Policy Brief: Measure M Guidelines

Response to June Revision

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Staff contact: Jessica Meaney
jessica@investinginplace.org 213-210-8136

In March, Metro issued draft guidelines for Measure M, the $120 billion transportation measure approved by Los Angeles County voters in November. This 100+ page document, which will set the rules for how Measure M funds are administered, has attracted considerable attention from stakeholders around the region. This week, Metro released a revised draft based on comments from the Metro Policy Advisory Council (PAC), Councils of Governments (COGs), community-based organizations, and other stakeholder groups. For more background on the guidelines’ purpose, role, and relationship to the Measure M Ordinance, refer to Investing in Place’s April analysis.¹

Our April analysis reviewed the first draft of the guidelines and identified strengths, weaknesses, and opportunities for improvement. Then, in May, Investing in Place joined many of our partners on a comment letter further detailing our recommendations.² This brief analyzes the extent to which those recommendations were incorporated into the revised guidelines and offers further suggestions for changes before board adoption later this month.

The most substantial revision to the guidelines changes the way the Multiyear Subregional Programs are to be administered by articulating a collaborative process between Metro and the COGs that includes standards for public participation. This is a significant improvement over the draft guidelines and reflects broad consensus that the COGs should have a role in selecting priority projects within their subregions, but that that increased authority comes with the responsibility to be accountable to community members. Investing in Place strongly supports these changes.

As described below, the majority of our May recommendations were addressed, though critical improvements are still needed to address complete streets and traffic safety.

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General Recommendations

Recommendation #1: 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.

Not addressed. The revised guidelines still lack an affirmative statement that Metro’s Complete Streets Policy applies to all funding programs. This leaves project sponsors and stakeholders uncertain as to which policies will apply to what projects, with differing interpretations potentially subjecting projects to administrative and political delays unless the issue is resolved. Metro’s Complete Streets Policy itself is clear about its application to all projects and all programs, yet the guidelines only reference the policy under the active transportation programs, which are—by definition—in compliance with complete streets. The revised guidelines include a Metro-administered eligibility screen for all projects funded by the Multiyear Subregional Programs. This is the appropriate place for Metro to evaluate each project’s compliance with its Complete Streets Policy, including the local jurisdiction mandate. The final guidelines should be revised to include this requirement unambiguously.

Recommendation #2: Ensure broad eligibility of programs that support behavior change (i.e. TDM), planning, project development, and data collection, not just capital projects.

Partially addressed. The revised guidelines expanded eligibility to include subregional program administration (capped at 0.5% of each program’s annual funding) and project development. Many planning and data collection tasks can be addressed under program administration or project development, as long as they directly relate to the scoping or performance monitoring of eligible projects. Non-infrastructure programs, such as Transportation Demand Management (TDM), are still not eligible in many programs.

Recommendation #3: Avoid distributing funding in any program on a “first come, first served” basis.

Addressed. The changes to the Multiyear Subregional Programs and Subregional Equity Program will create a transparent prioritization process for these funds. All references to “first come, first served” distribution of funding have been deleted.

Recommendation #4: The final guidelines should anticipate a transportation equity 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.

*Partially addressed.* While the revised guidelines did not add social equity as a prioritization criteria for any funding programs, they significantly increased flexibility to consider new performance metrics at a later date, particularly through the Multiyear Subregional Programs and Countywide Active Transportation Program. Investing in Place will continue to advocate for the adoption of a transportation equity policy and its implementation via appropriate funding programs in the LRTP.

**Multiyear Subregional Programs**

**Recommendation #5:** The Multiyear Subregional Programs 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.

*Addressed.* The revised guidelines outline a general framework for involvement of the COGs and other stakeholders in the development of project lists for the subregional programs and defers administrative details to additional guidelines developed within the next six months.

**Recommendation #6:** Remove references to Mobility Matrices for determining eligibility or priority within funding programs, and instead have clear criteria for project selection consistent with current policies.

*Addressed.* The new collaborative administrative process for Multiyear Subregional Programs provides broad flexibility to consider new projects and new performance measures other than those included in the Mobility Matrices.

**Recommendation #7:** Include advance planning functions, including programmatic studies, data collection, project development, pre-construction, and evaluation activities, within administration of Multiyear Subregional Programs.

*Partially addressed.* The revised guidelines allow up to 0.5% of each Multiyear Subregional Program to be spent on program administration. These functions would
likely be eligible, though it will be up to each COG to decide whether to integrate them into program administration.

**Recommendation #8:** Develop a framework to include the COGs in Multiyear Subregional Programs that addresses the core values of: *Transparency and Accountability, Collaborative Decision-Making, Public Participation, Performance Measures, Innovative Project Development,* and *COG Capacity and Standards.*

**Mostly addressed.** The revised guidelines include a strong framework within with each COG will nominate 5-year project lists for approval by the Metro Board of Directors. Each COG will be required to meet minimum standards for public participation in the development of these lists. The specific administrative details of this process will be developed over the next six months. Investing in Place will continue to advocate for addressing these core values in the Multiyear Subregional Programs.

