May 26, 2017

Mr. Phillip A. Washington
Chief Executive Officer
Metro
One Gateway Plaza
Los Angeles, CA 90012

Comments on Draft Measure M Guidelines

Dear Mr. Washington,

Investing in Place congratulates Metro staff on the release of the draft Measure M Guidelines for public review. These guidelines mark a key step toward the implementation of Measure M’s promise to provide Los Angeles County residents with access to a safe, reliable, affordable, and sustainable transportation system. Investing in Place reviewed the draft guidelines with an eye toward how implementation of Measure M projects and programs will translate into improvements on the ground in communities throughout the county.

We believe that investments in the transportation system should support safe, healthy, and equitable communities. Historically, transportation decisions have not shared these objectives, oftentimes dividing or demolishing neighborhoods, increasing pollution, and making streets more dangerous for people walking, biking, and accessing transit. In recent years, we’ve seen tremendous progress on reversing these trends through supportive policy for complete streets, first and last mile access, and green infrastructure. Our support for Measure M was predicated on the notion that additional funding would help implement these new policies, while understanding that many of the details on implementation would need to be worked out in the guidelines.
Indeed, it is the guidelines that describe the exact mechanisms by which general policies are applied to each project and program, including fundamental aspects like what criteria are used to select projects for funding, who makes those decisions, and how stakeholders are engaged throughout the process. These process questions speak to several of Investing in Place’s core values: data-driven decisionmaking, community engagement, and prioritization of the needs of low-income communities and communities of color. We believe that Measure M will only live up to its potential if these values are integrated into all aspects of the measure’s implementation.

We are encouraged that the draft guidelines are largely consistent with Measure M’s vision for a balanced transportation system and have a strong focus on delivering tangible benefits efficiently and effectively. In April, we released an analysis\(^1\) of the draft guidelines that reviewed their strengths and weaknesses and included preliminary recommendations for improvements. Since that time, we have continued to engage public agency and COG staff, policy experts, and partner organizations to refine these recommendations. Based on our research and discussions, we offer the following specific recommendations for improving the draft guidelines.

**General Recommendations**

1. **The Measure M campaign sold voters on a vision of a transportation system that works for everyone, where people can walk, bike, take transit, and drive safety on well-maintained infrastructure.** Measure M went so far as to include a definition of complete streets in the ordinance language. Metro’s Complete Streets Policy is the primary mechanism for implementing this vision, yet the draft guidelines are vague about its applicability to some programs. The final guidelines should clarify that Metro’s Complete Streets Policy applies to all funding programs, including multiyear subregional programs, and define Metro’s oversight role to ensure compliance.

2. **A world-class transportation system is more than the sum of its parts.** Measure M isn’t just a collection of projects—it is a vision for a more effective system that provides people real mobility options. To fulfill this vision, the final guidelines should ensure broad eligibility of programs that support behavior change (i.e. TDM), planning, project development, and data collection, not just capital projects. These relatively inexpensive programmatic investments will increase the effectiveness and utilization of the new infrastructure.

3. **Measure M included a number of flexible funding programs without predetermined projects, yet many of these funding programs have undefined project selection criteria.** While more specific recommendations for some programs are provided below, as a general rule the final guidelines should avoid distributing funding in any program on a

\(^1\) [https://investinginplace.files.wordpress.com/2017/04/measuremguidelines-april2017policyanalysis.pdf](https://investinginplace.files.wordpress.com/2017/04/measuremguidelines-april2017policyanalysis.pdf)
“first come, first served” basis. Doing so is unstrategic and would miss the opportunity to select the most effective projects based on clearly defined performance measures.

4. Los Angeles County is a diverse region with many different needs, and the guidelines’ role is to help allocate resources to projects that address those needs. In the face of so many competing pressures and limited resources, it is important to set policy based on common values and defined objectives. It is hard to meaningfully address the needs of low-income communities and communities of color in the absence of an equity policy that clearly defines these communities and their mobility needs. The final guidelines should anticipate such a policy in the Long Range Transportation Plan (LRTP) and include mechanisms to advance social equity in the implementation of Measure M programs, such as prioritization and/or set-asides in funding programs.

Multiyear Subregional Programs

5. The Multiyear Subregional Programs were created out of the recognition that many needed investments fall somewhere in between major regional capital projects and purely local projects. These programs’ flexibility is a huge opportunity for innovation, but also a risk for accountability. They essentially have to be built from scratch in order to develop administrative processes that are transparent, performance-driven, accountable to stakeholders, and assign the appropriate level of authority to the appropriate decision-makers. Due to the complexity of this issue and the many stakeholders involved, Investing in Place would support up to a one year extension for Metro staff and the Policy Advisory Council to develop specific guidelines for the Multiyear Subregional Programs. We believe this extension would not meaningfully delay any projects that would be funded by these programs due to the time it will take for sales tax revenues to accumulate in the first year.

