) greenhouse gas emissions; (5) noise and vibration; and (6) biological resources.

28. The EIR concluded that the implementation of MP2035 would have significant and unavoidable impacts to transportation and safety, substantially reducing the number of street segments citywide operating at acceptable impact levels as a result of plan implementation; and that there would be *less congestion without the plan*. As a result of the MP2035-related increased congestion, the EIR concluded that traffic would also divert onto parallel residential streets that are currently not as congested, increasing neighborhood traffic intrusion. Implementing MP2035 will also result in increased congestion on multiple freeway segments, as compared to no-project conditions. Finally, MP2035 will decrease the ability of emergency responders to travel to emergencies due to the increased congestion caused by implementation of the plan. The EIR also found significant and unavoidable impacts due to noise and vibration impacts from increased bus traffic and on biological resources during construction.

1 Respondents' actions.

2 **FIRST CAUSE OF ACTION**

3 **Violation of California Environmental Quality Act**

4 **(Public Resources Code, § 21168)**

5 36. Petitioner incorporates by reference all the allegations contained in the previous
6 paragraphs as though fully set forth herein.

7 37. CEQA is designed to ensure that the long-term protection of the environment be
8 the guiding criterion in public decisions. CEQA accomplishes its purpose by requiring public
9 agencies to determine and to disclose to the public detailed information about the effect that a
10 proposed project may be expected to have on the environment. The term "project" applies to
11 the "whole of an action" which has the potential for resulting in a direct or reasonably
12 foreseeable indirect change in the environment, including, for example, general level activities
13 such as the creation of a general or specific plan for a specified geographic area. Under
14 CEQA, in fact, the environmental analysis of general plans such as the MP2035 is especially
15 critical because conformity to such plans can, in certain cases, exempt a future project from
16 detailed review under CEQA. In such cases, the only critical analysis of the effects of plan
17 build-out will be in the EIR conducted for the general plan. Thoughtful and accurate analysis
18 is thus crucial.

19 38. The EIR does not live up to the requirements of CEQA in several critical
20 respects. The entire premise of the environmental analysis is questionable: while
21 acknowledging that MP2035 will increase congestion and the time that car drivers, by far the
22 predominant mode of transportation even after implementation of MP2035, spend on the road,
23 the EIR concludes that greenhouse gas emissions will somehow improve as a result of
24 MP2035. This conclusion is not backed by any rational or meaningful analysis. Increased
25 idling time will increase fuel consumption and generate more greenhouse gases and air
26 pollution.

27 39. First, the EIR relies on outdated data (or no data) on population, traffic, and
28 other municipal services to establish the environmental baseline against which impacts of

1 MP2035 implementation are assessed. In spite of the Notice of Preparation being issued in
2 2013, the EIR relies on data from 2008, even when other more recent sources of information
3 were available and presented for consideration.

4 40. The EIR's conclusions are logically inconsistent with each other and reflect a
5 failure to employ the proper factors to analyze environmental impacts. The EIR fails to
6 account for the increase in vehicle hours travelled due to the increased congestion that will
7 result from the implementation of MP2035. The EIR acknowledges that MP2035 will have a
8 significant impact on City's ability to comply with the regional Congestion Management Plan,
9 yet fails to account for vehicular delay in its calculations of greenhouse gas emissions and air
10 quality. The EIR relies solely on vehicular miles travelled instead of the actual measure of
11 vehicle emissions: vehicle hours traveled.

12 41. Indeed, the EIR's analysis of greenhouse gases conceded that as compared to No
13 Project conditions, MP2035 offered a paltry 0.2 percent reduction in emissions, because nearly
14 all of the emission reductions in greenhouse gases will take place as a result of independent
15 state emission standards having no relation whatsoever to MP2035. The EIR acknowledges
16 that in some areas, such as the west side of Los Angeles, greenhouse gas emissions will
17 increase due to the slow rates of travel forecasted after the plan has been implemented. The
18 EIR's analysis of air quality impacts is likewise faulty. No data or analysis was provided to
19 support the finding of an overall reduction in GHG as stated in the SOL; the "benefit" cited for
20 GHG was speculative, not based on substantial evidence. Similarly, the EIR relies on a
21 shifting baseline in its analysis of transportation impacts, appearing to take credit for increased
22 transit ridership associated with projects already planned to be constructed. The EIR's
23 baseline and impact comparison shifts in order to create the most favorable perspective for
24 MP2035.

25 42. The EIR's analyses of impacts to public services, especially those related to first
26 responders such as fire and police, are also based on erroneous baseline assumptions and are
27 not based on substantial evidence. The EIR contains no data documenting the current baseline
28 and therefore does not have substantial evidence documenting its conclusions regarding the

1 potential impact of MP2035 on public services. The EIR contains no data regarding how
2 much the implementation of MP2035 will delay response times. The department responsible
3 for emergency response, the Los Angeles Fire Department, failed to provide any testimony on
4 the plan and its impacts on the operation of the Department.