**Highway Programs**

**Recommendation #9:** Include multimodal performance metrics that reflect current planning practice, such as travel time reliability and vehicle-miles traveled (VMT), rather than outdated metrics like Level of Service (LOS) in the highway programs. Add metrics addressing public health, sustainability, and social equity. Tie program metrics to regional performance metrics in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) to ensure that projects contribute toward regional goals.

**Partially addressed.** The revised guidelines did not update the objectives for the highway programs and still rely on outdated language to describe the programs’ purpose, including the problematic Level of Service (LOS). However, the new Multiyear Subregional Program framework provides an opportunity for the introduction of new performance metrics. Investing in Place will continue to advocate for the use of current best practices for project prioritization in these programs.

**Recommendation #10:** Make safety the first objective for all highway programs, with particular emphasis on people walking and biking. Require all subregional highway programs 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.
Not addressed. The revised guidelines did not change the objectives for any of the
highway programs. Traffic safety is still not integrated into the core purpose of
investments in the street and freeway system and no specific procedures are
proposed to make safety analysis a routine part of highway program administration.

Recommendation #11: Promote context-sensitive solutions by employing a complete
streets approach to all projects on city streets, with unambiguous objectives to meet
the needs of people walking, biking, and taking transit as well as people driving.
Clarify eligibility of streetscape elements, such as pedestrian amenities, shade trees,
and green streets, that have functional purposes aside from beautification.

Not addressed. The revised guidelines continue to consider state of good repair,
maintenance, and beautification projects ineligible for highway program funding,
without clearly defining these terms to ensure that complete streets improvements
are not inadvertently excluded. The revised guidelines continue to hold projects on
city streets to the same objectives as freeway projects. The application of Metro’s
Complete Streets Policy to these programs remains unclear, despite these programs
being the one of the primary funding programs for street improvements in Los
Angeles County moving forward.

Countywide Active Transportation Program

Recommendation #12: Support up to a one year period to develop more detailed
guidelines for the Countywide Active Transportation Program, including integrating
social equity metrics into this program.

Addressed. Detailed program guidelines determining priorities for the Countywide
Active Transportation Program will be developed over the next year in consultation
with stakeholders.

Recommendation #13: Set aside money within the Countywide Active Transportation
Program (2%) for ongoing Metro program needs, including bike share operations,
open streets programs, bicycle safety education, and safe routes to school
non-infrastructure programs. This funding should also support planning and project
development in disadvantaged communities and pilot projects that advance the state
of the practice.

Deferred until later. Program guidelines for the Countywide Active Transportation
Program will be developed over the next year. Investing in Place continues to
recommend the consideration of non-infrastructure program needs and planning in disadvantaged communities.

**Subregional Equity Program**

**Recommendation #14:** Require each subregion to prioritize its subregional equity funds in a transparent process with public participation.

**Addressed.** The new collaborative administrative process for Multiyear Subregional Programs will include minimum standards for public participation. The resulting five-year project lists, updated annually, will be adopted by each COG board and the Metro board at public meetings. The Subregional Equity Funds will also be allocated through this process as they become available.

**ADA Paratransit and Student and Senior Discounts**

**Recommendation #15:** Provide 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.

**Addressed.** Metro staff worked with partners including AARP to incorporate feedback into the revised guidelines. Changes include new eligibility for education and outreach programs that familiarize older adults and people with disabilities to the transit system in order to increase independent mobility and reduce reliance on ADA Paratransit, which is more expensive to provide.

**Local Return**

**Recommendation #16:** Clarify eligibility of Local Return for Transit Oriented Communities (TOC) investments by referencing existing Metro policies and programs. 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.

**Partially Addressed.** The revised guidelines now reference Metro’s Transit Oriented Communities Program, which is the appropriate mechanism to guide funding toward
the most effective strategies for increasing housing affordability near transit and reducing displacement of existing communities.

**Recommendation #17:** Reconsider policy basis for potential local return “floor” that is actually a fund transfer from lower-income areas to wealthy suburbs and industrial tax havens. Clearly articulate definitions for any use of terms like “fair” or “equitable” that aren’t actually based on advancing social equity, safety, or other policy objectives.

**Addressed.** Based on the PAC’s recommendation, the revised guidelines removed the problematic local return floor proposal that Investing in Place found to be a funding transfer from low-income communities to wealthy ones.

Investing in Place appreciates Metro staff’s diligence in responding to comments and incorporating significant changes based on stakeholder input. The revised guidelines are a step forward for ensuring that Measure M implementation supports safe, healthy, and equitable communities.

We urge Metro to integrate safety and complete streets into the highway programs before adoption of the final guidelines later this month. By clarifying the application of Metro’s existing policies and adopting best practices for traffic safety metrics, Metro can strengthen the guidelines and ensure that Measure M implementation delivers on its promised benefits for communities throughout Los Angeles County.