6. Before the Measure M Expenditure Plan was developed, Metro worked with each subregion to create a Mobility Matrix to compile previously identified funding needs into a single document. While useful, this process was not by any means an exhaustive evaluation of mobility needs. Instead, it relied heavily on prior planning studies, some of which were decades old. Jurisdictions without existing plans, particularly low-income cities, were not able to participate fully. As a result, the Mobility Matrices generally underreported needs for active transportation projects, didn’t include complete streets elements in project costs, and overlooked many needs in low-income communities and communities of color. These systemic flaws should not be carried forward into the Measure M programs. The final guidelines should remove explicit references to the Mobility Matrices for determining eligibility or priority within funding programs, and instead have clear criteria for project selection and prioritization consistent with current policies and practices.
7. The Multiyear Subregional Programs would be more effective if advance planning functions are baked into program administration. Programmatic studies, data collection, project development, pre-construction, and evaluation activities are all critical to managing an effective funding program, but under the draft guidelines these expenditures wouldn’t be eligible. The final guidelines should incorporate these activities into each subregional program.

8. If a one year extension to develop a consensus on governance isn’t possible, we propose the following framework for subregional program administration:

- The default would be a competitive grant program administered by Metro through a Call for Projects-like process tied to the five Measure M objectives: Mobility, Economic Benefit, Accessibility, Safety, and Sustainability and Quality of Life. Depending on the size of the program and anticipated award amounts, the program would follow either annual or biennial cycles. All eligible project sponsors in each subregion would be able to apply directly for funding.

- Subregions that desire a larger role in program administration would have the ability to opt in to a collaborative program management structure by entering into a Memorandum of Understanding (MOU) with Metro that delegates some administrative functions to the subregion. All MOUs should, at a minimum, address the following issues:
  
  ■ **Transparency and Accountability** - Each program should have clear goals and objectives, eligibility criteria, and project selection processes. A publicly available program matrix should be maintained that includes each project's scope, schedule, funding amount and source for each phase, documentation of community engagement, and contact information for the project manager. The program administrator should also be required to issue annual reports on the overall program’s expenditures and effectiveness, including project delivery and achievement of program objectives.

  ■ **Collaborative Decision-Making** - It is appropriate for the COGs to have a role in selecting projects and programs for funding, but their authority should not be absolute. COGs have a responsibility to engage local stakeholders (see public participation and capacity and standards) and proposed project lists should be submitted regularly (e.g. annually) for approval by the Metro board. These project lists should be justified by an evaluation of each project's merits, consistent with program objectives. There should also be an appeals process for local jurisdictions whose projects are not selected for funding.
■ **Public Participation** - COGs have traditionally flown below the radar with stakeholders, many of whom are not familiar with their local COG or how to engage effectively with them. COGs’ committees often meet at times that are not convenient for community members, and decision-making processes are generally not clear or welcoming. While some COGs work well with outside stakeholders, this is not consistent across the county and something we can not afford to overlook given the magnitude of this funding. With potential increased authority from Measure M programs, comes an increased responsibility for COGs to seek greater public participation in decision-making and transparency in their operations. Each program should be required to create a public participation plan that includes effective strategies for engaging community members, particularly in low-income communities and communities of color. COGs should identify community-based organizations that serve these populations and collaborate with them to develop their public participation plans for each program.

■ **Performance Measures** - Measure M projects were all evaluated according to consistency with five overarching objectives: Mobility, Economic Benefit, Accessibility, Safety, and Sustainability and Quality of Life. Similarly, the subregional programs should also be required to demonstrate consistency with these countywide objectives. Investing in Place encourages program administrators to go beyond these basic objectives to define more specific, measureable outcomes for each subregional program and collect sufficient data to evaluate the effectiveness of the investments.

■ **Innovative Project Development** - Many cities already have project ideas in mind for funding from the subregional programs--and many of these are in fact good projects. But transportation planners also have a responsibility to evaluate overall system performance and proactively develop projects that address critical needs, such as traffic safety and network connectivity. Most local jurisdictions don’t have the capacity to take on cross-jurisdictional projects or the expertise needed to explore more innovative solutions. The transportation industry has changed rapidly in just the past few years and will continue to do so: shared mobility services and new technology have the potential to upend traditional capital projects, while community-based projects like sidewalk and crosswalk programs, improving first and last miles access to bus and train stops, safe routes to school, pedestrian plazas, and protected bike lanes are increasingly demanded by stakeholders to address safety and
economic development objectives. COGs can and should collect the data needed to identify transportation challenges and work with their member cities, regional agencies, and local stakeholders to develop innovative and multimodal solutions.