5 43. The EIR entirely failed to consider certain environmental impacts, including but
6 not limited to the growth inducing and water supply cumulative impact of MP2035 and other
7 related land use plans, the urban decay impact of removing parking lanes, an analysis of the
8 impacts of increased vehicle hours travelled, the safety impacts of increased congestion on
9 cyclists and pedestrians, the safety impacts of increasing response times to emergencies, the
10 impact of removing traffic signal requirements imposed as mitigation measures for other
11 projects.

12 44. The EIR's project description is vague and unstable, making it difficult for the
13 public and decisionmakers to understand what project was adopted by the City Council, in
14 contravention to CEQA's requirements of full disclosure.

15 45. The EIR also fails to analyze an adequate range of alternatives as required by
16 CEQA. Public Resources Code section 21102 specifies that public agencies shall not approve
17 projects as proposed "if there are feasible alternatives . . . available which would substantially
18 lessen the significant environmental effects of such projects." In order to achieve this goal, the
19 CEQA Guidelines require that "[a]n EIR shall describe a range of reasonable alternatives to
20 the project . . . which would feasibly attain most of the basic objectives of the project but
21 would avoid or substantially lessen any of the significant effects of the project, and evaluate
22 the comparative merits of the alternatives." (Cal. Code Regs., tit. 14, § 15126.6, subd. (a).)
23 Moreover, "the discussion of alternatives shall focus on alternatives to the project or its
24 location which are capable of avoiding or substantially lessening any significant effects of the
25 project, even if these alternatives would impede to some degree the attainment of the project
26 objectives, or would be more costly." (*Id.*, at subd. (b).) The EIR fails to consider any
27 alternatives that do not contain the same types of street networks as MP2035, depriving
28 decisionmakers of the opportunity to evaluate whether other means of addressing

1 transportation and mobility would have fewer environmental impacts than MP2035 and similar
2 programs.

3 46. The Statement of Overriding Considerations violates Public Resources Code
4 section 21081 as it is not based on substantial evidence. The Statement of Overriding
5 Considerations relies upon assumed air quality improvements and greenhouse gas reductions
6 to support adopting MP2035 in spite of the significant and unavoidable impacts. The
7 Statement of Overriding Considerations does not disclose that these improvements and
8 reductions would almost all take place entirely independent of the adoption of MP2035. The
9 Statement of Overriding considerations also lacks substantial evidence to support its
10 conclusions that fuel consumption will be reduced, that walking and bicycling demand will
11 increase, that increasing bicycling from 1% of trips to 1.7% of trips will somehow offset
12 increased congestion for 85% of commuters using motor vehicles and that public safety will be
13 increased by virtue of the slower traffic speeds that will occur due to implementation of
14 MP2035 – despite impaired first responder access.

15 47. Petitioner has a direct and beneficial interest in the action herein and has
16 exhausted all other available remedies.

17 48. Petitioner has a beneficial right to Respondents’ performance of their respective
18 duties based on Petitioner’s interest in maintaining and improving the quality of the urban
19 infrastructure in the City of Los Angeles, as well as the interest of Petitioner’s members in
20 improving quality of life in their own city.

21 **SECOND CAUSE OF ACTION**

22 **Violation of City Charter**

23 **(Los Angeles City Charter § 555)**

24 49. Petitioner incorporates by reference all the allegations contained in the previous
25 paragraphs as though fully set forth herein.

26 50. The Los Angeles City Charter sets forth the procedures that Respondents must
27 follow in adopting an amendment to the General Plan. Specifically, Los Angeles City Charter
28 section 555 establishes procedures for the adoption of the General Plan or any amendments.

1 The Charter requires approval from both the executive branch and the legislative branch for
2 any General Plan amendment. The City Planning Commission, as well the Mayor, must make
3 recommendations on General Plan amendments, which are provided to the City Council. (Los
4 Angeles City Charter, § 555, subd. (c).) The number of votes needed in the City Council to
5 adopt any amendment depends upon whether the amendment has the recommendation of the
6 Mayor, the City Planning Commission, both or neither. (*Id.*, subd. (e).)

7 51. The Charter provides that the City Council may make changes to a General Plan
8 amendment that has been previously reviewed (as required) by the Mayor and the City
9 Planning Commission. However, “[i]f the Council proposes any modification to the
10 amendment approved by the City Planning Commission, that proposed modification shall be
11 referred to the City Planning Commission and the Mayor for their recommendations.” (Los
12 Angeles City Charter, § 555, subd. (d).) The Charter specifies that the Council’s amendments
13 must be reviewed as the original plan was reviewed by the City Planning Commission. (*Id.*,
14 subd. (c).)

15 52. MP2035 is a General Plan amendment to the Transportation Element of the City
16 of Los Angeles General Plan, and as such, the City was obligated to follow the procedures set
17 forth in the Los Angeles City Charter for the adoption of a General Plan amendment.