- **Capacity and Standards** - Each of the county's nine subregions is administered differently. Some have COGs and some don't. Some COGs are well-established in terms of staff capacity and technical expertise and others just have part-time staff. Engagement with external stakeholders also varies widely across the subregions. Without some standardization on how COGs operate, such as record keeping, budget transparency, and public participation, it is difficult to imagine COGs being effective administrators for Measure M programs. Program administration—not to mention data collection, subregional planning, and project development—requires resources and it is reasonable for these costs to be borne by the associated Measure M program. However, in order to be eligible for funding for administration, COGs should be required to enter into an MOU with Metro addressing all of the considerations outlined above.

**Highway Programs**

9. The Highway Programs represent a significant portion of Measure M expenditures, yet they lack clear, multimodal objectives for evaluating project effectiveness. Performance measurement for highways is a quickly evolving field and the guidelines should reflect this evolution by incorporating the latest research. For example, highway metrics should take into account induced demand when calculating the anticipated benefits of a highway project. The final guidelines should be clear about what these programs aim to achieve and define objectives that reflect current planning practice. Measures like travel time reliability and vehicle miles traveled (VMT) can provide a more accurate representation of the benefits and pitfalls of proposed highway projects than the outdated level of service (LOS). Other metrics should analyze benefits and impacts on public health, sustainability, and social equity. Finally, program metrics should tie to regional performance metrics in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) to ensure that projects contribute toward regional goals.

10. Traffic collisions kill over 500 people each year in Los Angeles County and are the leading cause of death for children ages 2 to 14. These collisions happen on freeways, urban arterials, and local streets, all of which are considered “highways” by Measure M. In addition to the catastrophic toll this traffic violence takes on our families and communities, collisions are a leading source of traffic delays that reduce the efficiency of our roads. Addressing chronic safety issues on our streets and highways will save
lives and ease congestion, a clear win-win. Despite this, the highway program objectives lack a clear focus on safety, particularly for vulnerable road users. The final guidelines should make safety the first objective for all highway programs, with particular emphasis on people walking and biking. All subregional highway programs should be required to evaluate fatal and serious injury collision hotspots within their program area (i.e. a High Injury Network) and include safety countermeasures in projects within those areas.

11. All arterials—and even some State Highways—are city streets that require context-sensitive solutions to accommodate all people and modes of transportation that use them. While all highway program objectives should promote multimodal outcomes consistent with Metro’s Complete Streets Policy, funding programs intended to improve city streets must do so with unambiguous objectives to meet the needs of people walking, biking, and taking transit as well as people driving. Furthermore, eligibility for highway program funds should be determined with a complete streets approach. The draft guidelines are quick to rule so-called beautification as an ineligible use of highway funds, without recognizing that streetscape elements like benches and trees that provide shade are functionally important infrastructure for people who are walking to the bus, to the store, or to school. The final guidelines should clarify eligibility of streetscape elements, such as pedestrian amenities, shade trees, and green streets, that have functional purposes aside from beautification. As mentioned previously, these programs should also include broad eligibility for TDM programs that complement multimodal infrastructure improvements.

**Countywide Active Transportation Program**

12. Measure M includes the first dedicated local funding source for walking and biking, though at only 2% of the measure, this funding falls far short of the identified need. That makes it critical that this limited funding is prioritized for the projects and programs that will have the greatest benefits. Investing in Place supports developing more detailed guidelines over the next year to maximize the benefits of this program. Knowing that walking and biking for transportation are particularly prevalent in low-income communities and communities of color, we believe this extra year for guidelines development will also provide an opportunity to integrate social equity metrics into this program.

13. While it is important for some of this funding to support promising local projects and programs, Metro can and should first allocate stable funding for its own ongoing countywide program needs, including open streets, bike share operations, bike safety education, and safe routes to school non-infrastructure programs. Next, Metro should
target assistance to planning and project development in disadvantaged communities\(^2\) to help level the playing field in terms of resources for active transportation as well as to increase the region’s competitiveness for state and federal funding programs. Finally, Metro should focus its limited resources on supporting innovative pilot projects that can advance the state of the practice for active transportation projects and programs in Los Angeles County.