18 53. In the course of the City Council’s review of MP2035, it made three substantive
19 modifications to the plan: (1) to amend MP2035 to require that equity is an important factor in
20 prioritizing projects for implementation; (2) to designate City Council as an implementing
21 agency for MP2035, in addition to the already-designated Office of the Mayor; and (3) to add
22 public safety as a criterion to evaluate implementation of the projects set forth in MP2035.

23 54. The City Council did not abide by the process set forth in Los Angeles City
24 Charter section 555, subdivision (d), and refer its substantive amendments to the City Planning
25 Commission and Mayor for their recommendation, even though the amendment adding City
26 Council as an implementing agency alongside the Office of Mayor significantly alters the
27 balance of power in determinations regarding the future implementation of MP2035.

28

1 55. Petitioner has a direct and beneficial interest in the action herein and has
2 exhausted all other available remedies.

3 56. Petitioner has a beneficial right to Respondents' performance of their respective
4 duties based on Petitioner's interest in maintaining and improving the quality of the urban
5 infrastructure in the City of Los Angeles, as well as the interest of Petitioner's members in
6 improving quality of life in their own city.

7 **THIRD CAUSE OF ACTION**

8 **General Plan Inconsistency**

9 **(Government Code, § 65300.5; Los Angeles City Charter, § § 556 & 558)**

10 57. Petitioner incorporates by reference all the allegations contained in the previous
11 paragraphs as though fully set forth herein.

12 58. Consistency among all elements of a General Plan is required by both state law
13 and the Los Angeles City Charter. Government Code section 65300.5 requires that "the
14 general and elements and parts thereof comprise an integrated, internally consistent and
15 compatible statement of policies. . . ."

16 59. Los Angeles City Charter section 556 requires that the City Council make
17 findings that any General Plan amendment is in "substantial conformance with the purposes,
18 intent and provisions of the General Plan."

19 60. Los Angeles City Charter section 558 requires the City Council to make a
20 finding for a General Plan amendment that the amendment "will be in conformity with public
21 necessity, convenience, general welfare and good zoning practice."

22 61. The findings in support of MP2035 do not meet the requirements of the Los
23 Angeles City Charter, and MP2035 is not sufficiently consistent and correlated across the
24 General Plan as required by Government Code section 65300.5.

25 62. The City's 35 Community Plans, and many of the other elements of the General
26 Plan, all have policies designed to reduce or eliminate vehicular congestion. These policies
27 are fundamentally inconsistent with MP2035, which specifically and intentionally *increases*
28 vehicular congestion.

1 permit reduced traffic and parking lanes Citywide and by the City's own analysis increase
2 congestion and neighborhood intrusion of traffic, and delay the ability of first responders to
3 reach medical and fire emergencies. So long as MP2035 remains in effect, proposals
4 consistent with MP2035 can be approved by Respondents/Defendants which will bring about
5 the negative environmental consequences that will have these adverse consequences.

6 71. Petitioners have no plain, speedy, and adequate remedy at law, in that unless
7 Respondents/Defendants are enjoined by this Court to rescind the approval of MP2035 and all
8 other associated approvals, development that is inconsistent with the policies of the General
9 Plan may be approved by the City. No amount of monetary damages or other legal remedy
10 can adequately compensate Petitioner and all residents of the City of Los Angeles for the
11 irreparable harm that they will suffer from the violations of law described herein.

12 **PRAYER FOR RELIEF**

13 WHEREFORE, Petitioner prays for relief as follows:

14 1. That this Court issue a new Writ of Mandate compelling Respondents to rescind
15 their approval of MP2035, along with any and all revisions to the Community Plans and other
16 General Plan elements done to conform to MP2035, any ordinances implementing MP2035,
17 and the street standard maps known as S-470 and Complete Streets Design Standards, which
18 were adopted to conform to MP2035;

19 2. That this Court enjoin Respondents from taking any action to implement
20 MP2035, and the associated changes to the Community Plans, S-470, all zoning and land use
21 maps, and to further enjoin Respondents from taking any action to approve any project under
22 the standards of the MP2035 until such time as the City Council has revised MP2035, its EIR
23 and its Community Plans in a manner that creates consistency within the General Plan and the
24 conforms to the requirements of CEQA and is adopted according to the process set forth in the
25 Los Angeles City Charter;

26 3. That this Court award Petitioner attorneys' fees and costs in its capacity as
27 private attorney general.

28

1 **VERIFICATION**

2 I, Laura Lake, declare:

3 I am Secretary of Fix The City, Inc., and a resident of the City of Los Angeles. I am
4 authorized to make this verification for Petitioner.

5 I have read the foregoing Verified Petition for Writ of Mandate and Complaint for Injunctive
6 Relief and know the contents thereof. Said contents are known to me to be true except those matters
7 alleged on information and belief, and as to those matters I believe them to be true.

8 I declare under penalty of perjury that the foregoing is true and correct.

9 Executed this ___ day of September, 2015, at Los Angeles, California.

10
11 _____
12 Laura Lake
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28