**Subregional Equity Program**

14. The Subregional Equity Program is equivalent to nearly $1.2 billion across eight subregions, yet the program has no objectives, no eligibility or selection criteria, and no timeline for implementation. While the draft guidelines say that additional evaluation criteria will be developed within a year, in the interim, projects will be funded on a first come, first served basis. As previously described, first come, first served is not a strategic method for allocating transportation funding. Before any Subregional Equity Program funding is allocated, Metro should work with each subregion to identify which projects and programs are priorities for this funding. For example, the Gateway Cities left active transportation funding as “To Be Determined” in the Expenditure Plan. The $244 million in supplemental funding for the subregion would be a good source for meeting this otherwise unfunded commitment to active transportation. All subregions should conduct a transparent process for prioritizing this additional funding with robust public participation.

**ADA Paratransit and Student and Senior Discounts**

15. The draft guidelines propose to allocate up to three-quarters of this funding for ADA paratransit service and the remaining funding to a revised fare discount program. (There is conflicting language in the draft guidelines whether the 25 percent for fare discounts is a minimum or a maximum. This needs to be resolved.) This proposed funding split was not vetted with interested stakeholder groups that represent the affected communities. Metro proposes to leverage Measure M funding by reforming the existing underutilized fare subsidy program to serve more riders. While we agree generally that this is a strategic approach, again, this proposal was not vetted by stakeholders. We recommend allowing for up to one year to establish sub-guidelines for this investment category to allow for additional public participation, similar to processes proposed in various other investment categories.

**Local Return**

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\(^2\) Investing in Places has proposed that Metro adopt a definition for “Equity Opportunity Zones” in the Long Range Transportation Plan to direct transportation resources to benefit communities with a history of disinvestment. For more information, see: [http://bit.ly/TEOZpaper](http://bit.ly/TEOZpaper)
16. The draft guidelines include eligibility for Transit-Oriented Communities in Local Return, however what this means is not clearly defined. The use of “Communities” rather than the more traditional term Transit-Oriented Development is a nod to the idea that transit-supportive land use is more about the built environment that makes up a whole neighborhood rather than any single development project. Investing in Place supports this holistic approach. Local return investments should build off the work Metro is already doing to encourage both the production and preservation of accessible, equitable transit-oriented communities, such as Metro's Joint Development affordable housing policies and the Metro Affordable Transit Connected Housing Program. The Guidelines should explicitly support local return investments into not just the creation but the preservation of existing affordable housing in order to ensure existing transit dependent residents can remain in TOCs.

17. The Measure M Ordinance clearly stipulates that Local Return funding should be allocated according to population. In various discussions leading up to the Measure M Ordinance, alternative formulas were considered and dismissed as less equitable. For example, formulas based on road miles or land area would favor sprawling jurisdictions over those with more efficient land use and transportation patterns. Sales tax receipts-based or employment-based formulas would favor those jurisdictions that have overbuilt office and retail and underbuilt housing supply in the midst of a historic regional housing shortage. Despite the consideration and rejection of alternative formulas, the draft Measure M Guidelines include a proposal for a minimum allocation of $100,000 per year to eight jurisdictions that would otherwise receive less funding from the per-capita formula. This extra funding would come from proportionally reducing allocations to all other 81 local jurisdictions. The eight jurisdictions that would benefit from the Local Return floor fall into two categories: they are either small, exclusive suburbs born out of a history of residential segregation or industrial tax havens that have intentionally excluded residents to avoid accountability for environmental justice impacts from heavy industry. Meanwhile, the donor cities would include densely populated, low-income communities like Bell, Cudahy, and Lawndale. Adjusting the Local Return floor higher or lower than $100,000 would change the list of which cities benefit and which ones are impacted, but it wouldn't change the fundamental calculation that the cities that benefit the most from any Local Return floor are those with a history of exclusion and/or environmental injustice. For this reason, Investing in Place strongly opposes any Local Return floor.

Again, congratulations on reaching this important milestone. We appreciate your diligent consideration of these recommendations and continued engagement with diverse stakeholder groups through the Policy Advisory Council. If you have any questions, please contact jessica@investinginplace.org or (213) 210-8136.

Sincerely,
Organizations:

- Stephanie Ramirez, Associate State Director of Community, AARP California
- Jackson Lam, Asian Pacific Policy & Planning Council (A3PCON)
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- Christy Zamani, Executive Director, Day One
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- Mark Glassock, MPH, Director of Special Projects, Los Angeles Neighborhood Land Trust
- Andrew Pasillas, Southern California Regional Policy Manager, Safe Routes to School National Partnership
- Andres Cuervo, Vice President & Transportation Chair, Palms Neighborhood Council
- Melanie Winter, Director, The River Project
- Bart Reed, Executive Director, The Transit Coalition
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- John Guevarra, Resident, Los Angeles
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